

April 23, 2019

To: Partners and other interested parties

From: Alliance for Community Transit – Los Angeles; California Rural Legal Assistance Foundation; Leadership Counsel for Justice and Accountability; PolicyLink; Public Advocates; Public Counsel; Strategic Action for a Just Economy; Western Center on Law & Poverty

Re: Update on SB 50 negotiations

Earlier this month our organizations were joined by over 50 others, [expressing concerns](#) about how SB 50 will impact low income communities, communities of color and other populations vulnerable to gentrification and displacement. Since [SB 50](#) cleared its first hearing in the Senate Housing Committee in early April, a number of partners in the equity movement from across the state have continued to work with Senator Wiener and bill sponsors to advocate for amendments that will ensure meaningful affordability requirements and stronger protections for communities vulnerable to gentrification and displacement.

We are pleased that Senator Wiener and SB 50 bill sponsors have begun addressing our concerns from early April and appreciate Senator Wiener for memorializing these agreements in [this linked document](#). Important progress has been made, however, more work must be done to ensure that SB 50 will not cause further harm to the millions of Californians being hit hardest by our housing crisis.

Notably, the bill's affordability rates are still being negotiated. The author and co-sponsors are proposing affordable housing set-asides that are below what we believe should be required for a program that offers very significant density incentives for housing developers across the state. Furthermore, while there has been agreement to adopt a value capture framework for larger projects - so that density increases correspond to affordability requirements - several key issues remain unresolved, including the level of affordable housing required and the unit threshold where this approach will be triggered, and what contributions to housing affordability will be required of smaller projects.

We have also not reached full agreement regarding how SB 50 treats Sensitive Communities. As currently proposed by the author, each region that is affected by SB 50 and qualifies as a potentially sensitive community will go through a community outreach process convened by a local or regional government body. This process will determine which geographies will ultimately be designated as sensitive communities,

and therefore will have delayed implementation to accommodate community planning. This planning must be consistent with standards for equitable development. While this represents important progress, there is still a lack of clarity on certain items; the details will be important and we will continue to work on this with the author and sponsors. The ultimate benchmark must be a process that accurately identifies *all* sensitive communities and offers those communities a meaningful opportunity for self-determination. It is also important that Bay Area communities be granted equal opportunity to engage in this identification of sensitive communities, rather than adoption of the “CASA” maps that were drawn by the Metropolitan Transportation Commission without meaningful community input.

Finally, we continue to be concerned about the lack of clarity on how local community plans that protect and expand affordable housing while planning for growth will be treated. The current proposal is to exempt parcels subject to Los Angeles’ Transit Oriented Communities Program. But strong incentive programs are not limited to Los Angeles, and hard-won community plans in LA and around the state both facilitate new development of affordable housing and protect existing affordable housing, cultural assets and small businesses - so SB 50 will need more specific language to protect successful equity-focused local plans and programs.

As advocates dedicated to improving the lives of California’s most vulnerable communities, we remain committed to making sure SB 50 includes the strongest possible affordable housing and anti-displacement requirements so that communities across California will benefit from, and not be harmed by this legislation.