



Staff Report

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REPORT 20-0528

**Honorable Mayor and Members of the Hermosa Beach City Council
Regular Meeting of August 11, 2020**

CONSIDERATION OF SLATE OF STATE HOUSING BILLS

(Ken Robertson, Community Development Director)

Recommended Action:

Staff recommends that the City Council discuss and provide direction regarding pending legislation from the 2020 California legislative related to housing and local authority over zoning and land use matters.

Executive Summary:

Several California State Assembly and Senate bills in various stages of the legislative process are under consideration to continue to address the housing affordability crisis in California. City Councils in neighboring cities have formally opposed certain bills and requested Hermosa Beach to consider opposition to support their efforts. The main concern is the continuing trend of the State usurping local authority over zoning and land use matters in a “one size fits all” approach.

Background:

Several pending bills have been identified as bringing up concerns with respect to housing and local authority. The list includes:

- AB 831 (Grayson)-Planning and zoning: Housing, development application modifications
- AB 953 (Ting)-Land use: accessory dwelling units
- AB 1279 (Bloom)-Housing Developments. High Resource Areas
- AB 2323 (Friedman)-California Environmental Quality Act Exemptions
- AB 2405 (Burke)-Right to safe, decent, and affordable housing
- AB 3153 (Rivas, Robert)-Parking and zoning: bicycle and car-share parking credits
- AB 3269 (Chui)-State and local agencies: homelessness plan
- SB 288 (Wiener)-California Environmental Quality Act: exemptions
- SB 899 (Weiner)-Planning and zoning: housing development: higher education institutions and religious institutions

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- AB 725 (Wicks)-General Plans: housing element: moderate-income and above moderate-income housing: suburban and metropolitan jurisdictions
- AB 1851 (Wicks)-Religious institution affiliated housing development projects: parking requirements
- AB 2168 (McCarty)-Planning and zoning: electric vehicle charging stations: permit application: approval
- AB 2345 (Gonzalez)-Planning and zoning: density bonuses: annual report: affordable housing
- AB 2988 (Chu)-Planning and zoning: supportive housing: number of units: emergency shelter zones
- AB 3107 (Bloom)-Planning and zoning: General Plan: housing development.
- SB 902 (Weiner)-Planning and zoning: housing development: zoning
- SB 995 (Atkins)-Environmental Quality: Jobs and Economic Improvement Through Environmental Leadership Act of 2011: housing projects
- SB 1085-(Skinner) Density Bonus Law: qualifications for incentives or concessions: student housing for lower income students: moderate-income persons and families: local government constraints
- SB 1120-(Atkins) Subdivisions: tentative maps
- SB 1138-(Weiner) Housing Element: emergency shelters: rezoning of sites

Attached are positions as expressed by various agencies and one lobbying group 'Citizens for Local Control', and the link to the City of Redondo Beach staff report:

<https://redondo.legistar.com/LegislationDetail.aspx?ID=4581930&GUID=7317ED54-C363-430C->

Analysis:

Given the short notice for placing this item on the agenda, staff has not conducted any in-depth analysis of how these bills may affect Hermosa Beach. Therefore, staff looked to the South Bay Cities Councils of Governments, the Contract Cities Association, and adjacent cities for guidance on its potential direct and indirect effects and regional implications. These agencies' positions on some of the bills are attached. Also, the following is a link to the League of California Cities web site which lists their positions on pending bills:

<http://ctweb.capitoltrack.com/public/publish.aspx?id=1B8E7B0E-FF4A-4591-A329-DAA417F0CAEC>

Based on the concerns expressed by our regional partners, the overall quality of life in Hermosa Beach could be potentially affected and the goals in PLAN Hermosa compromised with passage of

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some of these bills. In addition, these bills may continue the trend of the State Legislature of imposing mandates that preempt local authority and which seek over-simplified “one size fits all” solutions to complex State problems. Considering that there are so many bills of this nature, unchecked, this trend may compromise planning efforts on both the local and regional levels to deal with these very same issues in their local context, particularly in the upcoming Housing Element update. As stated by the SBCCOG related to SB50 last year: “local governments are in the best position to determine politically acceptable siting and density of new housing in order to minimize GHG emissions (criteria pollutants and congestion) while meeting housing development goals”. Conversely, while some of these bills may impose standards on cities that are perceived as unreasonable and that may preempt local regulation, one may also argue that comprehensive statewide reform may be necessary in these areas to sufficiently and equitably combat the state’s rising housing and homelessness issues, among others.

General Plan Consistency:

Should local authority be compromised by any of the bills they would be potentially in conflict with many of the broad goals identified in PLAN Hermosa. Specifically, cooperation with our partners in the region to oppose continued efforts to preempt local authority would be consistent with the following goal(s):

Goal 4: A leader and partner in the region. As a small community in a large metropolitan region, the City of Hermosa Beach understands and capitalizes on our role and responsibility to collaborate with other agencies and nearby jurisdictions on issues of mutual concern.

4.3 Collaboration with adjacent jurisdictions. Maintain strong collaborative relationships with adjacent jurisdictions and work together on projects of mutual interest and concern.

Fiscal Impact:

There is no fiscal impact associated with this action.

Attachments:

1. Assembly and Senate Housing-related bills summary
2. SBCCOG Legislative Positions Matrix
3. [League of California Cities Bill Watch Matrix](http://ctweb.capitoltrack.com/public/publish.aspx?id=1B8E7B0E-FF4A-4591-A329-)
<http://ctweb.capitoltrack.com/public/publish.aspx?id=1B8E7B0E-FF4A-4591-A329->
4. Contract Cities Association Bill Watch

Respectfully Submitted by: Ken Robertson, Community Development Director

Concur: Nico De Anda-Scaia, Assistant to the City Manager

Noted for Fiscal Impact: Viki Copeland, Finance Director

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Legal Review: Mike Jenkins, City Attorney

Approved: Suja Lowenthal, City Manager