

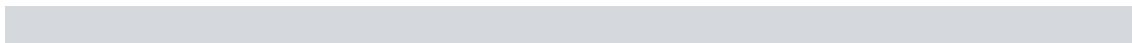
**Pending DCP Policy Initiatives**

**Housing Element Draft Ordinances – Hearing 7/25. Comment deadline 8/1**

Los Angeles City Planning will hold a virtual public hearing on Thursday, July 25, 2024 at 5:00pm for the Housing Element Rezoning Program draft ordinances, including the Citywide Housing Incentive Program (CHIP) Ordinance, Housing Element Sites and Minimum Density Ordinance, and Resident Protections Ordinance. More information about the public hearing can be found on City Planning’s website [here](#). Information on the draft ordinances can be found [here](#).

Feedback gathered at the hearing will be used to inform future revisions to the draft ordinances, and no decision will be made at the hearing. In addition to the public hearing, comments and questions may also be submitted by emailing [housingelement@lacity.org](mailto:housingelement@lacity.org). Please include the applicable case number in the subject line. See below for case numbers associated with each ordinance.

Public comment will close on Thursday, August 1, 2024.



**About the Draft Citywide Housing Incentive Program Ordinance (CPC-2023-7068-CA)**

The [Citywide Housing Incentive Program \(CHIP\) Ordinance](#) encompasses several key CHIP strategies including Opportunity Corridors, the Affordable Housing Overlay, and updates to the City’s existing housing development incentive programs. In particular, these strategies have been adapted into three programs that comprise the CHIP Ordinance. These programs include the State Density Bonus Program, the Mixed Income Incentive Program, and the Affordable Housing Incentive Program. More information on how these strategies will be incorporated into the draft CHIP Ordinance can be found below.

**State Density Bonus Program:** Since the adoption of the City’s Density Bonus Ordinance in 2008, numerous state bills have made significant amendments to the State’s Density Bonus Law. The program aims to make key revisions to align with the State Density Bonus Law.

**Mixed-Income Incentive Program:** The Mixed Income Incentive Program intends to codify new incentives for housing development projects along Opportunity Corridors

and projects constructing Missing Middle typologies in Higher Opportunity Areas. Additionally, this program will memorialize transit-based incentives currently housed in the Transit Oriented Communities (TOC) Affordable Housing Incentive Guidelines.

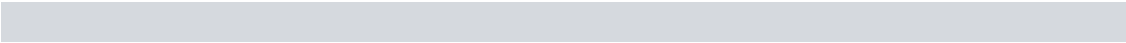
**Affordable Housing Incentive Program:** The Affordable Housing Incentive Program offers new incentives for 100% Affordable Housing Projects with additional incentives for Higher and Moderate Resource areas. This program will also provide citywide tailored incentives for sites where residential uses are currently restricted, including sites owned by faith-based organizations, publicly owned land, and sites zoned for parking.

### **About the Draft Housing Element Sites and Minimum Density Ordinance (CPC-2024-387-CA)**

The [Housing Element Sites and Minimum Density Ordinance](#) is intended to enact state housing element law for different types of sites related to the most recent Housing Element of the General Plan. In particular, it addresses housing element law requirements around housing replacement, no net loss, by-right development for 20% affordable housing projects, and minimum densities. The various requirements apply to three different kinds of Housing Element Sites, including the Inventory of Sites, sites located on Prior Inventory of Sites, and Lower Income Rezoning Sites. In addition, the draft ordinance would add minimum density requirements to various multifamily zone classifications to facilitate the implementation of state law as well as ensure new development in these areas complies with policy objectives.

### **About the Draft Resident Protections Ordinance (CPC-2024-388-CA)**

The [Resident Protections Ordinance](#) would establish consistent protections for residents citywide and would expand access to new Affordable housing for Angelenos. The ordinance would establish longer affordability terms (99 years), and ensure the equitable distribution and quality, including the size, location and amenities, of affordable units. It would also strengthen and expand housing replacement requirements, including a tenant's right to remain, right to relocation, and right to return for all housing development projects.



### **Virtual Public Hearing**

**Thursday, July 25, 2024**

**Program Presentation and Live Q+A: 5 p.m. - 6:30 p.m.**

**Public Hearing: 6:30 p.m. - 8 p.m.**

Join Zoom Webinar: <https://planning-lacity-org.zoom.us/j/81102298373>

or Dial by your location: US: +1(213) 338-8477 or +1(669) 900-9128

Webinar/Meeting ID: 811-0229-8373 | Password: no password needed



**Proposed Citywide Landscape and Site Design Ordinance: Hearing 7/31, Comment deadline 8/14.**

To ensure that projects built citywide incorporate high quality, environmentally sensitive design features, and to help overcome some of the glaring social and environmental health inequities uncovered during the pandemic, the City Planning Department is proposing a new ordinance that will provide objective standards for landscape and site designs of new construction projects (five units or more). The Ordinance if adopted will amend the City's current landscape rules to better respond to the link of public health outcomes with the built environment. Using a performance-based approach, the new ordinance creates a mandatory point-based system to link site design, climate resilience, livability, and strategies for environmental design.

**Info Session (6:30-7 pm) and Hearing: Wed., July 31, 6:30-8:30 pm - Via Zoom**

Join Zoom Webinar: <https://planning-lacity-org.zoom.us/j/85877359335>

or Dial by your location: US: +1 213 338 8477 or +1 669 900 9128 Webinar/Meeting ID: 858 7735 9335 | Password: 309470

**Written comments will be accepted through Aug. 14, 5 pm** via email to:

[planning.urbandesign@lacity.org](mailto:planning.urbandesign@lacity.org)

The City will be hosting an information session (6:30-7 pm) followed by a public hearing to gather input on their proposed Landscape and Site Design Ordinance which seeks to establish objective design standards using a point system meant to incentivize "Pedestrian-First Design, 360 Degree Design and Climate-Adapted Landscape and Site Design." Points are proposed to be assigned through a combination of Mandatory and Elective Standards. The Ordinance would apply to projects of 4 or more units and could have an impact on the character of our communities as density increases.

For more information, go to:

<https://planning.lacity.gov/preservation-design/landscape-and-site-design#about>

Fact Sheet:

<https://planning.lacity.gov/odocument/e9b9dd57-658b-416b-bcc5-51c9bfcfc6/Fact%20Sheet%20Landscape%20and%20Site%20Design%20Ordinance%20-%20January%202024.pdf>

Draft point system:

[https://planning.lacity.gov/odocument/2344466b-e20b-4192-869b-8f898b828f74/Landscape\\_and\\_Site\\_Design\\_Ordinance\\_Point\\_System.pdf](https://planning.lacity.gov/odocument/2344466b-e20b-4192-869b-8f898b828f74/Landscape_and_Site_Design_Ordinance_Point_System.pdf)

Draft ordinance:

[https://planning.lacity.gov/odocument/33faf488-323e-4b58-a1e2-e40ee0509987/Landscape\\_and\\_Site\\_Design\\_Ordinance.pdf](https://planning.lacity.gov/odocument/33faf488-323e-4b58-a1e2-e40ee0509987/Landscape_and_Site_Design_Ordinance.pdf)

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**Citywide Adaptive Resuse Program** CPC-2023-5986-CA

Public hearing held 6/27/24. **City Planning Commission hearing 8/22/24**

Fact Sheet:

[https://planning.lacity.gov/odocument/55760ec6-e4c1-4add-9927-cd348fe51ed2/FD\\_Fact\\_Sheet\\_-\\_2024\\_Adaptive\\_Reuse\\_Ordinance\\_2024-0214.pdf](https://planning.lacity.gov/odocument/55760ec6-e4c1-4add-9927-cd348fe51ed2/FD_Fact_Sheet_-_2024_Adaptive_Reuse_Ordinance_2024-0214.pdf)

The proposed Adaptive Reuse Ordinance is one of the six Citywide Housing Incentive Program strategies. It expands the current adaptive reuse incentives citywide to encourage converting existing buildings into new housing. It incentivizes the conversion of existing commercial buildings to housing by providing a faster review process for buildings over 15 years old, allowing for flexible unit sizes, and providing relief from certain development standards that apply to newly constructed buildings. This ordinance aims to reduce vacant space, extend the life of buildings, expand incentives for affordable housing production in existing buildings, lower carbon emissions, and revitalize historic structures.

The Ordinance was released 5/31/24 with a public hearing held 6/27/24. Additional info is available at Housing Element Rezoning Program Resources webpage or by contacting staff Holly Harper at [housingelement@lacity.org](mailto:housingelement@lacity.org)

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**Redevelopment Plan Procedures Chapter 1A Transition Ordinance. Info session and Public hearing to be held July 24, 2024.** This only affects areas that have existing Redevelopment Plans that have been in force under the prior (and dissolved ) CRA/LA.

Fact

Sheet: [https://planning.lacity.gov/odocument/36149ba4-8485-479d-9fcc-99e5ba91cf66/ReDev\\_CF\\_12-0460-S7\\_Fact\\_Sheet\\_English\\_Version\\_-\\_AD.pdf](https://planning.lacity.gov/odocument/36149ba4-8485-479d-9fcc-99e5ba91cf66/ReDev_CF_12-0460-S7_Fact_Sheet_English_Version_-_AD.pdf)

Draft ordinance:

[https://planning.lacity.gov/odocument/4589508a-4c9a-42d7-bee5-f35745c2616c/ReDev\\_Ordinance\\_-\\_June\\_2024\\_CF\\_12-0460-S7\\_-\\_FD.pdf](https://planning.lacity.gov/odocument/4589508a-4c9a-42d7-bee5-f35745c2616c/ReDev_Ordinance_-_June_2024_CF_12-0460-S7_-_FD.pdf)

Questions about the proposed Redevelopment Plan Procedures Chapter 1A Transition Ordinance may be submitted by email to [tyler.currie@lacity.org](mailto:tyler.currie@lacity.org).

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From the Planning Department re: **Processes and Procedures Maintenance Ordinance: CPC hearing July 25**

On May 23, 2024, Los Angeles City Planning released a proposed Processes and Procedures Maintenance Ordinance (Maintenance Ordinance) that amends Ordinance No. 187,712 to address technical corrections and clarifications identified during implementation of the new processes and procedures. A [staff recommendation report with a revised draft of the proposed Maintenance Ordinance](#) prepared for the City Planning Commission (CPC) (see below for information about the CPC meeting) is now available for public review. The proposed maintenance amendments are technical in nature and do not include any policy changes. Regular maintenance of the administrative processes and procedures is expected to occur on a bi-annual basis to ensure the Zoning Code continues to respond to the needs of the City, while remaining modern and easy to understand.

**A public hearing on the proposed ordinance is scheduled for the CPC meeting on Thursday, July 25, 2024** when the item will be considered by the CPC for recommendation to the City Council. We invite you to attend the CPC meeting and participate in the public process. The CPC may take action at the meeting to make a recommendation to the City Council on the

proposed ordinance. There will be no final decision at this meeting, and the City Council must consider the ordinance before it can be adopted.

Please note that the CPC meeting will be in a hybrid format that includes an in-person meeting at Van Nuys City Hall with an option to attend virtually via Zoom. Please check the [CPC meeting agenda](#) for information on how to attend and submit comments directly to the CPC. Please include Planning Case No. CPC-2016-3182-CA-AMDT3 and ENV-2024-2777-CE with your comment.

If you have any questions, or would like to be added to the interested parties list, please contact Bonnie Kim at [bonnie.kim@lacity.org](mailto:bonnie.kim@lacity.org).

THE FORMAL HEARING NOTICE: Zoning Code Amendment Ordinance  
[CPC-2016-3182-CA-AMDT3](#) **AT CITY PLANNING COMMISSION 07.25.2024**  
CEQA: ENV-2024-2777-CE

Last Day to Act: 09-27-24 Plan Area: Citywide PUBLIC HEARING REQUIRED

PROJECT SITE: Citywide PROPOSED PROJECT: A proposed ordinance amending provisions in Sections 12.21, 12.24, 12.32, 13.08, 13.17, 16.03, 16.05, 17.01, 17.02, 17.03, 17.05, 17.06, 17.51, 17.53 and 18.12 of Chapter 1, and the Table of Contents, Sections 13A.1.7., 13A.2.1., 13A.2.2., 13A.2.4., 13A.2.7., 13A.2.9., 13A.2.10., 13B.1.4., 13B.2.1., 13B.2.2., 13B.2.3., 13B.2.4., 13B.2.5., 13B.4.1., 13B.4.2., 13B.4.3., 13B.4.4., 13B.4.5., 13B.5.1., 13B.5.2., 13B.5.3., 13B.5.4., 13B.5.5., 13B.7.2., 13B.7.3., 13B.7.5., 13B.7.6., 13B.7.7., 13B.7.8., 13B.8.4, 13B.8.5., 13B.8.6., 13B.8.7., 13B.10.3., 13B.10.4., and 13B.11.1. of Article 13 of Chapter 1A of the Los Angeles Municipal Code to City Planning Commission 6 July 25, 2024 address technical corrections and clarifications and bring certain provisions into compliance with state regulations as part of regular maintenance of the Zoning Code.

REQUESTED ACTIONS:

1. Determine, based on the whole of the administrative record, that the proposed ordinance is not a project under CEQA pursuant to Section 15378(b)(5) of the California Public Resource Code and is exempt from CEQA pursuant to Section 15061(b)(3) of the California Public Resource Code;
2. Approve and recommend that the City Council adopt the proposed Zoning Code Amendment Ordinance (Exhibit A) pursuant to Los Angeles Municipal Code Section 13B.1.3.D.3.;

3

4. Adopt the attached Findings. Applicant: City of Los Angeles

Staff: Bonnie Kim, City Planner  
[bonnie.kim@lacity.org](mailto:bonnie.kim@lacity.org)

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**PUBLIC COMMENT DEADLINE 7/23/24 for the recirculated portions of the City's Sidewalk Repair Program draft EIR.**

The City of Los Angeles (City) has prepared recirculated portions of the Sidewalk Repair Program Environmental Impact Report (2021 EIR or EIR) for the proposed Los Angeles Sidewalk Repair Program (proposed Project) that addresses the manner in which sidewalk repair projects are undertaken pursuant to the City's obligations under the Willits Settlement Agreement (Willits Settlement). The EIR was certified on June 22, 2021, but subsequently challenged by United Neighborhoods for Los Angeles and Angelenos for Trees, resulting in a judgment in favor of the petitioners and decertification of the EIR.\* The recirculated portions of the EIR address the legal defects in the 2021 EIR that were identified by the court so that the City may reconsider the Project for approval. The portions of the EIR are being recirculated pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15088.5. The City is requesting input on the recirculated portions of the Draft EIR from public agencies, residents, and other interested project stakeholders.

\* United Neighborhoods for Los Angeles v. City of Los Angeles (Los Angeles County Superior Court Case No. 21STCP02401) (United Neighborhoods).

Instructions for making

comments: [https://files.ceqanet.opr.ca.gov/94622-4/attachment/31bjKV\\_zvC7Mcynv0bJDDDD8640e6cFqoTFPCvGNtLLNUsJhp8J73pJJbM1IiO-BFfskOiWwIoG78O9wL0](https://files.ceqanet.opr.ca.gov/94622-4/attachment/31bjKV_zvC7Mcynv0bJDDDD8640e6cFqoTFPCvGNtLLNUsJhp8J73pJJbM1IiO-BFfskOiWwIoG78O9wL0)

The is the Sidewalk Repair Program document that is being commented on:

<https://drive.google.com/file/d/1khasGq-nEkLfVFZCimCb5ndhTrErsLF5/view>

The judge saw flaws in the original EIR that the City did for the program and those flaws were related to the following issues which the City is now attempting to address:

- ☞ Impacts on non-special status species and common bird species,
- ☞ Short-term impacts on special status species and common species,
- ☞ Impacts on naturally occurring trees and individual trees not contained within a locally designated natural habitat or plant community.
- ☞ Cumulative impacts on aesthetics
- ☞ Cumulative impacts on biological resources.

The Urban Forest Advisory Committee (UFAC) has drafted a comprehensive 49-page response to the City's revised and recirculated document. You may wish to contact Joanne D'Antonio to request their letter to identify points you would like to incorporate in your comment and/ or you may write to indicate that you support the points made in the letter from the Urban Forest Advisory Committee.

UN4LA, the organization that brought legal action to challenge the original EIR still believes that additional revisions are necessary as does the UFAC.

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**Measures adopted by Council**

**Land Use Reform / High Value Projects / Increased Transparency**

CF [22-0736](#) Adopted by Council as amended

Council action with amendments adopted noted in yellow highlight:

1. INSTRUCT the Department of City Planning (DCP), with the assistance of the City Attorney, to prepare and present an ordinance to amend Section 13A.2.5.A.2 of Chapter 1A of the Los Angeles Municipal Code to limit the delegation of Council's authority to consent to extensions of time for Council to act on high value development projects, inclusive of a definition of such projects as proposed in the DCP report, dated June 17, 2022, attached to the Council file, as well as all California Environmental Quality Act **(ADD: CEQA)** appeals. **(DELETE: with the exception to allow for an additional extension for CEQA analysis if mutually agreed to by the project applicant and the City.)** The ordinance would require that such projects be agendaized for consideration at the next Council meeting that occurs following a maximum of three time-extensions of 120 days with the consent of the project applicant.
2. INSTRUCT the DCP to report to Council one year **(ADD: and a half)** following the effective date of the Processes and Procedures Ordinance, **(ADD: with one allowable six month extension if necessary)**, on the effectiveness of the new procedures in promoting the public interest, particularly when legislative actions and other land use entitlements are granted. In addition, the report is to include an evaluation of how transparency has increased and provide recommendations with any potential amendments to further increase transparency in the development review process.

**DELETE:** REQUEST the City Ethics Commission, in consultation with the City Attorney, to prepare a report with best practices on communication protocols between project applicants, appellants, and elected officials.

**DELETE:** INSTRUCT the DCP to report to Council two years following the effective date of the ordinance amending Section 13A.2.5.A.2 of Chapter 1A of the Municipal Code with an evaluation of the effectiveness of the ordinance and recommendations to improve transparency.

Fiscal Impact Statement: None submitted by the DCP. Neither the Chief Legislative Analyst nor the City Administrative Office has completed a financial analysis of this report.

Community Impact Statement: Yes

Against:

Woodland Hills – Warner Center Neighborhood Council

Studio City Neighborhood Council

### **Linkage Fee Ordinance - revised fee schedule**

Los Angeles City Planning issued the annual update to the fee schedule for the Linkage Fee Ordinance . The revised fee schedule incorporates the latest change to the Consumer Price Index (CPI-U) for the greater Los Angeles area, adjusted to account for annual inflation. Updated fees will take effect on July 1, 2024, as specified in the [Linkage Fee Ordinance](#). The Linkage Fee Ordinance was adopted by the City Council on December 13, 2017. It established a fee per square foot that is applicable to certain new market-rate residential and

commercial development. The revenues from this ordinance have generated local funding for affordable units in addition to supporting the City's overall housing needs.

[Fee Schedule, Effective July 1, 2024](#)

[Linkage Fee Ordinance](#)

[Linkage Fee Implementation Memo](#)

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14-1378-S

1

<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=14-1378-S1>

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Motion (McOsker – Hernandez) relative to amending the Council Action of March 15, 2024, regarding Urban Agriculture Incentives Zones, truck gardening, and on-site and off-site sales and distribution restrictions, to adopt a new recommendation in lieu of requesting an ordinance

Amending the prior action requesting an ordinance: Instruct the Planning Department, with the assistance of the Department of Building and Safety, and in consultation with the City Attorney, to prepare a report with recommendations within 30 days, to allow for the cultivation of produce listed in Section 12.03 of the Municipal Code, for use on-site and sale or distribution on or off-site to be limited to every other week, conducted only on Saturday or Sunday, and restricted to occur no more than 4 hours, through either of the following land use processes: (1) a footnote in the Community Plans located within the geographical boundaries of Council District 15; (2) Zoning Administrator Interpretation; or (3) other land use regulatory controls and/or permits.

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The **Mayor's Executive Directive 1 ("ED1")** has been used to permit more than 14,000 new units of affordable housing, taking advantage of streamlining provisions which allow developers to avoid many of the city's discretionary review processes. However, as a result of the impacts of ED 1 projects on existing protected tenants, two new City Council motions aim to provide protections to renters currently living in RSO properties, as well as historic neighborhoods.

**CF 24-0457:**

<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=24-0457>

**Tenant Protection Measure-- CD 1 Temporary regulations (ICO) related to the streamlining of affordable housing when removing 5 or more units of RSO housing or housing removed under the Ellis Act during the past five years.** Interim Control Ordinance (ICO) for projects in CD 1 ONLY that would create a new discretionary approval process for developments on sites currently with rent stabilized units (RSO housing) or were removed from the market via the Ellis Act during the past five years. o RSO Housing and Historic HPOZ



The measure was subsequently **amended** to specify a specific geographic area as follows: within the geographic boundaries within Eagle Rock Boulevard, El Paso Drive, York Boulevard, Avenue 50, 110 Freeway, Stadium Way, Mar View Avenue, Sunset Boulevard / Cesar Chavez and Alameda Boulevard. It also includes direction to the departments involved with developing the ICO to “ explore the provision of deeper affordability requirements for 100 percent affordable housing projects beyond the SB330 replacement and right-of-return requirements within the specified boundary.

**UNNC CIS follows for consideration by other NCs to advocate for a broader measure beyond CD1 areas:**

Summary: Los Angeles has a housing crisis. And it is a crisis facing not only those who are currently unhoused, but also Angelenos who are at risk of losing their housing. The United Neighborhoods of the Historic Arlington Heights, West Adams and Jefferson Park Communities Neighborhood Council (UNNC) has a long record of supporting affordable housing developments and also policy initiatives. That is why UNNC supports Councilmember Hernandez's motion, Council File No. 24-0457, which would create a new discretionary approval process for developments on sites currently improved with rent stabilized apartments, or were vacated via the Ellis Act within the past five years. This interim control ordinance would incorporate robust tenant protections and anti-displacement measures into the Mayor's Emergency Directive "ED-1" -- **HOWEVER, we urge the City Council to make this policy apply citywide.** Too often, the new development proposals under ED1 include the demolition of naturally occurring affordable units which may well actually be more affordable than the proposed replacement units. UNNC does not believe it is in the best interest of the City to destroy existing affordable units, and especially not to streamline that process, eliminating the checks and balances that come with discretionary review.

**CF 24-0490: Citywide Interim Control Ordinance/Historic Preservation Overlay Zone (HPOZ)/ New Construction/ 100 Percent Affordable Housing Projects** Referred to PLUM with no action taken since 4/26 introduction.

<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=24-0490>

CM Yaroslavsky proposed the creation of a citywide interim control ordinance (ICO), Council File No. 24-0490 on April 26, 2024 which would restore the Historic Preservation Overlay Zone (HPOZ) review process for any permits required for 100 percent affordable housing projects within their boundaries. It would: “impose temporary regulations restoring the existing HPOZ discretionary review process on the issuance of permits associated with any demolition, building, use of land, grading, and other applicable permits for the new construction of one-hundred percent affordable housing projects that are currently subject to a ministerial approval process located in a Historic Preservation Overlay Zone (HPOZ) neighborhood, and thereby ensure compliance with HPOZ Preservation Plans.”

Council File 22-1469 Native Landscape:

<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=22-1469>

The measure requires LA City plantings to consist of native plants, that the City require that 100% native plants and trees be planted for all uses, governmental, commercial, and residential, and that the sale of non-native plants and trees in stores, nurseries, wholesalers, and from other entities be banned.

The measure was heard in Council Committee (Energy and Environment) and was NOT approved. It was amended and that amendment has not been posted to the Council File as of yet (nor has a record of the recent committee meeting!).

**STATE LAW**

**AB 1886: (Alvarez D) Housing Element Law: substantial compliance: Housing Accountability Act.**

<https://ctweb.capitoltrack.com/public/publishbillinfo.aspx?bi=FanZa0P4pu4DIDoKBs9iBmYiIqGwLSi26AbWUs%2b7ib%2fPod9Tp5TQAGqoDnlgzH1r>

**Current Text:** Amended: 7/1/2024 [html](#) [pdf](#)

**Introduced:** 1/22/2024

**Last Amend:** 7/1/2024

**Status:** 7/1/2024-In committee: Hearing postponed by committee. From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on APPR.

**Location:** 6/19/2024-S. APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Calendar:** 8/5/2024 10 a.m. - 1021 O Street, Room 2200  
SENATE APPROPRIATIONS, CABALLERO, ANNA, Chair

**Summary:** The Planning and Zoning Law requires a city or county to adopt a general plan for land use development within its boundaries that includes, among other things, a housing element. The Housing Element Law prescribes requirements for a city's or county's preparation of, and compliance with, its housing element, and requires the Department of Housing and Community Development to review and determine whether the housing element substantially complies with the Housing Element Law, as specified. If the department finds that a draft housing element or amendment does not substantially comply with the Housing Element Law, current law requires the legislative body of the city or county to either (A) change the draft element or amendment to substantially comply with the Housing Element Law or (B) adopt the draft housing element or amendment without changes and make specified findings as to why the draft element or amendment substantially complies with the Housing Element Law despite the findings of the department. Current law requires a planning agency to promptly submit an adopted housing element or amendment to the department and requires the department to review the adopted housing element or amendment and report its findings to the planning agency within 60 days. This bill would require a planning agency that makes the above-described findings as to why a draft housing element or amendment substantially complies with the Housing Element Law despite the findings of the department to submit those findings to the department. The bill would require the department to review those finding in its review of an adopted housing element or amendment. The bill would create a rebuttable presumption of validity for the department's findings as to whether the adopted element or amendment substantially complies with the Housing Element Law.

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**AB 2023 (Quirk-Silva D) Housing element: inventory of land: rebuttable presumptions.**

<https://ctweb.capitoltrack.com/public/publishbillinfo.aspx?bi=B6UDsKH%2fjhgimROpxsRY%2fBc%2bDPHkN70llwI0mKE6XTq4aNro8x65ooCQ0h0vy9mQ>

**Current Text:** Amended: 6/26/2024 [html](#) [pdf](#)

**Introduced:** 1/31/2024

**Last Amend:** 6/26/2024

**Status:** 7/3/2024-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 2.) (July 2). Re-referred to Com. on APPR. From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on APPR.

**Location:** 7/3/2024-S. APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Calendar:** 8/5/2024 10 a.m. - 1021 O Street, Room 2200  
SENATE APPROPRIATIONS, CABALLERO, ANNA, Chair

**Summary:** The Housing Element Law prescribes requirements for a city's or county's preparation of, and compliance with, its housing element, and requires the Department of Housing and Community Development to review and determine whether the housing element substantially complies with the Housing Element Law, as specified. Current law requires the housing element to include an inventory of land suitable and available for residential development. If that inventory of sites does not identify adequate sites to accommodate the need for groups of all household income levels, as provided, current law requires that the local government rezone sites within 3 years after the date the housing element is adopted or within one year if the local government fails to adopt a housing element that the department finds to be in substantial compliance with the Housing Element Law within 120 days of the statutory deadline to adopt the housing element. This bill, for the 7th and each subsequent revision of the housing element, would require a local government to complete the rezoning of sites within one year of the statutory deadline for the adoption of the housing element or the earlier of 3 years after the date the housing element is adopted or 90 days after receipt of comments from the department, as specified, if the local government satisfies certain requirements, including submitting a draft element or draft amendment to the department for review within specified timeframes and adopting a draft element or draft amendment that the department finds to be insubstantial compliance with the Housing Element Law, as specified.

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AB 2712: <https://legiscan.com/CA/text/AB2712/2023>

Re: Access to preferential parking permits for transit oriented development tenants.

### **Articles of Interest**

Plan is unveiled to balance environment and recreation at huge Sepulveda Basin

<https://www.dailynews.com/2024/06/17/plan-is-unveiled-to-balance-environment-and-recreation-at-huge-sepulveda-basin/>

**These entries came from Neighbors United San Francisco and were not reviewed. Their “summer reading list” is being copied for your information:**

### ***Summer Reading***

Recent articles reveal how state legislators, YIMBY lobbyist, and local leaders aim to deregulate land use, prioritizing the interests of political donors and real estate investors.

Most San Franciscans are unaware of these impending zoning changes that will adversely and permanently impact their neighborhoods and do little to address housing affordability.

**Please help us spread the word by sharing this newsletter with others!**



## **Developers want a tower taller than Telegraph Hill — next to Telegraph Hill. It’s not a good idea**

"Welcome to the troublesome mosaic of state density bonuses, where developers who include affordable units in their proposed projects basically can waive the height limit. The goal is worthy — to clear the way for new housing — but the overlap of rules and regulations could undermine the juxtaposition of city and nature that makes this city memorable."

"The more insidious threat is what’s playing out in locations like Sansome Street, where three proposals on three blocks would transform a unique historic district and mar the public’s view of a hill that defines many people’s mental image of San Francisco’s allure."

**READ FULL ARTICLE:**

<https://www.sfchronicle.com/sf/article/telegraph-hill-tower-housing-19485060.php>



## SF Planning's upzoning without affordability or protections threatens small businesses

"Local small businesses, including 126 legacy businesses, within the SF Planning Department's [proposed upzoning map](#) are at risk of demolition or displacement. Should the City continue rushing these plans through the approval process without accounting for their impact, profit-driven developers will be able to take advantage of the projected inflated land values created by this upzoning and drive out current tenants."

### **READ FULL PRESS RELEASE:**

<https://www.repsf.org/press-releases/sf-planning-upzoning-threatens-small-businesses-06-06-2024>

Race and Equality in All Planning, June 6, 2024



## Has the Sleeping Giant Awakened?

"The San Francisco Standard recently published an article (["Angry San Francisco homeowners plot to kill city's rezoning plan"](#)) about grassroots groups in San Francisco who are speaking out in opposition to state housing mandates that are driving city planning officials to propose sweeping changes to the allowable density and height of new housing throughout the city. The article describes how one resident, who is labeled "an

anti-development firebrand,” is arguing that the city’s plan to add 82,000 units of high-density housing (to fulfill the state housing quota) is “unnecessary, punitive and ineffective.”

"Most recently, however, even the term "affordable" has been abandoned. It appears all that matters now to the California Legislature (and their deep-pocket financial supporters) is just “build baby build," regardless of whether it serves the rich or the poor. Meanwhile, what makes all of this so absurd is that the entire "affordability crisis" has nothing to do with housing, in the first place."

**READ FULL ARTICLE:**

<https://marinpost.org/blog/2024/6/8/has-a-sleeping-giant-finally-awakened>

Marin Post, Bob Silvestri, June 8, 2024

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## **Forget NIMBY vs. YIMBY. It’s Speculators vs. Affordability**

"Few San Franciscans are okay with handing over their city’s future to real estate speculators. However, the changes these speculators are proposing to local laws and regulations are more likely to be supported if they are presented as “pro-housing” and those who oppose them as “anti-housing.” This is central to their strategy to convince voters to back policies that will enrich them, but do nothing to address San Francisco’s real housing crisis, the dearth of affordable housing.”

**READ FULL ARTICLE:**

<https://www.phoenixprojectnow.com/phoenix-review/blog/forget-nimby-vs-yimby-it-s-speculators-vs-affordability>

Phoenix Project, Lincoln Mitchell, June 13, 2024


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## Study finds US does not have housing shortage, but shortage of affordable housing

"Helping people afford the housing stock that is available would be more cost-effective than expanding new home construction in the hope that additional supply would bring prices down, the authors wrote. Several federal programs have proven successful in helping renters and moderate-income buyers afford housing that would otherwise be out of reach.

Our nation's affordability problems result more from low incomes confronting high housing prices rather than from housing shortages," McClure said. "This condition suggests that we cannot build our way to housing affordability. We need to address price levels and income levels to help low-income households afford the housing that already exists, rather than increasing the supply in the hope that prices will subside."

**READ FULL ARTICLE:** <https://phys.org/news/2024-06-housing-shortage.html>  
Phys Org, June 17, 2024



## Fearing tall buildings, westside homeowners look to Aaron Peskin

"A paradox is emerging in the mayor's race: Peskin, who's considered progressive on most issues, has been outspoken about prioritizing neighborhood preservation instead of building market-rate housing. That seems to be resonating with homeowners on the west side, who are typically some of the city's most moderate-conservative voters."

**READ FULL ARTICLE:** <https://sfstandard.com/2024/06/28/san-francisco-mayors-race-westside-housing-aaron-peskin/>  
SF Standard - Han Li, June 28, 2024




## **SF pro-housing advocates, opponents battle for rhetorical high ground**

“When you upzone large swaths of The City with a highlighter and just cross your fingers that the benevolence of for-profit developers will yield affordable housing up and down those corridors — it is not going to happen,” she told The Examiner in a recent interview. Brooke has been organizing a series of town-hall meetings to warn residents about what’s coming, outlining her concern that increasing housing density and raising building-height limits will destroy neighborhood character while doing little to address the housing needs of average residents.”

### **READ FULL ARTICLE:**

[https://www.sfexaminer.com/news/politics/why-sf-yimbys-and-opponents-see-wins-in-sf-housing-debate/article\\_68f6c934-341e-11ef-84de-3befb971ec53.html](https://www.sfexaminer.com/news/politics/why-sf-yimbys-and-opponents-see-wins-in-sf-housing-debate/article_68f6c934-341e-11ef-84de-3befb971ec53.html)

Examiner - Keith Menconi, June 30, 2024



## **S.F. becomes first California city to miss its housing goals. The impact will be massive**

"Neighborhoods United SF Founder Lori Brooke, who has been a vocal opponent of the YIMBY movement, said it has been obvious from the start that San Francisco would not come close to meeting its 82,000 unit goal and that the “inflated mandate was intentional to cause cities to fail and trigger ministerial approvals.”

"She said SB423, along with the proposed upzoning, would allow market-rate developers to displace small businesses and residents “without the sufficient time to properly inform the public or assess the true impacts of demolition.” With the introduction of SB423, “Scott Wiener is one step closer to his goal of destroying San Francisco,” Brooke said. It unfairly penalizes San Francisco for something beyond its control,” she said. “San Francisco does not build housing, developers do.”

### **READ FULL ARTICLE:**

<https://www.sfchronicle.com/sf/article/s-f-housing-goals-19545405.php>

Chronicle - JK Dineen, July 1, 2024



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## YIMBY Want to Raise Your Rent

"The YIMBY claim for abundant and affordable housing is really a play for giving residential developers a license to print even more money as soon as they get their occupancy permit by shifting the infrastructure costs onto existing residents while raising rents for everyone. Promises of housing abundance and lower housing prices are a honey trap, a pleasant sounding ruse that YIMBY know is a lie. There will be no abundance of housing so long as market rate housing production relies on the kindness of the capital markets while interest rates fluctuate. Market rate housing will never sell for less than the cost to construct, which is much higher than 30% of most people's incomes which is the gold standard for affordability."

### **READ FULL ARTICLE:**

<https://www.counterpunch.org/2024/07/01/yimby-want-to-raise-your-rent/>

CounterPunch - Marc Salomon, July 1, 2024

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## SF 'truly in a new era' as it must fast-track housing projects

"It forces The City to haphazardly make changes to zoning and planning that will be felt for the next 100 years," said Lori Brooke, the co-founder of Neighborhoods United SF, which has been organizing opposition against The City's ongoing upzoning process, a multi-year effort aimed at increasing density in The City's western and northern neighborhoods to make room for the extra housing mandated by the state.

For Brooke, the streamlining requirements could mean "game over for local democracy and the public process as to what gets built and where."

She also suggested that the housing targets were set unreasonably high, intentionally setting up The City to fail and all but guaranteeing that the streamlining would take effect, a charge that Wiener denies."

**READ FULL ARTICLE:**

[https://www.sfexaminer.com/news/housing/slow-sf-housing-development-triggers-state-streamlining/article\\_9f52a62a-380a-11ef-ab1b-4b25606865d2.html?link\\_id=18&can\\_id=f7045f46ee60e74064f51ca5c6e9a62f&source=email-rep-sf-housing-justice-newsletter-july-2024&email\\_referrer=email\\_2377363&email\\_subject=rep-sf-planning-to-the-people-newsletter-july-2024](https://www.sfexaminer.com/news/housing/slow-sf-housing-development-triggers-state-streamlining/article_9f52a62a-380a-11ef-ab1b-4b25606865d2.html?link_id=18&can_id=f7045f46ee60e74064f51ca5c6e9a62f&source=email-rep-sf-housing-justice-newsletter-july-2024&email_referrer=email_2377363&email_subject=rep-sf-planning-to-the-people-newsletter-july-2024)

Examiner - Keith Menconi, July 2, 2024