



MAYOR STEVEN SCHARF
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July 16, 2020

The Honorable Buffy Wicks
Assemblymember, 15th District
State Capitol, Room 5160
Sacramento, CA 95814

RE: AB 725 (Wicks) – OPPOSE

Dear Assemblymember Wicks,

On behalf of the City of Cupertino, I am writing to respectfully express our opposition for AB 725, your measure that would create a density requirement for moderate- and above moderate-income housing for suburban and metropolitan cities. In their housing element's inventory of land, cities would need to allocate at least 25% of their regional housing need for above moderate-income housing to sites with zoning that allows at least two, but not more than 35, units of housing per acre.

The provisions of the bill do not apply to an unincorporated area, regardless of whether it is located within a suburban or metropolitan jurisdiction, thereby only applying to cities that meet the definition of "suburban" or "metropolitan" in housing element law. The allocation of moderate- and above moderate-income housing required by this bill is prohibited from being the basis for the jurisdiction to deny a project that does not comply with the allocation, or, impose a price minimum, price maximum, price control, or any other exaction or condition of approval in-lieu thereof.

We appreciate that the bill allows a project proponent to propose, and a city to approve, a single-family detached home on a site identified, pursuant to the bill's provisions, that is zoned for at least two units, giving the city flexibility to approve single-family housing on these sites. However, these provisions do not provide cities with adequate flexibility to maintain oversight on how development is proposed within our city limits.

As you may know, the City of Cupertino is located in, and adjacent to, high and very high fire hazard severity zones, which requires us to be diligent about where new housing is located. It is important for the City to have input on the location of new development so that we can ensure the safety of our residents in the event of a wildfire. Your measure would require the City to zone

for multi-family housing in areas that may not be suitable for this type of development and does not have the public infrastructure to support the additional residents that would reside in these developments. While there may be some sites within the City that can support the density envisioned in AB 725, we believe that requiring that a specific minimum percentage of housing for denser development, regardless of local conditions, is not a policy that the State should pursue.

It is for these reasons that the City of Cupertino has taken an oppose position on AB 725.

Sincerely,

A handwritten signature in blue ink that reads "Steven M. Scharf". The signature is written in a cursive style with a blue ink color.

Steven Scharf
Mayor
City of Cupertino

cc: Senator Jim Beall
Assemblymember Evan Low
Assemblymember Marc Berman