



August 10, 2020

Dear Friends,

I want to make you aware of a collection of nine very dangerous bills working their way through the California State Legislature that individually may seem innocuous but are anything but.

Like the mythological Hydra, a monster with many heads -- cut one head off and it regenerates two more, the same can be said of the piece-mealed package of legislation encompassing the worst parts of last year's divisive overdevelopment/ gentrification bill, SB 50, authored by Bay Area state Senator Scott Wiener. Opposed by both the City of Los Angeles and the City of San Francisco, SB 50 was ultimately defeated in the legislature. Its passage would have dismembered single-family zoning, allowed 10-unit luxury apartments on ANY block, and apartments several stories (and higher) in single-family neighborhoods.

In February 2019, I went on the record stating: "State control of local zoning undermines not only the integrity of cities and counties but strips residents of their ability to engage in a meaningful planning and community building process." During this time I led the effort to oppose SB50 which became the formal position of the City of Los Angeles. Working with local leaders and citizens groups, we successfully defeated the bill.

Now the nine bills that are being proposed after the demise of SB50 would actually do the very opposite of what they claim, cumulatively exacerbating the worst parts of the bill. That is because these broad-stroke, statewide sweeping bills are not the product of the kind of nuanced analysis needed to be successful in urban centers

like Los Angeles and San Francisco, let alone smaller cities like Redlands or Fresno.

At the local level, our actions are guided by an understanding of the politics of proximity, and land use is a local issue. Communities know their own local terrain and critical nuances where local impacts are easily identifiable. From farther away, project impacts seem to be of little concern. From far enough away, say, Sacramento, all one sees are hypothetical benefits that bear little relation to the realities on the ground.

These bills claim to create more affordable housing when in reality, they will give a boost to the building of luxury housing and rely on unproven trickle-down economics. Los Angeles already has workable mechanisms for creating more affordable housing than these bills do without destroying our neighborhoods and Community Plans.

Senator Wiener claims that these bills are of a “lighter touch in terms of what is required.” Do not be fooled. Together they slowly usurp local control by chipping away at the very fabric of our communities over a period of time.

The fact is this strategy was designed to be confusing. Potential results are varied and may have outrageously negative cumulative impacts. It is no wonder, then, that some of our local elected offices and community leaders have become fatigued, or grown complacent as, individually, these bills may not seem of great significance.

That said, some of our State lawmakers think that homeowners and the elected leaders of our 482 cities in California are trying to block the development of new housing. They need to stop blaming us and start looking at themselves. State regulations are filled with unfunded mandates and endless lengthy, expensive, complex processes, which prevent local innovation in the realm of housing production.

And because of all of this “red tape”, in order to simply keep our plans current in Los Angeles we now have the largest Planning Department in the nation. LA City planners spend endless amounts of time researching state laws in order to ensure compliance for even the simplest and most straightforward changes in a proposed plan while struggling to build consensus and update plans as they explain the new realities of land-use law to community members who are appalled and in disbelief of rules that were adopted without their input.

Usurping local control means grassroots solutions are not given an opportunity to take hold as they are snuffed out by the state process. Ideally, we should respect our variety of lifestyles and have a place for everyone to let our residents and our local government decide what is best for our neighborhoods and our City as a whole.

Consequently, I’m proud to live in a city where we have housing choices -- the choice to live in a historic single-family neighborhood mid-city, a single-family home on a ranch in an equestrian community, or a downtown loft in an adaptively reused building. All of these housing types represent the unique lifestyles one can aspire to in our great city. And at the same time, we have shown our compassion by building supportive housing like the HHH projects that were recently approved in my district at 11010 Santa Monica Boulevard and 843 North La Brea Avenue.

Los Angeles is a wide and diverse city with plenty of room for infill development (especially on commercial corridors) with a range of affordable and mid-priced units that do not displace low-income renters in our rent-stabilized housing stock. As our economy rebounds and evolves, we will continue to see obsolete commercial buildings of varying sizes being reused or the sites redeveloped, providing ample opportunity for new growth with reduced displacement.

Further down in this newsletter my [Director of Legislation Jeffrey Ebenstein](#) breaks down each of the nine bills, what each aims to accomplish and the potential danger should any of them pass through the State Senate. I urge you to stay vigilant regarding these issues and contact your State Senator and Assemblymember to

help us win this latest fight and protect our community. These assaults on our neighborhoods will continue and our battles will be lost in the face of these new “divide-and-conquer” tactics if we don’t make sure that none of these bills sneak through.

The bills that we need to defeat are: [SB 1120](#), [SB 902](#), [SB1085](#), [SB 995](#), [AB 725](#), [AB 1279](#),[AB 2345](#),[AB 3040](#), and [AB 3107](#).

Sincerely,



Councilmember, Fifth District

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**FROM THE DESK OF JEFF EBENSTEIN**  
DIRECTOR OF POLICY & LEGISLATION



As Councilmember Koretz noted above, this week’s main concern is focused on some trouble brewing in Sacramento that could cause lasting harm to Los Angeles and other cities up and down the state.

Last year’s divisive SB 50 would have banned single-family zoning, allowed 10-unit luxury apartments on ANY block, and apartments several stories high in low-density communities.

The Bad Bills of 2020 replicate these effects by piecemealing them out among nine separate pieces of legislation. You probably won't see this explained in the media because in recent years coverage of the state legislature has largely become invisible, thus allowing numerous bad things to happen.

Some of these nine bills CUT the legislature's commitment to affordable housing, and favor luxury units while others ban single-family zoning or target minority neighborhoods with gentrification. Take an aspirin, and read on:

[SB 1120](#) (by Sens. Scott Wiener and Toni Atkins):

SB 1120 allows for duplexes and by-right subdivision of lots. It will result in market rate properties on substandard lots, with reduced setbacks and inadequate parking.

[SB 902](#) (by Sen. Wiener):

SB 902 allows a majority on any city council to overturn voter-approved ballot measures that protect open space, shorelines and other lands and allows any city council to rezone any piece of property to permit ten-unit luxury apartments, thereby overriding all other zoning, and requiring no affordability. With no equity and affordability provisions, community benefits requirements or value capture, this just appears to be a giveaway to developers.

[SB 995](#) (by Sens. Wiener and Atkins):

This phony housing bill actually rewards huge \$15M+ commercial projects that happen to include some housing. While enriching commercial

developers, it requires that only 15% of its housing units to be affordable while weakening the California Environmental Quality Act (CEQA) in unacceptable ways. The bill also lacks a required distance to public transit which runs contrary to greenhouse gas emission goals making air pollution and traffic worse.

[SB 1085](#) (by Sen. Nancy Skinner):

This bill originally cut in half the legislature's commitment to affordable housing in "Density Bonus" projects by allowing half the affordable units to be for moderate income residents. While the state also needs moderate income (workforce) housing, it shouldn't come at the expense of low income housing, of which the state needs even more. Heavy criticism from all over the state led to the Assembly Housing Committee agreeing to amend the bill on July 29th, but the new wording has not yet been published. We're hoping the new language will instead provide local enabling options for local incentive programs crafted for each community's unique affordability needs.

[AB 725](#) (by Asm. Buffy Wicks and Sen. Scott Wiener):

AB 725 is a severe threat to 400+ cities who have not authorized enough housing to hit state-ordered growth targets known as the Regional Housing Needs Allocation (RHNA). The bill brings density and upheaval to low-density areas whose residents have never even heard of the RHNA, which was once a helpful growth-forecasting tool. Now it's used (especially by Sen. Wiener) as a weapon to force density on communities, force local jurisdictions into costly General Plan revisions and rezoning, and victimizes single-family neighborhoods.

[AB 1279](#) (by Asm. Richard Bloom):

A year after AB 1279 would become law, a “committee” would be required to identify streets as “Opportunity Areas” where 50-unit to 120-unit apartments could be built, ignoring zoning as long as affordable units are included. Alternatively, developers could pay a woefully insufficient “in lieu” fee to avoid building affordable housing, and then build 10-unit luxury apartments on single-family and low-density streets by right. Incentive systems would better be crafted by local jurisdictions which use their knowledge of local conditions and community input to identify high-opportunity areas.

[AB 2345](#) (by Asm. Lorena Gonzalez and David Chiu):

This bill will weaken the existing density bonus program by giving concessions to developers without requiring an appropriate level of affordability in return. There is no need to add such substantial increases in concessions and waivers of development standards to make projects pencil out unless they are a unique 100% affordable product such as Supportive Housing.

[AB 3040](#) (by Asm. David Chiu):

Cities would have to comply with AB 3040 by sacrificing single-family homes older than 15 years - such as the diverse older suburbs that can be found all over Los Angeles to satisfy state growth dictates in the RHNA. Alternatively, cities could refuse to comply and try to meet these growth dictates by relying on the state Density Bonus program. Unfortunately, the Density Bonus program has been unsuccessful in allowing cities to approve even close to the number of affordable units

required. When cities fail, a divisive and punitive law by Sen. Wiener, called SB 35 will let developers ignore many local rules to build as they wish.

[AB 3107](#) (by Asms. Richard Bloom and Phil Ting):

This allows apartment towers where cafés, shops or businesses now stand, even if adjacent to homes. The new towers would contain 20% affordable units. The bill allows heights that match the tallest height allowed in any commercial or residential areas. Councilmember Koretz supports using underutilized or outdated commercial sites for new housing and mixed-use projects under locally-crafted regulations, not a potentially chaotic statewide formula that will disrupt or destroy the character of neighborhoods.

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Taken as a package, these bills would have even more negative impacts on communities than SB 50, which we had to fight hard to defeat. By splitting the concepts into separate bills, legislators like Senator Wiener hope to “divide and conquer” by making it seem like they’re solving the state’s housing crisis and by making it too hard for local cities and community activists to keep track of them in Sacramento. So far it’s working because these bills have moved from their legislative house of origin into the other house and are mere weeks from final passage.

To express your opposition to these bills, Councilmember Koretz encourages you to contact your local Assemblymember and/or Senator (depending upon where each bill is in the process) and members of any committee in which these bills are pending to let them know your feelings,

and to do it as soon as possible. He also encourages you to ask friends living in other districts to do the same.

Most CD5 residents are in the districts of Assemblymember Richard Bloom (author of two of the bills) and Senator Ben Allen. Encino residents are in Assemblymember Jesse Gabriel's or Senator Henry Stern's districts.

To check on your legislative districts, please visit:

<https://www.lacity.org/support-for-residents>. To get more information on the individual pieces of legislation and where they stand in the process, visit: <http://leginfo.legislature.ca.gov/faces/billSearchClient.xhtml>.

*(Special thanks to CD5 Senior Planner Daniel Skolnick and the [Livable California](#) and [The Embarcadero Institute](#) organizations for background and analysis)*

## Here to Serve

My office, like all City of Los Angeles offices, is following recommended protocols such as social distancing and working remotely to slow the spread of the coronavirus. That said, my staff and I are always readily available to help with your questions, concerns, and needs during this difficult period. We can be reached by phone at 213-473-7005, 323-866-1828 (West LA), or 818-971-3088 (Encino) and through email [paul.koretz@lacity.org](mailto:paul.koretz@lacity.org). Since we are experiencing a higher-than-normal volume of calls, feel free to email the staff

member you wish to contact directly. The accompanying [link](#) contains those e-mail addresses.

I know these are really confusing times and that new information is changing quickly, so please continue to check and verify official information through these credible resources:

- Los Angeles County Department of Public Health: <http://ph.lacounty.gov/>
- City of LA Emergency Coronavirus Info: <https://corona-virus.la/>
- CD5 Resources: <http://www.councilmemberpaulkoretz.com/covid-19-news>
- Visit the Los Angeles County website: <http://lacounty.gov/covid19>
- Center for Disease Control: <https://www.cdc.gov/>
- Los Angeles Unified School District: <https://achieve.lausd.net>
- Los Angeles Homeless Services Authority: <https://www.lahsa.org>
- Sign up for emergency notifications from the City of LA at [NotifyLA.com](http://NotifyLA.com)
- Text your zip code to the number 888777 to receive [emergency text alerts](#)
- Call 3-1-1 for City of Los Angeles Service and referral hotline
- Call 2-1-1 - Los Angeles Countys 24/7 emergency and referral hotline