



Senate Housing Production

LEGISLATIVE PACKAGE

SB 1385 FACT SHEET

SB 1385 (CABALLERO, RUBIO): This bill would unlock existing land zoned for commercial office and retail for potential residential development by making housing an eligible use on those sites.

IMPACT ON HOUSING PRODUCTION: Even before COVID-19, many large-scale commercial developers were moving toward mixed-use projects that integrate live/work/play uses into one neighborhood. This trend has only been accelerated by the COVID-19 crisis, and this bill reflects the need to update the development landscape statewide to embrace that evolution and create much-needed housing alongside office and retail.

REQUIREMENTS:

- The site's density meets or exceeds the level needed to accommodate multifamily affordable housing.
- Local zoning, parking, design, and other ordinances that apply to other areas zoned for multifamily housing in the jurisdiction also apply.
- Any housing development that utilizes this provision complies with any design review or public notice, comment, or hearing process.

THE BILL ALSO WOULD:

- Allow for streamlined ministerial approval of housing projects on land zoned for office or retail commercial use when the site has been vacant or severely underutilized (less than 50% of available square footage) for at least three (3) years and the project meets the existing requirements for by-right housing:
 - a. Consistent with objective zoning, subdivision, and design-review standards.
 - b. Does not require demolition of a historic structure.
 - c. Located outside of environmentally sensitive areas, as specified.
 - d. Provides at least 10% affordable housing (increased to 50% in jurisdictions that are building enough middle-income housing but not enough low-income housing).
 - e. Does not affect existing affordable housing, rent-controlled housing, or housing where tenants have resided in the last 10 years.
 - f. Provides prevailing wage to all workers (regardless of public works status) and uses a skilled and trained workforce for midsize projects (generally 50-75+ units).
 - g. Provides one (1) parking space/unit unless located near transit/in a historic district/near a car-share.