

The Housing Element addresses the City's intent to comply with Housing Element laws. In addition, the Element addresses how the City will comply with other laws regulating the development of housing. Some of these laws are listed below:

State Housing Element: "California's Housing Element Law acknowledges that, in order for the private market to adequately address the housing needs and demand of Californians, local governments must adopt plans and regulatory systems that provide opportunities for (and do not unduly constrain) housing development. As a result, housing policy in California rests largely on the effective implementation of local general plans and, in particular, local housing elements." (HCD Website)

HCD: <https://www.hcd.ca.gov/planning-and-community-development/housing-elements>

California Government Code:

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV§ionNum=65583

Accessory Dwelling Units: The State of California requires cities to allow construction of ADUs on residential sites. Information on state laws can be found via these links:

HCD: <https://www.hcd.ca.gov/policy-and-research/accessory-dwelling-units>

Recent changes to State law affect development of ADUs. SB 897 and AB 2221 revise height limits, front setback standards, and require an objective review process for ADUs, among other provisions.

AB 2221:

https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB2221

SB 897:

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB897

Emergency Shelters: The Housing Element must identify one or more zones where emergency shelters are permitted by right.

HCD: <https://www.hcd.ca.gov/planning-and-community-development/housing-elements/building-blocks/zoning-variety-of-housing-types>

AB 2339 requires the City to demonstrate that transitional and supportive housing are considered a residential use.

AB 2339:

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB2339

Density Bonus: State law requires cities to grant density bonuses to encourage the development of affordable housing.

California Government Code:

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=65915&lawCode=GOV

In 2022, the State adopted various bills affecting density bonuses with which the City must comply. SB 290 modified a city's ability to deny requested concessions and adjusted parking standards for developments with affordable units. AB 1551 readopts legislation that sunsetted at the end of 2021 requiring cities to provide a "development bonus" to commercial developers who partner with affordable housing developers for the construction of affordable housing on the commercial project site, or offsite within the city when the site is located near schools, employment and a major transit stop.

SB 290:

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB290

AB 1551:

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB1551

Parking in Proximity to Transit: AB 2097 prohibits the City from imposing parking requirements on new development within ½ mile of transit, as defined in the bill. It also includes other provisions.

AB 2097:

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB2097

Residential Development on Commercial Sites: AB 2011, the Affordable Housing and High Road Jobs Act of 2022, and SB 6, the Middle Class Housing Act of 2022, require the City to ministerially approve residential and mixed-use developments on sites currently zoned for office, retail and/or parking. The Bills also includes other provisions.

AB 2011:

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB2011

SB 6:

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220

SB6

