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April 17 2019

The Honorable Mike McGuire
Chair, Senate Committee on Governance and Finance
State Capitol Building, Room 5061
Sacramento, CA 95814

RE: SB 50 (Wiener) Planning and Zoning. Housing Development Incentives
Oppose Unless Amended (as amended 3/11/19)

Dear Senator McGuire:

The League of California Cities must respectfully oppose SB 50 unless the measure is amended to address our key concerns. SB 50 would allow developers of certain types of housing projects to override locally developed and adopted height limitations, housing densities, parking requirements, and limit design review standards.

We agree with the fundamental problem—there aren't enough homes being built in California. The League of California Cities remains committed to working with you, the Legislature, and the Governor on finding ways to help spur much needed housing construction statewide without upending longstanding community driven planning processes and stakeholder involvement.

Unfortunately, SB 50 as presently drafted lacks the flexibility needed to meet the State's housing goals while also acknowledging community input and engagement. Specifically, the League has significant concerns with the following:

- **SB 50 would greatly undermine locally adopted General Plans, Housing Elements** (which are certified by the Department of Housing and Community Development), and Sustainable Community Strategies (SCS). By allowing developers to override state approved housing plans, SB 50 seriously calls to question the need for cities to develop these community based plans in the first place.
- **Housing developers and transit agencies would have the power to determine** housing densities, heights up to 55 feet, parking requirements, and design review standards for "transit-rich housing projects" within one-half mile of a major transit stop. For those "transit-rich housing projects" within one-quarter mile radius of a stop on a high-quality bus corridor, developers would be able to determine housing density, and parking requirements above .5 spots per unit.
- **What is the full scope of SB 50?** As presently drafted, it is very difficult to determine what constitutes a "jobs-rich area" since the Department of Housing and Community Development and the Office of Planning and Research are largely tasked with making that determination.

- **Greater density but no public transit?** SB 50 would require cities to allow greater density in communities that are high opportunity and jobs rich, but lack access to public transit. This seems at odds with many state policies that encourage and incentivize more dense housing near transit so that individuals may become less dependent on automobiles.

SB 50 allows some communities to be exempt if they develop their own plan that is consistent with the objectives of the bill. Why not all communities? Shouldn't all jurisdictions have the ability to have a community-led planning process that takes into account local needs and input as long as state objectives are still met?

For these reasons, the League of California Cities opposes SB 50 unless it is amended to address the above concerns. If you have any questions, please feel free to contact me at (916) 658-8264.

Sincerely,



Jason Rhine
Assistant Legislative Director

cc. Senator Scott Wiener
Members, Senate Committee on Governance and Finance
Anton Favorini-Csorba, Consultant, Senate Committee on Governance and Finance
Ryan Eisberg, Consultant, Senate Republican Caucus