



Date: May 30, 2019

To: Mayor and Members of the City Council

From: Patrick H. West, City Manager *T.M.W.*

Subject: **Opposition to SB 50 (Wiener): Planning and Zoning: Housing Density**

Attached, for your information, is a letter of opposition to SB 50 (Wiener), legislation that proposes to address the State's housing crisis by enabling density developments along high-quality transit corridors, around major transit stops, and in jobs-rich areas. On May 7, 2019, the City Council voted unanimously to oppose the bill unless, it was amended to exempt the City of Long Beach (City) in recognition of the high volume and rate of permitted housing developments in our city. This letter has been submitted to the State Legislative Portal and transmitted to the entire Long Beach State legislative delegation.

We are pleased to report that on May 16, 2019, however, California State Senate Appropriations Committee held SB 50 in Committee, making it a two-year bill. This means SB 50 will not move forward in the current legislative session; it does remain eligible to move forward in next year's legislative session. There have also been reports of the author's desire to include portions of SB 50 in other pieces of housing legislation that are still moving forward, though, no such changes have occurred to date. The City will continue to monitor these developments, as well as all other housing bills that would limit the City's authority to exercise our local land use approval authority and oppose legislation as appropriate.

If you have questions or comments, please contact Diana Tang, Manager of Government Affairs, at (562) 570-6506.

CC: CHARLES PARKIN, CITY ATTORNEY
LAURA L. DOUD, CITY AUDITOR
DOUG HAUBERT, CITY PROSECUTOR
TOM MODICA, ASSISTANT CITY MANAGER
KEVIN JACKSON, DEPUTY CITY MANAGER
LINDA TATUM, DIRECTOR OF DEVELOPMENT SERVICES
REBECCA GARNER, ASSISTANT TO THE CITY MANAGER
DIANA TANG, MANAGER OF GOVERNMENT AFFAIRS AND COMMUNICATIONS
MONIQUE DE LA GARZA, CITY CLERK (REF. FILE # 19-0448)

ATTACHMENT
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CITY OF LONG BEACH

OFFICE OF THE CITY MANAGER

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PATRICK H. WEST
CITY MANAGER

May 16, 2019

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

RE: Opposition to Senate Bill 50 (Wiener): Planning and Zoning: Housing Development: Incentives

Dear Senator Wiener:

On behalf of the Long Beach City Council, I write to respectfully oppose Senate Bill 50 (Wiener). On May 7, 2019, the Long Beach City Council voted unanimously to oppose SB 50, as amended on May 1, 2019, unless the City of Long Beach (City) is exempted from the legislation in recognition of the volume and rate of permitted affordable housing. While Long Beach understands the need to address the housing crisis in California, we believe cities understand their unique infrastructure best to facilitate the implementation of housing density, as evidenced by their local housing programs and ordinances. Cities that do responsibly work with developers and community groups to increase housing supply should be exempt from the bill.

The City has proven it can effectuate the intentions of SB 50 to increase affordable housing. Local efforts continuously ease the housing shortage via an updated Land Use Element (LUE) in the City's General Plan, streamlined housing development approvals in designated planning areas, an updated Accessory Dwelling Unit (ADU) Ordinance and other programs. These actions were part of the City's comprehensive effort to update the City's General Plan and advance Long Beach as a model for waterfront urbanization. These efforts are demonstrating success in terms of production of both affordable and market-rate housing units. Should SB 50 pass, the City's ability to pragmatically increase housing density would be compromised, resulting in incompatible land uses that will challenge economic growth for years to come.

Through responsible local land use decisions, Long Beach has been cognizant of the unique nature of each neighborhood over the years. Through our most recent exercise of local land use approval authority, the Long Beach City Council voted unanimously to increase allowable height and density and provide significantly more opportunities for housing along major corridors, close to public transit and job centers. These decisions were made based on 12-years of City staff research, data gathering and analysis, more than 67 community meetings, and 1,000 public comments. Throughout the process, not every community was pleased, but by working with neighborhood groups, the City Council was able to adopt an updated land use element that preserves the character of the Long Beach's unique neighborhoods and allows for future growth.

Developers, not cities, build housing. The City embraces our role in the housing development process, which is to work with the community and developers to permit quality housing developments that are consistent with local land use policies. Statistics on housing development from 2014 to 2018 show developers proposed to build a total of 7,384 new housing units in Long Beach. Of the 7,384 housing units proposed, the City:

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- Entitled 3,061 new housing units;
- Continues to work with developers on entitlements for 2,155 new housing units; and,
- Denied a mere 5 housing units. Clearly, the City is not impeding the growth of the region's housing supply.

The City also actively supports the development of ADUs with 57 ADUs completed with permits and approvals, while 96 are undergoing construction and 77 are undergoing the approval process.

Once a developer secures entitlement, they can apply for building permits. The City has engaged on 1,933 building permits for new housing units and those housing developments are moving forward; however, more than 1,000 new units of approved housing remains unbuilt because developers have not obtained building permits or begun construction.

Long Beach values livability, walkability and access to transit. Unfortunately, as proposed, SB 50 would hinder the City's ability to responsibly plan developments, programs and public infrastructure to support a more sustainable and livable city by setting statewide planning, zoning and subdivision guidelines that would exempt certain housing projects in Long Beach from:

- Maximum controls on residential density or floor area ration;
- Minimum parking requirements;
- Maximum proximity to major transit stops; and,
- Maximum building height limits.

The City opposes legislation that would diminish the City's local control over land use, planning, zoning and development decisions as well as legislation that conflicts with the City's adopted General Plan or other Council adopted land use policies. As our housing development statistics demonstrate, Long Beach works well with all stakeholders to support an increase in our city's housing supply. We recognize that despite our efforts, a housing crisis in California persists. However, the City urges state policy proposals aimed at addressing California's housing crisis to consider all factors impacting the production of housing, including but not limited to market forces and non-compliant cities, as these are truly our collective challenges to easing the burden of rising housing costs.

Given these reasons, the City of Long Beach respectfully opposes SB 50 (Wiener).

Sincerely,



Patrick H. West
CITY MANAGER

cc: The Honorable Speaker Anthony Rendon, State Assembly
The Honorable Tom Umberg, State Senate, 34th District
The Honorable Steven Bradford, State Senate, 35th District
The Honorable Mike Gipson, State Assembly, 64th District
The Honorable Patrick O'Donnell, State Assembly, 70th District