

Planning Commissioners Academy

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Planning and Zoning

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.

Cal Cities Position: Oppose Unless Amended

Planning and Zoning

SB 8 (Skinner) Housing Crisis Act of 2019.

This measure would extend the sunset date for the Housing Crisis Act of 2019 from 2025 to 2030. The Housing Crisis Act declared a statewide housing crisis, froze nearly all development related fees once a developer submits a “preliminary” application, including essential project specific fees.

Cal Cities Position: Oppose

Planning and Zoning

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.

Cal Cities Position: Oppose Unless Amended

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.

Cal Cities Position: Watch

Planning and Zoning

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 HCD 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.

Cal Cities Position: Support

Planning and Zoning

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).

Cal Cities Position: Oppose

SB 478 (Wiener) Planning and Zoning Law. Housing Development Projects.

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.

Cal Cities Position: Pending

Planning and Zoning

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.

Cal Cities Position: Pending

SB 809 (Allen) Multijurisdictional Regional Agreements. Housing Elements.

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.

Cal Cities Position: Pending

Planning and Zoning

AB 68 (Salas)/AB 989 (Gabriel) Housing Appeals Committee.

This measure would require the Department of Housing and Community Development (HCD) 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.

Cal Cities Position: Oppose

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.

Cal Cities Position: Oppose Unless Amended

AB 215 (Chiu) Housing Element.

This measure would require HCD to notify a city, county, or city and county, and authorizes HCD to notify the office of the Attorney General, that the city, county, or city and county is in violation of the Housing Crisis Act of 2019 (SB 330).

Cal Cities Position: Watch

Planning and Zoning

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.

Cal Cities Position: Pending

Planning and Zoning

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.

Cal Cities Position: Watch

Planning and Zoning

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.

Cal Cities Position: Oppose

AB 1322 (Bonta) Land Use. Single-Family Homes.

The bill 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.

Cal Cities Position: Pending

Planning and Zoning

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.

Cal Cities Position: Oppose

Planning and Zoning

AB 1551 (Santiago) Planning and Zoning. Housing. Adaptive Reuse of Commercial Space.

This measure would prohibit a city that has not met its share of the regional housing need from restricting the adaptive reuse of commercial space for residential use if that commercial space was constructed no more than 5 years before the date on which the applicant submits an application for a conditional use permit or other discretionary approval for the adaptive reuse of that commercial space.

Cal Cities Position: Oppose Unless Amended

Accessory Dwelling Units (ADU)

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.

Cal Cities Position: Pending

Affordable Housing

SB 5 (Atkins) Housing Bond.

This measure expresses the intent of the Legislature to authorize the issuance of a \$6.5 billion bond, to fund unspecified housing-related programs.

Cal Cities Position: Pending

Homelessness

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 not apply to a hotel or motel conversion on a site that is in a coastal zone, as defined.

Cal Cities Position: Pending

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.

Cal Cities Position: Pending

Homelessness

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 HCD an actionable county-level plan for meeting specific annual benchmarks, with the goal of reducing homelessness by 90% by 2029. 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.

Cal Cities Position: Pending

Homelessness

AB 1220 (Rivas, Luz) Homelessness. Office to End Homelessness.

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.

Cal Cities Position: Pending

Homelessness

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.

Cal Cities Position: Pending

Development Fees

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:

- Prior to the adoption of an associated development fee or exaction, an impact fee nexus study be adopted;
- 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
- 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.

Cal Cities Position: Pending

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.

Cal Cities Position: Support

Miscellaneous

ACA 7 (Muratsuchi) Local government. Police Power. Municipal Affairs. Land Use and Zoning.

This measure would, if approved by the voters, provide that a county or city ordinance or regulation enacted under the police power that regulates the zoning or use of land would prevail over conflicting general laws.

Cal Cities Position: Pending

Questions?

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