

Important Bills Remain in Play in Sacramento

While we have seen some promising bills stall this year, there are still a large number of important housing bills moving forward. Housing continues to be one of the top legislative priorities expressed by the Governor and the Legislature.

SV@Home continues to work with the 3Ps Coalition and other key partners to provide support to key bills. After last year's successful legislative year for housing, with ten 3Ps housing bills moving forward, this year's focus has been on production bills—those that streamline and incentivize the development of housing, particularly housing affordable to lower and moderate-income households.

Both the Senate and Assembly are on recess. We had expected that they would return to Sacramento to begin to hear bills again on July 13th, but due to COVID-related spread, this timeline has been changed.

Here are the bills that SV@Home has taken a position on as of today's date:

Production

[AB 725 \(Wicks\)](#)—Requires at least 25% of the jurisdiction's share of the regional housing need for both moderate-income and above moderate-income housing to be allocated to sites with zoning that allows at least two units of housing but no more than 35 units per acre.

[AB 831 \(Grayson\)](#)—Authorizes a developer to request a modification to an SB 35 approved development if the request is submitted before the issuance of the final building permit required for construction of the development and requires that the local jurisdiction determine if the modification is consistent with the objective planning standard and either approve or deny the modification within 60 or 90 days.

[AB 953 \(Ting\)](#)—Makes minor amendments to clarify several bills—AB 68 (Ting), AB 881 (Bloom), and SB 13 (Wieckowski)—that streamline and encourage the development of Accessory Dwelling Units (ADUs).

[AB 1851 \(Wicks\)](#)—Allows a religious institution to develop an affordable housing project at a place of worship it owns even if the development reduces the number of religious-use parking spaces available.

[AB 1907 \(Santiago\)](#)-- would build on last year's AB 1197, which applied to the City of Los Angeles, by exempting emergency shelters, supportive housing, and affordable housing for lower-income households from CEQA until January 1, 2029. 5/13/20 **UPDATE: AB 1907 did not make it out of the Assembly Natural Resources Committee yesterday, so is effectively dead for the year.**

[AB 2323 \(Friedman\)](#)—Updates existing California Environmental Quality Act (CEQA) housing exemptions by: (1) permitting community plans to serve as the basis for exemption of residential, mixed-use, and employment center projects by transit, (2) permitting exemptions to be claimed on former toxic sites cleared for residential use, and (3) eliminating the exclusion of sites within the boundaries of a state conservancy from existing exemptions for affordable agricultural housing, affordable urban housing, and urban infill housing.

[AB 2345 \(Gonzalez\)](#)-- would expand California's Density Bonus Law to increase the maximum bonus to 50-percent and increase the maximum number of allowable incentives consistent with enhancements

adopted by the City of San Diego, which has resulted in substantially more applications for new affordable homes.

[AB 2666 \(Boerner Horvath\)](#)— would prohibit a local agency from imposing specified requirements on a small home lot development, including setback requirements between units, requirements on the minimum size of each small home lot development, and specified parking requirements. **UPDATE: AB 2666 is not moving forward this year.**

[AB 3040 \(Chiu\)](#)—would make it easier for cities and counties to receive credit towards their above moderate income and moderate-income regional housing needs allocation when they upzone single family housing zones to allow up to four homes. By specifying the credit at .1 units per site, the bill provides certainty to jurisdictions that would otherwise need to provide ample evidence to the State Department of Housing and Community Development that such development on non-vacant sites would occur.

[AB 3107 \(Bloom\)](#)—would allow housing developments with at least 20% of units set aside for lower-income households to be built on any site designated for commercial use.

[AB 3155 \(Rivas\)](#)—would encourage and expedite the production of housing development projects of ten units or less by leveraging provisions within SB 35 and allowing these small development projects to begin construction with a Tentative Map, along with other provisions. **Update: AB 3155 is not moving forward this year, but will live to see another day.**

[AB 3234 \(Gloria\)](#)—would make changes to the Subdivision Map Act to eliminate the requirement for a tentative or final map for the development of a small lot subdivision, as defined by the Housing Accountability Act, if it meets specified criteria. **Update: AB 3234 is not moving forward this year.**

[AB 3279 \(Friedman\)](#) —would revise California Environmental Quality Act (CEQA) litigation procedures by (1) reducing the deadline for a court to commence hearings from one year to 270 days, (2) providing that a lead agency may decide whether a plaintiff prepares the administrative record, and (3) authorizing a court to issue an interlocutory remand.

[SB 899 \(Wiener\)](#)—would, streamline the development process for faith-based organizations and nonprofit hospitals to enable them to build 100% multi-family affordable housing developments (targeted at 80% of Area Median Income and below) regardless of local zoning restrictions.

[SB 902 \(Wiener\)](#)—Would allow the development of duplexes, triplexes, and fourplexes by right in single-family neighborhoods, superseding local zoning rules that have traditionally limited density. Additionally, the bill will provide incentives for larger cities that are willing to allow ten-unit developments, providing they are near high quality public transportation or are in a job-rich area.

[SB 995 \(Atkins\)](#)—Would add affordable housing to the list of projects that can qualify for AB 900 certification as long as it is located on an infill site, is consistent with a sustainable communities strategy or alternative planning strategy, have at least 15% affordability, and result in a minimum of \$15 million in investment. (Note: AB 900 was a 2011 law that established procedures for the environmental review of various residential, retail, commercial, sports, cultural, entertainment, or recreational use projects known as Environmental Leadership Development Projects).

[SB 1085 \(Skinner\)](#)—Would address concerns with the State’s Density Bonus Law that have proven to be a barrier to the development of affordable housing.

[SB 1120 \(Atkins\)](#)—Requires cities and counties to provide for the ministerial consideration of a proposed housing development containing two residential units (a duplex) and ministerial approval of a parcel map dividing a lot into two equal parts for residential use (an urban lot split).

[SB 1385 \(Caballero\)](#)—Enacts the “Neighborhood Homes Act,” which establishes a housing development project as an authorized use on a parcel currently zoned for office or retail commercial use. Projects would also be eligible for SB 35 streamlining.

Preservation

[AB 2058 \(Gabriel\)](#)—would create an affordable housing preservation tax credit, with a \$500 million initial allocation, to preserve existing affordable apartments and mobilehome parks throughout the State. **Update: AB 2058 is not moving forward this year.**

Protection

[AB 2272 \(Gabriel\)](#)—would establish the Stable Communities Fund to provide eviction defense as well as short-term rental assistance to tenants with incomes that do not exceed 80% of the Area Median Income (AMI). **Update: AB 2272 is not moving forward this year.**

Homelessness

[AB 2553 \(Ting\)](#)-- would give all cities and counties in the State the regulatory flexibility to expedite the construction of shelters for individuals experiencing homelessness by waiving or suspending CEQA requirements when a shelter crisis is declared.

[AB 2988 \(Chu\)](#)-- would allow supportive housing by right in zones where emergency shelters are permitted. **Update: AB 2988 is not moving forward this year.**

[AB 3300 \(Santiago\)](#)—would appropriate \$2 billion in ongoing funding to large cities, counties, homeless Continuum of Care Consortiums, and affordable housing developers to expedite the delivery of homeless housing, rental and housing assistance, and wrap-around services to those in need.
5/14/20 **UPDATE: AB 3300 is unfortunately not moving this year.**