



June 10, 2024

The Honorable David Alvarez
California State Assembly
1021 O Street, Suite 5320
Sacramento, CA 95814

RE: Assembly Bill 1886 – Housing Element Law: substantial compliance: Housing Accountability Act – Notice of Opposition (As Amended April 15, 2024)

Dear Assemblymember Alvarez,

On behalf of the City of Carlsbad, I am writing to respectfully oppose Assembly Bill (AB) 1886, which would create a rebuttable presumption of validity for the Department of Housing and Community Development's (HCD) findings when reviewing a planning agency's draft housing element.

AB 1886 proposes to establish a presumption of validity for findings made by the Department of Housing and Community Development (HCD) regarding a local agency's housing element. While the intent may be to streamline processes and provide clarity, we have reservations about the consistency and objectivity of HCD's reviews. Granting such broad authority without adequate oversight could undermine the principles of local governance and diminish our ability to address the unique housing needs of our community.

Furthermore, the bill seeks to redefine the criteria for determining compliance with the housing element law, particularly concerning the application of the builder's remedy provision. By tying compliance solely to HCD's findings, AB 1886 overlooks the importance of local context and community input in housing planning and development. It risks limiting our ability to make decisions that reflect the unique preferences and priorities that are important to us.

It is essential to strike a balance between state oversight and local autonomy to effectively address housing challenges while preserving the character and integrity of our communities. While we recognize the importance of clarifying housing element compliance, we believe that this bill raises significant concerns that could impact local decision-making and community planning efforts.

For these reasons, we must respectfully oppose your measure. Should you have any questions, please contact our legislative advocate Sharon Gonsalves with Renne Public Policy Group at 916-974-9270.

Sincerely,

A handwritten signature in black ink, appearing to read 'K Blackburn'.

Keith Blackburn, Mayor

CC: The Honorable Catherine Blakespear, Senate District 38
Brady Borcharding, Deputy Legislative Secretary, Governor Gavin Newsom's Office
of Legislative Affairs

City of Carlsbad City Council

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