

Sherman Oaks Neighborhood Council opposes SB 423.

This bill, like so many others, keeps redefining the conditions that trigger the streamlining provisions of SB 35. The State's ultimate aim is to make it harder for cities to comply with state law and thus lose local control of land use.

SB 423 would allow a streamlined, ministerial approval process for a multi-family development with affordable units in any residential zone, by right, if a locality is either noncompliant on their Housing Element or if the locality has not *issued enough building permits* to meet its RHNA obligation as calculated at the midpoint of the housing cycle.

SB 423 penalizes jurisdictions for lacking enough permitted units by income category during the reporting cycle. Building permits are pulled by developers when the market conditions meet their needs. Cities cannot make developers file for permits let alone make them pull permits. To write a bill that penalizes a city based on circumstances they cannot control seems unjustified.

Secondly, we object to a production reporting cycle (halfway through an 8-year RHNA cycle) that in no way corresponds to any cities rezoning cycle. For example: in LA the implementation of LA's Housing Element will occur somewhere in 2024. The current RHNA cycle is 2021-2029. Halfway into this RHNA cycle is the reporting period which is April 1, 2025. This mandate is impossible to meet.

The idea that cities can lose discretionary approval of projects based on situations beyond a city's control is bad policy. Granting the streamlining of projects cannot be based on permits being issued. Further, a developer who wishes to avoid compliance with local planning and zoning requirements might simply wait for the passage of time to evade all local governance and construct a project that avoids otherwise necessary requirements and therefore, maximizes profits.

We also oppose removal of coastal zone exemptions by fiat and granting streamline approvals in very high fire hazard zones, hazardous waste site and flood zones simply if approved mitigation measures have been applied. Public safety issues seem to be minimized in the quest for more housing.

We also oppose the removal of the local elected government to conduct project review and instead granting it to the non-elected local planning commission or planning director. Public review is eliminated.

We oppose SB 423 as a gross overreach by the State.