

CITY LETTERHEAD

Date

The Honorable Kevin de León
President pro Tempore
California State Senate
State Capitol Building, Room 205
Sacramento, CA 95814
VIA FAX: 916-651-4924

The Honorable Anthony Rendon
Speaker
California State Assembly
State Capitol Building, Room 219
Sacramento, CA 95814
VIA FAX: 916-319-2163

**RE: SB 35 (Wiener) Affordable Housing: Streamlined Approval Process.
Notice of Opposition (as amended 7/14/17)**

Dear President pro Tempore de León and Speaker Rendon:

The City/Town of _____ is opposed to SB 35 (Wiener), which would pre-empt local discretionary land use authority by making approvals of multifamily developments, that meet inadequate criteria, “ministerial” actions, thus bypassing the California Environmental Quality Act (CEQA) and public input.

SB 35 has been characterized as a measure targeting “bad actor” jurisdictions that fail to approve enough housing to meet their Regional Housing Needs Allocation (RHNA) in all four income categories. However, SB 35 dodges the reality that state and federal affordable housing funding have slowed to a trickle. More than \$1 billion annually in affordable housing money has evaporated with the elimination of redevelopment agencies in 2011. Funds from the 2006 state housing bond have been exhausted and federal dollars have been declining for decades. This massive withdraw of resources has contributed to the current challenges, yet no significant source of ongoing affordable housing funding is on the horizon.

[If you have specific examples of the impact of this bill on your city/town, please include here.]

Forcing nearly all communities with a population over 2,500 to “streamline” housing approvals by eliminating opportunities for environmental and public review of major multifamily developments goes against the principles of local democracy and public engagement. While frustrating for some to address neighborhood concerns about traffic, parking and other development impacts, those directly affected by such projects have a right to be heard. Public engagement also often leads to better projects. Not having such outlets will increase public distrust in government and additional ballot measures dealing with growth management.

At a minimum, SB 35 should be amended to provide a “Safe Harbor” for “Good Actor/Pro-Housing” jurisdictions that:

- Have not violated the State’s housing laws in the last five years;
- Approved all submitted housing projects that have been submitted on sites identified in its housing element inventory;
- Have not reduced density of housing project below density as submitted by developer on initial application;
- Have implemented the programs in its housing element in accordance with schedule in housing element;

- Have completed any rezonings required by housing element within 2 years of adoption of housing element; and
- Can demonstrate that it did not receive applications for housing units that would have allowed it to issue building permits equal to the city's share of RHNA by income category for that reporting period.

For these reasons, the City/Town of _____ opposes SB 35.

Sincerely,

NAME

TITLE

CITY/TOWN of _____

cc: Your Senator & Assembly Member
Your League Regional Public Affairs Manager (via email)
Meg Desmond, League of California Cities, mdesmond@cacities.org