



**CITY OF SANTA CLARITA
AGENDA REPORT**

CONSENT CALENDAR

CITY MANAGER APPROVAL: Ken Stripling

DATE: July 14, 2020

SUBJECT: STATE LEGISLATION: SENATE BILL 1385

DEPARTMENT: City Manager's Office

PRESENTER: Masis Hagobian

RECOMMENDED ACTION

City Council adopt the City Council Legislative Committee recommendation to oppose Senate Bill 1385 (Caballero) and transmit position statements to Senator Anna Caballero, Santa Clarita’s state legislative delegation, appropriate legislative committees, Governor Newsom, and the League of California Cities.

BACKGROUND

Authored by Senator Anna Caballero (D-12-Salinas), Senate Bill 1385 preempts local land use authority by deeming a housing development project an authorized use on a lot exclusively zoned for office or retail commercial use.

Specifically, Senate Bill 1385 enacts the “Neighborhood Homes Act,” which establishes a housing development project as an authorized use on a “neighborhood lot” zoned for office or retail commercial use under a local agency’s zoning code or general plan. For the purposes of this summary, a “neighborhood lot” is a lot zoned for office or retail commercial uses and an eligible site for a housing development project.

As defined in the bill, a housing development project on a “neighborhood lot” may consist of entirely residential units or a mix of commercial retail, office, or residential uses, and must comply with all of the following:

- The density for the housing development must meet or exceed the applicable density deemed appropriate to accommodate housing for lower income households under the Housing Element law. For the City of Santa Clarita (City), the Housing Element law requires at least 30 units per acre to accommodate lower income households.
- The housing development is subject to local zoning, parking, design, and other ordinances, and must comply with any design review or other procedural requirements

imposed by a local agency, applicable to a housing development.

Additionally, Senate Bill 1385 authorizes housing developments on “neighborhood lots” to be eligible for a streamlined ministerial review process if the project meets the following requirements:

- The proposed project meets the objective zoning, design, and subdivision standards that apply to the “neighborhood lot” as a result of this bill;
- The proposed project is a multifamily housing development on a site in which 75 percent of the perimeter of the site adjoins parcels that are developed with urban uses; and
- The site is zoned for office or retail commercial use and has no existing commercial or residential tenants on 50 percent or more of its total square footage for a period of at least three years prior to the submission of the application.

The City currently has policies and standards in place regarding proposed residential developments related to parking, design standards, zoning, and overall application review. Typically, large housing development projects undergo a comprehensive review process, including public hearings, administrative review, and an opportunity for appeal. This allows the City’s Planning Division, Planning Commission, and the public the ability to review residential projects based on unique community circumstances and needs, and ensures that a site has adequate access to services and resources to sustain greater density.

Projects under a ministerial review are not subject to an appeals process, public hearing, and the California Environmental Quality Act (CEQA) review. If this bill is implemented, the following standards in the City’s Unified Development Code will also no longer apply to residential developments as prescribed in this legislation:

1. Discretionary Review

- a. An application to construct the prescribed residential development requires a discretionary review that includes the City’s ability to either approve, approve with conditions, approve with modifications, refer the request to the Commission, or deny the application for a proposed use, modification, or development based on the following:
 - i. That the use, development of land, or application of development standards is in compliance with all applicable provisions of the Santa Clarita Unified Development Code; and
 - ii. That the use, development of land, or application of development standards, when considered on the basis of the suitability of the site for the particular use or development intended, is so arranged as to avoid traffic congestion; insure the protection of public health, safety, and general welfare; prevent adverse effects on neighboring property; and is in conformity with good zoning practice.

2. Zoning

- a. Specific zoning is reserved in the City, including that residential units cannot be developed in business parks and industrial zones to achieve the following purposes:

- i. To reserve appropriate areas for the continuation of residential living at specific dwelling unit densities, consistent with the Santa Clarita General Plan and with sound standards to preserve public health, safety, and welfare.
- ii. To minimize traffic congestion and to avoid the overloading of public services and utilities by preventing the construction of buildings of excessive bulk or number in relation to the land area around them.
- iii. To facilitate the provision of utility services and other public facilities commensurate with anticipated population, dwelling unit densities, and service requirements.
- iv. To promote high standards for site planning, architecture, and landscape design for development within the City while preserving the City's historical and natural resources such as oak trees, river areas, and ridgelines.

3. City's Parking Standards

- 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 City Council, upon the recommendation of the Legislative Committee, opposed two similar bills, Senate Bill 50 (Wiener) at the February 26, 2019, Regular City Council Meeting and Senate Bill 330 (Skinner) at the July 9, 2019, Regular City Council Meeting.

Additionally, the recommendation to oppose Senate Bill 1385 is consistent with the City of Santa Clarita 2020 Legislative Platform. Specifically, Component 21 under the "State" section 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 1385 was introduced on February 21, 2020, as a spot bill and amended on May 6, 2020. The bill was approved by the Senate (39-0-1) on June 24, 2020. Senator Scott Wilk voted in support of the bill and a vote was not recorded for Senator Henry Stern. Senate Bill 1385 is pending assignment to a policy committee in the Assembly.

The City Council Legislative Committee met on June 29, 2020, and recommends that the City Council adopt an "oppose" position on Senate Bill 1385.

ALTERNATIVE ACTION

1. Adopt a "neutral" position on Senate Bill 1385
2. Adopt a "support" position on Senate Bill 1385
3. Take no action on Senate Bill 1385
4. Refer Senate Bill 1385 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 FY 2020-21 budget.

ATTACHMENTS

SB 1385 - Bill Text