

**MAYOR STEVEN SCHARF**  
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June 2, 2020

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

**RE: SB 899 (Wiener) – SUPPORT IF AMENDED**

Dear Senator Wiener,

On behalf of the City of Cupertino, I am writing to express our Support, if amended, position on SB 899, your measure that would provide that housing is a use by right on land owned by a religious institution, nonprofit hospital, or nonprofit college, if certain conditions are met.

Specifically, SB 899 would allow for the development of an affordable housing project on land owned by a religious institution, nonprofit hospital, or nonprofit college and establishes density and height limitations, unless the local jurisdiction allows for higher density or height limits. Additionally, all of the residential units in a development project, exclusive of any manager units, must be restricted to households with an average income of 80% AMI or lower, but not above 120% AMI, for at least 55 years for rental units and 45 years for owner-occupied units. The rent or sale process for the unit must be at least 20% below market rate for a unit of similar size and bedroom count in the same neighborhood.

The City believes that this measure could help boost the production of much needed affordable housing in California. As you know, housing prices and rental costs in the Bay Area often result in individuals not being able to afford to live near their place of employment or being priced out of their neighborhood. That said, since these projects will be a use by right, we believe that the legislation should be amended to ensure that the housing projects that will be built pursuant to this bill will be appropriate for the communities in which they are located. Specifically, we would ask for you to consider the following amendments:

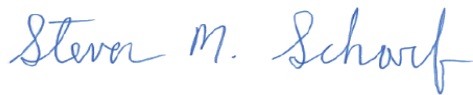
- For projects utilizing the bill's provisions that are located in, or directly adjacent to, residential communities, apply the height limits for that area to the project. This will help address privacy concerns.

- For projects utilizing the bill's provisions that are located in, or directly adjacent to, residential communities, do not permit density bonuses that would increase the height of the proposed project.

We believe that these two amendments will ensure that projects that are proposed in, or directly adjacent to, existing residential communities will be consistent with the character of the community.

I would like to thank you for your consideration of our suggested amendments. If you choose to accept our proposed amendments, the City of Cupertino would be glad to support SB 899. If you have any questions, or need more information, about the City's position or our suggested amendments, please contact our City Manager, Deborah Feng, at (408) 777-3212.

Sincerely,

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

Steven Scharf  
Mayor  
City of Cupertino

cc: Senator Jim Beall  
Assemblymember Evan Low  
Assemblymember Marc Berman