

April 15, 2019

Senator Mike McGuire, Chair
Senate Governance and Finance Committee
Room 5061, State Capitol
Sacramento, CA 95814

RE: Requested amendments to Senate Bill 4 (McGuire)

Dear Chair McGuire:

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 4 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 no one's intent with either bill.

SB 4, as amended February 28, 2019, provides an exemption in Section 65913.5(b)(6) as follows:

(6) The development of the project on the proposed parcel would not require the demolition of a historic structure that was placed on a national, state, or local historic register.

We greatly appreciate this language but respectfully request a critical clarification to this language to ensure that it is consistent with the CEQA Guidelines.

(6) 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 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 4 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 4 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.

The undersigned organizations strongly support SB 4’s exemption of parcels located within an “architecturally or historically significant historic district” from receiving a density bonus. By contrast, 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.

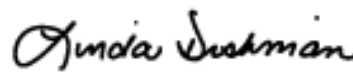
Sincerely,



Cindy Heitzman
Executive Director
California Preservation
Foundation



Mike Buhler
President & CEO
San Francisco Heritage



Linda Dishman
Executive Director
Los Angeles Conservancy



Bruce Coons
Executive Director
SOHO San Diego



Sue Mossman
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Pasadena Heritage



Sarah Locke
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Ernie Schlobohm
President
Napa County Landmarks



William Burg
President
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Alan Hess
President
Preserve Orange County



Gary Johns
President
Palm Springs
Preservation Foundation



Rob Thomson
President
Victorian Alliance of
San Francisco

cc: Senate Governance and Finance Committee, Senate Housing Committee