



January 13, 2020

Senator Anthony Portantino, Chair  
Senate Appropriations Committee  
State Capitol, Room 2206  
Sacramento, CA 95814

Subject: **SB 50 (Wiener) Oppose – Better Way CA**

Dear Senator Portantino:

A Better Way Forward to House California, a/k/a Better Way CA, opposes SB 50, as amended 1/6/20, due to fiscal and structural problems with this one size fits all legislation – enormous cost and consequences for infrastructure and services necessary for density, ill-conceived intrusion into local planning and zoning and unintended, far-reaching consequences for cities, counties, communities, taxpayers, homeowners and renters. The housing crisis is an affordability issue not a numbers issue. A recent poll<sup>1</sup> of likely California voters conducted on behalf of Better Way CA demonstrates that voters understand the costs of SB 50:

**Every proposal raised in SB 50 is of concern to most voters**

- 79% are concerned about eliminating parking requirements.
- 74% are concerned about overcrowding in public schools.
- 72% are concerned about local taxpayers needing to pay for upgrades to infrastructure and services to accommodate density.
- 71% are concerned that minorities and lower-income citizens will be driven from their homes by gentrification.
- 69% believe new high-end housing would be built which would raise the cost of nearby rental housing.

**Voters embrace appropriate government intervention in the housing market, but not where that results in more congestion or taxes**

- 84% support incentivizing job creation in areas that have room to grow and have high unemployment.
- 74% support mandates for the State government to invest in infrastructure to accommodate the population growth caused by increased housing.
- 72% support requiring large corporations operating in our communities to invest a portion of their profits to build housing subsidized to make it more affordable.

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<sup>1</sup> Source: Applegart for Better Way CA Housing Survey. Conducted August 26-30, 2019, sample size 1001 MoE +/- 3.1%.

**Only 39% of likely voters favored increased density and development incentives like those in SB 50, with 56% of likely voters opposed to that approach.**

SB 50 retains an absolutely unprecedented private right of action in favor of developers, potential residents, organizations and development lobbyists against cities and counties adding a cost and management burden to localities across the state.

SB 50 provides for delayed implementation but ultimately will apply across the entire state because the exception for "local flexibility plans" is not defined and even if defined, must pass three new and impossible hurdles in only two years to avoid the inexorable application of SB 50. This is a laughable effort to claim preservation, while effecting annihilation, of local control and authority.

**SB 50 still is fiscally untenable, passing on untold and unfunded costs while destroying many of the qualities that have made California desirable to residents.**

SB 50 still runs roughshod over safety, livability, environmental concerns, infrastructure, availability of services, historical significance, architectural and design evaluations, single family zoning and a myriad of other considerations. SB 50:

- **upzones all coastal areas for 4plex zoning (except Del Norte county with fewer than 50,000 inhabitants)** because the exemption is by reference to "local agency" population rather than the requirement in the equitable communities incentive that the parcel be located in a "city" of 50,000 or more;
- still fails to address affordability and upzones for the benefit of a single family residence for 3 reasons: (1) the definition of "eligible parcel" has not changed; (2) the insertion of the word "multifamily" in the equitable incentives initiative imposes no requirement of multifamily on what is eventually constructed, and (3) there is no affordability required for projects up to 10 townhouses or single family residences;
- **promotes "eviction and demolition" rather than green construction or repurposing** especially in already built and dense environments which SB 50 targets; and
- sets up a 5-year plan for displacement and gentrification across the state.

**SB 50 is ill-conceived, founded on discredited data and trickle-down economics and will accelerate the exodus of Californians.**

Please contact our lobbyists at *Resolute* – David Quintana or Bill Barnaby Jr. or Sr – at (916) 448-1125, [q@resolutecompany.com](mailto:q@resolutecompany.com) or [wbarnaby@wbarnaby.com](mailto:wbarnaby@wbarnaby.com) regarding this letter.

Respectfully submitted,

BETTER WAY CA

cc: Honorable Members, Senate Appropriations Committee  
Mark McKenzie, Staff Director, Senate Appropriations Committee  
Chantele Denny, Senate Republican Caucus  
David Quintana, Resolute  
Bill Barnaby Jr. & Sr., Resolute