



# Western Riverside Council of Governments Planning Directors Committee

## AGENDA

Thursday, August 11, 2022  
9:30 AM

Western Riverside Council of Governments  
3390 University Avenue, Suite 200  
Riverside, CA 92501

### [Join Zoom Meeting](#)

Meeting ID: 899 8425 3802

Password: 081122

Dial in: (669) 900 9128 U.S.

### **SPECIAL NOTICE – COVID-19 RELATED PROCEDURES IN EFFECT**

Due to the State or local recommendations for social distancing resulting from the threat of Novel Coronavirus (COVID-19), this meeting is being held via Zoom under Assembly Bill (AB) 361 (Government Code Section 54953). Pursuant to AB 361, WRCOG does not need to make a physical location available for members of the public to observe a public meeting and offer public comment. AB 361 allows WRCOG to hold Committee meetings via teleconferencing or other electronic means and allows for members of the public to observe and address the committee telephonically or electronically.

In addition to commenting at the Committee meeting, members of the public may also submit written comments before or during the meeting, prior to the close of public comment to [jleonard@wrcog.us](mailto:jleonard@wrcog.us).

Any member of the public requiring a reasonable accommodation to participate in this meeting in light of this announcement shall contact Janis Leonard 72 hours prior to the meeting at (951) 405-6702 or [jleonard@wrcog.us](mailto:jleonard@wrcog.us). Later requests accommodated to the extent feasible.

The Committee may take any action on any item listed on the agenda, regardless of the Requested Action.

1. CALL TO ORDER (John Hildebrand, Chair)
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL

**4. PUBLIC COMMENTS**

At this time members of the public can address the Committee regarding any items within the subject matter jurisdiction of the Committee that are not separately listed on this agenda. Members of the public will have an opportunity to speak on agendized items at the time the item is called for discussion. No action may be taken on items not listed on the agenda unless authorized by law. Whenever possible, lengthy testimony should be presented to the Committee in writing and only pertinent points presented orally.

**5. SELECTION OF PLANNING DIRECTORS COMMITTEE LEADERSHIP FOR FISCAL YEAR 2022/2023**

**A. Recognition of Outgoing Chair and Leadership Selection for Fiscal Year 2022/2023**

**Requested Action(s):** 1. Select a Planning Directors Committee Chair, Vice-Chair, and 2nd Vice-Chair for Fiscal Year 2022/2023.

**6. CONSENT CALENDAR**

All items listed under the Consent Calendar are considered to be routine and may be enacted by one motion. Prior to the motion to consider any action by the Committee, any public comments on any of the Consent Items will be heard. There will be no separate action unless members of the Committee request specific items be removed from the Consent Calendar.

**A. Summary Minutes from the June 9, 2022, Planning Directors Committee Meeting**

**Requested Action(s):** 1. Approve the Summary Minutes from the June 9, 2022, Planning Directors Committee meeting.

**7. REPORTS / DISCUSSION**

Members of the public will have an opportunity to speak on agendized items at the time the item is called for discussion.

**A. Housing Element Compliance Update by HCD**

**Requested Action(s):** 1. Receive and file.

**B. Lessons Learned From Senate Bill (SB) 35: Expediting Processing**

**Requested Action(s):** 1. Receive and file.

**C. GIS Tool - Underutilization Explorer Dashboard**

**Requested Action(s):** 1. Receive and file.

**D. SB 9 Toolkit Summary**

**Requested Action(s):** 1. Receive and file.

**E. Legislative Activities Update**

**Requested Action(s):** 1. Receive and file.

**8. REPORT FROM THE DEPUTY EXECUTIVE DIRECTOR**

Chris Gray

**9. ITEMS FOR FUTURE AGENDAS**

Members are invited to suggest additional items to be brought forward for discussion at future Committee meetings.

**10. GENERAL ANNOUNCEMENTS**

Members are invited to announce items / activities which may be of general interest to the Committee.

**11. NEXT MEETING**

The next Planning Directors Committee meeting is scheduled for Thursday, September 8, 2022, at 9:30 a.m., on the Zoom platform with the option for Committee members to attend in-person.

**12. ADJOURNMENT**



# Western Riverside Council of Governments Planning Directors Committee

## Staff Report

**Subject:** Recognition of Outgoing Chair and Leadership Selection for Fiscal Year 2022/2023  
**Contact:** Chris Gray, Deputy Executive Director, [cgray@wrcog.us](mailto:cgray@wrcog.us), (951) 405-6710  
**Date:** August 11, 2022

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### **Requested Action(s):**

1. Select a Planning Directors Committee Chair, Vice-Chair, and 2nd Vice-Chair for Fiscal Year 2022/2023.
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### **Purpose:**

The purpose of this item is to recognize the outgoing Chair and select new Planning Directors Committee leadership for Fiscal Year (FY) 2022/2023.

### **WRCOG 2022-2027 Strategic Plan Goal:**

Goal #4 - Communicate proactively about the role and activities of the Council of Governments.

### **Background:**

WRCOG would like to recognize outgoing Chair John Hildebrand, County of Riverside, for his efforts in leading the Planning Directors Committee meetings during the previous fiscal year. Staff appreciates his hard work and dedication in leading the meetings, particularly as it was his second year serving as Chair.

WRCOG's Committee leadership positions are selected at the start of each fiscal year. The leadership for the Executive Committee for Fiscal Year 2022/2023 is as follows:

Chair: Crystal Ruiz, City of San Jacinto  
Vice-Chair: Chris Barajas, City of Jurupa Valley  
2nd Vice-Chair: Rita Rogers, City of Perris

Historically, the Committee positions have coincided with those of the Executive Committee, although there are no requirements for this pattern stipulated in WRCOG's JPA or Bylaws.

### **Prior Action(s):**

None.

### **Fiscal Impact:**

This item is for informational purposes only; therefore, there is no fiscal impact.

**Attachment(s):**

None.

# Planning Directors Committee

## Minutes

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### 1. CALL TO ORDER

The meeting of the WRCOG Planning Directors Committee was called to order by Chair John Hildebrand at 9:31 a.m. on June 9, 2022, on the Zoom platform.

### 2. PLEDGE OF ALLEGIANCE

Chair Hildebrand led members and guests in the Pledge of Allegiance.

### 3. ROLL CALL

- City of Eastvale - Gustavo Gonzalez
- City of Jurupa Valley - Diane Guevara
- City of Lake Elsinore - Richard MacHott
- City of Menifee - Cheryl Kitzerow
- City of Murrieta - David Chantarangsu
- City of Perris - Kenneth Phung
- City of Riverside - David Murray
- City of San Jacinto - Travis Randel
- City of Temecula - Matt Peters
- City of Wildomar - Matt Bassi
- County of Riverside - John Hildebrand (Chair)
- March JPA - Jeffrey Smith
- Riverside Transit Agency - Jennifer Nguyen

### 4. PUBLIC COMMENTS

There were no public comments.

**5. CONSENT CALENDAR** – (San Jacinto / Murrieta) 13 yes; 0 no; 0 abstention. Item 5.A was approved.

#### **A. Summary Minutes from the April 14, 2022, Planning Directors Committee Meeting**

**Action:**

1. Approved the Summary Minutes from the April 14, 2022, Planning Directors Committee meeting.

### 6. REPORTS / DISCUSSION

#### **A. Presentation on the Housing Accountability Act by the City of Murrieta**

David Chantarangsu, City of Murrieta Development Services Director, presented on how the Housing Accountability Act (HAA) (SB 167, AB 678, AB 1515) and Housing Crisis Act (HCA) (SB 330, SB 8) apply to the City with project review. For HAA, objective standards are key when reviewing project and rendering a decision. Financial and legal implications may be a factor if not followed.

If an HCA pre-application was submitted and accepted, a project locks in its fees and standards prior to formal submittal. The project would have shortened review periods under the Permit Streamlining Act that would begin prior to CEQA and follow CEQA review periods.

**Action:**

1. Received and filed.

**B. Effects of SB 9 on TUMF Calculations**

Suzanne Peterson, WRCOG Senior Analyst, provided a summary of the effects of Senate Bill (SB) 9 to the TUMF Program. SB 9 requires ministerial approval of a housing development with no more than two primary units and the subdivision of a parcel into two parcels, in single-family-zoned areas. Combined, these allowances provide for the creation of up to four housing units in an area typically planned for one single-family home. Limitations to these allowances are provided in eligibility criteria which address items such as anti-displacement measures, historic preservation, and environmental constraints, especially related to health and safety.

The TUMF Program funds the mitigation of cumulative regional transportation impacts resulting from future development. The fees collected through the Program are utilized to complete transportation system capital improvements necessary to meet the increased travel demand and to sustain current traffic levels of service. Fees associated with new residential development are calculated based on the prescribed TUMF rate and the total number of dwelling units associated with a new development as listed in the TUMF Fee Calculation Handbook.

While the allowances granted through SB 9 do not change how TUMF is calculated, it does add a layer of complexity to how the fee is calculated based on the type of and amount of units developed. Examples provided demonstrate both a familiar and new lot configurations for a single-family residentially-zoned property. TUMF will be applied as normally for all new construction. The fee will be based on the type of housing project built depending on new construction of single-family units, multi-family units, Accessory Dwelling Units (ADUs), or Junior Accessory Dwelling Units (JADUs). For all rehabilitation or replacement of existing structures, a credit towards TUMF will be given up to, but not exceeding, the fee for new construction. Currently, all ADUs and JADUs are exempt from the payment of TUMF. Staff will be bringing an item forward at future meetings to establish a standard definition of an ADU that is consistent throughout the region as it applies to the TUMF Program.

**Action:**

1. Received and filed.

**C. Applicability of SB 330 to TUMF**

Suzanne Peterson, WRCOG Senior Analyst, provided a detailed review of one aspect of SB 330 as it relates to the TUMF Program and other impact fees. Based on Government Code section 65589.5(o)(4),

SB 330 would apply to TUMF. Government Code section 65589.5(o)(4) specifically includes “ordinances, policies, and standards” that relate to development impact fees, capacity or connection fees or charges, permit or processing fees, and other exactions. Essentially, SB 330 creates a “freeze” that precludes jurisdictions from requiring applicants to comply with subsequently adopted local regulations and fees once the pre-application is deemed complete. While some impact fees are exempt, TUMF is not subject to the exemption listed in Government Code due to TUMF not being increased as a result of an automatic adjustment.

For residential projects, the fee due is based on when the completed preliminary application is submitted to the local agency; unlike non-residential projects where the fee collected is still based on when the TUMF payment application is submitted. Additional information will need to be collected from the local agency to verify the date the complete preliminary application is submitted.

**Action:**

1. Received and filed.

**D. Draft Objective Design Standards Toolkit**

Alan Loomis, Principle of Urban Development with PlaceWorks, presented a draft version of the Objective Design Standards (ODS) Toolkit for use by WRCOG member agencies. This Toolkit provides a range of ODS for multi-family and mixed-use residential development designed to address new and amended California State laws authored to increase housing production. These laws require the review or streamlining of eligible projects through the use of “objective” design standards. Unlike design guidelines, which are open to interpretation and discussion, ODS facilitate ministerial, staff-level project review and increased approval times.

The draft Toolkit is organized into four categories: site planning, landscape design, building design, and architectural design standards. WRCOG is requesting input from Committee members on the draft Toolkit so that the final Toolkit meets the needs of WRCOG member agencies. Specifically, staff are requesting comments on the overall structure of the Toolkit, approach, and specific topics that are addressed. Please provide any comments to Suzanne Peterson at [speterson@wrcog.us](mailto:speterson@wrcog.us) by Thursday, July 7, 2022.

**Action:**

1. Received and filed.

**E. Legislative Activities Update**

Bill Blankenship, WRCOG On-Call Legislative Consultant, provided a legislative update noting deadlines for the 2022 legislative session and reviewed several proposed bills. Of those, the following were highlighted:

- SB 930: “Housing Accountability Act” protects the development rights for very low-income housing projects.
- AB 2011: “High Road Jobs Act of 2022” streamlines ministerial review process for a multi-family project that will meet specific labor standards.
- AB 2053: The “Social Housing Act” establishes the California Housing Authority.

- AB 2186: establishes the Housing Cost Reduction Incentive Program.
- AB 2339: establishes new standards for the placement of emergency shelters.

**Action:**

1. Received and filed.

**7. REPORT FROM THE DEPUTY EXECUTIVE DIRECTOR**

Chris Gray, WRCOG Deputy Executive Director, provided a look ahead for the next few Committee meetings and shared that the July Planning Directors Committee meeting is most likely canceled. At the next Committee meeting, new leadership will be selected.

**8. ITEMS FOR FUTURE AGENDAS**

There were no items for future agendas.

**9. GENERAL ANNOUNCEMENTS**

There were no general announcements.

**10. NEXT MEETING**

The next Planning Directors Committee meeting is scheduled for Thursday, July 14, 2022, at 9:30 a.m., on the Zoom platform with an option to attend in-person at the WRCOG office.

**11. ADJOURNMENT**

The meeting of the Planning Directors Committee adjourned at 11:02 a.m.



# Western Riverside Council of Governments Planning Directors Committee

## Staff Report

**Subject:** Housing Element Compliance Update by HCD  
**Contact:** Sohab Mehmood, California Housing and Community Development Department - Housing Policy Division, [Sohab.Mehmood@hcd.ca.gov](mailto:Sohab.Mehmood@hcd.ca.gov), (916) 820-1257  
**Date:** August 11, 2022

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**Requested Action(s):**

1. Receive and file.
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**Purpose:**

The purpose of this item is for California Housing and Community Development Department (HCD) staff to provide an update on the Housing Element Update compliance process.

**WRCOG 2022-2027 Strategic Plan Goal:**

Goal #1 - Serve as an advocate at the regional, state, and federal level for the Western Riverside subregion.

**Background:**

This item is reserved for an update from HCD staff on the Housing Element Update compliance process.

**Prior Action(s):**

None.

**Fiscal Impact:**

This item is for informational purposes only; therefore, there is no fiscal impact.

**Attachment(s):**

None.



# Western Riverside Council of Governments Planning Directors Committee

## Staff Report

**Subject:** Lessons Learned From Senate Bill (SB) 35: Expediting Processing  
**Contact:** Alexa Washburn, Sr. Vice President, Planning & Acquisitions, National Community Renaissance, [awashburn@nationalcore.org](mailto:awashburn@nationalcore.org), (949) 394-7996  
**Date:** August 11, 2022

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**Requested Action(s):**

1. Receive and file.
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**Purpose:**

The purpose of this item is to present on lessons learned since SB 35 was implemented.

**WRCOG 2022-2027 Strategic Plan Goal:**

Goal #5 - Develop projects and programs that improve infrastructure and sustainable development in our subregion.

**Background:**

This item is reserved for a presentation on lessons learned since the implementation of SB 35. The expedited processing mandated for qualifying affordable housing projects as part of SB 35 is complicated and requires quick response. This presentation will review the timelines, requirements, and best practices.

**Prior Action(s):**

None.

**Fiscal Impact:**

This item is for informational purposes only; therefore, there is no fiscal impact.

**Attachment(s):**

None.



# Western Riverside Council of Governments Planning Directors Committee

## Staff Report

**Subject:** GIS Tool - Underutilization Explorer Dashboard  
**Contact:** Suzanne Peterson, Senior Analyst, [speterson@wrcog.us](mailto:speterson@wrcog.us), (951) 405-6706  
**Date:** August 11, 2022

### **Requested Action(s):**

1. Receive and file.

### **Purpose:**

The purpose of this item is to provide an overview of a GIS tool, the Underutilization Explorer Dashboard, being developed for use by member agencies.

### **WRCOG 2022-2027 Strategic Plan Goal:**

Goal #5 - Develop projects and programs that improve infrastructure and sustainable development in our subregion.

### **Background:**

SCAG's Regional Early Action Planning (REAP) grant Subregional Partnership Program is intended to increase planning to accelerate housing production throughout the SCAG region through implementable actions that will increase housing supply to meet the 6th Cycle Regional Housing Needs Assessment (RHNA). The Subregional Partnership Program has been designed to augment and complement funds that are awarded to jurisdictions by the California Department of Housing and Community Development pursuant to SB 2 Planning Grants and the Local Early Action Program. WRCOG was allocated \$1.678 million through the Subregional Partnership Program to provide assistance to its local jurisdictions. WRCOG proposed projects to utilize the allocated funding, which was shared with this Committee in late 2020, and entered into a Memorandum of Understanding with SCAG in March 2021 that includes approval of the proposed projects. One of the approved REAP projects WRCOG proposed was a GIS tool to help jurisdictions identify underutilized sites that are conducive to housing development.

This tool, referred to as the Underutilization Explorer Dashboard, offers a new, innovative, evidence-based method to help jurisdictions identify locations conducive to housing development. This method is based on the development concept of underutilization. Underutilization helps jurisdictions identify locations that are built out substantially below what is currently allowed by zoning. Houseal Lavigne Associates, consultant to WRCOG on this tool, has performed the analysis and developed a dashboard showing a map of underutilized parcels in Western Riverside County. The analysis utilizes underutilization metrics so each jurisdiction can understand where, and by how much, properties are ready for redevelopment. The dashboard is cloud-based, so there is no need to install or configure any software. Furthermore, the data and dashboard is hosted in Esri Geospatial Cloud, ArcGIS Online,

making access simple and easily controlled.

**Prior Action(s):**

None.

**Fiscal Impact:**

Transportation and Planning Department activities are included in the Agency's adopted Fiscal Year 2022/2023 Budget under the Transportation and Planning Department under Fund 110. The development of the GIS tool is covered by REAP funding that has already been approved by SCAG and any costs associated with this effort will be reimbursed by SCAG.

**Attachment(s):**

None.



# Western Riverside Council of Governments Planning Directors Committee

## Staff Report

**Subject:** SB 9 Toolkit Summary  
**Contact:** Suzanne Peterson, Senior Analyst, [speterson@wrcog.us](mailto:speterson@wrcog.us), (951) 405-6711  
**Date:** August 11, 2022

### **Requested Action(s):**

1. Receive and file.

### **Purpose:**

The purpose of this item is to provide a summary of the preparation of a Senate Bill (SB) 9 Toolkit for use by WRCOG member agencies.

### **WRCOG 2022-2027 Strategic Plan Goal:**

Goal #5 - Develop projects and programs that improve infrastructure and sustainable development in our subregion.

### **Background:**

WRCOG is proposing to utilize SCAG Regional Early Action Planning (REAP) grant funding to create a toolkit for use by WRCOG member agencies in order to implement the requirements of SB 9. The Toolkit will be designed to gather best practices from recently adopted SB 9 ordinances and identify specific design standards that local jurisdictions may customize as needed to adjust to its unique geography. The Toolkit is being proposed to include the following components:

- Introduction to SB 9
- Analysis and Standards
- Infographic
- Flowchart/Checklist
- Model Ordinance (optional)
- Outreach and training sessions

Additional details on the contents of the proposed scope of work for the SB 9 Toolkit may be found in the attachment.

### **Prior Action(s):**

**March 1, 2021:** The Executive Committee authorized the Executive Director to execute an MOU, substantially as to form, with SCAG for the REAP Subregional Partnership Program.

### **Fiscal Impact:**

Transportation and Planning Department activities are included in the Agency's adopted Fiscal Year 2022/2023 Budget under the Transportation and Planning Department under Fund 110. The development of the toolkit is covered by REAP funding that has already been approved by SCAG and any costs associated with this effort will be reimbursed by SCAG.

**Attachment(s):**

[Attachment 1 - Draft SB 9 Toolkit Proposal](#)

July 27, 2022

Suzanne Peterson  
Senior Analyst  
Western Riverside Council of Governments  
3390 University Ave., Suite 200  
Riverside, CA 92501-3314

**Subject: Proposal to Prepare SB9 Toolkit**

Dear Suzanne:

It is with pleasure that we submit our proposal to prepare SB9 Toolkit for use by WRCOG member cities. Based on our prior conversations, we understand that the Toolkit will be used to assist member cities to develop customized tools to implement the requirements of SB9. We recommend that the Toolkit include the following components and unique chapters:

- Introduction to SB9
- SB9 Analysis and Standards

This Toolkit will be designed to gather best practices from recently adopted SB9 ordinances and identify specific standards that local jurisdictions can customize as needed to adjust to their unique geography.

Below is our proposed scope of work to prepare this Toolkit.

## **Scope of Work**

### **Task 1. Project Management**

PlaceWorks will produce an agenda and attend a project kick-off meeting with WRCOG staff to clarify overall project objectives, establish communication protocols, and calendar key dates for project deliverables and outreach meetings.

At the kick-off meeting we will also establish the date and time for a standing project team meeting in order to maintain regular communication. We find that a bi-weekly schedule works well, with public-facing meetings held on alternating weeks as needed. This schedule allows Agency Staff at least a one-week preview of draft presentations prior to public meetings, and PlaceWorks a week to make necessary revisions. We have anticipated a schedule of approximately 6 months to execute this work.

*Task 1 Deliverables:*

- Kick-Off Meeting Agenda
- Revised Project Schedule
- Bi-Weekly Meeting Agendas

### **Task 2. SB9 Toolkit**

The proposed Toolkit will be organized into the following sections and corresponding subtasks:

#### **2.1. Introduction to SB9**

This introductory section will discuss the regulatory standards established by SB9.

*Task 2.1 Deliverables:*

- Summary text of SB9's regulatory requirements

## **2.2 SB9 Analysis and Standards**

To provide WRCOG member jurisdictions with tools and information to adopt local ordinances to implement SB9, we will prepare a series of annotated illustrations to evaluate the impact of SB9 on typical single-family parcels within the COG area. We will work with WRCOG staff and local agency staff to identify the dominant neighborhoods where SB9 will have a significant impact, and from this research, identify up to five prototypical existing lot-house configurations that can serve as the basis for illustrating SB9 development scenarios. Based on these five scenarios, we will prepare recommended design standards for driveways, entry locations, private open space and landscape, as well as other topics that may be identified by agency staff.

*Task 2.2 Deliverables:*

- Preliminary illustration SB9 development on up to 5 prototypical lot-house configurations
- Recommended design standards for each of the 5 development scenarios

## **2.3 SB9 Infographic**

PlaceWorks will produce an easy-to-read, illustrated infographic to describe the application of SB9 for applicants, staff, and decision makers. Utilizing the City of Riverside's SB9 infographic as a model, we anticipate a similar infographic that can be used as a public-facing handout summarizing the SB9 standards and how it can be used to create the new housing. This infographic will be a single-page handout, suitable for enlarging to poster-size display at the permit counter, and aimed at the general public as its primary audience

We will additionally produce an implementation flowchart and/or checklist that will outline a generic or typical approval process for SB9 applications. This graphic will be aimed at planning staff as its primary audience with the expectation that it may be edited or modified as needed to suit the specific processes of individual jurisdictions in the COG area.

*Task 2.3 Deliverables:*

- SB9 Infographic
- SB9 Implementation Flowchart/Checklist

## **2.4 SB9 Model Ordinance (Optional)**

As an optional task, if WRCOG member jurisdictions have an interest, we can prepare a model ordinance to adopt SB9 and associated standards as developed in Task 2.2.

*Task 2.4 Deliverables:*

- Model Ordinance

## **Task 3. Public Outreach**

PlaceWorks will participate in up to five public meetings to present and discuss the SB9 Toolkit with WRCOG stakeholders. We have assumed that these meetings will principally be with the WRCOG's Planning Directors

Committee, and that our participation will be via online (Zoom or GoTo Meeting) formats. We have additionally budgeted for up to five informational seminars with Q&A for city staff teams. We can hold these seminars to accommodate an individual city or at a time that allows multiple cities to participate.

*Task 3 Deliverables:*

- Presentation and meeting material for up to five public meetings
- Summary notes for the meeting
- Up to five informational seminars with Q&A

## **Proposed Schedule**

The basic Toolkit can be completed within a 3- to 6-month timeframe, depending on the scheduling of meetings and approval process within WRCOG organization. We understand the WRCOG's desire to initiate this project in late Summer 2022.

Local customization may take an additional 3- to 6-months depending upon the number of meetings the local city staff requires.

## **Acknowledgment**

This proposal shall remain valid for a period of 90 days from the time of submittal. The attached Service Authorization, which includes our General Terms of Consulting Agreement, is a part of this proposal. If the contents of this Proposal and Agreement are satisfactory, please indicate your approval by signing the Service Authorization and sending it to our Corporate office. As Principal, I am authorized to bind PlaceWorks and the project team to the contents of this proposal.

We look forward to working with you to bring about the successful completion of this project. If you have any questions regarding the contents of this proposal, please feel free to contact the undersigned.

Respectfully submitted,

**PLACEWORKS**

Alan Loomis, AICP  
Principal, Urban Design



# Western Riverside Council of Governments Planning Directors Committee

## Staff Report

**Subject:** Legislative Activities Update  
**Contact:** Bill Blankenship, On-Call Legislative Consultant, [billblankenship63@gmail.com](mailto:billblankenship63@gmail.com), (951) 206-9020  
**Date:** August 11, 2022

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**Requested Action(s):**

1. Receive and file.
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**Purpose:**

The purpose of this item is to provide an update on key legislative items.

**WRCOG 2022-2027 Strategic Plan Goal:**

Goal #1 - Serve as an advocate at the regional, state, and federal level for the Western Riverside subregion.

**Background:**

This item is reserved for an update on key legislative proposals, dates and deadlines. The updates are summarized as an attachment to this Staff Report.

**Prior Action(s):**

**June 9, 2022:** The Planning Directors Committee received and filed.

**Fiscal Impact:**

Transportation and Planning Department activities are included in the Agency's adopted Fiscal Year 2022/2023 Budget under the Transportation Department under Fund 110. In addition, the work conducted to gather information for this staff report is covered by REAP funding that has already been approved by SCAG and any expenses attributed to this work will be reimbursed by SCAG per the REAP Program guidelines.

**Attachment(s):**

[Attachment 1 - Legislative Update PDC](#)

## Key Legislative Deadlines - 2022 Legislative Session

- **May 27th** - Last day for bills to be passed out of the house of origin.
- **July 1st** - Last day for policy committees to meet and report bills.
- **July 1st - July 31st** - Legislative Summer recess.
- **August 1st** - Legislature reconvenes from Summer Recess.
- **August 12th - Last day for fiscal committees to meet and report bills.**
- **August 25th** - Last Day to amend bills.
- **August 31st** - Last day for each house to pass bills.

## 2021 Bills that are active 2-year bills

**SB 490, as amended, Caballero. Community Anti-Displacement and Preservation Program: technical assistance.** Summary: The bill would, upon appropriation by the Legislature, establish the *Community Anti-Displacement and Preservation* Technical Assistance Program, with the purpose of providing technical assistance to qualified entities engaged in acquisition-rehabilitation projects. The bill would define “acquisition-rehabilitation project” as a project to acquire and preserve unsubsidized housing units and attaching long-term affordability restrictions on the housing units. The bill would define “qualified entity” to include an eligible nonprofit corporation, community land trust, public housing authority, a nonprofit, limited-equity, or workforce housing cooperative, a resident association or organization, and a local or a regional government agency administering an acquisition-rehabilitation project funding program. The Bill would create the *Community Anti-Displacement and Preservation Program* Technical Assistance Fund within the State Treasury and would, upon appropriation by the Legislature, allocate the moneys in the fund to the department for the purposes of developing, implementing and administrating the program. **June 2, 2021 - the Bill was ordered to the inactive file at the request of the author. The Bill became a 2-year Bill. January 24, 2022 the Bill was read for a third time and passed out of the Senate on a vote 36-0. May 5, 2022 the Bill was referred to the Assembly Committee on Housing and Community Development. June 8, 2022 the Bill was amended by the author and on June 15, 2022 the Bill’s hearing was postponed by the Committee. June 29, 2022 the Bill passed out of Committee by a vote of 7-0 and was re-referred to the Assembly Committee on Appropriations.**

### **AB 411, as amended, Irwin. Veterans Housing and Homeless Prevention Bond Act of 2022.**

**Summary:** Under current law, the Veterans Housing and Homeless Prevention Bond Act of 2014 authorizes the issuance of bonds in the amount of \$600,000,000. The bond is to provide housing for veterans and their families. The bill would enact the Veterans Housing and Homeless Prevention Bond Act of 2022 which will authorize the issuance of bonds in an amount, not to exceed \$600,000,000. The bill also stipulates that the handling and disposition of the funds would occur in the same manner as the 2014 bond act. *The Bill would provide for the submission of the Bond Act to the voters at the March 24, 2024 Statewide Primary Election. The bill requires a 2/3rds vote. May 20, 2021 - the Bill was located in the Assembly Committee on Appropriations and the hearing was postponed by the Committee. The Bill became a 2-year Bill. January 31, 2022 the Bill was read for a third time and passed out of the Assembly on a vote of 76-0. The Bill has been ordered to the Senate and on May 5, 2022 the Bill was referred to the Senate Committees on Governance and Finance and Military and Veterans Affairs. June 1, 2022 the Bill passed out of the Committee by a vote of 8-0 and was re-referred to the Senate Committee on Governance and Finance. June 15, 2022 the Bill passed out of the Senate Committee on Governance and Finance by a vote of 5-0 and was re-referred to the Senate Committee on Appropriations. June 27, 2022 the Bill was referred to the Suspense File.*

### **AB 682, as amended, Bloom. Planning and zoning: density bonuses: cohousing buildings.**

**Summary:** The current Density Bonus Law, stipulates a city or county must provide a developer that proposes a housing development project within their jurisdiction a density bonus and other incentives, if the developer agrees to construct a project among other options, *10% of the total units of housing development for rental or sale to lower income households, as defined, or 5% of the total units for rental or sale to very low-income households, as defined and meets other requirements.* The bill would *provide that a housing development*

*eligible for* a density bonus be provided under these provisions includes a shared housing building, as defined, that will contain either 10% of the *total* units for lower income *households* or 5% of the *total* units for very low-income households, as *described above*. The bill would prohibit the city, county, or city and county from requiring any minimum unit size requirements or minimum bedroom requirements in conflict with the bill's *provisions* with respect to shared housing building eligible for a density bonus under these provisions. **March 15, 2021 - the Bill was located in the Assembly Committee on Housing and Community Development and Local Government and the hearing was postponed by the Committee. The Bill became a 2-year Bill. January 27, 2022 the Bill was read for a third time and passed out of the Assembly on a vote of 52-8. May 4, 2022 the Bill was referred to the Senate Committees on Housing and Governance and Finance. June 6, 2022 the Bill was amended and was re-referred to the Senate Committee on Housing. June 14, 2022 the Bill was re-referred to the Senate Committee on Governance and Finance and on June 22, 2022 the Bill passed out of Committee by a vote of 4-1. June 23, 2022 the Bill was referred to the Senate Committee on Appropriations.**

**AB 916, as amended, Salas. Zoning: accessory dwelling units: bedroom addition.**

**Summary:** Under current Planning and Zoning Law, a city or a county is authorized to adopt ordinances that regulate the use of structures, buildings, and land for residential, commercial, industrial, and open space uses. The bill would prohibit a city or county from adopting or enforcing an ordinance that would require a public hearing as a condition of reconfiguring existing space to increase the number of bedrooms in an existing *dwelling unit*. *The bill would apply these provisions only to a permit application for no more than 2 additional bedrooms within an existing dwelling unit. The bill would specify that these provisions are not to be construed to prohibit a local agency from requiring a public hearing for a proposed project that would increase the number of dwelling units within an existing structure.* The bill would also include findings that ensuring adequate housing is a matter of statewide concern and is not a municipal affair. **April 6, 2021 - the Bill was located in the Assembly Committee on Housing and Community Development and was amended by the author. The Bill became a 2-year Bill. January 27, 2022 the Bill was read for a third time and passed out of the Assembly on a vote of 61-0. May 4, 2022 the Bill was referred to the Senate Committees on Housing and Governance and Finance. May 11, 2022 the Bill has been amended and was re-referred to the Senate Committee on Housing. May 31, 2022 the hearing for the Bill was postponed. June 16, 2022 the Bill was amended and was re-referred to the Senate Committee on Governance and Finance. June 30, 2022 the Bill passed out of the Senate Committee on Governance and Finance by a vote of 5-0. The Bill was referred to the Senate Committee on Appropriations.**

**AB 1445, as amended, Levine. Planning and zoning: regional housing need allocation: climate change impacts.**

**Summary:** Under current Planning and Zoning Law, each city and county are required to adopt a comprehensive general plan for development of land inside and outside of its boundaries. The general plan includes mandatory elements, such as a housing element. The law further stipulates that the council of governments or the planning department for cities and counties, without a council of governments adopt a final regional housing need plan that allocates a share of the regional housing need for each city and county. The proposed bill would stipulate, as of January 1, 2025, that a council of governments, or the Department of Housing and Community Development also consider the following: An emergency evacuation route, wildfire risk, rise in sea level risk and other impacts caused by climate change. **March 11, 2021 - the Bill was referred to the Assembly Committee on Housing and Community Development and Local Government. The Bill became a 2-year Bill. January 31, 2022 the Bill was read for a third time and passed out of the Assembly on a vote of 57-16. May 4, 2022 the Bill was referred to the Senate Committee on Housing. June 2, 2022 the Bill was amended and was re-referred to the Senate Committee on Appropriations. June 6, 2022 the Bill was amended and was re-referred to the Senate Committee on Appropriations and on June 13, 2022 the Bill was referred to the Suspense File.**

**AB 1551, as amended, Santiago. Planning and zoning: development bonuses: mixed-use projects.**

**Summary:** Under current Density Bonus Law, a city or county must grant a developer that proposes a housing development with a density bonus, additional incentives or concessions. The incentives are provided if the developer agrees to construct a percentage of units for lower income, very low income, or senior citizen housing, among other things, subject to certain requirements. The current law was in place until January 1, 2022. The bill would reenact the above-described provisions regarding the granting of development bonuses for certain projects. The bill would also require a city or county to submit to the Department of Housing and Community Development information describing the approved commercial development bonus. *The bill would*

*repeal these provisions on January 1, 2028* and add these duties to a local planning official. **March 11, 2021 - the Bill was referred to the Assembly Committee on Housing and Community Development and Local Government. The Bill became a 2-year Bill. January 27, 2022 the Bill was read for a third time and passed out of the Assembly on a vote 61-0. May 4, 2022 the Bill was referred to the Senate Committees on Housing and Governance and Finance. June 1, 2022 the Bill passed out of the Senate Committee on Governance and Finance by a vote 7-0. June 22, 2022 the Bill was referred to the Senate Committee on Appropriations.**

## **New Bills Introduced in the 2021–2022 Legislative Session**

**SB 922, as amended, Wiener. California Environmental Quality Act: exemptions for transportation-related projects.** **Summary:** Current CEQA Law, exempts requirements for bicycle transportation plans in an urbanized area. The plans include projects for restriping of streets, bicycle parking, signal timing with the purpose of improving street and highway intersection operations, related signage for bicycles, pedestrians, and vehicles. The bill would extend the current exemption from January 1, 2030 to indefinitely. The bill would also repeal the current requirement that a bicycle transportation plan is for urbanized areas and would further extend the exemption to an active transportation plan or pedestrian plan, or for a feasibility and planning study for active transportation, bicycle facilities and pedestrian facilities. **May 16, 2022 - the Bill passed off the Senate Floor by a vote of 24-1. May 27, 2022 the Bill was referred to the Assembly Committee on Natural Resources. June 14, 2022 the Bill passed out of the Assembly Committee on Natural Resources by a vote of 8-1 and the Bill was referred to the Assembly Committee on Appropriations. June 29, 2022 the Bill passed out of the Assembly Committee on Appropriations by a vote of 15-0.**

### **SB 930, as amended, Wiener. Housing Accountability Act.**

**Summary:** Existing law prohibits a local agency from disapproving a housing development project for very low, low or moderate-income households or from conditioning approval in a manner that renders the housing development infeasible for very low, low, or moderate income households, unless it makes specified written findings that either (1) the jurisdiction has met its share of the regional housing need or (2) the project would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. The bill would clarify that the above-described prohibitions also apply to a housing development project for extremely low-income households. **April 18, 2022 - the Bill received author's amendments and was Re-referred to the Senate Committee on Housing. May 9, 2022 the Bill was read for a third time and passed out of the Senate on a vote 30-0. June 2, 2022 the Bill has been referred to the Assembly Committee on Governmental Organizations with amendments. The Bill no longer relates to housing and now addresses the sale of alcoholic beverages and hours of sale.**

### **SB 1067, as amended, Portantino. Housing development projects: automobile parking requirements.**

**Summary:** The bill would prohibit a city or county from imposing any minimum automobile parking requirement on a housing development project, as defined, that is located within ½ mile of a public transit, as defined. The bill, would authorize a City and County to impose or enforce minimum automobile parking requirements on a housing development project if the local government *makes written findings*, within 30 days of the receipt of a completed application, that *not imposing or enforcing minimum automobile parking requirements on the development* would have a negative impact, supported by the preponderance of the *evidence in the record*, that the city's or the county's ability to meet its share of specified housing needs or existing or existing residential or commercial parking is within ½ mile of the housing development. The bill would create an exception from the above-described provision if the development either dedicates a minimum of 20% of the total number of housing units to very low, low- or moderate-income households. *The bill would prohibit these provisions from reducing, eliminating, or precluding the enforcement of any requirement imposed on a housing development project that is located within ½ mile of public transit to provide electric vehicle supply equipment installed parking spaces or parking spaces that are accessible to persons with disabilities.* The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities. **April 27, 2022 - the Bill passed the Senate Committee on Housing by a vote 6-2 and was re-referred to the Senate Committee on Appropriations. May 24, 2022 the Bill passed off the senate Floor by a vote of 23-8. June 2, 2022 the Bill was referred to the Assembly Committees on Housing and Community Development and Local**

**Government. June 15, 2022 the Bill was amended in the Assembly Committee on Local Government. June 30, 2022 the Bill was amended and re-referred to the Assembly Committee on Appropriations.**

**AB 1695, as amended, Santiago. Affordable housing loan and grant programs: adaptive reuse projects.** **Summary:** Existing law establishes various programs and funding sources administered by the Department of Housing and Community Development to enable the development of affordable housing. The bill would provide that any notice of funding availability issued by the department for an affordable *multifamily* housing loan and grant program shall state that adaptive reuse of a property for affordable housing purposes is an eligible activity. The bill would define “adaptive reuse” *for these purposes* to mean the *retrofitting and* repurposing of an existing building *to create new residential units*. **May 18, 2022 - the Bill passed the Assembly Committee on Housing and Community Development by a vote of 11-3. May 25, 2022 the Bill passed off the Assembly Floor by a vote of 54-12. June 1, 2022 the Bill was referred to the Senate Committee on Housing. June 22, 2022 the Bill passed out of the Senate Committee on Housing by a vote of 7-0 and was referred to the Senate Committee on Appropriations.**

**AB 2011, as amended, Wicks. Affordable housing and High Roads Jobs Act of 2022: streamlined ministerial approval for multifamily projects.** **Summary:** The Planning and Zoning Law authorizes a development proponent to submit an application for a multifamily housing development that is subject to a streamlined, ministerial approval process and not subject to a conditional use permit, if the development satisfies specified objective planning standards. The Bill would make certain housing developments that meet specified affordability and site criteria and objective development standards a use by right within a zone where office, retail or parking are principally permitted use, and would subject these development projects to one of 2 streamlined, ministerial review processes. The Bill would require a development proponent for a housing development project approved pursuant to the streamlined, ministerial review process to require, in contracts with construction contractors, that certain wage and labor standards will be met, including *a requirement* that all construction workers be paid at least the general prevailing rate of wages, as specified. *This bill would define “use by right” for purposes of the Affordable Housing and High Road Jobs Act of 2022, in part, as a development project that is not a project for purposes of CEQA and the* approval process established by this bill would be ministerial in nature, thereby exempting the approval of development projects subject to the that approval process from CEQA. **May 19, 2022- the Bill received authors amendments and passed out of the Assembly Committee of Housing and Community Development by a vote 11-1. May 23, 2022 the Bill passed off the Assembly Floor by a vote of 48-11. June 1, 2022 the Bill was referred to the Senate Committees on Housing and Governance and Finance. June 14, 2022 the Bill was heard in the Senate Committee on Housing and received author’s amendments. June 23, 2022 the Bill was heard in the Senate Committee on Governance and Finance and on June 30, 2022 the Bill was referred to the Senate Committee on Appropriations.**

**AB 2053, as amended, Lee Carrillo and Kalra. The Social Housing Act.** **Summary:** The bill would enact the Social Housing Act and would create the California Housing Authority, as an independent state body, the mission of which would be to produce and acquire social housing developments for the purposes of eliminating the gap between housing production and regional housing needs assessment targets. The bill will would prescribe the composition of the California Housing Authority Board, which will govern the authority. The Bill would proscribe the powers and duties of the authority and the board. **April 21, 2022 - the Bill was referred to the Assembly Committee on Appropriations and on May 19, 2022 the Bill was amended and received a second reading. May 25, 2022 the Bill passed off the Assembly Floor by a vote of 47-20. June 1, 2022 the Bill was referred to the Senate Committees on Governance and Finance, Housing and Labor, Public Employment and Retirement. June 14, 2022 the Bill was amended by the author. June 30, 2022 the Bill failed passage and a reconsideration was granted.**

**AB 2186, as amended, Grayson. Housing Cost Reduction Incentive Program.** **Summary:** The bill would establish the Housing Cost Reduction Incentive Program which would be administered by the Department of Housing and Community Development. The program would be established for the purposes of reimbursing cities and counties for the development impact fee waivers or reductions that are provided to qualified rental housing developments. Upon budget appropriation, the bill would require the Department to provide grants to applicants in an amount which is equal to 50% of the amount of the development impact fee waived or reduced for a qualified rental housing development. The bill would further

require *a public entity* that receives *grant funds* under the program to use the funds solely for the purposes of which the development impact fee that was waived or reduced would have been used for. **March 23, 2022 - the Bill received author's amendments and on May 23, 2022 the Bill passed off the Assembly Floor by a vote of 74-0. June 1, 2022 the Bill was referred to the Senate Committees on Governance and Finance and Housing. June 30, 2022 the Bill passed out of Committee by a vote of 5-0 and was referred to the Senate Appropriations Committee.**

**AB 2295, as amended, Bloom. Local educational agencies: housing development projects.**

**Summary:** The bill would deem a housing development project an allowable use on any real property owned by a local educational agency, as defined, if the housing development satisfies certain conditions, including other local objective zoning standards, objective subdivision standards, and objective design review standards. The bill would deem a housing development that meets these requirements consistent, compliant, and in conformity with local development standards, zoning codes or maps and the general plan. The bill would authorize the land used for the development of the housing development to be jointly used or occupied by the local educational agency and any other party, subject to the specified requirements. The bill would exempt a housing development project subject to these provisions from various requirements regarding the disposal of surplus land. The bill would *make these provisions effective on January 1, 2024, except that the bill would require the Department of Housing and Community Development to provide a specified notice to the planning agency of each county and city on or before January 31, 2023. The bill would repeal its provisions on January 1, 2033.* **March 29, 2022 - the author amended the Bill and was re-referred to the Assembly Committee on Housing and Community Development. May 26, 2022 the Bill passed off the Assembly Floor by a vote of 50-19. June 8, 2022 the Bill was referred to the Senate Committees on Housing and Governance and Finance. June 15, 2022 the Bill passed out of the Senate Committee on Housing by a vote of 5-0. June 22, 2022 the Bill passed as amended and was re-referred to the Senate Committee on Appropriations.**

**AB 2339, as amended, Bloom. Housing element: emergency shelters: regional housing need.**

**Summary:** Existing law requires that the housing element identify adequate sites for housing, including rental housing, factory-built housing, mobile homes, and emergency shelters, and make adequate provisions for the existing and the projected needs of all economic segments of the community. The bill would revise the requirements of the housing element, as described above, in connection with zoning designations that allow residential use, including mixed use, where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit. The bill would delete language regarding emergency shelter standards structured in relation to residential and commercial developments and instead require that emergency shelters only be subject to specified written, objective standards. The bill would require that identified zoning designations where emergency shelters are allowed to include sites that meet at least one of certain prescribed standards. The bill would require those sites to be either (1) vacant and zoned for residential use. (2) vacant and zoned for non-residential use if the local government can demonstrate how the sites are connected to amenities and services that serve people experiencing homelessness. (3) nonvacant if the site is adequate and available for use as a shelter in the current planning period. *The bill would also authorize a local government to accommodate its need for emergency shelters on sites owned by the local government if it demonstrates that the sites will be made available for emergency shelter during the planning period, they are suitable for residential use, and the sites are located near amenities as specified.* **April 28, 2022 - the author amended the bill and was referred to the Assembly Committee on Appropriations. May 18, 2022 the Bill passed the Assembly Appropriations Committee by a vote of 11-4. May 25, 2022 the Bill passed off the Assembly Floor by a vote of 55-16. The Bill was referred to the Senate Committee on Housing and on June 16, 2022 the Bill was amended and re-referred to the Senate Committee on Appropriations. June 28, 2022 the Bill was read a second time and was ordered to a third reading.**

**AB 2668, as amended, Grayson. Planning and Zoning: housing: streamlined ministerial approval.**

**Summary:** The Planning and Zoning Law until January 1, 2026, authorizes a development to submit an application for a multifamily housing development that is subject to a streamlined, ministerial approval process, as provided, and not subject to a conditional use permit, if the development satisfies specified objective planning standards.

Existing law specifies that a development is consistent with the objective planning standards if there is substantial evidence that would allow a reasonable person to conclude that the development is consistent with the objective planning standards. This bill would clarify that a development subject to these provisions is subject to a streamlined, ministerial approval process, and not subject to a conditional use permit or any other non-legislative discretionary approval *The Bill would specify that a local government is required to approve a development if it determines that the development is consistent with objective planning standards, as specified.* The bill would prohibit a local government agency from determining that a proposed development is in conflict with the objective planning standards, if the application materials are not included and as long as the application contains sufficient information that would allow a reasonable person to conclude that the proposed development is consistent with the objective planning standards. **March 31, 2022 - the Bill received Author's Amendments and on May 16, 2022 the Bill passed on the Assembly Floor by a vote of 68-0. May 25, 2022 the Bill was referred to the Senate Committee on Governance and Finance and Housing. June 6, 2022 the Bill was amended by the author. June 14, 2022 the Bill passed out of Committee by a vote of 9-0 and was re-referred to the Senate Committee on Governance and Finance. June 30, 2022 the Bill was amended and passed out of the Senate Committee on Governance and Finance by a vote of 5-0.**

**AB 2705, as amended, Quirk-Silva. Housing: fire safety standards.**

**Summary:** Under current law, the State Fire Marshall is required to prepare, adopt and submit building standards, as well as other fire and life safety regulations to the California Buildings Standards Commission for approval. This bill would prohibit a legislative body of a county or city from approving a discretionary entitlement, that would result in a new residential development project located within a very high fire hazard severity zone, unless the county or city finds that the residential development project will meet specified standards that would address wildfire risks. **April 7, 2022 - the Bill received Author's amendments and on May 26, 2022 the Bill passed off the Assembly Floor by a vote of 73-0. June 8, 2022 the Bill was referred to the Senate Committees on Governance and Finance and Government Organization. June 22, 2022 the Bill passed out of Committee and was referred to the Senate Committee on Appropriations.**

**Bills Introduced in the 2021-2022 Legislative Session, signed into law.**

**AB 2179, as amended, Grayson. Development Fees: deferral.**

**Summary:** Under current law, a local agency is prohibited from imposing fees on a residential development for the construction of public improvements or facilities and requiring the payment fees until the date of the final inspection or the date the certificate of occupancy is issued or whichever comes first. The bill would prohibit a noncompliant municipality, as defined, that imposes any fees or charges on a qualified development project, from requiring the payment of fees until 20 years from the date of the final inspection or the date of the certificate of occupancy is issued or whichever comes first. **February 24, 2022 - the Bill was referred to the Assembly Committees on Local Government and Housing and Community Development. March 24, 2022 the Bill was re-referred to the Assembly Committee on the Judiciary. March 24, 2022 The Bill received author's amendments and became the Covid-19 relief: Tenancy Bill. March 28, 2022 the Bill passed the Assembly by a vote of 62-1 and on March 31, 2022 the Bill passed the Senate 31-5. The Bill was enrolled and presented to the Governor for signature and on March 31, 2022 the Bill was signed by the Governor and Chaptered by the Secretary of State.**

The new bill extends, through June 30, 2022, two key components of California's answer to the economic hardship that the Covid -19 pandemic brought upon residential landlords and tenants: **1.** Protections against eviction for nonpayment of rent, but only in cases where an applicant for emergency rental assistance to cover the unpaid rent was pending as of March 31, 2022; and **2.** Preemption of additional local protections against eviction for nonpayment of rent that were not in place on August 19, 2020.

**2021-2022 Bills - that failed to meet Key Legislative Deadlines**

**SB 1292, as amended, Stern. Accessory dwelling units: setbacks.**

**Summary:** The current State Planning and Zoning Law, provides for the creation of accessory dwelling units – by local ordinance, or if a local agency has not adopted an ordinance, by ministerial approval, in accordance with specified standards and conditions. Existing law prohibits a local agency's accessory dwelling unit ordinance from imposing a setback requirement of more than 4 feet from the side and rear lot lines for an

accessory dwelling unit that is not converted from an existing structure or a new structure constructed in the same location and to the same dimensions of the existing structure. The bill would remove this prohibition on a local agency's accessory dwelling unit ordinance and would instead provide that the rear and side yard setback requirements for accessory dwelling units may be set by the local agency. The bill would authorize an applicant of an accessory dwelling unit to submit a request for an alternative rear and side yard setback requirement, if the local agency's setback requirements make the building of the unit infeasible. The bill would also prohibit any rear and side yard setbacks requirements previously established to be greater than those in effect on January 1, 2020. The bill further stipulates that if the local agency has not established an accessory dwelling unit ordinance as of January 1, 2020, the applicant rear and side yard setback requirement is 4 feet. **March 16, 2022 - the Bill received author's amendments and was Re-referred to the Senate Committee on Housing. The Bill is set for a hearing on March 24, 2022. The Bill's hearing was canceled at the request of the author.**

**SB 1369, as introduced, Wieckowski. Adaptive reuse projects: by-right: funding.**

**Summary:** The bill would make an adaptive reuse project a use by right in all areas, regardless of zoning. The bill defines "adaptive reuse project" as any commercial, industrial, public or office building that has 25% occupancy or less which will be converted into a residential development project. The bill would define "use by right" to mean that the city or the County's review of the adaptive reuse project may not require a conditional use permit, planned unit development permit, or other discretionary city or county review or approval that would constitute a "project" for purposes of CEQA, as specified. Therefore, adaptive reuse projects would not be subject to CEQA. **March 9, 2022 - the Bill was referred to the Senate Committees Government and Finance, Housing and Environmental Quality. March 22, 2022 the Bill is set for a hearing for March 31, 2022. The Bill's hearing was canceled at the request of the author.**

**SB 1466, as introduced, Stern. Affordable Housing and Community Development Investment Program.**

**Summary:** The bill would establish the **Affordable Housing and Community Investment Program**, which would be administered by the Affordable Housing and Community Development Investment Committee. The bill would authorize a city, county, affordable housing authority, community revitalization and investment authority or a city, joint power agency, or a combination of these entities to apply to the Affordable Housing and Community Development Investment Committee for participation in the program. The bill would authorize the Committee to approve or deny plans for projects meeting specific criteria. The bill would also authorize certain local agencies to establish an affordable housing and community development investment agency and authorize an agency to apply for funding under the program and issue bonds, as provided, to carry out a project under the program. **March 9, 2022 - the Bill was referred to the Senate Committees on Government and Finance and Housing.**

**AB 1674, as introduced, Voepel. Building Standards: photovoltaic requirements: accessory dwelling units.**

**Summary:** The bill would prohibit an accessory dwelling unit from being considered a newly constructed building for the purposes of the California Energy Code relating to the photovoltaic requirements for newly constructed buildings that are classified as a low-rise residential building. This bill would also require the Energy Commission, to study exempting accessory dwelling units from the specified photovoltaic requirements and make their recommendations to the California Building Standards Commission in time for the consideration and adoption for the next California Building Standards Code adoption cycle. **January 27, 2022 - the Bill was referred to the Assembly Committees on Housing and Community Development and Natural Resources.**

**AB 1910, as introduced, Garcia. Publicly owned golf courses: conversion: affordable housing.**

**Summary:** The bill would require the Department of Housing Community Development to administer a grant program for local agencies that would enter into a development agreement for the conversion of golf courses owned by the local agency for the purposes of housing and publicly accessible open space. The bill would require the Department to award grants based on the number of affordable units that the local agency proposes to construct as part of the conversion project. **February 18, 2022 - the Bill was referred to the Assembly Committees on Housing and Community Development and Local Government. April 6, 2022 the bill was set for its first hearing. The hearing was canceled at the request of the author. May 11, 2022 the Bill was referred to the Suspense File. May 19, 2022 the Bill is being held under submission.**

**AB 1976, as amended, Santiago. Planning and zoning: housing element compliance: very low and lower-income households.**

**Summary:** Existing law requires the Department of Housing and Community Development (HCD), in consultation with each council of governments, to each region's existing and projected housing need, and requires each council of governments, or the department for cities and counties without a council of governments to adopt a final regional housing need plan that allocates a share of the regional housing need to each city and county. The bill would authorize HCD, after notifying the City or County of the violation of the housing element provision and before notifying the Attorney General, either to complete the rezoning to accommodate 100% of the allocated need for housing for very low and lower income households on behalf of local government within the counties of Imperial, Los Angeles, Orange, Riverside or Ventura that failed to complete that rezoning by the required deadline, or to impose administrative civil penalties upon the local government of up to \$10,000 per day until the local government is longer in violation of state law or HCD decides to refer the violation to the Attorney General. The bill would also authorize the court to order the appointment of an agent of the court to bring the jurisdiction's housing element into substantial compliance, if the jurisdiction has not brought its housing element into substantial compliance after 3 months following the imposition of the initial fine. **March 17, 2022 - the Bill was referred to the Assembly Committees on Housing and Community Development and Local Government. March 21, 2022 the Bill received authors amendments and was re-referred to the Assembly Committees on Housing and Community Development and Local Government.**

**AB 2218, as amended, Quirk Silva. California Environmental Quality Act: Standing: Proposed infill housing projects.**

**Summary:** The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. The bill would provide that a person does not have standing to bring an action or proceeding to attack, review, set aside, void or annul acts or decisions of a public agency undertaken to implement a project involving the development of housing at an infill site, unless the person resides within 20 miles of the project. **February 24, 2022 - the Bill was referred to the Assembly Committees of Banking and Finance and Privacy & Consumer Protection. March 9, 2022 the author amended the Bill and the Bill was re-referred to the Assembly Committee on Banking and Finance. March 17, 2022 the Bill was re-referred to the Assembly Committee on Rules – pursuant to Rule 96.**

**AB 2428, as introduced, Ramos. Mitigation Fee Act: fees for improvements: timeline for expenditures.**

**Summary:** The Mitigation Fee Act requires a local agency, that establishes, increases or imposes a fee as a condition of approval of a development project to determine a reasonable relationship between the fee's use and the type of development project for which the fee is imposed. The Act imposes additional requirements for fees imposed that provide for the improvement to be constructed and that the fees are deposited in a separate capital facilities account or fund. The bill would require a local agency to impose that a project applicant to deposit fees in an escrow account for specified project improvements. The requirement will be imposed as a condition to receiving a conditional use permit or equivalent development permit. The fees must be expended within 5 years of the deposit. **March 3, 2022 - the Bill was referred to the Assembly Committees on Local Government and Housing and Community Development.**

**AB 2485, as introduced, Choi. California Environmental Quality Act: exemption: emergency shelters and supportive housing.**

**Summary:** CEQA Law, currently exempts from its environmental review numerous categories of projects. The bill would exempt from the requirements of CEQA, emergency shelters and supportive housing for the homeless population. **March 10, 2022 - the Bill was referred to the Assembly Committees on Natural Resources and Housing and Community Development.**

**AB 2719, as introduced, Fong. California Environmental Quality Act: exemptions and highway safety.**

**Summary:** CEQA Law, currently exempts from its environmental review numerous categories of projects, including emergency projects undertaken, carried out or approved by a public agency which will repair, maintain, or restore an existing road. The bill would exempt from the requirements of CEQA highway safety improvement projects, as defined by the bill and undertaken by the Department of Transportation or a local

agency. **March 10, 2022 - the Bill was referred to the Assembly Committee on Natural Resources. April 5, 2022 the Bill was set for its first hearing. The hearing was canceled at the request of the author.**

**AB 2762, as introduced, Bloom. Housing: parking lots.**

**Summary:** Under current State Planning and Zoning Law, each county and city are required to adopt a comprehensive, long-term general plan for the physical development of the county or city and specified land outside its boundaries. The general plan must include mandatory elements, including a housing element. This bill would allow local agencies to build affordable housing on parking lots that serve public parks and recreational facilities. **February 18, 2022 - the Bill was introduced and a hearing has not been set for the Bill.**