



August 23, 2026

To: Speaker Rivas and California State Assembly Members

Re: SB-1116 Planning and zoning: housing development projects: subdivisions.

OPPOSE

Assembly Members:

Neighbors For A Better San Diego (NFABSD) remains strongly opposed to SB-1116, as currently amended, for the reasons set forth below.

Cities are still implementing SB-1123 – It's premature to be making drastic changes

Before California's cities have fully adopted the Starter Home Revitalization Act (SHRA, SB-1123) and developers have figured out how to best use the regulations, SB-1116 proposes numerous changes to the current regulations that significantly change the allowed scale and eligibility of SHRA developments.

Proposed changes violate the principles of "missing middle" housing

The success of the SHRA depends on the urban planning principles of "missing middle" housing, as defined by Daniel Parolek/Opticos, which refers to building types that increase housing densities within the forms of existing zoning. This includes conforming to building heights, footprints, 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 into the fabric of existing neighborhoods.

The current SHRA regulations are mostly consistent with existing zoning. Unfortunately, SB-1116 disregards missing middle principles and pushes heights, setbacks, and floor area ratios beyond reasonable values.

No justification or analysis of the consequences of changing lot sizes

SB-1116 drastically reduces minimum lot sizes, from 600 to 480 square feet in multi-family zones, and from 1,200 to 960 square feet in single-family zones. (For reference, a typical single-family zoned lot is 5,000 square feet or more.) The existing minimum lot sizes (600 sf and 1,200 sf respectively) are consistent with other state and local standards for small lot subdivisions, including SB-9, and the Legislature should recognize the value of having consistency across development regulations whenever possible.

Change to “vacant” lot definition references inapplicable statute and invites abuse

SB-1116 changes the definition of a “vacant” lot with an existing structure from “abandoned and uninhabitable” to “abandoned or does not meet the characteristics... of 1941.1 of the Civil Code.” Not only does changing “and” to “or” invite exploitation of the law, but also Section 1941.1 of the Civil Code includes easily repaired defects, such as broken windows. While the June 11 amendment of the bill removed some of the conditions of 1941.1, it still allows demolition of houses that are easily made habitable.

The fundamental problem with this change is that Section 1941.1 is a tenant protection law intended to force landlords to provide safe and healthy homes for their tenants, **not to allow developers to game state law by vandalizing their own properties.**

Abrogates the Legislature’s responsibility to write clear and enforceable laws

SB-1116 explicitly promotes confusion, uncertainty, and overreach in its implementation by stating that “This section shall be interpreted liberally in favor of producing the maximum number of total housing units.” Based on experience with other state laws, this clause will give free rein to the Department of Housing and Community Development (HCD) to invent whatever it wants from the language of the law. This violates California’s separation of powers. When a law is vague, then it is the sole responsibility of the Legislature to fix it, not a free pass to California’s executive branch to make up whatever it wants the law to be.

In summary, it is premature to make significant changes to the scope of the Starter Home Revitalization Act before the existing regulations have had a chance to be implemented and prove their effectiveness, which will take a few years as developers acquire properties and execute projects. At this time, the Legislature should focus its efforts on creating reporting requirements to assess the effectiveness of the SHRA and other state-mandated housing regulations, so that it can make data-driven decisions about whether to change the regulations in a future Legislative session.

It is extremely difficult to roll back regulations once they’ve been adopted, and we ask the Legislature to show restraint and patience by rejecting SB-1116.

Respectfully,



Geoffrey Hueter, Chair
Neighbors For A Better San Diego