



TOWN OF FAIRFAX

STAFF REPORT

June 1, 2022

TO: Mayor and Town Council

FROM: Heather Abrams, Town Manager

SUBJECT: Authorize Mayor to send a letter to the State Legislature opposing Assembly Bill 2011 (Wicks) Affordable Housing and High Road Jobs Act of 2022

RECOMMENDATION

Authorize Mayor to submit the attached letter to the State Legislature opposing Assembly Bill 2011 (Wicks) - Affordable Housing and High Road Jobs Act of 2022.

DISCUSSION

The League of California Cities provided a template for the attached letter and urged cities and towns to submit a letter of opposition on AB 2011 (Wicks). In the past, the Town has opposed similar housing legislation which imposes impractical/unrealistic regulations and mandates in communities. The Mayor is seeking authorization to submit the attached letter on behalf of the Town.

AB 2011 would require the Town to ministerially approve, without condition or discretion, certain affordable housing and mixed-use housing developments in zones where office, retail, or parking are a principally permitted use regardless of any inconsistency with a local government's general plan, specific plan, zoning ordinance, or regulation.

ATTACHMENT

Letter of Opposition

DRAFT LETTER

The Honorable Buffy Wicks
Chair, Assembly Committee on Housing and Community Development
1020 N Street, Suite 156
Sacramento, CA 95814

**RE: AB 2011 (Wicks) Affordable Housing and High Road Jobs Act of 2022
Notice of Opposition (As amended 4/18/2022)**

Dear Assembly Member Wicks:

The Town of Fairfax writes to express our opposition to oppose your measure AB 2011, which would require cities to ministerially approve, without condition or discretion, certain affordable housing and mixed-use housing developments in zones where office, retail, or parking are a principally permitted use regardless of any inconsistency with a local government's general plan, specific plan, zoning ordinance, or regulation. Housing affordability and homelessness are among the most critical issues facing California cities. Affordably priced homes are out of reach for many people and housing is not being built fast enough to meet the current or projected needs of people living in the state. Cities lay the essential groundwork for housing production by planning and zoning new projects in their communities based on extensive public input and engagement, state housing laws, and the needs of the building industry. Importantly, cities are currently updating housing plans to identify sites for more than two million additional housing units.

AB 2011 disregards this state-mandated local planning effort and forces cities to allow housing developments in nearly all areas of a city. This seriously questions the rational for the regional housing needs allocation (RHNA) process. If developers can build housing in office, retail, and parking areas, why should cities go through the multiyear planning process to identify sites suitable for new housing units, only to have those plans ignored and housing built on sites never considered for new housing?

Eliminating opportunities for public review of housing developments goes against the principles of transparency and public engagement. Public hearings allow members of the community to inform their representatives of their support or concerns. "Streamlining" in the context of AB 2011 is a shortcut around public input. While it may be frustrating for some developers to address neighborhood concerns about traffic, parking, and other development impacts, those directly affected by such projects should be heard. Public engagement often leads to better projects. Disregarding community input will increase public distrust in government and may result in additional efforts by voters to restrict growth.

Fairfax is committed to being part of the solution to the housing shortfall across all income levels and will work collaboratively with you and other stakeholders on legislative proposals that will spur much needed housing construction without disregarding the state-mandated local planning process and important public engagement.

For these reasons, the Town of Fairfax opposes AB 2011 (Wicks).

Sincerely,

Stephanie Hellman, Mayor
Town of Fairfax

cc. Senator Mike McGuire & Assembly Member Marc Levine
Nancy Hall Bennett, League of Ca Cities, nbennett@cacities.org
League of California Cities (Via email: cityletters@cacities.org)

DRAFT