

# 2019 State Legislative Session Update

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*City Council Meeting*

*December 3, 2019*

# Overview

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- Review 2019 legislative session outcomes
- Review of new housing legislation
- Review of new non-housing legislation
- What to expect in 2020
- Discussion

# Summary of Legislative Session Outcomes

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- 2,625 bills were introduced; over 200 were housing related bills
- City took a position on 26 bills, of these:
  - 8 were signed into law
  - 1 vetoed
  - 17 became two year bills
- Working with our advocacy firm Townsend Public Affairs and regional partners from the Tri-Valley Cities (TVC), the City has engaged with local state representatives and bill authors and their staff to implement the City and TVC legislative framework.

# Housing Bill Outcomes

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## City took positions on 16 Housing Bills

- Seven signed into law
- One vetoed
- Eight became two year bills

# 2019 Housing Bills

Focus Areas	Bills Signed into Law	Bills Vetoed	Two-Year Bills
Accessory dwelling units (ADU's )	AB 68 (Ting) SB 13 (Wieckowski) <i>AB 670 (Friedman)*</i> <i>AB 881 (Bloom)*</i>		
Housing streamlining	AB 1483 (Grayson) AB1485 (Wicks/Quirk) SB 330 (Skinner)		AB 1244 (Fong) AB 1279 (Bloom) SB 4 (McGuire) SB 50 (Wiener) SB 592 (Wiener)
Affordable Housing Funding		SB 5 (Beall)	
Funding and Local Control	AB 1487 (Chiu) SB 6 (Beall)		AB 1568 (McCarty) SB 15 (Porantino) AB 1706 (Quirk)

\* The City did not take a position on this bill.

# Accessory Dwelling Units – New Requirements

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- Multiple ADUs now allowed on a single lot, and ADUs permitted on multi-family zoned properties
- Reduction/Relaxation of Development Standards: setbacks, minimum and maximum unit size, parking, minimum allowable height, accessory structure conversions
- Limitations on impact fees (zero fees for unit <750 sf)
- HOAs may not prohibit ADUs
- Owner-Occupancy requirements may not be imposed
- Local ADU ordinance must be entirely consistent with State law, otherwise null and void

# Accessory Dwelling Units – New Requirements

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## Analysis/Local Implications:

- Substantial revision to City's ADU Ordinance will be required.
  - Interim ordinance (possible urgency item) early 2020
- Reduction in fees collected to offset impacts
- Likely increase in ADU permit applications

# Housing Streamlining – New Requirements

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## **SB 330: “Housing Crisis Act” – Sunsets in 2025**

- New “Preliminary Application” process; impact fees and development standards locked at time of Preliminary Application submittal
- Limits number of public hearings to 5 or less
- Prohibits any general plan or zoning changes (including voter initiatives) that would reduce or eliminate ability to construct housing
- Prohibits adoption or implementation of any housing moratorium or enforcement of any growth control measures adopted since 2005



# Housing Streamlining – New Requirements

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## **SB330: Analysis/Local implications**

- Places increased emphasis on “objective” standards and reliance on General Plan standards, versus zoning, to determine maximum density
- Curtailed public process: Board and Commission meetings held as joint meetings, prolonged meetings (rather than continuances), and elimination of non-mandatory project meetings and workshops.
- Enforcement of GMO limited if no Development Agreement

# Other Housing Bills

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- **AB 1483 – Housing data: collection and reporting**
  - Additional APR reporting requirements; posting of impact fees and studies
- **AB 1485 – Housing development: streamlining**
  - Modifies affordability requirements for projects eligible for streamlining under SB35
- **AB 1487 – San Francisco Bay Area Housing Financing Authority:**
  - Establishes new regional financing entity, governed by ABAG
  - Enables housing funds to be raised, subject to voter approval.
  - 80% of funds returned to county of origin
- **SB5: Housing Funding - Vetoed**

# Non-Housing Related Bill Outcomes

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- Council took positions on 10 bills in the areas of transportation, maintaining local control, water and the environment

Focus Areas	Bills Signed Into Law	Bills Vetoed	Two-Year Bills
Transportation	AB 1475 (Bauer-Kahan)		AB 1350 (Gonzales) SB 152 (Beall) AB 1286 (Murasuchi) AB 1190 (Irwin)
Maintaining Local Control			AB 516 (Chiu) SB 23 (Wiener)
Water			SB 332 (Hertzberg)
Environment			AB 1080 (Gonzalez) SB 54 (Allen)

# Introduction of Assemblymember Rebecca Bauer-Kahan

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# Introduction of Townsend Public Affairs (TPA) Staff

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*Niccolo De Luca, Senior Director*

# Legislative Cycle Process

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- What is happening now...
- What comes next.....

# Coming in 2020

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- More Housing Bills (2-Year Bills and others)
- Potential Clean Up Bills
- Drought, Parks & Climate Change Bond
- Developer impact fee Review
- Proposition 13 Reform
- Emergency Preparedness – PG&E-PSPS impacts, wildfire impacts

# Housing: Key Two-Year Bills to Watch

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- SB50 (Weiner): Override local zoning to permit increased height and density around transit.
- SB4 (McGuire): Streamlining for duplex, triplex and four-plex projects, and other “eligible TOD projects”
- AB 1279 (Bloom): Streamlining for small-scale market rate and other affordable housing projects
- AB 1706 (Quirk): Financial and other incentives for affordable housing
- AB 1487 (Grayson): Limitations on impact fees
- Other bills likely be introduced around streamlining, impact fees and funding for affordable housing



Questions?