AGENDA

I. Welcome and Introductions

II. General Briefing  Handout

III. Legislative Agenda (Attachment A)  Action
Speaker: Jason Rhine, Assistant Legislative Director, Cal Cities
Johnnie Pina, Legislative Analyst, Cal Cities
- AB 1220 (Rivas, Luz) Office to End Homelessness
- SB 621 (Eggman) Hotel and Motel Conversions

IV. Legislative and Budget Update (Attachment B)  Informational
Speaker: Jason Rhine, Assistant Legislative Director, Cal Cities
Johnnie Pina, Legislative Analyst, Cal Cities
- SB 9 (Atkins) Housing Development Approvals
- SB 809 (Allen) Multijurisdictional Regional Agreements. Housing Elements
- AB 215 (Chiu) Prohousing Designations
- AB 602 (Grayson) Development Fees
- AB 989 (Gabriel) Housing Appeals Committee
- AB 1401 (Friedman) Parking Requirements
- Budget Highlights – Early Actions

V. American Rescue Plan Act of 2021 Update  Informational
Speaker: Jason Rhine, Assistant Legislative Director, Cal Cities

VI. Public Comment

VII. Adjourn

Next Virtual Meeting: Thursday, June 3, 2021, 9:00 am – 12:00 pm

Brown Act Reminder: The League of California Cities’ Board of Directors has a policy of complying with the spirit of open meeting laws. Generally, off-agenda items may be taken up only if:

1. Two-thirds of the policy committee members find a need for immediate action exists and the need to take action came to the attention of the policy committee after the agenda was prepared (Note: If fewer than two-thirds of policy committee members are present, taking up an off-agenda item requires a unanimous vote); or
2. A majority of the policy committee finds an emergency (for example: work stoppage or disaster) exists.

A majority of a city council may not, consistent with the Brown Act, discuss specific substantive issues among themselves at Cal Cities meetings. Any such discussion is subject to the Brown Act and must occur in a meeting that complies with its requirements.
1. AB 1220 (Rivas, Luz) Homelessness: Office to End Homelessness. (Full Text)

Bill Summary:
This measure would create the Office to End Homelessness, which would be administered by the Secretary on Homelessness appointed by the Governor.

This measure would require that the office serve the Governor as the lead entity for ending homelessness in California and would task the office with coordinating homeless programs, services, data, and policies between federal, state, and local agencies, among other responsibilities. The bill would require the office to exercise various powers and duties, including, among others, making recommendations to the Governor and the Legislature regarding new state policies, programs, and actions on homelessness.

Existing law requires the Governor to establish the Homeless Coordinating and Financing Council (referred to as “the coordinating council”). The coordinating council is currently under the direction of an executive director, who is under the direction of the Business, Consumer Services, and Housing Agency, and staffed by employees of that agency. This bill would require that the coordinating council be under the supervision of the Secretary on Homelessness of the Office to End Homelessness and require that the Secretary on Homelessness, or the secretary’s designee, serve as chair of the coordinating council in place of the Secretary of Business, Consumer Services, and Housing.

Bill Description:
The office’s primary purposes are to do all of the following:

- Coordinate homelessness programs, services, data, and policies between federal, state, and local agencies.
- Coordinate the timing of release of funds and applications for funding for housing and housing-based services impacting Californians experiencing homelessness.
- Collaborate with local homeless continuums of care and jurisdictions receiving state funding.
- Coordinate with philanthropic organizations with the goal of seeding innovations in moving people experiencing homelessness into permanent housing.
- Adopt a model of housing and services the state funds across agencies to serve Californians experiencing homelessness.
- State agencies and departments with representatives on the coordinating council, or work groups established by the coordinating council, shall report to and coordinate with the secretary and the office.

Specifically, the office shall serve the Governor as the lead entity for ending homelessness in California. In this capacity, the office shall:

- Recommend to the Governor and the Legislature new state policies, programs, and actions, or amendments to existing programs.
- Convene staff from state agencies and departments represented on the coordinating council that provide services to individuals and families experiencing homelessness for the purposes of both:
Following evidence-based models for housing and service programs.
Aligning requests for proposals, notices of funding availability, grant agreements, or contracts that state agencies and departments shall use in administering programs offering housing or housing-based services.

- May convene a funder’s workgroup. The funder’s workgroup may also include philanthropic organizations focused on ending homelessness, reducing health disparities, ending domestic violence, or ensuring Californians do not exit incarceration to homelessness.
- If adequate funding exists to undertake, establish a process for agencies and departments to collectively identify and assist individuals exiting state-funded institutions, including, but not limited to, people leaving prisons, state-funded hospitals or nursing homes, and foster care, who are at risk of homelessness, along with procedures or programs for state agencies and departments to implement to prevent discharges into homelessness.
- Collaborate with existing state agency staff to develop a universal application for developers, service providers, and other entities to apply to agencies and departments represented on the coordinating council for funding for homeless services and housing.
- Examine and promote racially and gender equitable policies for departments and agencies that provide housing and services to individuals experiencing homelessness.
- As appropriate, coordinate with staff in the Governor’s office to solicit monetary donations or in-kind donations from businesses, nonprofit organizations, or individuals for the purpose of encouraging innovation in ending homelessness and augmenting funding for evidence-based housing and services.
- Coordinate relevant state agencies and departments to reduce the risk of long-term homelessness by developing specific protocol and procedures that accomplish the following:
  - Ensure that domestic violence survivors experiencing homelessness have access to safe and appropriate housing navigation and rental assistance programs specifically designed to meet their needs.
  - Assist individuals reentering communities from jails and prisons with housing navigation and obtaining permanent housing.
  - Connect older adults to programs and services that assist independent living.
  - Provide high-cost and high-acuity health users, such as individuals who could be discharged from nursing homes and hospitals, with housing and services to avoid homelessness.

### Coordinating Council Membership

The coordinating council shall consist of the following members:
- The Secretary on Homelessness of the Office to End Homelessness, or the secretary’s designee, who shall serve as chair of the council.
- The Director of Transportation.
- The Director of Housing and Community Development.
- The Director of Social Services.
- The Director of the California Housing Finance Agency.
- The Director of Health Care Services.
- The Secretary of Veterans Affairs.
- The Secretary of the Department of Corrections and Rehabilitation.
- The executive Director of the California Tax Credit Allocation Committee in the Treasurer’s office.
- The Director of Public Health.
• A representative of the Victim Services Program within the Division of Grants Management within the Office of Emergency Services, who shall be appointed by the Director of the Office of Emergency Services.

• A representative from the State Department of Education, who shall be appointed by the Superintendent of Public Instruction.

• A representative of the state public higher education system who shall be from one of the following:
  o The California Community Colleges.
  o The University of California.
  o The California State University.

The coordinating council shall regularly seek guidance from and meet with an advisory committee that shall include the following:

• A formerly homeless person who lives in California.

• A formerly homeless youth who lives in California.

• Two representatives of local agencies or organizations that participate in the United States Department of Housing and Urban Development’s Continuum of Care Program.

• State advocates or other members of the public or state agencies, at the Governor’s discretion.

• One member to the coordinating council from two different stakeholder organizations, one appointed by the Senate Committee on Rules and the other appointed by the Speaker of the Assembly.

The current position of Deputy Secretary on Homelessness within the Business, Consumer Services, and Housing Agency shall be eliminated once the Governor appoints a Secretary on Homelessness.

**Data**

This bill would require that statewide data system or warehouse to be known as the Homeless Data Integration System. Continuums of Care would be required to provide collected data to the Homeless Management Information System. The bill would prohibit any health information or personal identifying information provided to, or maintained within, that system from being subject to public inspection or disclosure under the California Public Records Act.

**Transparency**

The bill would provide that the Bagley-Keene Open Meeting Act does not apply to a meeting of a working group, task force, or other structure of the council if only a minority of the members of the coordinating council participate in that working group, task force, or other structure.

This bill would also require, upon the request of the coordinating council, an agency or department that administers one or more state programs to furnish to the coordinating council any relevant information regarding those state programs.

**Background:**

It is clear that homelessness continues to be a growing issue in California. CapRadio has reported, “A new federal report shows California’s homeless population increased by nearly 7% early last year to an estimated 161,548, months before the pandemic and subsequent economic crisis spread across the state.”

Most everyone agrees that the state should do more to end homelessness. However, getting good data on the issue and what is being done to address it can be a challenge. Recently, the LA Times reported, “… California launched a public website that, for the first time, combines all
44 databases, and reports some basic statewide statistics that describe homelessness and local efforts to address it... The new database, called the Homeless Data Integration System, was created to help state policy makers see homelessness broadly and to provide an analytical tool to measure how effective individual agencies and their services are.”

The following information comes from the Legislative Analyst's Office Budget Handout titled, “California’s Homelessness Challenges in Context”. This information is intended to provide an overview of the state’s current efforts to address the issue of homelessness.

Historical State and Local Efforts to Address Homelessness

Various State Programs Historically Have Helped Address Homelessness...

- **State Homelessness-Related Programs.** California, in partnership with the federal government, administers and funds a variety of programs that assist individuals experiencing homelessness or at risk of becoming homeless.
  - Programs that support building new affordably priced housing.
  - Programs that help households afford housing.
  - Health and human services programs that may assist with preventing or overcoming homelessness.

- **Multiple State Departments Involved in Addressing Homelessness.**
  - Some of the state’s longest standing and/or largest housing and homelessness programs are administered by the Department of Housing and Community Development, California Housing Finance Agency, California Tax Credit Allocation Committee, and the Homeless Coordinating and Financing Council.
  - Other departments either administer the state’s safety net programs and/or have other, more limited, roles in addressing housing and homelessness.

- **Multiple Funding Sources for Addressing Homelessness.** Funding for these housing and homelessness programs comes from a variety of state and federal sources.

But Most Homelessness Assistance Has Been Provided at Local Level

- Local governments are most knowledgeable about the specific homelessness-related challenges facing their communities and are well positioned to implement the combination of strategies that will work best for them.
  - Historically, cities and counties have provided most of the homelessness assistance in their jurisdiction, relying in part on federal and state funding.
  - Local governments set their own policies that aim to alleviate homelessness in their communities. For example, passing inclusionary housing and rent stabilization ordinances.

Major Recent State Budget Actions Addressing Homelessness

As the homelessness crisis has become more acute, the state has taken a larger role in funding and supporting local governments’ efforts to address homelessness. The state also expanded its support for homelessness programs following the emergence of the COVID-19 pandemic, in response to concerns that the pandemic would place more people at risk of homelessness or further harm people experiencing homelessness.
Major Recent Actions Before COVID-19. These large, one-time allocations to local governments and Continuums of Care (CoCs)—local entities that administer housing assistance programs within a particular area—offered flexible funding to address local homelessness needs.

- **Homeless Emergency Aid Program (HEAP).** The 2018-19 budget included a one-time allocation of $500 million for block grants to the 11 most populous cities and CoCs. The parameters of the program were intentionally broad to provide local entities the flexibility to address their own immediate challenges with homelessness.
  - **Status:** HEAP funding has been disbursed to qualifying cities and CoCs. HEAP funds must be expended by June 30, 2021.

- **Homeless Housing, Assistance and Prevention (HHAP) Program.** The 2019-20 budget included a one-time allocation of $650 million to the 13 most populous cities, counties, and CoCs to fund a variety of programs and services that address homelessness. The HHAP Program was intended to provide local jurisdictions with funds to support regional coordination and expand or develop local capacity to address their homelessness challenges. Funds should be used on evidence-based solutions that address and prevent homelessness.
  - **Status:** HHAP funding has been disbursed to qualifying cities, counties, and CoCs. HHAP funds must be expended by June 30, 2025.

Emergence of COVID-19 Significantly Altered State’s Approach in 2020-21.

In March 2020, the state’s public health and economic situations began to change dramatically because of the emergence of COVID-19. The strategies to address...
homelessness evolved given the immediate needs of people experiencing homelessness and at risk of homelessness.

- Project Roomkey. At the outset of the COVID-19 public health emergency, the state provided $50 million General Fund (later offset by federal funds) for the newly established Project Roomkey to help local governments lease hotels and motels to provide for the immediate housing needs of vulnerable individuals experiencing homelessness that were at risk of contracting COVID-19. Overall, the goal of this effort was to provide non-congregate shelter options for people experiencing homelessness, to protect human life, and minimize strain on the state’s health care system.
  - Status: In November 2020, the state authorized an additional $62 million in one-time funding from its Disaster Response Emergency Operations Account to continue operating the program while transitioning people to permanent housing. The funding has been nearly fully awarded. Statewide, 14,700 rooms are secured by Project Roomkey and 70 percent are occupied. Most of the rooms are in Los Angeles County, where over 55 percent of the available 4,500 rooms are occupied. Overall, the program has provided short-term housing for 23,000 people in 42 counties.

- COVID-19 Emergency Homelessness Funding. At the outset of the COVID-19 public health emergency, the state also provided $100 million General Fund (later offset by federal funds) to cities, counties, and CoCs for shelter support and emergency housing to prevent and contain the spread of COVID-19 among the homeless population.
  - Status: The funding has been disbursed to qualifying cities, counties, and CoCs and must be fully expended by December 31, 2021.

**Fiscal Impact:**
There would be no direct fiscal impact to cities.

**Existing League Policy:**
Housing for Homeless Housing and programs for homeless and other extremely low income populations are necessary to ensure quality of life and economic viability for all Californians. Homelessness is a statewide problem that disproportionately impacts specific communities. The state should make funding and other resources, including enriched services, and outreach and case managers, available to help assure that local governments have the capacity to address the needs of the homeless in their communities, including resources for regional collaborations. Homeless housing is an issue that eludes a statewide, one-size-fits-all solution, and collaboration between local jurisdictions should be encouraged. State and federal funding programs should be designed to reflect responsibilities imposed by state and federal law.

The League supports a single, efficient, performance-based state department (the California Emergency Management Agency) to be responsible for overseeing and coordinating emergency preparedness, response, recovery, and homeland security activities.

Addressing homelessness has been a Cal Cities priority for the past several years. Below are the priorities regarding homelessness dating back to 2018.

**2021 Strategic Priority**
Secure funding to increase the supply and affordability of housing and resources to assist individuals at risk of – or already experiencing – homelessness while preserving local decision making. Secure additional resources to increase construction of housing,
particularly affordable housing, workforce housing, and permanent supportive housing, and ensure cities retain flexibility based on the land use needs of each community. Increase flexibility and resources to provide navigation assistance and emergency shelters, and strengthen partnerships and collaboration with stakeholders to ensure mental health, substance abuse treatment, and wraparound services are available for adults and youth at risk of – or already experiencing – homelessness in our communities.

2020 Strategic Priority
Advocate for increased funding and resources to prevent homelessness and assist individuals experiencing homelessness. Secure additional resources and flexibility to provide navigation assistance, emergency shelters and permanent supportive housing and strengthen partnerships with stakeholders to ensure mental health, substance abuse treatment, and wraparound services are available for adults and youth at risk of – or already experiencing – homelessness in our communities.

2019 Strategic Priority
Provide Cities Additional Funding and Tools and Preserve Local Authority to Address Housing Production, Affordability and Homelessness Challenges.
- Provide additional funding and preserve local mitigation fee authority to ensure cities have sufficient resources to update local plans that reflect community input, improve and expand local infrastructure, address environmental impacts and deliver services to support new housing development.
- Restore a robust form of tax-increment financing to advance transit-oriented development, build affordable and workforce housing, improve jobs/housing balances, and revitalize local neighborhoods and communities.
- Increase resources to provide emergency shelter, alcohol and drug treatment, housing, mental health and other wrap-around services and facilities to assist people of all ages, including seniors, experiencing homelessness.
- Provide CEQA streamlining to expedite housing construction.
- Ensure the availability of adequate water supplies to support new growth.
- Preserve local authority to ensure housing development is consistent with local housing elements, design requirements and other applicable criteria adopted with community input.
- Given California’s massive identified deficit in affordable housing, the Legislature and governor should set aside a substantial amount of the state’s budget surplus to support additional affordable and workforce housing construction and expand skilled workforce training.

2018 Strategic Priority
Improve Housing Affordability and Support Additional Resources to Address the Homelessness Crisis. Increase state and federal financial support and provide additional local incentives and tools to improve housing affordability and develop more workforce and affordable housing. Support additional resources and tools to address the homelessness crisis and advance the recommendations of the CSAC-League Homelessness Task Force.

Comments:
Currently, California has a disjoined approach to assisting individuals experiencing homelessness. More than four state departments administer various programs and rely on a multitude of different funding sources. Additionally, cities, counties, and the federal government administer their own programs as well.
In 2018, Cal Cities and the California State Association of Counties (CSAC) produced a report that detailed tools and resources that cities and counties are using to address the needs of homeless residents in their communities. The report was the culmination of more than a year of work by a joint task force formed in the fall of 2016 to examine a wide range of local programs and initiatives that are effectively connecting homeless Californians to services and resources to help them find and remain in permanent housing.

The committee may want to consider if it is time for the state to better align homelessness programs and clearly establish a state-appointed leader on homelessness. If the committee is supportive, it may also want to consider requesting amendments to AB 1220 to expand the membership of the coordinating council’s advisory committee to include representatives from cities and counties.

Support-Opposition: (as of 4/9/2021)

None on file at this time.

Staff Recommendation:
Staff recommends the committee discuss AB 1220 and make a recommendation to the Board.

Committee Recommendation:

Board Action:

2. **SB 621 (Eggman) Conversion of Hotels and Motels. Streamlining.** *(Full Text)*

**Bill Summary:**
This measure would require a local government to ministerally approve a development application to convert a non-residential hotel or motel into multifamily housing. These units could be for rent or for sale.

**Bill Description:**
Specifically, SB 621 would:
- Allow a developer to submit an application for a development that is subject to a streamlined, ministerial approval process and not subject to a conditional use permit, if the development satisfies all of the following objective planning standards:
  - The development is for the complete conversion of a motel or hotel into multifamily housing units, including, but not limited to, efficiency units, single-room occupancy units, and co-living spaces.
  - The structure has been vacant for at least six months prior to the submission of the application. If any rooms become occupied after the submission of an application, that application is void.
  - The six month vacancy requirement shall be waived if 100 percent of the total units, exclusive of a manager’s unit, are for lower income households, except that up to 20 percent of the total units in the development may be for moderate-income households.
o At least 10 percent of the proposed units are reserved for lower income households.

o The development proponent has committed to record, prior to the issuance of the first building permit, a land use restriction or covenant providing that all lower income units shall remain available at affordable housing costs or rent to lower income households for at least the following periods of time:
  - Fifty-five years for units that are rented to the occupants.
  - Forty-five years for units that are owned by the occupants.

o The development proponent has agreed to pay prevailing wage and use a skilled and trained workforce.

o A local government shall provide a streamlined application and review process for, and shall grant ministerial approval. If a local government determines that a development is in conflict with any of the objective planning standards, it shall provide the development proponent written documentation of the standard or standards with which the development conflicts, and an explanation of the reason or reasons the development conflicts with the standard or standards, within 30 days of submittal of a complete application for the development to the local government.

o If the local government fails to provide the required documentation, the development shall be deemed to satisfy the objective planning standards.

o If a local government has local affordability requirements that exceed those listed above, those local requirements shall apply.

o Any design review or public oversight of the development may be conducted by the local government’s planning agency. That design review or public oversight shall be objective and assess compliance only with criteria required for streamlined projects, as well as any reasonable objective design standards published and adopted by ordinance or resolution by a local jurisdiction before submission of a development application, and shall be broadly applicable to development within the jurisdiction. That design review or public oversight shall be completed within 60 days of submittal of a complete application for the development to the local government pursuant to this section, and shall not in any way inhibit, chill, or preclude the ministerial approval provided by this section or its effect, as applicable.

o If the development proponent requests a delay, the 60-day time period shall be tolled for the period of the delay.

o If a local government approves a development pursuant to this section, then, notwithstanding any other law, that approval shall not expire for five years.

o A local government shall not impose automobile parking standards in any of the following instances:
  - The development is located within one-half mile of a major transit stop, as defined in Section 21064.3 of the Public Resources Code.
  - The development is located within an architecturally and historically significant historic district.
- When on-street parking permits are required but not offered to the occupants of the development.
- When there is a car-share vehicle located within one block of the development.

  - If the development does not fall within any of the above categories, the local government may impose automobile parking requirements not to exceed one parking space per unit.
  - A local government shall not require, as a condition for ministerial approval of an application for a streamlined development pursuant to this section, the correction of nonconforming zoning conditions.
  - A local government shall not impose any standard requiring a minimum or maximum size requirement for the units of a development.
  - A local government shall not impose any density restriction on a development subject to this section, except that the total number of housing units created by the conversion shall not exceed the total number of units offered by the hotel or motel.
  - A local government shall not adopt any requirement, including, but not limited to, increased fees or inclusionary housing requirements, that applies to a project solely or partially on the basis that the project is eligible to receive a streamlined review or ministerial approval pursuant to this section.
  - Development projects deemed streamlined and ministerially approved are not subject to CEQA.

**Background:**
California continues to produce significantly few housing units than what is needed to keep pace with the State’s identified housing need. According to the California Department of Housing and Community Development, housing developers need to produce at least 180,000 new units each year. However, in recent years housing production has lagged with roughly 110,000 constructed.

According to the Legislative Analyst’s Office, “a collection of factors drive California’s high cost of housing. First and foremost, far less housing has been built in California’s coastal areas than people demand. As a result, households bid up the cost of housing in coastal regions. In addition, some of the unmet demand to live in coastal areas spills over into inland California, driving up prices there too. Second, land in California’s coastal areas is expensive. Homebuilders typically respond to high land costs by building more housing units on each plot of land they develop, effectively spreading the high land costs among more units. In California’s coastal metros, however, this response has been limited, meaning higher land costs have translated more directly into higher housing costs. Finally, builders’ costs—for labor, required building materials, and government fees—are higher in California than in other states. While these higher building costs contribute to higher prices throughout the state, building costs appear to play a smaller role in explaining high housing costs in coastal areas.”

Converting hotels and motels into long-term housing for those experiencing homelessness or at risk of homelessness has been a key strategy used by many communities. In 2020, the state awarded $750 million for hotel and motel conversions under Project Homekey to local communities. A full list of awards can be found [here](#). The 2021/2022 State Budget has proposed an additional $750 million for Project Homekey.
**Fiscal Impact:**
Cost associated with hotel and motel conversions are likely to be covered by development fees.

**Existing League Policy:**

*Zoning*

The League believes local zoning is a primary function of cities and is an essential component of home rule. The process of adoption, implementation and enforcement of zoning ordinances should be open and fair to the public and enhance the responsiveness of local decision-makers. State policy should leave local siting and use decisions to the city and not interfere with local prerogative beyond providing a constitutionally valid procedure for adopting local regulations. State agency siting of facilities, including campuses and office buildings, should be subject to local notice and hearing requirements in order to meet concerns of the local community. The League opposes legislation that seeks to limit local authority over parking requirements.

*Maximize Existing Infrastructure*

Accommodate additional growth by first focusing on the use and reuse of existing urbanized lands supplied with infrastructure, with an emphasis on reinvesting in the maintenance and rehabilitation of existing infrastructure.

*Well-Planned New Growth*

Recognize and preserve open space, watersheds, environmental habitats, and agricultural lands, while accommodating new growth in compact forms, in a manner that:

- De-emphasizes automobile dependency.
- Integrates the new growth into existing communities.
- Creates a diversity of affordable housing near employment centers.
- Provides job opportunities for people of all ages and income levels.

**Comments:**

SB 621 is a measure that is nearly identical to AB 2580, a measure that was introduced by then Assembly Member Eggman. The Housing, Community and Economic Development (HCED) policy committee was schedule to consider AB 2580 at the June 2020 policy committee meeting. However, HCED elected not to take the bill up because AB 2580 was held in the Assembly Appropriations Committee before the policy committee met.

According to the author “California’s shortage of housing and affordable housing has added pressure to Californians experiencing homelessness or shelter instability. To meet housing needs, we need novel housing solutions. My bill would allow project developers to turn former hotels and motels into multifamily housing, with an affordable housing set-aside, via a streamlined ministerial process. Not only would this bill provide more housing options, but would not contribute to urban sprawl, community displacement, or add pressure to existing urban infrastructure such as water and sewer resources.”

Hotel and motel conversions take place in many cities. Since hotels and motels are typically located in business districts and along major roads, they are likely to be in locations well suited for multifamily housing. Before the disillusion of redevelopment agencies, cities looked to hotels and motels as a cost effective way to improve the conditions of a neighborhood, while also providing affordable housing.

Cities are facing much larger housing goals in the 6th cycle of the Regional Housing Needs Allocation (RHNA) process. Not only do cities need to find enough adequate sites to accommodate their RHNA allocation, they also need to demonstrate that housing units are actually being built or mandated streamlining laws like SB 35 take effect. SB 621 could make it easier and less expensive to build affordable housing.
Support-Opposition: (as of 4/10/21)
None on file at this time.

Staff Recommendation:
Staff recommends the committee discuss SB 621 and make a recommendation to the Board.

Committee Recommendation:

Board Action:
Planning and Zoning

AB 115 (Bloom) Planning and Zoning: Commercial Zoning: Housing Development.
This measure would require local governments to allow housing developments in all commercial zones as long as the housing development sets aside at least 20% of the total number of units for affordable housing. This includes for rent and for sale units.

AB 215 (Chiu) Housing Element.
This measure would require cities to have a mid-cycle housing element consultation with the Department of Housing and Community Development (HCD) if housing production is below the regional average; require cities to amend their laws so as to attain HCD’s “pro-housing designation” if housing production is substantially below the regional average; and allow the Attorney General to enforce violations of the Housing Crisis Act of 2019 (SB 330, Skinner).

AB 571 (Mayes) Planning and Zoning: Density Bonuses: Affordable Housing.
This measure would prohibit affordable housing impact fees, including inclusionary zoning fees, in-lieu fees, and public benefit fees, from being imposed on a housing development’s affordable units or bonus units.

AB 617 (Davies) Planning and Zoning: Regional Housing Needs: Exchange of Allocation.
This measure would authorize a city or county, by agreement, to transfer all or a portion of its allocation of regional housing need to another city or county. The measure would allow the transferring city to pay the transferee city or county an amount determined by that agreement, as well as a surcharge to offset the impacts and associated costs of the additional housing on the transferee city.

AB 672 (Garcia, Cristina) Golf Courses: Open Space and Affordable Housing.
This measure would require a city or county to rezone sites used as a golf course to also allow for housing and open-space use if the golf course is in a park-poor area; the golf course is owned by the city or county, and the golf course is funded by moneys from the city or county; and the golf course is in a high-density area.

AB 682 (Bloom) Planning and Zoning: Cohousing Buildings.
This measure would require a city or county with a population of more than 400,000 people to permit the building of cohousing buildings, as defined, in any zone where multifamily residential buildings are permitted. This measure would require that cohousing buildings be permitted on the same basis as multifamily dwelling units. This measure would also set minimum standards for the construction of cohousing buildings, including floor-space ratios and setback requirements.

AB 780 (Ting) Local Zoning Ordinances. School District Employee Housing.
This measure would authorize the governing board of a school district to render a city or county zoning ordinance inapplicable if the proposed use of property by the school district is to offer school district employee housing.
AB 989 (Gabriel) Housing Appeals Committee.
This measure would require the Department of Housing and Community Development to establish a housing appeals committee and would establish procedures by which an applicant for a conditional use permit or other discretionary approval for a housing development project, could appeal to that committee the decision of a city or county to either deny the application or approve the application with conditions in a manner rendering it infeasible for the development of the housing development project.

AB 1258 (Nguyen) Housing Element: Regional Housing Need Plan: Judicial Review.
Under existing law, a part of the housing element is an assessment of housing needs, which includes the locality’s share of the regional housing need. Under existing law the appropriate council of governments, or for cities and counties without a council of governments, the Department of Housing and Community Development, adopts a final regional housing need plan that allocates a share of the regional housing need to each locality in the region. This measure would subject the final regional housing need plan to judicial review.

AB 1295 (Muratsuchi) Residential Development Agreements: Very High Fire Risk Areas.
This measure, beginning on or after January 1, 2022, would prohibit the legislative body of a city or county from entering into a residential development agreement for property located in a very high fire risk area. The bill would define “very high fire risk area” for these purposes to mean a very high fire hazard severity zone designated by a local agency or a fire hazard severity zone classified by the director.

AB 1322 (Bonta) Land Use: Charter Cities: Single-Family Homes.
The measure would allow a city council to authorize an action to be brought in superior court to determine whether the identified provisions of the city charter or identified voter-adopted measures, or both, constitute a substantial obstacle to the city’s adoption or implementation of a timely, substantially compliant housing element.

AB 1401 (Friedman) Residential and Commercial Development: Parking Requirements.
This measure would prohibit a local government from imposing a minimum parking requirement, or enforcing a minimum parking requirement, on residential, commercial, or other development if the development is located on a parcel that is within one-half mile walking distance of public transit or located within a low-vehicle miles traveled area.

AB 1409 (Levine) Planning and Zoning: General Plan: Safety Element.
This measure would require the safety element to be reviewed and updated to identify evacuation locations.

AB 1445 (Levine) Planning and Zoning: Regional Housing Need Allocation: Climate Change Impacts.
This measure would require that a council of governments, a delegate subregion, or the department, as applicable, consider emergency evacuation route capacity, wildfire risk, sea level rise, and other impacts caused by climate change when determining a local government’s Regional Housing Needs Assessment.

AB 1492 (Bloom) Department of Housing and Community Development: High-Opportunity Areas.
This measure would require the Department of Housing and Community Development to designate areas in this state as high-opportunity areas by January 1, 2023, in accordance with
specified requirements and to update those designations within 6 months of the adoption of new Opportunity Maps by the California Tax Credit Allocation Committee.

**SB 6 (Caballero) Local Planning. Housing in Commercial Zones.**
This measure would create the Neighborhood Homes Act, which would require cities to allow housing development projects on lots zoned for office or retail commercial that is not adjacent to an industrial use.

**SB 9 (Atkins) Housing Development Approvals.**
This measure would require a local government to ministerially approve a housing development containing two residential units in single-family zones. Additionally, this measure would require local governments to ministerially approve urban lot split.

**SB 10 (Wiener) Planning and Zoning. Density.**
This measure would, notwithstanding any local restrictions on adopting zoning ordinances, authorize a local government to pass an ordinance to zone any parcel for up to 10 units of residential density per parcel, at a height specified in the ordinance, if the parcel is located in a transit-rich area, a jobs-rich area, or an urban infill site.

**SB 12 (McGuire) Local Government: Planning and Zoning: Wildfires.**
This measure would require the safety element, upon the next revision of the housing element or the hazard mitigation plan, on or after July 1, 2024, whichever occurs first, to be reviewed and updated as necessary to include a comprehensive retrofit strategy to reduce the risk of property loss and damage during wildfires, as specified, and would require the planning agency to submit the adopted strategy to the Office of Planning and Research for inclusion into the above-described clearinghouse.

**SB 15 (Portantino) Housing Development: Incentives: Rezoning of Idle Retail Sites.**
This measure, upon appropriation by the Legislature in the annual Budget Act or other statute, would require the Department of Housing and Community Development to administer a program to provide incentives in the form of grants allocated to local governments that rezone idle sites used for a big box retailer or a commercial shopping center to instead allow the development of workforce housing.

**SB 32 (Cortese) Energy: General Plan: Building Decarbonization Requirements.**
This measure would require a city or county to make, commencing January 1, 2023, a one-time amendment to the appropriate elements of its general plan, climate action or greenhouse gas emissions reduction plan, or building codes, to include goals, policies, objectives, targets, and feasible implementation strategies, to decarbonize newly constructed commercial and residential buildings.

**SB 55 (Stern) Very High Fire Hazard Severity Zone. State Responsibility Area. Development Prohibition.**
This measure would prohibit the creation or approval of a new commercial or residential development in a very high fire hazard severity zone (VHFHSZ) or a state responsibility area (SRA).

**SB 477 (Wiener) General Plan: Annual Report.**
This measure would, commencing January 1, 2023, require a city or county to include in that annual report specified information on costs, standards, and applications for proposed housing development projects and specified information on housing development projects within the jurisdiction.
This measure would prohibit a local agency from imposing standards, including a minimum lot size that exceeds an unspecified number of square feet on parcels zoned for at least 2 units, but not more than 4, units or a minimum lot size that exceeds an unspecified number of square feet on parcels zoned for at least 5 units, but not more than 10, units. This measure would also prohibit a city from imposing a floor-to-area ratio standard that is less than 1.5.

SB 499 (Leyva) General Plan: Land Use Element: Uses Adversely Impacting Health Outcomes.
This measure would prohibit the land use element from designating land uses that have the potential to significantly degrade local air, water, or soil quality or to adversely impact health outcomes in disadvantaged communities to be located, or to materially expand, within or adjacent to a disadvantaged community or a racially and ethnically concentrated area of poverty. By expanding the duties of cities and counties in the administration of their land use planning duties, the bill would impose a state-mandated local program.

SB 581 (Atkins) General plan.
This measure would require a city or county to include in their annual report, required under housing element law, whether the city or county is a party to a court action related to a violation of state housing law, and the disposition of that action.

Accessory Dwelling Units (ADUs)
AB 345 (Quirk-Silva) Accessory Dwelling Units: Separate Conveyance.
This bill would require each local agency to, by ordinance, allow an accessory dwelling unit to be sold or conveyed separately from the primary residence to a qualified buyer if certain conditions are met.

SB 765 (Stern) Accessory Dwelling Units: Setbacks.
This measure would remove the four foot maximum setback requirement and would instead provide that the rear and side yard setback requirements for accessory dwelling units may be set by the local agency. The measure would authorize an accessory dwelling unit applicant to submit a request to the local agency for an alternative rear and side yard setback requirement if the local agency’s setback requirements make the building of the accessory dwelling unit infeasible.

Affordable Housing
AB 387 (Lee) Social Housing Act of 2021.
This measure would establish, in the Business, Consumer Services, and Housing Agency, the California Social Housing Council to develop policy proposals that would promote the development of social housing, to hold public meetings throughout the state to educate participants on the history and purposes of social housing, and to solicit input on the policy proposals from stakeholders.

AB 880 (Aguiar-Curry) Affordable Disaster Housing Revolving Development and Acquisition Program.
This measure would, upon appropriation of the Legislature, establish the Affordable Disaster Housing Revolving Development and Acquisition Program to fund the predevelopment expenses, acquisition, construction, reconstruction, and rehabilitation of property to develop or preserve affordable housing in the state’s declared disaster areas that have experienced damage and loss of homes occupied by or affecting lower income households. This measure
would require the Department of Housing and Community Development to establish an application process for community development financial institutions to apply for emergency short-term or temporary loans under the program.

**AB 950 (Ward) Department of Transportation: Sales of Excess Real Property: Affordable Housing.**

This measure would authorize the Department of Transportation to sell its excess real property to the city, county, or city and county where the real property is located if the city, county, or city and county agrees to use the real property for the sole purpose of implementing affordable housing, as specified. This measure would exempt these transfers and sales from the California Environmental Quality Act.

**SB 5 (Atkins) Housing Bond.**

This measure expresses the intent of the Legislature to authorize the issuance of a bond, of an unspecified amount, to fund housing-related programs.

**SB 809 (Allen) Regional Housing Trusts.**

This measure would allow a city or county to satisfy part of its requirement to identify zones suitable for residential development by adopting and implementing a multijurisdictional regional agreement. A multijurisdictional regional agreement shall identify the jurisdiction that is contributing suitable land for residential development and the jurisdiction or jurisdictions that are contributing funding for that development.

**SCA 2 (Allen) Public Housing Projects.**

The California Constitution prohibits the development, construction, or acquisition of a low-rent housing project, as defined, in any manner by any state public body until a majority of the qualified electors of the city, town, or county in which the development, construction, or acquisition of the low-rent housing project is proposed approve the project by voting in favor at an election, as specified. This measure would repeal these provisions.

**Tenant Protections**

**AB 16 (Chiu) Tenancies: COVID-19 Tenant, Small Landlord, and Affordable Housing Provider Stabilization Act of 2021.**

Would establish the Tenant, Small Landlord, and Affordable Housing Provider Stabilization Program. The bill would establish in the State Treasury the COVID-19 Tenant, Small Landlord, and Affordable Housing Provider Stabilization Fund, and, upon appropriation by the Legislature, distribute all moneys in the fund to the department to carry out the purposes of the program.

**Homelessness**

**AB 71 (Rivas, Luz) Homelessness Funding: Bring California Home Act.**

This measure would generate $2.4 billion of state funding for long-term solutions to homelessness. These funds will go to local governments so they can invest in housing solutions that take into account a community’s unique needs, whether urban or rural. The measure does so by conforming to federal tax law to close corporate tax loopholes and restoring historic corporate tax rates on corporations with $5 million or more in profits.

**AB 816 (Chiu) State and Local Agencies: Homelessness Plan.**

This measure would, on or before January 1, 2023, require each local agency to submit to the Department of Housing and Community Development an actionable county-level plan for meeting specific annual benchmarks, with the goal of reducing homelessness by 90% by 2029.
Each city in the local agency’s jurisdiction shall participate in the county-level plan, and the local agency shall request and actively seek the participation of all homeless continuums of care that serve the local agency’s jurisdiction. Additionally, this measure would allow the Inspector General to bring an action against the state, a local agency, or a city to compel compliance with the homelessness action plan.

**AB 1372 (Muratsuchi) Right to Temporary Shelter.**
This measure would require every city, or every county in the case of unincorporated areas, to provide every person who is homeless with temporary shelter, mental health treatment, resources for job placement, and job training until the person obtains permanent housing if the person has actively sought temporary shelter in the jurisdiction for at least 3 consecutive days and has been unable to gain entry into all temporary shelters they sought for specified reasons. The measure would require the city or county to provide a rent subsidy, if it is unable to provide temporary shelter. This measure would also authorize a person who is homeless to enforce the bill’s provisions by bringing a civil action.

**SB 621 (Eggman) Conversion of Motels and Hotels: Streamlining.**
This measure would authorize a development proponent to submit an application for a development for the complete conversion of a structure with a certificate of occupancy as a motel or hotel into multifamily housing units to be subject to a streamlined, ministerial approval process, provided that development proponent reserves an unspecified percentage of the proposed housing units for lower income households, unless a local government has affordability requirements that exceed these requirements. This measure would require the structure proposed to be converted be vacant for at least 6 months prior to the submission of the application, except as provided. This measure would not apply to a hotel or motel conversion on a site that is in a coastal zone, as defined.

**Mitigation Fees/Development Fees**
**AB 59 (Gabriel) Mitigation Fee Act: Fees: Notice and Timelines.**
Existing law allows a party to challenge a connection fee or capacity charge within 120 days from the date the agency adopts the fee or charge. Once the statute of limitations expires, fee structures are protected from lawsuits, allowing agencies to invest the revenue from those fees in ways that benefit future development. This measure would remove this certainty by repealing Government Code section 66022 and allowing agencies to be sued every time they assess the fee or charge on an applicant for a new service connection.

**AB 602 (Grayson) Development Fees.**
This measure would require a city to follow specific standards and practices when conducting an impact fee nexus study, including: 1) Prior to the adoption of an associated development fee or exaction, an impact fee nexus study be adopted; 2) That the study identify the existing level of service for each assessed impact, identify the proposed new level of service, explain the level of metric being used, and include a finding of why the new level of service is necessary; and 3) That a fee levied or imposed on a housing development project by a local agency be proportionate to the square footage of the proposed unit or units.

**SB 695 (Ochoa Bogh) Mitigation Fees.**
This measure would make numerous changes to how cities impose development fees. Changes include expanding nexus study requirements to include dedications of parkland or in-lieu fees imposed under the Quimby Act, and construction excises taxes. This measure would prohibit a housing impact requirement from exceeding the amount necessary to maintain the
existing level of service identified in the nexus study for the type of capital facility for which the housing impact requirement is imposed.

**Mobilehomes**

**AB 978 (Quirk-Silva) Mobilehome Parks: Rent Caps.**
This measure would, until January 1, 2030, prohibit the management of a mobilehome park from increasing the gross rental rate for a tenancy for a mobilehome space more than 5% plus the percentage change in the cost of living or 10%, whichever is lower, of the lowest gross rental rate charged for the immediately preceding 12 months, as specified. The measure would prohibit management of a mobilehome park from increasing the gross rental rate for a tenancy in more than 2 increments over a 12-month period, after the tenant maintains a tenancy over a 12-month period. The measure would also exempt specified mobilehome spaces from these provisions, including, among others, mobilehome spaces restricted by deed, regulatory restriction contained in an agreement with a government agency, or other recorded document as affordable for very low, low-, or moderate-income persons and families and mobilehome spaces within a resident-owned mobilehome park.

**Economic Development**

**AB 106 (Salas) Regions Rise Grant Program.**
This measure would establish the Regions Rise Grant Program within the Governor’s Office of Business and Economic Development for the purpose of supporting inclusive, cross-jurisdictional, and innovative engagement processes that lead to inclusive strategies to address barriers and challenges confronting communities in creating economic prosperity for all.

**AB 464 (Mullin) Enhanced Infrastructure Financing Districts (EIFD): Allowable Facilities, Projects, and Costs.**
This measure would make numerous changes to EIFD law, including removing the prohibition on the use of proceeds of bonds issued to finance maintenance, and removing, from the list of facilities and projects the district may fund, the acquisition, construction, or repair of industrial structures for private use.

**SB 780 (Cortese) Public Investment Authorities.**
This measure would make numerous changes to various statutory provisions governing Enhanced Infrastructure Financing Districts and Community Revitalization and Investment Authorities.

**Miscellaneous**

**ACA 1 (Aguiar-Curry) Local Government Financing: Affordable Housing and Public Infrastructure: Voter Approval.**
This measure would reduce the voting threshold to 55% for ad valorem taxes to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes.

**AB 838 (Friedman) State Housing Law: Enforcement Response to Complaints.**
This measure would, beginning July 1, 2022, require a city or county that receives a complaint of a substandard building or a lead hazard violation from a tenant, resident, or occupant, or an agent of a tenant, resident, or occupant, to inspect the building, portion of the building intended for human occupancy, or premises of the building, document the lead hazard violations that
would be discovered based upon a reasonably competent and diligent visual inspection of the property and identify any building, portion of a building intended for human occupancy, or premises on which such a building is located that is determined to be substandard.

**AB 916 (Salas) Zoning: Accessory Dwelling Units: Bedroom Addition.**
This measure would prohibit a city or county legislative body from adopting or enforcing an ordinance requiring a public hearing as a condition of adding one bedroom to an existing single-family residential structure.

**AB 1029 (Mullin) Housing Elements: Prohousing Local Policies.**
This measure would add the preservation of affordable housing units through the extension of existing project-based rental assistance covenants to avoid the displacement of affected tenants and a reduction in available affordable housing units to the list of specified prohousing local policies.

**AB 1188 (Wicks) Rental Housing Registry Online Portal.**
This measure would require all cities to create and administer a rental registry online portal. The rental registry online portal shall be designed to receive information from landlords within the jurisdiction of the city and then disseminate the information to the public.

**AB 1271 (Ting) Surplus Lands Act.**
This measure would make numerous changes to the Surplus Lands Act, including requiring local agencies to submit to the Department of Housing and Community Development evidence that the required negotiations were conducted in good faith, and allow affordable housing developers a second chance to purchase surplus property.