

Date of Hearing: June 2, 2020

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Lorena Gonzalez, Chair

AB 3234 (Gloria) – As Amended May 18, 2020

Policy Committee: Local Government

Vote: 8 - 0

Urgency: No

State Mandated Local Program: Yes

Reimbursable: No

SUMMARY:

This bill authorizes cities and counties to adopt small lot ordinances, exempt from CEQA, to create small lot subdivisions on infill sites less than five acres in size that meet certain requirements. This bill also aligns Subdivision Map Act (SMA) approval of tentative and parcel maps for housing development projects with provisions of the Housing Accountability Act.

FISCAL EFFECT:

No state costs. Certain provisions of this bill are optional for cities and counties and are therefore, not reimbursable by the state. Other provisions may result in state mandated local costs, but these costs are not reimbursable by the state because local agencies have the authority to levy fees to cover these costs.

COMMENTS:

- 1) **Purpose.** This bill seeks to encourage development of small lot homes by allowing cities and counties to adopt local ordinances, exempt from CEQA, that streamline the subdivision process for small lot subdivisions and meet certain objective standards. According to the author:

[This bill] establishes an opt-in small lot subdivision framework for local agencies to consider adopting. The framework limits the number of improvements an agency may impose upon a subdivided parcel while ensuring this time-certain process is limited to urban infill areas where the supporting infrastructure already exists. By providing housing development project proponents the needed certainty when considering whether to subdivide a parcel, this bill maintains local control of planning decisions while helping to spur the production of desperately needed housing units.

- 2) **Background.** The SMA establishes a statewide regulatory framework for controlling the subdividing of land. Cities and counties approve tentative maps that are consistent with their general plans, typically attaching numerous conditions. Once subdividers comply with those conditions, local officials must issue final maps.

For smaller subdivisions the conditions local governments can require is limited and local officials issue parcel maps rather than tentative and final maps. Parcel maps may be approved through a one-step discretionary process.

Under the SMA, creating higher-density small lot homes on undeveloped parcels typically requires a developer to go through a two-step tentative and final map process before construction can proceed, even if the small lot homes would achieve the same density as a multifamily dwelling complex built on the same existing parcel.

This bill allows subdivisions designed to create small lot homes that comply with objective requirements to use a single-step parcel map approval process.

- 3) **Related Legislation.** This bill includes provisions that are substantially similar to provisions in and AB 3155 (R. Rivas), of this legislative session. AB 3155 is pending hearing in this committee. Should both bills move forward, the authors should work to resolve any overlapping or conflicting provisions.

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