



American Planning Association
California Chapter

Creating Great Communities

April 20, 2021

Senator Anna Caballero
State Capitol, Room 5052
Sacramento, CA 95814

SUBJECT: Support for SB 6 (Caballero) – Residential Housing Development in Commercial Zones

Dear Senator Caballero:

The American Planning Association, California Chapter (APA California) is pleased to support your bill, SB 6. SB 6 creates the Neighborhood Homes Act, which establishes a housing development project as an allowable use on a “neighborhood lot,” defined as a parcel within a commercial zone where office and retail uses are permitted, so long as the parcel is not adjacent to an industrial use. The bill also provides for an unspecified amount of the units to be affordable, sets forth a number of additional requirements that the development must meet and sunsets on January 1, 2029.

APA California supports the overall goals of your bill, which will provide opportunities for the redevelopment of underutilized commercial sites into housing. Further, our organization supports a number of efforts to streamline and encourage housing development, particularly in a time when California continues to face an unprecedented housing crisis, compounded by the ongoing impacts of the COVID-19 pandemic. As this bill has been reintroduced from your similar bill, SB 1385 (2020), APA California appreciates a number of amendments that were made last year, which are reflected in SB 6, as well as additional recent amendments. As the bill continues to move, we do have a few additional suggested amendments that we hope will be considered:

Housing Element Credit for Eligible Sites

Given that 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, APA California believes a percentage of the neighborhood lots should be authorized to be presumed available to satisfy a jurisdiction’s RHNA site requirements, especially given that some sites would be eligible for a by-right approval process for a housing project pursuant to SB 35 (Wiener, 2017).

Nuisance Claims

APA California also suggest a provision be added to the bill to limit the ability of future residents of these new developments to file unreasonable nuisance complaints on existing businesses that the new development surrounds. Because this bill allows developments in commercial areas, businesses that are already established should not be impacted by the new use of nearby developments.

We appreciate your efforts on this important issue and If you should have any questions, please contact Lauren De Valencia, lauren@stefangeorge.com, APA California’s lobbyist.

Sincerely,

A handwritten signature in blue ink that reads 'Eric Phillips'.

Eric Phillips
Vice President Policy and Legislation
APA California

cc:

Senate Housing Committee
Senate Republican Caucus
The Governor
The Office of Planning and Research