



DRAFT

April 9, 2018

Letter to Senator Ben Allen

Thank you for the opportunity to discuss SB 827 with you and your staff. This letter summarizes our comments.

The SBCCOG understands the critical need for housing development, affordable housing in particular. Lack of workforce housing is one source of the existing traffic congestion which is straining our transportation infrastructure, damaging the economy, and reducing quality of life.

However SB 827 will exacerbate the current conditions and establish a precedent for the state to override local land use regulations.

The SBCCOG has two specific issues with the early draft of SB 827:

1. The state should not use the housing shortage to justify usurping land use regulatory authority from local governments, particularly in already crowded suburbs. Developing any addition to the built environment must be done surgically, based on a fine grained understanding of the local context. Local regulations are needed to ensure that whatever development occurs also fits into a “sustainability framework.” Cities have been directed to reduce GHG emissions by 30% below 1990 levels by 2030 and transportation generates about 40% of each city’s emissions. Housing development must be sited and scaled so as to avoid increasing carbon VMT and VMT in general. Only locals can reconcile housing development with carbon reduction.

A legitimate role for the state is setting the goal, not specifying the means -supporting any local policy development that will produce affordable housing in a “sustainable framework.”

2. The state’s mandate for housing to be built as a TOD illustrates the problem identified in the first comment. One size does not fit all. TOD is a model best suited to urban contexts and ill-suited to the conditions in suburban cities like those in the South Bay.

SB 827 would essentially empower developers assisted by transit operators to determine which arterials to redevelop and in what densities up to the maximum established in the statute. Cities would have no ability to stop the project or affect its density. This is a large bet on the effectiveness of public transit to provide the mobility service that would satisfy the majority of demand from the new residents.

LOCAL GOVERNMENTS IN ACTION

There are reasons to be skeptical of that prospect. A recent study by New York based “Transit Center” found that transit ridership is declining nationally including in the seven largest systems in the nation. Bus ridership in Los Angeles is lower today than in the mid-2000s. If transit operators have revenue issues and the transit lines in areas of TOD see reduced ridership, will they be required to maintain those transit lines in perpetuity and what happens if they don’t?

At a minimum, subsequent drafts of SB 827 should focus on rail infrastructure and exclude all bus transit corridors.

In 2003, the SBCCOG began a 15 year research and demonstration (R and D) program to produce a transportation-land use strategy based on the sub-regional context and designed to be effective in that context. That strategy for sustainable suburbs is more complex than TOD and it includes the following elements:

Zero emission multi-modal private mobility complemented by a robust mobility services market that includes public transit, ride hailing, taxis, and sharing cars, bikes, and scooters. The multiple modes include full speed BEVs and PHEVs but are anchored by low cost, short range vehicles and personal mobility devices.

The land use element of the strategy has three components:

- A neighborhood business district (NBD) within one-half mile of most residences, that is dense with destinations including work facilities.
- A public technology center connected to a high speed network for Internet access and located within the NBD offering virtual access to many destinations not physically present.
- Gradual redevelopment of commercial strip commercial on major arterials into low-medium density housing (about 25 dwelling units per acre) beginning with conversion of poor performing strips.

The State can assist this suburban alternative and help stimulate housing development in suburban areas by supporting strategies developed and adopted by cities or sub-regional councils of government in several ways through legislation:

- Providing tools by which cities can exercise eminent domain in order to assemble parcels for redevelopment as NBDs or arterial housing.
- Providing funding for technology centers and high speed internet access
- Broadening grant program guidelines to help plan and build housing into options not based solely on “high quality” transit and TOD. (Example, Affordable Housing Sustainable Communities program)

Furthermore, it should be noted that TOD creates a narrow channel of investments along transit corridors. In the South Bay strategy, investments in redevelopment of the built environment will be spread throughout the sub-region. The idea is to leave no neighborhood behind.

In closing, the SBCCOG’s strategy for suburban sustainability and affordable housing is also “equitable.” There will be a drastic reduction for households in the cost of mobility as trips will be more

local and accessible thereby democratizing physical movement. Public sector costs also can be expected to dramatically decline as transit becomes one option in a suite of public and private mobility services.

Finally, we request that if some sort of housing target is established that South Bay cities be allowed to meet those targets by whatever means consistent with the local development and mobility strategy, whether, TOD, the SB sustainability strategy, a hybrid or something else entirely.

Sincerely,

Kurt Weideman, SBCCOG Chair
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