
SENATE COMMITTEE ON LOCAL GOVERNMENT

Senator María Elena Durazo, Chair
2025 - 2026 Regular

Bill No: AB 648
Author: Zbur
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Hearing Date: 7/16/25
Fiscal: No
Consultant: Peterson

COMMUNITY COLLEGES: HOUSING: LOCAL ZONING REGULATIONS: EXEMPTION

Makes the construction of a faculty, staff, or student housing project exempt from local zoning if constructed on property the community college districts owns or leases if the parcel is within ½ mile of a main or satellite community college campus.

Background

The California Constitution allows cities and counties to “make and enforce within its limits, all local, police, sanitary and other ordinances and regulations not in conflict with general laws.” It is from this fundamental power (commonly called the police power) that cities and counties derive their authority to regulate behavior to preserve the health, safety, and welfare of the public—including land use authority.

Planning and Zoning Law. State law provides additional powers and duties for cities and counties regarding land use. The Planning and Zoning Law requires every county and city to adopt a general plan that sets out planned uses for all of the area covered by the plan. A general plan must include specified mandatory “elements,” including a housing element that establishes the locations and densities of housing, and a land use element that describes the general categories of uses (such as multifamily residential, single family residential, retail commercial, and open space) that are allowed in specific portions of a jurisdiction. Cities’ and counties’ major land use decisions—including zoning ordinances and other aspects of development permitting—must be consistent with their general plans. General plans also include policies, standards, and mitigation measures that developments must comply with, to protect against flood hazards, fire hazards, and climate change, and to further environmental justice, among other state goals.

Local governments use their police power to enact zoning ordinances that establish the types of land uses that are allowed or authorized in an area. Zoning ordinances also contain provisions to physically shape development and impose other requirements, such as setting maximum heights and densities for housing units, minimum numbers of required parking spaces, setbacks, and lot coverage ratios. These ordinances can also include conditions on development to address aesthetics, community impacts, or other particular site-specific considerations.

Housing challenges at colleges and universities. California’s higher education system is split up into three segments: the University of California (UC) system, the California State University (CSU) system, and the California Community Colleges (CCC) system. While UCs and CSUs focus on four-year and advanced degrees, CCCs offer academic and vocational instruction at the lower division level for both younger and older students. California has 116 community

colleges, organized into 73 community college districts (CCDs). These CCDs operate the community colleges within the district, including by entering into leases and agreements relating to real property and buildings for district use. Of the 116 community colleges, 12 currently offer student housing.

While many Californians are experiencing the state's housing crisis firsthand, students at colleges and universities face particularly acute challenges given that they face both housing and education costs. According to the May 2024 *Update on Student Housing Assistance* by the Legislative Analyst's Office, "Rates of students reporting homelessness at some point over the past 12 months ranged from 8 percent of respondents at UC to 24 percent of respondents at CCC." These rates were even greater for Black students, students qualifying for federal student aid, and LGBTQ students. The most commonly cited measure of homelessness in California comes from a point-in-time count required every other year by the U.S. Department of Housing and Urban Development. Based on the most recent point-in-time count, 187,084 people in California (0.5% of the total population) experienced homelessness on a single night in January 2023. While these data sources are calculated differently, it suggests that students may experience higher rates of homelessness than Californians generally.

To provide additional housing opportunities for community college students and staff, the author wants to streamline the development of housing projects near community colleges by bypassing local zoning.

Proposed Law

Assembly Bill 648 makes the construction of a faculty, staff, and/or student housing project exempt from local zoning if constructed on property the community college districts owns or leases if the parcel is within ½ mile of a main or satellite community college campus.

The measure defines its terms.

Comments

1. Purpose of the bill. According to the author, "This bill is aimed at addressing housing insecurity for our community college students and staff and preventing homelessness. California's community college students face some of the highest rates of housing insecurity and homelessness in the state. By eliminating zoning barriers to the construction of critical housing projects, California will take another bold step toward tackling our affordable housing crisis. Housing is a fundamental need for community college students and staff. This legislation will cut through red tape and ensure that students can focus on their studies, and staff can focus on their work, without the stress of not knowing where they will sleep at night."

2. One size fits all? California is a geographically and demographically diverse state, and that is reflected in its 482 cities and 58 counties. Local elected officials for each of those municipalities are charged by the California Constitution with protecting their citizens' welfare. One chief way local governments do this is by exercising control over what gets built in their community. Local officials weigh the need for additional housing against the concerns and desires of their constituents. Where appropriate, those officials enact ordinances to shape their communities based on local conditions and desires. Moreover, these planning actions and decisions take place within the confines of state laws that require local governments to plan and zone for new housing, subject to approval by the Department of Housing and Community Development, and

under threat of fines for improper denial as a result of recent legislation on the Housing Accountability Act. AB 648 disregards these efforts and the unique features of California's communities by exempting housing projects on community college land from local zoning standards. While the bill is limited to land the community college district owns or leases, it bypasses the local deliberative process where local officials elected in part to manage development take into account the needs of all residents in the community. Instead, it hands these decisions over to a community college concerned with the needs of the students, faculty, and staff, missing out on balancing competing needs.

3. What about us? Unlike schools in the University of California (UC) or California State University (CSU) system, community colleges are not state entities. While the UC and CSU systems operate as centralized state agencies with broad statewide mandates and relatively autonomous Boards, CCDs reflect and respond to the specific needs of the regions they serve. Since the State Constitution created UCs and CSUs, and therefore controls their organization and governance, they are not subject to regulations of local governments when using the property under their control in furtherance of their academic mission. However, CCDs do not enjoy this same flexibility since they are not state agencies. While all development projects for public institutions remain subject to state-level environmental review under the California Environmental Quality Act (CEQA), only CCDs must follow local zoning. Should CCDs enjoy the same authority that UCs and CSUs enjoy?

4. Gotta keep 'em separated. A fundamental principle of zoning since the United States Supreme Court upheld an early zoning ordinance in 1926 (*Village of Euclid v. Ambler Realty Co.*, 272 U.S. 365 (1926)) has been that allowing some uses in one area but prohibiting others can be integral to protecting the public welfare. Local governments have historically separated uses to avoid siting incompatible activities, such as agriculture and residential activity, near one another. It also mitigates potential public health issues, such as air pollution impacts from heavy industrial uses on nearby residents. AB 648 exempts faculty, staff, and/or student housing project exempt from local zoning if constructed on property the community college districts owns or leases, which contravenes this principle. It also undermines the planning decisions made by local officials, who established which uses are allowed and at what intensity. However, AB 648 does not define local zoning, meaning it is unclear exactly where this exemption applies. For example, local governments zone some land for industrial purposes only. AB 648 would allow CCDs to build housing in these areas regardless of whether infrastructure and amenities exist to support it. The Committee may wish to consider amending the bill to clarify the parameters of this exemption.

5. Leaving no one behind. While AB 648 is intended to enable more CCDs to construct housing for their students and employees, it does not include provisions to ensure that units are affordable to all students, faculty, and staff, not just those who can already afford market-rate housing. Many other housing bills include affordability requirements to ensure that some percentage of the units developed remain affordable to certain incomes. Without such a restriction, housing may only be affordable to students, faculty, and staff at higher income levels. Students who need affordable housing can receive financial aid to help pay for housing. However, faculty and staff cannot. While some faculty and staff might be able to afford market rate rents, lower earning workers may not afford the housing that get built. AB 648 leaves decisions about the types of housing that gets built up to CCDs, but it is unclear this guarantees affordable housing opportunities. The Committee may wish to consider amending the bill to include an affordability requirement.

6. Let's get technical. AB 648 applies to faculty, staff, student, and university housing projects. However, faculty, staff, and student housing projects are already included in the definition of university housing projects, including at community colleges. Additionally, the measure applies to satellite campuses, but does not define that term. To clarify which projects the bill applies to, the Committee may wish to consider amending the bill to clean up these definitions.

7. Charter city. The California Constitution allows cities that adopt charters to control their own "municipal affairs." In all other matters, charter cities must follow the general, statewide laws. Because the Constitution doesn't define "municipal affairs," the courts determine whether a topic is a municipal affair or whether it's an issue of statewide concern. AB 648 says that it applies to all cities, including charter cities. To support this assertion, the bill includes a legislative finding and declaration that addressing California's growing affordable housing shortage and its impact on students is a matter of statewide concern.

8. Related legislation. The Legislature is considering other measures related to AB 648:

- AB 893 (Fong) expands provisions to allow for the use of the streamlined, ministerial review process for housing development projects to campus development zones. The measure is also scheduled for the Committee's July 16th meeting.
- AB 1021 (Wicks), which this Committee passed at its July 2nd meeting on a 6-1 vote, makes numerous changes to the provisions that make housing developments an allowable use on land owned by a local educational agency and exempts these housing developments from the California Environmental Quality Act. The measure is currently pending in the Committee on Housing.

9. Incoming! The Senate Rules Committee has ordered a double referral of AB 648: first to the Committee on Education, which approved AB 648 at its June 18th hearing on a vote of 6-1, and second to the Committee on Local Government.

Assembly Actions

Assembly Higher Education Committee:	7-3
Assembly Local Government Committee:	9-0
Assembly Floor:	63-5

Support and Opposition (7/11/25)

Support: Los Angeles Community College District (Co-Sponsor)
 Santa Monica Community College District (Co-Sponsor)
 Student Homes Coalition (Co-Sponsor)
 Abundant Housing LA
 Associated General Contractors, California Chapters
 Association of California Community College Administrators
 Cabrillo Community College District
 California Apartment Association
 California Community Colleges Chancellor's Office
 California Yimby
 Circulate San Diego
 City of Santa Monica

Coast Community College District
College of the Redwoods
Community College League of California
Community for Excellent Public Schools
Compton Community College District
County of Los Angeles Board of Supervisors
Cuesta College
East Bay Yimby
Foothill-de Anza Community College District
Genup
Grow the Richmond
Housing Is a Human Right Oc (HHROC)
Long Beach Community College Distict
Los Angeles Community College District Academic Senate
Los Rios Community College District
Mountain View Yimby
Napa-solano for Everyone
Northern Neighbors Sf
Peninsula for Everyone
People for Housing - Orange County
Power CA Action
Power California Action
Riverside Community College District
Safe Place for Youth
San Diego Community College District
San Diego Housing Federation
San Diego Unified School District
San Francisco Yimby
San Jose-evergreen Community College District
Santa Cruz Yimby
Santa Monica Democratic Club
Santa Rosa Yimby
Sloco Yimby
South Bay Yimby
Southern California College Attainment Network
Spur
Streets for All
Student Senate for California Community Colleges
The Two Hundred
Ventura County Yimby
Welcoming Neighbors Home
Yimby Action
Yimby Los Angeles

Opposition: City of Cupertino

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