



CITY COUNCILMEMBER
RIGEL ROBINSON
 DISTRICT 7

CONSENT CALENDAR
 July 28, 2020

To: Honorable Mayor and Members of the City Council
 From: Councilmember Rigel Robinson
 Subject: Support for SB 902: Authorizing Cities to Rezone for Density

RECOMMENDATION

Send a letter to Senator Scott Wiener, Senator Nancy Skinner, and Assemblymember Buffy Wicks in support of Senate Bill 902, which would authorize local governments to upzone urban infill sites and parcels in transit- or jobs-rich areas for up to 10 units of residential density.

BACKGROUND

SB 902, introduced by Senator Scott Wiener, would allow local governments to more easily increase the allowable unit density in any parcel located in a transit-rich area, a jobs-rich area, or an urban infill site to up to 10 units per parcel. The bill imposes no requirement or mandate that such increase in density be made, only reducing barriers for such an increase to occur. Many local governments across the state struggle to increase allowable density even when the political desire exists to do so because of onerous and lengthy review processes and the possibility of CEQA litigation on what, in this case, amounts to a very modest change.

While recent housing legislation has been met with concerns of preemption of local control, this bill would assist the City of Berkeley in more easily accommodating additional housing while allowing our community to identify the best way to do so. The Council would maintain the authority to identify areas at risk of gentrification and displacement and craft our density policies with those impacts in mind. Should this law pass, the City would be under no obligation to take any action; rather, the path would be clearer should we decide to do so.

Increasing allowable unit density in parts of the city less at risk to displacement and gentrification is an excellent tool to increase the housing supply while integrating the City. Many of the most exclusionary, wealthiest, and whitest neighborhoods in Berkeley have zoning laws that effectively prohibit apartments from being constructed. Increasing allowable unit density in these neighborhoods would allow for increased integration, pose minimal displacement risk, and increase our housing supply.

FINANCIAL IMPLICATIONS

None.

ENVIRONMENTAL SUSTAINABILITY

No impact.

CONTACT PERSON

Councilmember Rigel Robinson, (510) 981-7170

Attachments:

1: Letter of support

2: Bill text

https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200SB902

July 28, 2020

The Honorable Scott Wiener
California State Senate
State Capitol, Room 5100
Sacramento, CA 95814

RE: City of Berkeley's Support for Senate Bill 902

Dear Senator Wiener,

The Berkeley City Council would like to convey our full support for Senate Bill 902, regarding enabling local governments to upzone urban infill sites and parcels in transit- or jobs-rich areas.

While modest in scope, we know that unnecessary and repetitive review steps for zoning amendments have built up in many jurisdictions, posing a barrier to increasing density even when the political desire exists at councils and county boards to do so. Frequently, frivolous lawsuits under CEQA are tossed up to slow down density, undermining the actual important work of that law. Your bill will effectively clear the way for jurisdictions to increase the supply of badly needed housing while maintaining local control.

This balanced bill is one part of the solution to our housing crisis, and we cannot see why it should garner any opposition.

Thank you for this important piece of legislation.

Sincerely,

The Berkeley City Council

CC: Senator Nancy Skinner
Assemblymember Buffy Wicks

