



OFFICE OF: Mayor

Phone: 951-736-2371  
Fax: 951-736-2493

400 S. Vicentia Ave. P.O. Box 940, Corona, California 92878-0940  
City Hall Online All The Time – <http://www.coronaca.gov>

September 02, 2021

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

**RE: SB 9 (Atkins) Housing Development: Approvals– REQUEST FOR VETO**

Dear Governor Newsom,

On behalf of the City of Corona we are requesting your veto on Senate Bill 9 by Senate President pro Tempore Atkins, which would require cities and counties to ministerially approve, without condition or discretion, a housing development containing two residential units on an individual parcel in single-family zones. Additionally, this measure would require local governments to ministerially approve an urban lot split, thus creating two independent lots that may be sold separately.

Housing affordability and homelessness are among the most critical issues facing California cities. Affordably priced homes are out of reach for many people and housing is not being built fast enough to meet the current or projected needs of people living in the state. Cities lay the groundwork for housing production by planning and zoning new projects in their communities based on extensive public input and engagement, state housing laws, and the needs of the building industry.

While the Pro Tem's desire to pursue a housing production proposal is appreciated, unfortunately, SB 9 would not spur much needed housing construction in a manner that supports local flexibility, decision-making, and community input. State driven ministerial or by-right housing approval processes fail to recognize the extensive public engagement associated with developing and adopting zoning ordinances and housing elements that are certified by the California Department of Housing and Community Development (HCD). Moreover, SB9 as currently drafted creates significant concerns enumerated below:

1. **Voters Deserve a Voice on Proposed Elimination of Single-Family Zoning:** It is difficult to conceive of a more aggressive law the Legislature could attempt to pass affecting the nearly seven million California homeowners who have worked hard to acquire and maintain their piece of the California Dream, a single-family home. The Legislature should not leap blindly to the enactment of a sweeping statewide law, without the proper reflection, due diligence, and true public transparency on what such a proposal really means for millions of Californians and the state's future economy. Enacting such a law without consultation with the voters would be patently reckless. If such a radical proposal has merit, then all affected Californian's deserve an opportunity to fully understand it and weigh in via an advisory ballot measure put to the voters in November 2022.

2. **Lack of Due Process and Transparency:** Much is made in the Legislature of the value of public engagement and transparency when local governments make decisions. Local officials must comply with rigorous transparency requirements under the Brown Act. The benefits of CEQA are also strongly defended, to ensure that both the public and decision makers are fully informed and have the opportunity to mitigate environmental impacts. Yet, SB 9 tosses both public transparency and environmental principles aside. Without any due process for those affected, including an opportunity for local hearings or input, or even compliance with CEQA, the Legislature will allow most single-family neighborhoods to become the target of “buy, flip and split” speculators who are free to demolish homes and replace them with units jammed up against four-foot setbacks, with little to no parking, while avoiding compliance with local laws and ordinances that apply to others. It is inequitable to upend single family zoning and destabilize existing neighborhoods without adequate due process to those locally affected.
3. **Inequitable Impacts:** It is likely that the disruption caused by SB 9 will have inequitable impacts depending on wealth. A [March 2021 nationwide study](#) found that the share of single-family rentals owned by institutional investors rose to 24.5% in 2015 from 17.3% in 2001. Flipping homes to duplexes and splitting parcels down to 1,200square feet are likely to affect middle class and lower income neighborhoods and homeowners more than wealthier individuals. The wealthy, as always, will have more options, including moving to larger estates.
4. **SB 9 Only the Beginning:** The premise behind SB 9 is that single family zoning must be eliminated. If so, then SB 9 is only the beginning. While SB 9 does not mention new subdivisions, it would be surprising if eliminating new single-family developments is not the next step. It is inconsistent to upend existing single-family neighborhoods, while allowing new subdivisions to be created. The state would also need to reconsider its own single-family home purchase programs and the mortgage interest tax deduction. State housing policies that mention single-family homes in a positive way, would also need to be revised or repealed, such as Section 50007 (HSC): “The Legislature finds and declares that the large equities that the majority of California residents in most economic strata have now accumulated in single-family homes must be protected and conserved.”
5. **Upends State Housing Element Planning:** The state already has numerous housing laws in place that ensure that state housing needs are incorporated into local plans, via local zoning. Recent changes in laws governing the Regional Housing Needs Assessment (RHNA) have drastically increased housing allocations in the 6th Cycle to most communities. Local housing plans (elements), in turn, must be approved by the Department of Housing and Community Development. Over 98 percent of cities and counties have obtained such approvals, and the state recently significantly strengthened enforcement provisions to ensure full accountability. Uncoordinated development will create strains on local infrastructure, impact response times, and create distrust among the public in the validity of local housing plans. Any city and county that has obtained state approval for their local housing plan should be completely exempted from SB 9.
6. **Destabilizing Economic Impacts:** The purchase of a home is typically an individual’s largest investment. Establishing a state policy that permits 4-6 multi-unit development on adjacent single-family parcels with no public process will destabilize single-family neighborhoods. Developers focused on market opportunities will out-bid average families and drive-up prices in desired areas. Those families concerned about protecting the value of their investment, and/or seeking to obtain/preserve the traditional benefits of single-family neighborhoods (less noise, traffic, etc.) will opt to move to more rural settings - contributing to additional sprawl - or add to economic

and social divisions by increasing demand for living in homeowner's associations where such activities would be prohibited via CC&R's, or is the final straw that accelerates a move out of state. Business location and retention decisions will likely be affected as well, since local quality-of-life for those making the decision is often a major factor.

The City of Corona is committed to being part of the solution to the housing shortfall across all income levels and will continue to work collaboratively with you to spur much needed housing construction.

For these reasons listed above, the City of Corona requests your veto on Senate Bill 9 (Atkins). Should you have any questions please contact our legislative advocate, Sharon Gonsalves, with the Renne Public Policy Group, at (916) 974-9270.

Sincerely,

Jacque Casillas  
Mayor

CC: Senate President pro Tempore Atkins, California State Senate, District 39  
The Honorable Sabrina Cervantes, California State Assembly, District 60  
The Honorable Richard Roth, California State Senate, District 31  
City of Corona City Council