

CITY OF PALOS VERDES ESTATES



May 14, 2024

The Honorable Al Muratsuchi
Member, California Assembly
1021 O St., Ste. 5610
Sacramento, CA 95814

**RE: AB 1886 (Alvarez) Housing Element Law: Substantial Compliance
Notice of Opposition (As of April 1, 2024)**

Dear Assemblymember,

The City of Palos Verdes Estates, by a unanimous vote of its City Council ~~regretfully must strongly~~ opposes measure AB 1886 (Alvarez), because it turns its back to a fundamental provision of housing element law: ***A city may disagree with HCD; explain why its housing element is in substantial compliance with the law; and then adopt that housing element which is thereafter considered "in substantial compliance with housing element law."***

For decades, cities have worked with HCD to draft housing plans that accommodate their share of housing at all income levels. These extensive and complex plans, forced on cities by unfunded mandate require years to develop, including public involvement and engagement, and environmental review. Cities go to great lengths to ensure that their housing element substantially complies with the law, even if HCD disagrees. Current law acknowledges this fact by allowing cities to "self-certify" their housing element or take the issue to court and have a judge make the final determination of substantial compliance.

AB 1886 encourages "builder's remedy" projects by eliminating self-certification ~~for for the purpose of what it means to have~~ a housing element "in substantial compliance with the law." The "builder's remedy" allows a developer to choose any site other than a site that is identified for very low-, low-, or moderate-income housing, and construct a project that is inconsistent with both the city's general plan and zoning. AB 1886 facilitates such projects for those cities that have a good faith disagreement based in substantial evidence. Our city has collaborated, positively and closely with HCD to seek approval during this current cycle. We are close to final approval, despite having worked with two consultants and significant public engagement.

The City of Palos Verdes Estates believes that this proposal is counterproductive. Please stop targeting and penalizing cities; respect local control and partner with us for mutual success. For these reasons, the City of Palos Verdes Estates **strongly opposes AB 1886 (Alvarez)**. If you have any questions, do not hesitate to contact me at dmurdock@pvestates.org.

Sincerely,

Dawn Murdock
Mayor

Cc: The Honorable Scott Wiener
League of California Cities, cityletters@calcities.org