



April 15, 2019

Senator Scott Wiener, Chair
Senate Housing Committee
State Capitol, Room 5100
Sacramento, CA 95814

RE: Requested amendments to Senate Bill 50 (Wiener)

Dear Chair Wiener:

On behalf of California's leading historic preservation organizations, we write to extend our gratitude for the leadership and hard work you have undertaken to address the state's housing crisis and to convey our support for legislation that would incentivize housing development near transit areas in a targeted manner yet protect historic structures. We are pleased to know that as the lead author of SB 50 you have stated your intent to adhere to the letter and spirit of the California Environmental Quality Act (CEQA) and the CEQA Guidelines.

To that end, we respectfully request that you amend your legislation to protect structures placed on, or that have been identified by a public agency as eligible for, inclusion on a national, state, or local historic register in order to prevent the demolition of historic resources, which is not your intent with this bill.

First, we respectfully request the adoption of the following amendment to SB 50, which would add an exemption for parcels to whose projects under SB 50 would require the substantial demolition of structures that have been placed on a national, state, or local historic register as well as historical resources as defined in the CEQA Guidelines. Such as:

The development of the project on the proposed parcel would not require the substantial demolition of a historic structure that was placed on a national, state, or local historic register or a historical resource as defined in as defined in Section 15064.5 (a) of Title 14, Division 6, Chapter 3, Article 5 of the California Code of Regulations.

The proposed amendment would ensure a consistent and equitable definition of “historical resources” under CEQA in SB 50 to protect communities from the potential for demolition of historic structures. Because the vast majority of historical resources in California are not listed in a local, state, or national register – especially in traditionally underrepresented communities – the exemption for historic properties under SB 50 must be extended to include all historic structures that meet rigorous eligibility criteria under CEQA Guidelines §15064.5. Whatever the final bill of the Legislature’s deliberations on this critical policy question may be, no identified historical resources should be eligible for ministerial demolition approval.

Second, the undersigned organizations strongly support exemption of parcels located within an “architecturally or historically significant historic district” from receiving a density bonus. As written, SB 50 would grant eligible applicants the by-right ability to build up to 45 or 55 feet, even if the parcel is located within a historic district. We respectfully request that SB 50 be amended to exempt parcels located within a designated historic district from receiving a density bonus.

Sincerely,



Cindy Heitzman
Executive Director
California Preservation
Foundation



Mike Buhler
President & CEO
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Alan Hess
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Gary Johns
President
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Rob Thomson
President
Victorian Alliance of
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cc: Senate Governance and Finance Committee, Senate Housing Committee