

SUBJECT: Draft Ordinance for SB 79-CPC-2026-1797-CA

I am writing to oppose the provision within the proposed SB 79 Implementation Ordinance (the Low-Rise Ordinance) that would reduce required side and rear yard setbacks. The City must recognize its responsibility to safeguard public well-being and neighborhood stability.

I strongly oppose all changes to the existing setbacks in neighborhoods impacted by SB 79. Studies show that density permitted under SB 79 (C1) can be achieved without decreasing existing setbacks. The most significant boundaries between new development and existing homes occur along rear and side property lines—precisely where the greatest reductions are proposed. In addition, the department's reliance on Accessory Dwelling Units (ADU) standards to justify 4 ft setbacks is misplaced. ADUs are intended as small, secondary units—not multi-family buildings with substantially greater occupancy, intensity, and risk. If setback changes are allowed, it will alter our neighborhoods forever especially with rear setbacks less than fifteen feet.

1. Infrastructure and Safety Concerns

Many neighborhoods within the half-mile radius affected by SB 79 lack basic infrastructure such as curbs, sidewalks, and street lighting. Therefore, residents, including children and pets, must walk in the street. With the potential for significant population increases (i.e., from 100 to 1,000 residents when building density is maximized) and no parking requirements, these areas would be considerably more dangerous. I urge the Planning Department to recognize these unsafe conditions and defer development in neighborhoods until appropriate infrastructure improvements can be made.

2. Fire Safety

In a city where wind-driven fires are always a possibility, it is unconscionable that a four-foot rear and side setback are being recommended. Four-foot separations limit defensible space between structures, increasing the risk of fire spread and constrains the emergency access for firefighting equipment.

3. Loss of Urban Tree Canopy and Environmental Health

Approximately 90% of the City's tree canopy exists on private property. Meaningful tree planting and retention are not feasible within four-foot setbacks which due to "exiting" criteria must be paved. The size of the building and the hardscape around it will contribute to the urban heat island effect, resulting in higher temperatures.

4. Private Open Space and Quality of Life

In a climate that supports year-round outdoor living, reducing adjacent apartment house setbacks will unnecessarily diminish quality of life for all residents.

5. Notification of Impacted Residents

Every affected resident should receive notifications by mail regarding SB 79. While the Planning Department has expressed concerns about the cost, proper notification is essential to ensure transparency and give everyone a fair opportunity to respond to the potential impact of SB 79 to their homes. This is the responsible use of City resources.

In addition, I request the SB 79 implementation ordinance be expressly tied to, and automatically updated to reflect, any future revisions to, postponement of, or repeal of SB 79.

Thank you for your attention to these concerns.

Respectfully,