



CUPERTINO CITY COUNCIL

CITY HALL

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June 15, 2016

The Honorable Phil Ting
Chair, Assembly Budget Committee
State Capitol Building, Room 6026
Sacramento, CA 95814

The Honorable Mark Leno
Chair, Senate Budget and Fiscal Review
Committee
State Capitol, Room 5019
Sacramento, CA 95814

RE: Governor's Proposal for By Right Approval for Affordable Housing Notice of Opposition

Dear Honorable Chairs Ting and Leno:

The City of Cupertino opposes the Governor's proposal to pre-empt local discretionary land use approvals of specified housing developments by having all such approvals be considered "ministerial" actions. The result of this proposal would be to eliminate opportunities for public input and project-level environmental review, and restrict design review. The City acknowledges that California is facing a housing affordability crisis; however, this is not the solution.

Eliminating opportunities for public review of these major development projects goes against the principles of local democracy. A public hearing allows community stakeholders to inform decision-makers of their concerns and guarantees property rights will not be impacted without due process. Public review allows for design improvements to ensure a new structure matches a community's character. While it may be frustrating for some developers to address neighborhood concerns about traffic, parking and other development impacts, those directly affected have a right to be heard. Eliminating these outlets will increase public distrust in government.

The Governor's proposal also undermines state environmental policies and laws. While the Coastal Act, California Environmental Quality Act and other laws can be burdensome, most would acknowledge that these requirements have also made positive contributions to Californian's quality of life.

For these reasons, the City respectfully states our opposition to this measure.

Please feel free to contact me at (408) 777-3192 or bchang@cupertino.org should you have any questions.

Sincerely,

Mayor Barry Chang
City of Cupertino