From: Brian Swanson
To: planningcommission; Planning Services (public)
Cc: City Clerk (Public); City Council
Subject: Public Comment - Agenda Item 8.1 - Overview of 2026 CA Housing Legislation and Agenda Item 5.2 - 2025 General Plan Annual Report) - Planning Commission Meeting - March 3, 2026, beginning at 6:00 p.m.
Date: Tuesday, March 3, 2026 12:17:33 PM

Planning Commissioners:

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This is why RHNA needs to be defined plainly and distinguished from the work the Planning Commission is actually supposed to do. As you know, RHNA is a state-mandated planning obligation. It requires cities to plan and zone for housing capacity. The State's RHNA overview is here: https://www.hcd.ca.gov/programs-and-services/planning-and-community-development/housing-elements/regional-housing-needs-allocation.

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It is not.

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San Ramon is particularly vulnerable to that drift because the State RHNA framework, and the regional methodology used to allocate RHNA, are broad, formula-driven, and effectively one-size-fits-all. San Ramon is not a traditional, fine-grained, mixed-use downtown composed of many small parcels and many competing landowners. In the Bishop Ranch vicinity, the City's "downtown" has long been shaped by a single dominant, effectively monopolistic landowner: Sunset Development. That matters because the redevelopment of a consolidated office campus into primarily housing is not comparable to ordinary downtown infill. It raises distinct questions about phasing, absorption rates, infrastructure concurrency, long-term service demand, and fiscal sustainability that a one-size-fits-all state methodology does not meaningfully resolve.

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That language matters. In the Bishop Ranch vicinity, the General Plan has historically served less as an independently City-generated vision and more as a reflection of Sunset's long-standing master-planning logic. That is not rhetoric; ***it is structural reality***. Bishop Ranch has been a consolidated, privately controlled employment campus for decades. The land use framework, infrastructure layout, phasing assumptions, and redevelopment sequencing in that area have largely tracked the evolution of Sunset's planning decisions.

Now that the area is being transformed from a predominantly employment-based campus into a primarily residential district, that structural reality matters even more.

An employment campus and a residential district impose fundamentally different service demands, infrastructure burdens, fiscal implications, and community integration challenges. If the General Plan in that vicinity has historically tracked Sunset's plan, then this shift to primarily housing ***demands even greater independent municipal diligence—not less***. The more centralized the land control, the greater the City's obligation to demonstrate independent judgment rather than simply accepting a major landowner's evolving master plan as the de facto downtown blueprint.

That is especially critical because housing is more dependent on city services than office and employment uses. This is not anti-housing rhetoric. It is a reality of municipal finance that has been examined repeatedly in Cost of Community Services research. A useful academic summary is here: https://resources.environment.yale.edu/kotchen/pubs/COCS.pdf.

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To be clear, the Planning Commission and City Council must absolutely examine these issues at the project level. Every entitlement deserves scrutiny. But when the City is contemplating or facilitating the comprehensive redevelopment of what functions as its downtown—especially where a single dominant, effectively monopolistic landowner controls the key geography—those questions cannot be confined to isolated project files. ***The Planning Commission and City Council must examine them holistically.***

That means examining cumulative service demand, district-wide infrastructure capacity, capital improvement sequencing, long-term maintenance obligations, traffic, and emergency access, and—critically—timing and absorption rates.

Absorption rates matter. Housing does not materialize instantaneously, and markets do not absorb thousands of units uniformly. Timing affects infrastructure concurrency, municipal cash flow, retail viability, service scaling, and long-term fiscal stability. When approvals are processed incrementally without district-wide cumulative analysis, entitlement activity can be mistaken for planning. Project-by-project processing is not a substitute for comprehensive evaluation.

This is where the Planning Commission and City Council become even more important, given that recent public participation in major downtown approvals has been so thin. Reporting on The Orchards' approval noted that only **four** people spoke during public comment. That article is here: https://www.sfgate.com/local/article/san-ramon-orchards-project-approved-21345945.php.

Sparse participation is not consent. It means fewer independent eyes on the assumptions and fewer people forcing the harder questions into the record. Under those conditions, the Planning Commission's and City Council's obligations to perform the work and exercise due diligence are greater, not less.

And this is not an unrealistic expectation. Other nearby jurisdictions have engaged the substance. Pleasanton submitted formal RHNA methodology concerns to ABAG here: https://files.mtc.ca.gov/pdf/rhna_comments/230_Pleasanton_1-14-2021.pdf. Tri-Valley city leaders jointly raised concerns to ABAG's Executive Board here: https://www.danville.ca.gov/DocumentCenter/View/6316/Letter-09112020---TVC-to-ABAG-Executive-Board-PDF. ***The San Ramon Mayor was a co-signer of the letters included in both the hyperlinks above. The San Ramon Mayor is different now, but the issues remain and must not be ignored.*** The Contra Costa Mayors Conference submitted a substantive Modified Option 8A proposal here: https://files.mtc.ca.gov/pdf/rhna_comments/265_contra_costa_county_mayors_conference-10-2-2020.pdf.

Whether one agrees with every conclusion in those letters is not the point. The point is posture. ***Those jurisdictions treated housing mandates as something to scrutinize, not merely something to process.***

San Ramon should do the same.

- The Commission should therefore make several distinctions explicit in the record tonight:
- RHNA compliance is not the same as community development.
- Annual progress reporting is not the same as planning.
- Production numbers are not the same as quality of life.
- Consent-calendar reporting is not the same as substantive evaluation.
- And a master developer's evolving plan is not the same as an independently City-shaped vision for San Ramon's future.

San Ramon can meet housing obligations responsibly. But it cannot do so if it continues to confuse mandates, reporting, speed, and spreadsheets with actual planning. Especially in the Bishop Ranch vicinity—where the General Plan has long tracked Sunset's logic more than the City's own independent vision, and where the transition from office to housing changes the stakes dramatically—the Planning Commission and City Council must insist on deeper analysis, stronger distinctions, and real stewardship.

That responsibility rests with the Planning Commission first, then the City Council.

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CITY OF SAN RAMON

COMMUNITY DEVELOPMENT

200 & 210 PORTER DRIVE COMMERCIAL CONDOMINIUMS
200 & 210 PORTER DR.
MJ 2025-0004

PLANNING COMMISSION PUBLIC HEARING
MARCH 3, 2026

LOCATION:
200 & 210 PORTER DRIVE

San Ramon
CALIFORNIA

General Plan:

Office

Zoning District:

Limited Office(OL).

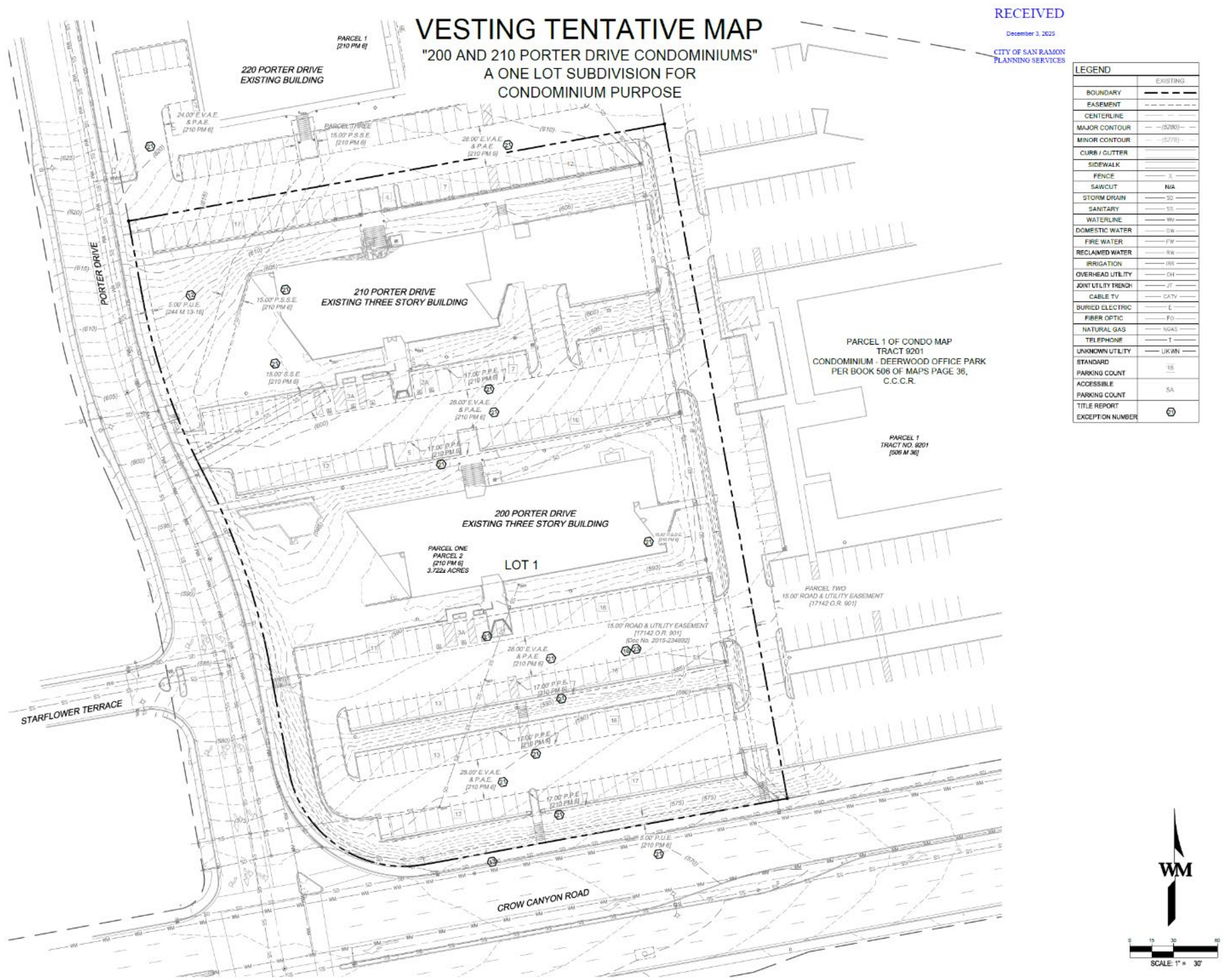
Subject Property:

3.72-acres

BACKGROUND

- In 1980 the San Ramon Valley Planning Commission approved a Development Plan for the construction of two (2) existing administrative office buildings (200 & 210 Porter Dr.) totaling approximately 64,000 sq. ft.
- In 1997, the San Ramon Planning Commission approved the construction of a third 9,931 sq. ft. office building (220 Porter Dr.).
- On October 27, 2015, the San Ramon City Council approved a Minor Subdivision Application subdividing the existing 5-acre parcel containing 200, 210, and 220 Porter Dr. into two parcels: Parcel A, 1.28-acres containing 220 Porter Dr. and Parcel B, 3.72-acres containing 200 and 210 Porter Dr.
- On December 3, 2025, Ware Malcomb, Inc. (Applicant) submitted the proposed Major Subdivision application (MJ 2025-0004) for the subject property. On January 3, 2026, the project application was deemed complete by the City.
- On February 10, 2026, the Applicant submitted revised application materials requesting an increase of proposed condominiums from thirty (30) units to fifty-three (53) units.

PROPOSED TENTATIVE MAP



DISCUSSION/ANALYSIS

San Ramon
CALIFORNIA

- The project includes a Vesting Tentative Map for Condominium Purposes to one lot subdivide the existing property to allow up to 53 individual airspace commercial office condominium units.
- The project does not involve any additional floor area to the existing development or modifications to the existing site plan, parking, or site circulation.
- The project maintains various existing easements for the joint benefit of the Subject Parcel(200 & 210 Porter Dr.), and the abutting Parcel to the North (220 Porter Dr.).
- The Applicant intends to establish new CC&Rs and Maintenance Agreements for the purpose of ongoing management of the common areas, parking lots, and building maintenance.
- The Applicant has specified that existing leases shall remain in place until they expire, at which point the owners may decide to extend the lease or sell the condo to new buyers who would then occupy the suite.

RECOMMENDATION

- Staff recommends that the Planning Commission receive the staff report, open the public hearing, discuss the subject Application, and if appropriate, adopt draft Planning Commission Resolution No. 01-26 Approving the Major Subdivision Application with the recommended Conditions of Approval.

CITY OF SAN RAMON

COMMUNITY DEVELOPMENT

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This service includes a Public Alert System for San Ramon. Subscribers will receive real-time Public Safety and Emergency Alerts both via email and wirelessly. In order to receive these time-sensitive emergency notifications, you **MUST** subscribe to the service. To subscribe, please click here. For wireless alerts, text message and data rates may apply. This service is provided to you at no charge by City of San Ramon.

City of San Ramon | 7000 Bollinger Canyon Road, San Ramon, CA 94583 | (925) 973-2500 | www.sanramon.ca.gov

CITY OF SAN RAMON

COMMUNITY DEVELOPMENT

OVERVIEW OF 2026 HOUSING LEGISLATION

PLANNING COMMISSION MEETING
MARCH 3, 2026

INTRODUCTION

San Ramon
CALIFORNIA

- 2017 marked a turning point for housing in California when lawmakers approved 15 landmark bills to boost new housing construction
- 2024 housing bills addressed the housing shortage by facilitating more affordable and moderate-income housing production and enhancing enforcement of State housing laws
- In 2025, the Governor signed over 50 housing bills including key CEQA-related bills and increased penalties for failure to comply with housing legislation
- Tonight's goal is to provide an overview of key legislative changes going into effect this year

2026 HIGHLIGHTED BILLS

San Ramon
CALIFORNIA

- **AB 130** – CEQA Exemptions for Infill Housing
- **SB 131** – Additional Limitations on CEQA Review
- **AB 712** – Increased Penalties for Failing to Follow HCD or Attorney General Guidance
- **SB 786** – Implementation of Housing Element & Penalties for Inadequate Housing Element
- **AB 1154 and SB 543** – Accessory Dwelling Units

AB 130 CEQA EXEMPTIONS FOR IN-FILL HOUSING

AB 130 creates a new statutory exemption from CEQA review for housing development projects in urban areas that meet certain criteria.

Key qualifying provisions:

- Urban Infill: Previously developed site; or surrounded by developed sites
- Single-family or mixed-use developments where at least two-thirds designated residential or 50% under certain conditions; transitional and farmworker housing
- Minimum density of at least 50% of underlying density requirement
- Maximum project site of 20 acres
- Must be consistent with General Plan and Zoning. If inconsistencies exist between GP and Zoning, consistency with one is sufficient. Applicable State Density Bonus Law concessions, waivers, parking do not create an inconsistency

AB 130 CEQA EXEMPTIONS FOR IN-FILL HOUSING

San Ramon
CALIFORNIA

- Mitigation measures are required for sites in very high fire hazard areas and fault hazard zones
- A Phase 1 environmental assessment is required as condition of approval for development. Any identified hazardous substance release must be remediated prior to issuance of a certificate of occupancy.

Amendment to Permit Streamlining Act:

- For ministerial projects, public agencies must now approve or disapprove an application within 60 days of receiving a complete application, replacing the longer timelines under SB 35 which allowed 90 to 180 days to make a decision on a project.

AB 130: TRIBAL NOTIFICATION

San Ramon
CALIFORNIA

Timeline	Required Actions
Within 14 days of: • The application being deemed complete; OR • For projects deemed complete before July 1, 2026, receiving notice that the project is eligible for exemption	Notify Tribes
60 days from formal notification	Tribes must request consultation
Within 14 days of tribal request for consultation:	City must initiate consultation
45 days from consultation initiation (plus optional 15-day extension if requested by tribe)	Conclude consultation
Within 30 days from the later of: • Conclusion of consultation • Deadline for sending consistency letter	• Make decision on project • File notice of exemption with State and County Clerk

SB 131: ADDITIONAL LIMITATIONS ON CEQA REVIEW

San Ramon
CALIFORNIA

- **Housing Element Rezoning**
  - CEQA does not apply to a rezoning that implements an approved Housing Element, including increases in density and height and parking reductions as contemplated in an approved Housing Element
- **"Near Miss" Projects**
  - For housing projects that would otherwise be exempt from CEQA under all statutory or specified categorical exemptions aside from a single condition, CEQA review is limited solely to the environmental effects caused by that single condition.
- **Community-Serving and Infrastructure Projects**
  - Exemptions for day care centers, wildfire risk reduction projects, linear broadband projects, public parks, high-speed rail

AB 712: INCREASED PENALTIES

AB 712 requires courts to impose penalties of $10,000 per unit with a minimum penalty of $50,000 if a local agency was advised in writing by either HCD or the Attorney General that the agency's action or inaction would violate a housing reform law and the applicant is the prevailing party.

- Applicant must provide written notice to agency of intent to file litigation at least 60 days before the action is filed.
- If agency violates same law within the planning period or the Housing Element is not approved, fine is $50,000/unit.

SB 786: PENALTIES FOR INADEQUATE HOUSING ELEMENTS

San Ramon
CALIFORNIA

- If quantified development standards defined in one General Plan element are inconsistent with standards in another element, the standards in the most recently adopted element prevail.
- If the local agency does not meet deadlines to adopt amendments identified in the Housing Element, HCD to review the agency's actions and determine whether the agency is in violation of Housing Element Law
- Courts required to apply various penalties for non-compliance including either suspending the authority of the city to issue various permits or mandating the approval of various permits.
- If Housing Element found in violation of a state law, an adequate Housing Element must be adopted within 120 days of a court order, and any required rezoning within another 120 days.

ACCESSORY DWELLING UNITS

San Ramon CALIFORNIA

- AB 1154: JADU Owner Occupancy and Short-Term Rental
  - Owner-occupancy only required for JADUs if unit has shared sanitation facilities with the existing single-family dwelling
  - Short-term rentals prohibited in JADUs
- SB 543: ADU/JADU Review Process and Size Standards
  - ADU/JADU application completeness determination within 15 business days after receipt
  - Provide a comprehensive correction list and option to appeal if incomplete
  - Clarifies that minimum and maximum square footages are measured by "interior livable space". "Livable space" means a space in a dwelling intended for human habitation, including living, sleeping, eating, cooking or sanitation

ADDITIONAL RESOURCES

- Additional information regarding bills that have gone into effect in 2026 can be found on the Association of Bay Area Governments (ABAG) website at: https://abag.ca.gov

CITY OF SAN RAMON

COMMUNITY DEVELOPMENT

OVERVIEW OF 2026 HOUSING LEGISLATION

PLANNING COMMISSION MEETING
MARCH 3, 2026