



Housing, Community, and Economic Development Policy Committee
June 10, 2022
9:00 am – 12:00 pm

Register for this meeting:

<https://us06web.zoom.us/join/9336288628>

Immediately after registering, you will receive a link and confirmation email to join the meeting.

AGENDA

I. Welcome and Introductions

Speakers: Chair Marshall Goodman, Council Member, City of La Palma
Vice Chair Dan Wright, Council Member, City of Stockton
Cal Cities President Cindy Silva, Mayor Pro Tem, Walnut Creek
Cal Cities Executive Director and CEO Carolyn Coleman

II. Public Comment

III. General Briefing (Handout)

Informational

IV. Discuss Strategies to Reform State Housing Laws and Increase Funding for Affordable Housing

Action

Focused Discussion on Local Control

V. Economic Development – CALED Priorities

Informational

Speaker: Gurbax Sahota, President & Chief Executive Officer, CALED and Executive Director, CA Academy for Economic Development

VI. Economic Development – Tax Increment Finance Tools (Attachment A) *Informational*
Cal Cities Budget Proposal

VII. Legislative and State Budget Update (Attachment B)

Informational

VIII. 2022 Annual Conference, Long Beach Convention Center, Sept 7-9

Informational

IX. Adjourn

Next Virtual Meeting: Staff will notify committee members after July 15 if the policy committee will meet in September. If you have any questions, please contact Meg Desmond, Cal Cities Associate Manager, Legislative Administration

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 League meetings. Any such discussion is subject to the Brown Act and must occur in a meeting that complies with its requirements.



CALIFORNIA ASSOCIATION FOR
LOCAL ECONOMIC DEVELOPMENT

ATTACHMENT A

FAQs on California's New Tax Increment Financing Tools

*Get answers to frequently asked questions
regarding CRIAs and EIFDs*

*Compare the tools to see which one
works best for your project*

*Learn how to complete projects with new tax increment
financing tools to increase economic development*

*Watch for CA TIF Primer
coming soon*



FAQs on California's New Tax Increment Financing Tools

Tax increment financing (TIF) tools work by transferring the property tax revenues that flow from a designated project area to the city, county, and other taxing entities.

Additional tax revenue in future years (the "increment") is diverted into a separate pool, which can be used to pay for improvements directly or to pay back bonds issued against the anticipated TIF revenue.

In California, TIF has historically been used by redevelopment agencies to raise funding for infrastructure improvements, housing and other projects in redevelopment areas. However, with the dissolution of redevelopment agencies as of February 1, 2012, the traditional form of TIF is not available. New financing mechanisms such as Enhanced Infrastructure Financing Districts (EIFDs) and Community Revitalization Investment Areas (CRIAs) are opportunities for public agencies to create more economic development within your community.

CALED has created a Technical TIF Committee comprised of expert practitioners, attorneys and consultants to assist in sharing knowledge and resources to help California communities leverage these new tools. This frequently asked questions document was created to help answer some of the most common questions about California's new TIF tools. For more information, please contact CALED.

Why am I hearing so much about EIFDs and CRIAs lately?

Enhanced Infrastructure Financing Districts (EIFDs) and Community Revitalization and Investment Authorities (CRIAs) provide local governments a way to finance certain projects with tax increment. They authorize the broadest uses of tax increment allowed in California since Redevelopment, and are therefore generating a lot of interest as replacement tools.

How is this tax increment different from redevelopment tax increment?

In general, like redevelopment, a base year is established and increases in revenues above base year levels are tax increment. Projects can be funded through a loan or bonds secured by tax increment, or on a cash basis.

Unlike redevelopment, school districts or educational entities may not contribute their property tax share to an EIFD or a CRIA. On average, schools are collectively allocated about half of the property tax share, which reduces the maximum possible contribution of tax increment to the remaining general levy.

All non-school taxing agencies must choose whether or not to participate in the EIFDs / CRIAs. If participating, each agency can choose to allocate all or just a portion of its revenue. The greater the number of participants, the greater the funding that becomes available. Planning projects that benefit more than one taxing agency may help garner support and increase funds through the EIFD or CRIA.

CALED Technical TIF Committee Members

Aaron Laurel, *Economic Development & Housing Director, City of West Sacramento (Co-Chair)*

James Hamill, *Managing Director, CA Statewide Communities Development Authority (Co-Chair)*

Constantine Baranoff, *Shareholder, Kronick Moskowitz Tiedemann & Girard*

Jon Goetz, *Shareholder, Kronick Moskowitz Tiedemann & Girard*

Lynn Hutchins, *Partner, Goldfarb & Lipman LLP*

Debbie Kern, *Senior Principal, Keyser Marston Associates, Inc.*

Larry Kosmont, *President, Kosmont Companies*

Ellen Martin, *Executive Vice President, EPS*

Mike Nuby, *Manager, Economic Development Services, Southern California Edison*

Daniel Rofoli, *Consultant, Economic and Housing Development Division, Community Development Commission of Los Angeles County*

Nicholas Romo, *Legislative Policy Analyst, League of California Cities*

Alexa Smittle, *Principal, RSG, Inc.*

Randy Starbuck, *Consultant, A2B Consulting*

Rafael Yaquián, *Partner, Goldfarb & Lipman LLP*



FAQs on California's New Tax Increment Financing Tools

How does the funding work in an area that was a redevelopment project area?

In short, all Recognized Obligation Payment Schedule (ROPS) debts of a Successor Agency are senior to an EIFD or CRIA. This means that while an EIFD or CRIA could be formed where redevelopment project areas exist, available revenue may be limited while old redevelopment debts are paid. This would be especially important to understand if the EIFD/CRIA intended to fund projects with bonds, where extensive due diligence must be performed to show adequate revenues.

What can I do with the money?

Generally, in an EIFD, you may purchase, improve, develop, rehabilitate, etc. public capital facilities or projects of "communitywide significance" which include:

- ✦ Roads, transit facilities, parking facilities
- ✦ Sewer treatment/water reclamation
- ✦ Flood control
- ✦ Child care facilities, libraries, parks, recreational facilities
- ✦ Facilities for solid waste
- ✦ Brownfield restoration/mitigation, including Polanco Act powers

- ✦ Projects on former military base
- ✦ Affordable housing
- ✦ Industrial structures
- ✦ Port/Harbor infrastructure

With a CRIA, you have more flexibility to invest directly in economic development efforts in addition to infrastructure. A CRIA may fund:

- ✦ Infrastructure improvements
- ✦ Affordable housing
- ✦ Hazardous substance remediation, including Polanco Act powers
- ✦ Building and other physical improvements
- ✦ Acquisition of property for economic development purposes
- ✦ Direct business assistance for industrial and manufacturing uses
- ✦ Reuse of previously developed sites

Note that a CRIA has a 25% affordable housing set-aside requirement.

What are the differences between an EIFD and a CRIA?

Some of the key points of these tools are highlighted in the table below. It's important to think through what you hope to accomplish, as each tool has varied advantages and disadvantages.

	EIFD	CRIA
Governing Body	Public Finance Authority	Community Revitalization Investment Authority
Qualification Criteria for area	No	Yes – median income requirements and certain economic indicators
Voter approval to form District	No	If 25-50% of property owners/residents protest, an election must be held. If more than 50% protest, adoption proceedings are terminated
Planning Documents Required	Infrastructure Financing Plan	Community Revitalization and Investment Plan
Other Formation Requirements	If a redevelopment project area is involved, Successor Agency must meet certain requirements including finding of completion	If City or County involved has a Successor Agency, the SA must meet certain requirements including finding of completion
Duration	Max 45 years from approval to issue bonds	Max 45 years from formation
Reporting Requirements	Audit every 2 years after issuance of bond debt	Substantive annual report; five year audit of housing expenditures; ten year protest proceeding which can stop all further action with majority protest
Affordable Housing Set-Aside	No, but can build/rehab units if affordability covenants exist or are instated	Yes, 25% of tax increment
Inclusionary Housing Requirement	If housing is financed, units restricted to low and moderate income	Covenants: 55-year rental, 45-year owner occupied, 15-year mutual self-help. Proportional expenditure limits apply.
Voter Approval to Issue Bonds	Yes – 55%	No

For a more extensive comparison, see CALED's Tax Increment Financing Tools Comparison Chart



FAQs on California's New Tax Increment Financing Tools

What should I consider before escalating the idea further?

1. Identify types of projects you would want to get done
 - a. Are they a better fit for an EIFD or a CRIA?
 - b. Will another taxing agency/agencies partner with you to support those projects?
 - c. Are there other funding sources to leverage?
2. Determine ideal boundary alternatives
 - a. Is there the potential for growth that will generate tax increment for investment?
 - b. Is there a redevelopment project area already in existence there?
 - c. If a CRIA, does the area qualify?
 - d. Are there significant residential uses, and if so, will residents support bond issuance for an EIFD or approval of the formation of a CRIA?
3. Perform a back-of-the-envelope analysis to determine the revenue potential. This cursory look could be done as follows:

STEP	EXAMPLE
Identify tax rate areas that roughly reflect the potential EIFD or CRIA	TRAs 10001 and 10002 approximate our ideal boundaries
Obtain assessed value reports by tax rate area from the Auditor Controller	Combined TRAs assessed value = \$10,000,000
Assume an annual assessed value growth rate, and add in any potential development to identify future increment above current assessed value	3% annual growth rate, no new development Year 1: $\$10M \times 3\% =$ new assessed value of \$10,300,000 Incremental assessed value: $\$10.3M - \$10M$ (base) = \$300,000
Multiply annual increment by 1%, then by the general levy share you anticipate can be achieved (e.g. city only, city and county, city and special district)	Incremental revenue: $\$300,000 \times 1\% = \$3,000$ Assume City and County participate with combined levy share of 25% $\$3,000 \times 25\% = \750 collected in Year 1
Project for 45 years (for estimating purposes) to determine gross increment	Repeat calculation: Year 2: $\$10,300,000$ AV $\times 3\%$, less base, etc.

4. Up front funding to initiate an EIFD or CRIA could be expensive, including staff time, consultants, special counsel, etc. At a minimum, you will need to consider costs and time for:
 - a. More in-depth revenue estimates to determine fiscal feasibility
 - b. Outreach and negotiations with taxing agencies
 - c. Formation of Public Finance Authority / JPA if necessary
 - d. Drafting of Plan for adoption – note that both the Infrastructure Financing Plan and the Community Revitalization and Investment Plan are substantive documents, and are subject to CEQA.
 - e. In the case of a CRIA, the project could result in the need for a vote.
5. Can your general fund absorb growing costs of service delivery while giving up a portion of its revenue to an EIFD or CRIA?
6. Are potential projects already captured by other CEQA documentation, or can they be? For example, an EIR for a general plan update could double as the necessary documentation for an EIFD/CRIA if planned in advance.
7. When do you expect your redevelopment project area to expire, and is it an area still needing investment? Setting up an EIFD or CRIA now may put a tool in place you can leverage more later.

EIFDs and CRIAs are tools for entrepreneurial cities and counties that see an opportunity to leverage tax increment for the benefit of their communities. Yes, these tools probably aren't a silver bullet for the many issues that face us, and yes, initiating these efforts seems a bit daunting. However, Redevelopment – as we once knew it – was tough to get going as well. We learned, we got better at it, and have some really good examples of public investment and partnership throughout the state as a result. We can take those lessons and apply them here. You might already have projects in mind that could benefit from these districts; and if you don't, consider that we may see a revolution in land use, transportation, and environmental stewardship over the next 25 years. Putting these tools in place now may be just a part of preparing for the future.



Tax Increment Financing Tools Comparison Chart

This chart was created by CALED's Tax Increment Financing Technical Committee to provide a summary of key similarities and differences between Enhanced Infrastructure Financing Districts (EIFDs), Community Revitalization Investment Authorities (CRIAs), and former Redevelopment Agencies (RDAs). To obtain more information and technical assistance on tax increment financing tools available to California cities and counties, visit www.caled.org.

Powers

TOPIC	RDA	EIFD	CRIA
Infrastructure Financing	Yes, if no other reasonable means of financing available	Yes, for public capital facilities and projects of communitywide significance	Yes
Land Acquisition	Yes (may acquire itself or finance acquisition)	Yes (finance acquisition only)	Yes (may acquire itself or finance acquisition)
Eminent Domain	Yes – 12 year limit	No	Yes – 12 year limit
Land Conveyance	Yes	No	Yes
Environmental Remediation	Yes	Yes	Yes
Affordable Housing	Yes	Yes	Yes
Private Commercial Rehabilitation	Yes, for commercial rehabilitation loans and industrial/manufacturing financing	Yes, for acquisition, construction or repair of industrial structures	Yes
Maintenance, Operations and Services	No	No	No

CALED Technical TIF Committee Members

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Economic and Housing Development
Division, Community Development
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Goldfarb & Lipman LLP



Tax Increment Financing Tools Comparison Chart

Formation

TOPIC	RDA	EIFD	CRIA
Blight Finding	Yes	No	80% of revitalization area income must be less than 80% statewide median income Must also meet 3 of 4 tests: 1. unemployment rate 3% higher than state rate 2. crime rate 5% higher than state rate 3. deteriorated/inadequate infrastructure 4. deteriorated commercial and residential buildings
Urbanization Finding	Yes	No	No
Relationship with RDA	-	<ul style="list-style-type: none"> EIFD may include former redevelopment project area Successor Agency must have Finding of Completion for RDA project, RDA litigation must be resolved, Controller review must be complete 	<ul style="list-style-type: none"> CRIA may include former redevelopment project area Successor Agency must have Finding of Completion for RDA project, RDA litigation must be resolved, Controller review must be complete
Citizen Committee Review	Yes - if residential eminent domain allowed	No	Voter protest hearing
Governing Board	Usually same as City Council/ County Board that established RDA	<ul style="list-style-type: none"> Governing board is separate public financing authority If one taxing entity: 3 members of entity's legislative body + 2 public members If multiple taxing entities: majority of members of each entity's legislative body + 2 public members 	<ul style="list-style-type: none"> If one taxing entity: 3 members of entity's legislative body + 2 public members If multiple taxing entities: majority of members of each entity's legislative body + 2 public members
Noticed Public Hearing	Yes	Yes	Yes - 3 hearings
Preparation of Plan	Yes - Redevelopment Plan	Yes - Infrastructure Financing Plan	Yes - Community Revitalization and Investment Plan
Public Agency Vote	Simple Majority	Simple Majority	Simple Majority
Voter Approval of Formation	No	No	Yes, if 25 - 50% of voters protest at public hearing
CEQA	Yes - EIR	Yes (may be covered by CEQA documentation for project)	Yes (may be covered by CEQA documentation for project)



Tax Increment Financing Tools Comparison Chart

Financing

TOPIC	RDA	EIFD	CRIA
Property Tax Increment	Yes – mandatory for all taxing agencies	Yes – only for consenting taxing agencies; education districts may not consent	Yes – only for consenting taxing agencies; education districts may not consent
Amount of Tax Increment to District	All	All or portions of consenting agencies' share as designated in plan	All or portions of consenting agencies' share as designated in plan
Issuance of Tax Allocation Bonds	Yes	Yes	Yes
Vote for Bond Issuance	RDA Board – Simple majority	IFD Board – simple majority + District Voters – 55% majority	No (issuance of bonds provided for in plan adopted by Authority)
Term	Up to 45 years receipt of taxes to repay debt	Up to 45 years from issuance of bonds	Up to 45 years from district formation
Relationship to RDA Debt	-	Subordinate to RDA enforceable obligations	Subordinate to RDA enforceable obligations

Special Requirements

TOPIC	RDA	EIFD	CRIA
Mandatory Expenditure for Affordable Housing	Yes – 20% of funds	No	Yes – 25% of funds
Inclusionary Housing	Yes – 15% of privately developed housing, 30% of RDA developed housing	Yes – 100% of EIFD financed housing	Yes – 15% of privately developed housing, 30% of CRIA developed housing
Replacement Housing	Yes	Yes	Yes
Relocation	Yes	Yes	Yes
Owner Participation Rights	Yes	No	No
Restriction on Assistance to Big Box Stores and Auto Dealers	Yes	No	Yes
Prevailing Wages	<ul style="list-style-type: none"> Required for RDA's own projects For assistance to other projects, depends on form of assistance 	Depends on form of assistance	Depends on form of assistance
Tax Sharing Payments to Other Taxing Agencies	Yes – Required for 1994-2011 plans, permitted for pre-1994 plans	No	No



**Don't miss the opportunity to learn about these tools in person
at CALED's 37th Annual Training Conference on March 21-23, 2017 in San Diego**

- ♦ Technical sessions at the conference will include:
 - Overview of Site Assembly Tools: The bedrock tools for developing projects.
 - Layering Tools to Finance Development: What's in your capital stack?
 - Revitalizing & Developing Infill Areas: West Sacramento Case Study.
 - Global Climate Control Meets Local Economic Development: Accomplish economic objectives and achieve the State's sustainability standards.
 - From Application to Approval: The process and politics of getting a project through completion.
 - Making it Work: Analyzing hypothetical case studies.



Published By:

CALIFORNIA ASSOCIATION FOR LOCAL ECONOMIC DEVELOPMENT
550 BER CUT DRIVE, SUITE G, SACRAMENTO, CA 95811



**Housing, Community and Economic Development Policy Committee
2022 Bills of Note
June 2022**

Planning and Zoning

AB 2234 (Rivas, Robert) Planning and zoning: housing: postentitlement phase permits.

The bill would require a public agency to compile a list of information needed to approve or deny a postentitlement phase permit, as defined, to post an example of an ideal application and an example of an ideal complete set of postentitlement phase permits for the most common housing development projects in the jurisdiction, and to make those items available to all applicants for these permits no later than January 1, 2024. The bill would define "public agency" for these purposes to mean a city, county, or city and county. No later than January 1, 2024, except as specified, the bill would require a public agency to require permits to be applied for, completed, and stored through a process on its website, and to accept applications and related documentation by electronic mail until that internet website is established. The bill would require the website or electronic mail to list the current processing status of the applicant's permit by the public agency, and would require that status to note whether it is being reviewed by the agency or action is required from the applicant.

AB 2339 (Bloom) Housing element: emergency shelters: regional housing need.

This bill would revise the requirements of the housing element in connection with zoning designations that allow residential use, including mixed use, where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit. The bill would prohibit a city or county from establishing overlay districts to comply with these provisions.

AB 2656 (Ting) Housing Accountability Act: disapprovals: California Environmental Quality Act.

This bill would define "disapprove the housing development project" as also including any instance in which a local agency denies a project an exemption from CEQA for which it is eligible, as described, or requires further environmental study to adopt a negative declaration or addendum for the project or to certify an environmental impact report for the project when there is a legally sufficient basis in the record before the local agency to adopt a negative declaration or addendum or to certify an environmental impact report without further study.

AB 2705 (Quirk-Silva) Housing: fire safety standards.

This bill would prohibit the legislative body of a city or county from approving a discretionary entitlement, as defined, that would result in a new residential development project, as defined, being located within a very high fire hazard severity zone, unless the city or county finds that the residential development project will meet specified standards intended to address wildfire risks, as specified, and would provide that these provisions do not limit or prohibit a legislative body of a city or county from adopting more stringent standards.

AB 2840 (Reyes) Qualifying logistics use projects.

This would prohibit a local agency from approving the development or expansion of any qualifying logistics use (warehouse over 100,000 square feet) that is adjacent to sensitive receptors (which include housing, churches, daycare facilities, healthcare facilities, playgrounds, etc.) unless the local agency imposes a minimum setback on the qualifying logistics use of 1,000 feet or imposes alternative measures that will reduce the project's impact on the public health and safety in a comparable manner.

SB 6 (Caballero) Local planning: housing: commercial zones.

This measure, the Neighborhood Homes Act, would deem a housing development project, as defined, an allowable use on a neighborhood lot, which is defined as a parcel within an office or retail commercial zone that is not adjacent to an industrial use. This measure would require the density for a housing development under these provisions to meet or exceed the density deemed appropriate to accommodate housing for lower income households according to the type of local jurisdiction, including a density of at least 20 units per acre for a suburban jurisdiction.

Accessory Dwelling Units (ADUs)

SB 897 (Wieckowski) Accessory Dwelling Units.

This bill would make numerous changes to existing ADU law. Most notably, SB 897 would require local governments to allow ADUs to be constructed with a height of up to 25 feet.

Affordable Housing

AB 1850 (Ward) Public housing: unrestricted multifamily housing.

This bill would prohibit a city, county, city and county, joint powers authority, or any other political subdivision of a state or local government from acquiring unrestricted multifamily housing, as defined, unless each unit in the development meets specified criteria, including that the initial rent for the first 12 months postconversion is at least 10 percent less than the average monthly rent charged for the unit over the 12-month period prior to conversion and at least 20 percent less than the small area fair market rent.

AB 2011 (Wicks) Affordable Housing and High Road Jobs Act of 2022.

This bill would make certain housing developments that meet specified affordability and site criteria and objective development standards a use by right within a zone where office, retail, or parking are a principally permitted use, and would subject these development projects to one of two streamlined, ministerial review processes. The bill would require a development proponent for a housing development project approved pursuant to the streamlined, ministerial review process to require, in contracts with construction contractors, that certain wage and labor standards will be met, including that all construction workers shall be paid at least the general prevailing rate of wages, as specified. The bill would require a development proponent to certify to the local government that those standards will be met in project construction.

AB 2053 (Lee) The Social Housing Act.

This bill would enact the Social Housing Act and would create the California Housing Authority, as an independent state body, the mission of which would be to produce

and acquire social housing developments for the purpose of eliminating the gap between housing production and regional housing needs assessment targets, as specified. The bill would prescribe a definition of social housing that would describe, in addition to housing owned by the authority, housing owned by other entities, as specified, provided that all social housing developed by the authority would be owned by the authority. The bill would prescribe the composition of the California Housing Authority Board, which would govern the authority, and would be composed of appointed members and members who are elected by residents of social housing developments, as specified. The bill would prescribe the powers and duties of the authority and the board. The bill would provide that the authority is bound to revenue neutrality, as defined, and would require the authority to recover the cost of development and operations over the life of its properties through the mechanism of rent cross-subsidization, as defined.

AB 2094 (Rivas, R) General plan: annual report: extremely low-income housing.

This bill would additionally require a city or county's annual RHNA progress report to include the locality's progress in meeting the housing needs of extremely low income households.

AB 2295 (Bloom) Local educational agencies: housing development projects.

This bill would deem a housing development project an allowable use on any real property owned by a local educational agency, as defined, if the housing development satisfies certain conditions, including other local objective zoning standards, objective subdivision standards, and objective design review standards, as described. The bill would deem a housing development that meets these requirements consistent, compliant, and in conformity with local development standards, zoning codes or maps, and the general plan. The bill, among other things, would authorize the land used for the development of the housing development to be jointly used or jointly occupied by the local educational agency and any other party, subject to specified requirements.

Mitigation Fees/Development Fees

AB 2063 (Berman) Density bonuses: affordable housing impact fees.

This bill would prohibit affordable housing impact fees, including inclusionary zoning fees and in-lieu fees, from being imposed on a housing development's density bonus units, unless the city, county, or city and county has adopted a local density bonus ordinance or established a local housing program on or before January 1, 2022, that allows for a density bonus of at least 50 percent for any for-sale or rental housing development containing restricted affordable units that dedicates a specified percentage of units for extremely low, very low, low-, or moderate-income households. By imposing new restrictions on the ability of a local government to impose affordable housing impact fees, the bill would impose a state-mandated local program.

AB 2536 (Grayson) Development fees: impact fee nexus studies: connection fees and capacity charges.

This measure would require a local agency, prior to levying a new fee or capacity charge or approving an increase in an existing fee or capacity charge, to evaluate the amount of the fee or capacity charge. This measure would require the evaluation to

include evidence to support that the fee or capacity charge does not exceed the estimated reasonable cost of providing service, as specified. The measure would also require all information constituting the evaluation to be made publicly available at least 14 days prior to a specified meeting.

Mobilehomes

SB 1307 (Rubio) Department of Housing and Community Development: Mobilehome Parks Act: Special Occupancy Parks Act.

This bill would require the Department of Housing and Community Development to post an explanation of the process for a city, county, or city and county to assume the enforcement responsibilities pursuant to the acts described above, on its internet website, in multiple languages. The bill would also require the department to send an annual notice that explains the process to every city, county, or city and county government that has a mobilehome park located within its jurisdiction.

Miscellaneous

AB 2097 (Friedman) Residential and commercial development: remodeling, renovations, and additions: parking requirements.

This bill would prohibit a public agency from imposing a minimum automobile parking requirement, or enforcing a minimum automobile parking requirement, on residential, commercial, or other development if the development is located on a parcel that is within one-half mile of public transit, as defined. When a project provides parking voluntarily, the bill would authorize a public agency to impose specified requirements on the voluntary parking. The bill would prohibit these provisions from reducing, eliminating, or precluding the enforcement of any requirement imposed on a new multifamily or nonresidential development to provide electric vehicle supply equipment installed parking spaces or parking spaces that are accessible to persons with disabilities.

AB 2357 (Ting) Surplus land.

This measure would make numerous changes to the Surplus Lands Act (SLA) that will create new bureaucratic hurdles to the disposal of city owned land and inject uncertainty into the process. Additionally, AB 2357 provides the California Department of Housing and Community Development greater oversight of local surplus lands.

AB 2386 (Bloom) Planning and zoning: tenancy in common subject to an exclusive occupancy agreement.

This bill would, except as specified, authorize the legislative body of a local agency to regulate by ordinance the design and improvement of any multifamily property held under a tenancy in common subject to an exclusive occupancy agreement, as defined, including by requiring instruments governing the operation and maintenance of common areas.

SB 972 (Gonzalez) California Retail Food Code.

This measure would make various changes to the cottage food operation requirements, including authorizing sales at a compact mobile food facility, exempting those transactions from the amount used to calculate the annual gross sales restrictions, and

authorizing the sale of the cottage food product at a mobile food facility owned by the cottage food operator.

SB 1067 (Portantino) Housing development projects: automobile parking requirements.

This bill would prohibit a city, county, or city and county from imposing any minimum automobile parking requirement on a housing development project that is located within 1/2 mile of public transit, as defined, and that either (1) dedicates 25 percent of the total units to very low, low-, and moderate-income households, students, the elderly, or persons with disabilities or (2) the developer demonstrates that the development would not have a negative impact on the city's, county's, or city and county's ability to meet specified housing needs and would not have a negative impact on existing residential or commercial parking within 1/2 mile of the project, unless the city, county, or city and county makes specified findings. By changing the duties of local planning officials, this bill would impose a state-mandated local program.

SB 1290 (Allen) Sidewalk vendors.

Current law prohibits a local authority, as defined, from regulating sidewalk vendors, except in accordance with specified provisions. Current law establishes that a violation of a local authority's sidewalk vending program is punishable only by an administrative fine, subject to an ability-to-pay determination, and rescission of a permit issued to a sidewalk vendor for the term of that permit upon the 4th violation or subsequent violations, as specified. Current law requires a local authority to accept 20 percent of the administrative fine under specified circumstances. This bill would authorize a local authority not to make an ability-to-pay determination when assessing an administrative fine and would permit a local authority to not accept 20 percent of the administrative fine for the 4th violation or subsequent violations within one year of the first violation.

SB 1425 (Stern) Open-space element: updates.

This measure would require every city and county to review and update its local open-space plan by January 1, 2026. This measure would require the local open-space plan update to include plans and an action program that address specified issues, including climate resilience and other cobenefits of open space, correlated with the safety element.

SB 1457 (Hertzberg) Housing: California Family Home Construction and Homeownership Bond Act of 2022.

This bill would enact the California Family Home Construction and Homeownership Bond Act of 2022 (bond act), which, if adopted, would authorize the issuance of bonds in the amount of \$25 billion pursuant to the State General Obligation Bond Law to finance the California Family Home Construction and Homeownership Program, established as part of the bond act. The bill would authorize the California Housing Finance Agency to award California Socially Responsible Second Mortgage Loans to eligible applicants to use as a down payment or to pay closing costs on the purchase of a new home. The bill would also authorize the agency to award Family Homeownership Opportunity Infrastructure Improvement Loans to developers to be used for predevelopment infrastructure improvements and other upfront costs typically incurred in connection with new home construction, under specified conditions. The bill

would require that moneys received from a loan recipient for the repayment of financing provided under the program be used to pay debt service when due on bonds issued pursuant to the bond act.