

**ASSEMBLY BILL**

**No. 1970**

**Introduced by Assembly Member Harman**

February 12, 2004

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An act to add Section 65584.7 to the Government Code, relating to land use.

LEGISLATIVE COUNSEL'S DIGEST

AB 1970, as introduced, Harman. Land use: housing element.

The Planning and Zoning Law requires a city or county to adopt a general plan for land use development that includes, among other things, a housing element. It also requires the Department of Housing and Community Development to determine the regional share of the statewide housing need, as specified, and for each council of governments to determine the existing and projected housing need for its region.

This bill would authorize a city that meets specified requirements to adopt a housing element that makes no provision for new housing or the share of regional housing needs.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 65584.7 is added to the Government
- 2 Code, to read:
- 3 65584.7. A city may elect to adopt a housing element that
- 4 makes no provision for new housing or the share of regional
- 5 housing needs as determined pursuant to Section 65584 for current

- 1 and subsequent revisions of the housing element pursuant to  
2 Section 65588 if the following conditions are met:
- 3 (a) At least 50 percent of the existing housing units are  
4 affordable to persons of very low, low, or moderate income, as  
5 determined by the 2000 Census.
  - 6 (b) The city has a population of less than 25,000 people.
  - 7 (c) The city is partially located within a coastal zone.
  - 8 (d) The city determines, by the adoption of a resolution or  
9 ordinance, that, on the basis of the inventory of land conducted  
10 pursuant to paragraph (3) of subdivision (a) of Section 65583 that  
11 less than 5 percent of the aggregate area of the city is suitable for  
12 residential development.

