



**CITY OF SANTA CLARITA
AGENDA REPORT**

CONSENT CALENDAR

CITY MANAGER APPROVAL: Ken Stripling

DATE: February 23, 2021

SUBJECT: STATE LEGISLATION: SENATE BILL 6

DEPARTMENT: City Manager's Office

PRESENTER: Masis Hagobian

RECOMMENDED ACTION

City Council adopt the City Council Legislative Committee recommendation to oppose Senate Bill 6 (Caballero), unless amended, 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 6 authorizes specific housing developments as an authorized use in retail commercial or office zones and preempts local land use authority by requiring local governments to approve housing developments, that meet certain conditions, through a streamlined, ministerial review process.

A housing development project, pursuant to this legislation, 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, 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.

Ministerial Review

If a project meets additional conditions, including those outlined below, Senate Bill 6 requires local governments to process housing applications through a streamlined, ministerial approval process:

- The proposed project is a multifamily housing development with a portion of dedicated units at below-market rate housing;
- The proposed project is on a site 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; and
- The proposed project is not located within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection.

The City currently has policies and standards in place regarding proposed residential developments related to parking, design standards, zoning, and overall application review. Typically, housing development projects undergo an extensive review process, including public hearings, administrative review, and an opportunity for appeal. This allows the City's Planning Division, Planning Commission (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, as currently proposed, the following standards in the City's Unified Development Code will no longer apply to residential developments as prescribed in the ministerial provision included 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

Given the significant local land use preemptions included in the ministerial provision included in this bill, it is recommended that the City Council adopt an oppose, unless amended, position. The requested amendment to the author would be to remove the ministerial provision from Senate Bill 6.

The City Council, upon the recommendation of the Legislative Committee, opposed a similar bill, Senate Bill 1385 (Caballero) at the July 14, 2020, regular City Council meeting.

Additionally, the recommendation to oppose, unless amended, is consistent with the City of Santa Clarita 2021 Executive and Legislative Platform. Specifically, Component 27 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 6 was introduced on December 7, 2020, and is pending its first hearing in the Senate Governance and Finance Committee.

The City Council Legislative Committee met on February 9, 2021, and recommends that the City Council adopt an “oppose, unless amended” position on Senate Bill 6.

ALTERNATIVE ACTION

1. Adopt an “oppose” position on Senate Bill 6
2. Adopt a “neutral” position on Senate Bill 6
3. Adopt a “support” position on Senate Bill 6
4. Take no action on Senate Bill 6
5. Refer Senate Bill 6 back to the Legislative Committee
6. 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.