



**CITY OF SANTA CLARITA
AGENDA REPORT**

CONSENT CALENDAR

CITY MANAGER APPROVAL: Ken Stripling

DATE: June 13, 2017

SUBJECT: STATE LEGISLATION: ASSEMBLY BILL 190

DEPARTMENT: City Manager's Office

PRESENTER: Masis Hagobian

RECOMMENDED ACTION

City Council adopt the Legislative Committee’s recommendation to oppose Assembly Bill 190 (Steinorth) and transmit position statements to Assembly Member Steinorth, Santa Clarita’s state legislative delegation, appropriate legislative committees, Governor Brown, and the League of California Cities.

BACKGROUND

Authored by Assembly Member Marc Steinorth (R-40-Rancho Cucamonga), Assembly Bill 190 proposes to require a local agency’s planning department to approve or disapprove the design of a development project within 30 days.

Specifically, this bill:

1. Authorizes a 30 day deadline, from when a project’s application is determined complete, for a local agency’s planning department to approve or disapprove the design of a development project.
2. Authorizes that if a design is not approved or disapproved within 30 days from when the completed development project application is submitted, the design of the development project is deemed approved on the 31st day.
3. Defines the date that the application has been determined to be complete as any of the following:
 - a. The date of certification by the lead agency of the environmental impact report.
 - b. The date of adoption by the lead agency of the negative declaration.

- c. The date of a determination by the lead agency that the project is exempt from the California Environmental Quality Act (CEQA).
4. Defines a “development project” as either of the following:
 - a. Residential units only.
 - b. Mixed use developments consisting of residential and nonresidential uses in which the nonresidential uses are less than 50 percent of the total square footage of the development and are limited to neighborhood commercial uses and to the first floor of buildings that are two or more stories.

Existing law requires that a local agency’s planning department approve or disapprove the design of a development project within 120 days from the date an application has been determined to be complete. This bill would require the City’s Planning Department to approve or disapprove the design of a development project within 30 days from the date a completed application is submitted for review.

The City’s Planning Department has two review processes included in the City’s Unified Development Code. If Assembly Bill 190 were to pass, the City Planning Department would be required to complete an Architectural Design Review (Section 17.23.110, Unified Development Code) or a Development Review (Section 17.23.120, Unified Development Code) within 30 days from the date a completed development project application is submitted for review.

Typically, the City of Santa Clarita’s Planning Department approves or disapproves a design review within the timeframe proposed in this bill; however, there are instances where a development project may require a longer timeframe for the design review phase. Depending on the number of applications submitted for review and the size of the development project, some design reviews may take more than the proposed 30 day timeframe included in this bill. However, if Assembly Bill 190 were to pass, local authority regarding the design of a development project would be preempted by state law if the design review exceeds 30 days.

Assembly Bill 190 was referred to the Assembly Committee on Local Government on March 28, 2017. The hearing was canceled at the request of the author and no new hearing date has been identified at this time.

The deadline for Assembly Bill 190 to be heard by a policy committee was May 12, 2017. The author’s staff has confirmed that Assembly Bill 190 will be a two-year bill.

The City Council Legislative Committee met on May 19, 2017, and recommends that the City Council adopt an “oppose” position for Assembly Bill 190.

ALTERNATIVE ACTION

1. Adopt a “neutral” position on Assembly Bill 190
2. Adopt a “support” position on Assembly Bill 190

3. Take no action on Assembly Bill 190
4. Refer Assembly Bill 190 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 2016/17 budget.

ATTACHMENTS

Assembly Bill 190 (Steinorth)