

## APA CALIFORNIA LEGISLATIVE UPDATE

JUNE 2023

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### House of Origin Deadline Passes

Hundreds of bills recently cleared a major hurdle as the deadline to pass all bills out of their house of origin has concluded. Several bills passed that are of interest to planners, including many related to housing. Among the long list of bills, a few highlights:

- [SB 423 \(Wiener\)](#) continues to remain in the spotlight as it moves to the Assembly. SB 423 proposes to extend the sunset date and make other changes to SB 35 (Wiener, 2017) to provide ongoing streamlining for multi-family developments. The main source of contention for the bill continues to remain centered on the labor standards for SB 35 projects.
- Support for other streamlining opportunities is also important to the Legislature as [AB 1490 \(Lee\)](#) focuses on adaptive reuse and office conversions.
- [AB 821 \(Grayson\)](#) seeks to address zoning consistency with the General Plan by requiring local agencies to approve developments that are consistent with its General Plan but not the applicable zoning ordinance, or to make the zoning ordinance consistent with the General Plan within 180 days. APA California worked with the sponsors and staff to address concerns regarding implementation challenges with the bill, as previously written. Additionally, our organization expressed concerns with language that was originally included in the bill, and later removed, that would have required streamlining for infill housing development projects that were consistent with a regional Sustainable Communities Strategy (SCS).
- Shifting to CEQA and to address a recent court decision related to the People's Park litigation in Berkeley, [AB 1307 \(Wicks\)](#) is moving with bipartisan support and specifies that noise generated by occupants is not a significant effect on the environment for residential projects for purposes of CEQA.
- While addressing project specific standards and streamlining makes up the majority of the major housing bills moving this year, a major proposal is also moving to address funding under [AB 1657 \(Wicks\)](#), which authorizes the Affordable Housing Bond Act of 2024 to place a \$10 billion housing bond on the March 5, 2024 primary ballot to fund production of affordable housing and supportive housing.

APA California is tracking nearly [400 bills](#), has taken [positions](#) on several high priority bills, and continues to provide technical feedback on many other issues before the Legislature. The Legislature will now turn their attention back to the budget, which must be passed by June 15, and will resume policy committees until they break for Summer Recess on July 14.

### AB 1176 (Zbur) The Local Electrification Planning Act

Last month we highlighted [AB 1176 \(Zbur\)](#), which is a bill that would have required a new General Plan element to address electrification of transportation and buildings at the local level. In addition to mandating a new element, the prescriptive nature of the bill was concerning, and APA California issued an oppose unless amended position on the bill in April. After providing testimony in the Assembly Local Government Committee, several meetings with the author's office and committee staff, APA California was able to reach a neutral position on the bill by negotiating several amendments developed by organization and other relevant stakeholders.

As amended and now in print, the bill:

- Allows local governments flexibility to either amend the General Plan or develop similar plans outside of the General Plan to meet the requirements of the bill. Such plans could include Climate Action Plans, Community Energy Plans, etc.
- Allows local governments who have already done relevant planning that would address the requirements of the bill to incorporate those plans by reference into the General Plan.

- Provides for a broader “decarbonization” effort while keeping the focus on electrification, per the author’s goal.
- Reduces the prescriptive language first introduced in the bill.
- Removes language around enforceable commitments, funding requirements and other provisions that are not within the direct control of a local government.

The author’s office will continue to work with APA California and other stakeholders on potential CEQA streamlining both for adopting these required plans, similar to what has been provided for adopting ordinances to implement new housing laws, and streamlining for new projects that meet the requirements of such plans. Additionally, APA California raised concerns around the lack of funding and technical expertise that is needed to fully implement the requirements of AB 1176 and hopes to continue working with the author on this issue as well. Given that the state is facing a significant deficit that could continue into future budget years, new funding sources remain scarce. However, we are hopeful that a budget proposal to fund updates to OPR’s General Plan Guidelines and other relevant opportunities may prevail, and APA California will continue these conversations with the Legislature.

### **Governor Newsom Unveils New Proposals to Build California’s Clean Future, Faster**

The Governor recently released details on a proposal to provide streamlining opportunities for clean infrastructure and energy projects throughout the state. To do this, Governor Newsom signed an [Executive Order](#) to create an *Infrastructure Strike Team* to work with state and local agencies to facilitate planning and development of these projects. While draft language has been revealed, the Legislature believes more time is needed to vet these proposals and is holding informational hearings to discuss the specifics. While the Governor proposed that these bills move as trailer bills, which accompany the budget and need to be passed by the end of the Legislative Session, it’s unclear at this time how the package will move forward. As quoted from the Governor’s recent [press release](#) regarding the package and Executive Order, the package would:

- ***Speed Up Construction:*** *Current construction procurement processes drive delays and increase project costs. The Governor’s proposals include methods to offer a streamlined process for project delivery to reduce project timeframes and costs.*
- ***Expedite Court Review:*** *Legal challenges often tie up projects even after they’ve successfully gone through environmental review. These proposals would authorize expedited judicial review to avoid long delays on the back end and advance projects without reducing the environmental and government transparency benefits of CEQA.*
- ***Streamline Permitting:*** *Makes various changes to California law to accelerate permitting for certain projects, reducing delays and project costs.*
- ***Address cumbersome CEQA processes across the board:*** *Streamlines procedures around document retention and review.*
- ***Maximize Federal Dollars:*** *Establish a Green Bank Financing Program within the Climate Catalyst Fund so that the state can leverage federal dollars for climate projects that cut pollution, with an emphasis on projects that benefit low-income and disadvantaged communities.*

APA California is reviewing the legislative package and will be monitoring the process.

### **APA California’s advocacy work in the Legislature**

APA California continues to meet with committee consultants and legislative staff to help provide feedback and offered suggested amendments to bills of interest to planners. As an organization, APA California is often asked to provide feedback on planning related bills and provide technical expertise, giving a voice to planners and an opportunity to help shape legislation. This is a valuable role that the Chapter works hard to maintain, and so far this year we have resolved concerns on several bills. In addition, we frequently partner with other organizations to advocate on bills and continue to look forward to expanding our partnership network.