



COUNTY OF LOS ANGELES

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June 29, 2021

BRIAN J. STIGER
Chief Legislative Representative

The Honorable Mike McGuire
California State Senate
State Capitol, Room 5061
Sacramento, CA 95814

**Re: SB 12 (McGuire) – As Amended on May 4, 2021 – OPPOSE
Relating to Very High Fire Severity Hazard Zones
To Be Heard in the Assembly Housing and Community Development
Committee on 7/12/21**

Dear Senator McGuire:

The Los Angeles County Board of Supervisors must regrettably oppose SB 12 which would impose certain fire hazard planning responsibilities on local governments; require local governments to make specified findings on fire standards prior to permitting development in Very High Fire Hazard Severity Zones (VHFHSZ); and, incorporate fire hazard planning into regional housing needs allocation (RHNA) objectives and methodology.

SB 12 would also prohibit local governments from approving any new residential ministerial or discretionary permits, discretionary entitlements, tentative subdivision or parcel maps, or development agreement in VHFHSZ unless it finds that the project and all structures within the project are protected from wildfire risk in accordance with the "wildfire risk reduction standards" adopted pursuant to the bill, or standards adopted by a local jurisdiction that exceed those standards. SB 12 would also revise RHNA methodology to lower a city or county's allocation if it would need to identify lands within VHFHSZ as adequate sites in order to meet its RHNA; however, this would not be interpreted to waive nor reduce a city's or county's obligations relating to its housing element inventory of adequate sites for housing.

While SB 12 is generally in line with the direction Los Angeles County (County) is moving in to protect VHFHSZ areas, it goes well above and beyond what is required, creating unnecessary and costly hurdles. The bill could negatively impact future projects as well as already approved projects because it would limit approval of ministerial permits for new residential projects located in a VHFHSZ unless the County makes findings required by standards not yet developed by the State Board of Forestry.

SB 12 may also prohibit issuance of building permits for new homes that are part of an overall development project already approved under State and County provisions related to the Subdivisions Map Act. Similarly, this proposed legislation may also limit approving tract map applications submitted as consistent with an already approved Specific Plan.

SB 12 also dictates changes in how the General Plan is prepared and requires updates to Zoning Codes to be consistent with the new standards and would, among other things, require the Safety Element include a comprehensive retrofit strategy to reduce risk of property loss from wildfires, including identification of funding sources or financing options for needed retrofitting of public and private properties. Developing this retrofit strategy would seem to necessarily require an assessment of all properties in a VHFHSZ as to their current ability to withstand fire which would be a time-consuming and expensive task which the County would be required to fund.

Finally, the new requirements for the Safety Element reduce local County control by requiring review by the State Department of Forestry and Fire, essentially giving them veto power over portions of the County's Safety Element.

For these reasons, we must oppose SB 12. Should you have any questions, please contact Faith Conley Horpedahl at (916) 494-4089 or FConley@ceo.lacounty.gov.

Sincerely,



Faith Conley Horpedahl
Legislative Representative

Cc: The Honorable David Chiu, Chair, Assembly Housing and Community Development Committee
Members and Consultant, Assembly Housing and Community Development Committee