



**CITY OF SANTA CLARITA
AGENDA REPORT**

CONSENT CALENDAR

CITY MANAGER APPROVAL: Ken Stripling

DATE: July 9, 2019

SUBJECT: STATE LEGISLATION: SENATE BILL 330

DEPARTMENT: City Manager's Office

PRESENTER: Masis Hagobian

RECOMMENDED ACTION

City Council adopt the City Council Legislative Committee recommendation to oppose Senate Bill 330 (Skinner) and transmit position statements to Senator Skinner, Santa Clarita’s state legislative delegation, appropriate legislative committees, Governor Newsom, and the League of California Cities.

BACKGROUND

Authored by Senator Nancy Skinner (D-9-Berkeley), Senate Bill 330 declares a statewide housing emergency to be in effect until January 1, 2025, and restricts certain local land use authority including: zoning, design standards, parking, and overall application standards related to specific residential developments.

All provisions included in this bill are proposed to be in effect until January 1, 2025. Specifically, this bill:

1. Amends the development policies, standards and conditions for cities and counties as follows:
 - a. Prohibits cities and counties, with respect to land where housing is an allowable use on or after January 1, 2018, from enacting a development policy, standard, or condition that would have any of the following effects:
 - (a) Changing the general plan land use designation, specific plan land use designation, or zoning of a parcel to a less intensive use or reducing the intensity of land use below what was allowed under the land use designation and zoning ordinances of the affected the city or county, as in effect January 1, 2018;
 - (b) Imposing or enforcing design review standards established after

January 1, 2018, if the standards are not objective; and

- (c) Limiting the amount of housing or population, except for specified longstanding limits in predominantly agricultural counties.
 - b. Prohibits cities and counties from requiring a minimum parking requirement if a proposed residential development is within one-quarter mile of a rail stop that is a major transit stop.
 - c. Prohibits cities and counties from requiring a minimum parking requirement greater than 0.5 spaces per unit if the proposed residential development is outside of one-quarter mile of a rail stop that is a major transit stop.
- 2. Amends the permitting process for a proposed residential development as follows:
 - a. Creates a process for submitting a preliminary application for a proposed residential development, including:
 - (a) That a proposed residential development must be deemed to have a complete preliminary application to the approving city or county upon providing the following information: *site location, existing uses, site plan, proposed uses, proposed number of parking spaces, proposed point sources of air or water pollutants, any species of special concern, any portion of property located within a fire hazard/wetlands/special flood hazard area/delineated earthquake fault zone, any historical property, proposed number below market rate units, proposed number of bonus units, and the applicants contact information.*
 - b. Requires that a residential development project only be subject to the ordinances, policies, and standards adopted and in effect when a preliminary application is submitted.
 - (a) Allows an applicant of a proposed residential development to file a lawsuit against a local government to enforce this provision.
 - c. Provides that if a housing development project complies with the applicable objective general plan and zoning standards in effect at the time an application is deemed complete, a city or county shall not conduct more than five hearings in connection with the approval of that housing development project.
 - d. Reduces the time period that a housing project must be approved or disapproved upon the completion of an Environmental Impact Report (EIR) by 30 days, to 60 days for specified projects that are at least 49 percent affordable to very-low and low-income households, and 90 days for other housing projects.
- 3. Amends the enforcement for housing by doing the following:
 - a. Requiring that any local agency notice related to the violation of a building standard for occupied housing include a statement of the owner's right to request a delay in enforcement; and
 - b. Enabling a local agency, upon request of the owner, to delay enforcement for seven years, if correction is not necessary to protect health and safety.

The City currently has policies and standards in place related to proposed residential developments related to parking, zoning, and overall application review.

If this bill is implemented, the following parking standards in the City's Unified Development Code will no longer apply to residential developments built within the prescribed distance of the four identified major transit stops in the City:

- a. Studio units - one enclosed parking space per unit
- b. One bedroom units - two enclosed parking spaces per unit
- c. Two bedroom units - two enclosed parking spaces per unit
- d. Guest parking - one parking space per each two units

The bill's creation of a preliminary application, and subsequently a freeze on any standards upon the submittal of a preliminary application, preempts the City's authority to apply updated standards to a project that may reflect a better use of land and architectural design.

The City Council, upon the recommendation of the Legislative Committee, opposed a similar bill, Senate Bill 50 (Wiener), at the February 26, 2019, Regular City Council Meeting.

Additionally, the City of Santa Clarita 2019 Legislative Platform (Legislative Platform) includes a component related to local land use authority. 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."

Senate Bill 330 was introduced on February 19, 2019, and passed the Senate (28-7-3) on May 29, 2019. Senator Scott Wilk voted in support of the bill and Senator Henry Stern did not record a vote on the Senate Floor. This bill is scheduled to be heard by the Assembly Committee on Local Government on July 10, 2019.

The City Council Legislative Committee met on June 25, 2019, and recommends the City Council adopt an "oppose" position on Senate Bill 330.

ALTERNATIVE ACTION

1. Adopt a "neutral" position on Senate Bill 330
2. Adopt a "support" position on Senate Bill 330
3. Take no action on Senate Bill 330
4. Refer Senate Bill 330 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 2019-20 budget.

ATTACHMENTS

SB 330 - Bill Text