



**CITY OF SANTA CLARITA
AGENDA REPORT**

CONSENT CALENDAR

CITY MANAGER APPROVAL:

Ken Stripling

DATE: February 8, 2022

SUBJECT: STATE LEGISLATION: ASSEMBLY BILL 916

DEPARTMENT: City Manager's Office

PRESENTER: Masis Hagobian

RECOMMENDED ACTION

City Council adopt the City Council Legislative Committee recommendation to oppose Assembly Bill 916 (Salas) and transmit position statements to Assembly Member Salas, Santa Clarita's state legislative delegation, appropriate legislative committees, Governor Newsom, and the League of California Cities.

BACKGROUND

Authored by Assembly Member Rudy Salas (D-32-Bakersfield), Assembly Bill 916 prohibits local governments from conducting a public hearing as a condition of approving a project that adds space for additional bedrooms or reconfigures existing space to increase the bedroom count within an existing house, condominium, or apartment and increases the maximum height of an accessory dwelling unit (ADU) that a local government must enforce from 16 feet to 18 feet.

The initial state law requiring local agencies to provide by ordinance for the creation of 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 the state on the issuance of ADUs by local governments.

Several bills proposing to preempt local discretion and authority in regulating the review of ADU applications were introduced during the 2019-20 state legislative session. Of those bills introduced, various pieces of legislation were approved by the legislature and signed into law by the Governor, including preemptions to local authority regarding parking, lot size, and approval processes of ADUs.

Assembly Bill 916:

1. Prohibits local governments from adopting or enforcing an ordinance requiring a public

hearing, as a condition of approving a project that adds space for additional bedrooms or reconfigures existing space to increase the bedroom count within an existing house, condominium, or apartment.

2. Increases, from 16 feet to 18 feet, the maximum height of an ADU that a local government must approve if the project is located on a parcel that an existing multifamily and multistory dwelling.

The City of Santa Clarita (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 approximately 236 ADU permits (21 in 2017, 38 in 2018, 42 in 2019, 70 in 2020, and 65 in 2021).

This bill weakens local land use authority related to ADUs and more specifically, preempts the City's ability to properly review projects that add bedrooms to existing dwellings. Furthermore, 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 has opposed similar bills, including Assembly Bill 68, Chapter 655, Statutes of 2019; Assembly Bill 953; and Senate Bill 13, Chapter 653, Statutes of 2019, based on the recommendation of the City Council's Legislative Committee.

The recommendation to oppose Assembly Bill 916 is consistent with the City of Santa Clarita's 2022 Executive and Legislative Platform. Specifically, component 1 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."

Assembly Bill 916 was unanimously approved by two policy committees in the Assembly, including the Assembly Committee on Local Government, on January 12, 2022. Assembly Member Tom Lackey (R-36-Palmdale) voted in support of the bill, as a member of the Assembly Committee on Local Government. This bill unanimously passed the Assembly Committee on Appropriations on January 20, 2022, and was ordered to the Consent Calendar.

Notable Supporters include The California Rental Housing Association and California YIMBY.

There was no registered opposition on file at the time this report was developed.

The City Council Legislative Committee met on January 24, 2022, and recommends that the City Council adopt an "oppose" position on Assembly Bill 916.

ALTERNATIVE ACTION

1. Adopt a "support" position on Assembly Bill 916.
2. Adopt a "neutral" position on Assembly Bill 916.

3. Take no action on Assembly Bill 916.
4. Refer Assembly Bill 916 back to the Legislative Committee.
5. Other direction, as provided 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 2021-22 budget.

ATTACHMENTS

Assembly Bill 916 - Bill Text