



500 S. Main Street, Suite #410, Orange, CA 92868 | P: (714) 953-1300 | F: (714) 953-1302 | www.ACCOC.org

May 30, 2017

The Honorable Richard Bloom
State Capitol
P.O. Box 942849
Sacramento, CA 94249-0050

RE: AB 1585 (Bloom) Planning and zoning: affordable housing: single application. – OPPOSE

Dear Assemblyman Bloom,

The Association of California Cities – Orange County (ACC-OC) would like to express its opposition to the proposed legislation Assembly Bill 1585 (Bloom). This bill establishes an affordable housing zoning board in each city and county to process a comprehensive permit for specified housing developments that include affordable housing units. Finding a balance between achieving housing goals and maintaining local discretion is important when addressing our housing shortfall, unfortunately this bill misses that mark.

Currently, Planning and Zoning Law requires a city or county to adopt a general plan for land use development within its boundaries that includes, among other things, a housing element. Existing law provides for various reforms and incentives intended to facilitate and expedite the construction of affordable housing, and requires the Department of Housing and Community Development, in consultation with each council of governments, to determine existing and projected needs for housing for each region. Each council of governments adopts a final regional housing need plan that allocates a share of the regional housing need to each city or county. AB 1585 would change this process by establishing a single permit application for housing developments that receive state, federal or local funding for affordable housing. These projects would include housing developments that have at least 15% affordable units (5% for individuals that make 60% of the area median income (AMI) and 10% for those that make 80% of the AMI).

According to AB 1585's analysis, the permit would be reviewed and processed by a local affordable housing zoning board made up of the members of the planning commission, who would serve in an ex officio capacity. The board would be required to conduct a public hearing on a permit application within 30 days of receipt of the application. The developer, any local agencies affected by the permit and any other person who would be substantially affected by the permit would have the right to appear at the hearing. The public hearing would have to be completed within 180 days and the board would be required to approve, deny, or approve the permit with conditions by majority vote within 40 days after the public hearing is concluded. The board cannot approve a development that nullifies the general plan or zoning ordinances of a local government, but may grant a density bonus to the development. This bill would affect public agencies or nonprofit organizations proposing to



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build affordable housing units that will receive full or partial funding through a state or federal program.

Unfortunately, the need for this bill seems unclear. Current law already accounts for a housing approval process through City Council and Planning Commissions that act as what this bill describes as the “affordable housing zoning board”. This system would create unnecessary duplication, and an unfunded state mandate for local governments. Additionally, language to adopt this process remains vague and does not account for what governing body would create this board and how current state laws and obligations would work in concurrence with this new system such as environmental reviews, and other permitting authorities.

The well-being of California’s cities is of paramount importance to the ACC-OC, including the housing needs of cities. For this and the reasons described above, the Association of California Cities – Orange County opposes AB 1585. Should you have any questions about our position or about the ACC-OC, please contact Diana Coronado, ACC-OC’s Legislative Affairs Director, at (714) 953-1300 or at dcoronado@accoc.org.

Sincerely,

Heather Stratman
Chief Executive Officer
Association of California Cities – Orange County

CC:

ACC-OC Board of Directors
Orange County State Legislative Delegation