

Gov. Brown Draws on his Mayoral Experience to Veto Affordable Housing Bill

October 18, 2013, 8am PDT [Irvin Dawid](#)

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Calif. Gov. Jerry Brown served two terms as mayor of Oakland. His attempts to bring more downtown housing to the city led him to veto an inclusionary housing bill that would have required developers to supply affordable housing or pay an in-lieu fee.

Carolyn Said writes that Brown's veto of Assembly Bill 1229 from [Assemblywoman Toni Atkins](#), D-San Diego, that "sought to clarify that municipalities still had the discretion to require developers to set aside affordable units or pay a fee" (known as [inclusionary zoning](#)) dealt a heavy blow to affordable housing advocates throughout the state. The veto was particularly painful in light of Brown's [dissolution of the local redevelopment authorities](#) that had provided a key source of revenue for affordable housing across California.

[Brown's Oct. 13th veto message \(PDF\)](#) makes clear that it was his role as mayor of Oakland (1998-2006) that influenced his decision to kill the bill, particularly his effort to bring 10,000 people to live downtown in "[elegant density](#)".

"I saw how difficult it can be to attract development to low and middle income communities. Requiring developers to include below-market units in their projects can exacerbate these challenges, even while not meaningfully increasing the amount of affordable housing in a given community."

According to the [legislative digest](#), AB 1229 "overturns the [Palmer v. City of Los Angeles](#) decision (2009), and expressly authorizes a county or city to establish inclusionary housing requirements as a condition of development."

Palmer essentially made it illegal for cities to require an affordable housing component for new development of rental, common throughout California as a means to require private developers to provide affordable housing. Although the court decision targeted the City of Los Angeles, it was deemed to apply state-wide. The decision did not apply to for-sale housing.

While housing advocates were dismayed, others were relieved that Brown vetoed the bill.

Realtors, builders and apartment managers had opposed the bill, saying it would stifle new construction and drive up prices.

Full Story: [Brown vetoes bill requiring affordable-rental units](#)

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- [CP&DR: Court Rules L.A. Inclusionary Housing Mandate Violates State Law \(20 August 2009\)](#)

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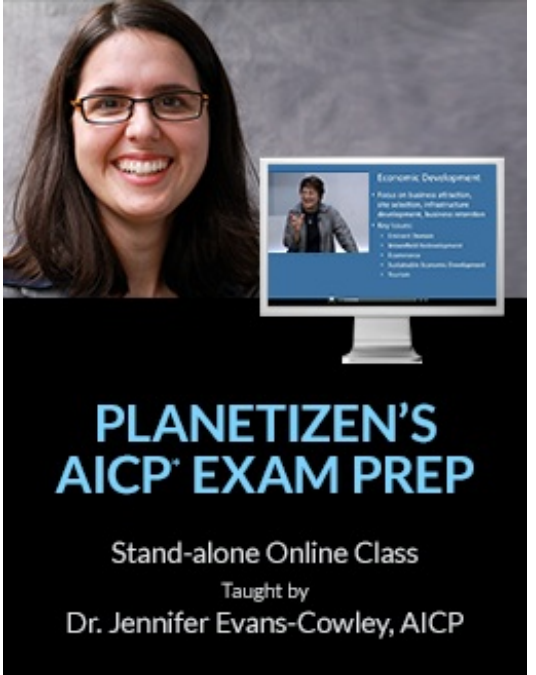
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