



CITY OF HUNTINGTON BEACH
CITY COUNCIL MEETING – COUNCIL MEMBER ITEMS REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: PAT BURNS, CITY COUNCIL MEMBER

DATE: FEBRUARY 21, 2023

SUBJECT: SB 9 AND SB 10 IMPACTS TO HUNTINGTON BEACH

The State's housing laws in recent years have become incredibly onerous and burdensome to cities, including fully developed cities like Huntington Beach. In 2021, the State passed SB 9 and SB 10 and State laws expand the ability for development of ADU's that circumvent local zoning controls, all of which produce a proliferation of development and multi-unit housing in already well-established single-family neighborhoods. The City has a duty to protect the quality and lifestyle of the neighborhoods that current owners have already bought into and for the future sustainability of Huntington Beach, the City has a duty to ensure the principles of Euclidean Zoning, like project/development compatibility, etc., are honored and respected.

SB 9 and SB 10 and the State laws expanding ADU's are designed to undermine local City zoning authority (including in Charter Cities like Huntington Beach) by overriding local single family neighborhood zoning and incentivizing property owners to redevelop their single family residences into mutli-plex apartment-like developments (including for affordable housing). Radical redevelopment in already-established residential neighborhoods is not only a threat to quality and lifestyle, but to the value of the adjacent and neighboring properties. The City should not be put in a position by the State through SB 9 and SB 10 or those State laws expanding ADU's that would allow the diminution of an owner's property value without just compensation, and Huntington Beach should not have its Charter City zoning rights provided for by the California Constitution trampled by the State.

RECOMMENDED ACTION

Direct the City Attorney to take any legal action necessary to challenge SB 9 and SB 10 and the laws that permit ADU's. Also, direct the City Manager to cease the processing of all applications/permits brought to the City by developers under SB 9, SB 10, or State law related ADU projects, until the courts have adjudicated the matter(s).