



American Planning Association  
**California Chapter**

*Making Great Communities Happen*

## **APA CALIFORNIA LEGISLATIVE UPDATE**

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### **Remaining Hot Bills Getting Closer to the Governor's Desk**

July 6<sup>th</sup> was the final policy committee deadline and the legislature is out for one month for its summer recess. 2018 has been another busy year for planning-related legislation, however APA California has been able to successfully amend many of the bills by finding alternatives to the most controversial language. The Legislature will return on August 6<sup>th</sup> for the final weeks of the 2018 session, which ends on August 31<sup>st</sup>.

### **The Governor Signs His Final Budget**

On June 27<sup>th</sup>, Governor Brown signed his final state budget. The 2018-2019 Budget will leave the state with \$16 billion in reserves while still boosting state spending in many areas. Details of interest to planners include:

#### Saving for Uncertain Times

The state's Rainy Day Fund, established by a vote of the people in 2014, saves money when the economy is strong for uncertain times ahead. By the end of 2018-19, the current economic expansion will have matched the longest in post-war history. This budget will grow the balance in the fund to \$13.8 billion.

#### Counteracting the Effects of Poverty and Combatting Homelessness

The budget invests \$5 billion to help address challenges with affordable housing and homelessness, including providing \$500 million to assist local governments in their immediate efforts to help homeless Californians.

#### Strengthening Infrastructure

The budget delivers the first full year of funding under Senate Bill 1 – the state's Road Repair and Accountability Act – with \$4.6 billion in new transportation funding in 2018-19. The funding will repair neighborhood roads, state highways and bridges, fill potholes, ease congestion in busy trade and commute corridors and improve and modernize passenger rail and public transit.

#### Combating Climate Change

The budget includes a \$1.4 billion Cap and Trade Expenditure Plan to invest in programs that further reduce carbon pollution and support climate resiliency efforts, including \$210 million for forest improvement and fire prevention projects that protect the state's forests from wildfires and \$334.5 million for the California Energy Commission and the California Air Resources Board to begin the implementation of a multi-year initiative to accelerate sales of zero-emission vehicles through vehicle rebates and infrastructure investments.

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

As bills are making their way through hearings and floor votes, APA California's lobbying team

lobbies legislators, staff and the Governor. Part of that effort includes sending letters to the authors and other members in support of or in opposition to their measures. 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. As always, we would also appreciate letters to legislators and the Governor from APA California members or their employers that are consistent with those positions. To review the letters, and for an alert on APA's positions on all of the major planning-related bills, please go to the legislative tab on APA's website at [www.apacalifornia.com](http://www.apacalifornia.com). All position letters will be posted on the APA California website "Legislation" page, which can be found here: <https://www.apacalifornia.org/legislation/legislative-review-teams/position-letters/>. Position letters will continue to be posted here as they are written and updated – APA encourages you to use these as templates for your own jurisdiction/company letters.

### **Hot Bills**

As noted above, the final policy committee deadline has passed (July 6). A number of bills continue to move that focus again on major changes to state laws impacting housing, including bills dealing with ADUs, Density Bonus law, RHNA allocations, fees and building permits. As you'll see below, APA California is now supporting twice as many housing bills than we are opposing. We also continue to be actively engaged with legislators on those measures we oppose to address concerns and offer alternative amendments whenever possible to meet the authors' goals while insuring the bill's requirements are reasonable and feasible – and clear enough to be implemented. Through this process, APA California has been successful in amending a number of important bills.

Below is a list of some of the high priority bills APA California is currently lobbying. Position letters with more information on all of these bills are posted on the APA California website, as noted above.

#### **AB 686 (Santiago)**

Adds federal "affirmatively further fair housing" requirements to California law.  
SUPPORT AS AMENDED

#### **AB 1771 (Bloom)**

Provides RHNA allocation reform.  
SUPPORT IF AMENDED

#### **AB 1804 (Berman)**

Provides a CEQA infill exemption for counties.  
SUPPORT

#### **AB 1905 (Grayson)**

Prohibits staying or enjoining transportation projects under CEQA that are included in an SCS.  
OPPOSE – DIED IN COMMITTEE

#### **AB 2162 (Chiu)**

Provides a "by right" process and expedited review for supportive housing.  
SUPPORT AS AMENDED

#### **AB 2263 (Friedman)**

Limits parking requirements for historical reuse projects.  
SUPPORT AS AMENDED

#### **AB 2341 (Mathis)** Eliminates consideration of aesthetic effects of projects in CEQA.

SUPPORT AS AMENDED

#### **AB 2372 (Gloria)**

Authorizes a floor area ratio bonus in lieu of a density bonus.

SUPPORT AS AMENDED

**AB 2631 (Allen)** Provides for a new “by right” process for housing separate from SB 35.  
OPPOSE – DIED IN COMMITTEE

**AB 2753 (Friedman)**

Requires new notification of density bonus status to applicant when application is deemed complete.

SUPPORT AS AMENDED

**AB 2797 (Bloom)** Requires density bonus, waivers and concessions to be permitted in a manner that is consistent with that law and the California Coastal Act.

SUPPORT AS AMENDED

**AB 2856 (Melendez)**

Prohibits a court in a CEQA challenge related to housing project from staying the siting, construction or operation of the project.

OPPOSE – DIED IN COMMITTEE

**AB 2890 (Ting)**

One of three bills this year that make another round of major ADU changes. The bills have some similar and many conflicting provisions.

OPPOSE

**AB 2913 (Wood)**

Extends the original life of a building permit from 6 months to one year for housing projects statewide.

OPPOSE UNLESS AMENDED

**AB 2923 (Chiu)**

Requires zoning around specified BART stations to be consistent with BART zoning plan, granting BART land use authority.

OPPOSE UNLESS AMENDED

**AB 3037 (Chiu)**

Reinstates the redevelopment process for housing and infrastructure projects.

SUPPORT IN CONCEPT

**AB 3147 (Caballero)**

Freezes mitigation and other impact fees for 2 years for housing projects from date application is deemed “substantially complete”.

SUPPORT IF AMENDED – DIED IN COMMITTEE

**AB 3171 (Ting)**

Provides funding for local homelessness programs.

SUPPORT – DIED IN COMMITTEE

**AB 3194 (Daly)**

Provides that a proposed project is not inconsistent with applicable zoning standards and criteria, and shall not require a rezoning, if the proposed project is consistent with objective general plan standards and criteria but the local agency’s adopted zoning for the project site is inconsistent with the general plan.

NEUTRAL AS AMENDED

**SB 827 (Wiener)**

Overrides local zoning authority near transit.

OPPOSE – DIED IN COMMITTEE

**SB 828 (Wiener)**

Requires RHNA allocation reform and states intent that cities and counties should take reasonable actions to ensure that future housing production meet at a minimum their RHNA allocation.

OPPOSE UNLESS AMENDED

**SB 831 (Wieckowski)** One of three bills this year that make another round of major ADU changes. The bills have some similar and many conflicting provisions.

OPPOSE – DIED IN COMMITTEE

**SB 912 (Beall)**

Provides funding for homeless and affordable housing.

SUPPORT

**SB 1035 (Jackson)**

Clarifies the update requirements for flood, fire and climate adaptation assessments in the safety element.

SUPPORT AS AMENDED

**SB 1260 (Jackson)**

Provides for fire prevention and planning through prescribed burns.

SUPPORT AS AMENDED

**SB 1469 (Skinner)**

One of three bills this year that make another round of major ADU changes. The bills have some similar and many conflicting provisions.

OPPOSE – DIED IN COMMITTEE

**All Hot Bills**

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).