



**CITY OF SANTA CLARITA
AGENDA REPORT**

CONSENT CALENDAR

CITY MANAGER APPROVAL: Ken Striplen

DATE: June 11, 2019

SUBJECT: STATE LEGISLATION: SENATE BILL 13

DEPARTMENT: City Manager's Office

PRESENTER: Masis Hagobian

RECOMMENDED ACTION

City Council adopt the City Council Legislative Committee recommendation to oppose Senate Bill 13 (Wieckowski) and transmit position statements to Senator Wieckowski, Santa Clarita’s state legislative delegation, appropriate legislative committees, Governor Newsom, and the League of California Cities.

BACKGROUND

The initial State law on accessory dwelling units (ADU) took effect on January 1, 2017. Prior to this law, ADU permits were under the full discretion of local governments. The original intent of the ADU State law was to implement standards and ensure uniformity throughout California on the issuance of ADUs by local governments. However, the current version of this bill preempts local land use authority that results in adverse property maintenance, severely congested street parking, and commercial enterprise within residential communities. For the purpose of this staff summary, an ADU is an attached or detached residential dwelling unit that provides complete independent living facilities on the same parcel as a single-family dwelling.

Senate Bill 13:

1. Prohibits a local agency from imposing requirements on minimum lot size, lot coverage, or floor area ratio of an ADU.
2. Prohibits a local agency from requiring new parking spaces after a garage or carport is converted into an ADU.
3. Reduces the ministerial approval process for ADU permit applications from 120 days to 60 days.

4. Prohibits a local agency from requiring as a condition for issuance of an ADU permit that the owner of the primary residence maintain occupancy of the home.

The current policies and procedures related to ADUs provide the City of Santa Clarita (City) the ability to review and successfully process ADU permits based on unique community needs. The City recognizes the importance of land use planning and development of housing to meet the growth and needs of the community. Since the State ADU law took effect, the City has issued 69 ADU permits (21 in 2017, 38 in 2018, and 10 in 2019) through March 13, 2019.

This bill weakens local land use authority related to ADUs and eliminates the City's ability to properly plan and develop residential zoning of single family and multi-family homes. Additionally, this bill would adversely impact the City's ability to impose reasonable ADU requirements and/or conditions that take into consideration the City's residential character and local unique circumstances.

The bill's proposal to prohibit local agencies from requiring owner-occupancy of the primary residence as a condition for issuance of an ADU permit incentivizes commercial enterprises within residential communities. This could make many residential communities vulnerable to large-scale investors purchasing many single-family homes and adding ADUs, thus operating like a property management company and not a homeowner seeking some additional income. Additionally, the removal of owner-occupancy requirements diminishes the oversight and accountability of property maintenance. This specific provision in the bill is also less likely to provide affordable rents, as a homeowner is less likely to be profit driven when renting out an ADU.

The Santa Clarita City Council opposed similar bills, Assembly Bill 68 (Ting), earlier this year, and Assembly Bill 831 (Wieckowski), during the 2017-18 Legislative Session, based on the recommendation of the City Council's Legislative Committee.

Additionally, the City of Santa Clarita 2019 Legislative Platform includes components related to preserving local authority regarding local land use. Specifically, component 21 under the "State" section of the Legislative Platform advises that the City Council, "Oppose legislation that would interfere with, limit or eliminate the decision-making authority of municipalities in the area of local land use."

The City Council Legislative Committee met on May 30, 2019, and recommends that the City Council adopt an "oppose" position on Senate Bill 13.

ALTERNATIVE ACTION

1. Adopt a "neutral" position on Senate Bill 13
2. Adopt a "support" position on Senate Bill 13
3. Take no action on Senate Bill 13
4. Refer Senate Bill 13 back to the Legislative Committee
5. Other action, as determined by the City Council

FISCAL IMPACT

The resources required to implement the recommended action are contained within the City of Santa Clarita's adopted Fiscal Year 2018-19 budget.

ATTACHMENTS

Senate Bill 13 - Bill Text