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September 6, 2018

The Honorable Edmund G. Brown, Jr.
Governor, State of California
State Capitol
Sacramento, CA 95814

Dear Governor Brown,

On behalf of Livable California, we respectfully urge you to **veto SB 828 (Wiener)**, which would make changes to the process for determining a regional housing needs allocation (RHNA). Overarching our specific concerns, SB 828 begins to shift RHNA from a planning process to a production mandate, which was never the intent.

This measure imposes new state-directed methodology to a process that in many ways should necessarily be community-driven and bottom-up. In terms of the RHNA process, SB 828 favors one-size-fits-all decisions based on direction by state law at the expense of a more collaborative process with local interests.

The coalition members of Livable California, along with many others, have been engaged across the state in community planning processes with cities that will be weakened by passage of this measure. Meetings, workshops and public hearings are happening now as cities endeavor to update their community plans, General Plans and transit-oriented plans. SB 828 would force the redirection of these many community planning activities to focus more on state-directed and regional planning.

Further, the bill defines factors such as “overcrowded” and “healthy housing market” in a manner that doesn’t take into account the vast differences between urban and rural cities and requires comparison in some cases to national rates.

Another consequence of SB 828 would be to foster more upzoning solely for housing. Cities are already engaged in upzoning triggered by existing state law (e.g. density bonuses, transit-oriented zoning) as well as local actions. Los Angeles, for example, nearly doubled the housing allowed in single family neighborhoods by authorizing accessory dwelling units (backyard homes) in most single family areas. The effect in many cities will be to increase zoning capacity far beyond what the cities will need. Required planning elements such as parks and open spaces would be put at risk.

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This measure increases financial burdens on local governments. Many planning departments are already understaffed and overburdened in seeking to meet their current obligations under the existing methodology. Cities will need to employ additional planners to meet the changes brought by SB 828, while delaying existing community, General Plan and transit-oriented planning. Moreover, the bill ignores the necessary and costly infrastructure needs it would impose on cities and provides no funding for the impacts.

It is also important to note that SB 828 comes too close on the heels of massive statutory changes to housing planning and production enacted last year. Imposing additional changes before the dust has settled from 2017 jeopardizes effective, thoughtful and rational implementation of current law, with unknown consequences.

We thank you for your favorable consideration.

Sincerely



Rand Martin

cc: The Honorable Scott Wiener