



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

January 29, 2018

The Honorable Scott Wiener  
California State Senate  
State Capitol Building, Room 4066  
Sacramento, CA 95814

VIA FAX: 916-651-4911

**RE: SB 827 (Wiener) Planning and Zoning.**  
**Notice of Opposition (as introduced 1/3/18)**

Dear Senator Wiener:

The Legislative Committee of the Marin County Council of Mayors and Councilmembers (MCCMC) opposes SB 827.

Carving out a broad exemption from local adopted height limitations, densities, parking requirements, and design review standards existing in locally adopted General Plans, Housing Elements (which are certified by the Department of Housing and Community Development), and local Sustainable Community Strategies (SCS) undermines local land use authority and does not help local jurisdictions meet the needs generated in the current housing crisis.

SB 827 allows private for-profit housing developers and transit agencies to determine housing densities, parking requirements, and design review standards within one-half mile of a “major transit stop,” or along a “high-quality transit corridor” in local communities. Under existing law, cities are already required to zone for densities to meet their entire Regional Housing Needs Allocation (RHNA). SB 827 not only allows private parties and transit agencies to usurp local authority, it would allow developers to generate additional profits without any requirement to build affordable housing.

Exempting large-scale developments from General Plans, Housing Elements, California Environmental Quality Act (CEQA) regulations, and zoning ordinances flouts the principles of local democracy and public engagement. Public hearings allow members of the community input that often leads to better projects. By-passing public process increases public distrust in government and could generate even more ballot measures dealing with growth management.

During the last legislative session, bills were considered that provided funding and other measures designed to increase infill development. They allowed local governments to set new zoning plans themselves. Partnering with local government is a more collaborative and potentially productive approach to meet housing needs that should be allowed to evolve.

The Legislative Committee of MCCMC opposes SB 827.

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

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

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