



CITY OF BRISBANE

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September 5, 2018

Governor Edmund G. Brown Jr.
State Capitol First Floor
Sacramento, CA 95814
Delivery via Email

Re: AB 2923

Dear Governor Brown:

On behalf of the City of Brisbane, I am writing to ask you to veto AB 2923 (Chiu, Grayson, Mullin). This bill would essentially remove land-use decisions from cities and give San Francisco Bay Area Rapid Transit (BART) land use authority over BART owned land within one-half mile of an existing or planned BART station.

AB 2923 would mandate cities and counties undertake costly planning and zoning updates in order to conform to BART's new transit oriented development (TOD) zoning standards. Local jurisdictions would be forced to update their general plan, housing element, and rezone BART owned land. This unfunded mandate would place significant costs on cities and counties with existing or planned BART stations.

While this measure only applies to BART, it establishes an alarming precedent. If AB 2923 becomes law, every special district in the state will want the same land use authority over their property. In fact, several other transit agencies have already asked to be included in the measure.

The City of Brisbane opposes AB 2923 because this bill will do the following:

- Removes local government officials' and community members' ability to shape development around BART stations.
- Gives BART the power to exempt themselves from locally developed and adopted building height limitations, densities, and parking requirements.
- Establishes a very bad precedent. Every special district in the state will want the same land use authority over their property.

While we agree that more density around important transit stops makes sense, AB 2923 is too blunt of an instrument. Veto AB 2923.

Sincerely,

W. Clarke Conway
Mayor

