



June 15, 2021

Hon. Senator Scott Wiener,  
State Capitol  
Sacramento, CA 95814

**Subject: OPPOSE SB 478 (Wiener) as amended 5/20/21**

Dear Senator Wiener,

Livable California, a 501(c)4 non-profit, represents over 10,000 stakeholders committed to critical aspects of state policy at the local level. We strongly support affordable housing and self-determination of local government. Due to its failure in those areas, **we strongly oppose SB 478.**

This unusual bill attacks working-class and middle-class neighborhoods by letting developers build 3-unit to 10-unit market-rate housing on tiny lots and ipso facto rezones lots for significantly higher density.

The bill adds Sec. 65913.11 to the Government Code, section (a) (3) of which provides that a local agency cannot, "Deny a housing development project located on an existing legal parcel solely on the basis that the lot area of the proposed lot does not meet the local agency's requirements for minimum lot size." Thus, the bill eliminates any minimum lot size requirement for such a project. The developer may use any lot size that pencils out and meets other local agency requirements, regardless of how tiny it is.

The bill's unprecedented tiny lot size has drastic consequences. In a zoning district that currently allows a density commensurate with lot size, a development must be approved to whatever the market will support.

Section 3 of the bill declares that these tiny units will be "naturally affordable" — in other words, based upon real estate proformas, not good

planning and zoning. It also mandates statewide standard FAR that eliminate transitions of building scale within communities. SB 478 disregards the unique features of California's communities by imposing the same FAR standards statewide. Allowing more units per tiny lot vastly increases the market value of the land which is the largest cost factor in residential development. This bill does not create affordable housing. It is a bonanza for market rate developers.

The bill does not address the upheaval SB 478 would bring to Southern California's Black and Latino communities such as Watts, Boyle Heights, Elysian Valley, Tujunga and hundreds of other Black and brown cities and neighborhoods. These communities should not be targeted by ill-advised bills like SB 478.

We urge the committee to defeat the fatally flawed, wrongly focused, SB 478.

Sincerely,

The Board of Directors of Livable California

A handwritten signature in black ink, appearing to read 'Rick Hall', written over a horizontal line.

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