

AMENDED IN SENATE JUNE 21, 2016

AMENDED IN ASSEMBLY JANUARY 13, 2016

AMENDED IN ASSEMBLY JANUARY 4, 2016

AMENDED IN ASSEMBLY APRIL 16, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1500**

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**Introduced by Assembly Member ~~Maienschein Atkins~~  
(~~Coauthors: Assembly Members Mullin and Steinorth~~)**

February 27, 2015

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~~An act to add Section 65583.5 to the Government Code, relating to land use. An act to amend Section 375 of the Streets and Highways Code, relating to state highways.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1500, as amended, ~~Maienschein Atkins. Planning and zoning: housing element: supportive housing and transitional housing. State highways: relinquishment: Route 75.~~

*Existing law gives the Department of Transportation full possession and control of all state highways. Existing law describes the authorized routes in the state highway system and establishes a process for adoption of a highway on an authorized route by the California Transportation Commission. Existing law authorizes the commission to relinquish to local agencies state highway segments that have been deleted from the state highway system by legislative enactment or have been superseded by relocation, and in certain other cases.*

*This bill would authorize the commission to relinquish to the Cities of Imperial Beach and San Diego specified portions of Route 75, under certain conditions.*

~~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. That law requires the housing element to include an assessment of housing needs and an inventory of resources and constraints relevant to the meeting of these needs. That law requires this assessment and inventory to include the identification of a zone or zones where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit, as provided.~~

~~This bill would authorize a city or county to additionally include in its assessment and inventory the identification of supportive housing and transitional housing, as those terms are defined in specified statutes. If a local government elects to include this identification in its assessment and inventory, the bill would impose certain requirements, including that the identified zone or zones include sufficient capacity to accommodate the need for supportive housing or transitional housing, that the local government demonstrate that existing or proposed permit processing, development, and management standards are objective and encourage and facilitate the development of supportive housing or transitional housing, and that supportive housing or transitional housing generally be subject only to the development and management standards that apply to residential or commercial development within the same zone. The bill would also provide that the permit processing, development, and management standards applied under these provisions would not be discretionary acts within the meaning of the California Environmental Quality Act.~~

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

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

- 1     SECTION 1. Section 375 of the Streets and Highways Code is
- 2     amended to read:
- 3     375. (a) Route 75 is from Route 5 to Route 5 via the Silver
- 4     Strand and the San Diego-Coronado Toll Bridge.
- 5     (b) Upon a determination by the commission that it is in the
- 6     best interests of the state to do so, the commission may, upon terms
- 7     and conditions approved by it, relinquish portions of Route 75, if

1 *the department and the applicable local agency enter into an*  
2 *agreement providing for that relinquishment, as follows:*

3 *(1) To the City of Imperial Beach, the portions of Route 75*  
4 *within its city limits.*

5 *(2) To the City of San Diego, the portions of Route 75 within*  
6 *its city limits.*

7 *(c) The following conditions apply upon relinquishment:*

8 *(1) The relinquishment shall become effective on the date*  
9 *following the county recorder's recordation of the relinquishment*  
10 *resolution containing the commission's approval of the terms and*  
11 *conditions of the relinquishment.*

12 *(2) On and after the effective date of the relinquishment, the*  
13 *relinquished portions of Route 75 shall cease to be a state highway.*

14 *(3) The portions of Route 75 relinquished under subdivision (b)*  
15 *and this subdivision shall be ineligible for future adoption under*  
16 *Section 81.*

17 *(4) The Cities of Imperial Beach and San Diego shall ensure*  
18 *the continuity of traffic flow on the relinquished portions of Route*  
19 *75, including any traffic signal progression.*

20 *(5) For the portions of Route 75 relinquished under subdivision*  
21 *(b) and this subdivision, the Cities of Imperial Beach and San*  
22 *Diego shall install and maintain, within their respective*  
23 *jurisdictions, signs directing motorists to the continuation of Route*  
24 *75 to the extent deemed necessary by the department.*

25 ~~SECTION 1. Section 65583.5 is added to the Government~~  
26 ~~Code, to read:~~

27 ~~65583.5. The assessment and inventory adopted pursuant to~~  
28 ~~subdivision (a) of Section 65583 may include the identification of~~  
29 ~~a zone or zones where supportive housing, as defined in paragraph~~  
30 ~~(2) of subdivision (b) of Section 50675.14 of the Health and Safety~~  
31 ~~Code, or transitional housing, as defined in Section 50801 of the~~  
32 ~~Health and Safety Code, is allowed as a permitted use without a~~  
33 ~~conditional use or other discretionary permit. If the local~~  
34 ~~government elects to identify a zone or zones pursuant to this~~  
35 ~~section, all of the following shall apply:~~

36 ~~(a) The identified zone or zones shall include sufficient capacity~~  
37 ~~to accommodate the need for supportive housing or transitional~~  
38 ~~housing. If the local government cannot identify a zone or zones~~  
39 ~~with sufficient capacity, the local government shall include a~~  
40 ~~program to amend its zoning ordinance to meet the requirements~~

1 of this section within one year of the adoption of the housing  
2 element. The local government may identify additional zones  
3 where supportive housing or transitional housing is permitted with  
4 a conditional use permit.

5 (b) The local government shall also demonstrate that existing  
6 or proposed permit processing, development, and management  
7 standards are objective and encourage and facilitate the  
8 development of, or conversion to, supportive housing or transitional  
9 housing. Supportive housing or transitional housing may only be  
10 subject to those development and management standards that apply  
11 to residential or commercial development within the same zone  
12 except that a local government may apply written, objective  
13 standards.

14 (c) The permit processing, development, and management  
15 standards applied under this section shall not be deemed to be  
16 discretionary acts within the meaning of the California  
17 Environmental Quality Act (Division 13 (commencing with Section  
18 21000) of the Public Resources Code).