

palisades preservation association

September 11, 2011

Planning and Land Use Management Committee,
Los Angeles City Council

Re: Council File 11-1332
City Plan Case 2007-2216-CA
Modified Parking Requirement Districts,
Item No. 4

Honorable Councilmembers;

Our Association is opposed to the adoption of the subject ordinance for the following reasons which are explained in detail in the attached "A Giant Step Backward —A Study of the Modified Parking Requirement District." The page numbers that follow refer to the page in the Study on which the topic is discussed.

1. It violates City Charter Section 562 regarding Variances. p. 4
2. It will result in an increase of spill-over parking into neighboring residential areas, further degrading the quality of life for residents. p.5
3. It will be bad for businesses because businesses need convenient parking for customers and clients as well as to attract qualified employees. pp. 1, 11
4. Despite the exception for Rent Stabilized and Restricted Affordable Units, many affordable apartments will be replaced with more expensive condominiums and rental units. p. 10
5. Unlike other Supplemental Use Districts which require the consent of a 75% of property owners to form the District, any person can form a MPR District. p. 4
6. Mitigation, such as being on a transit route, used to justify establishment of a MPR District can change or no longer be available leaving the District without adequate parking to compensate for the change. p. 4
7. The justification for the MPR Districts is based on false premises and assumptions such as the following:
 - a. Areas of high transit use and/or alternative transportation such as bicycles and car pools, require less parking. p. 8
 - b. Reducing the supply of free or subsidized parking discourages automobile use and thereby encourages the use of transit and alternative forms of transportation, thus reducing traffic congestion and air pollution. p. 9
 - c. Because the census shows that 2/3ds of the renter households in the City have one or no vehicles indicates there is less of a need for parking and therefore, a reduction in parking requirements which will encourage the development of more housing. p. 9
 - d. The availability of free or low cost parking is a major deterrent to transit ridership. p. 9
 - e. Reducing required parking spaces for residential development will encourage construction of moderately priced housing. p. 10
 - f. The required findings for approval of an MPR District are adequate to prevent

spillover parking and traffic congestion in surrounding neighborhoods. p.10

MPR Districts may be good for the real estate industry and the Los Angeles Growth Machine but it is bad for residents, renters, businesses, and their employees.

Respectfully,

JACK ALLEN,
President

**A GIANT STEP BACKWARDS — A Study of the Modified Parking
Requirements District Ordinance**

by
Jack Allen¹

For over 50 years Los Angeles has struggled to overcome the problems caused by its failure to require businesses and multiple family residences to provide sufficient parking for their

employees, customers and tenants so that they did not find it more convenient to park in neighboring residential areas, and also reduce air pollution from people circling around looking for parking. The proposed Modified Parking Requirement (MPR) Ordinance, which allows the easy establishment of districts in which parking requirements can be substantially reduced, if enacted, will result in a flood of such districts along or near every bus or rapid transit line in the City, resulting in a deluge of parking in neighboring residential areas.

Parking requirements are a quality of life issue. Failure to provide adequate parking for any use which is in or adjacent to residences invariably results in non-residents parking their vehicles on streets in front of other peoples' homes and it reduces the quality of life in those neighborhoods. Quality of life is important in any city because the higher quality of life, the more likely desirable businesses will locate and stay in the city and professional and well qualified employees will move or stay in the city. Currently, because of the poor quality of life in LA many desirable businesses and their employees are leaving the City and if the MPR ordinance is enacted, the flight will accelerate.

*Parking requirements are
a quality of life issue.*

Until about 1950 parking wasn't a problem in Los Angeles because most households had only one car and there was a more than adequate public transit to serve people that didn't have a vehicle available. And following World War II, most wives did not work.

However, beginning in 1947, a construction boom occurred in Los Angeles and the City began infilling and expanding outward, particularly into the San Fernando valley. More and more households had two cars because wives began taking jobs in order to pay off mortgages. The public transportation system not only did not expand to accomodate the new development, it contracted substantially.

Public transit at the time was operated by private operators. There was no publicly owned transit. As more and more people bought cars, the demand for public transit diminished and it became unprofitable to operate and privately owned public transit ceased to exist. It was necessary to create taxpayer funded public transit districts to replace the private operators but public transit has never provided the coverage that existed in 1947 and it does not promise to do so in the future.

In addition, as the population increased, commercial strip development expanded on many boulevards and major streets. Prior to the expansion, most businesses did not provide parking for either employees or customers because there was ample parking on the streets in front of the businesses.

However, with the expansion along commercial corridors, street parking in front of businesses became more and more difficult to find and customers and employees resorted to

¹ The author is the former City Attorney of Beverly Hills. Now retired, he specialized in Planning and Environmental law and litigation for 40 years. He has a community activist since 1971 who has served on the Pacific Palisades Community Council for 22 years. He has been the President and an officer of several community, civic, and environmental organizations. He is responsible for getting the State Legislature to allow permit parking, something he now regrets.

parking on adjacent neighborhood streets. Additionally apartment buildings usually provided only one parking space per unit, if any at all, and apartment dwellers found themselves parking in nearby single family neighborhoods.

Zoning authorities generally were slow to respond to this situation and many commercial and apartment buildings were built without increasing their parking. It wasn't until the late 1960s and early 1970s that the City finally increased its parking requirements for commercial and multi-family buildings.

At that time, all parking was required to be on-site. But developers began balking at providing parking on-site because it meant that it was necessary to build the parking underground which was very expensive. As a result, the concept of *in-lieu* or off-site parking was instituted by the City which allows a developer to substitute any available unused parking with in 750 feet of the business. That is two and a half football fields. It is complicated process and it never worked out, particularly when the business was located on a strip commercial adjacent to a residential area. People just found it more convenient to park closer in the residential area, partly because if the parking was not immediately adjacent to the business they were visiting, customers and visitors were not aware that in-lieu parking was available.

However, in most commercial corridors, the horse was already out of the barn and there was no way to get the horse back in. Residential areas were swamped with employees and customers parking in front of their residences. There wasn't any place for anyone visiting a home to park. The only response the City had was to place hourly parking restrictions in residential neighborhoods but this was an unsatisfactory solution because it restricted parking for the residents also. It also produced a domino effect because as soon as one block was restricted, parkers just moved to the next block. Employees of businesses were usually the persons who would cause the problem. Unlike customers, they were willing to walk the extra distance.

State legislation was enacted in 1974 which allowed cities to restrict parking on residential streets to residents on that street by issuing them a permit. The legislation, however, was not thought out, because as soon as the block adjacent to the commercial became restricted, the domino effect occurred and the permitting process repeated until entire neighborhoods between two commercial corridors were restricted.

That would not have bothered residents in many communities which made permit parking easy to obtain. However in Los Angeles, the City required the residents to pay for the permits and the number of permits was restricted so that if a resident decided to have a function at their home, the resident would have to go to a lot of trouble to obtain additional permits. On top of that, some residents would rent their permits out to non-residents. Permit parking is not a good solution.

Permit parking is not a good solution.

Another solution was for the City to build parking structures but that is not financially feasible in commercial corridors. However, by providing metered parking lots the City helped to alleviate the problems but not enough was done to make a significant dent in the parking problem, even though such lots eventually paid for themselves not only in revenue, but also in increased sales taxes from the additional business that resulted from providing the additional parking.

By 1991, developers and the construction labor unions were objecting to the strict parking requirements which they claim inhibited development that the Planning Department began looking for more ways to ease the parking requirements. It began in the General Plan Framework which provides:

“3.4.3 Establish incentives for the attraction of growth and development in the districts, centers, and mixed-use boulevards targeted for growth that may include:

a. Densities greater than surrounding areas, [the MPR ordinance will accomplish

this.]

....

c. Economic incentives (e.g., redevelopment, Enterprise Zones, Neighborhood Recovery, and other), [the MPR ordinance could be considered an incentive.]

d. Streamlined development review processes, [Multiple Approvals Ordinance]

e. “By-right” entitlements for development projects consistent with the community plans and zoning,

f. *Modified parking requirements in areas in proximity to transit or other standards that reduce the cost of development*, and (Emphasis added.)

g. Pro-active solicitation of development.

In 2000, the City adopted both a Parking Restriction District and a Parking Reduction District. The proposed ordinance will delete these sections, both of which required findings that protected the residential neighborhoods from the spillover impacts of any reductions in the parking requirements in the MPR Districts.

The Proposed Ordinance.

The proposed MPR ordinance provides that an applicant may apply to have one or more of the following “parking strategies” or modification tools. (1) Change of Use Parking Standards, [grandfathering], (2) Off-site Parking, [as far as 5 blocks from site], (3) Parking Reduction Permits, [for individual projects], (4) Decreased Parking Permits,[for any part or all of the MPR District], (5) Commercial Parking Credits, [buying public parking spaces], and (6) Maximum Parking Requirements, [setting a maximum number of parking spaces a building can have].

Any one or all of the proposed strategies has the potential of reducing the required number of parking spaces available to accommodate the number of drivers seeking to park at or near a location where they may reside, shop, work, or patronize. This will have the effect of:

(1) Spillover of parking into adjacent and nearby residential areas.

(2) Making it difficult for businesses located in an MPR District to operate because of lack of convenient parking for shoppers and patrons as well as employees.

(3) Despite the exception for Rent Stabilized and Restricted Affordable Units, many affordable apartments will be replaced with more expensive condominiums and rental units.

In short, MPR Districts may be good for the real estate industry but it is bad for residents, renters, businesses, and their employees.

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The MPR District Ordinance Violates City Charter Section 562 Regarding Variances.

“A variance is a zoning exception granted by a local agency. It allows an applicant relief from a zoning regulation and allows the applicant to improve or use its property in a way that varies from the otherwise applicable zoning code...”²

That is exactly what the Modified Parking Requirements District ordinance does. The purpose of the MPR District ordinance is to provide applicants relief from the parking space requirements. Six of the seven strategies involve a reduction of parking spaces from the number of

² 1 Cal. Land Use Practice, (Cont. Ed. Bar 2011), §7.2.A

parking spaces required by the Zoning Code.

Although the ordinance sets up a series of findings to be made, it does not require that before an MPR District is formed or that before any application can be approved that reduces the number of required parking spaces, that a variance be obtained in accordance with City Charter Section 562. A rose by any name is still a rose” and a variance by any name is still a variance.

What Happens If A Transit Agency Abandons A Route Which Services An MPR District?

The main basis for creating MPR Districts is that the districts will be located on or near transit corridors and based on that reasoning, a district does not need the parking spaces that would be required of a property not located near a transit corridor. However, as happened in the 1950's many transit lines were abandoned leaving many areas without service. Recently, RTD and the City has removed bus lines from service because of a lack of ridership. Many bus lines have also reduced service on various routes because of fiscal problems. Additionally, there is no guarantee that either State or local agencies will continue to provide the large subsidies necessary to provide public transit. The taxpayers could vote to eliminate the additional sales tax needed for those subsidies and the construction of additional mass transit.

From this experience, it cannot be assumed that an MPR district will have a permanent source of transit service to accommodate the district’s transportation needs. While this may not be as much of a problem for the downtown area or on fixed rail transit or for major boulevards, it is definitely a factor to consider for areas not so located.

If the available service is abandoned or reduced for an MPR district then there will be a substantial parking shortage which will impact not only the businesses located in the district but also any surrounding residential areas. If adopted, the proposed ordinance will have significant adverse impacts on the residential areas adjacent to any MPR District.

There is No Requirement That a Certain Percentage of Property Owners Consent to the Formation of an MPR District — Anyone Can.

MPR Districts will be Supplemental Use Districts and there is no restriction on where a Supplemental Use District can be created. All it takes to create a Supplemental Use District is one or more property owners or lessees to apply for creation of the District. However, any person including a potential developer can apply for creation of an MPR District. And while to create any other Supplemental Use District requires 75% of the owners or lessees located in the District to sign on in order to create the district, there is no such minimum requirement to create an MPR District. However, since an MPR District would benefit almost all, if not all the owners and lessees in an MPR District, opposition from property owners and lessees is unlikely to result.

Any person including a potential developer, can apply for creation of an MPR

Because of this, it would rarely be a problem for any property owner or lessee to create an MPR District, even if no immediate development of any specific project is contemplated.

Spillover Parking Will Be a Serious Problem if the MPR Ordinance is Adopted.

The proposed ordinance provides that an MPR District include at least one of seven strategies or options. Only two of the options require a finding that spillover parking will not occur. The other options (1) Change of Use Parking Standards; (2) Off-site Parking; (3) Parking Reduction Permit; (4) Commercial Parking Credits; and (5) Maximum Parking Requirements, are all options that if implemented, are guaranteed to create spillover parking in adjacent neighborhoods. There is no requirement regarding spillover parking into adjacent residential neighborhoods. Because the proposed ordinance will allow in-lieu parking as much as 1,500 feet (five blocks) from the building in both commercial and residential areas, spillover parking will

become a serious problem in adjacent single family residential areas particularly along commercial corridors. Currently off-site parking is not allowed in residential areas and is restricted to 750 feet in commercial areas. The 750 foot radius already impacts residential neighborhoods bordering commercial corridors. Extending it and permitting it in residential areas will be disastrous.

Option No. 1. CHANGE OF USE PARKING STANDARDS: (§§13.15.F.1)

Grandfathering Existing Uses Will Exacerbate Parking Shortages. The current parking requirements provide that if there is a change in use which is more parking intensive, the property owner must provide enough additional parking to meet the requirements for the new use. For example, an owner has a 2,000 square foot retail space which currently has only two parking spaces (which is non-conforming because it is required under the Code to have eight spaces). The owner wants to lease the space out for restaurant and bar which requires one parking space for each 100 sq. ft. for a total of 20 spaces. If the property is in an MPR District, the owner would not have to provide any additional parking spaces and thus there will be spill-over parking in the adjacent residential areas.

Option No. 2 OFF-SITE PARKING. (§§13.15.F.2)

Currently, developers of commercial properties are allowed to use covenanted off-site parking spaces located within 750 feet of a project in lieu of providing parking on-site. This has not worked. Despite this, the Planning Commission proposes to increase the distance to 1,500 feet from the project site and also allow such off-site parking for residential developments. Because the current 750 foot allowance is causing serious spillover parking in adjacent residential areas, the proposal will really exacerbate the situation. The justification for increasing the distance and the application to residential development is based on a myth. That myth is:

Myth: It can be reasonably expected that people will walk 1,500 feet (a quarter of a mile) for general convenience trips.”A quarter of a mile is a standard distance for walking.”

Reality: The average city block is 300 feet in depth. What City planners are saying is that they expect people to walk five blocks to get free parking. Rarely will renters and employees walk that far for parking and it is unreasonable to expect them too. They won’t even walk 750 feet for parking. Instead they will park on the nearest residential street which given that lots on commercial corridors vary from 150 feet to 85 feet in depth, means they will be parking in front of someone else’s residence.

Customers will not park even 750 feet away from a business. They will go to where the nearest parking is available, even if they have to circle the block several times to find it. That is why shopping centers, supermarkets, chain drug stores and retailers provide large parking lots so that customers can park nearby. That is the reality - not the dream world that City planners are using to justify reducing parking requirements.

It will only work if the business uses valets to park the cars and without charge.

Option No. 3 PARKING REDUCTION PERMITS. (§§13.15.F.3)

The proposed sub-section reads as follows:

“Parking Reduction Permit. A Parking Reduction Permit per Section 12.21.X.28 may be initiated to request reductions in parking for individual projects.”

The proposed sub-section is vague and ambiguous. Sub-section 12.21.X.28 refers to obtaining a parking reduction on single family residential lots in Hillside Areas. Therefore the

option apparently relates to requests to reduce parking on properties located in a single family residentially zoned Hillside Area in which the applicant applies for a Conditional Use Permit.(§§12.21.X.28). Since Hillside Areas already have a procedure for applying for a parking reduction, it does not make sense to form MPR Districts in Hillside Residential Areas.

However, reading the Staff Report, it appears that the purpose of the Option is to allow an MPR District to incorporate Parking Reduction Permits as one of the strategies or options to any property located in the District but if that is so, why incorporate §§12.21.X.28? Is it to set up some sort of procedure in which the applicant applies for a Conditional Use Permit?

If so, there is no requirement in the findings required to approve such a CUP that addresses spill-over parking, which surely will result if a Parking Reduction Permit is approved, whether or not it is in a Hillside Area or in an MPR District.

This Sub-section also sets up an inconsistency between it and the following Sub-section relating to Decreased Parking Standards which requires a set of findings including a finding that no spillover parking or increased traffic congestion will occur in residential neighborhoods. Who would an applicant for an MPR District request Decreased Parking Standards as an option when the applicant can apply for a Parking Reduction Permit and avoid having to prove that the project will not have spill-over and increased traffic congestion impacts.

Option No. 3 - COMMERCIAL PARKING CREDITS (Selling Street Parking Spaces).
(§§13.15.F.6)

It is proposed that developers may reduce parking requirements by purchasing parking credits from the City for underused publicly owned or publicly available on-street or off-street parking spaces based on a survey by the Transportation Department. That means. The survey supposedly would identify times when the spaces are not utilized and available. That might work at the time the survey is taken but conditions change and experience has shown that Transportation is very unlikely to monitor conditions once the survey is made.

For example, spaces are underutilized at night because there is no business operating at night. A restaurant buys the spaces rather than construct required parking on-site. Then other businesses such as a liquor store or drug store open at night so there is a demand for the public parking.

The problem is that once the developer has reduced the number of parking spaces available on the premises there will be no way to restore them if conditions change. Now there is a shortage of parking serving the businesses and customers will spillover into the adjacent residential areas.

Option No. 7 - MAXIMUM PARKING REQUIREMENTS, (§§13.15.E.7)

Setting Maximum Parking Space requirements which limit the number of parking spaces that a project can provide. The purpose is eliminate the amount of available parking so that employees will be forced to use alternative means of transportation to get to work. Common sense dictates that any available parking will go first to management, clients, and customers, leaving the employees to fend for themselves. Well qualified employees will go elsewhere to work leaving the businesses in the building with the employees with either marginal or no qualifications taking the jobs unless they can find parking on nearby residential streets.

The Staff Report does not discuss the economic implications of such a proposal but instead focuses on the following myth:

Myth: Assuming that reduced parking space requirements work in other cities such as San Francisco and Portland, they will work in Los Angeles.

Reality: Comparing LA to other cities is not like comparing apples to oranges. It is like comparing apples to onions or perhaps more appropriately, sardines to a whale. All the cities cited in the Staff

Report are very dissimilar to LA. They do not suffer from urban sprawl and they are like Lilliputians compared to LA. Residents in other cities don't have to travel very far to reach their destinations. They have well developed transit systems, something that LA, because of its sprawl, will never achieve.

Although other cities have implemented maximum parking requirements in an effort to force commuters to use alternative means of transportation, there is no evidence that such strategies are working. Planners are not noted for using common sense and often promote utopian theories that do not work in the real world and this is one of them.

Regardless of its purpose, there is no requirement that implementation of the option requires a finding that there will be no spill-over parking if the maximum parking requirement is approved for a project in an MPR District.

The Zoning Regulations Already Provide Too Many Exceptions To Parking Requirements. Given that there are so many alternatives already in the Zoning Code for exceptions to parking requirements, the question is whether there is a real need for MPR Districts. For example, the Central City Area is already exempt as is the Downtown Business Area. There are also exemptions for any Enterprise Zone and for Redevelopment Areas which reduce the parking requirements to two parking spaces per 1,000 sq. ft. of floor space. Owners of property in the C and M zones can also apply for reduced on site parking by obtaining a CUP if more than 100 employees and/or tenants arrive at the site. The Planning Commission has broad authority to grant reduced on-site parking in many situations.

Thus, there does not appear to be any need for the MPR ordinance and thus, it would appear that its only purpose is to further reduce parking requirements in order to facilitate development. As stated in the Staff Report it is all about economic development (which make profits for real estate developers and jobs for architects, engineers, and the construction labor unions)

The Justification For the MPR Districts is Based on False Premises and Assumptions. There are several myths that underlie the justification for reduced parking requirements. These myths are usually generated by land use consultants employed by the development community. On their face they seem self-evident but they generally are based on false assumptions such as if people have an opportunity to use public transit they will use it, or that there is or will be an adequate public transit system in Los Angeles, which is only wishful thinking.

What has proven true in Los Angeles is that while people can be lead to the water, it doesn't mean that they will drink it — not if the water is a solution that is too impractical or convenient for them to undertake. And because people and jobs are so dispersed in the LA sprawl so that public transit and alternative forms of transportation are not easily accessible to residents, and also require very long commutes for most, it is both impractical and inconvenient.

Myth. Areas of high transit use and/or alternative transportation such as bicycles and car pools, require less parking.

Reality. (1) Being located on a transit corridor does not necessarily mean that residents or employees will use public transit. People may live on a transit corridor but cannot use public transit to get to their jobs or other destinations so they are as automobile dependent as those

who do not live on a transit corridor. The same is true of employees whose place of employment is on a transit corridor but find it inconvenient to travel to and from work using public transit. Often, because of the great distances employees have to travel between destinations and a dire lack of nearby public transit to where they live or work, public transit is not a viable form of transportation

Studies have shown that most people that live on a transit corridor do not use public

even for those who live or work on a transit corridor. Studies have shown that most people that live on a transit corridor do not use public transit.

Public transit often is not convenient, particularly for shoppers because shoppers can only carry a very limited number of purchases while riding on mass transit. For many, just trying to carry a half gallon of milk on a bus is an ordeal.

(2) People who live in on or near a transit corridor or have alternative forms of transportation still keep their vehicles even if they use public transit or an alternative form of transportation. Where people live has no effect on how many vehicles they own and the demand for parking of those vehicles.

Where people live has no effect on how many vehicles they own,,,

Car-pooling has never been a viable solution because of the urban sprawl in Los Angeles. It is very hard to find enough employees who live nearby and work the same hours and whose places of employment are close together.

Bicycles will never be a practical alternative because of the great distances that often separate employees from their workplace and their residences. The number of people that will use a bicycle are minuscule and should not even be considered a factor. Moreover, bicyclists will still own cars and there will be many days on which they will choose to drive rather than bicycle for various reasons such as weather, appointments, etc.

Myth. Reducing the supply of free or subsidized parking discourages automobile use and thereby encourages the use of transit and alternative forms of transportation, thus reducing traffic congestion and air pollution.

Reality. The problem in Los Angeles is that because of a lack of planning, the horse is already out of the barn. The problems of urban sprawl are already so bad they cannot be rectified. The cost of providing an adequate public transit system and subsidizing its use are so astronomical that it will never happen. And the sprawl defeats the use of alternative methods of transportation because there are such great distances between jobs and where people reside. Mobility is a key in Los Angeles for access to jobs and services. Reducing the amount of parking on or near transit corridors will subsidize developers but will only hurt the businesses who lack the parking, particularly if parking in nearby neighborhoods is unavailable. Therefore, for a business to be economically viable, it will have to find some way to provide free parking. So parking will still be free.

Mobility is a key in Los Angeles for access to jobs and services.

On the other hand, unless there is a requirement that before any MPR District is approved, that a finding be made that there will be no spillover parking, adjacent residential areas will be impacted. The fact that there is a finding that “adequate public transit available” will not mitigate the parking problem because there is no guarantee that public transit will be used to a sufficient degree that it will offset the reduction in parking requirements.

What the Staff ignores is that reducing parking and putting it as far as five blocks away from a destination will lead to increased amounts of air pollution as drivers begin circling blocks looking for parking. That was one reason for increasing required parking so as to eliminate the air pollution and traffic congestion caused by drivers looking for parking because of inadequate parking.

Myth: Because the census shows that 2/3ds of the renter households in the City have one or no vehicles indicates there is less of a need for parking and therefore, a reduction in parking requirements which will encourage the development of more housing.

Reality: It would not be surprising if the residents in bulk of these households surveyed are illegal immigrants who cannot legally drive automobiles or even afford them. They are not eligible for public housing such as Section 8. Another significant number of such renters are retired people

who do not need or cannot afford a second vehicle.

But that begs the question. A residence occupied by occupants who today have only one vehicle or none does not mean that in the future the same residence will also be occupied by persons in the same situation. Future residents may have two or more vehicles. Renters are transitory. Also the tenants in a building have mixed parking needs and the parking needs in a building are constantly changing. It is more prudent to have more parking than less parking available.

Myth: Free or subsidized parking should be eliminated in order to encourage the use of transit and alternative means of transportation. “The availability of free or low cost parking is a major deterrent to transit ridership.”

Reality: There is no such thing as “free” or “subsidized” parking. Users of parking pay for parking either directly or indirectly. Indirectly, they pay for it in higher rents, or higher prices, or lower wages. Free or subsidized parking is a cost of doing business and the costs are passed on to the users.

There is no such thing as “free” or “subsidized” parking.

Providers of free or subsidized parking provide it mainly because it attracts either customers or good employees. Businesses that do not provide parking for employees usually employ unskilled or low skilled employees. Landlords provide it because they can charge higher rents. However, developers don’t like providing parking because it reduces their profit margins.

For reasons discussed previously regarding other myths, it is a myth that free or low cost parking is a major deterrent to transit ridership.

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When the issue of subsidies is discussed, it is important to remember that public transit is heavily subsidized by the taxpayers while owning a vehicle is not. The huge amount of subsidization of public transit is diverting large sums necessary for maintenance of the transportation infrastructure and it reduces the amount of funds available to provide other essential public services such as police and fire.

Myth: The required findings for approval of an MPR District are adequate.

Reality: The findings required by the proposed ordinance are nebulous at best requiring only that the Planning Commission find only that the:

The findings required by the proposed ordinance are nebulous.

“...ordinance will be in conformity with public necessity, convenience, general welfare and good zoning practice.”

and that:

“...the strategies included in the District, are appropriate considering such factors such as local transit dependency and automobile usage traffic, available parking, and level of transit service, and the goals, policies, and objectives set forth in the applicable community plan.”

Except for Options 4. and 5. there is no requirement for a finding that the creation of the District will not result in spillover parking in neighboring residential districts or increase traffic congestion.

It is obvious that the Planning Department does not want to require a finding that the approval of an MPR District will not result in a spillover of parking into adjacent residential neighborhoods. That would kill any district that included housing. And even though they justify reduced parking standards based on the availability of public transit, the Staff eliminated a finding that there is adequate public transit to serve the MPR District.

Moreover, if an application is made for a conditional use permit in an MPR District, under the proposed ordinance, the Zoning Administrator can reduce the number of required parking

spaces without having to make any of the findings required by the MPR ordinance or the findings for a variance..

Myth: Reducing required parking spaces for residential development will encourage construction of moderately priced housing even though the ordinance exempts Rent Stabilized and Restricted Affordable Housing Units..

Reality: Reducing required parking spaces for residential development will result in a *decrease* in the supply of moderately priced housing. Until the late 1970s there was an abundance of moderately priced housing in the LA Basin. However, it became very profitable for owners of apartment buildings to convert the buildings to condominiums and sell them, pricing most tenants out of the market. That caused such an outcry from tenants that cities looked for ways to stem the conversions.

Reducing required parking spaces for residential development will result in a decrease in the supply of moderately priced housing.

Since most older apartment buildings did not meet current zoning code requirements, in particular for parking, cities imposed a requirement that before a conversion of a building to apartments to condominiums was approved, that the building must meet all code requirements. In many cases, owners were unable to supply the required parking spaces and were unable to make the conversions which would have resulted in many tenants being displaced because they could not afford to buy their units.

Instead of encouraging the construction of moderately priced housing, this ordinance will do the opposite. Now owners of multiple family dwellings cannot convert affordable apartments to condominiums if sufficient on-site parking is not available. But the proposed ordinance will allow the conversions if additional parking is available withing five blocks thus encouraging the conversions of moderately priced apartment buildings to expensive condominiums, and further reducing the availability of apartments.

Conclusion

The proposed ordinance is a sham with only one purpose — to make it easier for developers to build housing without any regard that it will reduce the quality of life not only for the tenants, but also for the adjacent residential neighborhoods. It is based on misconceptions and propaganda. While the ordinance makes it easier to build housing, it does not provide for the infrastructure to support that housing such as parks, schools, libraries, and fire and police protection. Los Angeles has always been deficient in maintaining a decent quality of life for its residents and this is a giant step backwards, which will drive more and more businesses and residents to move to the suburbs or out of state. It is anti-business because businesses have difficulty attracting qualified employees who find the quality of life in Los Angeles wanting.

September 11, 2011