



June 4, 2021

RE: Opposition to Senate Bill 9

Neighbors For A Better San Diego opposes SB 9 (Lot Splitting / Duplex Bill) for the following reasons:

1. **Unproven Need:** We are currently allowed to build an ADU and a Junior ADU on every property in California. This alone has yielded thousands of units of housing. The state has granted homeowners the right to build two units on an existing lot to help them augment their income by providing small housing alternatives to others. We do not yet have a full assessment on how effective these ADU laws are before throwing yet another bill into the mix. We have seen firsthand in San Diego that planning departments are confused about what is in the previous law. Until that is sorted out, the State needs to hold off on throwing new options into the mix.
2. **We Should Not Be Zoning Cities From Sacramento:** Not all cities and not all neighborhoods in cities are in the same state of transit-oriented development and have the same housing needs. Because ADU zoning changes create an easier target for developers, SB 9, as with the State ADU regulations that preceded it, will have the perverse effect of drawing development away from transit corridors where it makes the most sense. In addition, the economics of ADU development lead to the targeting of low-resource neighborhoods where land is cheaper, rather than the high-resource areas intended for inclusionary housing policies.
3. **Invalid Economic Assumptions:** Supply-only housing strategies that don't account for the monopoly of land lead to soaring land prices and expensive market rate housing. If simply creating dense housing was all that it took to make housing more affordable, then New York City would have the cheapest rents in America. In an article about New York City journalist Roberta Gratz writes, "... up-zoning created the opposite conditions: less diversity, fewer affordable units, and whiter, wealthier neighborhoods ... But the damage is done—and developers are having their way."
4. **Displacement/Gentrification of Communities of Color:** As a casualty of land speculation, SB 9 will disproportionately impact single-family neighborhoods of color in South and East San Diego where investors and developers will buy up distressed properties. In many of these communities, owning and bequeathing family residences is the sole means of acquiring and transferring generational wealth.
5. **Environmental Damage:** California declares itself a steward in environment protection and yet this bill allows up-zoning the entire state without any CEQA review. The environmental damage is significant: (1) loss of backyards and the urban canopy provided there; (2) loss of



permeable surfaces, which affect our replenishment of our aquifers; and (3) increased heat islands resulting from fewer trees and more concrete surfaces. As we densify our residential communities we must account for the massive destruction of our environment. CEQA prevents the piecemealing of developments, forcing a development's impacts to be studied as a whole, even if not built all at once. Yet we will piecemeal the entire state with no regard for the environmental impacts. The value of a mature tree is between \$20,000 and \$30,000. Removal of trees matter. Removal of trees is a liability we all pay for in the end. Without oversight we run the risk of having a livability crisis in California. We ask that a dollar value be placed on the environmental degradation that SB 9 will inflict on California for the next several decades caused by no CEQA or public review for massive up-zoning.

6. **Overwhelmed Infrastructure:** As more development is allowed in our communities, our infrastructure will simply be overwhelmed. The state has an obligation to prepare for future needs before this happens. Developers must be asked to carry the burden of upgrading any infrastructure their construction requires.
7. **Zero Affordable Housing:** There is no data – NONE anywhere in the world – showing that more market-rate housing has brought down the price of homes. On what basis are California's lawmakers basing their claims? NONE! SB 9 will bring irreversible changes to California's neighborhoods without meeting the stated goal of affordable housing.
8. **Homeowner Charade:** SB 9 is being touted as allowing homeowners to split their lots to build housing for family members, but the owner occupancy requirements are lifted after only 1 year. These restrictions should last 10 years or more. A year is good for land speculators and developers, 10 years is good for families.

Displacement, gentrification, infrastructure, and environmental challenges all have fiscal costs and cause permanent damage to the quality of life for California residents. We must not up-zone without understanding the long-term consequences of our actions. We must not allow dangerous, ambiguous legislation to pass. I respectfully hope you will require more accountability on the impact of this bill and pull the bill.

Sincerely,

Geoffrey Hueter, Ph.D.
Chair
Neighbors For A Better San Diego