



May 8, 2019

The Honorable Scott Wiener
California State Senate
State Capitol Building, Room 5100
Sacramento, CA 95814

RE: SB 50 (Wiener) Planning and Zoning. Housing Development Incentives
Oppose Unless Amended (as amended 5/1/19)

Dear Senator Wiener:

The Los Angeles County Division of the League of California Cities (Division) must respectfully oppose your SB 50 unless the measure is amended to address our key concerns. SB 50 would allow developers of certain types of housing projects to override locally developed and adopted height limitations, housing densities, parking requirements, and limit design review standards.

We agree with the fundamental problem—there aren't enough homes being built in California. The Division remains committed to working with you, the Legislature, and the Governor on finding ways to help spur much needed housing construction statewide without upending longstanding community driven planning processes and stakeholder involvement.

Unfortunately, SB 50 as presently drafted and most recently amended, lacks the flexibility needed to meet the State's housing goals while also failing to acknowledge community input and engagement. Specifically, the Division has significant concerns with the following:

- **SB 50 unfairly and arbitrarily burdens cities in large counties like Los Angeles County.** The May 1 amendments exempt cities with populations under 50,000 in counties with populations under 600,000 from granting Equitable Community Incentives to require density, height increases, and minimum parking requirements. A vast majority of those exemptions would be in Northern California, regardless of proximity to jobs or transit. Not only is this outright unfair to our cities in Los Angeles County that would be forced to find resources and infrastructure to meet the density under SB 50 without adequate funding, but fails to make addressing the housing crisis a true statewide effort.
- **SB 50 would greatly undermine locally adopted General Plans, Housing Elements** (which are certified by the Department of Housing and Community Development), and Sustainable Community Strategies (SCS). By allowing developers to override State approved housing plans, SB 50 seriously calls into question the need for cities to develop these community-based plans in the first place.
- **SB 50 is an unfunded mandate that requires cities to incur increased costs** for additional infrastructure, revised general plans and housing elements, and accompanying CEQA documents among other services, which are yet to be determined under the scope of SB 50. The State must provide additional funding to cities to accommodate increased growth.
- **Housing developers and transit agencies would have the power to determine** housing densities, building heights, parking requirements, and design review standards for "transit-rich housing projects".

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- **What is the full scope of SB 50?** As presently drafted, it is very difficult to determine what constitutes a “jobs-rich area” since the Department of Housing and Community Development and the Office of Planning and Research are largely tasked with making that determination.
- **Greater density but no public transit?** SB 50 would require cities in large counties to allow greater density in communities that are high opportunity and jobs rich, but lack access to public transit. This seems at odds with many state policies that encourage and incentivize more dense housing near transit so that individuals may become less dependent on automobiles.

SB 50 allows some communities to be exempt if they develop their own plan that is consistent with the objectives of the bill. Why not all communities? Shouldn't all jurisdictions have the ability to have a community-led planning process that takes into account local needs and input as long as state objectives are still met?

For these reasons, the Los Angeles County Division opposes SB 50 unless it is amended to address the above concerns. If you have any questions, please contact Kristine Guerrero at kguerrero@cacities.org.

Sincerely,



Juan Garza
President
Los Angeles County Division
League of California Cities®

cc: Los Angeles County Legislative Delegation