



**Community, Equity, Action**

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March 8, 2021

Hon. Scott Wiener, Chair  
Senate Housing Committee  
State Capitol  
Sacramento, CA 95814

**Subject: OPPOSE SB 9 (Atkins) as amended April 5, 2021**

Dear Senator Wiener,

Livable California, a nonprofit that advocates for truly affordable housing, self-determination of local government, and protecting equity and livability, strongly opposes the amended SB 9.

Both Daniel Carrigg (former senior consultant to the Assembly Housing and Community Development Committee and former legislative director at League of Cities) and our attorney concur that SB 9's amendments fail to reduce the controversial density allowing 6 market-rate units where one single-family home now stands.

The amendments, which the author announced would limit density to 4 units, instead preserve the 6-unit density. SB 9 continues to be a misguided upzoning experiment that will make California's housing problems and racial and economic inequities worse:

- SB 9 increases the density of all single-family neighborhoods in California to 6 units on each property, without adding any affordable units, our most severe critical need.
- The new language still allows 6 market-rate units, by right: A builder will do an SB 9 two-step to tap the amendments. Step 1: Invoke the "two residential units" provision of SB 9, which allows 2 residential units plus an ADU and JADU. A builder will place those 4 units on the 60% portion of the split lot. Step 2: The developer invokes the lot split provision. On the new smaller lot, comprising 40% of the land, they build 2 units of any kind. Totalling 6 units.
- SB 9 will lead to displacement and gentrification of all single-family areas including those occupied by people of color. By increasing the development potential of every single-family area, it increases land costs and makes communities vulnerable to speculators and luxury developers.
- In 2020, California was the first state to allow duplexes on single-family lots via ADU law. Oregon will follow us in June 2021, with a duplex law. Unlike these laws, SB 9 was written for investors to demolish homes and build 6 units of unaffordable market-rate housing.

- Researcher Patrick Condon, a former proponent of upzoning to achieve affordability, says that quadrupling density in Vancouver sent land values sky-high, driving housing high. SB 9 will squeeze out Black and Latino homeowners, a vast population in Southern California, in parallel to Vancouver's failures. ([See full list of 36 threatened Latino and Black homeowner dominated cities and neighborhoods, at LivableCalifornia.org](#)).
- How much market rate density would SB 9 allow? A neighborhood of 300 homes could become 1,800 units, requiring no infrastructure improvements — and no hearing.
- These homes will be built without yards or garages. Parking wars will flare, and while the Uber set won't notice, homes without garages impact seniors, families with children, the elderly, and working-class families who need trucks and equipment to earn a living.
- This unprecedented experiment aimed at 7M households and 21M residents will destroy urban tree canopies and yards, which developers will turn into "setbacks" of just four feet. Expect worsening GHG, heat islands, runoff — and related illness and fatalities.

This bill sells away our single most powerful creator of working-class and middle-class family stability — homeownership — to offer a senseless boon to rental giants, Airbnb, flippers and corporate investors.

Our legislature needs to do better. We urge you to address the real issue, the need for truly affordable housing. We urge you and members of the Senate Housing Committee to **VOTE NO on the amended SB 9**.

Sincerely,

The Board of Directors of Livable California



Rick Hall, President  
T Keith Gurnee, Member  
Carey White, Member  
Isaiah Madison, Member

cc: Senator Toni Atkins