



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

May 9, 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 4/26/18)**

Dear Senator Wiener:

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

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. In addition, this bill requires jurisdictions to accommodate 125% of the need for housing for very low and low-income households in their planning process. While amendments to the bill have made some of the onerous mandates advisory, the resultant planning required cannot demonstrate disparities that perpetuate racial or income disparities. The bill as amended allows the California Housing and Community Development Department to challenge the methodology and data assumptions underlying development of Regional Housing Number Allocations (RHNAs) 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. The RHNA process currently in place and works. It is a sensitive and difficult planning process. To propose that a local jurisdiction can accommodate 125% 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 productive approach to meet housing needs that should be allowed to evolve.

MCCMC opposes SB 828, as amended, 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 McGuire

Assembly member Levine

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

Senator Lara, Chair of the Senate Appropriations Committee, FAX: (323) 277-4528

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