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TO: CITY OF CUPERTINO
LEGISLATIVE REVIEW COMMITTEE

FROM: ANTHONY, JASON, AND PAUL GONSALVES

SUBJECT: CONSIDER ADOPTING A POSITION ON AB 2762 (BLOOM)
HOUSING: PARKING LOTS

DATE: MARCH 24, 2022

Bill Information:

The official text of AB 2762 can be found [here](#)¹:

Summary:

Existing law, the Planning and Zoning Law, requires each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city, and specified land outside boundaries, that includes, among other mandatory elements, a housing element.

This bill would state that it is the intent of the Legislature to enact subsequent legislation that would allow local agencies to build affordable housing on parking lots that serve public parks and recreational facilities.

Support:

Since AB 2762 has not yet been heard, an official list of supporters is not yet available.

Opposition:

AB 2762 is overly generalized and indicates that subsequent legislation, hereto unknown, would be created. Further the stated intent of the bill could create barriers to the meaningful use of parks and open spaces by reducing the capacity of those facilities to accommodate the public.

As local jurisdictions race to fulfill Regional Housing Needs Assessment (RHNA) quotas, the parking lots of parks and open spaces could be misused or abused in order to

¹ https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB2762

meet housing plan obligations and run contrary to the state’s efforts to secure and expand public access to parks and open spaces through the Parks and Water Bond Act, Proposition 68, which was approved by the voters in June 2018.

Registered Opposition: City of Torrance

Status:

AB 2762 is pending referral to committee.

Legislative Platform:

This bill falls under Cupertino’s 2022 Legislative Platform in the Housing & Community Development Section, page 7, Item #2, “Oppose legislation that may reduce municipal authority, with an emphasis on land use policy, local review, and design standards.”

Recommended Action:

Adopt an oppose position on AB 2762 and authorize the Mayor to send letters to the state legislature.