



CUPERTINO CITY COUNCIL

CITY HALL

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August 29, 2017

The Honorable David Chiu
Chair, Assembly Housing and Community
Development Committee
1020 N Street, Room 162
Sacramento, CA 95814

RE: SB 35 By Right Approval for Affordable Housing Notice of Opposition

Dear Honorable Chair Chiu:

The City of Cupertino opposes SB 35 (Wiener) which would pre-empt local discretionary land use approvals of specified housing developments by having all such approvals be considered “ministerial” actions. The result of this proposal would eliminate opportunities for public input, bypass the California Environmental Quality Act (CEQA) for project-level environmental review, and restrict design review. The City acknowledges that California is facing a housing affordability crisis; however, this is not the solution.


The City of Cupertino is focused on improving the affordability of workforce housing and securing additional funds for affordable housing. Unfortunately, SB 35 as recently amended is not the balanced proposal that is needed to provide meaningful relief from soaring home prices. 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.

Eliminating opportunities for public review of these major development projects goes against the principles of local democracy and public engagement. A public hearing allows community stakeholders to inform decision-makers of their concerns and guarantees property rights will not be impacted without due process. Public review allows for design improvements to ensure a new structure matches a community’s character. While it may be frustrating for some developers to address neighborhood concerns about traffic, parking and other development impacts, those

directly affected have a right to be heard. Eliminating these outlets will increase public distrust in government.

For these reasons, the City respectfully states our opposition to this measure.

Sincerely,


Savita Vaidhyathan
Mayor, City of Cupertino

Cc: Assembly Member Evan Low
Senator Jim Beall