

Date of Hearing: March 18, 2025

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Mike Fong, Chair

AB 648 (Zbur) – As Introduced February 13, 2025

[Note: This bill is double referred to the Assembly Committee on Local Government and will be heard by that Committee as it relates to issues under its jurisdiction.]

SUBJECT: Community colleges: housing: local zoning regulations: exemption.

SUMMARY: Exempts the construction of faculty and staff housing projects, student housing projects, and university housing development projects, as defined, from local zoning regulations of any city, county, or city and county when constructed on property owned or leased by a community college district (CCD). Specifically, **this bill:**

- 1) Stipulates that, notwithstanding any other law, the construction of a faculty and staff housing project, student housing project, or university housing development project shall be exempt from local zoning regulations of a city, county, or city and county when constructed on property owned or leased by a CCD.
- 2) Defines the following terms for purposes of this measure:
 - a) “Faculty and staff housing project” has the same meaning as set forth in Section 21080.58 of the Public Resources Code (PRC);
 - b) “Student housing project” has the same meaning as set forth in Section 21080.58 of the PRC; and,
 - c) “University housing development project” has the same meaning as set forth in Section 21080.58 of the PRC.
- 3) Finds and declares that the construction of a faculty and staff housing project, student housing project, or university housing development project on property owned or leased by a CCD is a state priority to address California’s growing affordable housing shortage and its impact on students, is consistent with the state’s development and funding of a holistic, student-centered, affordability and basic needs infrastructure, furthers the state’s interest in advancing economic development through education and training, is a matter of statewide concern, and is not a municipal affair, as defined in Section 5 of Article XI of the California Constitution. Therefore, Section 1 of this act adding Section 81055 to the Education Code applies to all cities, including charter cities.

EXISTING LAW:

- 1) Establishes the California Community Colleges (CCC) as a postsecondary education system in this state, under the administration of the Board of Governors; and, specifies that the CCC consist of CCDs (Education Code (EC) Section 70900).

- 2) Establishes the mission and function of the CCC, which, in part is to: 1) offer academic and vocational instruction at the lower division level for both younger and older students, including those persons returning to school; 2) authorizes the CCC to grant the associate in arts and the associate in science degrees; 3) requires the CCC to offer English as a Second Language instruction, adult noncredit instruction, and support services which help students succeed at the postsecondary level; and, 4) advance California's economic growth and global competitiveness through education, training, and services that contribute to continuous work force improvement (EC Section 66010.4).
- 3) Defines the following terms:
 - a) "Faculty and staff housing project" to mean one or more housing facilities to be occupied by faculty or staff of one or more campuses, and owned by a public university, including dining, academic, and faculty and staff support service spaces and other necessary and usual attendant and related facilities and equipment;
 - b) "Student housing project" to mean one or more housing facilities to be occupied by students of one or more campuses and owned by a public university, including dining, academic and student support service spaces, and other necessary and usual attendant and related facilities and equipment; and,
 - c) "University housing development project" means a student housing project or a faculty and staff housing project that is not located, in whole or in part, on a site that is any of the following:
 - i) Either prime farmland or farmland of statewide importance, as defined;
 - ii) Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993);
 - iii) Within a very high fire hazard severity zone, as specified;
 - iv) Either a hazardous waste site as specified;
 - v) Within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist; and
 - vi) Within a special flood hazard area subject to inundation by a 1% annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency (PRC Section 21080.58).

FISCAL EFFECT: Unknown. This measure is keyed non-fiscal by the Legislative Counsel.

COMMENTS: *Purpose of the measure.* According to the author, "this bill is aimed at addressing housing insecurity for our community college students and staff and preventing

homelessness. California's community college students face some of the highest rates of housing insecurity and homelessness in the state.

The author contends that, "with over 70% of CCC students coming from diverse backgrounds, the system has become a critical pathway for marginalized populations seeking access to higher education and economic mobility. By removing barriers to building community college student housing, this bill will help address the housing insecurity experienced by marginalized students."

This measure seeks to provide parity to the CCC and that of the California State University (CSU) and University of California (UC), by exempting the construction of faculty and staff housing projects, student housing projects, and university housing development projects, from local zoning regulations of any city, county, or city and county when constructed on property owned or leased by a CCD.

Committee Staff understands that the author intends not to infringe upon any existing building requirements, just to provide flexibility to the existing zoning regulations.

Student housing crisis. According to the May 2024 *Update on Student Housing Assistance* by the Legislative Analyst's Office (LAO), student housing insecurity can refer to a range of challenges related to student's living arrangements. At California's higher education segments, students are commonly described as housing insecure if they face challenges such as difficulty paying rent or utilities, living in overcrowded units, or needing to move frequently. The higher education segments tend to use "homelessness" to refer more specifically to lacking a stable place to stay at night. The segments' definitions of homelessness typically include students without a permanent home who are temporarily staying with relatives or friends ("couch surfing"), at hotels or motels, in emergency shelters or transitional housing, and in places not meant for habitation (such as cars or tents).

According to LAO, roughly 60% of California's community college students have faced housing insecurity and almost 25% have experienced homelessness.

Arguments in support. According to the Santa Monica Community College District (SMCCD), co-sponsors of this measure, "this bill will combat housing insecurity and homelessness among community college students while also addressing California's broader housing crisis by increasing the supply of affordable housing in local communities. The bill will streamline the construction of student housing at CCC by exempting new student and staff housing projects from local zoning regulations if the project is constructed on property owned or leased by a CCD, the same exemption CCDs already have for classroom facilities."

Additionally, SMCCD states that, "this bill will give community colleges the authority to build housing for students and staff on property owned or leased by the CCD without spending years going through the onerous rezoning processes. Community colleges will still be required to follow other local regulations and consult with their local planning department. This will give CCDs the same authority to override local zoning that the UC and CSU systems currently have. In doing so, this bill will remove a significant barrier to addressing homelessness and housing amongst community college students in California."

Related legislation. AB 893 (Fong), which is pending a hearing by the Assembly Committee on Housing and Community Development, in part, expands the eligibility for ministerial approval of affordable housing developments to include developments located in a campus development zone, as defined, as long as the development meets certain affordability requirements and objective standards, as provided.

Prior legislation. AB 1630 (Eduardo Garcia) of the 2023-24 Legislative Session, which was not heard by the Assembly Committee on Housing and Community Development, in part, would have streamlined student housing projects within 1000 feet from a college campus.

SB 886 (Wiener), Chapter 663, Statutes of 2022, in part, exempts, until January 1, 2030, faculty and staff housing projects and student housing projects meeting specified requirements from the California Environmental Quality Act (CEQA).

REGISTERED SUPPORT / OPPOSITION:

Support

Abundant Housing LA
California Apartment Association
California Home Building Alliance
California Yimby
Circulate San Diego
Construction Employers' Association
Los Angeles Community College District (Co-Sponsor)
Santa Monica Community College District (Co-Sponsor)
Santa Monica College Associated Students
Student Homes Coalition (Co-Sponsor)
The Two Hundred

Opposition

None on file.

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