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## Proposed legislation would rein in Builder's Remedy projects

🕒 March 24, 2025 7:57 am



The Builder's Remedy development proposed to replace the Sunset campus on Willow Road in Menlo Park.



BY BRADEN CARTWRIGHT  
Daily Post Staff Writer

Palo Alto City Council tonight (March 24) will consider joining forces with state Sen. Josh Becker on a bill that would retroactively rein in the Builder's Remedy, a state law that has led to proposals for a 461-foot tower in Menlo Park and a 177-foot tower in Palo Alto.

The Builder's Remedy allows housing developers to ignore local rules in cities that were late on their 2023-2031 Housing Element, a state required plan showing where new housing should go.

The deadline was Jan. 31, 2023. Palo Alto's Housing Element was approved by the state on Aug. 20, 2024. In between, the city received seven Builder's Remedy applications, including plans for three towers reaching 17 stories on top of Mollie Stone's grocery store at 156 California Ave.

Developers also turned in plans for projects on El Camino Real, San Antonio Road, the corner of University Avenue and Middlefield Road, and Palo Alto's first housing development east of Highway 101.

The area's largest Builder's Remedy project is in Menlo Park at 80 Willow Road, just across the San Francisquito Creek.

Russian businessman Vitaly Yusufov wants to develop the seven-acre property with three towers with offices, retail and 665 apartments. The towers would range from 301 to 461 feet — taller than any building from San Francisco to Los Angeles.

Builder's Remedy projects are required to have 20% of units set aside as affordable housing.

## **Straining water supplies, sewers**

In a memo for council, Palo Alto's lobbyists Niccolo De Luca and Carlin Shelby said Builder's Remedy projects are far more dense than the city has planned for, straining resources like sewers, storm drains and water supply. One project alone demands a 3,000-gallon-per-minute increase, far exceeding current fire flow capacity.

Builder's Remedy projects can necessitate "immediate and costly" infrastructure investments that are usually funded through long-term capital improvement plans and bond measures, the memo said.

City employees have been working with Becker's office on "a more balanced approach," the memo said.

Becker's Senate Bill 457 would require Builder's Remedy projects to have a formal application rather than a preliminary application with minimal detail, the memo said.

"This ensures that only serious developers with real housing plans can proceed with a project that disregards local policies," the memo said.

SB457 would also eliminate a window from when cities sent in their Housing Element and when the California Department of Housing and Community Development approved the plan, the memo said.

The bill, SB457, will go to the Senate Housing Committee on April 1, at 3 p.m. The Senate Local Government Committee will also consider the bill.

## **City asked to support bill**

Council tonight will consider supporting or sponsoring the bill and designating a council representative to provide testimony in its favor. A discussion is scheduled at 9 p.m.

Becker said on Friday that he's heard concern about the Builder's Remedy throughout his district. Saratoga alone has 22 Builder's Remedy proposals, he said.



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