



Reply to: Alice Fredericks  
Chair, Legislative Committee  
MCCMC Tiburon Town Hall  
1505 Tiburon Blvd  
Tiburon, CA 94920

March 27, 2018

The Honorable Scott Wiener  
California State Senate  
State Capitol Building, Room 4066  
Sacramento, CA 95814  
VIA FAX: 916-651-4911.

**RE: SB 828 (Wiener) Land use: housing element  
Notice of Opposition (as amended 3/14/18)**

Dear Senator Wiener:

The Marin County Council of Mayors and Councilmembers (MCCMC) opposes SB 828.

Existing law requires housing elements to consist of a program that sets forth a schedule of actions that the local government will undertake to achieve the goals and objectives of the housing element. This bill requires jurisdictions to accommodate 200% of the need for housing for very low and low-income households in their planning process. The resultant planning cannot demonstrate disparities that perpetuate racial or income disparities. It allows the California Housing and Community Development Department to challenge the methodology and data assumptions underlying development of Regional Housing Number Allocations (RHNA) by local jurisdictions and councils of government.

Local governments cannot control the number of new housing units proposed by private parties nor those actually built. Local governments' housing elements provide a structure that allows for flexibility in gauging what a local jurisdiction can accomplish in meeting its housing goals including: housing affordability, neighborhood quality and character, equal opportunity for housing, sustainability and government collaboration. We should not lose sight of this process which is currently in place and works. The current RHNA process is a sensitive and difficult planning process. To propose that a local jurisdiction can accommodate 200% of their RHNA is unreasonable.

Usurping local control need not be the answer to housing production. The last legislative session provides a productive approach. Bills were considered that provided funding and other measures designed to increase infill development. They allow local governments to set new zoning plans themselves. Partnering with local government is a collaborative and potentially productive approach to meet housing needs that should be allowed to evolve.

MCCMC opposes SB 828 or any other legislation that erodes local control of land use or assumes local jurisdictions have control of the market.

Respectfully,

Alice Fredericks, Chair  
Legislative Committee, Marin County Council of Mayors and Councilmembers

cc:

Senator Mike McGuire

Assembly Member Marc Levine

Senate Transportation and Housing Committee, FAX: (916) 445-2209

Senate Governance and Finance Committee, FAX: (916) 322-0298

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