



METROPOLITAN
TRANSPORTATION
COMMISSION

Agenda Item 4c

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Memorandum

TO: Legislation Committee

DATE: May 3, 2013

FR: Executive Director

W. I. 1131

RE: AB 1229 (Atkins): Affordable Housing/Inclusionary Zoning

Background

AB 1229 (Atkins) would clarify that cities and counties may continue to adopt ordinances with inclusionary rental housing requirements for lower income households. Inclusionary zoning is the term used to describes local land use ordinances that require a fractional portion of units in a new housing development to be offered at affordable levels to low-income and moderate income families. The purpose of the bill is to restore local control over such policies after the practice was cast in doubt by an appellate court decision, *Palmer/Sixth Street Properties L.P. v. City of Los Angeles*, 175 Cal. App. 4th 1396 (2009).

Recommendation: Support

Discussion

According to materials provided by the Office of Assembly Member Atkins, inclusionary zoning policies, which have existed for the last 40 years, have helped create approximately 30,000 units of new housing affordable to lower-income households in the past decade alone. They are considered a widely accepted method by which local governments can help ensure that new development provides some level of housing that is affordable to a range of income groups — a key goal of *Plan Bay Area*.

Nearly 170 cities and counties in California have some form of inclusionary housing policy in place as a complement to other local, state and federal programs to help address the shortage of affordable housing. As noted below, there are a number of Bay Area cities that already support this bill and we believe that MTC's support for the bill will send a strong message that underscores the importance of affordable housing to our region's Sustainable Communities Strategy and the extent to which people of all income levels can live within reasonable proximity to where they work. For this reason, we recommend a support position on the bill.

Known Positions

Support

Western Center on Law and Poverty (sponsor)
California Rural Legal Assistance Foundation (sponsor)
Non-Profit Housing Association of Northern California (co-sponsor)
San Diego Housing Federation (co-sponsor)
American Planning Association, California Chapter
BRIDGE Housing
California State Association of Counties

Cities of Cloverdale, Emeryville, Fort Bragg, San Jose, San Mateo, Santa Monica, Wasco
Cities Association of Santa Clara County
EAH Housing
East Bay Housing Organizations
First Place for Youth
Greenbelt Alliance
Housing Leadership Council of San Mateo County
LeadingAge California
League of California Cities
League of California Cities, Los Angeles County Division
League of Women Voters of California
League of Women Voters of Marin County
Marin Workforce Housing Trust
Mercy Housing
MidPen Housing
Sacramento Housing Alliance

Oppose

California Association of Realtors
California Building Industry Association
Apartment Association of Greater Los Angeles
San Diego County Apartment Association
Santa Barbara Rental Property Association



Steve Heminger