

YIMBYS ARE WINNING BATTLES AND LOSING THE WAR

Rick Cole



Agenda

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sprawl

Regional Housing Needs Assessment was a perennial exercise in pushing growth to the periphery, away from jobs. “Drive to you qualify” spawned supercommutes and an unsustainable burden -- not only on the environment but the ability to fund ever more ambitious freeway expansion.



Unaffordable california

Essential workers, young families, the poor and elderly priced out of communities; unsustainable rent burdens on tenants; destabilizing gentrification of neighborhoods; explosion of homelessness – all spurred divisive State, regional and local battles over projects and policy.



Nimby vs yimby

“The Dialogue of the Deaf” frequently pitted established neighbors against advocates for more and denser housing in their neighborhoods, in both high and low-income neighborhoods, sharpening divisions by age, race, and class. YIMBYs made few friends at first, but gradually developed sophistication and clout.



AUDACIOUS GOAL

Gavin Newsom campaigned on meeting the housing challenge: *“I realize building 3.5 million new housing units is an audacious goal, but it’s achievable. There is no silver bullet to solve this crisis. We need to attack the problem on multiple fronts by generating more funding for affordable housing, implementing regulatory reform and creating new financial incentives for local jurisdictions that produce housing while penalizing those that fall short.”*

CALIFORNIA CITIES



FOR LOCAL CONTROL

AGENDA ITEM(S): 44	
BLUMENFIELD	--
HERNANDEZ	NO
HUTT	YES
JURADO	YES
LEE	YES
MCOSKER	YES
NAZARIAN	--
PADILLA	YES
PARK	YES
PRICE	NO
RAMAN	NO
RODRIGUEZ	YES
SOTO-MARTINEZ	NO
YAROSLAVSKY	YES
*HARRIS-DAWSON	NO
HERE: 13, YES: 8 NO: 5	

ITEM 44 ...state zoning standards around train stations and major bus stops that allow for multi-family housing with up to seven stories.

LOS ANGELES CITY COUNCIL MEETING | AUGUST 19, 2025 | WWW.LACITY.GOV | SAP | CC

Third rail

Nothing raises the ire of cities and counties than State interference in their business. Nothing is more sacred to cities than local control of land use. On this, there would be no compromise. Absent was any recognition of local responsibility.

Instead of dialogue cities took the path of implacable opposition. It turned out to be a losing strategy.



The hammer

Beginning with SB 35 in 2017, the State Legislature began to chip away at local control with more and more stringent interventions into housing and land use policies. While vehement opposition from the League of California Cities and NIMBY groups like “Our Neighborhood Voices,” defeated, watered down or delayed some of the most controversial bills, the State has steadily tightened the noose around local governments.

2017

- **SB 35** Streamlined “by-right/ministerial” approvals in jurisdictions behind on RHNA.
- **AB 72** Strengthened HCD enforcement of housing element compliance.
- **AB 73** Incentives for local governments to approve infill housing near transit/jobs.
- **SB 167** Tightened the Housing Accountability Act (HAA); higher penalties for denials.
- **AB 678** Beefed up HAA enforcement tools/penalties.
- **AB 1505** Restored/clarified local authority for inclusionary housing requirements.
- **AB 1515** Required findings/standards re: “land use” approvals affecting housing.
- **SB 540** “Workforce housing opportunity zone” / specific-plan support framework.

2018

- **AB 2923** Transit-oriented development zoning reforms on BART land near stations.
- **SB 828** RHNA/housing element changes to push regions to plan for more housing need.

2019

- **SB 330** Limits downzoning/fee hikes; strengthens HAA and streamlining.
- **AB 1482** Statewide “Tenant Protection Act” (rent cap + just-cause eviction)
- **AB 68** ADU reform package (more ADUs/JADUs, shorter timelines, fewer barriers).
- **SB 13** ADU fee/approval constraints to facilitate ADU production.

2021

- **SB 9** Statewide duplex + lot split ministerial approvals in many single-family zones.
- **SB 10** Allows (optional) local upzoning near transit/jobs via simplified process.
- **SB 8** Extended key housing “anti-downzoning / HAA” tools (tied to SB 330).
- **AB 215** Expanded enforcement/accountability for housing element compliance.

2022

- **AB 2011** Streamlined approvals for multifamily on commercial corridors
- **SB 6** Allows housing on certain commercial sites (broader than AB 2011).
- **AB 2097** Limits parking minimums near major transit stops
- **SB 886** CEQA streamlining for UC/CSU/CCC student & faculty housing.

2023

- **SB 423** Extended/expanded SB 35 streamlining (including major scope/labor updates).
- **AB 1287** Major revisions to the State Density Bonus Law

2024

- **SB 4** Streamlined affordable housing on faith/nonprofit college land
- **SB 684** Small-lot subdivision/condo-type tools to facilitate “missing middle” infill
- **AB 1893** HAA / rezoning-site & enforcement-related changes
- **AB 3093** Adds new RHNA income categories and integrates into housing element law.

2025

- **CEQA overhaul package** Significant CEQA streamlining for housing and related infill
- **SB 79** Transit-oriented upzoning bill that passed the Legislature in 2025
- **SB 92** Tightened Density Bonus Law use (limiting commercial FAR boost, etc.).

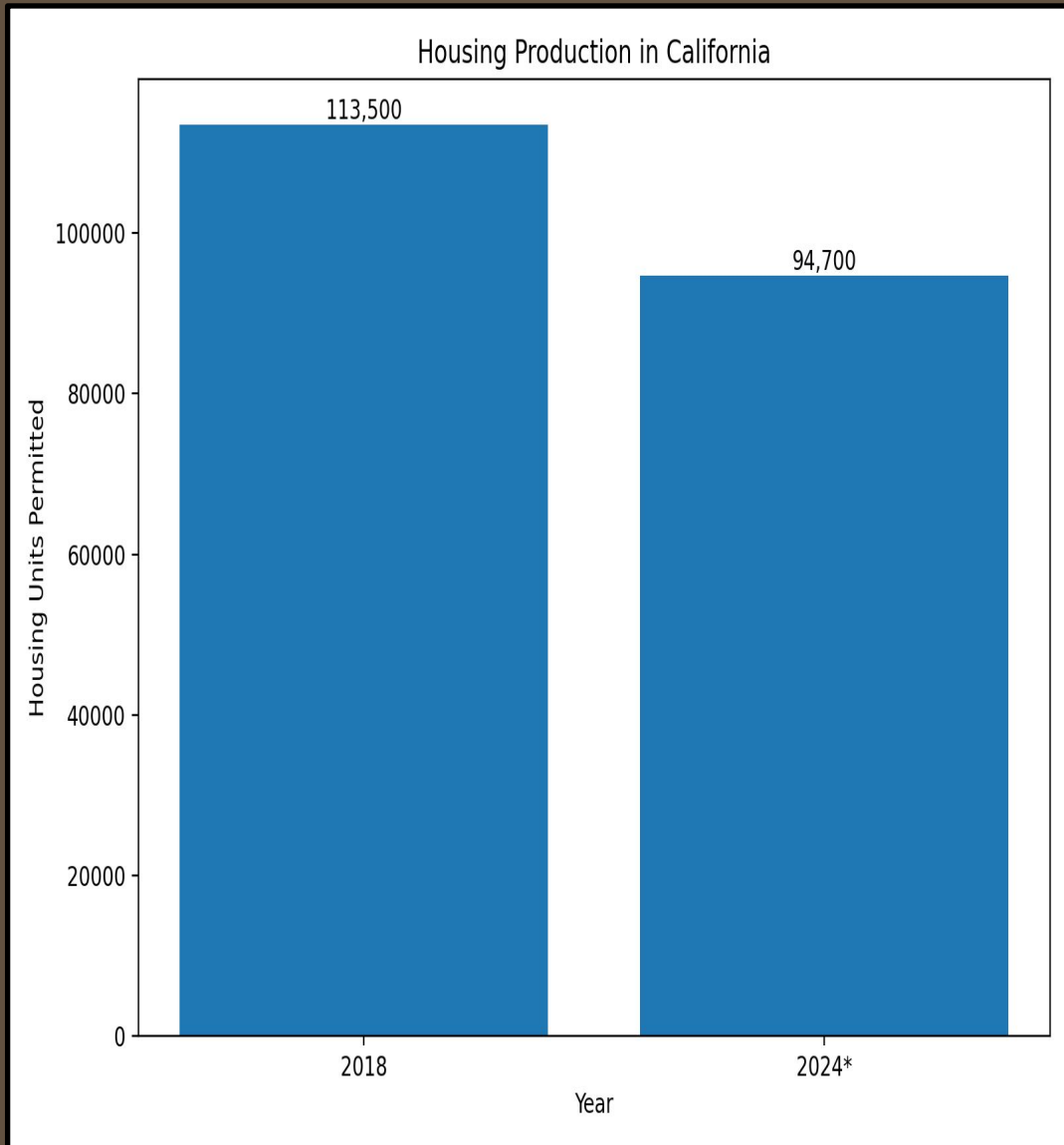
The onslaught

Every year (except 2020) has brought a slew of new legislation signed into law imposing new requirements or establishing new exemptions to boost housing production and promote affordable housing across California. Local jurisdictions have had the responsibility for interpreting and implementing the ever-changing land use rules, including rulings by courts.



The pushback

Cities have sued to overturn, tried to evade or simply ignored the State's interventions. The courts have not been sympathetic. An initiative by Our Neighborhood Voices has never gotten off the ground. The League of Cities has fumed but been largely ineffective at stopping the continuing eclipse of local control of land use.



The needle still hasn't moved

California was producing about 100,000 units a year before 2018 and that rate has hardly budged since. While ADU production has emerged as a bright spot, overall California is failing to produce adequate new housing, especially affordable housing despite all the efforts and controversy.



What went wrong?

Laws have changed, but not the math: interest rates and lending reluctance

“Malicious compliance”: local opposition and foot-dragging

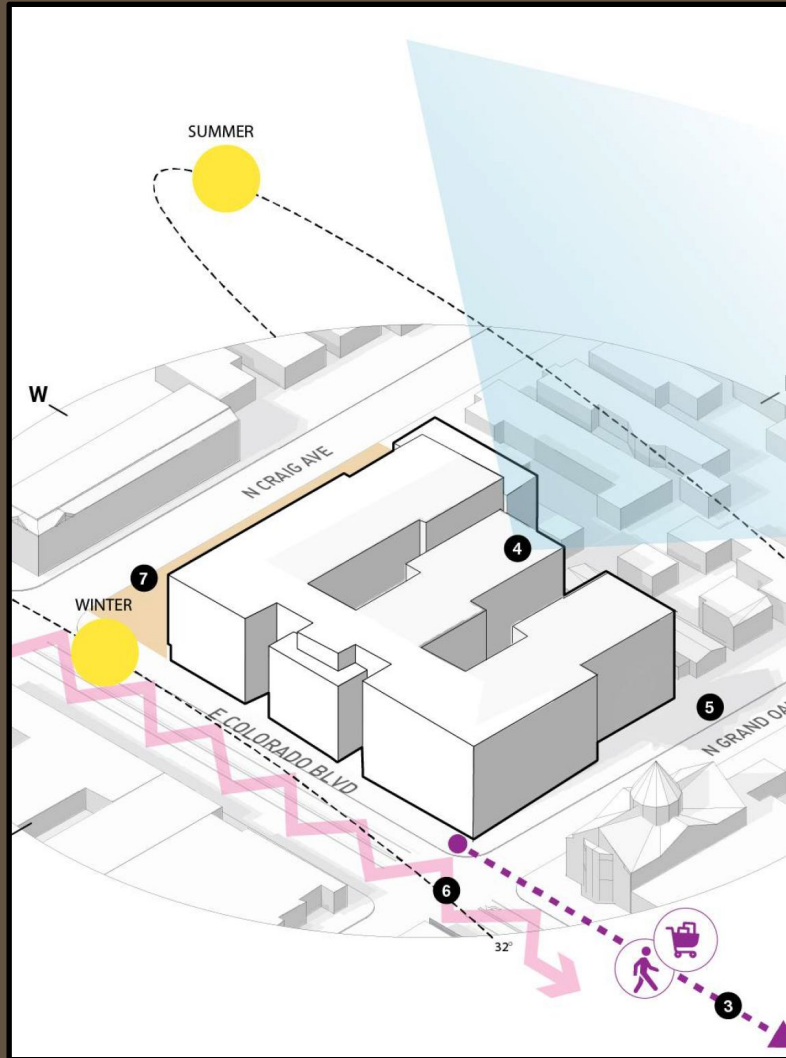
Everybody wants a piece: policy strings that reduce take-up

Industry capacity: labor, contractors, and supply chain bottlenecks



Where does that leave you?

Neighbors are angrier than ever when told the State has pre-empted their opportunity to influence project approvals. Housing advocates are mobilizing to ensure compliance. Developers threaten – or file – litigation. Elected officials and planners find themselves the targets of everyone's frustrations.



The challenge

Here's an example of the perfect storm: 100% affordable housing project in my District. Zoning allows 47 units; Gov. Code 65915 allows 214. AB 2097 means developer can get by with only 109 parking spaces for 214 units. Zoning height limit is 39 feet – 65915 allows developer to ask for 72.

Next door is landmark church with 200 student elementary school.



uncharted waters

In this dynamic and contentious environment, staff, officials and attorneys have a responsibility to seek the best outcomes within the constraints of the laws and the polarization within communities. The best path is seldom either resistance or abdication. Beyond NIMBY and YIMBY is QUIMBY – Quality In My Back Yard.



Objective design standards

Not all density is equal. The design of buildings can have a profound effect on both livability and compatibility. Cities still have the power to enact Objective Design Standards and form-based codes to ensure that new higher density housing can find its place in a neighborhood and community.



The public Realm

Cities also have the opportunity to enrich the public realm in ways that make safe and walkable urban neighborhoods work at any scale, whether “missing middle” or high-density transit districts. The investments pay off in myriad ways.



Where do we go from here?

Governor Newsom's "audacious goal" fell short, but the challenge remains. Much depends on the next Governor to chart a vision – something sorely lacking in the campaign so far. Cities are not powerless. Instead of fighting Sacramento, it's time to reclaim Newsom's original pledge to *"create new financial incentives for local jurisdictions that produce housing while penalizing those that fall short."*

Los Angeles Times

San Diego shows what happens when a city actually lets builders build



An apartment complex under construction in downtown San Diego on Jan. 16. As of last quarter, the number of new apartments under construction in San Diego County rose 10% from three years earlier, CoStar data show. (Sandy Huffaker / For The Times)



By Roger Vincent
Staff Writer | [Follow](#)

Do the right thing

As Newsom said in 2017, *“There is no silver bullet to solve this crisis. We need to attack the problem on multiple fronts.”*

If we are to stem the flow of new State mandates, we need to work with our communities, our colleagues, our neighboring jurisdictions and our regions to produce the right housing in the right place – right now.



“Opportunities are like buses. There's always another one coming.”

-- Richard Branson



THANK YOU

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