

State Bills Townhall – Livable California

August 7, 2021

Review of Senate Bills 9 and 10 and how to organize to defeat them.

1660 people registered for this webinar.

Some Basics on “Local Control”

- Today, your local city/county (city) controls zoning in your neighborhood.
- There are major due process and public transparency requirements before your city could change your zoning:
 - You would get public notices.
 - You would be able to attend local public hearings.
 - There would be an extensive environmental analysis of potential impacts under CEQA (California Environmental Quality Act). When people believe the environmental analysis does not adequately consider something, they can sue to make sure it does.
 - The ultimate decision would be made by city officials that know your community and are directly accountable to you. If you didn't like what they were planning to do, you could vote them out.

California Legislators Want to Change That

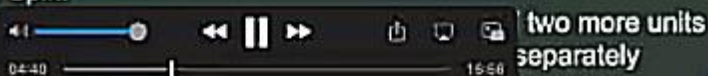
- They have been passing many laws aimed at eroding local control over land use.
- These new laws either are shifting more power to state agencies, or allowing developers to take short cuts on specific projects that avoid public hearings and environmental analysis.
- You will often hear the word “ministerial,” associated with these proposed laws. If so, watch out! What “ministerial” means is:
 - You, as a resident, have no say, nor does your city council.
 - The decision is not subject to public review or discussion.
 - There is no environmental analysis under CEQA.
 - The developer can walk in the door and get a permit.
 - If the proposal meets the requirements of the law, that's it!

Major Focus Now on Adding Density to Single Family Neighborhoods

- Recently expanded "ADU" (Accessory Dwelling Unit) Laws have already started this process.
- They allow a property owner (or developer) to add "ministerially" two more units onto the property with a single family home:
 - A Detached ADU: which is separated from the main home (in the backyard) and can be up to 1,200 square feet.
 - An Attached JADU (Junior ADU) which are up to 500sq.ft, and are typically formed by converting living space.
 - These units can be rented, but not sold separately.

SB 9 (Atkins) Rezones Most Single-Family Neighborhoods to Allow 4-6 units per parcel

- Two Main Provisions: Duplex Provision & Lot-Split Provision
- Duplex:
 - Can Tear Down a SF Home, and Replace With Two Homes at least 800sq ft, that can be sold separately.
 - Also, allows an ADU & JADU to be built on property.
 - Parking limited to only one space per unit, but NO Parking is required if within ½ mile from transit.
 - City can't enforce any ordinance or requirements that would "physically preclude" units from being built.
- Lot-Split:



How Many Units Can Be Added Under SB 9?

- Author/Supporters maintain that a maximum of four units can be built under the bill, but...the language is vague on that point.*
- Getting to 5 units: It appears a developer could, buy a SF home, add a ADU& JADU under existing law, THEN apply for a lot split and build two more units under SB 9.
- Getting to 6 Units: It appears a developer could buy SF home, add ADU/JADU, then with SB 9 split the SF home into a duplex, and add two more units with a Lot-Split.
- Depending how ADU law is interpreted to apply to an individual duplex unit, potentially more units could be built.
- *All these issues could be addressed if language was added to the bill that absolutely assured a 4-unit cap, but it has not happened.*

Other issues with SB 9:

- Allows units to be added in high fire hazard zones as long as they comply with building standards. This creates public safety problems.
- No affordable housing required, only market rate.
- Bill is silent on application to homeowner's associations with CC&Rs. (Covenants, Codes and Restrictions). Requests for clarification on this issue have been made, but have not been addressed in the bill. Expect this issue to be litigated.

SB 10 (Wiener) Rezoning for 10+ Units Per Parcel

Bill is an Precursor to Future State Punitive/Leverage Actions to force Local Rezoning:

- "Authorizes" a city/county to overrule its existing zoning, provisions of a voter initiative, environmental analysis under CEQA, and rezone urban parcels to allow for ten units (plus additional ADUs).
- Can do in fire hazard zones, if the building complies with building standards.
- If Bill passes, expect your city/county to be leveraged or threatened by the state with sanctions, fines, penalties or litigations if specified parcels are not rezoned for 10+ units. *(See AB 215 (Chiu), as an example. Requires cities to be responsible for actual levels of housing production, when they don't build houses.)*

Next Steps

- Legislature will be considering these bills after August 16, when they return from Summer Recess.
- Governor needs to sign or veto bills between September 10th and October 10th.
- *If you are concerned about these bills and their impacts, including efforts to remove transparency and due process for affected residents from these major state zoning changes, then reach out to your legislators and the Governor's office ASAP.*

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Website: unitedneighbors.net
Contact: maria.unitedneighbors@gmail.com

AUGUST 7, 2021

Sacramento Has Failed US

There is an affordable housing problem in California.

Sacramento stopped giving cities community redevelopment funds to the tune of \$1.5Billion annually in 2011. Ending an important source of money for cities to finance affordable housing.

With the surplus budget the State currently has, it still has not reinstated community redevelopment funds.

Instead, Sacramento is scapegoating single family neighborhoods.

United Neighbors Vision



California has diverse single family neighborhoods



Urban 2,500 S.F.



Suburb 7,200 S.F.



Estate 44,000 S.F.



Beach 3,000 S.F.

California ranks 49th in average lot size in the USA.

United Neighbors Vision



Current State law
allows an ADU and Jr. ADU on
all residential properties.

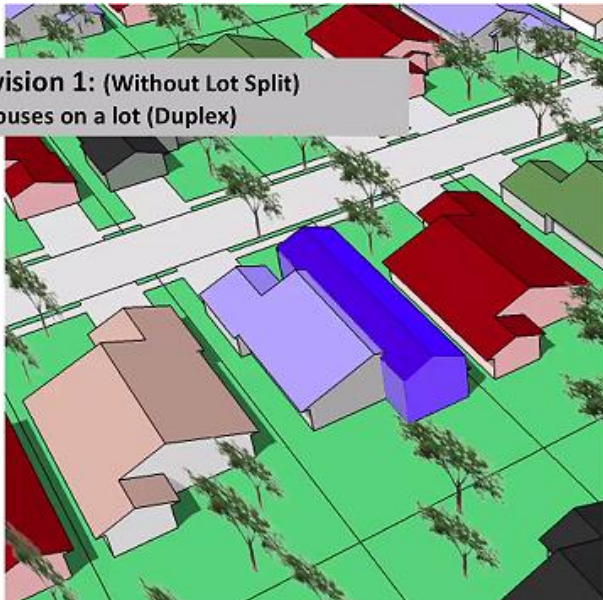


Typical Single Family House

landrock.com/3dhouse.com



SB 9 Provision 1: (Without Lot Split)
Create 2 houses on a lot (Duplex)



SB 9 Provision 1: (Without Lot Split)
Create 2 houses on a lot (Duplex) and add an ADU & a JADU



4 foot rear and side yard setbacks

SB 9 Provision 2: Lot Split
Allows 2 units on each new lot.



House must
be Demolished
To Split the Lot

Typical Single Family House

unitedneighbors.net



SB 9 Provision 2: Lot Split

1. To split a lot you have to own the land without a mortgage.



**Lot splitting is not for the average homeowner.
Perfect for a developer.**



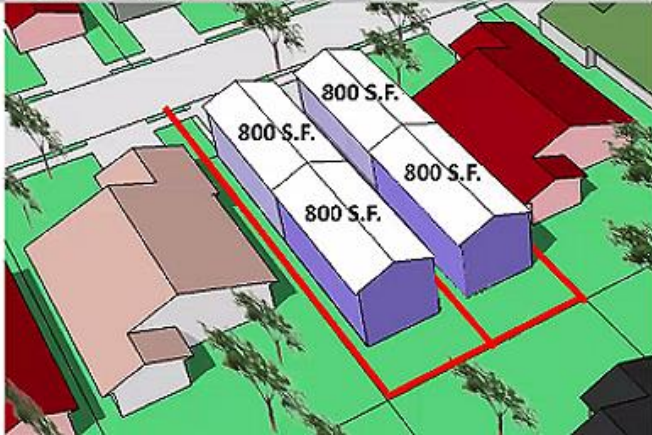
SB 9 Provision 2: Lot Split

2. Once the lot is split, the house is demolished, the homeowners will be living someplace else over the next 12 to 18 months during construction.



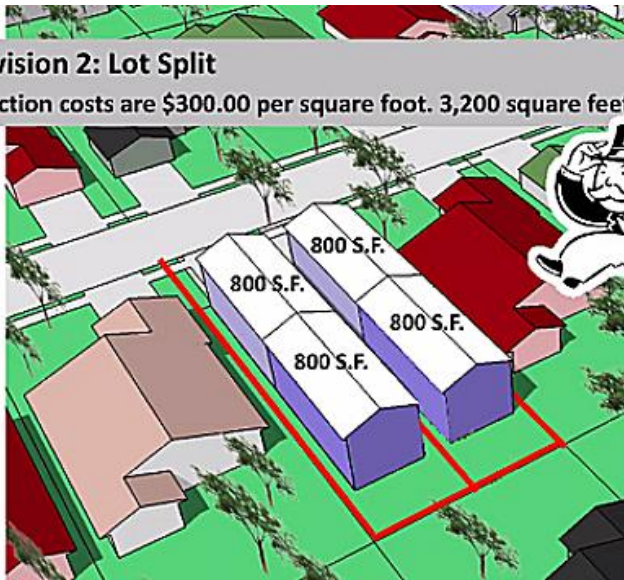
SB 9 Provision 2: Lot Split

3. Cannot preclude a minimum of two 800 square foot units per property. And State ADU laws may still apply.



SB 9 Provision 2: Lot Split

4. Construction costs are \$300.00 per square foot. 3,200 square feet = \$960,000



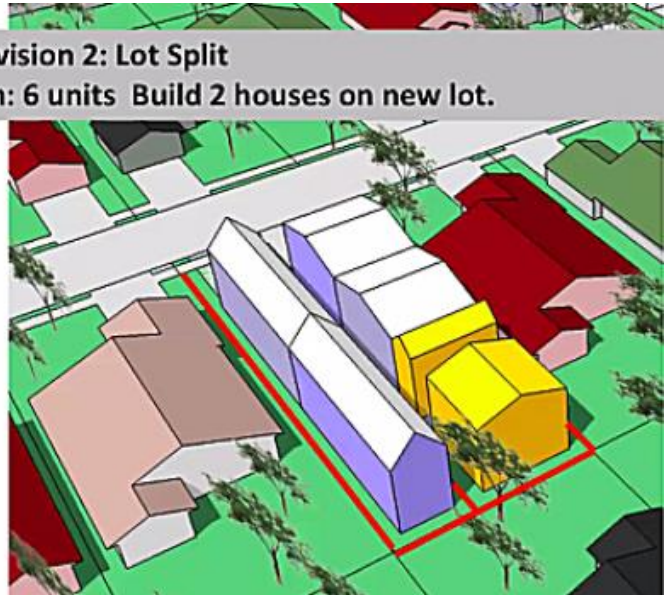
Senator Atkins states that lot splitting gives: "homeowners, the opportunity to create additional income or provide an aging parent a safe place to live near family."



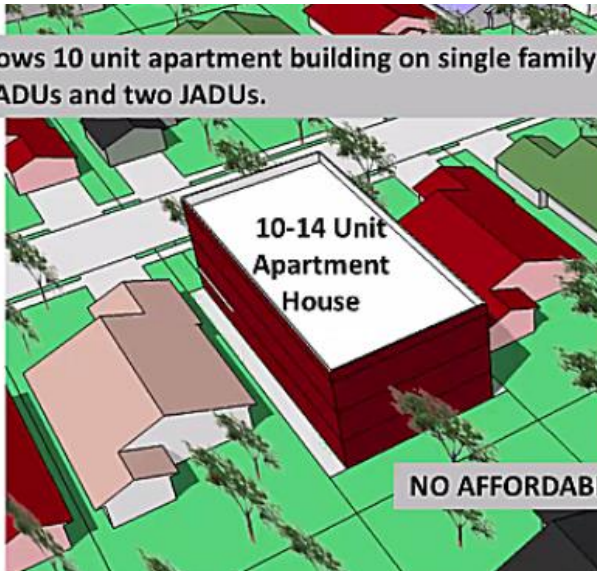
SB 9 Provision 2: Lot Split
Variation: 6 units



SB 9 Provision 2: Lot Split
Variation: 6 units Build 2 houses on new lot.



SB 10: Allows 10 unit apartment building on single family lots.
Plus two ADUs and two JADUs.



NO AFFORDABLE UNITS

TYPICAL NEIGHBORHOOD



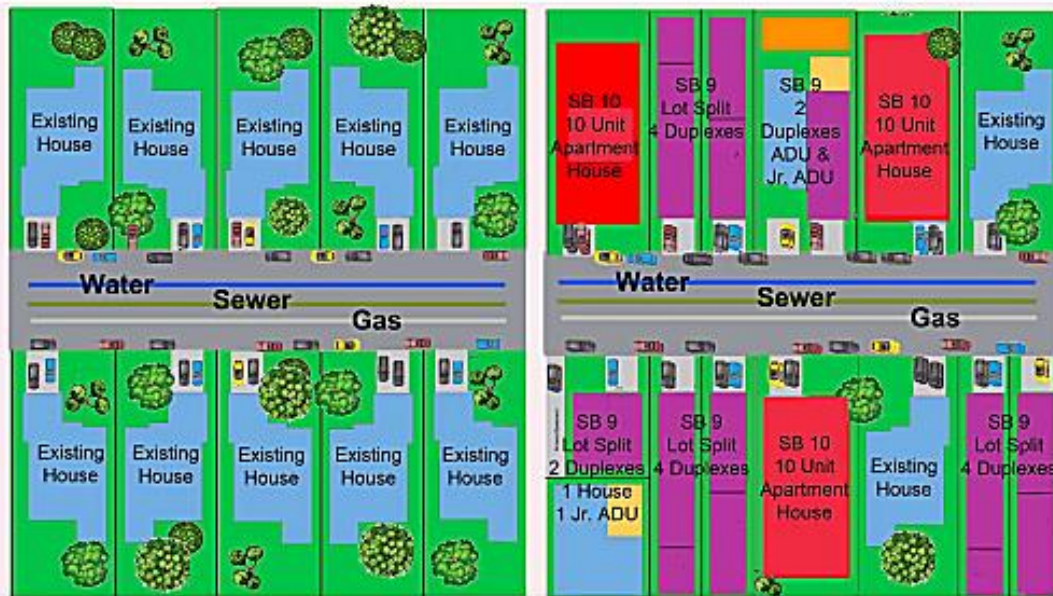
Existing neighborhoods were designed to handle a certain amount of density.

NEIGHBORHOOD AFTER SB 9 & SB 10



With SB 9 & 10, yards are lost, utilities are overloaded and with minimal parking requirements, where will people park?

Environmental & Infrastructure Concerns



No Infrastructure improvements required.

Environmental & Infrastructure Concerns

Not a problem until it's a problem...a huge problem.
Developers will be long gone when this happens.

Who pays for this?



Environmental & Infrastructure Concerns

City closes Ala Moana beach after 500K galls of wastewater overflowed. Urges public to stay out of #Waikiki waters



Environmental & Infrastructure Concerns



No Environmental review: loss of trees and permeable surfaces.

Environmental & Infrastructure Concerns



Financialization of Housing...and the Pushing Out of Residents



Housing is **Stability**
Security
Dignity
A-Commodity

UN SPECIAL RAPPORTEUR ON THE RIGHT TO ADEQUATE HOUSING



UN News/Ana Cirio

Tenants 'forced out their homes' by global investment firms, say UN experts

26 March 2019 | Human Rights



UN human rights experts have condemned the 'egregious' business practices of global private equity and investment firms which, they say, have transformed the global housing landscape by raising rents and forcing some tenants out of their homes.

Financialization of Housing...and the Pushing Out of Residents

Legislation that accelerates this is **NOT** what's needed.

Where is the effort to **stop / mitigate** displacement of CA residents increasingly forced to compete with institutional investors...

...for a place to sleep and live?

Housing is for humans.

Heat Island Effect will Devastate our Environment Forever



High Fire Areas are not exempt if structures meet current construction codes.

Displacement and Gentrification



3 Affordable bungalows are demolished to make way for new \$1.2M Condos.

These Modest Bungalows



Will Become These Expensive Townhouses

This is why we need local control



ON ONE EXISTING SINGLE-FAMILY LOT

SB 9 Allows:

2 housing units/duplex on a lot plus an ADU & a JADU or a lot split with 2 units per new lot (ADUs may be allowed).

SB 10 Allows:

10 apartment units plus 2 ADUs & 2 JADUs on a single-family lot.

SB 9 & SB 10

- No affordable housing required
- Reduces setbacks to 4 feet, side & rear
- Minimal parking, one car per unit/none if ½ mile to transit
- No infrastructure improvements required
- No environmental (CEQA) review,
- No public comment/notification

THERE ARE GOOD SOLUTIONS!

One obvious place to start is with our woefully underbuilt commercial areas that immediately abut our overly dense single-family neighborhoods.



Incentivize the development of underutilized commercial corridors

STANDARD SUBURBAN

Why have this?



El Camino Real

HDR | CALTHORPE | URBAN FOOTPRINT



Incentivize the development of underutilized commercial corridors

COMPACT WALKABLE

When we can have this without destroying single family neighborhoods.



HDR | CALTHORPE | URBAN FOOTPRINT

El Camino Real can develop 250,000 Dwelling Units



Incentivize the development of underutilized commercial corridors



Existing Retail Site

unitedneighbors.net



Incentivize the development of underutilized commercial corridors



LA's existing zoning can house twice its current population

Why attack single family neighborhoods
when we have underdeveloped commercial zones
EVERYWHERE.

Building density in these corridors with the support of redevelopment funds from the state can add hundreds of thousands of housing units. As these centers thrive, they start to generate tax revenue that can improve transit networks, fund more affordable housing and help support schools.

This is where we have the **economy of scale & infrastructure** to develop affordable housing.

Our Question

Why destroy established single-family neighborhoods when we have solutions that can solve the affordable housing crisis while enhancing the quality of life in our communities?



Organizing for Action

Sharon Byrne

Community Organizer and Activist

United Nations Association of Santa Barbara and Tri Counties

Delegate to UN 65th Annual Conference on the Status of Women, 2021

2021 Generation Equality Forums, Paris and Mexico City

Working on Climate Defensiveness and Homelessness in Montecito and Santa Barbara, CA post-Thomas Disasters

Organizing For Action: Timeline

Senate Leadership Housing Bills are now in the Assembly.
Assembly is on recess.

While they're home, CONTACT THEM! ←

Aug 16th Assembly back in session. 80 reps, **41 votes needed to pass,**
and 43 votes were there in 2020 on SB9.

- *NVR (Abstain) is as good as a NO vote.*

Sept 10th – Last day for bills to be passed in respective house.

Sept 14th - Recall election

Oct 10th – Last day for bills to be signed or vetoed by Governor

Organizing For Action – At Your Comfort Level

- Call the District Office for your Assembly Representative.

Find Your California Representative

Enter your California address and click the locate button to find your State Senate and Assembly representatives.

* Street Address
10 State St

* City
Santa Barbara

* Zip
93101

Locate Reset

- Send a letter to your legislator using STOPSB9.org website

NO SB 9 Destroys
Dismantles
Decreases **ACT NOW GET THE FACTS NEWS UNITED IN OPPOSITION**



Senate Bill 9 destroys neighborhoods, displaces families and decreases affordability. It lets developers build 6 units of dense housing where 1 home now sits — not one of them affordable. Speculators will bid against and displace families, especially in well-located diverse neighborhoods. In a sweeping attack on the environment, SB 9 dismantles existing protections and lets developers destroy yards and bulldoze trees, encouraging dense construction even in severe fire zones. **ACT NOW** to tell your Assembly Member to vote NO on SB 9.

- Send a letter to your legislators using STOPSB9.org website.

NO SB 9 **ACT NOW**

STOP SB 9

Enter your ZIP code to address your Assemblymember:

93101

TO: Your legislator in the California State Assembly



Steve Bennett

Democrat
837

Not your representative(s)? Try entering your full address in the zip code field above.

- Send a letter to your legislators using STOPSB9.org website

Enter your details

Name

First

Last

Email

Use our email below; you can edit it if you wish to.

Subject: Please oppose SB 9

Dear Assemblymember Bennett,

I am your constituent, and I ask that you please oppose SB 9 on the

Organizing For Action – At Your Comfort Level

- Call OTHER legislators.



Organizing For Action – At Your Comfort Level

- Use Social Media.



SB 9 is a dog whistle to financiers: Jam California streets with 4 to 6 houses per lot, drum out homeownership.



Organizing For Action – At Your Comfort Level

- Use Social Media.



Organizing For Action – At Your Comfort Level

- Use Social Media.



Organizing For Action – At Your Comfort Level

- Teach 5 friends to do the same thing!
- And ask THEM to teach 5 friends.
- Share the United Neighbors video.
<https://www.youtube.com/watch?v=8m-NlGdq7Gs>

Organizing For Action – Widen Your Reach

- Write Letters to the Editor of your local media outlets. Often THE most read section!

Los Angeles Times

Letters to the Editor: If we up-zone cities for more housing, where will we get the water?



LETTERS TO THE EDITOR
WRITERS' GUIDELINES
PLEASE PRINT YOUR NAME, MAILING ADDRESS AND PHONE NUMBER FOR CORRECTIONS.
ADDRESS
E-MAIL ADDRESS (OPTIONAL)
CITY AND STATE (OPTIONAL)
E-MAIL ADDRESS (OPTIONAL)

Pleasanton
Weekly.com

Guest Opinion: State Legislature may soon destroy California as we know it

By Heather John-Turner

January 14, 2015, 4:17 pm
Two weeks ago...

0000

State lawmakers have decided that they know better than the rest of us how we should live.

That is the message they are sending with dozens of legislative bills that, if passed, will almost certainly destroy our environment, housing and development. Your community's future will no longer be determined by you and your elected representatives, but by developers and politicians armed with money and state laws that empower them to...

Organizing For Action – Widen Your Reach

- Contact your local media if they're running one-sided stories.
- Put on a Townhall and ask Recall candidates their positions.
- Do a press conference or video.

Organizing For Action – Contact the Governor – he can either sign these bills....or veto them.

govapps.gov.ca.gov/gov4dmsV

Office of Governor GAVIN NEWSOM

Home About Newsroom Appointments First Partner Contact

Mailing address:
Governor Gavin Newsom
1303 10th Street, Suite 1173
Sacramento, CA 95814
Phone: (916) 445-2841
Fax: (916) 550-2160

Due to limited resources, responses to inquiries via mail may take longer than those submitted using the email form below.
Please note that we are unable to accept e-mail attachments because of the risk of Internet viruses; please send your attachments via traditional mail.

Contact the Governor

Purpose of communication: Have Comment Need Help

First Name:

Last Name:

E-Mail Address:

Organizing For Action – Use Your Voice!

What do I say?

- **We need Affordable Housing.** Not developer & investor handouts.
- **Stop displacing Californians out of lower rent / price units.** NO gentrification. Protect our diverse communities!
- **NO building in High Wildfire Zones.** What is the CA Senate *thinking*?
- **Trying to look like you're doing something on housing with these bills = create more (up)market-rate housing, driving prices HIGHER = just what investors / developers want.** If the state really wants to end single family residential neighborhoods, then be honest about it.

As Disasters Worsen, California Looks at Curbing Construction in Risky Areas

The state's insurance regulator unveiled proposals that could reshape the real estate market, the latest sign of efforts to curb hitting the economy.

1 2 3 4 5 6



Prohibition housing properties identified by the State's Fire Insurance Plan, CAL FIRE, San Bernardino County

Organizing For Action – Use Your Voice!

What do I say? We know we need more housing....

here's how we get to YES:

1. **More GOOD post-pandemic housing tools, please:**
 - SB 15 rewards cities for building affordable housing in dead retail and big box stores.
 - SB 6 converts dead office space to housing.
 - SB 621 converts dead motels to homeless housing.
2. **Leverage state, county, municipal, public agency vacant spaces** for Affordable housing.
3. **Densify around urban cores, real transportation hubs.**
4. **Preserve open spaces** – you need them with density.
5. **Can you do something to protect us from investors / STVR predators who overbid and lock out CA residents from getting a home?**
6. **Let's work together on solutions that get to YES.**



Comments by Presenters

We are not trying to stop affordable housing, just feel there's a diff approach than destroying single-family neighborhoods.

Bills don't require developers to pay for infrastructure in bills in residential areas. If they build in community corridors, must do so.

Density does not reduce housing prices. See Patrick Condon articles.

Bills override CC&Rs.

Bills apply to all cities, including charter, as well as county and unincorporated.

No protection for historical neighborhoods.

Bills do NOT exclude areas in high-fire zones.

Ads are being targeted to investors, not home buyers.

No one is being helped except developers. No affordable housing requirement.

It's the language in the bill that controls its interpretation. Some vague language in lot splits.

Governor can hold bills until after recall.

Newsom is supportive of more housing, so he needs to be made aware of the problems with the bills.

California Cities for Local Control has over 500 local elected officials.

SB10 doesn't require height limits.

SB10 is not mandatory, but penalties may be imposed if not followed.

AB215 would make cities responsible for production of housing. Cities don't have funds to do so. Can be used to force cities to apply SB10. Can refuse to certify Housing Element and impose fines.

ADUs and JAUDs were made ministerial and cities are required to permit. SB9 and SB10 are an additional layer of housing.

Financial and business groups are supporting bills; cities and neighborhoods are not.

Need to push for state to provide additional resources to build housing.

There is so much land in commercial areas that can be converted to mixed-income housing.

Bill for one city to provide land for housing to another city was pushed into 2-year cycle.

Sacramento pushing for dense or denser as a choice, but not single family.

Want legislature to stop throwing bills at us and meet to look at problem and come up with real solutions.

Need to contact governor and local elected representative (Marc Berman) and senator (.).

See www.unitedneighbors.net for info.

Also see <https://stopsb9.org/>

Q & A

Q: What do you recommend to respond to those who simply accuse us of being NIMBYs. Here in San Diego, the push back has come from a very active YIMBY group who have accused us of simply not wanting to live near poor people or worse, being racist.

A: YIMBY is funded by Facebook, Stripe, Twitter, and Yelp to the tune of \$3 million. Turns out it's way cheaper for tech companies to pay activists to get the legislature to get housing for their workers...rather than paying for housing themselves.

Q: It seems that that the best way to prevent these bad housing bills is through a statewide ballot proposition. Has there been in movement towards this strategy?

A: Mayor Bill Brand of Redondo Beach has been working to get ACA7 on the ballot to protect against bills like these.

Q: One more point to be made: That NONE of these housing bills include anything about infrastructure AND please, please, please emphasize that SCHOOLS are considered an "insignificant" impact - so guess who gets to make up for overcrowded schools, and pay for them? Like, duh, NOT the developers/speculators! I am a retired teacher, and I think MANY parents across the state should know that their kids' education is NOT a priority for ANY of these housing bills! The property owners will end up having to pay for that through their property taxes!

A: Elizabeth - that is a great question! Schools are key and are not considered in the impacts of these bills, but they will absolutely be impacted. This is but one of the issues with punting 'infrastructure' down to the communities, and not accounting for it in the legislation.

Q: Former San Diego Mayor Faulconer said on Wednesday night that he opposes these bills and would veto them if he was elected governor. How can we get all the candidates for governor (including Newsom) to go on the record before we get our recall ballots in the mail?

A: These bills absolutely play in the pending Recall Election. We welcome you to host a Townhall for all the candidates to speak to this issue. You could also design a questionnaire for them, and publish the results.

Q: Where does the California Association of Realtors stand on this? Are there any large organizations that lobby for our neighborhoods ?

A: California Association of Realtors is FOR these bills.

Q: Would CC&R's be overridden by SB10 and 9? My borther-in-law seems to believe he will be protected in a CC & R community? How about gated communities?

A: According to Dan Carrigg, CC&Rs are going to be overridden by these bills, and then will be litigated.

Q: EVEN the Sierra Club is supporting SB 9 and I have tried to talk them into opposing SB 9. How to deal with that?

A: We are surprised more environmental groups have not come out against SB 9 and 10. The Environmental Defense Center has come out publicly against the bills.

Q: Was it SB6 and SB15 that you prefer so that vacant commercial lots and closed hotels can provide more affordable housing? Thank you.

A: Yes, SB6 and 15 offer good tools to create affordable housing in vacant retail and office space.