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May 3, 2021

Re: SUPPORT LOCAL CONTROL: Request for a Council Agenda item and a Council vote to oppose SB 9 and SB 10

Dear Mayor Murillo and Council Members Friedman, A. Gutierrez, O. Gutierrez, Harmon, Jordan, and Sneddon

Santa Barbara City, nestled on a narrow and fragile plain between sea and mountain, is defined by how it looks and feels — to its residents, and to those who visit. As we've seen in contrast this last COVID-year, our economy thrives from our tourist economy: the waterfront and harbor, an enlivened State Street, all bounded by our treasured mountain views. And, for many, our neighborhoods define us. Our city is so very special. Since c. 1972, Allied Neighborhoods has dedicated its efforts to maintaining and enhancing those qualities for those who live here now and those coming after us.

With the looming threats of SB 9 and SB 10, we are deeply concerned about the future.

Most of us Santa Barbarans, or our ancestors, chose to settle here, and Santa Barbara grew with careful planning after the earthquake of 1925, protecting mountain and ocean views with a building height limit and the openness of Cabrillo Boulevard. This growth didn't just happen. It wasn't inevitable how Santa Barbara would look and feel, that our city would be an example known world-wide for thoughtful planning.

Several generations of visionary leaders have worked tirelessly to protect, to help her grow in a way that's different from much of southern California. You on the Council know this well and are City guardians, public servants, hired by the voters to protect and serve our community as a whole. It's an honor to be a councilperson and with that honor comes duty.

Certainly, there's a demand for more housing. Ever since Santa Barbara was incorporated in 1850, there probably has been a demand for more housing, and that's certainly so in the living memories of most of us here now. We've worked together to resolve it.

In 2013, recognizing the need for rental housing, the Council enacted the AUD ordinance and as of the 4/29/2021 Planning Commission Staff Report, 526 housing units have been built, including 205 affordable units, under the AUD Program. Latest apartment vacancy rate is at 4.4% (4/09/21 Noozhawk) but that will probably shrink with the return of in-person college classes. In addition, importantly, we have a strong city Housing Authority, producing well-run Affordable housing that fits within our neighborhoods.

In the last years, there've been moves in the State legislature to take away the local control that's served us so well and to eliminate CEQA-based environmental protection. As stated in SB 9 and in SB 10, "the changes proposed by these bills address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities."

Climate change is a statewide concern; wildfires also, mostly so, but a housing shortage? Are Santa Barbara's concerns the same as those for San Francisco? We think not. Not more, not less, just not the same here on a narrow coastal strip with our nearly built-out city.

Zombie-like, fierce from last year's defeat, Senate Bill 9 has sprung from last year's failed SB 1120, with the same parentage, Senators Atkins (San Diego), Weiner (SF), et al. Nearly identical wording, SB 9 is a single-family zoning destroyer. Also deceptively labelled a "duplex bill", it provides that a single-family lot may be divided 60-40; the recent California ADU/JADU law means that each of those lots may have a total of 3 or, some say, 4, units. This contrasts with the popular and mostly single-story ADUs that, so far, have a lesser impact on neighbors and neighborhoods.

With SB 9, from one single family lot may come 6 or 8 units, with no local discretionary review allowed by the State. "Two new parcels of approximately equal size", with one no less than 40% the size of the whole; and "both newly created parcels no smaller than 1,200 square feet." The major exception is that the parcel not be located within "a historic district or property included on the State Historic Resources Inventory."

There's also an exception against demolition of an existing property if the "housing has been occupied by a tenant in the last three years." And there shall be no parking "impose(d)" at all, if within one-half mile walking distance of a "high quality transit corridor" or "a major transit stop" or "(t)here is a car share vehicle located within one block of the parcel." However, the local government "may require a (rear and side) setback of up to four feet."

Of course, not everyone will take advantage of the new State edicts; there will be those who prize trees and their bits of open space that their neighbors may prefer to sacrifice. Most, probably, will succumb to the lure of the lot split.

There is nothing in SB 9 or 10 that requires the new units be affordable. There's nothing to show that increasing density lowers housing costs. That's a supply side theory that has not worked out, not in the Bay Area, not anywhere in California we've

found. For affordability outside of public funding, building costs — or the average quality of construction — would need to decline substantially.

There may be a few more affordable houses built but most of them will be more expensive since the cost to build mid-rise, dense developments in Santa Barbara's expensive land value neighborhoods, as well as downtown, will be higher.

Plopping these developments in lower cost neighborhoods, the eastside, westside of downtown, will mean gentrification, driving out many long time Santa Barbara locals. We're an old city and the strains upon Santa Barbara's water and sewer infrastructure will be immense and costly.

Perhaps the State will reimburse? Not so: The last section of SB 9, Sec. 5 reads, "No (State) reimbursement is required by this act... because a local agency... has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, ..."

Bottom line: Santa Barbara (with all 477 other California cities, including all 108 charter cities) is on its own; its status as a charter city under the California Constitution is meaningless when the State preempts.

Companion bill SB 10 adds to the Civil Code, focuses on "transit rich" and "job rich" areas, fine tunes and expands on SB 9, allowing 10 units where now there is one. Taken together, SBs 9 and 10 foretell the end of single family zoning that defines many of our neighborhoods. A number of California cities have gone on record in opposition. We list below a selection of those who called in to Sacramento in opposition.

OUR ASK; Allied Neighborhoods Association asks that the City of Santa Barbara place promptly an item on the Council agenda for discussion; we urge a Council vote opposing Senate Bills 9 and 10.

Respectfully,

Mary Turley, President,
Allied Neighborhoods Association

CC: Paul Casey

Public Comment in Opposition, 4/22 Senate Committee on Governance and Finance
Santa Monica City Council (unanimous)
United Neighbors
Livable California
Las Virgenes + Malibu Council of Governments
City of Rancho Santa Margarita
Alliance for Successful Communities
City of Laguna Beach

City of Mission Viejo
City of Brentwood
City of Beverly Hills
Greater Fairfax Residents Association
Brentwood Homeowners Association (4) W LA
Alliance for a Better Brentwood
Westwood Homeowners Association
California Legislative Action Committee (2) opposed unless amended
League of California Cities opposed unless amended
San Bernandino Council of Governments
CATALYSTSCA
Montecito Association
Belmont City
City of Corona
Riviera Homeowners Association
AIDS Healthcare Foundation
City of Lafayette
City of Pleasanton
City Palo Alto
City of Cupertino
City of Danville
LA Coalition for Trees
Leimert Park community
City of Ontario
City of Burbank
City of San Marcos
Westside Neighborhood Council (LA)
Northeast Neighbors (LA)