



American Planning Association
California Chapter

Creating Great Communities for All

MEMO TO: SENATE HOUSING COMMITTEE

FROM: AMERICAN PLANNING ASSOCIATION, CALIFORNIA CHAPTER

DATE: JULY 16, 2020

SUBJECT: **NOTICE OF SUPPORT IF AMENDED – AB 1279 - BLOOM
BY RIGHT APPROVAL OF HOUSING IN NEW HIGH-OPPORTUNITY AREAS**

The American Planning Association, California Chapter, has taken a support if amended position on AB 1279. AB 1279 requires certain development sites in high opportunity areas to allow for more density and height and makes these sites subject to "use by-right" approval.

APA supports the concepts in the bill to make affordable housing a use by right in high opportunity areas, allowing increased densities and heights that are tailored to proximity to arterial streets and central business districts, creating additional incentives for projects that are at least 50 percent affordable, and including protections against negative environmental, gentrification, demolition and displacement effects.

We do however have the following suggested amendments:

- The bill directs HCD to use high resource and highest resource areas on TCAC's Opportunity Maps as a starting point for designating high-opportunity areas, then defines criteria for removing areas based on specific criteria before completing the designations. The Opportunity Maps are, in some cases, under inclusive. There should be a process included in the bill for local jurisdictions to use their knowledge of local conditions to identify high-opportunity areas that are not on the Opportunity Maps with HCD approval.
- The bill should phase in an option for cities and counties to either follow the requirements in AB 1279 or include equivalent development opportunities in high opportunity areas in conjunction with the adoption of 6th cycle of the housing element. In other words, the bill's requirements should function as default standards that take effect after the 6th cycle housing element is due for jurisdictions that take no action, but jurisdictions that develop an equivalent local plan in their 6th cycle housing element may do so if approved by HCD.
- The process could include requiring that RHNA be allocated first in the high opportunity areas identified by HCD, and if those areas can't accommodate the need because of development constraints, or if the local jurisdiction identifies high opportunity areas other than those identified by HCD, the city or county could use those alternative sites, provided that all obligations to Affirmatively Further Fair Housing are satisfied, HCD approves the alternative sites, and higher density housing is maintained as a use by right throughout the planning period.

APA appreciates your consideration of these comments and suggested amendments. If you have any questions, please contact our lobbyist, Sande George, with Stefan/George Associates, sgeorge@stefangeorge.com, 916-443-5301.