

JUNE 8, 2016

JOINT LETTER CONCERNING THE 'BY RIGHT' DEVELOPMENT BUDGET TRAILER 707 (UPDATED)

Dear Senate President Pro Tem de Leon, Assembly Speaker Rendon, and Members of the Senate and Assembly:

We are more than 60 organizations with members and roots in racially diverse urban communities across California. We write to urge you to reject the present Budget trailer bill proposal that gives developers the power to force approval of projects “by right” without public or environmental review. This proposal represents a huge give-away to the real estate industry and at the particular expense of low-income residents and communities of color.

Let us be clear: we are not NIMBYs. We are staunch supporters of building more affordable housing in our own communities and elsewhere. But in our view a law that promotes building housing that is 90% or 95% **un**affordable to the majority of people in our communities is **not** an inclusive “affordable housing” policy.

But our concerns go beyond a disagreement over affordability levels. We believe it is profoundly unjust and undemocratic for the state to take away from our communities the ability to review and engage in the decisions about development proposals. We cannot rely merely on zoning standards and the “ministerial” authority of city planning staff to prevent the displacement of existing tenants, small businesses, community institutions, and jobs. This puts disadvantaged neighborhoods at the mercy of real estate developers who already wield too much power at all levels of government.

Urban minority communities in particular have for too long been treated by developers and planners as a blank canvas for urban renewal, highways, shopping malls, office towers, and gentrifying development. All of these approaches share something in common with the current “by right” proposal: they override the input of low income people of color in the service of some supposed “greater good” defined by those in power. Even in the absence of bias, existing zoning may be badly out of date or simply wrong relative to the needs of neighborhoods. And rushed city planning staff can and do make mistakes in reviewing project proposals. Meaningful public review is our only means to correct the gaps, errors, and biases of the project approval process.

We agree that the approval process in many cities can be a barrier to the development of affordable housing. We would support new policies to assure that all communities in California do their fair share to facilitate building housing that is affordable. But the “by right” proposal leaves privileged communities completely insulated from the new policy because they can merely maintain or redesign zoning restrictions to keep out affordable housing. Low-income communities of color whose power is in participating in a public process on a neighborhood level will be completely cut out.

Denying our communities a voice in the development process within our neighborhoods is fundamentally unfair and raises significant equity and potential fair housing concerns. We should be looking for solutions to stem the tide of displacement in California’s urban communities and to build affordable housing everywhere. We urge you to vote no on the “by right” development bill.

If there are questions regarding this letter please contact: in Southern California, Laura Raymond of ACT-LA at lraymond@allianceforcommunitytransit.org or 646-344-0381, and in Northern California, Sam Tepperman-Gelfant of Public Advocates at stepperman-gelfant@publicadvocates.org or 415-625-8464.

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(PARTIAL LIST AS OF 6/9/2016 5:17 PM)