

Senator Curry, Representative Gere, and Members of the Joint Standing Committee on Housing:

My name is Richard Lyles, PhD, PE, and I live in Ellsworth Maine. Please accept this **testimony in opposition to LD 427**, An Act To Prohibit Mandatory Parking Space Minimums in State and Municipal Building Codes.

I am a practicing city planner/transportation engineer with decades of professional experience and academic training. By way of qualifications to speak on this legislation, my background includes consulting, working for public agencies (e.g., urban redevelopment), university-level teaching and research, and service to local communities (e.g., planning board member). I am **in opposition to this bill** because of 1) potential over-reach by state government in abrogating local responsibility and 2) disagreement regarding what constitutes good planning.

While any state arguably has some responsibility for oversight of local ordinances and the like (certain environmental issues come to mind), land-use control actions at a micro level (e.g., specifying parking requirements for a municipality) is most typically a local issue. Local problems are best solved at that level without state intervention. In some instances, local conditions may make strict parking restrictions logical and important while in others, flexibility should be encouraged. The point is that while “locals” might be well served by the state providing information, data, and advice, usurping local decision-making power is overreach and divorced from responding to local situations.

From a more technical perspective, it generally makes little sense to have a “one size fits all” land-use regulation. While I generally agree with the concern that we have too much paved area in almost all municipalities, there are far too many situations where not providing parking will result in outcomes where there is simply not enough parking for whatever development is being proposed. For example, cars may be parked willy-nilly on narrow residential streets adjacent to high-traffic generators which results in situations like pedestrians interacting with cars circling the block, cars encroaching on sidewalks (if they exist), or degraded response to emergencies because streets are clogged by vehicles that shouldn’t be there. Similarly, things like snow removal are hindered by cars forced to park on narrow streets. The idea that appropriate parking will be provided in keeping with unenforceable “recommendations” is folly. Developers will tend to provide no or very little parking (since parking does, in fact, cost money). If we could start from scratch with a blank slate and design the ideal city which would be well-served by transit, have “good” land use distribution, and perhaps some common off-street lots that could serve multiple developments, it all might work. But, we are dealing with “old”, inefficient, and poorly-designed cities often with narrow streets that serve both local access and as arterials, poor setbacks, and so on. We should certainly provide as few spaces as possible but not at the cost of safety and making the traffic and pedestrian situation worse.

So, this legislation is well-intentioned but goes about solving a problem in a way which will, at least for some municipalities, have significant and negative (sometimes unintended)

consequences in addition to hamstringing local municipalities which are trying to solve **local** parking problems in creative ways. Thank you.