



American Planning Association
California Chapter

Creating Great Communities for All

May 1, 2020

Assembly Member Todd Gloria
State Capitol, Room 2176
Sacramento, California 95814

SUBJECT: **Support for AB 3234 (Gloria) - Streamlining Small Lot Subventions and Clarifying Standards for Subdivision Map Act Denials**

Dear Assembly Member Gloria:

The American Planning Association, California Chapter (APA California) is pleased to sponsor your bill, AB 3234. AB 3234 will create a new tool for local jurisdictions to allow for a streamlined development process for small lot subdivisions, exempt the adoption of a small lot ordinance from CEQA, and update the mandatory Subdivision Map Act findings to be consistent with the Housing Accountability Act's requirements.

As California continues to face an unprecedented housing crisis, compounded by the recent and ongoing impacts of the COVID-19 pandemic, APA California supports efforts to streamline and encourage housing development by providing local jurisdictions with tools to encourage infill development at densities that encourage more accessible home ownership options and diverse housing product types, while allowing jurisdictions flexibility to focus this type of development in appropriate areas. The impacts of California's housing crisis are complex, and APA California believes your bill is one important step in tackling this important issue.

Specifically, AB 3234 makes a number of important changes noted below:

Streamlines Small Lot Subdivisions

AB 3234 allows local jurisdictions to create ordinances to review and approve small lot subdivision developments that would receive a streamlined, ministerial approval. Specifically, these developments would require only a parcel map if the development is located on an infill site, is zoned for single-family, multi-family or mixed-use and is no larger than 5 acres. The bill also sets reasonable restrictions on minimum and maximum lot size square footage and parking requirements calibrated to ensure reasonable densities and compact development to promote lower cost construction and home ownership opportunities. Importantly the bill also applies anti-displacement protections and protections for historical and tribal cultural resources. APA California believes that the streamlined approval of small lot developments will encourage expedited housing development that Californian's desperately need. Encouraging streamlining of developments with smaller lots creates a path to produce higher density, smaller units that are intended to be more affordable by design.

Applies a CEQA Exemption for Adoption of Small Lot Subdivision Ordinances

By providing that the adoption of an ordinance for small lot subdivision developments is exempt from the California Environmental Quality Act (CEQA), jurisdictions will be able to implement these legislatively approved changes quickly to encourage these types of developments that are consistent with state policy. Moreover, the infill requirement and five-acre parcel size limitation are both consistent with the existing CEQA Class 32 Infill Exemption, continuing the state's effort to facilitate development in areas of the state least likely to result in environmental impacts.

Makes the Subdivision Map Act (Map Act) Consistent with the Requirements of the Housing Accountability Act (HAA)

Under existing law, a local jurisdiction may not approve a tentative map or parcel map unless it makes specified findings, including some findings that are not objective. However, a court of appeal decision -- *Honchariw v. County of Stanislaus* (2011) 200 Cal.App.4th 1066 -- ruled that Map Act findings that are not objective cannot be used to deny a project under the HAA. This leaves public agencies in an impossible situation when it feels that subjective Map Act criteria have not been met: approve the project under the HAA in violation of the Map Act, or deny the project as required by the Map Act in violation of the HAA.

AB 3234 will make the traditional Map Act findings inapplicable to residential subdivisions. Instead, the bill would replace those findings with objective standards for residential development projects, including that the proposed map is consistent with objective standards contained in applicable general plan, specific plans and all applicable zoning and design review standards. This amendment would harmonize the Map Act's requirements with the HAA, further advancing the state's goal of promoting housing development for all.

APA California appreciates your efforts and is honored to work with you on this important piece of legislation. If you have any questions, please contact Lauren De Valencia, Stefan/George Associates, APA California's lobbyist, at 443-5301, lauren@stefangeorge.com.

Sincerely,



Eric Phillips
Vice President Policy and Legislation
APA California

cc: Assembly Local Government Committee
 Assembly Housing and Community Development Committee
 Assembly Republican Caucus
 The Governor
 The Office of Planning and Research