



June 22, 2021

The Honorable Henry Stern
Chair, Senate Committee on Natural Resources and Water
State Capitol Building, Room 5046
Sacramento, CA 95814

RE: Assembly Bill 500 (Ward) Local planning. Permitting. Coastal Development.
Notice of Opposition (as amended 6/21/21)

Dear Senator Stern:

The League of California Cities (Cal Cities), the Rural County Representatives of California (RCRC) and the California State Association of Counties (CSAC) must respectfully oppose AB 500, which would broaden the California Coastal Commission's (Commission) authority to include housing policy within the coastal zone.

Housing affordability and homelessness are among the most critical issues facing California cities and counties. Affordably priced homes are out of reach for many people and housing is not being built fast enough to meet the current or projected needs of people living in the state. Local jurisdictions lay the groundwork for housing production by planning and zoning new projects in their communities based on extensive public input and engagement, state housing laws, and certification by the California Department of Housing and Community Development (HCD).

Planning for and ultimately adopting a city or county housing element is a laborious, time consuming, and costly process. By the end of 2022, more than two million units of additional housing, at all income levels, will be identified and zoned accordingly to immediately allow much needed housing over the next eight years. Importantly, these two million units will be protected by the Housing Accountability Act, which prohibits a city from denying a housing project that is consistent with local zoning.

AB 500 disregards the housing element process and instead adds an additional bureaucratic agency to an already complex process involving HCD and local governments.

The law is clear on the purview of the Commission and its responsibilities- housing is not one of them. That authority lies within local governments who are responsible for the content and progress of their housing elements and Local Coastal Plans (LCPs), which guide coastal development. LCPs are local government policies. Cal Cities, RCRC and CSAC oppose legislation that grants authority to the Commission that is inconsistent, duplicative, and overlapping with the authority of other regulatory agencies.

Additionally, AB 500 removes language which specifically exempts "housing policies and programs" from being required content within an LCP. The removal of this provision

is problematic as it is perceived to grant additional authority to the Commission over the content of LCPs, which it does not currently allow.

In the case of *City of Malibu v. Cal Coastal Comm'n*, 206 Cal. App. 4th 549 (2012), the court held local governments have wide discretion over the contents of its land use plans and how to implement these plans and added that the Commission's authority to amend the contents of an LCP are limited without consent from the affected local government.

California desperately needs more housing at all income levels. Unfortunately, AB 500 will not help spur much needed construction. Rather, this measure will further complicate the planning and zoning process, which will lead to additional uncertainty and delay. For these reasons, we must oppose AB 500. If you have any questions regarding our position, please do not hesitate to contact Jason Rhine (Cal Cities) at jrhine@cacities.org, Tracy Rhine (RCRC) at trhine@rcrcnet.org, or Christopher Lee (CSAC) at clee@counties.org.

Sincerely,



Jason Rhine
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Cal Cities



Tracy Rhine
Senior Legislative Representative
Rural County Representatives of California



Christopher Lee
Legislative Representative
California State Association of Counties

cc. The Honorable Christopher Ward
Members, Senate Committee on Natural Resources and Water
Consultant, Senate Committee on Natural Resources and Water
Consultant, Senate Republican Caucus