

Claudia Bill-de la Peña
Mayor

March 10, 2021

The Honorable Toni Atkins
President pro Tempore, California State Senate
State Capitol Building, Room 205
Sacramento, CA 95814

RE: SB 9 (ATKINS) HOUSING DEVELOPMENT: APPROVALS-OPPOSE (AS INTRODUCED 12/7/2020)

Dear Senate President Pro Tempore Atkins,

On behalf of the City of Thousand Oaks, I respectfully oppose SB 9. This bill would make sweeping changes to current housing law by allowing the creation of urban parcel splits “by-right” in single-family residential neighborhoods:

- Regardless of accessory dwelling unit (ADUs) law
- Without discretionary hearings and public due diligence
- Without consideration of the General Plans carrying capacity
- Without California Environmental Quality Act (CEQA) review

The City of Thousand Oaks recognizes that housing affordability is one of the most critical issues facing the State. Unfortunately, this bill would upend single-family zones by allowing permits to partially or fully tear-down existing homes for the purpose of creating two separate units. SB 9 does not simply create duplexes but paired with ADU law can yield upward of 6-10 units on the same lot. The proliferation of multi-unit properties arbitrarily changes the character of neighborhoods, underhandedly derails local police power to control land use designations and misrepresents the General Plan designation.

Cities lay the groundwork for housing production by planning and zoning new projects in their communities based on public hearings, state housing laws, and collaboration with developers. SB 9 allows cities to impose objective zoning, design standards and local ordinances “*unless those standards would have the effect of physically precluding the construction of up to 2 units.*” SB 9 goes further by limiting parking requirements (*only 1 per unit or none if close to a transit corridor or major transit stop*), parcel size (*no smaller than 1200 feet*), and setbacks (as short as *4 feet for side and rear lots.*)

The City of Thousand Oaks is proud of its robust public notification process which promotes transparency and public participation on new developments. SB 9 removes such transparency by requiring cities to ministerially approve split lots without CEQA evaluation, review by its planning commission and more importantly local community input.

Many cities, including Thousand Oaks are in the process of updating their General Plan and Housing Element. Both require extensive public input and participation to develop an eight-year strategy for meeting local housing needs and designating housing production sites. The Housing Element becomes pointless when laws such as SB 9 disregard local process and override local zoning. This law is also silent in the ability to count properties as part of the Regional Housing Needs Allocation (RHNA) during the Housing Element planning process, which relies on General Plan density and capacity in order demonstrate compliance with RHNA.

The City of Thousand Oaks is dedicated to supporting greater opportunities for affordable housing but not at the expense of regulations that unjustly override local land use planning and public input. Cities should be given the option of allowing split lots in single-family zones and should not be mandated to do so.

For these reasons, the City of Thousand Oaks opposes SB 9 (Atkins).

Sincerely,



Claudia Bill-de la Peña
Mayor

cc: Assemblymember Jacqui Irwin
Senator Henry Stern
David Mullinax- Regional Public Affairs Manager, dmullinax@cacities.org
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Joe A. Gonsalves and Son

cmo:660-40/SB 9 Ministerial Approval Duplex Oppose.ml

