



Senator Mike McGuire
Chairperson, Committee on Governance and Finance
California State Senate
State Capitol Building, Room 5061
Sacramento, CA 95814

**RE: SB 9 (Atkins) Increased Density in Single-Family Zones Oppose
(As Amended 4/5/2021)**

Dear Senator Mike McGuire,

The City of Laguna Niguel writes to express an Oppose position on SB 9, requiring a local government to ministerially approve a housing development containing two residential units in single-family residential zones. Additionally, this measure would require local governments to approve urban lot splits ministerially.

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 building industry's needs. SB 9 bypasses all of these necessary and important steps in the housing process, including ignoring CEQA provisions.

While the Senate's desire to pursue a housing production proposal is appreciated, unfortunately, SB 9, as currently drafted, 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 certified by the California Department of Housing and Community Development (HCD).

The City of Laguna Niguel would be critically impacted by SB 9 in several ways. As currently written, SB 9 does not allow for Cities to include necessary provisions to require adequate access for police, fire, and other public safety vehicles and equipment. Next, the City of Laguna Niguel prides itself on open space and environmental preservation, both of which would be in jeopardy if SB 9 were adopted. SB 9 provides a one size fits all approach to addressing the issue of housing in California and ignores what residents and community members want. Our residents have repeatedly made clear that they do not want increased housing density in single-family zoned neighborhoods. Furthermore, as currently written, any owner-occupancy requirements related to lot splitting would not be permitted after five years. SB 9 is a short-sided provision and will result in developers who do not live in the City buying houses to create a duplex or lot split for a quick profit.

For these reasons, the City of Laguna Niguel opposes SB 9 (Atkins) and requests that you and your Senate Colleagues on the Committee on Governance and Finance do so as well.

Sincerely,

A handwritten signature in black ink, appearing to read "Fred Minagar". The signature is fluid and cursive, with the first name "Fred" being more prominent than the last name "Minagar".

Fred Minagar
Mayor
City of Laguna Niguel

cc. Senator Jim Nielsen
Senator Maria Elena Durazo
Senator Robert M. Hertzberg
Senator Scott D. Wiener
Tony Cardenas, Public Affairs Regional Manager-Orange County