



1400 K Street, Suite 400 • Sacramento, California 95814  
Phone: 916.658.8200 Fax: 916.658.8240  
www.cacities.org

September 19, 2017

The Honorable Jerry Brown  
Governor, State of California  
State Capitol, First Floor  
Sacramento, CA 95814

**RE: SB 35 (Wiener) Affordable Housing: Streamlined Approval Process.  
Request for Veto (as enrolled)**

Dear Governor Brown:

The League of California Cities is writing to request your veto of SB 35 (Wiener), which would preempt local discretionary land use authority by making approvals of multifamily developments that meet inadequate criteria, “ministerial” actions. Like similar proposals in the past, this measure would rely on often outdated community plans and would compromise critical project level environmental review, public input, and community integrity.

The League agrees that California is facing a housing supply and affordability crisis. In fact, one of the League’s four strategic goals for 2017 is focused on improving the affordability of workforce housing and securing additional funds for affordable housing. Unfortunately, SB 35, as enrolled, is not the balanced proposal that is needed to provide meaningful relief from soaring home prices.

Eliminating opportunities for public review of major multifamily developments goes against the principles of local democracy and public engagement. Public hearings allow members of the community to inform their representatives of their support or concerns. “Streamlining” in the context of SB 35 appears to mean a shortcut around public input. While it may be frustrating for some developers to address neighborhood concerns about traffic, parking and other development impacts, those directly affected by such projects have a right to be heard. Public engagement also often leads to better projects. Not having such outlets will increase public distrust in government and result in additional ballot measures dealing with growth management.

In recent weeks, news reports have suggested that you may sign SB 35 in an attempt to expedite housing approvals. If SB 35 is signed into law, the League would strongly encourage your involvement in cleanup legislation next year that would, at a minimum, include the following:

- Require the trigger for ministerial approval of housing projects to be based on the number of entitled and approved applications, a process that a local agency actually controls, rather than building permits, which a developer controls and will not pull until they are ready to construct a project.
- Establish a safe harbor for pro-housing cities doing the right thing and meeting all state housing laws.

The League is committed to continuing to work with you and the Legislature on finding comprehensive solutions to the housing supply and affordability crisis gripping many areas of the state. However, SB 35 is not the balanced proposal that is need and therefore, we respectfully request a veto. If you have any questions, please do not hesitate to contact me at (916) 658-8264.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Rhine". The signature is fluid and cursive, with a long horizontal stroke at the end.

Jason Rhine  
Legislative Representative

cc: Honorable Senator Scott Wiener  
Graciela Castillo-Krings, Deputy Legislative Secretary