



## Land Use, Housing & Air Quality Committee

June 4, 2007

### Regional Housing Needs Allocation (RHNA) – Assembly Bill 414 Update

**Issue:** AB 414 would further restrict the amount of non-residential zoned land eligible for use in Housing Elements.

**Recommendation:** Staff is presenting this information without a recommendation; the Land Use, Housing & Air Quality Committee may choose to submit a recommendation for action by the Board to support, oppose or take no position.

**Discussion:** This item is to provide enough background on State Assembly Bill 414 (Jones) for the Committee to discuss whether it wishes to forward a policy position to the SACOG Board. AB 414 would limit the percentage of a jurisdiction's Regional Housing Needs Allocation (RHNA) that could be met by vacant sites zoned for non-residential uses. Currently, state law (Gov. Code Section 65583.2(H)) states that at least 50% of the very low and low-income allocation that a jurisdiction receives from the RHNA shall be accommodated on sites designated for residential use and for which nonresidential or mixed-uses are not permitted. Another way of stating this is that no more than 50% of the allocations in these income categories can come from non-residential zoned land. AB 414 proposes to further limit the use of non-residential zoning in meeting RHNA: first by allowing only half of the total residential capacity of such land to be counted and second by allowing no more that 30% of the lower income RHNA to be met by such land. The limitations do not apply to mixed-use sites.

Some local governments may perceive that this bill may create a hardship in meeting their Housing Element requirements. Jurisdictions may depend on converting their commercial lands into higher density residential lands. One reason is that these lands are located on transportation corridors with adjacent transit services. Another reason is some jurisdictions have no or limited amounts of vacant lands and must rezone existing uses to meet their housing elements requirements. Third, some jurisdictions only zone land when they adopt specific plans.

AB 414 was approved by the Assembly on May 31 and is headed to the Senate. The staff's current estimate is that it would not reach the Senate floor until mid/late June at the earliest. The current version of the bill is attached.

Approved by:

Mike McKeever  
Executive Director

MM:GC:ts  
Attachment

Key Staff: Kenneth Hough, Director of Community Planning & Operations, (916) 340-6229  
Gordon Garry, Director of Research & Analysis, (916) 340-6230  
Greg Chew, Senior Planner, (916) 340-6227