

2019 HOUSING LEGISLATION

JUNE 17, 2019

2019 HOUSING LEGISLATION

- May 6, City Council directs staff to provide updates on the many housing related bills being considered by California Legislature
 - Staff consulted with League of California Cities and provided a list of 19 bills, subjects include
 - Funding proposals to support development of affordable housing
 - Statewide rent control
 - Staff focused on 8 bills that would impact City's land use regulation and decision-making authority
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2019 HOUSING LEGISLATION

- Legislative Calendar
 - Review of proposals
 - What is being proposed and how it impacts City
 - Status of bills
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2019 HOUSING LEGISLATION

- Legislative Calendar
 - Process
 - Consideration by House of Origin (i.e. Assembly and Senate)
 - Approval by “policy committees”
 - Approval by “fiscal committee”
 - Approval by house
 - Consideration by the other house
 - Approval by “policy committees”
 - Approval by “fiscal committee”
 - Approval by house
 - To the Governor for signature
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2019 HOUSING LEGISLATION

- Legislative Calendar
 - All bills have passed house of origin
 - Deadlines for completing process
 - July 12: last day for policy committees to approve bills and Legislature adjourns
 - August 12: Legislature reconvenes
 - August 30: Last day for fiscal committees to approve bills
 - September 6: Last day to amend bills on the floor
 - September 13: Last day for each house to pass bills
 - October 13: Last day for Governor to act on bills
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2019 HOUSING LEGISLATION

- AB 1763: Amendments to Density Bonus Law
- Impact of bill: Significantly amends DBL as it applies to affordable housing projects (100% price or rent restricted)
- At least an 80% density bonus
- Special treatment for transit projects
 - Projects within ½ mile of “major transit”
 - Unlimited density
 - 3 stories or 33 foot increase in height limits
 - FAR increase: 55% or 4.25, whichever is greater

2019 HOUSING LEGISLATION

- AB 1763 (continued)
 - Special treatment for transit projects
 - Projects within ½ mile of ‘high quality transit corridor’
 - Unlimited density
 - 2 stories or 22 feet height increase
 - FAR increase of 50% or 3.75, whichever is greater
 - Impacts in San Mateo: exceed limits in general plan established by voters
 - Mitigating factor: 100% affordable projects typically require City financial assistance
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2019 HOUSING LEGISLATION

- AB 1763: Status of bill
 - Passed Assembly
 - Referred to policy committees
 - Scheduled for hearing 6/18/19

2019 HOUSING LEGISLATION

- SB 330 “Housing Crisis Act”
 - Impact: during 5 year period (2020-2025) enacts changes to rules concerning processing of housing projects and enforcement of uniform codes
 - Processing rules
 - “preliminary application:” shorter list of information concerning project
 - City may not apply development standards or rules enacted after “preliminary application” filed
 - Special rules for “affected” cities (i.e. cities with high rents and low vacancy rates)
 - Cannot apply any off-street parking standard
 - Must approve projects that are consistent with “objective” general plan standards
 - Required 7 year delay of code enforcement actions (this has been amended)
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2019 HOUSING LEGISLATION

- SB 330: Status of bill
 - Passed by Senate
 - Referred to policy committees
 - Scheduled for hearings on 6/19/19
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2019 HOUSING LEGISLATION

- AB 1279 By Right Review in High Resource Areas
 - Defines “High Resource Areas” to be established by State Dept HCD
 - High opportunity and low density
 - Not experiencing or in danger of experiencing gentrification/displacement
 - Certain projects entitled to “use by right”
 - Fourplexes in single-family zones
 - 40 unit projects up to 30 feet in height
 - 100 unit projects up to 55 feet in height
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2019 HOUSING LEGISLATION

- AB 1279: Status of bill
 - Passed by Assembly
 - Referred to policy committees

2019 HOUSING LEGISLATION

- 3 bills relating to laws on Accessory Dwelling Units (ADUs)
 - Legislature sees ADUs as being important part of housing solution
 - Trend over the last few years has been to make it harder for cities to regulate and deny ADU applications
- 2019 Housing Legislation

2019 HOUSING LEGISLATION

- AB 68
 - Require cities to allow multiple ADUs in multi-family housing developments (City does not allow)
 - Prohibit cities from enforcing minimum lot size requirements
 - Require cities to allow 800 square foot ADUs (City has 640 square foot limit)
 - Prohibit cities from requiring replacement of off-street parking
 - Prohibit cities from enforcing setback greater than 4 feet
 - Status:
 - Passed Assembly
 - Referred to policy committees
 - Scheduled for hearing 6/18/19
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2019 HOUSING LEGISLATION

- AB 881: ADUs
 - Requires approval of ADUs in multi-family zones and within existing garages
 - Until 2025, preempts owner occupancy requirements
 - Status of bill:
 - Passed Assembly
 - Referred to policy committees
 - Hearing scheduled for 6/18/19
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2019 HOUSING LEGISLATION

- SB 13: Several changes to ADU law
 - Remove requirement that ADUs only allowed in areas zoned residential
 - Prohibits cities from requiring replacement off-street parking
 - Requires decision on ADU applications within 60 days
 - Eliminates owner occupancy requirement
 - Requires approvals of ADUs of 850 square feet and 1000 square feet if more than 1 bedroom
 - Limits impact fees:
 - No fees if unit less than 750 square feet
 - 25% of fee amount for ADUs greater than 750 square feet
 - Requires delay of enforcement of uniform code violations in an ADU for 5 years if not necessary to protect health and safety
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2019 HOUSING LEGISLATION

- Status of bill:
 - Passed Senate
 - Referred to policy committees
 - Hearing scheduled for 6/19/19

2019 HOUSING LEGISLATION

- SB 592 “Gut and Amend” bill
 - Makes changes to Housing Accountability Act
 - Extends Act to:
 - Decision on a single unit (including an ADU)
 - Addition of one or more bedrooms to existing residence

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- QUESTION?