

July 5, 2022

The Honorable Anna Caballero
Chair, Senate Governance & Finance Committee
State Capitol, Room 407
Sacramento, CA 95814

RE: Assembly Bill 2234 (Rivas and Grayson): Planning and zoning: housing: permits

Dear Senator Caballero:

The City of Carson writes in opposition to Assembly Bill 2234, joining several entities including the California State Association of Counties (CSAC), the League of California Cities (Cal Cities), the Urban Counties of California (UCC), the Rural County Representatives of California (RCRC), and the California Building Officials (CALBO), which have an “oppose unless amended” position on Assembly Bill 2234 and have provided their suggested amendments.

AB 2234 would create practical concerns for the ability of our City to effectively review applications and would impose costly mandates for electronic permitting on large counties and cities of any size within those counties without providing state funding to offset these costs.

AB 2234 applies a new “shot-clock” to an incredibly broad subset of permits for specified housing projects. While there is a narrow exception—only for health and safety reasons—the shot clocks are simply too short to thoroughly review large projects. Additionally, we agree with the League of CA Cities and other entities in opposition that the bill should specifically state that high-rise residential units as defined by Section 13210 in the Health and Safety Code are exempt from these timelines as these buildings tend to have more safety concerns for seismic, fire protection, and other building safety standards. The more stringent standards are necessary to protect the public from harm in the building industry and can take much longer to review and approve for safety compliance depending on the specific project.

Our City opposes the unfunded mandate for online permitting and urges the author to focus the bill on either technology or process improvements, but not both. As discussed in the Department of Housing and Community Development’s recent Data Strategy Appendix to the Statewide Housing Plan, “typical costs for new permit systems or major updates range from under \$100,000 for a smaller jurisdiction to over a million for the implementation of a high functionality system in a larger jurisdiction.” The Department went on to estimate that “if all jurisdictions in the state were to pursue a project like this, costs are estimated to exceed \$100 million.” Moreover, the Data Strategy identified ongoing operating costs in the tens of thousands of dollars annually, although likely higher in larger jurisdictions.

AB 2234 would mandate costly electronic permitting, but it would not provide any state funding to accomplish this goal, despite the significant costs identified in the Statewide Housing Plan. Instead, specified “large jurisdictions,” which includes small cities located within large counties, would be required to incur significant up-front expenses, and try to recoup their costs through fees on development applicants. This fee-based cost recovery is most likely to be practical in larger jurisdictions with significant housing growth, and it would

be at odds everywhere with recent state efforts to reduce fees on new development, particularly housing development.

If the goal of AB 2234 is to require expeditious approval of all post-entitlement approvals for housing projects, it should not exclude other entities whose permit requirements might delay projects. The exclusion for permits issued by investor-owned utilities, the Coastal Commission, and special districts does not have a sound basis in policy.

For these reasons, our City opposes AB 2234. If you have any questions, please feel free to contact Michael George in the City Manager's Office at 310-952-1731 or mgeorge@carsonca.gov.

Sincerely,

City Council