



**Association of
Bay Area Governments**



**METROPOLITAN
TRANSPORTATION
COMMISSION**

Presentation to Housing Legislative Working Group on ABAG/MTC Housing Bill Positions

May 23, 2019



ASSOCIATION OF BAY AREA GOVERNMENTS
METROPOLITAN TRANSPORTATION COMMISSION

“Support and Seek Amendments” to AB 69 (Ting)

- **ADU Design Template** - Request the Department of Housing and Community Development generate and make available to local jurisdictions template ADU design prototypes consistent with small state building codes.



“Support if Amended” on SB 13 (Wieckowski)

- **Owner-Occupancy** - Remove the provision prohibiting localities from imposing owner-occupancy requirements on ADUs
- **Impact Fee Waiver** –
 - Reduce the impact fee waiver threshold from 750 square feet to 500 square feet, consistent with existing school development fee exemption.
 - Discuss with author options to require ADU fees be reduced, while also allowing local jurisdictions to retain some discretion to structure fee reductions as an incentive for owners to make ADUs affordable via deed restrictions.



“Seek Amendments” to SB 330 (Skinner)

- **Fees** - Eliminate any freeze on impact fees after January 1, 2018; **✓ 5/21 Amendments**
- **Parking** -
 - Provide greater flexibility on parking requirements within ¼-mile of major transit stops
 - Ensure that current requirements for disabled parking are unaffected
 - Provide exceptions from minimum parking restrictions to address public safety impacts associated with fire truck access on narrow streets
- **Restrictions on Zoning & Growth-Related Ballot Measures** – Discuss with author wisdom and legality of prohibiting local voter initiatives related to downzoning;
- **Zoning Lookback** - Eliminate bill’s “look back” provision allowing project to be built at a higher density if zoning would have allowed prior to January 1, 2018.



“Support and Seek Amendments” to AB 1483 (Grayson)

- ***MPO Provision*** - Clarify that the provision related to MPO data is intended to apply regionwide and not to data requests from individual jurisdictions.
- ***COG Provision*** - Add councils of government to the list of regional agencies that may request additional data.
- ***Timeline for Implementation & Purpose of Data*** - Work with the author and local agencies to ensure the data requests are reasonable (and would provide needed and meaningful information) and the timeline for implementation is feasible.



“Support if Amended” on AB 1486 (Ting)

- **Broader Negotiations** - Amend the bill to allow additional items beyond just sale and lease price (such as financial viability) in the scope of negotiations.
- **Redevelopment Agencies** - Ensure that the bill would not limit a successor agency's ability to comply with existing asset disposal requirements.
- **Require Local Support for Zoning Override** - Limit provision allowing 100 percent affordable housing developments to projects that have received local subsidies, thereby demonstrating local support and financial viability.
- **No Lookbacks** - Pursue amendments to ensure changes only apply to land disposals initiated after bill's effectiveness date.



“Support and Seek Amendments” Recommendation on AB 11

- **Broaden Eligibility to Include Resilience & Other Items** - The should add sea level rise infrastructure, such as sea walls, water and sewer infrastructure, as well as broader resilience purposes, such as ferry infrastructure, fire and disaster recovery, as eligible expenses.
- **Remove Eminent Domain Provision** -The bill can provide a very useful tool without this provision which draws unnecessary opposition and brings with it some risk of abuse.
- **Provide Term Limits for the Public Members of the AHIA** -To provide more accountability, the terms for the public members should be specified in the bill and limited.



“Seek Amendments” to AB 1487 (Chiu)

- **Revenue** - Exclude sales tax from revenue options
- **Start-up Funding** - Ensure no new responsibilities are assigned to MTC or ABAG without a guaranteed ongoing source of funding not dependent upon voter approval and bill includes a provision allowing for dissolution of HABA if not enough revenue is generated to be meaningful
- **Split Board** - Ensure the bill doesn't require MTC staff report to a newly structured board
- **Revenue Distribution** - Develop a distribution formula that distributes *more than* 25 percent of any employer-based revenue to a regional pool
- **Ad Hoc Committee on Governance** – Separate from the legislation, ABAG and MTC shall form an ad hoc committee of 3 representatives from ABAG and 3 from MTC to work with author on governance issues.



Joint Legislation Committee Recommendation to “Seek Amendments” to SB 50 – Not Formally Adopted

- **Jobs-rich area** - Ensure the definition identifies areas **with** higher-than-average concentrations of jobs and accurately identifies areas that would result in shorter commutes.
- **Transit-rich** - Allow for a density measure for transit-rich projects within 1/2-mile of rail or ferry stations to provide more flexibility than strictly minimum height allowances, but offer the same development capacity (i.e. units) within the general station area.
- **Parking** - Provide more flexibility related to local parking requirements within 1/2-mile of major transit stops based on local conditions.

