



**CITY OF SANTA CLARITA
AGENDA REPORT**

CONSENT CALENDAR

CITY MANAGER APPROVAL: Ken Stripling

DATE: April 9, 2019

SUBJECT: STATE LEGISLATION: ASSEMBLY BILL 68

DEPARTMENT: City Manager's Office

PRESENTER: Masis Hagobian

RECOMMENDED ACTION

City Council adopt the City Council Legislative Committee recommendation to oppose Assembly Bill 68 (Ting) and transmit position statements to Assembly Member Ting, Santa Clarita’s state legislative delegation, appropriate legislative committees, Governor Newsom, and the League of California Cities.

BACKGROUND

Authored by Assembly Member Phillip Ting (D-19-San Francisco), Assembly Bill 68 preempts local land use authority related to accessory dwelling units (ADU).

For the purpose of this report, an ADU is an attached or detached residential dwelling unit which provides complete independent living facilities on the same parcel as a single-family dwelling.

The initial state law on ADUs 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 authority that results in adverse property maintenance and severely congested street parking.

Assembly Bill 68:

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 local agency approval process for an ADU permit application from 120 days to 60 days.

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 Santa Clarita City Council opposed a similar bill, Assembly Bill 831 (Wieckowski), based on the recommendation of the City Council's Legislative Committee during the 2017-18 Legislative Session.

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."

Assembly Bill 68 was introduced on December 3, 2018, and referred to the Assembly Committee on Housing and Community Development.

The City Council Legislative Committee met on March 26, 2019, and recommends that the City Council adopt an "oppose" position on Assembly Bill 68.

ALTERNATIVE ACTION

1. Adopt a "neutral" position on Assembly Bill 68
2. Adopt a "support" position on Assembly Bill 68
3. Take no action on Assembly Bill 68
4. Refer Assembly Bill 68 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

Assembly Bill 68 Bill Text