

Tri-Valley Cities

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April 19, 2021

The Honorable Toni Atkins
California State Senate
State Capitol, Room 205
Sacramento, CA 95814

**Re: Senate Bill 9 (Atkins) Housing development: approvals
Letter of Opposition with Comments from the Tri-Valley Cities**

Dear Pro Tem Atkins,

On behalf of the Tri-Valley Cities (TVC) Coalition which includes the cities of Dublin, Livermore, Pleasanton, San Ramon, and the town of Danville, we write in respectful opposition to Senate Bill 9. This bill would require ministerial approval of a housing development of no more than two units in a single-family zone (duplex), the subdivision of a parcel zoned for residential use into two parcels (lot split), or both.

The TVC recognizes and is committed to addressing the need for more affordable housing in California. As such, we support modest, appropriately scaled infill, like that achieved through the addition of accessory dwelling units (ADUs), as a means to add capacity to an existing, typically single-family residential area in a meaningful way, without unduly impacting those neighborhoods.

We do appreciate that this bill would not affect areas that are located within a historic district, included on the State Historic Resources Inventory, or within a site that is legally designated or listed as a city or county landmark or historic property or district. This provision is of extremely importance as we take great responsibility to ensure the safety of all residents and protect our historic character.

Our major concerns with this bill include the following:

- As our coalition stated last year with SB 1120, we are concerned about the fact that this legislation will impact some of our most moderate single-family ownership neighborhoods in which the development standards in those locations often do not envision substantial expansion or subdivision.
 - Specifically, we are concerned around the lack of clarity on whether one parcel could be sub-divided and developed in a way that results in 6 or more by-right “units” on what was originally one residential parcel.
- Additionally, Section 1 (a) line (2)(A) states: “The city or county shall not impose objective zoning standards, objective subdivision standards, and objective design standards that would have the effect of physically precluding the construction of up to two units or that would physically preclude either of the two units from being at least 800 square feet in floor area.” We are concerned that the inability for our local jurisdictions to place appropriate limits on the size of residential units could result in development that is inappropriate for the respective community.



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- Lastly, we want to ensure that that ministerial approval of housing developments up to two units would not apply in areas that have been identified as a very high fire hazard severity zone.

The TVC appreciates you and your office's work to address housing issues in our State, but due to the concerns listed above, we must oppose Senate Bill 9.

Sincerely,



Renee S. Morgan
Mayor of Danville



Melissa Hernandez
Mayor of Dublin



Bob Woerner
Mayor of Livermore



Karla Brown
Mayor of Pleasanton



Dave Hudson
Mayor of San Ramon

