

**REPORT OF THE
CHIEF LEGISLATIVE ANALYST**

DATE: March 21, 2018

TO: Honorable Members of the Rules, Elections, Intergovernmental Relations and
Neighborhoods Committee

FROM: Sharon M. Tso *IS*
Chief Legislative Analyst

Council File No: 18-0002-S13
Assignment No: 18-02-0127

SUBJECT: Resolution (Ryu-Wesson) to OPPOSE SB 827 (Wiener)

CLA RECOMMENDATION: Adopt Resolution (Ryu-Wesson) to include in the City's 2017-18 State Legislative Program, OPPOSITION to SB 827 (Wiener), which would allow the construction of housing developments near major transit stops without compliance with local land use regulations.

SUMMARY

Resolution (Ryu-Wesson), introduced February 7, 2018, opposes SB 827, which would allow the construction of housing developments within one-quarter and one-half miles from major transit stops to be built without compliance with local land use laws. According to the Resolution, these radii would encompass a vast amount of Los Angeles and eliminate the ability for the City to engage in planning self-determination. The Resolution also notes that SB 827 would let developers construct buildings between four and eight stories tall with no parking minimums and limited design review even if local zoning codes preclude it. Furthermore, the Resolution states that the City has taken substantial steps toward planning for future housing, including initiating updates to all thirty-five of its Community Plans, approving an affordable housing linkage fee, and exceeding its Regional Housing Needs Assessment (RHNA) target for market rate housing. Lastly, the Resolution states that SB 827 is inconsistent with Los Angeles' efforts to update its Community or General Plans, extend tenant protections, and craft equitable community planning. The Resolution therefore requests that the City oppose SB 827.

BACKGROUND

On January 3, 2018, State Senator Scott Wiener introduced SB 827 as part of his Housing First package, which also included bills to reform the Regional Housing Needs Assessment (RHNA) process and to expand farmworker housing opportunities while maintaining strong worker protections. Under SB 827, parcels within a half-mile of major transit hubs or within a quarter mile of high-frequency bus stops would be exempt from a variety of local planning laws including height maximums and parking minimums.

At the request of the San Francisco Planning Department commission, the San Francisco Planning Department released a memorandum on February 5, 2018 that provided an analysis of SB 827. The analysis noted several impacts SB 827 would have on local planning decisions such

as: removing residential density and floor area ratio (FAR) limits and minimum parking requirements, and imposing minimum height limits for residential projects within defined proximity of transit stations. In addition, the analysis states that the bill affects key zoning provisions determining what is allowable on a lot, but itself does not otherwise mandate review and approval timelines or processes. The analysis further states that key provisions of the bill lack clarity.

On February 27, 2018, Senator Wiener proposed amendments to SB 827 that would prohibit the demolition of rent-controlled housing unless a local city council affirmatively certifies via resolution that it intends to review demolition permits for rent-controlled housing, outlines the process by which those reviews will occur, and affirms that any demolition permit issued have a Right to Return Guarantee for displaced tenants. Furthermore, the SB 827 amendments would allow local inclusionary housing requirements such as Measure JJJ to remain intact.

Council File No. 18-0002-S13 currently contains multiple letters from Neighborhood Councils across Los Angeles that communicate opposition to SB 827.

As shown in Attachment 2 of this Report, if SB 827 is signed into law a substantial area across the City would be subject to large development projects without the consent of the City. Opposition to SB 827 is therefore consistent with the City's previous efforts to retain control over community planning.

List of Groups in Support/Opposed to Bill

Support

- YIMBY (Yes In My Back Yard)

Opposed

- League of California Cities
- L.A. Voice PICO
- Los Angeles Black Worker Center
- Los Angeles Community Action Network (LA CAN)
- Los Angeles County Bicycle Coalition (LACBC)
- Los Angeles Forward
- Los Angeles Neighborhood Land Trust
- MOVE LA

Departments Notified

City Attorney
Planning Department
Housing Department

BILL STATUS

1/3/18	Introduced
1/16/18	Referred to Committees on Transportation and Housing and Governance and Finance
3/1/18	Amended and re-referred to Committee on Transportation and Housing



Henry Platt
Analyst

Attachment: 1. Resolution (Ryu-Wesson)
2. Map of areas affected by SB 827 in Los Angeles

RESOLUTION

Senate Bill 827 (Weiner) Opposition

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must first have been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, the Legislature is currently considering SB 827 (Weiner), which would exempt a housing project with parcels all within a 1/2 mile radius of a major transit stop or a 1/4 mile radius of a high-quality transit corridor from various requirements and empowers the State to override local zoning laws to let developers build taller and more densely around rail stations and bus lines; and

WHEREAS, these radii would encompass vast amounts of Los Angeles, effectively eliminating the ability for the City to engage in planning self-determination; and

WHEREAS, SB 827 would let developers construct buildings between four and eight stories tall with no parking minimums and limited design review, even if local zoning codes preclude it, including in single family neighborhoods; and

WHEREAS, the City must make every effort to expand affordable and middle-income housing, but not at the expense of local control over land use and community-driven planning; and

WHEREAS, the City has taken substantial steps towards planning for future housing, including initiating updates to all thirty-five of its Community Plans, approving an affordable housing linkage fee, and exceeding its Regional Housing Needs Assessment (RHNA) target for market rate housing; and

WHEREAS, SB 827 is inconsistent with Los Angeles' efforts to update its Community Plans, update its General Plan, extend tenant protections and craft equitable community planning;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2017-18 State Legislative Program OPPOSITION to SB 827 (Weiner), which would allow the construction of housing developments near major transit stops without compliance with local land use regulations.

PRESENTED BY: 

DAVID E. RYU
Councilmember, 4th District

SECONDED BY: 

FEB 07 2018

