

**APA CALIFORNIA LEGISLATIVE UPDATE
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2023 Legislative Session Comes to a Close

After a very busy 2023 Legislative Session, the Legislature adjourned on September 14. All bills that were sent to the Governor in the final days of session must be signed or vetoed by October 14. Several bills that APA California either worked on or tracked closely are now on the Governor's desk for his consideration and many others were made two-year bills, which can be considered when the Legislature returns in January.

A few highlights are noted below (and to see the full list of planning related bills we tracked this year and their status, please visit the [APA California website](#) for a comprehensive list, as the highlights below do not capture the full list of bills we are tracking):

Signed by the Governor (as of 9/21/23):

- [AB 1307 \(Wicks\)](#) - Amends CEQA to clarify that noise generated by residential project occupants is not an environmental impact
- [AB 356 \(Mathis\)](#) - Extends, until Jan 1, 2029, an existing provision that waives consideration of aesthetic effects under CEQA for projects that refurbish, convert, or replace derelict buildings
- [SB 406 \(Cortese\)](#) - Establishes a CEQA exemption for actions taken by a local agency to provide financial assistance or insurance for low- and moderate-income residential housing

Highlights of bills currently on the Governor's desk (not yet signed as of 9/21/23):

- [AB 821 \(Grayson\)](#) - Requires a local agency 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 and provides a legal remedy to ensure compliance
- [AB 1490 \(Lee\)](#) - Provides streamlining for an affordable housing project that adaptively reuses an existing building with residential units or allows temporary dwellings or occupancy
- [AB 976 \(Ting\)](#) - Makes permanent the existing prohibition on local government's ability to require owner-occupancy on an ADU
- [AB 1033 \(Ting\)](#) - Authorizes local agencies to allow ADUs to be sold separately or conveyed from the primary residence as condominiums
- [AB 1332 \(Carrillo\)](#) - Requires local agencies to develop a program for the preapproval of accessory dwelling unit plans
- [SB 4 \(Wiener\)](#) - Provides streamlining for affordable housing projects on educational and religious institution owned lands
- [SB 423 \(Wiener\)](#) - SB 35 extension and "clean up" bill with numerous new or amended requirements
- [SB 684 \(Caballero\)](#) - Creates two new ministerial processes and the ability to get building permits for small-lot residential subdivisions in multifamily zones before final maps are recorded
- [SB 272 \(Laird\)](#) - Creates new sea-level rise planning requirements for communities in the Coastal Zone
- [AB 1317 \(W. Carrillo\)](#) - Requires property owners of new multi-family residential properties in certain counties to unbundle the cost of parking from the cost of the housing unit
- [AB 1449 \(Alvarez\)](#) - Exempt from CEQA certain 100% affordable housing funded through the Low-Income Housing Tax Credit Program that meet specified standards until Jan 1, 2033
- [SB 91 \(Umbarger\)](#) - Extends the CEQA exemption for hotel/motel conversions indefinitely
- [SB 69 \(Cortese\)](#) - Requires a local agency to file a notice of determination (NOD) with the State Clearinghouse in addition to the county clerk of each county in which the project will be located