



June 26, 2026

To: President pro Tempore Limón and California State Senators
Re: AB-1751 Missing Middle Townhome Ownership Act. **OPPOSE**

Senators:

Neighbors For A Better San Diego (NFABSD) strongly opposes AB-1751, as amended on June 15. AB-1751 undermines the potential benefits of the Starter Home Revitalization Act (SHRA) by vastly increasing the scale of development on eligible properties. Development under the SHRA has barely begun in most jurisdictions, and the Legislature should let the current regulations prove themselves before radically changing the program.

The author's statement in the bill analysis focuses on a 577 acre greenfield development project in the Sacramento area that is planned to produce roughly 3,000 new single-family and multi-family housing units. If large developments are the intended target for AB-1751, then it should only be applied to lots that are larger than allowed by the SHRA. At a minimum, AB-1751 should be limited to single-family zoned lots greater than 1.5 acres and multi-family zoned lots that are greater than 5 acres. Even greater minimum parcels sizes would be prudent until the Legislature can assess whether AB-1751's market wide upward pressure on single-family home prices caused by property speculation undoes the potential benefits of additional units.

Bill Summary

AB-1751 overrides the Starter Home Revitalization Act (SB-1123) by allowing as many units as can be fit within 3 stories on an "underutilized" single-family parcel. (By comparison, the SHRA is limited to 10 new lots/units in a subdivision.)

AB-1751 reduces minimum lot sizes in single-family zones to 600 square feet, versus 1,200 square feet for the SHRA.

This bill exempts the City and County of San Francisco from its provisions.

Unlike the SHRA (SB-1123), there is no limit on parcel size.

Objections to AB-1751

Neighbors For A Better San Diego objects to AB-1751 for the following reasons:

- AB-1751 violates missing middle housing principles by allowing structures that are vastly out of scale with surrounding homes. In doing this, AB-1751 will crowd out the Starter Home Revitalization Act's more appropriate smaller scale developments. Upzoning reprices properties based on the maximum allowable development and therefore properties eligible for both the SHRA and AB-1751 will only "pencil out" for maximum sized developments. Neighborhood-compatible developments of fewer, larger, family-sized houses promised by SHRA will not be produced.
- AB-1751 doesn't place any limits on the size of eligible parcels, which means that three-story lot-filling housing blocks can be shoehorned into small single-family zoned lots. This is made worse by the proposal to reduce the minimum lot size from 1,200 square feet to 600 square feet. AB-1751 strives to create row homes, but in practice these types of developments work best when scaled to larger, wider lots or even entire blocks.
- Exclusion of San Francisco is inconsistent with the requirement that AB-1751 address a statewide concern. The bill asserts "unique circumstances of the City and County of San Francisco" without providing objective definition of those circumstances in either the bill language or the bill analysis. This provision should be replaced with exceptions that can be assessed and applied statewide or removed from the bill altogether.

These objections are further detailed below.

AB-1751 is not Missing Middle Housing

As an urban planning concept, "missing middle" refers to building types that increase housing densities within the building envelopes (forms) of existing zoning. This includes conformity with building heights, setbacks (especially front yard and street side yard setbacks), angle planes, lot coverage, floor area ratios, and other objective standards that apply to the zones in which the new structures will be built.

Adherence to the principles of missing middle planning is critical to ensuring that new housing fits within the fabric of existing neighborhoods and encourages public acceptance by respecting adjoining homeowners.

While it overrides some of the restrictions of existing zoning, the SHRA generally defers to existing zoning regulations. AB-1751 does not and therefore should not be allowed on the smaller infill parcels targeted by the SHRA.

AB-1751 should be limited in scope

If AB-1751 is being proposed to streamline greenfield development of townhomes, as advocated by the author in the bill analysis, then the bill should be amended to only apply to those cases, instead of potentially applying to every parcel in California with a little bit of extra space in the backyard. A simple fix, consistent with the author's purpose, would be to only apply AB-1751 to larger vacant lots, at least 1.5 acres for single-family zoned lots and 5 acres for multi-family zoned lots.

In summary, if AB-1751 is adopted as currently written, it will eventually create a huge statewide backlash as builders year-by-year push developments toward the unreasonable maximum allowances of AB-1751. It is extremely difficult to claw back giveaways to developers and real estate speculators, so the Legislature should tightly constrain the eligible parcels for AB-1751 or reject the bill altogether.

Respectfully,

A handwritten signature in cursive script that reads "Geoffrey Hueter".

Geoffrey Hueter, Chair
Neighbors For A Better San Diego