



American Planning Association  
**California Chapter**

*Making Great Communities Happen*

## **APA CALIFORNIA LEGISLATIVE UPDATE**

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### **Session Adjourns and Governor's Actions on Planning Bills Take Center Stage**

The Legislature adjourned for the year on September 13<sup>th</sup> and will return in January 2020. Since that date, the Governor has signed and vetoed a number of high-profile bills of major interest to planners. October 13<sup>th</sup> was his deadline to act on all of the bills that reached his desk. By the end of session, some of APA's hot bills were made two-year bills before the Legislature adjourned – those bills still have the opportunity to move forward next year. A list of key bills and their final status is located below.

Overall the 2019 Legislative Session was another busy one for APA California. APA, the Legislative Review Team members, and the housing and environmental special committees spent hours working on amendments to bills that had goals consistent with APA's policies, but with provisions that were not practical or feasible as written. APA was successful in amending many measures, which removed our opposition to the bills, many of which were eventually signed into law.

Housing continued to be a major hot topic in the Legislature, and major bills regarding ADUs, the Housing Accountability Act, and the Permit Streamlining Act focused on increasing residential production were signed into law. 2020 will likely continue to be focused heavily on housing and impact fees. Several very high-profile measures addressing those issues were tabled this year, including SB 50 (Wiener) mandating higher housing density around transit and jobs, and AB 1484 (Grayson) which will be the vehicle for changes in impact fees based on the HCD/Terner Fee Study. Hearings and stakeholder meetings are being planned this fall on those two measures. (The HCD/Terner impact fee study can be found here:

[http://ternercenter.berkeley.edu/uploads/Residential\\_Impact\\_Fees\\_in\\_California\\_August\\_2019.pdf](http://ternercenter.berkeley.edu/uploads/Residential_Impact_Fees_in_California_August_2019.pdf).)

Unfortunately, one measure strongly supported by APA, SB 5 by Senator Beall, was vetoed by the Governor. SB 5 would have given the state a major on-going stake in funding housing and infrastructure. It would have established a new program that would have eventually shifted up to \$2 billion annually from local ERAFs to pay for projects approved by the state for affordable housing, transit-oriented development, infill development, and housing-related infrastructure. The state would have matched any reductions in ERAF

that would otherwise be used to support schools to backfill those losses. In vetoing the bill, the Governor said:

*“California is in a housing crisis, and I have consistently maintained we need to use all the tools in our toolbox to address it. However, this bill would increase costs by \$2 billion annually once fully implemented. Legislation with such a significant fiscal impact needs to be part of budget deliberations so that it can be considered in light of other priorities. I will continue to work collaboratively with the Legislature next year to continue to support increased housing production at all income levels across our state.”*

APA hopes that the Governor and Legislature will work next year along with stakeholders to fund a similar program. Without such a commitment from the state, there isn't enough funding available to build all of the affordable-income, or even moderate-income housing, to match the number of units needed in California.

### **Major Rent Stabilization Measure Signed into Law**

AB 1482, authored by Assembly Housing Committee Chair David Chiu, was signed by the Governor. It establishes a statewide rent stabilization and eviction limitation program in California. Local ordinances are permissible, so long as they do not provide less protection than AB 1482.

Supported by APA, AB 1482 will be effective January 1, 2020 and sunset in 2030. It will apply to most multi-family dwellings in California, with exemptions for units constructed in the last 15 years, condominiums and single-family homes (unless they are owned by a corporation or real estate investment trust), duplexes where the owner lives in one of the units, and affordable housing that is subject to a recorded regulatory agreement.

The rent stabilization provisions of AB 1482 limit annual increases to 5 percent, plus inflation, or 10 percent, whichever is lower, for tenants who have occupied the unit for 12 months or more. Eviction limitations state that a landlord may only evict a tenant from a covered unit for “just cause,” as defined by the statute. A “no fault” eviction (for example, for an owner move-in or a condo conversion) requires the landlord pay the tenant relocation assistance.

### **Legislative Update at the APA California Conference**

The PowerPoint from the 2019 Legislative Session from APA California's conference in Santa Barbara has been posted on the APA California website. Thank you to those of you who attended. There is never enough time to get through all the activity in the Legislature, but we hope the session and the PowerPoint are helpful!

### **How You Can Get Involved in Shaping APA California's Legislative Positions**

We encourage you to participate in APA California's Legislative Review Team, whose members advise APA California on legislative positions, potential amendments and key planning policies. Information on the Review Team and sign up information are located

on the APA California website legislation page. To find APA's positions on all of the major planning-related bills, and to review APA's letters on those bills, please go to the legislative tab on APA's website at [www.apacalifornia.com](http://www.apacalifornia.com). All position letters are posted on the APA California website "Legislation" page, which can be found here: <https://www.apacalifornia.org/legislation/legislative-review-teams/position-letters/>.

### **High Priority Bills with Positions**

Below are some of the main high priority bills APA California worked on in 2019. Position letters for these bills are located on the APA California website. To view the full list of hot planning bills, copies of the measures, up-to-the minute status and APA California letters and positions, please continue to visit the legislative page on APA California's website at [www.apacalifornia.org](http://www.apacalifornia.org).

### **Housing and Infrastructure Bills**

#### **AB 11 (Chiu) – Redevelopment 2.0 for infrastructure to support housing**

Position: Support

Status: Two-Year Bill

#### **AB 36 (Bloom) Rent Control**

Position: Watch

Status: Two-Year Bill

#### **AB 68 (Ting) Major changes to accessory dwelling unit law**

Position: Neutral as Amended

Status: Signed by the Governor

#### **AB 139 (Quirk-Silva) Emergency and transitional housing**

Position: Support

Status: Signed by the Governor

#### **AB 670 (Friedman) Accessory dwelling units in common interest developments**

Position: Support

Status: Signed by the Governor

#### **AB 725 (Wicks) Restrictions on above moderate housing on single-family sites**

Position: Oppose Unless Amended

Status: Two-Year Bill

#### **AB 891 (Burke) Safe Parking Programs**

Position: Support if Amended

Status: Vetoed by the Governor

#### **AB 1250 (Gloria) New limitations on subdivisions**

Position: Oppose Unless Amended

Status: Two-Year Bill

**AB 1279 (Bloom) By right approval of housing development projects in high-resource areas**

Position: Support if Amended

Status: Two-Year Bill

**AB 1399 (Bloom) Rent Control: Withdrawal of Accommodations**

Position: Support

Status: Signed by the Governor

**AB 1482 (Chiu) Tenant Protection, Rent Caps, Eviction Restrictions**

Position: Support

Status: Signed by the Governor

**AB 1483 (Grayson) Requirements for web posting of fees imposed on housing developments and additional annual housing report requirements**

Position: Oppose Unless Amended

Status: Signed by the Governor

**AB 1484 (Grayson) Vehicle for Fee Recommendations from HCD Fee Study and Posting Requirements for Fees Applicable to Housing Developments**

Position: Support existing fee language if amended

Status: Two-Year Bill

**AB 1485 (McCarty) Prohibition on applying for state grants if jurisdiction found in violation of state housing law**

Position: Watch

Status: Two-Year Bill

**AB 1717 (Friedman) Transit-Oriented Affordable Housing Funding Program Act**

Position: Support

Status: Two-Year Bill

**AB 1763 (Chiu) 100% Density Bonus and Other Incentives for 100% Affordable Housing**

Position: Support

Status: Signed by the Governor

**ACA 1 (Aguiar-Curry) Local government financing for affordable housing and infrastructure**

Position: Support

Status: Two-Year Bill

**SB 4 (McGuire) By right approval for transit-oriented development and small multifamily developments**

Position: Watch

Status: Two-Year Bill (was merged with SB 50)

**SB 5 (Beall) Affordable Housing and Community Development Investment Program: State Approved Alternative Redevelopment Process**

Position: Support

Status: Vetoed by the Governor

**SB 6 (Beall) Available land database**

Position: Support

Status: Signed by the Governor

**SB 13 (Wieckowski) Major changes to accessory dwelling unit law**

Position: Neutral as Amended

Status: Signed by the Governor

**SB 18 (Skinner) – Tenant Assistance: Keep Californians Housed Act**

Position: Support

Status: Signed by the Governor

**SB 48 (Wiener) Interim low-barrier shelter housing developments**

Position: Support if Amended

Status: Two-Year Bill (Included in Housing Budget Trailer Bills)

**SB 50 (Wiener) Housing development incentives and requirements**

Position: Oppose Unless Amended

Status: Two-Year Bill

**SB 330 (Skinner) Housing Crisis Act of 2019**

Position: Neutral as Amended

Status: Signed by the Governor

**SB 592 (Wiener) Housing Accountability Act**

Position: Oppose Unless Amended

Status: Two-Year Bill

**Wildfire Planning/Safety Element Changes**

**AB 747 (Levine) Evacuation routes capacity**

Position: Support as Amended

Status: Signed by the Governor

**SB 99 (Nielsen) Evaluation of existing evacuation routes**

Position: Support

Status: Signed by the Governor

**SB 182 (Jackson) Wildfire planning in wildland urban interface areas**

Position: Support

Status: Two-Year Bill

**CEQA**

**AB 490 (Salas) Affordable housing streamlining**

Position: Support

Status: Two-Year Bill

**AB 782 (Berman) Land trust transfers**

Position: Support

Status: Signed by the Governor