



San Gabriel Valley Council of Governments
AGENDA AND NOTICE
OF THE MEETING OF THE SGVCOG PLANNING DIRECTORS
TECHNICAL ADVISORY COMMITTEE (TAC)
Thursday, October 26, 2017 12:00 PM

Chair: Craig Hensley
City of Duarte

Vice-Chair: Michael Huntley
City of Monterey Park

Members

Alhambra
Arcadia
Azusa
Baldwin Park
Claremont
Covina
Diamond Bar
Duarte
El Monte
Glendora
Irwindale
La Verne
Monrovia
Monterey Park
Pasadena
Pomona
Rosemead
San Dimas
San Gabriel
Sierra Madre
South Pasadena
Temple City
Walnut
West Covina

Thank you for participating in today's meeting. The Planners' Technical Advisory Committee encourages public participation and invites you to share your views on agenda items.

MEETINGS: *Regular Meetings of the Planners' Technical Advisory Committee are held on the fourth Thursday of each month at 12 PM at Upper San Gabriel Valley Municipal Water District-602 E. Huntington Dr., Suite B, Monrovia, CA 91016.* The Planners' Technical Advisory Committee agenda packet is available at the San Gabriel Valley Council of Government's (SGVCOG) Office, 1000 South Fremont Avenue, Suite 10210, Alhambra, CA, and on the website, www.sgvkog.org. Copies are available via email upon request (sgv@sgvcog.org). Documents distributed to a majority of the Committee after the posting will be available for review in the SGVCOG office and on the SGVCOG website. Your attendance at this public meeting may result in the recording of your voice.

CITIZEN PARTICIPATION: Your participation is welcomed and invited at all Planners' Technical Advisory Committee meetings. Time is reserved at each regular meeting for those who wish to address the Board. SGVCOG requests that persons addressing the Committee refrain from making personal, slanderous, profane or disruptive remarks.

TO ADDRESS THE PLANNERS' TECHNICAL ADVISORY COMMITTEE: At a regular meeting, the public may comment on any matter within the jurisdiction of the Committee during the public comment period and may also comment on any agenda item at the time it is discussed. At a special meeting, the public may only comment on items that are on the agenda. Members of the public wishing to speak are asked to complete a comment card or simply rise to be recognized when the Chair asks for public comments to speak. We ask that members of the public state their name for the record and keep their remarks brief. If several persons wish to address the Committee on a single item, the Chair may impose a time limit on individual remarks at the beginning of discussion. **The Planners' Technical Advisory Committee may not discuss or vote on items not on the agenda.**

AGENDA ITEMS: The Agenda contains the regular order of business of the Planners' Technical Advisory Committee. Items on the Agenda have generally been reviewed and investigated by the staff in advance of the meeting so that the Committee can be fully informed about a matter before making its decision.

CONSENT CALENDAR: Items listed on the Consent Calendar are considered to be routine and will be acted upon by one motion. There will be no separate discussion on these items unless a Committee member or citizen so requests. In this event, the item will be removed from the Consent Calendar and considered after the Consent Calendar. If you would like an item on the Consent Calendar discussed, simply tell Staff or a member of the Planners' Technical Advisory Committee.



In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the SGVCOG office at (626) 457-1800. Notification 48 hours prior to the meeting will enable the SGVCOG to make reasonable arrangement to ensure accessibility to this meeting.



PRELIMINARY BUSINESS

2 MINUTES

1. Call to Order
2. Roll Call
3. Public Comment (*If necessary, the Chair may place reasonable time limits on all comments*)

CONSENT CALENDAR

1 MINUTE

(It is anticipated that the Committee may take action on the following matters)

4. Planners TAC Meeting Minutes – 9/28/2017
Recommended Action: Approve.

PRESENTATIONS

25 MINUTES

5. City of El Monte Downtown Specific Plan Project: Presentation by Jason Mikaelian, City Planner, City of El Monte
Recommended Action: for information.

ACTION ITEMS

DISCUSSION ITEMS

INFORMATION ITEMS

6. Staff Report: 2017 California Housing Legislation Update
Recommended Action: for information.

20 MINUTES

UPDATE ITEMS

5 MINUTES

7. ACE/COG Integration
Recommended Action: for information.
8. General Assembly Recap
Recommended Action: for information.

EXECUTIVE DIRECTOR’S COMMENTS

CHAIR’S REPORT

5 MINUTES

9. Solicitation of presentation topics
Recommended Action: For discussion.
10. Current City Projects
Recommended Action: Discuss the idea of a monthly presentation on city projects by TAC members.

ANNOUNCEMENTS

2 MINUTES

Nov. 30th, Next Planning Director’s TAC

ADJOURN



SGVCOG Planners TAC Meeting Minutes

Date: September 28, 2017
 Time: 12:00 P.M.
 Location: Upper San Gabriel Valley Municipal Water District
 602 E. Huntington Dr., Monrovia, CA 91016

PRELIMINARY BUSINESS

1. Call to Order. The meeting was called to order at 12:02 P.M.
2. Roll Call

Planners TAC Members Present

A. Tellez, Baldwin Park
 M. Nakajima, Diamond Bar
 C. Hensley, Duarte
 B. Donovanik; T. Bu, El Monte
 E. Stadnicki, Glendora
 E. Scherer, La Verne
 A. Arnold, Monrovia
 M. Huntley, Monterey Park
 B. Kim, Montebello
 C. Hanh, Rosemead
 L. Stevens, San Dimas
 T. Steinkruger, San Gabriel
 V. Gonzalez, Sierra Madre
 H. Liu, Temple City

Planners TAC Members Absent

Alhambra
 Arcadia
 Azusa
 Claremont
 Covina
 Irwindale
 Pasadena
 Pomona
 South Pasadena
 Walnut
 West Covina

SGVCOG Staff/Guests

E. Wolf, Staff
 P. Duyshart, Staff
 J. Nicchitta, Los Angeles County Office of Cannabis Management
 D. Kelleher, Los Angeles County Office of Cannabis Management
 N. Bezanson, City of San Gabriel

3. Public Comment.
Eric Wolf & Peter Duyshart: Eric Wolf, Senior Management Analyst for the San Gabriel Valley Council of Governments (SGVCOG), announced that Peter Duyshart, who is currently an Intern for the SGVCOG, will be taking over the staffing duties for the Planners TAC over the course of the next month and a half, and will fully take over these responsibilities by the end of November 2017. Peter Duyshart then briefly introduced himself to the Planners TAC Members who were present.

CONSENT CALENDAR

4. Planners TAC Meeting Minutes – 8/24/2017
There was a motion to approve the minutes (M/S: V. Gonzalez/M. Huntley).
[Motion Passed]

Ayes	Baldwin Park, Diamond Bar, Duarte, El Monte, Glendora, La Verne, Monrovia, Monterey Park, Montebello, Rosemead, San Dimas, San Gabriel, Sierra Madre, Temple City
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Noes	
Abstain	
Absent	Alhambra, Arcadia, Azusa, Claremont, Covina, Irwindale, Pasadena, Pomona, South Pasadena, Walnut, West Covina

PRESENTATIONS

5. *LA County’s Approach to Cannabis Regulation: Presentation by Joseph Nicchitta, Countywide Coordinator, Office of Cannabis Management*
 J. Nicchitta described a plethora of aspects regarding cannabis management at a regional and local level, including a review of its history, the current approach to commercial cannabis regulation, and coordination with the offices of: Planning, Public Health, Fire Department, Assessor’s, and others. J. Nicchitta went over a few basic zoning laws, including whether or not City or State law takes precedence over the other. In addition, J. Nicchitta and his colleague, D. Kelleher., also from LA County, discussed the importance of engagement with local jurisdictions and residents, which can be achieved by forming community listening sessions and advisory working groups, promoting dialogue in general, and engaging with City Councils, City Staff, and the County Board of Supervisors.
6. *Mansionization: Presentation by Nick Bezanson, City of San Gabriel*
 N. Bezanson, who is an Assistant Planner for the City of San Gabriel, discussed the practice of “mansionization,” which is becoming more common in some cities of the San Gabriel Valley. “Mansionization,” in its most simple terms, is the practice of building the largest sized home possible on a property, and it often results in tearing down a smaller house which originally existed on the property. N. Bezanson outlined the main concerns of “mansionization,” provided suggestions for how to create and draft an ordinance, and explained the goals of the City of San Gabriel with regards to how to curb “mansionization.” Moreover, he also talked about the stronger building standards and the Tiered Review Process that the City plans to implement.

ACTION ITEMS

DISCUSSION ITEMS

INFORMATION ITEMS

7. *Caltrans Sustainable Transportation Planning Grant*
 E. Wolf gave a presentation on the ‘Caltrans Sustainable Transportation Planning Grant,’ in order to inform City Planners about the funding and project opportunities that this grant can provide for Cities. The objective of this grant is to encourage local and regional sustainability in transportation, land use planning, and reducing greenhouse gas (GHG) emissions. Projects which could be eligible include those which involve TODs, encourage use of alternative transportation, or integrate ride-sharing and autonomous vehicles into a City’s plans. Applications for this grant are due on October 20, 2017.

UPDATE ITEMS

8. *ACE/COG Integration*
 E. Wolf reviewed the decision of the Governing Board from August 17, 2017, to fully integrate the ACE and COG; the integration is to be completed by July 2018. Wolf reviewed the required action steps including, changes to and approval of the JPA and bylaws, changes to the personnel, admin, and finance systems, changes to the structure and authority of the ACE Board, and the need to identify a process for selecting and approving projects. He also identified some of the task forces that will be formed to help with the integration processes, including the Office Space Task Force and Branding Task Force.

9. General Assembly

E. Wolf discussed the General Assembly and reviewed the agenda and speaker list. The panels at the General Assembly include the Transportation Panel, Energy Panel, and Freight Movement Panel.

EXECUTIVE DIRECTOR'S COMMENTS

CHAIR'S REPORT

10. Solicitation of presentation topics

C. Hensley solicited topics from members. He mentioned how members with topic ideas and/or city projects should notify COG staff. No members brought up any presentation topics or proposals.

11. Current City Projects

There was no further discussion of city projects.

ANNOUNCEMENTS

Oct. 26, Next Planning Director's TAC

ADJOURN

The meeting adjourned at 1:04 P.M.

DATE: October 26, 2017

TO: Planning Directors TAC

FROM: Marisa Creter, Interim Executive Director

RE: **2017 CALIFORNIA HOUSING LEGISLATION UPDATE**

RECOMMENDED ACTION

For information and discussion only.

BACKGROUND:

The Planning Directors TAC has been tracking housing legislation at the State level throughout this calendar year. Since many of these bills have now been signed into law, Staff is now providing a legislative update on these specific housing bills. Sixteen (16) pieces of notable legislation aimed at addressing housing issues in the State of California have been signed this year by Governor Brown. Fifteen (15) of the 16 housing bills were signed by the Governor on Friday, September 29, 2017, as part of a package of housing legislation. The bills which have been passed by both chambers of the California Legislature and signed into law by the Governor are as follows:

- **AB 346 (Daly – Signed into law on 6/28/2017)** -- This bill would authorize a housing successor to also use funds remaining in the Low and Moderate-Income Housing Asset Fund for homelessness services, transitional housing, or emergency housing services, as well as for the development of affordable housing.
- **SB 2 (Atkins)** -- Generate hundreds of millions of dollars per year for housing projects, by means of a \$75 document fee for certain real estate transactions.
- **SB 3 (Beall)** -- Authorize a \$4 billion general obligation bond to fund affordable housing programs. This housing bond will be subject to voter approval in 2018.
- **AB 571 (E. Garcia)** – Makes changes to the farmworker housing tax credit set-aside, which would make it easier to develop and build housing for farmworkers.
- **AB 72 (Santiago)** -- Give the State broad new authority to review and investigate any a municipality or county that HCD deems to not be following through with their housing plans.
- **AB 1515 (Daly)** -- Require local agencies to accept housing projects if there is substantial evidence that the development is in compliance with a locality’s housing plan.
- **SB 167 (Skinner)/AB 678 (Bocanegra)** – Requires findings related to housing compliance to be based on “a preponderance of evidence.” Imposes mandatory fines on cities that fail to comply with a judge’s order.
- **AB 73 (Chiu)** -- Allow a City or County to create housing sustainability districts to complete upfront zoning and environmental review in order to receive incentive payments for development projects.


- **SB 540 (Roth)** – Has Cities identify and create Workforce Housing Opportunity Zones (WHOZ), to focus on creating more workforce and affordable housing. Also includes incentives for planning and environmental reviews.
- **AB 879 (Grayson)** – Instructs Cities to take steps to shorten the amount of time it takes developers to building projects. Also requires mitigation fees to be greatly reduced.
- **AB 1397 (Low)** – Requires local government agencies to take actions to remove “non-governmental constraints” which relate to housing. Also requires local governments to zone land for housing where housing could actually go, which would require additional studies and analyses.
- **AB 1505 (Bloom)** – Changes the rules so that Cities can once again implement low-income requirements in order to address the affordable housing supply. Local agency authority on this matter is strengthened by this bill.
- **AB 1521 (Bloom)** – Strengths the Preservation Notice Law by requiring owners of a low-income housing development to accept a legally genuine offer from someone who pledges to continue to offer units at low-income pricing.
- **SB 35 (Wiener)** – Mandates that local government agencies approve housing projects which comply with existing zoning and standards if not enough housing has been built, which is determined by RHNA goals.
- **SB 166 (Skinner)** – Requires Cities and Counties to add additional sites to their housing plans if projects are approved at densities lower than were anticipated. Also requires Cities and Counties to base these rezoning requirements on income level, instead of total units.

Please refer to Attachment A for summaries and further details of the provisions of each bill, voting histories of each bill, and endorsements of, and opposition to, each bill.

RECOMMENDATION

Staff is presenting the 16 pieces of housing legislation for information only.

Prepared by: 
Peter Duyshart
Project Assistant

Approved by: 
Marisa Creter
Interim Executive Director

ATTACHMENTS:

Attachment A – 2017 California Housing Legislative Summaries

2017 California Housing Legislation

****AB 346 (Daly)** – Existing law dissolved redevelopment agencies and community development agencies as of February 1, 2012, and provides for the designation of successor agencies to wind down the affairs of the dissolved redevelopment agencies and to, among other things, make payments due for enforceable obligations and to perform duties required by any enforceable obligation. The housing successor may expend a specified amount per fiscal year for homeless prevention and rapid rehousing services, and must use all funds remaining thereafter for the development of affordable housing, as specified. This bill would authorize a housing successor to also use funds remaining in the Low and Moderate-Income Housing Asset Fund for homelessness services, transitional housing, or emergency housing services, as well as for the development of affordable housing.

DIGEST: This bill allows a housing successor to expend funds in the Low and Moderate-Income Housing Asset Fund (LMIHF) for contributions toward the construction of local or regional homeless shelters. It also allows two or more housing successors within a county, as specified, to additionally enter into an agreement to transfer funds among their respective LMIHF for a regional homeless shelter, if specified conditions are met.

PASSED Asm. Housing and Community Development (7-0-0); PASSED Asm. Local Government (8-0-1); PASSED Asm. Floor (75-0-5); PASSED Sen. Transportation and Housing (13-0-0); PASSED Sen. Floor (38-0-2); APPROVED by Governor; CHAPTERED by Sec. of State, Ch. 35 on 6/28/17.

SUPPORTED by:

Association of California Cities – Orange County
California Apartment Association
“League of Cities”
National Association of social Workers, California Chapter
Orange county Board of Supervisors
Orange County Realtors
San Gabriel Valley Council of Governments
7 Cities (including *Alhambra & Pasadena*)

OPPOSED by:

None received

****SB 2 (Atkins)** - This bill would enact the Building Homes and Jobs Act. The bill would make legislative findings and declarations relating to the need for establishing permanent, ongoing sources of funding dedicated to affordable housing development. The bill would impose a fee, except as provided, of \$75 to be paid at the time of the recording of every real estate instrument, paper, or notice required or permitted by law to be recorded, per each single transaction per single parcel of real property, not to exceed \$225. The bill would require that revenues from this fee, after deduction of any actual and necessary administrative costs incurred by the county recorder, be sent quarterly to the Department of Housing and Community Development for deposit in the Building Homes and Jobs Fund, which the bill would create within the State Treasury. The bill would, upon appropriation by the Legislature, require that 20% of the moneys in the fund be expended for affordable owner-occupied workforce housing and 10% of the moneys for housing purposes related to agricultural workers and their families, and would authorize the remainder of the moneys in the fund to be expended to support affordable housing, home ownership opportunities, and other housing-related programs, as specified.

DIGEST: This urgency bill establishes the Building Homes and Jobs Act and imposes a \$75 fee on real estate transaction documents, excluding commercial and residential real estate sales, to provide funding for affordable housing.

Assembly Amendments require half of the funds collected in the first year to be spent towards persons experiencing homelessness and the remaining half to be made available to localities to update planning document and zoning ordinances. In year two and beyond, 70% of the funds shall be distributed directly to locals and 30% shall go to the state to be spent for the following purposes: farmworker housing, state incentive programs, and mixed income multifamily residential housing affordable to lower and moderate-income housing.

PASSED Sen. Transportation and Housing (9-3-1); PASSED Sen. Governance and Finance (5-2-0); PASSED Sen. Appropriations (7-0-0: placed on suspense file); PASSED Sen. Appropriations (5-2-0: Do pass as amended); PASSED Sen. Floor (27-12-1); PASSED Asm. Housing and Community Development (5-2-0); PASSED Asm. Floor (54-25-0); PASSED Sen. Floor (27-11-2); APPROVED by Governor; CHAPTERED by Sec. of State: Ch. 364 on 9/29/17

SUPPORTED by:

175 Governing Bodies/Special districts/Elected officials/Associations/Advocacy Groups/Companies/Non-profit entities
32 Cities (including *Duarte*)

OPPOSED by:

20 Governing Bodies/Special districts/Elected officials/Associations/Advocacy Groups/Companies/Non-profit entities

****SB 3 (Beall)** - This bill would enact the Veterans and Affordable Housing Bond Act of 2018, which, if adopted, would authorize the issuance of bonds in the amount of \$4,000,000,000 pursuant to the State General Obligation Bond Law. Of the proceeds from the sale of these bonds, \$3,000,000,000 would be used to finance various existing housing programs, as well as infill infrastructure financing and affordable housing matching grant programs, as provided, and \$1,000,000,000 would be used to provide additional funding for the above-described program for farm, home, and mobile home purchase assistance for veterans, as provided.

This bill would provide for submission of the bond act to the voters at the November 6, 2018, statewide general election in accordance with specified law.

PASSED Sen. Transportation and Housing (10-2-1); PASSED Sen. Governance and Finance (5-2-0); PASSED Sen. Appropriations (7-0-0: placed on suspense file); PASSED Sen. Appropriations (5-2-0: do pass); PASSED Sen. Floor (30-9-1); PASSED Asm. Housing and Community Development (5-1-1); PASSED Asm. Floor (56-21-2); PASSED Sen. Floor (30-8-2); APPROVED by Governor; CHAPTERED by Sec. of State: Ch. 365 on 9/29/17.

SUPPORTED by:

130 Governments/Elected officials/Associations/Advocacy Groups/Companies/Non-profit entities
(including the *League of California Cities*)
41 Cities (including *Duarte*)
2 Towns

OPPOSED by:

Howard Jarvis Taxpayers Association
National Federation of Independent Business
Valley Industry and Commerce Association

AB 571 (Garcia) -- This bill makes changes to the farmworker housing tax credit set-aside within the Low-Income Housing Tax Credit (LIHTC) program. This bill also makes changes to the Office of Migrant Services (OMS) under the Department of Housing and Community Development (HCD).

This bill, under the law governing the taxation of insurers, the Personal Income Tax Law, and the Corporation Tax Law, would modify the definition of applicable percentage relating to qualified low-income buildings that are farmworker housing projects, as provided. The bill would authorize the California Tax Credit Allocation Committee to allocate the farmworker housing credit even if the taxpayer receives federal credits for buildings located in designated difficult development areas or qualified census tracts. The bill would also redefine farmworker housing to mean housing in which at least 50% of the units are available to, and occupied by, farmworkers and their households. The bill would make the aforementioned provisions operative on January 1, 2018. The bill would make specified declarations of legislative intent in this regard.

This bill would authorize the director to provide for advance payments of up to 20% of annual operating costs of the migrant farm labor centers to contractors, provided that the contractors do not have outstanding advance balances from prior contract periods.

This bill would delete the limitation that funds appropriated or authorized to fund the cost of subsidizing occupancy periods be for the first 14 days only. The bill would also prohibit the standard 180-day occupancy period combined with any extended occupancy period under these provisions from exceeding a cumulative operating period of 275 days in any calendar year.

PASSED Asm. Housing and Community Development (7-0-0); PASSED Asm. Revenue and Taxation (9-0-1); PASSED Asm. Appropriations (17-0-0); PASSED Asm. Floor (77-0-3); PASSED Sen. Transportation and Housing (12-0-1); PASSED Sen. Governance and Finance (6-1-0); PASSED Sen. Appropriations (6-1-0); PASSED Sen. Appropriations (7-0-0: Reconsiderations of favorable vote granted); PASSED Sen. Appropriations (7-0-0); **PASSED Sen. Floor (35-3-2); PASSED Asm. Floor (78-0-1); APPROVED by Governor: CHAPTERED by Sec. of State, Chapter 372 on 9/29/17.**

SUPPORTED by:

18 Governments/Associations/Advocacy Groups/Non-profit entities

OPPOSED by:

None received.

AB 72 (Santiago & Chiu) -- This bill requires the Department of Housing and Community Development (HCD) to review any action or inaction by a locality that it determines is inconsistent with an adopted housing element, permits HCD to find a locality's housing element out of substantial compliance, and permits HCD to notify the Attorney General (AG) of violations of the law.

PASSED Asm. Housing and Community Development (6-1-0); PASSED Asm. Appropriations (13-4-0); PASSED Asm. Floor (58-19-3); PASSED Sen. Transportation and Housing (11-2-0); PASSED Sen. Appropriations (5-2-0); **PASSED Sen. Floor (28-8-4); PASSED Asm. Floor (58-18-3); APPROVED by Governor; CHAPTERED by Sec. of State, Chapter 370 on 9/29/17.**

SUPPORTED by:

California Housing Consortium
California Rural Legal Assistance Foundation
Western Center on Law & Poverty
Bay Area Council
California Apartment Association
California Association of Realtors
California Commission on Aging
California Council for Affordable Housing
LeadingAge California

OPPOSED by:

League of California Cities

AB 1515 (Daly) -- This bill states that a housing development project or emergency shelter shall be deemed consistent, compliant, and in conformity with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision if there is substantial evidence that would allow a reasonable person to conclude that the housing development project or emergency shelter is consistent, compliant, or in conformity.

PASSED Asm. Housing and Community Development (7-0-0); PASSED Asm. Local Government (7-1-1); PASSED Asm. Floor (68-1-11); PASSED Sen. Transportation and Housing (10-1-2); **PASSED Sen. Floor (35-2-3); PASSED Asm. Floor (75-4-0); APPROVED by Governor; CHAPTERED by Sec. of State, Chapter 378 on 9/29/17.**

SUPPORTED by:

California Building Industry Association
Bay Area Council
California apartment Association
California Chamber of Commerce
Nonprofit Housing Association of Northern California
Silicon Valley Leadership Group
Southwest California Legislative Council
YIMBY Action

OPPOSED by:

American Planning Association – California Chapter

SB 167 (Skinner) -- This bill makes several changes to the Housing Accountability Act (HAA). *Assembly Amendments* require a court, upon a determination that a locality failed to comply with a court order within 60 days, to impose a minimum fine of \$10,000 per housing unit. This bill authorizes the local agency to instead deposit the fine SB 167 Page 2 into a specified state fund, and also provides that any funds in a local housing trust fund not expended after five years would revert to the state and be deposited in that fund, to be used upon appropriation by the Legislature for financing newly constructed housing units affordable to extremely low, very low, or low-income households.

This bill would specify that a change to the zoning ordinance or general plan land use designation subsequent to the date the application was deemed complete does not constitute a valid basis to disapprove or condition approval of the housing development project or emergency shelter. This bill would instead require, with respect to mixed-use developments, that $\frac{2}{3}$ of the square footage be designated for residential use.

PASSED Sen. Transportation and Housing (9-2-2); PASSED Sen. Judiciary (6-0-1); PASSED Sen. Floor (30-10-0); PASSED Asm. Housing and Community Development (6-1-0); PASSED Asm. Local Government (7-1-1); PASSED Asm. Floor (59-18-2); PASSED Sen. Floor (28-9-3); APPROVED by Governor: CHAPTERED by Sec. of State, Chapter 368 on 9/29/17.

SUPPORTED by:

22 Governments/Associations/Advocacy Groups/Non-profit entities

OPPOSED by:

City of San Marcos
Homeowners of Encino

AB 678 (Bocanegra) -- This bill makes a number of changes to the Housing Accountability Act (HAA). This bill would require the findings of the local agency to instead be based on a preponderance of the evidence in the record, rather than on a substantial evidence in the record.

This bill would specify that a change to the zoning ordinance or general plan land use designation subsequent to the date the application was deemed complete does not constitute a valid basis to disapprove or condition approval of the housing development project or emergency shelter. This bill would specify that a housing development project or emergency shelter is deemed consistent, compliant, and in conformity with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision for purposes of the above-described provisions if there is substantial evidence that would allow a reasonable person to conclude that the housing development project or emergency shelter is consistent, compliant, or in conformity. The bill, if the local agency considers the housing development project to be inconsistent, not in compliance, or not in conformity, would require the local agency to provide the applicant with written documentation identifying the provision or provisions and an explanation of the reason or reasons it considers the housing development to be inconsistent, not in compliance, or not in conformity within specific time periods. If the local agency fails to provide this documentation, the bill would provide that the housing development project would be deemed consistent, compliant, and in conformity with the applicable plan, program, policy, ordinance, standard, requirement, or other similar provision. By requiring local agencies to provide documentation related to disapprovals of housing development projects, this bill would impose a state-mandated local program.

PASSED Asm. Housing and Community Development (5-2-0); PASSED Asm. Local Government (7-1-1); PASSED Asm. Floor (68-6-6); PASSED Sen. Transportation and Housing (8-2-3); PASSED Sen. Judiciary (6-1-0); PASSED Sen. Appropriations (5-2-0); **PASSED Sen. Floor (27-10-3); PASSED Asm. Floor (70-7-2); APPROVED by Governor; CHAPTERED by Sec. of State, Chapter 373 on 9/29/17.**

SUPPORTED by:

14 Associations/Advocacy Groups/Non-profit entities

OPPOSED by:

4 Governments/Associations/Advocacy Groups/Non-profit entities
1 City

****AB 73 (Chiu and Caballero)** - This bill would authorize a city, county, or city and county, including a charter city, charter county, or charter city and county, to establish by ordinance a housing sustainability district that meets specified requirements, including authorizing residential use within the district through the ministerial issuance of a permit. The bill would authorize the city, county, or city and county to apply to the Department of Housing and Community Development for approval for a zoning incentive payment and require the city, county, or city and county to provide specified information about the proposed housing sustainability district ordinance. The bill would require the department to approve a zoning incentive payment if the ordinance meets the above-described requirements and the city's housing element is in compliance with specified law. The bill would also require the department, each October 1 following the approval of the housing sustainability district, to issue a certificate of compliance if the city, county, or city and county meets specified criteria pertaining to the continued compliance with these provisions or to deny certification, as provided. The bill would provide that a city, county, or city and county with a housing sustainability district would be entitled to a zoning incentive payment, subject to appropriation of funds for that purpose, and require that $\frac{1}{2}$ the amount be provided upon zone approval by the department and $\frac{1}{2}$ the amount upon verification by the department of the issuance of permits for the projected units of residential construction within the zone, provided that the city, county, or city and county has received a certificate of compliance for the applicable year. The bill, if the city, county, or city and county reduces the density of sites within the district from specified levels, would require the city, county, or city and county to return the full amount of zoning incentive payments it has received to the department. The bill would also authorize a developer to develop a project in a housing sustainability district in accordance with the already existing land use approval procedures that would otherwise apply to the parcel in the absence of the establishment of the housing sustainability district pursuant to its provisions, as provided.

PASSED Asm. Local Government (5-0-4); PASSED Asm. Natural Resources (7-1-2); PASSED Asm. Appropriations (12-5-0); PASSED Asm. Floor (56-20-4); PASSED Sen. Transportation and Housing (8-3-2); PASSED Sen. Environmental Quality (4-2-1); PASSED Sen. Governance and Finance (5-2-0); PASSED Sen. Appropriations (5-2-0); **PASSED Sen. Floor (25-10-5); PASSED Asm. Floor (54-23-2); APPROVED by Governor; CHAPTERED by Sec. of State: Chapter 371 on 9/29/17.**

SUPPORTED by:

Bridge Housing
California Apartment Association California
Association of Realtors
Disability Rights California
Judicial Council
Leading Age California

OPPOSED by:

American Fire Sprinkler Association – California Chapter
Associated Builders and Contractors – Northern California
Council of Community Housing Organizations
Central Valley Chapter of Associated Builders and Contractors
Independent Roofing Contractors of California
Plumbing-Heating-Cooling Contractors Association of California
San Diego Chapter of Associated Builders and Contractors
Sierra Club California
Southern California Chapter of Associated Builders and Contractors
Western Electrical Contractors Association

****SB 540 (Roth)** - This bill authorizes a city or county to establish a Workforce Housing Opportunity Zone (WHOZ) by preparing an environmental impact report (EIR) to identify and mitigate impacts from establishing a WHOZ and adopting a specific plan. A local government must approve a housing development within the WHOZ that meets specified criteria, and no project-level EIR or a negative environmental declaration would be required on a development within a WHOZ that meets specified criteria.

Assembly Amendments require the development proponent to certify that either: (1) the entirety of the project is a public work, or (2) if the project is not in its entirety a public work, that all construction workers employed in the execution of the project will be paid at least the general prevailing rate of per diem wages for the type of work and geographic area.

This bill would authorize a local government, as defined, to establish a Workforce Housing Opportunity Zone by preparing an EIR pursuant to CEQA and adopting a specific plan that is required to include text and a diagram or diagrams containing specified information. The bill would require a local government that proposes to adopt a Workforce Housing Opportunity Zone to hold public hearings on the specific plan. The bill would authorize a local government, after a specific plan is adopted and the zone is formed, to impose a specific plan fee upon all persons seeking governmental approvals within the zone. The bill would require a local government to comply with certain requirements when amending the specific plan for the zone, including seeking a new EIR. The bill would authorize a local government to apply for a grant or no-interest loan, or both, from the Department of Housing and Community Development to support its efforts to develop a specific plan and accompanying EIR within the zone. The bill, upon appropriation by the Legislature, would authorize a transfer from the Treasurer to the Department of Housing and Community Development for purposes of issuing grants or loans, or both, pursuant to these provisions.

The bill would require a local government, for a period of 5 years after the plan is adopted, to approve a development that satisfies certain criteria, unless the local government makes certain findings regarding the site. The bill would provide that, after the zone is adopted, a lead agency is not required to prepare an EIR or negative declaration for a housing development that occurs within the zone if specified criteria are met. The bill would require a local government to approve a housing development located within the zone that is consistent with the plan and meets specific criteria within 60 days after the application for that development is deemed complete.

PASSED Sen. Transportation and Housing (9-0-4); PASSED Sen. Governance and Finance (7-0-0: Do pass as amended, but first amend, and re-refer to Environmental Quality); PASSED Sen. Environmental Quality (6-0-1); PASSED Sen. Appropriations (7-0-0: placed on suspense file); PASSED Sen. Appropriations (6-1-0: Do pass); PASSED Sen. Floor (33-7-0); PASSED Asm. Local Gov. (9-0-0); PASSED Asm. Natural Resources (9-0-1); **PASSED Asm. Floor (70-8-1); PASSED Sen. Floor (29-7-4); APPROVED by Governor; CHAPTERED by Sec. of State: Chapter 369 on 9/29/17.**

SUPPORTED by:

League of California Cities

27 Cities (including *Duarte*)

8 Advocacy groups/Chambers/Public governing bodies

OPPOSED by:

1 City (Camarillo)

AB 879 (Grayson) -- This bill requires local governments to include an expanded analysis of nongovernmental constraints on housing development in their housing elements. Senate Floor Amendments of 7/13/17 require the housing element to include additional information a required assessment and require the Department of Housing and Community Development (HCD) to complete a study to evaluate the reasonableness of local fees charged to new developments. Senate Floor Amendments of 7/11/17 require local governments to include additional information in the annual general plan report and provide that charter cities annually provide the report.

This bill would require that this report additionally include the number of housing development applications received in the prior year, units included in all development applications in the prior year, units approved and disapproved in the prior year, and a listing of sites rezoned to accommodate that portion of the city's or county's share of the regional housing need for each income level that could not be accommodated on specified sites. The bill would additionally require the housing element portion of the annual report to be prepared through the use of standards adopted by the department. The bill would eliminate the requirement that the forms and definitions be adopted by the department pursuant to the Administrative Procedure Act and would instead authorize the department to review, adopt, amend, and repeal the standards, forms, or definitions, as provided. The bill would apply the above report requirement to a charter city.

PASSED Asm. Housing and Community Development (7-0-0); PASSED Asm. Local Government (9-0-0); PASSED Asm. Appropriations (17-0-0); PASSED Asm. Floor (69-0-11); PASSED Sen. Transportation and Housing (13-0-0); **PASSED Sen. Floor (38-0-2); PASSED Asm. Floor (78-0-1); APPROVED by Governor; CHAPTERED by Sec. of State, Chapter 374 on 9/29/17.**

SUPPORTED by:

League of California Cities
Association of Regional Center Agencies
California Apartment Association
California Association of Realtors
City of Indian Wells
The Arc and United Cerebral Palsy California Collaboration

OPPOSED by:

None received

****AB 1397 (Low)** - This bill would revise the inventory of land suitable for residential development to include vacant sites and sites that have realistic and demonstrated potential for redevelopment to meet a portion of the locality's housing need for a designated income level. Existing law requires the inventory of land to include, among other things, a general description of existing or planned water, sewer, and other dry utilities supply, including the availability and access to distribution facilities. Existing law specifies that this information does not need to be identified on a site-specific basis. This bill would instead require parcels included in the inventory to have sufficient water, sewer, and dry utilities supply available and accessible to support housing development or be included in an existing general plan program or other mandatory program or plan to secure sufficient water, sewer, and dry utilities supply to support housing development within 3 years of the beginning the planning period.

PASSED Asm. Housing and Community Development (5-2-0); PASSED Asm. Local Government (6-0-3); PASSED Asm. Appropriations (11-5-1); PASSED Asm. Floor (51-25-4); PASSED Sem. Transportation and Housing (9-1-3); PASSED Sen. Appropriations (5-2-0); **PASSED Sen. Floor (24-11-5); PASSED Asm. Floor (49-25-5); APPROVED by Governor; CHAPTERED by Sec. of State: Chapter 375 on 9/29/17.**

SUPPORTED by:

California Rural Legal Assistance Foundation
Public Advocates
Western Center on Law and Poverty
American Council of Engineering Companies – California
California Apartment Association
California Housing Consortium
Housing California
Non-Profit Housing Association of Northern California
Planning and Conservation League
SV@Home

OPPOSED by:

American Planning Association – California Chapter
2 Cities
League of California Cities

AB 1505 (Bloom, Chiu, Gloria, et al.) -- The Planning and Zoning Law authorizes the legislative body of any county or city to adopt ordinances regulating zoning within its jurisdiction, as specified.

This bill would additionally authorize the legislative body of any county or city to adopt ordinances to require, as a condition of development of residential rental units, that the development include a certain percentage of residential rental units affordable to, and occupied by, moderate-income, lower income, very low income, or extremely low income households or by persons and families of low or moderate income, as specified, and would declare the intent of the Legislature in adding this provision.

This bill would also authorize the Department of Housing and Community Development, within 10 years of the adoption or amendment of an ordinance by a county or city after September 15, 2017, that requires as a condition of the development of residential rental units that more than 15% of the total number of units rented in the development be affordable to, and occupied by, households at 80% or less of the area median income, to review that ordinance if the county or city meets specified conditions. The bill would authorize the department to request, and require that the county or city provide, evidence that the ordinance does not unduly constrain the production of housing by submitting an economic feasibility study that meets specified standards. If the department finds that economic feasibility study does not meet these standards, or if the county or city fails to submit the study within 180 days, the bill would require the county or city to limit any requirement to provide rental units in a development affordable to households at 80% or less of the area median income to no more than 15% of the total number of units in the development. The bill would require the department to report any findings made pursuant to these provisions to the Legislature. The bill would also declare that these provisions regarding department review of certain land use ordinances address a matter of statewide concern.

PASSED Asm. Local Government (6-3-0); PASSED Asm. Housing and Community Development (5-2-0); PASSED Asm. Floor (47-24-9); PASSED Sen. Transportation and Housing (7-4-2); **PASSED Sen. Floor (23-12-5); PASSED Asm. Floor (46-27-6); APPROVED by Governor; CHAPTERED by Sec. of State, Chapter 376 on 9/29/17.**

SUPPORTED by:

58 Governments/Elected Officials/Associations/Advocacy Groups/Companies/Non-profit entities
(including the **League of California Cities**)

12 Cities

OPPOSED by:

Apartment Association, California Southern Cities
Apartment Association of Greater Los Angeles
Apartment Association of Orange County
East Bay Rental Housing Association
GH Palmer and Associates
North Valley Property Owner Association
San Diego County Apartment Association
Santa Barbara Rental Property Association

AB 1521 (Bloom & Chiu) -- This bill strengthens the law regarding the preservation of assisted housing developments by requiring an owner of an assisted housing development to accept a bona fide offer to purchase from a qualified purchaser, if specified requirements are met, and by giving the Department of Housing and Community Development (HCD) additional enforcement authority.

This bill would require the owner of an assisted housing development that is within 3 years of a scheduled expiration of rental restrictions to also provide notice of the scheduled expiration of rental restrictions to any prospective tenant at the time he or she is interviewed for eligibility, and to existing tenants by posting the notice, as specified. The bill would additionally specify that injunctive relief may include, but is not limited to, the reimposition of prior restrictions, as specified, and restitution of rent increases that were collected improperly. The bill would additionally authorize the court to award attorney's fees and costs to a prevailing plaintiff bringing an action for injunctive relief pursuant to these provisions.

PASSED Asm. Housing and Community Development (5-2-0); PASSED Asm. Appropriations (12-5-0); PASSED Asm. Floor (51-23-6: Second Reading Amendment Set #1); Passed Asm. Floor (50-24-6); PASSED Sen. Transportation and Housing (9-4-0); PASSED Sen. Appropriations (5-0-2); PASSED Sen. Floor (27-11-2); PASSED Asm. Floor (54-25-0); APPROVED by Governor; CHAPTERED by Sec. of State, Chapter 377 on 9/29/17.

SUPPORTED by:

18 Governments/Elected Officials/Associations/Advocacy Groups/Companies/Non-profit entities

OPPOSED by:

None received

****SB 35 (Wiener)** - This bill would authorize a development proponent to submit an application for a multifamily housing development, which satisfies specified planning objective standards, that is subject to a streamlined, ministerial approval process, as provided, and not subject to a conditional use permit. The bill would require a local government to notify the development proponent in writing if the local government determines that the development conflicts with any of those objective standards by a specified time; otherwise, the development is deemed to comply with those standards. The bill would limit the authority of a local government to impose parking standards or requirements on a streamlined development approved pursuant to these provisions, as provided. The bill would provide that if a local government approves a project pursuant to that process, that approval will not expire if that project includes investment in housing affordability, and would otherwise provide that the approval of a project expires automatically after 3 years, unless that project qualifies for a one-time, one-year extension of that approval. The bill would provide that approval pursuant to its provisions would remain valid for three years and remain valid thereafter so long as vertical construction of the development has begun and is in progress, and would authorize a discretionary one-year extension, as provided. The bill would prohibit a local government from adopting any requirement that applies to a project solely or partially on the basis that the project receives ministerial or streamlined approval pursuant to these provisions. The bill would repeal these provisions as of January 1, 2026.

This bill creates a streamlined, ministerial approval process for infill developments in localities that have failed to meet their regional housing needs assessment (RHNA) numbers.

Assembly Amendments state that this bill applies to a site that is a legal parcel or parcels located in a city if, and only if, the city boundaries include some portion of either an urbanized area or urban cluster or, for unincorporated areas, a legal parcel, or parcels wholly within the boundaries of an urbanized area or urban cluster or a site in which at least 75 percent of the perimeter of the site adjoins parcels that are developed with urban uses. Requires in specified circumstances that a skilled and trained workforce be utilized.

PASSED Sen. Transportation and Housing (7-3-3); PASSED Sen. Governance and Finance (4-2-1); PASSED Sen. Appropriations (7-0-0: placed on suspense file); PASSED Sen. Appropriations (5-2-0: do pass as amended); PASSED Sen. Floor (25-12-3); PASSED Asm. Local Government (6-2-1); PASSED Asm. Housing and Community Development (5-1-1); **PASSED Asm. Floor (47-27-5); PASSED Sen. Floor (23-14-3); APPROVED by Governor; CHAPTERED by Sec. of State: Ch. 366 on 9/29/17.**

SUPPORTED by:

66 Governments/Elected officials/Associations/Advocacy Groups/Companies/Non-profit entities

OPPOSED by:

League of California Cities

Cities Association of Santa Clara County

102 Cities (including: *Claremont, Glendora, Monrovia, Pasadena, & West Covina*)

3 Towns

Marin County Council of Mayors and Council Members

Riverside County Division, League of California Cities

Ventura Council of Governments

SB 166 (Skinner) -- This bill requires that a local jurisdiction accommodate its remaining unmet need at all times throughout the housing element planning period. Assembly Amendments require that if a locality permits a development with fewer units by income category than identified in the locality's housing element, the locality shall make written findings supported by substantial evidence as to whether or not remaining sites identified in the housing element are adequate to meet the requirements of the Housing Element Law.

This bill, among other things, would prohibit a city, county, or city and county from permitting or causing its inventory of sites identified in the housing element to be insufficient to meet its remaining unmet share of the regional housing need for lower and moderate-income households. The bill also would expand the definition of "lower residential density" if the local jurisdiction has not adopted a housing element for the current planning period or the adopted housing element is not in substantial compliance, as specified. The bill would additionally require a city, county, or city and county to make specified written findings if the city, county, or city and county allows development of any parcel with fewer units by income category than identified in the housing element for that parcel. Where the approval of a development project results in fewer units by income category than identified in the housing element for that parcel and the remaining sites in the housing element are not adequate to accommodate the jurisdiction's share of the regional housing need by income level, the bill would require the jurisdiction within 180 days to identify and make available additional adequate sites. The bill would provide that an action that creates an obligation to identify or make available additional adequate sites and the action to identify or make available those sites would not create an obligation under the California Environmental Quality Act to identify, analyze, or mitigate the environmental impacts of that subsequent action, as specified. By increasing the duties of local agencies, this bill would create a state-mandated local program.

PASSED Sen. Transportation and Housing (9-1-3); PASSED Sen. Governance and Finance (5-1-1); PASSED Sen. Floor (28-12-0); PASSED Asm. Local Government (6-2-1); PASSED Asm. Housing and Community Development (5-2-0); PASSED Asm. Floor (54-24-1); PASSED Sen. Floor (24-11-5); APPROVED by Governor; CHAPTERED by Sec. of State, Chapter 367 on 9/29/17.

SUPPORTED by:

12 Associations/Advocacy Groups/Non-profit entities

OPPOSED by:

City of San Marcos
Orange County Board of Supervisors