



City Council

Mike Anderson, Mayor
Susan Candell, Vice Mayor
Steven Bliss, Council Member
Cameron Burks, Council Member
Teresa Gerringer, Council Member

June 22, 2020

The Honorable Scott Wiener
State Senator, 11th District
State Capitol, Room 5100
Sacramento, CA 95814

RE: SB 902 (Wiener) – OPPOSE

Dear Senator Wiener,

On behalf of the City of Lafayette, I am writing to express our opposition to SB 902, your measure that would permit a local government to pass an ordinance to rezone any parcel up to 10 units of residential density per parcel, at a height specified by the local government.

The City appreciates that SB 902 is structured in such a manner that provides cities discretion as to whether an ordinance would be appropriate for part, or all, of their communities. We believe that these provisions respect local control, ensure that local governments are able to decide if this tool is appropriate for their communities, and may be a strategy that would result in additional housing opportunities.

Unfortunately, we must oppose SB 902 due to the provisions that would allow a local government to pass an ordinance to rezone a parcel, even if a local voter initiative has been passed that would directly prohibit such an ordinance. The ability for voters to approve local measures is fundamental to our political process and should not be allowed to be ignored by a city council. If a local government wishes to pass an ordinance that goes against a locally approved voter initiative, then that ordinance should be submitted to the voters.

The City of Lafayette does not believe that local governments should be able to ignore the will of their local voters, even for a worthy purpose, such as the creation of new housing. This provision creates a slippery slope, which could spur future legislation that may allow government to ignore the will of the voters for less worthy causes. We believe that the right of the voters to approve local measures, and for government to respect those measures, is foundational to our democracy and must be protected.

It is for these reasons that we must respectfully oppose SB 902. If you have any questions, or need more information, about the City's position or our suggested amendments, please contact our City Manager, Niroop Srivatsa, at (925) 284-1968.

Sincerely,

A handwritten signature in black ink, appearing to be "Mike Anderson", followed by a horizontal line.

Mike Anderson
Mayor, City of Lafayette

cc: Senator Steve Glazer

~~Assembly Member Rebecca Bauer-Kahan~~