



American Planning Association
California Chapter

Creating Great Communities for All

MEMO TO: THE ASSEMBLY LOCAL GOVERNMENT COMMITTEE

FROM: AMERICAN PLANNING ASSOCIATION, CALIFORNIA CHAPTER

DATE: AUGUST 5, 2020

SUBJECT: **NOTICE OF SUPPORT IF AMENDED – SB 1385 (Caballero) - Authorized Residential Uses in Retail and Office Zones** - In Assembly Local Government Committee – Tuesday – August 11th

The American Planning Association, California Chapter has a support if amended position on SB 1385. This bill will authorize residential projects in retail and office zones. APA overall supports this residential overlay concept and appreciates the time the author and staff has taken to discuss the bill with us. The bill as amended July 29th included the majority of changes previously requested by APA. APA now has only three remaining outstanding issues:

1. Clarify that the retail/office sites subject to the bill have to have an existing structure on the site that relates to the recently added “usable net interior” square footage requirement.
2. Allow a process for some percentage of the neighborhood lots where residential development projects would be authorized to be presumed available to satisfy RHNA site requirements, since the bill would automatically increase residential capacity within jurisdictions on many more sites than would otherwise be identified or rezoned through the Housing Element process in most cases.

Add subdivision (e) to Section 65583.1:

(e) The Department of Housing and Community Development shall allow a city or county to substitute units eligible to be constructed pursuant to section 65852.23 for a portion of the community's obligation to identify adequate sites for any income category in its housing element pursuant to paragraph (1) of subdivision (c) of Section 65583 based on the number of units developed on commercially zoned sites in the prior housing element planning period whether or not the units are permitted by right, the need for these units in the community, development trends, market conditions, regulatory or other incentives or standards to encourage additional residential development on these sites, and any other relevant factors, as determined by the Department.

3. Amend S. 65852.23 (b)(4) to be consistent with the amendments just added to subdivision (b)(2).

S. 65852.23(b)(4) (4) All other local requirements for a neighborhood lot, other than those that are inconsistent with the zoning requirements that apply to the neighborhood lot as provided in paragraph (2) a than provided in paragraph (1).

APA appreciates consideration of these comments and changes. If you have any questions, please contact Sande George (APA), with Stefan/George Associates, sgeorge@stefangeorge.com, 916-443-5301.