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May 23, 2022

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 City of Arcata writes to express our opposition to 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. But adequate land for development is not the primary challenge meeting the need. In fact, as cities are working through the 6th Housing Element cycle, we are ensuring that there is adequately zoned land to address the range of housing needs in our communities.

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 and community. This planning considers the range of economic factors and market forces that are specific to each community. Each city will need a different mix of commercial, industrial, and residential uses to meet the community need. AB 2011 essentially eliminates zoning, abandoning the careful planning that went into balancing land uses to best suit community's needs, and replaces it with the whims of individual landowners.

AB 2011 ignores the potential impact of recent housing element law amendments. The raft of housing element and related bills that have passed since 2017 are just now starting to have their impact. As cities update their 6th cycle elements, they become subject to many of the new provisions. The Housing Accountability Act, the No Net Loss Act, the Housing Crisis Act, and other updates to Housing Element law, to name a few, all include requirements for ministerial approval of housing projects. These provisions are starting to have an impact on development. Let these provisions fully play out before further encroaching on local planning control.

In addition, the strengthened provisions in Housing Element law and new enforcement capacity at the state HCD has not had time to develop. Jurisdictions are identifying adequate sites to meet the housing challenge in their 6th cycle updates. Housing production will increase as a result. It is too early for a bill as draconian as AB 2011.

AB 2011 would allow housing developments in nearly all areas of a city, undermining the rationale for the regional housing needs allocation process and Housing Elements. 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?

Streamlining development to ensure adequate production of housing stock is critical to meeting housing need. However, eliminating public participation from the planning process while simultaneously eliminating zoning is not the right balance of participation and streamlining. Public hearings allow members of the community to inform their representatives of their support or concerns. The Housing Accountability Act prevents denial of a housing project that meets objective standards. Furthermore, many cities are developing streamlined processes of their own.

The City of Arcata is in the middle of updating its General Plan. Along with this, we are engaging the community on a Community Area Plan that has a Form-based Code with ministerial decision making for higher density development. In this one area, we are removing land use based zoning and allowing the market to drive the right balance of housing, light industrial, and commercial. We are letting economic forces determine land use and focusing on the impact that investment will have in the community. We support streamlining, design review based on objective standards, *and* the principals of strong community engagement in this process. AB 2011 undermines these efforts and the hard work this community has invested to ensure the state objectives and goals are met in a way that reflects the values of our community.

The City of Arcata 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 City of Arcata opposes AB 2011 and appreciates your consideration.

Respectfully,



Stacy Atkins Salazar, Mayor
City of Arcata

cc:

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