



Bay Area Metro Center
375 Beale Street
Suite 800
San Francisco, California

Meeting Agenda - Final

ABAG MTC Housing Legislative Working Group

Chair, Julie Pierce, Vice Mayor, Clayton
Vice Chair, Jake Mackenzie, Councilmember, Rohnert Park

Thursday, April 11, 2019

2:00 PM

Board Room

**Association of Bay Area Governments - Metropolitan Transportation Commission
Housing Legislative Working Group**

The meeting is scheduled to begin at 2:00 p.m.

Agenda, roster, and webcast available at <http://abag.ca.gov> and <http://mtc.ca.gov>

For information, contact Clerk of the Board at (415) 820-7913.

Location

Bay Area Metro Center, 375 Beale Street, Board Room, San Francisco, California

Teleconference Locations

City Hall, 130 Avram Ave., Room 2A, Rohnert Park, CA 94928

11780 San Pablo Ave., Suite D, El Cerrito, CA 94530

Marin County Civic Center, 3501 Civic Center Drive, Room 324, San Rafael, CA 94903

6000 Heritage Trail, 3rd Floor Conference Room, Clayton CA 94517

County Administration Building, 1195 Third Street, Suite 310, Napa, CA 94559

675 Texas Street, Suite 6500, Fairfield, CA 94533

Roster

Julie Pierce, Jake Mackenzie, Anthony Adams, Judy Arnold, Newell Arnerich, Marilyn Ezzy
Ashcraft, Keith Carson, Anna Chouteau, Donna Colson, Joan Cox, Alice Fredericks, Laura
Hoffmeister, John Gioia, James Gore, Ryan Gregory, Don Horsley, Cliff Lentz, Mary Luros, Lily
Mei, Trish Munro, John Rahaim, Ken Rich, Hillary Ronen, Ron Rowlett, John Vasquez

1. Call to Order / Roll Call / Confirm Quorum

2. Chair's Report

Information

3. Report on Housing Bill Landscape

3. [19-0410](#) Report on Housing Bill Landscape

Action: Information

Presenter: Rebecca Long

Attachments: [Item 03 Memo Next Steps.pdf](#)
[Item 03 Attachment A Updated Principles.pdf](#)
[Item 03 Attachment B Protection Matrix with Principles.pdf](#)
[Item 03 Attachment C ADU Bill Analysis Matrix.pdf](#)
[Item 03 Attachment D Housing Bill Matrix.pdf](#)

4. Public Comment

Information

5. Adjournment / Next Meeting

The next meeting of the ABAG MTC Housing Legislative Working Group is on April 18, 2019.

Public Comment: The public is encouraged to comment on agenda items at Committee meetings by completing a request-to-speak card (available from staff) and passing it to the Committee secretary. Public comment may be limited by any of the procedures set forth in Section 3.09 of MTC's Procedures Manual (Resolution No. 1058, Revised) if, in the chair's judgment, it is necessary to maintain the orderly flow of business.

Meeting Conduct: If this meeting is willfully interrupted or disrupted by one or more persons rendering orderly conduct of the meeting unfeasible, the Chair may order the removal of individuals who are willfully disrupting the meeting. Such individuals may be arrested. If order cannot be restored by such removal, the members of the Committee may direct that the meeting room be cleared (except for representatives of the press or other news media not participating in the disturbance), and the session may continue.

Record of Meeting: Committee meetings are recorded. Copies of recordings are available at a nominal charge, or recordings may be listened to at MTC offices by appointment. Audiocasts are maintained on MTC's Web site (mtc.ca.gov) for public review for at least one year.

Accessibility and Title VI: MTC provides services/accommodations upon request to persons with disabilities and individuals who are limited-English proficient who wish to address Commission matters. For accommodations or translations assistance, please call 415.778.6757 or 415.778.6769 for TDD/TTY. We require three working days' notice to accommodate your request.

可及性和法令第六章: MTC 根據要求向希望來委員會討論有關事宜的殘疾人士及英語有限者提供服務/方便。需要便利設施或翻譯協助者，請致電 415.778.6757 或 415.778.6769 TDD / TTY。我們要求您在三個工作日前告知，以滿足您的要求。

Acceso y el Titulo VI: La MTC puede proveer asistencia/facilitar la comunicación a las personas discapacitadas y los individuos con conocimiento limitado del inglés quienes quieran dirigirse a la Comisión. Para solicitar asistencia, por favor llame al número 415.778.6757 o al 415.778.6769 para TDD/TTY. Requerimos que solicite asistencia con tres días hábiles de anticipación para poderle proveer asistencia.

Attachments are sent to Committee members, key staff and others as appropriate. Copies will be available at the meeting.

All items on the agenda are subject to action and/or change by the Committee. Actions recommended by staff are subject to change by the Committee.



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

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Title: Report on Housing Bill Landscape

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Attachments: [Item 03 Memo Next Steps.pdf](#)
[Item 03 Attachment A Updated Principles.pdf](#)
[Item 03 Attachment B Protection Matrix with Principles.pdf](#)
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[Item 03 Attachment D Housing Bill Matrix.pdf](#)

Date	Ver.	Action By	Action	Result
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Report on Housing Bill Landscape

Rebecca Long

Information



Item 3

Date: April 10, 2019

To: ABAG/MTC Housing Legislative Working Group

From: Executive Director

Subject: **Report on Housing Bill Landscape: Next Steps for the Housing Legislative Working Group**

Thank you again for participating as a member of the Housing Legislative Working Group. I thought we got off to a good start last Friday. This memo reviews changes we've made based on what we heard and highlights what to expect at our next meeting tomorrow.

Based on your initial discussion of the proposed Organizing Principles, we recommend two new principles (Resilience and Parallel Policy Mandates) and have added some additional language to several others. The revised version of the Organizing Principles are Attachment A.

We plan to start our next meeting by discussing bills related to *Protection* (5 bills) and *ADUs* (6 bills) as several of you suggested. We propose discussing the more complex and controversial bills at a subsequent meeting as those bills are likely to undergo changes in the next few weeks. For instance, we understand Senator Wiener (SB50) and Senator McGuire (SB4) recently expressed a willingness to discuss ways to consolidate key elements of their bills.

For this Thursday's meeting, we will present an overview of the *Protection* and *ADU* bills, including discussing the similarities and differences across the bills. We will aim to leave ample time for the Working Group to provide input on the bills, including where you think there may be some consensus, where disagreement exists and those areas where you feel additional clarification may be needed.

To that end, we have prepared a summary of each of the 11 bills arrayed against the revised Organizing Principles. Attachment B is a matrix of the *Protection* bills against the organizing principles. Attachment C is a memo and side-by-side analysis of the *ADU* bills, along with a matrix of the *ADU* bills against the organizing principles.

Thank you again for your willingness to participate in the ABAG/MTC Housing Legislative Working Group and provide the Joint ABAG/MTC Legislation Committee and the MTC and ABAG governing boards with your unique local perspectives on the proposed housing bills.

Recommended Action

Information


Therese W. McMillan

Next Steps

April 10, 2019

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Attachments

- A. Updated Organizing Principles for Reviewing Housing Legislation
- B. Analysis of Protection-related Bills
- C. ADU Background and Bill Overview and Analysis
- D. Updated Housing Bill Matrix

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Item 3, Attachment A

Updated Organizing Principles for Reviewing Housing Legislation (Updated per discussion on April 5, 2019; changes shown in *italics*)

1. Funding: More funding is needed. Does the bill provide more funding to help address the housing crisis related to one or more of the 3Ps of protection, production and preservation?
2. Production: More housing is needed across the affordability spectrum. Does the bill propose policy changes that are expected/intended to increase affordable and market rate housing production?
3. Protection: Does the bill propose ways to reduce displacement pressure on vulnerable Bay Area residents?
4. Flexibility: Our communities are unique. Does the bill account for differences across communities?
5. Jobs/Housing Balance: Does the bill help reduce jobs/housing imbalances across the region and account for different degrees of imbalance, and allow people to live closer to their jobs?
6. Reward Best Practices: Some communities have made great strides in production, preservation, and protection. Does the bill recognize prior actions taken locally consistent with intent of the bill to address the housing crisis?
7. Financial Impact: Are there potential financial impacts *or other unintended consequences* on local jurisdictions and/or taxpayers?
8. Transportation & Infrastructure Impacts: Does the bill address transportation or other infrastructure impacts (*e.g. schools, water, parks*) resulting from increased housing?
9. *Parallel Policy Mandate: Does the bill support other state policies/priorities (e.g. GHG reduction/SB375)*
10. *Resilience: Does the bill improve resilience in local communities?*

Analysis of Protection-Related Bills

Attachment B

Bill Number	Funding	Production	Protection	Flexibility	Jobs/ Housing Balance
AB 36 (Bloom) <i>Relaxes Costa-Hawkins</i>		Potential reduced production or availability of units due to reduced growth in future rent	Allows rent control to be imposed on single family homes and multifamily buildings 10 years or older, with the exception of buildings owned by landlords who own just two or fewer units in same jurisdiction as unit where rent control could apply.	Applicable statewide	
AB 1481 (Bonta) <i>Just Cause</i>		Potential reduced production or availability of units due to landlord concerns	<ul style="list-style-type: none"> • Specifies “at fault” and “no fault” allowable causes for termination of tenancy. • Requires notice with opportunity to “cure the violation” unless illegal conduct with risk to other tenants. • Relocation assistance required in “no fault” cases. • Limitations on “owner move-in” as “no fault” just cause. 	Applicable statewide	
AB 1482 (Chiu) <i>Rent Cap</i>		Potential reduced production or availability of units due to reduced growth in future rent	Caps growth of a rental rate for a rental term of __% to reflect increases in the rental market and the percent change in cost of living. Reduce double digit annual rent increases.	Applicable statewide; retroactive to March 15, 2019.	

Analysis of Protection-Related Bills (cont'd)

Bill Number	Funding	Production	Protection	Flexibility	Jobs/ Housing Balance
AB 1697 (Grayson) <i>Just Cause</i>		Potential reduced production or availability of units due to landlord concerns	Same as AB 1481 except only begins after 12 months of tenancy and no limitations on owner move-in as a just cause		
SB 18 (Skinner) <i>Access to Counsel/ Emergency Rent Assistance</i>	Unspecified one-time state funding to provide grants to local agencies	Potential reduced availability of units due to landlord concerns	Emergency rent assistance and access to legal aid would help some tenants stay in their homes who would otherwise face eviction		

Analysis of Protection-Related Bills (cont'd)

Bill Number	Reward Best Practices	Financial Impact	Trans & Infrastructure Impacts	Resilience	Parallel Policy Mandates
AB 36 (Bloom) <i>Relaxes Costa-Hawkins</i>		Increase in disposable income and potential associated increase in local sales taxes			Potential negative effect on RHNA if negatively effects production
AB 1481 (Bonta) <i>Just Cause</i>		With reduced evictions, potential reduced costs associated with homelessness			
AB 1482 (Chiu) <i>Rent Cap</i>		Same as AB 36			Same as AB 36
AB 1697 (Grayson) <i>Just Cause</i>		Same as AB 36			

Bill Number	Reward Best Practices	Financial Impact	Trans & Infrastructure Impacts	Resilience	Parallel Policy Mandates
SB 18 (Skinner)	Cities with existing legal aid or rent assistance programs would likely have a competitive advantage	<p>Same as AB 36</p> <p>Cost to provide information to HCD related to any local policies related to landlord/tenant relationship</p>			

Accessory Dwelling Units – Background & Bill Overview

Background

Secondary units have been identified as a way that a significant number of units, affordable and energy efficient by design, can be produced in areas currently zoned for housing.

Over the past three years a number of bills have been enacted to remove barriers that have impeded the development of accessory dwelling units (ADUs) in neighborhoods. Of note, as accessory uses, ADUs and Junior ADUs are not considered an increase in density when added to a proposed new construction project or existing single-family home.

On January 1, 2017 three separate ADU bills took effect; SB 1069 (Wieckowski), AB 2299 (Bloom), and AB 2406 (Thurmond). Each of them required local jurisdictions to develop and adopt ordinances to make it easier for homeowners to build ADUs. In 2018, two new ADU laws took effect SB 229 (Wieckowski) and AB 494 (Bloom). These bills allow ADUs to be built concurrently with a new single-family home, open areas where ADUs can be built to include all zoning districts that allow single-family uses, modify fees from utilities, such as special districts and water corporations, and reduce parking requirements.

Local jurisdictions have had varying capacity to implement these changes. Some have made wholesale changes to their fee structure and zoning, while others are still trying to figure out how to create a streamlined ADU application for ministerial approval. There is some wariness as there has been a lot of legislative changes at the state level, with little time to see how things are working out in implementation.

In the current legislative session five additional pieces of ADU legislation have been introduced. In general, the suite of ADU bills points to a direction of authorizing the creation of accessory dwelling units by right in areas zoned to allow residential uses, further reduction of fees, and limiting local jurisdictions ability apply zoning and development limitations on ADUs/JADUs.

Summary of Bills

Attached is a matrix comparing AB 68, AB 881 and SB 13. AB 69, AB 587 and AB 671 are summarized below.

AB 69 (Ting) –Development of Small Home Building Standards - This bill would require the Department of Housing and Community Development to propose small home building standards governing accessory dwelling units and homes smaller than 800 square feet. The legislation performance directive of the new building standards is to achieve most cost effective construction standards possible and shall be similar or more cost effective than standards in the 2007 edition of the California Building Standards Code. The bill would require the small home building standards to be submitted to the California Building Standards Commission for adoption on or before January 1, 2021.

ADU Bill Background

April 10, 2019

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AB 69

Support

AARP California
ADU Task Force (East Bay)
Bay Area Council
BRIDGE Housing
Building Industry Association of
the Bay Area
California Apartment Association
California Association of
Realtors
California Community Builders
California YIMBY
Casita Coalition
Community Legal Services in
East Palo Alto
EAH Housing
Eden Housing

Enterprise Community Partners
Greenbelt Alliance
Habitat for Humanity California
Hello Housing
La-Mas
League of Women Voters of
California
Non-Profit Housing Association
of Northern
California
North Bay Leadership Council
OpenScope Studio
PICO California
PrefabADU
Related California
San Francisco Housing Action
Coalition
SV@Home

SPUR

Tent Makers
The Two Hundred
TMG Partners
Turner Center for Housing
Innovation
Urban Displacement Project
Working Partnerships USA
Individual(s) 1

Support If Amended

Habitat for Humanity East
Bay/Silicon Valley
San Francisco Foundation

Opposed: None on file

AB 587 (Friedman) – Authorizes an ADU that was ministerially approved to be sold or conveyed separately from the primary residence to a qualified buyer if the property was built or developed by a qualified nonprofit corporation and a deed restriction exists that ensures the property will be preserved for affordable housing. These new construction units would be sold as Tenants in Common.

Support

Habitat for Humanity California
[Sponsor]

California Apartment Association
California YIMBY
City of Santa Cruz

Opposed

None on file

AB 671 (Friedman) – Requires a local government to include a plan in their housing element to incentivize and promote the creation of accessory dwelling units (ADUs) that can be offered at an affordable rent for very-low, low-, and moderate-income households. Requires HCD to develop a list of existing state grant and financial incentives to promote planning, construction, and operation of ADUs at an affordable rent.

Support

California Apartment
Association

Support if Amended

California Association of
Realtors

Opposition

None on file

Production-Focused Accessory Dwelling Units Bills Under Consideration
As of April 9, 2019

	AB 68 (Ting)	AB 881 (Bloom)	SB 13 (Wieckowski)
Location	Assembly Local Gov. Committee	Assembly Local Gov. Committee	Sen. Gov & Finance Committee
Setback requirements	Prohibits or reduces setback requirements allowed under existing law		
Owner-Occupancy Requirement	Allows owner occupancy requirement for either primary residence or ADU on a single-family lot	Removes existing authority to require owner occupancy for either primary residence or ADU	Prohibits owner occupancy requirement
Application approvals	Reduces permit approval to 60 days from 120 days		Reduces permit approval to 60 days from 120 days and deems permit approved if not acted upon within that period
State Oversight	Requires local agencies to submit ADU ordinances to HCD and authorizes HCD to make findings of non-compliance, require correction and work with Attorney General on enforcement		Requires local agencies to submit ADU ordinances to HCD and authorizes HCD to make findings of non-compliance, require correction and work with Attorney General on enforcement
By Right	Requires an ADU ordinance that establishes minimum or maximum size to allow at least an 800 sq. ft. ADU and at least a 16-foot high ADU		Requires an ADU ordinance that establishes minimum or maximum size to allow at least an 800 sq. ft. ADU, at least 16 ft tall with four-foot side and rear setbacks

	AB 68 (Ting)	AB 881 (Bloom)	SB 13 (Wieckowski)
Zoning	Removes restriction to single-family zones and instead applies to residential and mixed-use zones	Removes restriction to single-family zones	Removes restriction to single-family zones
Sprinkler Requirement	Explicitly prohibits requiring sprinklers for ADU if not required for primary residence [Already stated in current law but bill adds new provision due to apparent ambiguity in current law]	Strikes second reference to prohibition on requiring sprinklers for ADU if not required for primary residence	
Impact fees			Provides for a tiered structure of fees based on size of ADU
RHNA			Authorizes a local agency to count an ADU for purpose of identifying adequate sites for its housing element.
Parking	Prohibits local agencies from requiring replacement parking for spaces that are lost due to construction of ADU, and on imposing any parking requirements if within ½-mile of public transit.		Prohibits local agencies from requiring replacement parking for spaces that are lost due to construction of ADU, and on imposing any parking requirements if within ½-mile of public transit.
Building Standard Amnesty			Requires a local agency to delay enforcement of a building standard that is not necessary to protect health and safety upon request by an ADU owner and provides for a 10-year amnesty

Source: Senate Housing Committee Analysis of SB 13, revised and augmented by MTC/ABAG staff

Bill Positions
(as of March 27, 2019)

AB 68 (Ting)

Support

AARP California
ADU Task Force (East Bay)
Bay Area Council
BRIDGE Housing
Building Industry Association of the Bay Area
California Apartment Association
California Association of Realtors
California Community Builders
California Teamsters
Public Affairs Council
Casita Coalition
cityLAB - UCLA
Community Legal Services

in East Palo Alto
EAH Housing
Facebook
Greenbelt Alliance
Habitat for Humanity California
Hello Housing
La-Mas
League of Women Voters of California
Non-Profit Housing Association of Northern California
North Bay Leadership Council
OpenScope Studio
PICO California
PrefabADU
Related California
San Francisco Housing Action Coalition

SV@Home
SPUR
Tent Makers
The Two Hundred
TMG Partners
Turner Center for Housing Innovation
UNITE HERE, AFL-CIO
Urban Displacement Project
Working Partnerships USA
Eden Housing

Support If Amended

Habitat for Humanity East Bay/Silicon Valley
The San Francisco Foundation

Opposed

American Planning Association (oppose unless amended)

AB 881

Support

California Apartment Association
California Association of Realtors
California Community
California YIMBY

California Building Industry Association (if amended)

Opposed

None on file

SB 13

Support

Bay Area Council
California Apartment Association
Eden Housing; LA-MAS
PrefabADU
SV@Home

Terner Center, University of California, Berkeley

Opposed

American Planning Association, California Chapter

Analysis of ADU Bills

Bill Number	Funding	Production	Protection	Flexibility	Jobs/ Housing Balance
AB 68 (Ting) <i>ADU Streamlining</i>		Increase in ADUs as a result of fewer restrictions, faster approvals, by right minimum standards and broader eligible land area, including residential and mixed-use. Allows an ADU and JDU in single family lots and 2 detached ADUs in multifamily lots.		Applicable statewide; Does not take into account neighborhood differences	
AB 69 (Ting) <i>Small home building standard</i>		Potential increase in small homes and ADUs that are more affordable to construct		Applicable statewide	
AB 587 (Friedman) <i>ADUs for sale</i>		Potential increase in affordable housing for sale by allowing for ADUs to be sold separately	Allows for deed-restricted ADUs to be sold separately as tenants-in-common. Habitat for Humanity is sponsor.		
AB 671 (Friedman) <i>ADU Plan</i>		Potential increase in production of low-income ADU housing resulting from plan	Potential increase in availability of low-income ADU housing resulting from plan	Applicable statewide	

Analysis of ADU Bills (cont'd)

Bill Number	Funding	Production	Protection	Flexibility	Jobs/ Housing Balance
AB 881 (Bloom) <i>ADU streamlining</i>		<ul style="list-style-type: none"> Expands scope of ADU ordinance outside single family home zones Requires ministerial approval for units built in garages 		Applicable statewide Does not take into account neighborhood differences	
SB 13 (Wieckowski) <i>ADU streamlining</i>	Reduces cost of ADU construction by eliminating fees for ADUs < 750 sf. and reducing to 25% ADUs greater than 750 sf. (allows ADUs up to 1,000 sf if more than 1 bedroom)	<ul style="list-style-type: none"> Cost to review and act on ADU permits in 60 days Expands where ADUs can be built by removing limitation on ADU ordinance only applying in single-family zone Amnesty program could result in more ADUs on the rental market 		Applicable statewide Does not take into account neighborhood differences	

Analysis of ADU Bills (cont'd)

Bill Number	Reward Best Practices	Financial Impact	Trans & Infrastructure Impacts	Resilience	Parallel Policy Mandates
AB 68 (Ting) <i>ADU Streamlining</i>	Applicable statewide	<ul style="list-style-type: none"> Additional cost to review and act on ADU permits within 60 days No change in fees 	Potential impacts from new ADUs/residents	<ul style="list-style-type: none"> Requires setbacks be sufficient for fire and safety Prohibits sprinklers from being required if not required for primary residence 	
AB 69 (Ting) <i>Small home standard</i>			Indirect; Potential impacts from new ADUs/residents	Potential increases in energy consumption due to lower building standards	
AB 587 (Friedman) <i>Deed-restricted ADUs for sale</i>					
AB 671 (Friedman) <i>ADU Plan</i>	Applicable statewide	Cost of preparing plan	Indirect		

Analysis of ADU Bills (cont'd)

Bill Number	Reward Best Practices	Financial Impact	Trans & Infrastructure Impacts	Resilience	Parallel Policy Mandates
AB 881 (Bloom) <i>ADU streamlining</i>		Potential increase in ADU apps to review Removal or owner-occupancy requirement could encourage institutional investors or speculation in single family home market, which could drive up costs of single family homes.	Unknown, increased impacts from new residents with cap on fees to mitigate	Potential increases in energy consumption due to lower building standards	

Analysis of ADU Bills (cont'd)

Bill Number	Reward Best Practices	Financial Impact	Trans & Infrastructure Impacts	Resilience	Parallel Policy Mandates
SB 13 (Wieckowski) <i>ADU streamlining</i>		Removes fees for utilities, including water and sewer for units less than 750 sf; for > 750 sf, caps fees at 75% Same as above, plus applies to new construction of single family homes	Unknown, increased impacts from new residents with cap on fees to mitigate		Allows ADUs to count towards RHNA

2019 California Housing Bill Matrix

Last Updated: April 9, 2019

Topic	Bill	Summary	Bay Area Legislator	Bay Area Specific Bill
PROTECTION				
Rent Cap	AB 36 (Bloom)	Loosens, but does not repeal, Costa Hawkins to allow rent control to be imposed on single family homes and multifamily buildings 10 years or older, with the exception of buildings owned by landlords who own just one or two units.		
	AB 1482 (Chiu)	Caps annual rent increases by an unspecified amount above the percent change in the cost of living. Exempts housing subject to a local ordinance that is more restrictive than the bill. Prohibits termination of tenancy to avoid the bill's provisions.	√	
Just Cause Eviction	AB 1481 (Bonta)	Prohibits eviction of a tenant without just cause stated in writing. Requires tenant be provided a notice of violation of lease and opportunity to cure violation prior to issuance of notice of termination.	√	
	AB 1697 (Grayson)	For a lease in which the tenant has occupied the property for 12 months or more, prohibits eviction of a tenant without just cause stated in writing.	√	
Tenant Organizing Rights	SB 529 (Durazo)	Declares that tenants have the right to form, join, and participate in the activities of a tenant association, subject to any restrictions as may be imposed by law, or to refuse to join or participate in the activities of a tenant association.		
Rent Assistance & Access to Legal Counsel	SB 18 (Skinner)	<ul style="list-style-type: none"> • Authorizes a competitive grant program to be administered by Department of Housing and Community Development (HCD) to provide emergency rental assistance and moving expenses and grants to local governments to provide legal aid for tenants facing eviction, mediation between landlords and tenants and legal education. The primary use of grant funds must be for rental assistance. • Requires HCD to post all state laws applicable to the tenant-landlord relationship on its web site no later than January 1, 2021 and to update biannually thereafter. 	√	

Topic	Bill	Summary	Bay Area Legislator	Bay Area Specific Bill
PRODUCTION & PRESERVATION				
Accessory Dwelling Units (ADUs)	AB 68 (Ting)	<ul style="list-style-type: none"> Prohibits local ADU standards from including certain requirements related to minimum lot size, floor area ratio or lot coverage, and parking spaces. Requires an ADU (attached or detached) of at least 800 square feet and 16 feet in height to be allowed. Reduces the allowable time to issue a permit from 120 days to 60 days. 	√	
	AB 69 (Ting)	<ul style="list-style-type: none"> Requires HCD to propose small home building standards to the California Building Standards Commission governing accessory dwelling units and homes smaller than 800 square feet. Authorizes HCD to notify the Attorney General if they find that an ADU ordinance violates state law. 	√	
	AB 587 (Friedman)	Authorizes an ADU that was ministerially approved to be sold separately from the primary residence to a qualified buyer if the property was built or developed by a qualified nonprofit corporation and a deed restriction exists that ensures the property will be preserved for affordable housing.		
	AB 671 (Friedman)	Requires local agencies to include in their housing element a plan that incentivizes and promotes the creation of ADUs that can be offered for rent for very low-, low- and moderate-income households in their housing elements.		
	AB 881 (Bloom)	Eliminates ability of local jurisdiction to mandate that an applicant for an ADU permit be an owner-occupant.		

Topic	Bill	Summary	Bay Area Legislator	Bay Area Specific Bill
PRODUCTION & PRESERVATION (cont'd)				
ADUs (cont'd)	SB 13 (Wieckowski)	<ul style="list-style-type: none"> • Maintains local jurisdictions' ability to define height, setback, lot coverage, parking and size of an ADU related to a specified amount of total floor area. • Prohibits local agency from requiring the replacement of parking if a space is demolished to construct an accessory dwelling unit. • Allows a local agency to count an ADU for purposes of identifying adequate sites for housing. • Expires January 1, 2040 	√	
Zoning/ Housing Approvals	AB 1279 (Bloom)	<ul style="list-style-type: none"> • Requires HCD to designate areas in the state as high-resource areas, by January 1, 2021, and every 5 years thereafter. • Makes housing development in such areas "by right" if the project is no more than four units in an area zoned for single family homes or up to 40 units and 30 feet in areas generally zoned for residential, subject to certain affordability requirements. 		
	SB 4 (McGuire)	<ul style="list-style-type: none"> • Allows an eligible transit-oriented development (TOD) project that is located within ½ mile of an existing or planned transit station and meets various height, parking, zoning and affordability requirements a height increase up to 15 feet above the existing highest allowable height for mixed use or residential use. • Exempts a TOD project within ¼ mile of a planned or existing station from minimum parking requirements in jurisdictions > 100,000 in population. • Establishes a new category of residential project – a "neighborhood multifamily project" as a project that on vacant land that is allowed to be a duplex in a nonurban community or a four-plex in an urban community and grants such projects ministerial approval. 	√	

Topic	Bill	Summary	Bay Area Legislator	Bay Area Specific Bill
PRODUCTION & PRESERVATION (cont'd)				
Zoning/ Housing Approvals (cont'd)	SB 50 (Wiener)	<ul style="list-style-type: none"> Allows upzoning within ½-mile of transit and in high-opportunity areas. Provides for a five-year deferral of bill's provisions in "sensitive communities" that would be defined by HCD in conjunction with community groups. Defers applicability of bill in "sensitive communities" –to be defined by HCD in conjunction with local community-based organizations—until January 1, 2025. Excludes sites that contain housing occupied by tenants or that was previously occupied by tenants within the preceding seven years or the owner has withdrawn the property from rent or lease within 15 years prior to the date of application. 	√	
	SB 330 (Skinner)	<ul style="list-style-type: none"> Restricts a local jurisdiction or ballot measure from downzoning or imposing building moratoria on land where housing is an allowable use within an affected county or city identified by HCD as having fair market rate __ percent higher than statewide average fair market rent for the year and a vacancy rate below __ percent. Prohibits a city or county from conducting more than three de novo hearings on an application for a housing development project. Ten year emergency statute. 	√	
Fees/ Transparency	AB 724 (Wicks)	<ul style="list-style-type: none"> Requires HCD to create a rental registry online portal, which would be designed to receive specified information from landlords regarding their residential tenancies and to disseminate this information to the general public. Requires HCD complete the rental registry online portal by January 1, 2021, and would require landlords to register within 90 days and annually thereafter. 	√	

Topic	Bill	Summary	Bay Area Legislator	Bay Area Specific Bill
PRODUCTION & PRESERVATION (cont'd)				
Fees/ Transparency (cont'd)	AB 847 (Grayson)	<ul style="list-style-type: none"> Requires HCD to establish a competitive grant program, subject to appropriation by the Legislature, to offset the cost of housing-related transportation impact fees. Qualifying recipients would be cities and counties, which may apply jointly with a developer. Projects must be at least 20 percent affordable (specific area median income (AMI) level unspecified) and be consistent with sustainable communities strategy (SCS). Preference for transit-oriented development. 	√	
	AB 1483 (Grayson)	<ul style="list-style-type: none"> Requires a city or county to compile of zoning and planning standards, fees, special taxes, and assessments in the jurisdiction. Requires each local agency to post the list on its website and provide the list to the HCD and any applicable metropolitan planning organization (MPO). Requires each city and county to annually submit specified information concerning pending housing development projects with completed applications within the city or county to HCD and any applicable MPO. 	√	
	AB 1484 (Grayson)	<ul style="list-style-type: none"> Prohibits a local agency from imposing a fee on a housing development project unless the type and amount of the exaction is specifically identified on the local agency's internet website at the time the development project application is submitted. Prohibits a local agency from imposing, increasing, or extending any fee on a housing development project at an amount that is in excess of information made available on its web site. Applicable to all cities statewide, including charter cities. 	√	
Streamlining	AB 1485 (Wicks)	For a 15-year period, provides specified financial incentives to a residential development project in the San Francisco Bay Area that dedicates at least 20 percent of housing units to households making no more than 150 percent AMI. Incentives include exemption from CEQA, a cap on fees, a density bonus of 35 percent, parking reductions and a waiver of other local requirements.	√	√

Topic	Bill	Summary	Bay Area Legislator	Bay Area Specific Bill
PRODUCTION & PRESERVATION (cont'd)				
Streamlining (cont'd)	AB 1706 (Quirk)	<ul style="list-style-type: none"> Provides specified financial incentives to a residential development project in the San Francisco Bay Area that dedicates at least 20 percent of the housing units to households making no more than 150 percent AMI. Incentives include exemption from CEQA, a cap on fees, a density bonus of 35 percent, parking reductions and a waiver of physical building requirements imposed on development, such as green building standards. 	√	√
	SB 621 (Glazer)	<ul style="list-style-type: none"> Requires the Judicial Council to adopt a rule of court applicable to an action to challenge an environmental impact report for an affordable housing project, to be resolved, to the extent feasible, within 270 days of the filing of the certified record of proceeding with the court. Prohibits a court from staying or enjoining the construction or operation of an affordable housing project unless it makes certain findings. 	√	
Public Lands	SB 6 (Beall)	<ul style="list-style-type: none"> Requires HCD to provide the Department of General Services (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. Requires DGS to create a database of that information and information regarding 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. 	√	
	AB 1255 (Rivas)	Requires the housing element to contain an inventory of land owned by the city or county that is in excess of its foreseeable needs and requires the city or county to identify those sites that qualify as infill or high density.	√	

Topic	Bill	Summary	Bay Area Legislator	Bay Area Specific Bill
PRODUCTION & PRESERVATION (cont'd)				
Public Lands (cont'd)	AB 1486 (Ting)	<ul style="list-style-type: none"> Revises the definitions of “local agency” and “surplus land” applicable to the current law requirement that local agencies provide notice that the land is available for housing development. Permits residential uses on all non-exempt surplus land, if 100 percent of the residential units are sold or rented at an affordable housing cost. Requires that HCD create and maintain a downloadable inventory of public lands in the state. The inventory would be developed from information submitted by local agencies. Expands HCD’s enforcement mandate to include the Surplus Lands Act. 	√	
Funding <i>(Note: Funding is the most relevant category for affordable housing preservation)</i>	AB 10 (Chiu)	Expands the state’s Low Income Housing Tax Credit program by \$500 million per year, up from \$94 million, leveraging an estimated \$1 billion in additional federal funds annually.	√	
	AB 11 (Chiu)	<ul style="list-style-type: none"> Authorizes a city or county or two or more cities acting jointly to form an affordable housing and infrastructure agency that could use tax increment financing to fund affordable housing and infrastructure projects. Requires establishment of new agencies be approved by the Strategic Growth Council and that expenditure plans for such agencies be aligned with the state’s greenhouse gas reduction goals. A minimum of 30 percent of funds would be required to be invested in affordable housing. 	√	

Topic	Bill	Summary	Bay Area Legislator	Bay Area Specific Bill
PRODUCTION & PRESERVATION (cont'd)				
Funding (cont'd)	AB 1487 (Chiu)	<ul style="list-style-type: none"> Establishes the Housing Alliance for the Bay Area (HABA), a new regional entity serving the nine Bay Area counties to fund affordable housing production, preservation and tenant protection programs. Authorizes HABA to place unspecified revenue measures on the ballot, issue bonds, allocate funds to the various cities, counties, and other public agencies and affordable housing projects within its jurisdiction to finance affordable housing development, preserve and enhance existing affordable housing, and fund tenant protection programs, Provides that HABA will governed by a board composed of an unspecified number of voting members from MTC, ABAG and gubernatorial appointees and be staffed by the Metropolitan Transportation Commission (MTC). 	√	√
	AB 1568 (McCarty)	Conditions eligibility for SB 1 local street and road fund on an HCD determination that a jurisdiction's housing element is in compliance with state law.		
	AB 1717 (Friedman)	Establishes the Transit-Oriented Affordable Housing Program, to be administered by the California Housing Finance Agency (CalHFA). The program would allow a city council or a county board of supervisors to participate in the program by enactment of an ordinance establishing a transit-oriented affordable housing district. Such a district would be authorized to use tax-increment finance through a diversion of property taxes, including the school portion, to finance affordable housing projects. Funds would be redirected to CalHFA who would be authorized to issue bonds to pay for the projects.		

	SB 5 (Beall)	<ul style="list-style-type: none"> • Authorizes local agencies to apply to the state to reinvest their share of ERAF (Educational Revenue Augmentation Fund) funds in affordable housing or other community improvement purposes. Sets an initial limit of \$200 million per year for the first five years, growing to \$250 million in 2029. • Establishes the Local-State Sustainable Investment Incentive Program which would be administered by a new Sustainable Investment Incentive Committee comprised of state agency representatives and legislative and gubernatorial appointees. • Requires at least 50 percent of funds to be allocated for affordable housing and workforce housing and for 50 percent of the units to be affordable. • MTC and ABAG support in concept 	√	
PRODUCTION & PRESERVATION (cont'd)				
Funding (cont'd)	ACA 1 (Aguiar-Curry)	<ul style="list-style-type: none"> • Reduces vote threshold for local bonds or special taxes for affordable housing production, preservation or public infrastructure. • MTC and ABAG support 	√	
	SB 128 (Beall)	<ul style="list-style-type: none"> • Eliminates the voter approval requirement for Enhanced Infrastructure Financing Districts (EIFDs), which can be used to finance affordable housing production and preservation, among other purposes. • MTC and ABAG support 	√	
Planning	AB 725 (Wicks)	Prohibits more than 20% of a jurisdiction's share of regional housing need for above moderate-income housing from being allocated to sites with zoning restricted to single-family development.	√	
	SB 235 (Dodd)	Allows the City and the 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 744 (Caballero)	Requires a lead agency to prepare the record of proceeding for a No Place Like Home project with the environmental review of the project if it is not eligible for approval as a use by right.		
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