Meeting of the Gateway Cities Planning Directors

PLEASE ARRIVE AT 7:45 AM FOR CONTINENTAL BREAKFAST

Wednesday, November 13, 2019 8:00AM

Gateway Cities COG Offices
16401 Paramount Boulevard, Paramount
2nd Floor Conference Room

AGENDA

I. Self-Introductions

II. SB 102 / AB 101 Grants and Programs Overview
Kristine Guerrero
Regional Public Affairs Manager
Legislative Director, Los Angeles County Division
League of California Cities

III. ADU Legislation Discussion
Kristine Guerrero
Regional Public Affairs Manager
Legislative Director, Los Angeles County Division
League of California Cities

IV. HCD’s Proposed Prohousing Designation Program Update
Julia Stewart
Planning Director
Gateway Cities COG

V. Gateway Cities Planning Committee (GPAC) Update
Jessica Serrano, Vice-Chair
Planning Manager
City of Norwalk

VI. Climate & Regional Planning Update
Stephanie Cadena
Assistant Planner
Gateway Cities COG

VII. Discussion of Future Agenda Items

VIII. Adjourn
2019 State Funding for Affordable Housing and Homelessness
Budget Trailer Bill AB 101/SB 102

Kristine Guerrero
League of California Cities
November 14, 2019
State Funding for Affordable Housing and Homelessness

1. SB 2 (Atkins) Building Homes and Jobs Act
   $250 million (approx.), permanent ongoing

2. AB 101/SB 102 Budget Trailer Bill (2019)
   $2.5 billion, one-time
SB 2 (Atkins) Building Homes and Jobs Act
Permanent Source

SB 2 Ongoing Housing Funding Allocations

**Year 1**
- Planning & Technical Assistance Funds to Streamline Development 50%
- Funding to Target Homelessness 50%

**Year 2 and Ongoing**
- Funding to Local Governments 70%
- Farmworker Housing 10%
- CalHFA "Missing Middle" Housing Development 15%
- Incentives to Streamline Housing 5%
- Allocation to Entitlement Jurisdictions 83%
- Allocation to Non-Entitlement Jurisdictions 10%
- Competitive Funds for Non-Entitlement Jurisdictions 7%

<table>
<thead>
<tr>
<th>Funding to Local Governments</th>
<th>Eligible Uses</th>
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<tbody>
<tr>
<td>Low-income Housing</td>
<td>Low-income multifamily housing development; capitalized reserves for permanent supportive housing; acquisition and rehabilitation of foreclosed or vacant homes; accessibility modifications.</td>
</tr>
<tr>
<td>Moderate-Income Housing</td>
<td>Home rental and ownership for middle-income families; homeownership opportunities, including down payment assistance.</td>
</tr>
<tr>
<td>Homelessness</td>
<td>Rapid rehousing, rental assistance, navigation centers, emergency shelters, and permanent and transitional housing.</td>
</tr>
<tr>
<td>Local Matching Funds</td>
<td>Local or regional housing trust funds; Low and Moderate Income Housing Asset Fund.</td>
</tr>
<tr>
<td>Incentives</td>
<td>Incentives or matching funds for permitting new housing.</td>
</tr>
</tbody>
</table>

1 Note: Funds unused for the 5% set aside for Incentives to Streamline Housing revert to the state Multifamily Housing Program at the end of a given fiscal year. The bill’s provisions specify funds in other set-asides will revert to this program if unused after 5 years. The Funding to Local Governments follows 2017 federal Community Development Block Grant “Entitlement” and “Non-Entitlement” distinctions and allocation formulas. In Year 2 and ongoing, 20% of all funds are required for expenditure on affordable owner-occupied workforce housing.
Goal to Increase Housing Production in California by:

• Provides $2.5 billion in funding to address California’s housing and homelessness crisis;

• Establishes incentives to encourage cities and counties to increase housing production;

• Establishes a process for a court to determine that a city or county has complied with housing element law; and

• Imposes penalties, as a last resort, if cities and counties disregard the direction of a court and continue not to fulfill their responsibilities under housing element law.

**AB 101/SB 102** (Committee on Budget) Housing Development and Financing.
Housing Elements: Process changes

• Requires HCD to publish an annual list of cities that have failed to adopt a HCD-approved housing element. If HCD puts a city on the list, city has opportunity for two meetings to discuss its housing element and HCD must provide city written findings supporting its determination.

• City may challenge HCD’s findings pursuant to CCP Section 1094.5.

• A court may determine that a city’s housing element substantially complies with the law and that determination carries the same weight as HCD certification.
Housing Element: Financial Penalties

- If the Attorney General sues a city; the court finds that its housing element does not substantially comply with state law; and the city fails to bring the housing element into compliance, the following fines will be imposed unless the court finds mitigating circumstances for the delay:
  - Within 12 months of the court’s order: $10,000 - $100,000 per month
  - Within 15 months of the court’s order: $30,000 - $300,000 per month
  - Within 18 months of the court’s order: $60,000 - $600,000 per month and court may appoint a receiver/agent to bring the city’s housing element into compliance
- Fines are deposited into the building Homes and Jobs Trust Fund. The State Controller may intercept state and local funds if the fines are not paid.
Housing Element: Financial Incentives

Additional points and other preferences will be awarded for certain state funding programs for cities that have adopted (i) housing element approved by HCD; and (ii) “prohousing local policies.” HCD will designate cities as “prohousing” by July 1, 2021 pursuant to emergency regulations.

Prohousing local policies facilitate the planning, approval, or construction of housing such as:

- Establishing local housing trust fund;
- Reducing parking requirements;
- Use by right approval;
- Reduction of permit processing time;
- Reduction of development impact fees; and
- Establishment of Workforce Housing Opportunity Zone or housing sustainability district

Comments on Prohousing Framework and Survey due to HCD by 11/15
Homelessness: Funding and Programs

Makes available $650 million for one-time grants to cities, counties, and continuums of care to support regional coordination, expand or develop local capacity, and address immediate homelessness challenges. All awards will be based on the applicant’s proportionate share of the state’s total homeless population.

- $190 million will be available to continuums of care
- $275 million will be available to cities or a city and county that has a population of more than 300,000 (Los Angeles and Long Beach)
- $175 million will be available to counties

Infill Infrastructure Grant Program of 2019

Makes available $500 million for competitive funding for “qualifying infill project” or “qualifying infill area.” A qualifying infill project is a residential or mixed-use project located in an urbanized area in a city with an HCD-compliant housing element. Grant funds can be used for “capital improvement projects” to facilitate the development of a qualifying infill project or area:

• Water, sewer, or other utility improvements
• Streets, roads, transit
• Project site preparation
• Sidewalk or streetscape improvement

$194 million in competitive grants for large jurisdictions due January 29, 2020, awards April 30, 2020
Local Government Planning Support Grants Program

Makes available $250 million to regions, cities and counties for planning activities to accelerate housing production and facilitate implementation of RHNA.

- Regional Early Action Planning: $125 million will be available to Council of Governments and other regional entities.
- Local Early Action Planning: $125,000,000 will be available to cities and counties.

These dollars may be used for:

- Rezoning and updating planning documents.
- Completing environmental clearance to eliminate need for project-specific review.
- Infrastructure planning.
- Developing or improving accessory dwelling unit ordinance.

NOFA out January 2020; Deadline July 2020; Applications Over-the-Counter
Resources

• League of California Cities
  www.cacities.org

• Institute for Local Government
  Housing and Public Engagement Toolkit
  www.ca-ilg.org

NOFA and Guidelines
  www.hcd.ca.gov/grants-funding
Kristine Guerrero
Public Affairs Manager
League of California Cities®
kguerrero@cacities.org
AB 101 (Comm. On Budget)

Summary

The goal of AB 101 is to increase housing production in California. It does so by:

1) Providing **$2.5 billion** in funding to address California’s housing and homelessness crisis;
2) Establishing **incentives** to encourage cities and counties to increase housing production;
3) Establishing a process for a **court** to determine that a city or county has complied with housing element law; and
4) Imposing **penalties**, as a last resort, if cities and counties disregard the direction of a court and continue not to fulfill their responsibilities under housing element law.

Housing Elements

**Process changes:** AB 101 requires HCD to publish an annual list of cities that have failed to adopt a HCD-approved housing element. If HCD puts a city on the list, city has opportunity for two meetings to discuss its housing element and HCD must provide city written findings supporting its determination. A city may also request de novo review of its last element. HCD must issue written findings in response to the de novo review. City may challenge HCD’s findings pursuant to CCP Section 1094.5.

**Financial penalties:** If the Attorney General sues a city; the court finds that its housing element does not substantially comply with state law; and the city fails to bring the housing element into compliance, the following fines will be imposed unless the court finds mitigating circumstances for the delay:

- Within 12 months of the court’s order: $10,000 – $100,000 per month
- Within 15 months of the court’s order: $30,000 – $300,000 per month
- Within 18 months of the court’s order: $60,000 – $600,000 per month and court may appoint a receiver/agent to bring the city’s housing element into compliance

Fines are deposited into the building Homes and Jobs Trust Fund. The State Controller may intercept state and local funds if the fines are not paid.

**Financial incentives:** Additional points and other preferences will be awarded for certain state funding programs for cities that have adopted (i) housing element approved by HCD; and (ii) “prohousing local policies.” HCD will designate cities as “prohousing” by July 1, 2021 pursuant to emergency regulations.

Prohousing local policies facilitate the planning, approval, or construction of housing such as:

- Establishing local housing trust fund;
- Reducing parking requirements;
- Use by right approval;
- Reduction of permit processing time;
- Reduction of development impact fees; and
- Establishment of Workforce Housing Opportunity Zone or housing sustainability district

**Local Government Planning Support Grants Program**

The Program: $250,000,000 to regions, cities and counties for planning activities to accelerate housing production and facilitate implementation of RHNA.

1) **$125,000,000 to COGS and other regional entities [H & S 50515.02]**
   Application deadline: January 31, 2021. Funding can be retained for COG’s use and/or suballocations to member cities and counties for following purposes:
   - Improved methodology for distribution of 6th cycle RHNA
   - Regional or countywide housing trust finds
   - Technical assistance to update local planning documents
   - Infrastructure planning
   - Feasibility studies to determine housing sites consistent with SCS

2) **$125,000,000 to cities and counties (H & S 50515.03)**
   Application deadline: July 1, 2020. Maximum amounts based upon population for the following purposes:
   - Rezoning and updating planning documents
   - Completing environmental clearance to eliminate need for project-specific review
   - Infrastructure planning
   - Developing or improving accessory dwelling unit ordinance

**Infill Infrastructure Grant Program of 2019**

The Program: $500,000,000 for competitive funding for “qualifying infill project” or “qualifying infill area.” NOFA to be released 11/30/19. [$410,000,000 available for counties with a population more than 250,000, or any city in that county; $90 million available for counties with a population less than 250,000, or any city in that county].

Qualifying infill project is a residential or mixed-use project located in an urbanized area in a city with an HCD-compliant housing element.
- 15% affordability (60% of AMI for rental; 120% of AMI for sale)
- Equal to or greater than “Mullin” densities
- Proximity to transit, parks, employment, schools, social services
- Consistency with SCS

Grant funds used for “capital improvement project” to facilitate the development of a qualifying infill project or area:
- Water, sewer, or other utility improvements
- Streets, roads, transit
- Project site preparation
- Sidewalk or streetscape improvement
Homelessness: Funding and Programs

1) The Homelessness Housing, Assistance and Prevention Program [H&S 50217]
$650,000,000 is proposed for one-time grants to cities, counties, and continuums of care,¹ to support regional coordination, and to expand or develop local capacity, to address immediate homelessness challenges.
- $190,000,000 will be available to continuums of care
- $275,000,000 will be available to cities or a city and county that has a population of more than 300,000
- $175,000,000 will be available to counties
Applications must be submitted by February 15, 2020. All awards will be based on the applicant’s proportionate share of the state’s total homeless population.

2) Low Barrier Navigation Centers [Gov’t Code 65660]
A “low barrier navigation center” is a Housing First, low-barrier, service-enriched shelter focused on moving people into permanent housing. It provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter and housing.

A “low barrier navigation center” must be permitted as a “use by right”² if it meets the following requirements:
- Offers services to connect people to permanent housing
- Linked to coordinated entry system
- Has a system for entering information regarding client stays, client demographics, client income and exit destination through the local Homeless Management Information System
- Implements Housing First

Within 30 days of receiving an application for a Center, a city must notify the applicant whether the application is complete. Within 60 days of a completed application, the city must act on the application.

Affordable Housing Programs

1) Low Income Housing Tax Credits Program
Provides for the allocation of $500 million in new state low-income housing tax credits for new construction projects that receive the federal 4 percent tax credit. For these new credits, the bill would increase the eligible basis for these projects from 13 percent to 30 percent. It would require at least $300 million of this to be available to new construction projects receiving the federal 4 percent tax credit, and would allow up to $200 million to be available to projects receiving assistance from the California Housing Finance Agency (CalHFA) Mixed Income Program.

¹ The “continuum of care” is the group organized to carry out responsibilities under the federal McKinney-Vento Homeless Assistance Act (24 CFR 578.3).
² “Use by right” means that a city may not require a conditional use permit or other discretionary local review. It does not exempt the center from design review.
2) **Mixed Income Program**

   Appropriates $500 million for CalHFA’s Mixed Income Program, which provides financing for mixed-income housing developments.

**CalHome Program**

Allows the CalHome program to include accessory dwelling units (ADUs) and junior accessory dwelling units (JADU), and to authorize the program to make grants for housing purposes in declared disaster areas.

**SB 35 Clean Up Provisions**

Clarifies that when additional density, floor area, and units, and any other concession, incentive, or waiver of development standards granted pursuant to the Density Bonus Law in Section 65915 shall be included in the square footage calculation, when determining that the project contains at least two-thirds of the square footage of the development designated for residential use.

Allows the State Department of Public Health and State Water Resources Control Board to determine that a hazardous waste sites has been cleared for residential use or residential mixed uses.

**Additional Provisions**

1) Changes are made to the TCAC program including making HCD and CHFA directors voting members of the Committee. Currently they are ex officio members.
2) Changes made to state low income housing tax credit including additional $500,000,000 for 2020 calendar year.
3) HCD and OPR will recommend an improved RHNA process and methodology to Legislature by 12/31/22.
4) Amendments made to Joe Serna Farmworker Housing Grant Program [H & S 50517.5].
5) Amendments made to CalHome Program [H & S 50650].
6) Amendments to Housing Trust Fund Matching Grants including lowering grant to $500,000 for newly established funds.
7) Additional points and preference to city with HCD-compliant housing element and designated prohousing for Infill Incentive Grant Program of 2007 funds released after July 1, 2021.
The Legislature passed several bills that may require a city to amend its existing ordinance regarding development of ADUs and Junior ADUs. A copy of the amended ordinance must be submitted to HCD within 60 days of adoption.

Accessory Dwelling Units: Location; development standards

Gov't Code 65852.2 requires a city to adopt an ordinance that allows ADUs subject only to ministerial (non-discretionary approval). Generally the ordinance must allow ADUs in areas zoned to allow single family or multi-family units.

Effective January 1, 2020, the law relating to ADUs will be amended to provide 1:

1. A city must allow within a residential or mixed-use zone. A city that does not provide water or sewer service must consult with local water or sewer service provider regarding the adequacy of water and sewer services before designating an area where ADUs may be permitted.

   • **Within a new or proposed single-family home**: One ADU and one junior ADU per lot if exterior access is available; and side and rear setbacks are sufficient for fire and safety.

   • One detached, new construction ADU that does not encroach into four-foot side and rear yard setbacks on a lot with a proposed or existing single-family dwelling. City may impose total floor area of 800 square feet; height limitation of 16 feet.

   • Multiple ADUs within portions of existing multifamily dwelling structures that are not used as livable space including storage rooms, boiler rooms, passageways, attics, basements, garages if each unit complies with state building standards. At least one ADU within an existing multifamily dwelling and “shall allow up to 25% of the existing multifamily dwelling units.”

   • Not more than 2 ADUs that are located on a lot that has an existing multifamily dwelling but are detached from the dwelling and are subject to a height limit of 16 feet and four-foot rear and side setbacks.

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1 This list is a compilation of changes made by AB 68 (Ting); AB 881 (Bloom); SB 13 (Wieckowski); AB 587 (Friedman); and AB 671 (Friedman).

2 Language in italics is not clear. Does this mean all multifamily units in the city?
2. An ADU may be located in an attached garage, storage area or other accessory structure. If on-site parking is removed to allow for ADU, a city may not require the on-site parking to be replaced.

3. The maximum rear and side yard setback for an ADU that is not converted from an existing structure is 4 feet (reduced from 5 feet in existing law).

4. Development standards:
   - City may not impose a minimum lot size.
   - Fire sprinklers cannot be required in an ADU if sprinklers are not required for the primary residence.
   - Minimum size may not prohibit efficiency unit.
   - Maximum size may not be less than 850 square feet or 1,000 square feet for ADU that provides more than one bedroom.
   - Lot coverage, floor area ratio, open space and other standards may not preclude must permit at least an 800 square foot ADU that is at least 16 feet.
   - Parking: If on-site parking is removed to allow for ADU, a city may not require the on-site parking to be replaced. No parking can be required if ADU located within ½ mile walking distance of public transit.

5. A city must act on an application for an ADU on a lot with an existing single-family or multi-family structure within 60 days of receiving a completed application. Ministerial approval of an ADU is required under existing law.

6. City may not require owner occupancy for either the primary dwelling or the ADU. This section is repealed on January 1, 2025.

7. Rental of an ADU must be for a term longer than 30 days.

9. Gov’t Code 65852.2(a)(1)(D)(i) provides that an ADU may be rented separate from the primary residence but may not be sold or otherwise conveyed separate from the primary residence.

AB 587 (Friedman) creates an exception to this provision:
   - Qualified non-profit corporation developed the property.
   - Enforceable restriction recorded on the use of the land.
• Qualified buyer must occupy as primary residence (person of low or moderate income).
• Qualified buyer must first offer option to purchase to nonprofit corporation if sells unit in the future.
• Affordability restrictions must be placed on the property for 45 years.
• A separate utility connection can be required.

10. A city must submit a copy of its ADU ordinance to HCD within 60 days of adoption. HCD may submit written findings to city regarding whether ordinance complies with state law. If HCD finds it does not, city is given 30 days to respond to HCD’s findings. City must either amend ordinance or “adopt without changes.”3 HCD may refer violation to Attorney General.

11. HCD to adopt guidelines.

Accessory Dwelling Units: Fees

• No impact fees upon development of ADU less than 750 square feet.
• Impact fee for ADU more than 750 square feet charged proportionately in relation to the square footage of the primary dwelling unit.
• Impact fee includes park fees (Gov’t Code 66477) but does not include capacity fee or connection fee.
• Connection fees and capacity charges are based upon the “proportionate burden of the proposed ADU on the water or sewer system, based upon either its square feet (formerly “size”) or the number of its drainage fixture unit (DFU) values, as defined by the UPC (formerly “number of plumbing fixtures”).

Accessory Dwelling Units: Delay in Enforcement of Building Standard

For ADU built before 1/1/20 or built after 1/1/20 in a city with a noncompliant ADU ordinance (but ordinance is compliant when request is made).

City shall delay enforcement of a building standard for five years upon request of owner on the basis that correcting the violation is not necessary to protect health and safety. Delay granted if enforcement agency – after consulting with entity responsible for enforcement of building standards and other regulations of the State Fire Marshal – determines that correction the violation is not necessary to protect health and safety. No delays granted after January 1, 2030. [Delay procedure set

3 Since ordinance has been adopted already, this must mean “readopt” ordinance. An interesting consequence: Delays effective date of ADU ordinance for 45 more days.
forth in H & S 17980.12 added by SB 13 (Wieckowski). Delay provisions sunset January 1, 2035.

**Junior ADUs [unit that is no more than 500 square feet and contained entirely within an existing or proposed single-family structure]**

1. A junior ADU must have a cooking facility but a city can no longer limit the nature of the electrical, gas or propane gas connections.

2. A city may no longer require a sink within an efficiency kitchen with a maximum waste line diameter of 1.5 inches.

3. An application for a permit for a junior ADU must be acted on within 60 days from receipt of a completed application.

**ADUs and Housing Elements**

Housing element must include a plan that incentivizes and promotes the creation of ADUs that can be offered at affordable rent for very low, low or moderate-income households.
Prohousing Designation Criteria

- Threshold Requirements
  - Favorable Zoning and Land Use
  - Decreasing Production Timeframes
  - Reducing Construction and Development Costs (e.g. land, construction, fees)
  - Providing Financial Subsidies
Geographic Considerations

❖ Urban
❖ Suburban
❖ Rural
Grant Opportunities:

- LEAP
- REAP

### Local Early Action Planning (LEAP) Grant Estimates

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<tr>
<th>City</th>
<th>Population (DOF 2019)</th>
<th>Grant Amount Eligible</th>
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<tbody>
<tr>
<td>Artesia</td>
<td>16,792</td>
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<td>Avalon</td>
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**GCCOG Cities Total** $5,870,000

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Survey and Feedback

❖ Comment letter
2019 Bills Signed into Law Briefing Webinar

Join the League’s legislative team for a briefing on new laws from the 2019 Legislative session. The lobbyists will share information on how these new laws will affect:

- Local land use authority and affordable housing;
- Homelessness issues and funding opportunities;
- Disaster response: funding and policy;
- Environmental Quality;
- Workers Compensation;
- Economic development and tax increment tool restoration;
- Public safety, cannabis regulation; and
- Other legislation of critical importance.

Due to capacity issues, League members can register for no more than two connections per city.
2019 Housing Community and Economic Development Legislation

Accessory Dwelling Units

*AB 68 (Ting) Land Use. Accessory Dwelling Units. Chapter 655, Statutes of 2019
This measure significantly amends the statewide standards that apply to locally-adopted ordinances concerning accessory dwelling units (ADUs). This measure changes include: prohibiting minimum lot size requirements, requiring at least 850 sq.ft. per ADU, and requiring approval within 60 days. *(The League has prepared a comprehensive summary of this measure in Appendix _ of this document.)*

*AB 587 (Friedman) Accessory Dwelling Units. Sale or Separate Conveyance. Chapter 657, Statutes of 2019
This measure authorizes a local agency to allow, by ordinance, an accessory dwelling unit (ADU) to be sold or conveyed separately from the primary residence to a qualified buyer if certain conditions are met.

Existing law prohibits local ADU ordinances from allowing ADUs to be sold separate from the primary residence. This measure offers an exemption to the law by allowing affordable housing organizations to sell deed-restricted land to eligible low-income homeowners. This measure also requires that any subsequent sale of the ADU be to a low-income family for a period of 45 years. *(The League has prepared a comprehensive summary of this measure in Appendix _ of this document.)*

AB 670 (Friedman) Common Interest Developments. Accessory Dwelling Units. Chapter 178, Statutes of 2019
This measure makes void and unenforceable any provision of a governing document of a common interest development (CID) that either effectively prohibits or unreasonably restricts the construction or use of an accessory dwelling unit or junior accessory dwelling unit on a lot zoned for single-family residential use.

AB 671 (Friedman) Accessory Dwelling Units. Incentives. Chapter 658, Statutes of 2019
This measure requires a local agency to include a plan that incentivizes and promotes the creation of accessory dwelling units that can be offered at affordable rent for very low, low, or moderate-income households in its housing element. It also requires the Department of Housing and Community Development (HCD) to develop a list of existing state grants and financial incentives for operating, administrative, and other expenses in connection with the planning, construction, and operation of accessory dwelling units with affordable rent. The list must be posted to HCD’s internet website by December 31, 2020.
This measure changes the objective standard a city may impose when zoning for an emergency shelter from 'off-street parking based upon demonstrated need' to 'sufficient parking to accommodate all staff working in the emergency shelter'.

This measure also changes how the need for emergency shelter shall be assessed in the local jurisdiction. Specifically, a city now must assess the need based on the most recent point-in-time count conducted before the start of the planning period, the need for emergency shelter based on number of beds available on a year-round and seasonal basis, the number of shelter beds that go unused on an average monthly basis within a one-year period, and the percentage of those in emergency shelters that move to permanent housing solutions.

(The League has prepared a comprehensive summary of this measure in Appendix _ of this document.)

**AB 881** (Bloom) Accessory Dwelling Units.
Chapter 659, Statutes of 2019
This measure prohibits a local jurisdiction from requiring a property owner live in the main house or one of the accessory structures. This measure also
- Requires local agencies to ministerially approve ADUs on lots with multi-family residences and within existing garages; and
- Adds a definition of "public transit" to mean a bus stop, bus line, light rail, street car, car share drop off or pick up, or heavy rail stop.

(The League has prepared a comprehensive summary of this measure in Appendix _ of this document.)

**SB 13** (Wieckowski) Accessory Dwelling Units.
Chapter 653, Statutes of 2019
This measure prohibits local jurisdictions from imposing any impact fees on ADUs less than 750 square feet, and limits the charge on ADUs over 750 square feet to 25 percent of the fees otherwise charged for a new single-family dwelling on the same lot.
This measure also:
- Prohibits replacement parking when a garage, carport, or covered parking structure is demolished or converted into an ADU; and
- Prohibits owner occupancy requirements.

(The League has prepared a comprehensive summary of this measure in Appendix _ of this document.)

**Housing and Housing Finance**

**AB 430** (Gallagher) Housing Development. Camp Fire Housing Assistance Act of 2019.
Chapter 745, Statutes of 2019
This measure establishes a ministerial approval process for residential and mixed-use developments within or near the cities of Biggs, Corning, Gridley, Live Oak, Orland, Oroville, Willows, and Yuba City, so that these projects are not subject to review under the California Environmental Quality Act (CEQA). A proponent of a development must hold at least one public meeting on the proposed development and must replace any affordable housing units demolished as a result of the development. A city approving a development pursuant to the bill must file a notice of that approval with the Office of Planning and Research. If a local government determines that a developer seeking streamlined approval conflicts with any local planning standards, they may provide the developer with written documentation and conduct any design review or public oversight. This measure sunsets on January 1, 2026.

**AB 957 (Committee on Housing and Community Development) Housing Omnibus. Chapter 620, Statutes of 2019 (Urgency)**
This measure makes technical and non-controversial changes to various sections of the law dealing with housing. These changes include:

- Amending the Housing element law to reconcile the differences between two versions of Government Code Section 65583.2, one currently operative and one that triggers on Jan 1, 2029;
- Making changes to the Housing for a Healthy California program to clarify that counties are not required to use grants for both construction and operating costs of supportive housing units but can use the grants for one or both. Counties can also use the grants for long term rental assistance to support supportive housing; and
- Amending the No Place Like Home Program to completely convey the ways in which the State may not act in adverse interest to bondholders.

**AB 1010 (Garcia, Eduardo) Housing Programs. Eligible Entities. Chapter 660, Statutes of 2019**
This measure amends the definitions of “local agency,” “local public entity,” and “nonprofit housing sponsor” to make the governing body of Indian reservations and Rancherias eligible to receive funding from various state affordable housing programs.

**AB 1118 (Rubio, Blanca) Land Use. Livability Issues for Older Adults. Chapter 820, Statutes of 2019**
This measure requires the Secretary of California Health and Human Services, in developing the Master Plan for Aging, to consider applying, on behalf of the State of California, to join the AARP Network of Age-Friendly States and Communities.

**AB 1483 (Grayson) Housing Data. Collection and Reporting. Chapter 662, Statutes of 2019**
This measure requires a cities, counties, and special districts to maintain a current schedule of fees, exactions, and affordability requirements imposed by the city, county, or special district, including any dependent special district, applicable to a proposed housing development project, all zoning ordinances and development standards, and annual fee reports or annual financial reports on its internet website. They must also
provide an archive of impact fee nexus studies, cost of service studies, or equivalent on its internet website.

**AB 1485** (Wicks) Housing Development. Streamlining. Chapter 663, Statutes of 2019
This measure makes various changes to SB 35 Chapter 366, Statutes of 2017 to allow for streamlining of housing developments that include a percentage of low income and/or moderate-income housing.

This measure amends the law so that a developer of a project is eligible for local entitlement and CEQA streamlining approval under SB 35 if it meets one of the following requirements:

- A jurisdiction fails to produce its annual report or that production report reflects that there were fewer units of above moderate-income housing issued building permits than were required for the regional housing needs assessment cycle for that reporting period; or
- The project in the San Francisco Bay Area contains 10 or more units and it dedicates 20% of the total number of units to housing affordable to households making below 120% of the area median income with the average income of the units at or below 100% of the area median income.

Additionally, this measure:

- States that the rent or sale price charged for units for these households shall not exceed 30% of the gross income of the household;
- Requires any permits subsequent to the streamlined, ministerial approval, such as demolition, grading, and building permits or, if required, final map, to be issued if the application substantially complies with the development as it was approved. Upon receipt of the application, the local government shall process subsequent permits without unreasonable delay and shall apply the same procedures and requirements on all projects;
- Declares that SB 35 projects are eligible for protections under the Housing Accountability Act; and
- Provides that improvements located on land owned by the local government or the San Francisco Bay Area Transit District necessary to implement a project shall receive streamlined ministerial approval and not be subject to CEQA.

**AB 1487** (Chiu) San Francisco Bay Area. Housing Development. Financing. Chapter 598, Statutes of 2019
This measure establishes the Bay Area Housing Finance Authority. The authority’s purpose is to raise, administer, and allocate funding for affordable housing in the San Francisco Bay area and provide technical assistance at a regional level for tenant protection, affordable housing preservation, and new affordable housing production. The Metropolitan Transportation Commission serves as the governing board of the authority.
**AJR 15** (Bloom) Section 202 Supportive Housing for the Elderly Program.  
Resolution Chapter 147, Statutes of 2019  
This measure states the Legislature’s support for federal funding of at least $600 million per year to support the construction and operation of affordable housing through the Supportive Housing for the Elderly Program. This measure also calls on the President of the United States and the United States Secretary of Housing and Urban Development to support significantly increased funding for that program.

**SB 623** (Jackson) Multifamily Housing Program. Total Assistance Calculation.  
Chapter 507, Statutes of 2019  
This measure requires HCD to use the American Community Survey (ACS), instead of the decennial census, from the US Census Bureau (Bureau) when determining the proportion of the funds available for senior citizens in the Multifamily Housing Program (MHP).

Chapter 78, Statutes of 2019  
This measure revises and further clarifies the definition of “fee” to mean a fee for the physical facilities necessary to make a water connection or sewer connection, and that the estimated reasonable cost of labor and materials for installation of those facilities bears a reasonable relationship to the payer’s burdens on, or benefits received from, the water connection or sewer connection.

**Homelessness**

**AB 58** (Rivas, Luz) Homeless Coordinating and Financing Council.  
Chapter 334, Statutes of 2019  
This measure requires the Governor to appoint a representative from the State Department of Education to be a member of the Homeless Coordinating and Financing Council.

**AB 139** (Quirk-Silva) Emergency and Transitional Housing Act of 2019.  
Chapter 335, Statutes of 2019  
This measure makes several changes to housing element law regarding emergency shelters. Specifically, this measure:

- Clarifies that the emergency shelter zone shall include sufficient capacity to accommodate the need for emergency shelter. “Sufficient capacity” means a zone or zones necessary to accommodate a combination of the local government’s extremely low-income regional housing need allocation and the most recent homeless point-in-time count;
- Clarifies that shelters in emergency shelter zones shall only be required to include sufficient parking to accommodate all staff working in the shelter;
- Specifies that the need for emergency shelters shall be assessed based on the need for emergency shelter based on the number of beds available on a year
round and seasonal basis, the number of shelter beds that go unused on an average monthly basis within a one-year period, and the percentage of those in emergency shelters that move to permanent housing solutions;

- Requires the COG or HCD to include the housing needs of individuals and families experiencing homelessness in developing the methodology that allocates regional housing needs; and
  - If a council of governments has surveyed each of its member jurisdictions, on or before January 1, 2020, this requirement only applies to the development of methodologies for the seventh and subsequent revisions of the housing element.

- Requires each local government to also evaluate as frequently as appropriate the effectiveness of the housing element goals, policies, and related actions to meet the community’s needs, including the needs for emergency shelters.

**AB 143** (Quirk-Silva) Shelter Crisis. Homeless Shelters. Counties of Alameda and Orange. City of San Jose.
Chapter 336, Statutes of 2019 (Urgency)

This measure expands the eligible cities and counties that may authorize emergency housing to include emergency shelter, upon the declaration of a shelter crisis to the cities in the county of Orange, the City of San Jose, and the Counties of Orange and Alameda.

**AB 728** (Santiago) Homeless Multidisciplinary Personnel Teams.
Chapter 337, Statutes of 2019

This measure establishes a pilot program in the counties of Los Angeles, Orange, Riverside, San Bernardino, San Diego, Santa Clara, and Ventura that allows homeless adult and family multidisciplinary teams (MDTs) established in these counties to have the goal of facilitating expedited identification, assessment, and linkage of individuals at risk of homelessness to housing and supportive services, and the goal of facilitating the expedited prevention of homelessness for those individuals. This measure sunsets on January 1, 2025.

**AB 960** (Maienschein) Calworks. Homeless Assistance.
Chapter 444, Statutes of 2019

This measure expands the type of housing the California Work Opportunity and Responsibility to Kids (CalWORKs) homeless assistance payment can be made to include a person with whom the family requesting assistance has executed a valid lease, sublease, or shared housing agreement. This removes the requirement that a person in the business of renting properties have a history of renting properties in order to receive payments.

Additionally, this measure requires the California Department of Social Services (CDSS) to implement the act through an all-county letter (ACL) or similar instruction until final regulations are adopted. CDSS must adopt emergency regulations by January 1, 2021, or 18 months after the all-county letters or similar instructions are issued, whichever is later.
**AB 1188 (Gabriel) Dwelling Units. Persons at Risk of Homelessness.**
Chapter 339, Statutes of 2019
This measure permits, at the discretion of the landlord or owner of the property, a tenant to temporarily permit the occupancy of their dwelling unit by a person who is at risk of homelessness for a maximum of 12 months. An owner or landlord may adjust the rent during the time the person who is at risk of homelessness is occupying the dwelling unit. The occupant is entitled to the rights and obligations of a lodger under California Law, with the exception of the termination of the right of occupancy. This measure sunsets on January 1, 2024.

**AB 1197 (Santiago) California Environmental Quality Act. Exemption. City of Los Angeles. Supportive Housing and Emergency Shelters.**
Chapter 340, Statutes of 2019 (Urgency)
This measure establishes an exemption from CEQA for specified emergency shelters and supportive housing projects approved or carried out by the City of Los Angeles and other eligible public agencies.
Eligible public agency means any of the following:
- The County of Los Angeles;
- The Los Angeles Unified School District;
- The Los Angeles County Metropolitan Transportation Authority;
- The Housing Authority of the City of Los Angeles;
- The Los Angeles Homeless Services Authority;
- The Los Angeles Community College District;
- The successor agency for the former Community Redevelopment Agency of the City of Los Angeles;
- The Department of Transportation; and
- The Department of Parks and Recreation.

This measure sunsets on January 1, 2025.

**AB 1745 (Kalra) Shelter Crisis. Emergency Bridge Housing Community. City of San Jose.**
Chapter 342, Statutes of 2019
This measure extends the sunset date on the authority of the City of San Jose to declare a shelter crisis and operate an emergency bridge housing community for homeless persons from January 1, 2022 to January 1, 2025. AB 2176 (Campos) Chapter 691, Statues of 2016, gave the City of San Jose the authority to declare a shelter crisis and construct emergency bridge housing communities until January 1, 2022. This measure gives the city more time to develop the housing and move residents into permanent housing. This measures sunsets on January 1, 2025.

**SB 450 (Umberg) California Environmental Quality Act Exemption. Supportive and Transitional Housing. Motel Conversion.**
Chapter 344, Statutes of 2019
This measure exempts interim motel housing projects from the requirements of the
California Environmental Quality Act. Specifically, this measure exempts from CEQA projects related to the conversion of a structure with a certificate of occupancy as a motel, hotel, residential hotel, or hostel to supportive or transitional housing, that meet certain conditions. This measure sunsets on January 1, 2025.

**Land Use/Planning**

**AB 747** (Levine) Planning and Zoning. General Plan. Safety Element.  
Chapter 681, Statutes of 2019  
This measure requires cities and counties to identify evacuation routes and their capacity, safety, and viability under a range of emergency scenarios in the safety element of the general plan by January 1, 2022. A city or county that has adopted a local hazard mitigation plan, emergency operations plan, or other document that fulfills commensurate goals and objectives may use that information in the safety element to comply with this requirement.

Chapter 666, Statutes of 2019  
This measure revises Density Bonus Law (DBL) to require a city or county to award a developer additional density, concessions and incentives, and height increases if 100% of the units in a development are restricted to lower income households. A housing development that qualifies for a density bonus under this measure may include up to 20% of the total units for moderate-income households. A housing development that meets these criteria will also receive four incentives or concessions under the Density Bonus Law and, if the development is located within ½ of a major transit stop, a height increase of up to three additional stories or 33 feet.

Chapter 202, Statutes of 2019  
This measure requires the safety element of the general plan, upon the next revision of the housing element on or after January 1, 2020, to identify any residential developments in any hazard area that does not have at least two emergency evacuation routes. Cities and counties must regularly review and update this information on the same schedule as other safety element updates.

Chapter 844, Statutes of 2019  
This measure allows the City of Napa and County of Napa to reach an agreement under which the county would be allowed to count certain housing units built within the city toward the county’s regional housing needs assessment (RHNA) requirement.

**SB 242** (Roth) Land Use Applications. Department of Defense. Points of Contact.  
Chapter 142, Statutes of 2019  
This measure updates and streamlines local agency requirements for notifying the
The Office of Planning and Research is now required to post on its website specified information on development proposals, military points of contact and maps of low-level flight paths, special use airspace and military installations.

**SB 249 (Nielsen) Land Use. Subdivision Map Act. Expiration Dates.**
*Chapter 366, Statutes of 2019 (Urgency)*
This measure allows certain unexpired subdivision maps in Butte County to be extended for up to 36 months. A legislative body within Butte County can extend the expiration date for up to 36 months of an tentative map or vesting tentative map, that was approved on or after January 1, 2006, and not later than March 31, 2019, that relates to the construction of single or multifamily housing, and that has not expired on or before the effective date of this act.

**SB 330 (Skinner) Housing Crisis Act of 2019.**
*Chapter 654, Statutes of 2019*
This measure establishes the Housing Crisis Act of 2019, which places restrictions on certain types of development standards, amends the Housing Accountability Act (HAA), and makes changes to local approval processes and the Permit Streamlining Act.

This measure declares a statewide housing crisis and for a five-year period:

- Freezes nearly all development related fees once a developer submits a “preliminary” application, including essential project specific fees;
- Creates a “preliminary” housing project application, which upon submittal, limits the number of public hearings, freezes nearly all project related fees, and starts the approval timeline before an application is deemed complete;
- Freezes impact fees for up to 2 1/2 years and locks in place nearly all fees imposed on a housing project once a developer submits a “preliminary” application; and
- Essentially bans project specific fees and prohibits a city from imposing any fee, except CEQA related fees, after the submittal of a “preliminary” application.

This measure sunsets on January 1, 2025.

**SB 744 (Caballero) Planning and Zoning. California Environmental Quality Act. Permanent Supportive Housing.**
*Chapter 346, Statutes of 2019*
This measure makes changes to the existing streamlined process for supportive housing developments and creates a CEQA exemption for developments that qualify for No Place Like Home (NPLH) funding. If an NPLH project qualifies as a use by right, the local agency must file and post the notice.

Additionally, HCD must notify the Speaker of the Assembly and the Pro Tem of the Senate when NPLH funds have been fully allocated and for that information to be posted on HCD's Web site for at least one year.
Landlord–Tenant

*AB 1110* (Friedman) Rent Increases. Noticing.
Chapter 595, Statutes of 2019
This measure requires 90 days’ notice if a landlord of a residential dwelling increases the rent by more than 10% of the amount of the rent charged to a tenant annually. Previously, tenants were required to receive 30 days’ notice of rent increases up to 10%- and 60-days’ notice of rent increases above 10%.

Chapter 596, Statutes of 2019
This measure makes changes to the Ellis Act to clarify that property owners may not pay prior tenants liquidated damages in lieu of offering them the opportunity to re-rent their former unit. Previously, a public entity acting pursuant to the Ellis Act could require an owner who offers accommodations for rent or lease within a period not exceeding 10 years from the date on which they were withdrawn, to first offer the unit to the tenant or lessee displaced from that unit by the withdrawal. If the owner failed to comply with this requirement, the owner is liable to a displaced tenant or lessee for punitive damages not to exceed 6 months’ rent. This measure prohibits a payment of the above-described punitive damages from being construed to extinguish the owner’s obligation to offer the accommodations to a prior tenant or lessee.

This measure also clarifies that the date on which the accommodations are deemed to have been withdrawn from the rental market is the date on which the final tenancy among all tenants is terminated.

Chapter 597, Statutes of 2019
This measure places an upper limit on annual rent increases: 5% plus inflation up to a hard cap of 10 percent. This measure also requires that a landlord have and state a just cause in order to evict tenants who have occupied the premises for a year. Both the rent cap and the just cause provisions are subject to exemptions including, among others: housing built in the past 15 years, single family residences unless owned by a real estate trust or a corporation. This measure does not preempt any local rent control or just cause ordinances. This measure sunsets on January 1, 2030.

*AB 1497* (Holden) Hosting Platforms.
Chapter 599, Statutes of 2019
This measure adds housing offered on a hosting platform to the definition of housing accommodation in the Fair Employment and Housing Act (FEHA). This measure includes Legislative intent language stating:

- That this act will not affect the permissibility, classification, or local regulation of the use of residential structures for short-term rentals or other transient occupancy; and
• Does not imply that short-term rentals on hosting platforms should be considered permanent housing.

**SB 18** (Skinner) *Keep Californians Housed Act.*  
*Chapter 134, Statutes of 2019*  
This measure eliminates the sunset on a statute that gives all tenants who reside in a residential rental property which is sold at foreclosure sale at least 90 days’ notice that they must terminate their tenancies. This provision was set to sunset as of December 31, 2019. This measure extends the operation of these provisions indefinitely.

**SB 222** (Hill) *Discrimination. Veteran or Military Status.*  
*Chapter 601, Statutes of 2019*  
This measure reinforces that housing discrimination on account of military or veteran status is unlawful in California by explicitly stating so within FEHA. In addition, by defining a Veterans Affairs Supportive Housing (VASH) voucher as a source of income for purposes of FEHA. This makes it unlawful for a landlord to discriminate against tenants who use VASH vouchers to pay for part or all of their rent.

*Chapter 600, Statutes of 2019*  
This measure prohibits landlords from discriminating against tenants who rely upon housing assistance paid directly to landlords, such as a Section 8 voucher, to help them pay the rent. SB 329 changes the definition of “source of income” to include housing subsidies and add housing assistance to the sources of income protected by FEHA.

*Chapter 855, Statutes of 2019*  
This measure modifies the amount of insurance coverage that a landlord may demand from a tenant requesting to install an electric vehicle (EV) charging station on residential rental property. Specifically, this measure removes the requirement to obtain a general liability insurance policy, and instead requires the lessee to obtain personal liability coverage, in an amount not to exceed 10 times the annual rent charged for the dwelling, covering property damage and personal injury proximately caused by the installation or operation of the electric vehicle charging station.

**SB 644** (Glazer) *Tenancy. Security Deposit. Service Members.*  
*Chapter 602, Statutes of 2019*  
This measure lowers the amount that a landlord can charge service members for a security deposit on residential rental housing. Previously, a landlord cannot require an amount in excess of an amount equal to 2 months’ rent, in the case of unfurnished residential property, and an amount equal to 3 months’ rent, in the case of furnished residential property. This measure prohibits a landlord from demanding or receiving security from a service member who rents residential property in which the service member will reside in an amount or value in excess of an amount equal to one months’ rent, in the case of unfurnished residential property, or in excess of an amount equal to 2 months’ rent, in the case of furnished residential property.
This measure does not apply if:

- The tenant has a history of poor credit or of causing damage to the rental property or its furnishings; or
- The property is rented to a group of individuals, one or more of whom is not a service member or the service member’s spouse, parent, domestic partner, or dependent.

Additionally, this measure prohibits landlords from refusing to rent residential property to a service member on the ground that the landlord will not be able to require as large a security deposit from that service member.

**Mobile Homes**

**AB 173** (Chau) Mobilehomes. Payments. Nonpayment or Late Payments. Chapter 488, Statutes of 2019

This measure extends, by one year, a tax abatement program, the "Register Your Mobilehome," for mobilehome owners who cannot transfer title into their names due to delinquent taxes and fees that may have been incurred by prior owners. This measure also changes the date for HCD to conduct the analysis of this program from on or before March 1, 2020 to on or before July 1, 2021.


This measure makes several changes to the law relating to fire prevention and fire safety for mobilehomes and manufactured homes. These changes include:

- Requiring all used manufactured homes, used mobilehomes, and used multifamily manufactured homes that are sold on or after January 1, 2020, or rented pursuant to a rental agreement entered into on or after January 1, 2020, to have installed in each room designed for sleeping a smoke alarm that is operable on the date of rental or transfer of title, is installed in accordance with the manufacturer’s installation instructions, and has been approved and listed by the Office of the State Fire Marshal;

- Requiring that specified information regarding all smoke alarms installed in the used manufactured home, used mobilehome, or used multifamily manufactured home be provided to the purchaser or renter thereof; and

- Requiring every owner or operator of a park to:
  - Post notice of the emergency preparedness plan in a publicly accessible area within the mobilehome park; and
  - Provide notice annually to all existing residents of how to access the plan and information on individual emergency preparedness contained therein and how to obtain the plan in a language other than English; and
  - Provide the plan in English and all of the languages that HCD is required to translate its forms and processes.
HCD must make available mobilehome park emergency preparedness plans and other required documents and translate them into the required threshold languages.

**SB 274 (Dodd) Mobilehome Parks. Tenancies.**
Chapter 504, Statutes of 2019
This measure creates an opportunity for mobilehome residents to return when a mobilehome park is destroyed by natural disaster and subsequently gets rebuilt. This measure also provides a required structure for a park’s determination of whether it must accept a prospective mobilehome buyer. Mobilehome residents will now have the opportunity to designate at least three “companions” in each calendar year with whom to share the mobilehome.

**Care Facilities**

**AB 919 (Petrie-Norris) Alcoholism and Drug Abuse Recovery or Treatment Programs.**
Chapter 811, Statutes of 2019
This measure enhances prohibitions on specified entities from giving or receiving remuneration or anything of value for the referral of a person who is seeking substance use disorder (SUD) recovery or treatment services in order to prevent those specified entities from inducing an individual to receive recovery or treatment services by providing free housing, transportation, and other related services.

An alcoholism or drug abuse recovery or treatment facility licensed by the Department of Health Care Services (DHCS) must now offer transportation services to an individual who is seeking recovery or treatment services only if specified conditions are met. These provisions shall be enforced by DHCS.

**SB 234 (Skinner) Family Daycare Homes.**
Chapter 244, Statutes of 2019
This measure revises statutes regarding licensed family daycare homes pertaining to local zoning laws and housing protections. Previously, a small family daycare home, which may provide care for up to 8 children, is considered a residential use of property for purposes of all local ordinances. This measure instead requires a large family daycare home to be treated as a residential use of property for purposes of all local ordinances. This gives large family daycare homes the same status as small family daycare homes with regard to local ordinances.

This measure additionally revises provisions of law to:

- Update housing protections for licensed family daycare providers to ensure they will not be prohibited from living in a home solely based on the fact that they are operating a family daycare home;
- Clarify that licensed family daycare homes are permitted to operate in apartments and other types of multifamily units;
• Clarify that family daycare providers may be subject to remedies and procedures available to them under FEHA; and
• Require State Fire Marshal to update the building and fire standards relating to life and fire safety for large and small family daycare homes.

**Building Standards**

Chapter 259, Statutes of 2019
This measure specifies that residential construction intended to repair, restore, or replace a residential building damaged or destroyed as a result of a disaster in an area in which a state of emergency has been proclaimed by the Governor, before January 1, 2020, is required to comply with the solar photovoltaic requirements, if any, that were in effect at the time the damaged or destroyed residential building was originally constructed and is not required to comply with any additional or conflicting solar photovoltaic requirements in effect at the time of repair, restoration, or replacement. This measure sunsets on January 1, 2023.

**AB 548** (Rodriguez) Earthquake Brace and Bolt Program.
Chapter 219, Statutes of 2019
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**AB 1026** (Wood) Electricity. Interconnection Rules.
Chapter 446, Statutes of 2019
This measure requires an electrical or gas corporation (IOU) to apply only those construction and design specifications that are applicable to a new extension of service project for the 18 months following the date the application for a new extension of service project is approved. This will keep the interconnection rules in place on the date the project is approved by the IOU for 18 months.

This measure also authorizes an IOU to adopt modifications of the construction and design specifications of a new extension of service project. The conditions which can trigger a project modification are:

- An order or decision of the California Public Utilities Commission or any other state or federal agency;
- A change in the scope of work by the customer; and
- A change needed by the IOU to remedy a construction-related defect that could pose a safety-risk.

**AB 1232** (Gloria) Affordable Housing. Weatherization.
Chapter 754, Statutes of 2019
This measure requires the Department of Community Services and Development to coordinate with the California Energy Commission and the State Department of Public Health’s Office of Health Equity, by January 1, 2021, to identify best practices from model programs and funding mechanisms, and provide a recommended action plan.
**SB 280** (Jackson) Building Standards. Fall Prevention.  
Chapter 640, Statutes of 2019  
This measure requires HCD, at the next triennial building standards rulemaking cycle, to investigate possible changes to the building standards in the California Residential Code for adoption by the California Building Standards Commission to promote aging-in-place design.

**Excess and Surplus Property**

*AB 1255* (Rivas, Robert) Surplus Public Land. Inventory.  
Chapter 661, Statutes of 2019  
This measure requires each county and each city to make a central inventory of specified surplus land and excess land located in all urbanized areas and urban clusters on or before December 31 of each year. The city or county must make a description of each parcel and its present uses a matter of public record and to report this information to the HCD no later than April 1 of each year, beginning April 1, 2021. HCD may delay implementation of this requirement for one year. HCD must then provide this information to the state Department of General Services (DGS) for inclusion in a digitized inventory of state surplus land sites.

A county or city, upon request, must provide a list of its surplus governmental properties to a citizen, limited dividend corporation, housing corporation, or nonprofit corporation without charge.

*AB 1486* (Ting) Surplus Land.  
Chapter 664, Statutes of 2019  
This measure expands Surplus Land Act requirements for local agencies, requires local governments to include specified information relating to surplus lands in their housing elements and annual progress reports (APRs), and requires HCD to establish a database of surplus lands.

This measure also:
- Requires a local agency that is disposing of surplus land for purpose of developing low- and moderate-income housing to send a notice of availability, to housing sponsors that have notified HCD (rather than the appropriate council of governments) of their interest;
- Requires HCD to maintain a list of all notices of availability on its website;
- Expands the list of exemptions from the Surplus Land Act;
- Prohibits the negotiations between a disposing agency and interested entities to determine price;
- Requires each local agency to make a central inventory of all its surplus land on or before December 31st of each year;
- Requires each local agency to report to HCD by April 1st of each year, beginning in 2021, a description of each surplus land parcel, in a form prescribed by HCD.
• Requires each local agency to, upon request, provide a list of its surplus lands free of charge;
• Requires HCD to create by September 30, 2021, and to maintain, and annually update, a searchable and downloadable public inventory on its website of all publicly owned or controlled lands, and their present uses, as reported to HCD;
• Requires a local agency’s APR to include a list of sites owned by the city or county, and included in its housing element inventory, that have been sold, leased, or otherwise disposed of in the prior year; and
• Requires a housing element’s site inventory to include, for non-vacant sites that are owned by the city or county, a description of whether there are plans to dispose of the property during the planning period and how the city or county will comply with the Surplus Lands Act.
  o This provision sunsets this provision on Dec. 31, 2028.

*SB 6 (Beall) Residential Development. Available Land.  
Chapter 667, Statutes of 2019  
This measure requires HCD to furnish DGS with a list of local lands suitable and available for residential development as identified by a local government as part of the housing element of its general plan. DGS must create a database of state lands determined or declared excess and to make this database available and searchable by the public by means of a link on its internet website.

Budget Trailer Bills

*AB 101 (Committee on Budget) Housing Development and Financing.  
Chapter 159, Statutes of 2019 (Urgency)  
This measure provides $2.5 billion in funding to address California’s housing and homelessness crisis, establishes incentives to encourage cities and counties to increase housing production, establishes a process for a court to determine compliance with housing element law, and imposes penalties in cases which there is disregard of the direction of a court to fulfill responsibilities under housing element law. (The League has prepared a comprehensive summary on this measure in Appendix A of this document.)

*AB 116 (Ting) Local Government.  
Chapter 656, Statutes of 2019  
This measure contains changes to existing statutory provisions related to Enhanced Infrastructure Financing Districts (EIFDs), finance plans, and bond issuances, including the 55 percent vote requirement for bond issuance. This measure is effective January 1, 2020. (The League has prepared a comprehensive summary on this measure in Appendix A of this document.)

*SB 113 (Committee on Budget and Fiscal Review) Housing.  
Chapter 668, Statutes of 2019 (Urgency)  
This measure makes technical statutory changes necessary to enact the housing and
homelessness-related provisions of the Budget Act of 2019, and provides intent language related to recent housing-related court decisions. Specifically, this measure:

- Clarifies that the Attorney General may request that the court issue an order or judgment directing a local jurisdiction to bring its housing element into substantial compliance if the court finds that a local jurisdiction is not compliant with housing element law;
- Clarifies that if a court finds that a local jurisdiction’s housing element substantially complies with state housing element law, then the court finding has the same force and effect, for the purposes of financial assistance and various state incentives that require a compliant housing element, as a finding by the Department of Housing and Community Development (HCD) that the housing element substantially complies with state housing element law;
- Replaces the standard that an agent of the court may “be appointed with all the powers” necessary with the standard that an agent of the court may “take all the governmental actions” necessary to bring the jurisdiction’s housing element into substantial compliance;
  - Clarifies that the appointment and actions shall not limit a court’s discretion to apply any and all remedies in an action or special proceeding for a violation of housing element law.
- Clarifies that HCD shall offer a jurisdiction the opportunity for two meetings in person or via telephone once the jurisdiction has been included on HCD’s list of jurisdictions with non-compliant housing elements if the jurisdiction has not previously received notice of its inclusion; and
- Increases the amount of time, from within 30 days to within 90 days, of a request for review, by which HCD shall issue written findings as to whether the housing element of a jurisdiction that was previously found to be non-compliant has been found by HCD to be in substantial compliance with state housing element law. Clarifies that a jurisdiction may not request this review, or bring an action in court related to HCD’s determination, if the jurisdiction is the subject of a lawsuit for housing element compliance.

(The League has prepared a comprehensive summary on this measure in Appendix A of this document.)

Miscellaneous

**AB 185** (Grayson) California Transportation Commission. Transportation and Transportation-related Policies. Joint Meetings.
Chapter 534, Statutes of 2019
Copy from TCPW

Chapter 171, Statutes of 2019
This measure makes a property owner who participates in a program to abate lead-based paint created as a result of a judgment or settlement in any public nuisance or
similar litigation, and all public entities, immune from liability in any lawsuit seeking to recover any cost associated with that abatement program.

This measure also clarifies that participation in a lead paint abatement program is not considered evidence that a property constitutes a nuisance, or is substandard or untenantable. This measure does not alter existing obligations on homeowners to maintain their property under applicable law or otherwise limit a tenant's legal remedies for addressing the presence of lead paint on a dwelling.

**AB 377** (Garcia, Eduardo) Microenterprise Home Kitchen Operations.  
Chapter 536, Statutes of 2019 (Urgency)  
This measure states that the governing body of a city, county, or city and county that is designated as the enforcement agency may authorize within its jurisdiction the permitting of microenterprise home kitchen operations. If a governing body of a city, county, or city and county authorizes the permitting of microenterprise home kitchen operations, the authorization shall apply to all areas within its jurisdiction, including being applicable to all cities within a county that authorizes microenterprise home kitchen operations, regardless of whether each city located within the jurisdiction of the county separately authorizes them. The measure also clarifies the inspection requirements for MEHKOs and clarifies regulations for MEHKO permit holders.

**AB 775** (Chau) Massage Therapy.  
Chapter 290, Statutes of 2019  
This measure establishes timelines for the approval of a massage therapy school by the California Massage Therapy Council (CAMTC). The council must develop policies, procedures, rules, or bylaws governing the requirements and process for approving, denying approval of, imposing corrective action on, or unapproving schools.

This measure also requires a school that is not approved by the CAMTC to notify student applicants and obtain signed acknowledgements of confirmation that each applicant understands that the school is not approved and that the education will not count towards voluntary certification.

**AB 1018** (Frazier) Real Estate Appraisers.  
Chapter 267, Statutes of 2019  
This measure prohibits a home inspector from giving an opinion of valuation on a property and specifies that the law regulating home inspectors does not exempt a home inspector from law regulating real estate appraisers. In doing so, this measure clarifies that real estate appraisers have a very specific scope of practice; to determine approximate value of real estate according to comparable homes in the surrounding area.

**AB 1783** (Rivas, Robert) H-2a Worker Housing. State Funding. Streamlined Approval Process for Agricultural Employee Housing Development.  
Chapter 866, Statutes of 2019  
This measure revises the entitlement process and eligibility for state programs that
provide funding for farmworker housing. This measure emulates the process to expedite and increase the certainty of housing approval created in SB 35 (Wiener), Chapter 366, Statutes of 2017, but for farmworkers instead of infill housing.

This measure creates a streamlined, ministerial approval process for agricultural employee housing if all of the following criteria are met:

- The land is zoned for agricultural uses;
- The land is not located in environmentally unsafe or sensitive areas, including a coastal zone, wetlands, a high or very fire severity zone, a hazardous waste site, an earthquake fault zone, a flood plain or floodway, lands identified for conservation in an adopted natural community conservation plan, lands under conservation easement, and lands with specified groundwater levels;
- The development does not contain dormitory-style housing; and
- The development consists of no more than 36 units or spaces designed for use by a single family or household.

Additionally, this measure:

- Establishes that the funding predevelopment of, developing, or operating of any housing for farmworkers holding federal H-2A visas shall be ineligible for state funding;
- Provides that a tenant residing in agricultural employee housing has all the rights applicable to a person residing in employee housing;
- States that a local government may subject an eligible agricultural employee housing development to specified, objective development standards; and
- Requires HCD to establish an application and review process for certifying that a person is an affordable housing organization qualified to operate agricultural employee housing.
Assem blymember Grayson hosts a

Housing Development Fee Roundtable

You are invited to join Assemblymember Grayson, cities, counties, special districts, and developers in a conversation about implementing recommendations from the Terner Center's report, Residential Impact Fees in California

November 18, 2019 | 12 P.M. - 2 P.M.
California Community Foundation's Joan Palevsky Center
281 South Figueroa Street, Suite 100
Los Angeles, CA 90012

This event is a part of a series of roundtable meetings that Assemblymember Grayson is hosting across the state. While the events are invitation only, participants are encouraged to circulate within their organizations.

RSVP via Google Form or by calling (916) 319-2014
Summary of Infill Infrastructure Grant Program of 2019

Program Overview
The Program’s primary objective is to promote infill housing development by providing financial assistance for infrastructure improvements necessary to facilitate new infill housing development.

Under the program, grants are available as gap funding for infrastructure improvements necessary for specific residential or mixed-use infill development projects or areas. Both infill projects and areas must have either been previously developed or be largely surrounded by development. Eligible improvements include development or reconstruction of:

- Parks or Open Space
- Water
- Sewer
- Other Utility Service Improvements
- Streets/Roads
- Parking Structures
- Transit Linkages & Transit Shelters
- Sidewalks & Streetscape Improvements

Funding
There is approximately $194 million in competitive funding for “qualifying infill project” or “qualifying infill area,” for large jurisdictions. Large jurisdictions are defined as any county with a population of more than 250,000 as of January 1, 2019, or any city within that county. All Gateway Cities jurisdictions are defined as “Large Jurisdictions” for purposes of the IIG program.

For a Qualifying Infill Project: Minimum award is $1 million. Total award limited to $7.5 million.

For Qualifying Infill Areas: Minimum award is $2 million. Total award limited to $30 million.

Timeline

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
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</thead>
<tbody>
<tr>
<td>NOFA Release</td>
<td>October 30, 2019</td>
</tr>
<tr>
<td>Application Due Date</td>
<td>January 29, 2020</td>
</tr>
<tr>
<td>Award Announcements</td>
<td>April 30, 2020</td>
</tr>
</tbody>
</table>

Workshop Dates

- Santa Ana Police (Community Room)
  November 19, 2019, 9 am – 11 am
  60 Civic Center Plaza
  Santa Ana, CA 92701
  [Register here](#)

- Webinar
  December 4, 2019, 2 pm – 4pm
  [Register here](#)

Program Website
[https://www.hcd.ca.gov/grants-funding/active-funding/iigp.shtml#guidelines](https://www.hcd.ca.gov/grants-funding/active-funding/iigp.shtml#guidelines)

As of 11-13-19
Gateway Cities Council of Governments
MEMORANDUM FOR:  
All Potential Applicants

FROM:  
Jennifer Seeger, Acting Deputy Director  
Division of Financial Assistance

SUBJECT:  
Infill Infrastructure Grant Program of 2019  
Notice of Funding Availability for Large Jurisdictions

The California Department of Housing and Community Development (Department) is pleased to announce the availability of approximately $194 million in funding for the Infill Infrastructure Grant Program of 2019 (program). The purpose of the program is to provide grants for Capital Improvement Projects in support of Qualifying Infill Projects or Qualifying Infill Areas. Funding for this NOFA and program requirements are provided under Assembly Bill 101 (Stats. 2019, ch. 159, § 20) and Part 12.5 (commencing with section 53559) of Division 31 of the Health and Safety Code.

A complete original printed application with signatures and one electronic copy on compact disc or flash drive, with all applicable information and documentation, must be submitted to the Department by 5:00 PM Pacific Standard Time on January 29, 2020. Applications must be submitted through a carrier service such as U.S. Postal Service, UPS, FedEx or other carrier services that provide date stamp verification confirming delivery. Personal deliveries will not be accepted.

The Department will hold workshops to review the Notice of Funding Availability (NOFA) and application. The application, a list of workshop dates, and registration instructions will be available in November 2019 on the Department’s program webpage at http://www.hcd.ca.gov/grants-funding/active-funding/iigp.shtml. To receive program NOFA FAQs and other program information and updates, please subscribe to the program listserv at http://www.hcd.ca.gov/HCD_SSI/subscribe-form.html.

Please submit questions to infill@hcd.ca.gov.

Attachment