



American Planning Association
California Chapter

Creating Great Communities

Status of Key Planning Related Bills as of August 26, 2021

Housing/Coordinated Planning

AB 91 (Ting) Extends the moratorium on evictions for non-payment of rent due to COVID-19 financial hardship to June 30, 2021.

Position: Support

Signed by the Governor

AB 140 (Budget Trailer Bill) Provides for several statutory changes necessary to implement the housing and homelessness provisions of the Budget Act of 2021.

Position: Support

Signed by the Governor

AB 215 (Chiu) Provides HCD with additional enforcement authority for local agency violations of specified housing laws.

Position: Reviewing amendments

Senate Floor

AB 345 (Quirk-Silva) Requires jurisdictions to allow separate conveyance of ADUs owned by non-profits.

Position: Support

Assembly Floor (for final concurrence vote)

AB 561 (Ting) Creates the Help Homeowners Add New Housing Program to assist homeowners in qualifying for loans to construct ADUs and JADUs.

Position: Support

Senate Floor

AB 500 (Ward) Requires the Coastal Commission to conduct a study by January 1, 2023 that identifies recommendations for policy changes that advance affordable housing in the coastal zone.

Position: Watch

Senate Floor

AB 721 (Bloom) Makes restrictive covenants that limit the number or size of units and the number of residents that may reside on a property unenforceable if a property owner is developing a 100% affordable housing development.

Position: Support

Senate Floor

AB 787 (Gabriel) Authorizes cities and counties to receive credit towards their RHNA for the conversion of above moderate-income units to very low-, low, and moderate-income units.

Position: Support

Senate Floor

AB 803 (Boerner-Horvath) Creates the Starter Home Revitalization Act of 2021”, which authorizes a development proponent to submit an application for the construction of a small home lot development, if certain conditions are met.

Position: Watch

On the Governor’s Desk

AB 816 (Chiu) Directs National Housing Trust Fund monies to specified homeless projects.

Position: Watch

Senate Floor

AB 989 (Gabriel) Establishes an Office of Housing Appeals within HCD and authorize a developer to appeal a local agency’s decision that resulted in the denial of a specified housing development project or subjected the project to conditions in violation of the Housing Accountability Act.

Position: Reviewing Amendments

Senate Floor

AB 1029 (Mullin) Adds preservation of affordable housing units as a pro-housing policy.

Position: Support

Assembly Floor (for final concurrence vote)

AB 1398 (Bloom) Requires expedited rezoning for local jurisdictions that fail to adopt a legally compliant housing element within 120 days of the statutory deadline and makes expedited rezoning a pro-housing policy.

Position: Watch

Senate Floor

AB 1401 (Friedman) Prohibits local governments in certain cities and counties (based on population) from enforcing a minimum parking requirement on developments near major transit stops.

Position: Support

Held in Senate Appropriations Committee – Dead

ACA 1 (Aguiar-Curry) Proposes to amend the California Constitution, subject to approval by voters at a statewide election, to allow a city, county, or special district, with 55% voter approval, to incur bonded indebtedness or impose specified taxes to fund projects for affordable housing, permanent supportive housing, or public infrastructure.

Position: Support

Not yet set for a hearing (does not have to meet the standard deadlines)

SB 8 (Skinner) Extends the sunset on the Housing Crisis Act of 2019 by five years, to January 1, 2030, and makes various other changes.

Position: Watch

Senate Floor

SB 9 (Atkins) Requires ministerial approval of a housing development of no more than two units in a single-family zone and the subdivision of a parcel zoned for residential use into two parcels, or both.

Position: Support

Senate Floor (for final concurrence vote)

SB 10 (Wiener) Authorizes a city or county to pass an ordinance to zone any parcel for up to 10 units of residential density, at a height specified by the local government in the ordinance, if the parcel is located in a transit-rich area or an urban infill site.

Position: Support

Senate Floor (for final concurrence vote)

SB 290 (Skinner) Make several changes to Density Bonus Law to expand incentives for developing moderate-income housing, including providing an incentive or concession for specified student housing developments that include lower-income units.

Position: Support

Senate Floor (for final concurrence vote)

SB 477 (Wiener) Adds a number of requirements to the annual progress report (APR) that local governments are required to submit to HCD each year.

Position: Support as Amended

Assembly Floor

SB 478 (Wiener) Prohibits a local government from imposing specified minimum floor-to-area ratio (FAR) standards on housing projects of 3-10 units.

Position: Watch

Assembly Floor

SB 728 (Hertzberg) Authorizes a qualified nonprofit housing organization to purchase a for-sale unit under Density Bonus Law.

Position: Support

Assembly Floor

Inclusion and Social Justice

AB 491 (Ward) Requires new mixed-income multifamily developments offer the same access to common entrances and amenities to occupants of the affordable housing units in the structure as is provided to occupants of the market-rate housing units.

Position: Support

Senate Floor

SCA 2 (Allen) Proposes to place an initiative on the ballot in 2022 to repeal Article 34 of the California Constitution, which requires a majority approval by the voters of a city or county for the development, construction, or acquisition of a publicly funded low-rent housing project.

Position: Support

Senate Floor

Neighborhood Vitality and Healthy Communities

AB 585 (L. Rivas) Establishes the Extreme Heat and Community Resilience Program within OPR to coordinate the state's efforts to address extreme heat and to facilitate the implementation of regional and state climate change planning into effective programs.

Position: Support

Held in Senate Appropriations Committee – Dead

AB 897 (Mullin) Requires OPR to facilitate the creation of regional climate networks and create standards for the development of a regional climate adaptation action plan to support the implementation of regional climate adaptation efforts.

Position: Support

Held in Senate Appropriations Committee – Dead

AB 1147 (Friedman) Makes numerous substantive changes to Regional Transportation Plans to ensure effective implementation of Sustainable Communities Strategies and Alternative Planning Strategies.

Position: Reviewing Amendments

Senate Floor

SB 1 (Atkins) Establishes the California Sea Level Rise Mitigation and Adaptation Act of 2021 and creates a new program at the Ocean Protection Council to help coordinate and fund efforts to prepare for sea level rise associated with climate change.

Position: Support

Assembly Floor

Hazards and Hazard Mitigation

AB 642 (Friedman) Makes various changes to support cultural and prescribed fire, requires CAL FIRE to identify moderate and high fire hazard severity zones through updating maps and expands fire safety building standards.

Position: Support

Senate Floor

SB 63 (Stern) Makes various changes to enhance fire prevention efforts by CAL FIRE, including among other things, improved vegetation management, and expanding the areas where enhanced fire safety building standards apply.

Position: Support

Assembly Floor

SB 85 (Committee on Budget) Provides early action budget funding for wildfire mitigation.

Position: Support

Signed by the Governor

Infrastructure, Services, and Fees

AB 571 (Mayes) Prohibits a city or county from charging affordable housing impact fees on a housing development's affordable units.

Position: Support as Amended

Senate Floor

AB 537 (Quirk) Makes changes to existing law that requires an application for a wireless telecommunications facility to be deemed approved.

Position: Neutral as Amended

Senate Floor

AB 602 (Grayson) Adds new requirements to impact fee nexus studies, including the adoption of a capital improvement plan for projects above a specified threshold, requires cities and counties to request certain information from development proponents and requires HCD to develop a nexus study template.

Position: Oppose Unless Amended

Senate Floor

SB 156 (Budget Trailer Bill) Provides the statutory framework to implement the broadband provisions contained in the 2021 Budget Package.

Position: Support

Signed by the Governor

SB 378 (Gonzalez) Requires local governments to allow fiber installers to use microtrenching as a method for installing fiber unless the local government makes a specified finding that permitting microtrenching would adversely impact public health and safety.

Position: Support if Amended

Assembly Floor

SB 556 (Dodd) Establishes permitting requirements for the placement of small wireless facilities on streetlight and traffic signal poles owned by local governments, including specified timelines for approving and attaching infrastructure, limitations on fees for attachments, and restrictions on local governments' ability to prohibit small wireless facility attachments.

Position: Review Amendments

Assembly Floor

CEQA

AB 819 (Levine) Requires CEQA notices and environmental review documents to be filed electronically and posted online.

Position: Support as Amended

Signed by the Governor

SB 7(Atkins) Reenacts and revises the expedited CEQA administrative and judicial review procedures established by the Jobs and Economic Improvement Through Environmental Leadership Act (AB 900, 2011) for environmental leadership development projects and expands AB 900 eligibility to include smaller housing projects.

Position: Watch

Signed by the Governor

SB 37 (Cortese) Updates statutes regarding a consolidated list of hazardous waste sites and hazardous substances sites (Cortese List) and prohibits use of the "common sense" exemption for any project on a Cortese List site.

Position: Review

Assembly Floor

SB 44 (Allen) Establishes expedited administrative and judicial review of environmental review and approvals granted for environmental leadership transit projects that meet specified requirements.

Position: Watch

Assembly Floor