



City Council

Mike Anderson, Mayor
Don Tatzin, Vice Mayor
Cameron Burks, Council Member
Mark Mitchell, Council Member
Ivor Samson, Council Member

August 22, 2017

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

Dear President pro Tempore de León and Speaker Rendon:

The City of Lafayette is keenly opposed to SB 35 (Wiener) for several reasons which I will attempt to elucidate below.

The use of RHNA numbers as production quotas to measure the success or failure of a City to develop housing is absurd, as the City has no ability to build these units and must rely on the market for developers to decide to build them. The use of RHNA numbers as a measure of potential capacity assured through planning and zoning documents, is as much as one can expect from the RHNA process.

The concept of pre-empting 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 is not acceptable.

The determination of potential and actual impacts of a proposed project on the environs of our City is essential to maintaining the quality of life that makes a City one worth living in.

Eliminating opportunities for environmental and public review of multifamily developments goes against the very fundamental principles of local democracy and public engagement. Public hearings allow members of our community to inform their representative of their support or concerns. 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 will also lead to an increase in ballot measures supporting growth management.

SB 35 is proposed as a solution to address the state's needs for market rate and affordable housing; however, it ignores the true reality of state and federal affordable housing funding that has slowed to a trickle. With redevelopment eliminated and the state reluctant to approve significant new funding for affordable housing, the passage of SB 35 will result in cities being deemed "bad actors" by the state for not producing low income and very low income housing to match their state-mandated quotas. The bill also ignores local housing market conditions and punishes even those communities with progressive affordable housing policies.

For these reasons, Lafayette opposes SB 35.

Sincerely,

A handwritten signature in black ink, appearing to read 'al', followed by a horizontal line extending to the right.

Mike Anderson
Mayor

cc: Senator Scott Wiener
Lafayette City Council
Sam Caygill, League East Bay Regional Public Affairs Manager, scaygill@cacities.org
Meg Desmond, League of California Cities, mdesmond@cacities.org