



Claudia Bill-de la Peña
Mayor

May 20, 2021

The Honorable Lorena Gonzales
Chair, Assembly Appropriations Committee
State Capitol Building, Room 2114
Sacramento, CA 95814

**RE: AB 989 (GABRIEL) HOUSING APPEALS COMMITTEE- NOTICE OF
OPPOSITION**

Dear Chair Gonzales:

The City of Thousand Oaks must respectfully oppose AB 989. This measure would require the Department of Housing and Community Development to establish a housing appeals committee and would establish procedures by which an applicant for a conditional use permit or other discretionary approval for a housing development project, could appeal to that committee the decision of a city or county to either deny the application or approve the application with conditions in a manner rendering it infeasible for the development of the housing development project.

Unfortunately, AB 989 would create a politicized committee which would have power over local land use decision-making. Members of the Housing Appeals Committee would be appointed by Governor and the Senate. The Committee would be administered under the Department of Housing and Community Development.

Residents elect their City Councilmembers to oversee local land-use. City Councils approve or deny projects based on the principles of planning, state laws, local ordinances and the Housing Accountability Act. The Housing Appeals Committee creates a new and unnecessary mechanism for developers to override City Council authority challenging design standards, objective standards or claiming the project is infeasible just to obtain their desired outcomes. The ability for a State appointed body to second-guess and overturn the decision making of local elected body is a bad precedent to set. Moreover, a developer that asserts a City Council was not justified in denying a project already has legal remedies with the State's court system. Therefore, a Housing Appeals Committee is not necessary as there are legal remedies that already exist.

For these reasons, the City of Thousand Oaks respectfully opposes AB 989.

Sincerely,



Claudia Bill-de la Peña
Mayor

cc: Assemblymember Jacqui Irwin
Senator Henry Stern
David Mullinax- Regional Public Affairs Manager, dmullinax@cacities.org
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Joe A. Gonsalves and Son

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