

# OUR NEIGHBORHOODS

**Heard About SB 50?**

***“The Abolition of Single  
Family Zoning in CA”***

Nadine Scott, Attorney at Law  
OCNA, May 21, 2019

# Can you spot 4 Differences?



Current  
Zoning

# Can you spot 4 Differences?



Proposed  
Zoning

# Senate Bill 50 (Weiner)

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- The bill *eviscerates*

## local planning rules & General Plans!

On behalf of the City of Oceanside, I'm writing to respectfully oppose SB 50 unless the measure is amended to address key concerns. SB 50 would allow developers of certain types of housing projects to override locally developed and adopted height limitations, housing densities, parking requirements, and limit design review standards.

City of Oceanside,  
Weiss

- Local Control in Single Family zones would be *DEAD* !
  - Applies to **counties** with 600,000 population

# Who is Scott Weiner ?

**You either hate him or love him!**

“Everyone hates SB 50—everyone hates it,” said  
California State Sen. Scott Weiner



- 49 years old
- Lives in Historic Castro District in San Francisco, LGBT
- Duke University, Harvard Law School, Fulbright Scholar in Chile
- Senator in California Legislature (D-San Francisco)
- Areas of Interest: Housing & Transportation



# SB 50 (Weiner) Applies HERE!

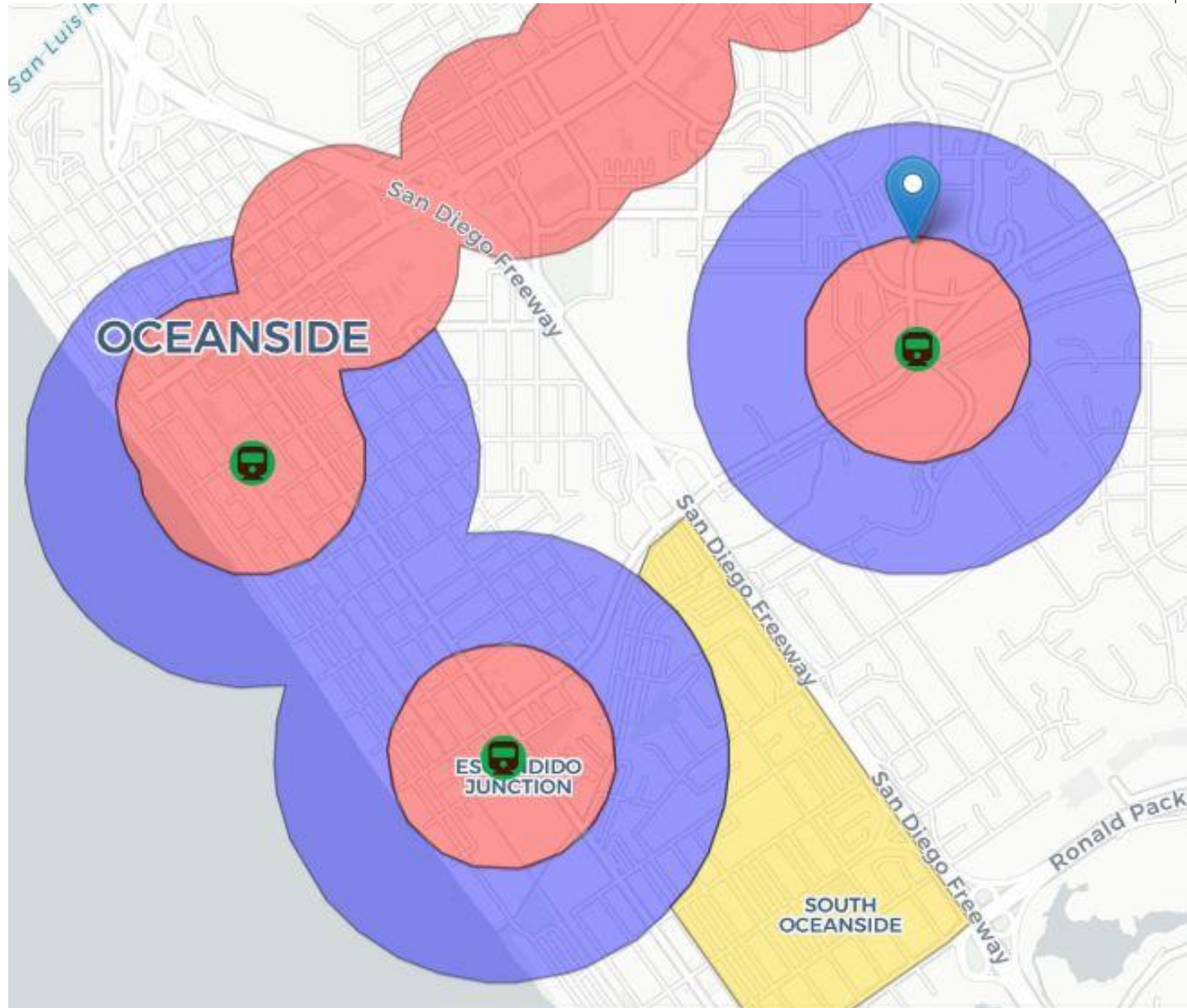
**PURPLE** 1/2 Mile from High Quality Transit – Train Stations, Busses, height up to 75 feet\*

**SALMON** 1/4 Mile from Transit – same as above, up to 85 feet\*

**YELLOW** Jobs Rich Areas, up to 75 feet\* (*poorly defined*)

**Everywhere Else**  
4 Plexes "by right"

\*If requesting density bonus and building some affordable units)



# SB 50 (Wiener) Additional Impacts

- Building will be allowed on land ZONED for underlying residential, including commercial, residential and mixed-use
- Permits are FAST TRACKED or else PENALIZES the City!
- Each building type near transit is without regard to terrain, curbs, gutters, sidewalks, neighborhood character, zoning, overlays or ordinances

## **BASICALLY TAKES AWAY:**

City planning role and enforcements!= NO LOCAL CONTROL!

Does not make houses cheaper or  
change income inequality issues.

[https://cdn.citylab.com/media/img/citylab/2019/05/construction\\_cranes\\_in\\_los\\_angeles/940.jpg?mod=1557414398](https://cdn.citylab.com/media/img/citylab/2019/05/construction_cranes_in_los_angeles/940.jpg?mod=1557414398)

# SB 50 (Weiner) Why This Proposal?

- Weiner says it is to build more affordable housing because we are in a housing crisis.
- *He fails to mention there his proposal has **NO requirement to build affordable units!** Developers can pay in lieu fees or donate land!*
- In reality, this bill could displace renters for luxury condos and vacation rentals.
- **Supported By:** Developers and their supporters including Chambers of Commerce & YIMBYs (Yes In My Backyard)
- **Opposition:** League of CA Cities, Oceanside & other coastal cities, affordable housing advocates, 1000's of individuals



# SB 50 (Weiner) Impacts Cont.

## If SB 50 passes:

- Our City's General Plan doesn't count anymore
  - Height limits don't count
- Single Family zoning (currently 1-3 stories) can have market rate apartments and condos up to 7-8 stories high if:
  - "Near Transit within  $\frac{1}{4}$  or  $\frac{1}{2}$  mile
  - Jobs Rich Areas (not well defined)
- ALL SF zoning would have four plexes 'by right'
  - ❖ **Density incentives with affordable units:**
    - No parking
    - No setbacks
    - No greenspaces, patios or balconies
      - No CEQA environmental review
  - Much higher density/height with incentives

# SB 50 - What are Exceptions? FEW!

- Specific threat to Health & Safety- very narrow
- Exempts Coastal Zone, ONLY in cities under 50,000
- Generally applies to vacant land but not always;  
some demolition will be allowed
- Potentially sensitive communities, “high segregation & poverty”  
and “low resource”
- Does not apply to agricultural land, but could if worker housing  
or  
emergency shelter is applied for
- **Historic areas-** none, but historic structure cannot be  
demolished

# WHAT CAN WE DO?

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- Support the Bill
- Oppose the Bill:
- Email Weiner's Chief of Staff at  
Krista.Pfefferkorn@sen.ca.gov
  - Join the opposition <https://www.stopsb50.net/#join>
  - Ask your groups to send letters of opposition
- *Note:* Pat Bates opposed the bill in committee
- Hueso from San Diego is co-sponsor
- **Watch to see if SB50 is further amended-  
(in suspense file); bill held until January, 2020**



as of May 1, 2019

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High resolution PDF at  
[tinyurl.com/sb50zones](http://tinyurl.com/sb50zones)

# HZ

## Hazardous Areas

Very High Fire Hazard Areas, Floodplains, and Coastal Zone in small cities.



No Change to Zoning.

# CA

## California Standard Residential Zone

Fourplexes allowed in most zones statewide.



Up to 4 homes per lot. Existing height and yard requirements still apply.

Limited additions allowed on lots with existing houses.

# JR/B<sup>1</sup>/<sub>4</sub>

## Jobs Rich or Major Bus Stop

High opportunity areas and areas 1/4 mile from major bus stop.



No change to height or yard requirements, but **any number of homes allowed.**

Not Applicable in small counties.

# RR<sup>1</sup>/<sub>2</sub>

## Half Mile from Rail/Ferry



45' Height and any number of homes allowed.

In small counties, height limit near rail/ferry is raised by 1 story / 15 feet above existing zoning in cities with population greater than 50,000.

# RR<sup>1</sup>/<sub>4</sub>

## Quarter Mile from Rail/Ferry



55' Height and any number of homes allowed.

### Large counties:

Population over 600,000  
Alameda, Contra Costa, Fresno, Kern, Los Angeles, Orange, Riverside, Sacramento, San Bernardino, San Diego, San Francisco, San Joaquin, San Mateo, Santa Clara, Ventura

Small counties: all others.

### Affordable Housing

Projects with 11 or more units required to provide affordable housing or pay fee, and can get a density bonus increasing number of homes by up to 35%.

Coastal zones excluded only in cities with population under 50,000.

No demolitions allowed. Maximum 15% increase in square feet for conversions of existing houses.

Buildings constructed on vacant land may be any size allowed by existing zoning.

No demolition of existing rental housing allowed.

Parking requirements reduced to no more than 0.5 cars per home.

### Major Bus Stop

Rush hour bus frequency of at least 1 bus every 10 minutes; 20-30 minutes at other times.

No parking required in large counties. 0.5 cars/home elsewhere.

No demolition of existing rental housing allowed.

No parking required in large counties or cities with over 100,000 people. 0.5 cars/home elsewhere.

# NR Non-Residential

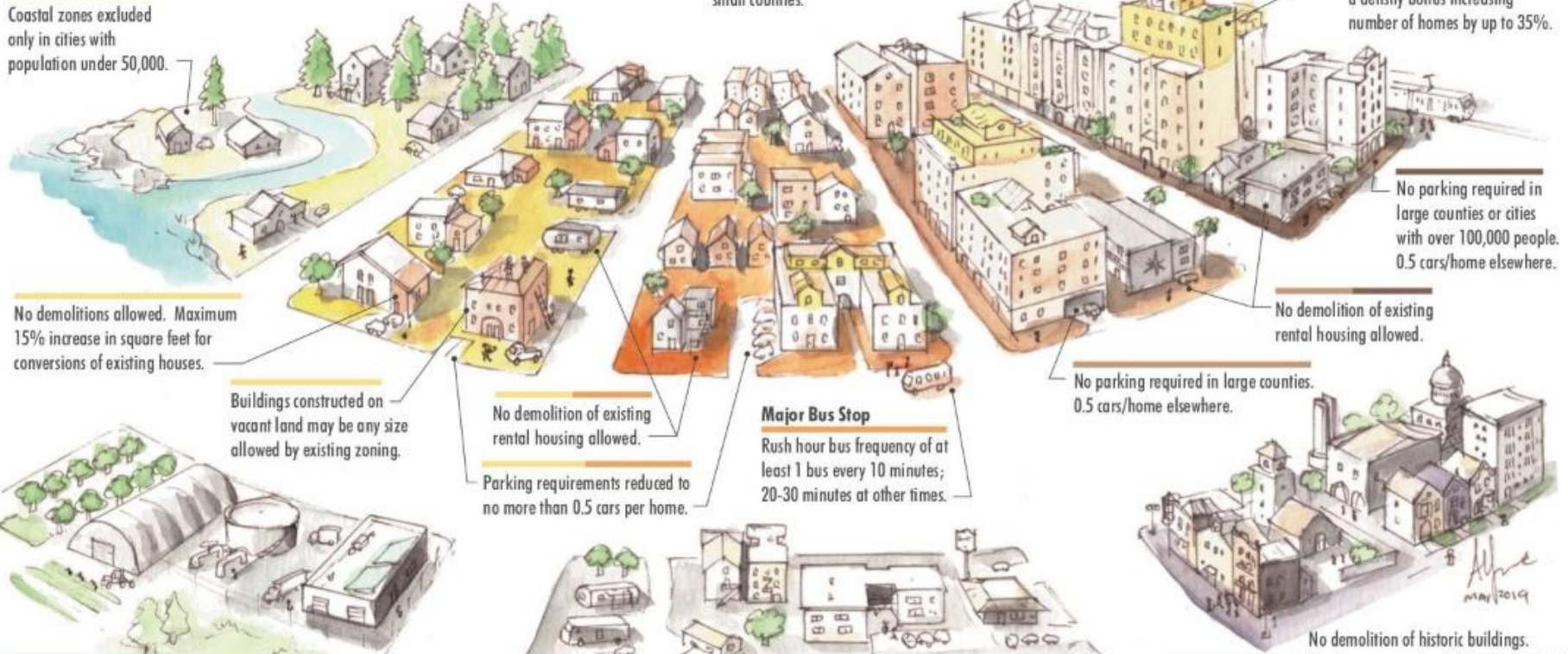
No change to zoning.

# S Low Income / Sensitive Community

5-year community process to determine zoning changes.

# H Historic

No demolition of historic buildings. No change to zoning in historic districts in small counties or to contributing parcels in districts created in 2010 or earlier.



MAY 2019

# Resources:

- **Google Senate Bill 50 Legislation CA**
  - Shows bill, amendments, votes, calendar and analyses  
[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201920200SB50](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200SB50)
  - **STOP SB50-** <http://www.stopsb50.net>
    - Searchable map to see if your home is affected
  - Join by signing up (not required to use site)
- March 27, 2019 letter from Peter Weiss to Scott Weiner opposing SB 50
- “The one-size-fits-all approach that SB 50 has handed down by the state does not work, and it’s not good for our city,” he said. “These measures would undermine many of the principles and decisions that this council has already made in its land-use planning and do away with a lot of our local control.”  
<https://www.presstelegram.com/2019/05/07/long-beach-votes-to-oppose-sb-50-which-seeks-to-address-the-states-housing-crisis-due-to-issues-of-local-control/>
- “I wish that it were less restrictive,” Smith said. “But at the same time, this is quite momentous: **the abolition of single-family zoning in California.**”  
<https://www.sandiegouniontribune.com/news/us-politics/la-pol-ca-single-family-zoning-changes-senate-bill-50-legislation-20190513-story.html>



# Definitions:

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- **High quality bus stops** – every 15 minutes during rush hours M-F and every 30 minutes on Saturday & Sunday
- **Rail-** Every 15 minutes as above
- **Jobs Rich Areas** – ill defined and confusing; the housing tract must be high opportunity, jobs rich????