



September 14, 2021

VIA Email to the Office of the Governor and Author

The Honorable Gavin Newsom
Governor of California
State Capitol
Sacramento, CA 95814

**RE: SB 478 (Wiener) – Planning and Zoning Law: housing development projects –
REQUEST FOR GOVERNOR'S SIGNATURE**

Dear Governor Newsom:

The League of Women Voters of California writes to request your signature on SB 478 (Wiener), which will set minimum floor-area-ratios (FARs) and minimum lot sizes for areas zoned for 3-10 units.

California's housing crisis, and our residents' historic rent burden, is fueled by restrictive zoning and preferred treatment of single-family homes. California has enjoyed explosive population growth. Yet our approach to housing has not kept pace. We suffer from a deficit of 3.5 million homes. This scarcity feeds poverty, homelessness, and sprawl, and erodes the stability of the middle class. One of the key factors preventing construction of multi-unit buildings is the setting of low FARs and minimum lot sizes in areas already zoned for multi-unit housing.

The LWVC supports removal of barriers that inhibit the construction of low and moderate-income housing. SB 478 requires cities to establish a minimum FAR of 1.0 for areas already zoned to allow 3-7 units and not less than 1.25 for areas already zoned for 8-10 units, thus making it more feasible for developers to build "missing-middle" housing on such sites. Another barrier to building "missing-middle housing is requiring large minimum lot sizes, as these make it more costly for multi-family developers to purchase the land, thereby encouraging the building of mega-mansions to maximize profits, even if the lot has already been zoned for multi-family. Scholars agree that large lot zoning constrains minimal density, which then increases the cost of housing, exacerbates segregation, and contributes to sprawl.¹

An example of using low FAR along with minimum lot sizes is the following: if a city has an FAR of 0.4 for fourplexes and requires a minimum lot size of 4,000 square feet, a building could only be 1,600 square feet, or 400 square feet per each unit, which makes

¹ Paul Boudreaux, "Lotting Large: The Phenomenon of Minimum Lot Size Laws," *Maine Law Review* 68, no. 1 (2016):1

Governor Newsom
Page 2
September 14, 2021

a fourplex economically infeasible. Another example of how minimum lot sizes can be a barrier to development of a multi-unit complex is requiring a minimum lot size of an acre, which means a much larger lot size must be purchased than what would be required to build a fourplex.

The bill does not require multi-unit housing where it is not already zoned; nor does it prohibit local objective design and zoning standards, such as height or setbacks, from being applied, so long as they do not conflict with the provisions of SB 478.

For these reasons, the League of Women Voters of California strongly supports SB 478 and requests your signature. Thank you.

Sincerely,



Carol Moon Goldberg
President