

# Disputed state housing bill complicates building push



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Several San Diego leaders charged into 2019 determined to do something about the high cost of housing.

The main prescription was to do away with building restrictions along transit corridors to dramatically increase the number of homes, which, in theory, would ease prices. Mayor Kevin Faulconer unveiled such a proposal in his State of the City address in January.

That ran into a backlash from neighborhoods concerned about congestion and raised questions about how much, if anything, it would do to create affordable housing. Now, legislation to apply much the same approach statewide may undermine the San Diego proposal.

Even some proponents of loosening restrictions to build more housing bristle at the state taking control over local zoning decisions. The San Francisco Board of Supervisors and Los Angeles City Council voted to oppose the legislation, while the San Diego City Council has yet to weigh in one way or another.

San Diego City Council member Vivian Moreno, chair of the council's Land Use and Housing Committee, has no plans to take up a resolution on the bill at the moment, according to a spokeswoman, who added that Moreno does not have a position on the measure.

Faulconer remains neutral on the legislation, though his administration is having discussions about it with legislators, who he said are pursuing "the right goals."

"We'll see the specifics of the bill as it winds through the Legislature," he [told Liam Dillon of the Los Angeles Times](#) in a podcast several weeks ago. "But what I'm trying to do in San Diego is not wait for the state."

He did express concern about how the bill would increase density in single-family-home neighborhoods.

The measure, Senate Bill 50, was changed significantly last week and more amendments are likely.

The legislation carried by Sen. Scott Wiener, D-San Francisco, was heralded by many as a big step toward addressing California's housing affordability problem when he introduced it in December. He made some early adjustments in a version that failed last year and now has broader support for the new measure. Still, critics call it a sop for developers, and some tenants-rights groups continue to voice concern that gentrification would force low-income people out of their homes — issues that also have been raised in San Diego.

A [compromise](#) last week to move the bill forward created a new dispute. Amendments allow for less-intense development in counties with populations of no more than 600,000 people. That means coastal counties like Marin, Santa Barbara and Santa Cruz will have different rules than the counties of San Diego, Los Angeles and San Francisco.

The revamped bill essentially would not apply in coastal cities with populations of less than 50,000. That means communities including La Jolla and Point Loma would be subject to more intense development because they are within the city of San Diego, while the cities of Del Mar and Solana Beach would not.

Those changes were a concession to Sen. Mike McGuire, D-Healdsburg, who represents the sparsely populated counties of Marin and Sonoma and is chairman of the Senate Governance and Finance Committee. SB 50 passed out of his committee last week, but it's unlikely that would have happened without the compromise. McGuire had a competing bill, which called for greater restrictions on development, but did not advance it.

In the larger counties, SB 50 allows four- to five-story residential buildings near major transit lines and stations, along with smaller multi-unit structures in single-family neighborhoods near job centers. The smaller counties would be required to allow buildings up to one story higher than current zoning near transit lines. All counties would have to approve duplexes, triplexes and fourplexes in most neighborhoods.

The bottom line is the measure would do away with single-family zoning throughout much of California.

In many instances, cities and counties of any size would be required to approve the increased development "by right," which would allow developers to sidestep the community and city planning committees where projects often run into stiff opposition. That's also a feature of Faulconer's plan.

Faulconer's proposal, still in the outline stages, calls for more density along major transit lines than SB 50, primarily by lifting height limits, but it also provides more protection for single-family-home neighborhoods. However, the city recently approved allowing accessory housing units, commonly referred to as granny flats, on most single-family lots that could increase density in those communities.

The debate over these proposed housing policies has become heated and, at times, over the top. Susan Kirsch, who lives in idyllic Mill Valley north of San Francisco, is founder of Livable California, an organization created to protect local communities. She said she recently read about the revisions to SB 50 “while sitting in [a café in Athens](#), Greece.

“I was struck by the irony of being in the birthplace of democracy while Sacramento legislators deliver death by a thousand cuts,” she wrote to CALmatters, a news website. “. . . As earthquake and erosion destroyed Athens, the housing bills of Wiener and McGuire, rather than solving the housing crisis, chip away at the pillars of Western Civilization. That’s the crisis.”

Both in Sacramento and San Diego, some lawmakers and housing advocates say they will only support these broad efforts if there are guarantees they include truly affordable housing. They say that will only happen if developers are required to set aside enough units priced for low- and middle-income residents, or if greater public subsidies are made available. To varying degrees, so-called “inclusionary housing” and subsidies are part of the plans or are being contemplated.

Without such assurances, backers of the building spree leave themselves open to accusations their policies will simply benefit developers. That’s already happening and it’s getting rough. Wiener has been dubbed “The Man from Real Estate” in a [campaign-style attack mailer](#) financed by the group Housing is a Human Right.

Whether or not that’s fair, Wiener’s acceptance of hundreds of thousands of dollars in campaign donations from people and entities affiliated with the real estate industry over the years makes him an easy target.

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