

July 15, 2020

Hon. Scott Wiener  
Chair, Senate Housing Committee  
State Capitol, Room 2209  
Sacramento, CA 95814

**RE: AB 1279 (BLOOM) HOUSING DEVELOPMENTS. HIGH-RESOURCE AREAS-  
OPPOSE**

Dear Chair Wiener,

On behalf of the City of Thousand Oaks, I respectfully oppose AB 1279. This bill would require the California Housing and Community Development Department (HCD) to designate areas in the state as high-resource areas by January 1, 2021, and every 5 years thereafter. Such high-resource areas are defined as areas of high opportunity and low residential density that are not currently experiencing gentrification and displacement, and that is not at a high risk for future gentrification and displacement. Cities would be required at the request of a developer in these areas, to allow up to fourplexes in single-family zones and up to 100 units per acre in commercial zones by ministerial approval or “by right.”

City Councilmembers are elected by their communities. They have the authority and purpose to review and approve all local land use. This bill would remove all local land use authority and upend local zoning. In fact, it subsumes the elected authority of a City Council and its appointed Planning Commission by replacing it with state appointed committees (California Fair Housing Task Force and the California Tax Credit Allocation Committee) to codetermine with the public and special interest groups where to designate high-resource areas. Although cities can appeal these designations, the bill is silent on the process or who decides the fate of these appeals.

The premise of the bill is to increase opportunities for moderate to very low-income housing in these high resource areas through increased density and height. As a result, cities will be forced to change the character of single-family housing zones to include four-plex units if they are dedicated to median income. For areas designated as residential/multi-family use, cities would be required to up-zone for up to 40 units in a ¼ acre with a residential height up to 20 feet. If they provide only 10 units, they must be dedicated to median income and if they develop over 10 units, they must set aside 10% for low income and 5% for very low income. AB 1279 also requires cities to up-zone 100 units in a ½ acre as long as developers are able to provide both 25% low and 25% very low-income units with a height of up to 55 feet. The major drawback is if the developer finds that either the sales or rental price exceed the thresholds for median or low income for the area, the developer will simply have to provide an in-lieu fee, which the city must deposit in a low-income housing account to use toward a future development. Therefore, there are no guarantees, that these high resource areas will yield any moderate or low-income units at all. Moreover, since cities are not home builders, a low-income housing account will not provide the true capital necessary to immediately parlay these funds into low-income housing projects.

Most importantly these high resource areas designated by the state, eliminate public input and participation in the vetting of the actual development. Although HCD provides an opportunity for the public to participate in designating an area for high density, it makes all subsequent projects “by right” without California Environmental Quality Act (CEQA) evaluation and public input. It prohibits a city from requiring a development project to comply with objective design standards and impose maximum height limitations.

Unless there are actual requirements for developers to produce moderate and low- income housing in high resource areas void of public input and local authority, this bill is unnecessary.

For these reasons, we oppose AB 1279.

Sincerely,



Al Adam  
Mayor

cc: Assemblymember Richard Bloom  
Assemblymember Jacqui Irwin  
Senator Henry Stern  
David Mullinax- Regional Public Affairs Manager, [dmullinax@cacities.org](mailto:dmullinax@cacities.org)  
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