

HOUSING & LOCAL PLANNING

Understanding the changing relationship
between State requirements and local
decision-making



WHY ARE WE TALKING ABOUT THIS?

California's approach to housing has changed significantly, affecting how cities plan for and review housing.

Since 2017, the State has enacted more than **200 housing laws**, affecting:



How Cities plan
for housing



Where housing can
be developed



How much
housing may
be developed



How housing
applications
are reviewed



How much
discretion local
governments
have

The City still plans for its community, but **State law increasingly establishes the rules** within which that planning occurs.



WHO DOES WHAT?

Cities generally do not build housing. The City's role is to plan for housing and establish the local framework for where and how housing can be developed.



THE STATE: Establishes housing requirements cities must follow and increasingly sets parameters for zoning, density, development standards, approval processes, and timelines.

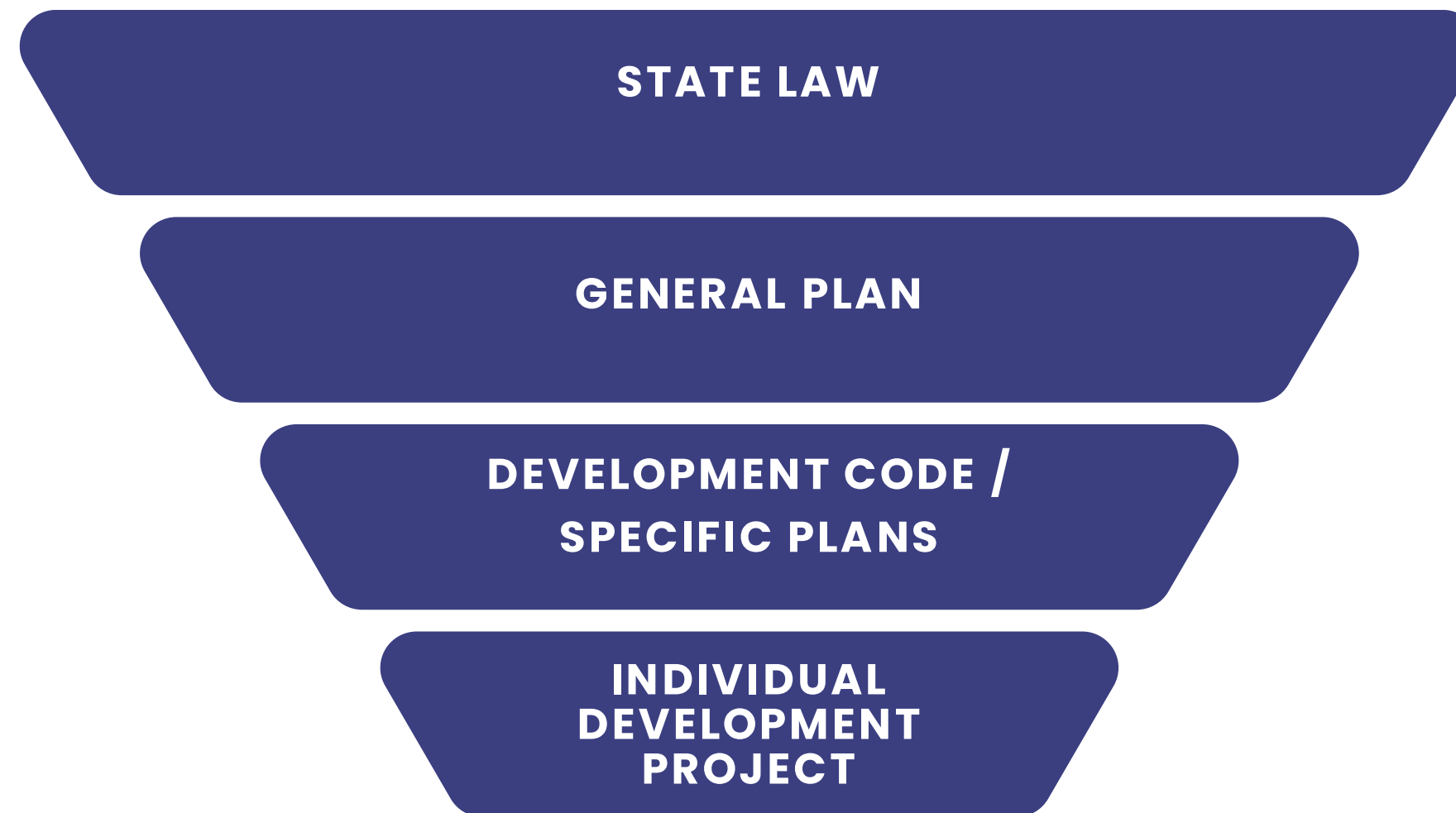


THE CITY: Plans and zones for current and future housing needs; establishes local development standards; plans for infrastructure and public services; and reviews housing applications.



PROPERTY OWNERS & DEVELOPERS: Decide whether and when to propose, finance, and build housing.

HOW THE LOCAL PLANNING FRAMEWORK WORKS



Local planning documents establish the City's framework for development, but they must remain consistent with State law.

What Changed Since 2017?

California housing law has increasingly changed local housing decision-making



2017

Major state housing reform begins



2019–2020

More State requirements, less local review



2021

More housing types must be allowed



2022–2024

More sites qualify for housing



2025–Present

Streamlining and enforcement continue

Bottom line: Local planning still matters, but State law increasingly shapes what cities can require and allow.

200+ state housing laws enacted since 2017.

- **200+ Bills**
- **5 Major Themes**



Increased State Oversight



Increased Housing Capacity



Greater Reliance on Objective Standards



Expanded Ministerial & Streamlined Review



Greater Procedural Requirements & Limits on Local Action

Collectively, these laws have shifted portions of housing regulation from locally determined processed toward State-established standards and procedures.

STATE HOUSING LAWS

STREAMLINE APPROVAL

- **SB 35 / SB 423**
- **AB 2011**
- **SB 684**

LIMIT LOCAL DENIAL OR DENSITY REDUCTIONS

- **Housing
Accountability
Act**
- **SB 330**

CREATE ADDITIONAL HOUSING OPPORTUNITIES

- **ADU Laws**
- **SB 9**
- **Density Bonus
Law**

These laws do not apply to every project. Eligibility depends on the applicable law, site, zoning, project characteristics, and other statutory criteria.



WHAT DOES THIS MEAN FOR LOCAL DECISION MAKING?

State housing laws can affect:

- **WHAT** can be built
- **WHERE** certain housing can be built
- **HOW** certain projects are reviewed
- **WHEN** projects must be reviewed or acted upon
- **WHICH** development standards apply

State law can limit the City's ability to deny a qualifying project, reduce its proposed density, impose certain standards, or require discretionary review.



WHY CAN A PROJECT LOOK DIFFERENT FROM THE ZONING MAP?

Base zoning is not always the final development envelope. State housing laws can affect:

DENSITY – Qualifying projects may receive additional density.

DEVELOPMENT STANDARDS – Certain standards may be modified or waived under applicable laws.

PARKING – State law limits minimum parking requirements for certain qualifying projects and locations.

REVIEW – Some qualifying projects are subject to ministerial or streamlined review. The City evaluates both local zoning and applicable State housing laws when reviewing a project.







WHO DECIDES WHAT GETS BUILT?

It depends on the law, the project and the review process.

DISCRETIONARY REVIEW	MINISTERIAL REVIEW
City exercises judgement	City determines compliance with applicable objective standards.
May require public hearings and discretionary findings.	Does not involve discretionary public hearing or subjective findings for approval.
May require CEQA review	Generally, not subject to CEQA.
Greater local discretion	State Law limits discretion

Discretionary review asks, "Should this project be approved based on the applicable requirements and findings?"

Ministerial review asks, "Does this project meet the applicable requirements?"

Bottom line: Not every housing project is subject to the same review process.



WHAT IS RHNA?



RHNA REQUIREMENTS

- ✓ Plan for sufficient housing capacity
 - ✓ Identify appropriate sites
- ✓ Maintain appropriate zoning capacity
- ✓ Address governmental constraints to housing
- ✓ Demonstrate compliance through the Housing Element Annual Progress report

WHAT IT DOES NOT MEAN

- ✗ The City must construct housing
- ✗ Housing is automatically approved
- ✗ Every parcel must accommodate housing

PLAN ≠ BUILD ≠ AUTOMATIC APPROVAL



WHAT IS RHNA?



Income Level	RHNA Allocation	Approved	Built
Very Low Income (15%-50% AMI)	3,245	45	37
Low Income (50%-80% AMI)	1,920	0	65
Moderate Income (80%-120% AMI)	2,038	0	47
Above Moderate Income	3,322	3,550	1,886
Total	10,525	3,595	2,035

AMI – Area Median Income

The City must demonstrate through its Housing Element that adequate capacity is available to accommodate its assigned housing need.

STATE OVERSIGHT AND ENFORCEMENT



STATE LEGISLATURE



STATE HOUSING LAWS



HCD OVERSIGHT



CITY IMPLEMENTATION



NOTE: Courts may also determine how State requirements apply in particular circumstances

What happens if the City does not comply with State Housing Laws?



Failure to comply may subject the City to:



State enforcement actions



Heavy fines and civil penalties



Loss of State funding



Lawsuits and State enforcement



Loss of local control

LOCAL PLANNING STILL MATTERS

The City continues to control and influence:

LONG-RANGE PLANNING

- General Plan
- Housing Element
- Specific Plans

LOCAL REGULATIONS

- Zoning
- Objective Development Standards
- Design Standards

COMMUNITY INVESTMENT

- Roads
- Utilities
- Parks
- Public Facilities
- Infrastructure

IMPLEMENTATION

- Development Review
- State Law Implementation
- Community Engagement

State law limits local discretion in certain areas – but it does not eliminate local planning.

State Requirements Create Local Costs

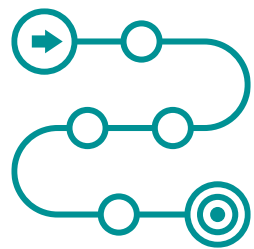
-  **STAFF TIME:** Development review, monitoring and implementation
-  **CONSULTANTS:** Planning and technical assistance
-  **LEGAL SERVICES:** Legal interpretation, compliance and litigation
-  **PLAN & CODE UPDATES:** General Plan and Development Code amendments
-  **ONGOING COMPLIANCE:** Monitoring, reporting and responding to State requirements

The State establishes requirements, but the City generally absorbs administrative and implementation costs within its existing budget.

WHAT CAN RANCHO CUCAMONGA DO?



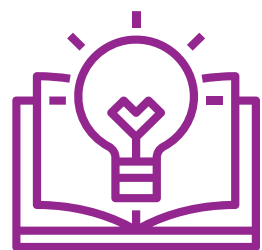
COMPLY Implement applicable state law and process housing applications according to required standards and timelines.



PLAN Use the General Plan, Housing Element, Specific Plans, Development Code, infrastructure investments and objective standards where local authority remains.



ADVOCATE Communicate local impacts, provide input and participate in the legislative process.



EDUCATE Help residents understand City decisions, processes and topics that affect the community through accessible information and resources.



KEY TAKEAWAYS

1. **The State establishes increasingly detailed requirements** for housing.
2. **The City is responsible for planning** for housing—not building the housing itself.
3. **Developers determine what projects to pursue** based on market conditions and financial feasibility.
4. **State law can limit local discretion** for qualifying housing projects.
5. Within the authority that remains, **the City continues to shape the community** through planning, standards, infrastructure, and implementation.

The City's challenge is to meet State housing requirements while using the authority that remains to plan for a high-quality, sustainable, and livable community.



THANK YOU

