



Legislative History: Housing and Homelessness

California Working Families Policy Summit
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The following legislative history offers a brief overview of state legislation and voter initiatives related to issues that deal with affordable home financing, homelessness, and land use reform.

2006

AB 1169 (Torrico) – Chapter 842, Statutes of 2006

Reenacted, until January 1, 2010, the provision requiring an owner of a residential dwelling to give at least 60 days' notice prior to terminating the lease of a tenant who has lived in the home for more than year.

AB 2634 (Lieber) – Chapter 892, Statutes of 2006

Requires every housing element to include an analysis of the projected housing need for extremely low-income households.

AB 2638 (Laird) – Chapter 892, Statutes of 2006

Co-sponsored by Housing California and the Coalition of Local Housing Trust Funds to revamp the state Local Housing Trust Fund Program. AB 2638 loosens a few of the requirements that have made it difficult for local housing trusts to spend their Prop. 46 grants. It also allows future grants to be spent on a wider range of housing types and income levels.

AB 2745 (Jones) – Chapter 794, Statutes of 2006

Requires hospitals to convene regional meetings to develop recommendations for discharging homeless patients. Meetings must include representation from each hospital and may include law enforcement, service providers, regional homelessness advocates and other stakeholders. The recommendations from these meetings must be made available to the public by January 1, 2008.

SB 1206 (Kehoe) – Chapter 595, Statutes of 2006

Amends statutory elements necessary to establish that land is blighted for the purpose of redevelopment by: (1) narrowing the descriptions of conditions underlying blight; (2) using a performance standard to justify a finding of blight; and (3) deleting antiquated subdivision conditions as conditions that establish blight, absent a showing that land is also predominantly urbanized and economically blighted.

SB 1689 (Perata) – Chapter 27, Statutes of 2006

Places the Housing and Emergency Shelter Trust Fund Act of 2006 on the November 7, 2006 ballot. This initiative was approved by voters and provided \$2.85 billion in voter approved funds for affordable-home programs.

Proposition 1C – Passed by Voters on November 7, 2006 with 57.7% of the Vote

This \$2.85 billion bond provided funds for the following purposes: \$850 million for Infrastructure to facilitate "Infill" Development; \$300 million for Transit-Oriented Development; \$200 million for housing-related parks; \$625 million for affordable-homeownership programs; \$590 million for multifamily-housing rental programs (including \$195 million for permanent, supportive rental

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homes to serve homeless persons and \$50 million for affordable rental homes targeted to homeless youth); \$135 million for farmworker housing; \$100 million for innovative pilot programs to be determined at a later date; and \$50 million for emergency shelter construction.

Died in Legislature in 2006

AB 1259 (Daucher) – Rewards localities that exceed 80% of their Regional Housing Need Assessment goals over a 5-year period with an increased share of the annual tax increment that is allocated among local agencies in a county (less money for schools and 2% for Prop. 13). *Died in Assembly Local Government*

AB 2484 (Hancock) – Prohibits projects that exceed a specified density from receiving a density bonus or the incentives that accompany it. The specified density limits are: 40 units/acre in metro areas, 25 in suburban, 20 in nonmetro, and 15 in unincorporated areas of nonmetro counties. *Died in Assembly Housing and Community Development*

AB 2961 (Núñez) – Allows families to receive one-time CalWORKS assistance to pay rent arrearages to prevent homelessness. *Died in Senate Appropriations*

SB 521 (Torlakson) – Allows Contra Costa County to impose a document recording fee of \$1 per page and deposit the revenue into the county's housing trust fund. *Died on Assembly Floor*

SB 1676 (Ducheny) – Requires that tenants be given 180-days' notice of the intention to convert rental housing to another purpose (including condominiums). In addition, the owner would not be allowed to change the terms of the tenancy or give notice to terminate the tenancy during those 180 days. *Died on Assembly Floor*

SB 1754 (Lowenthal) – Establishes a pilot project allowing for the formation of 100 "Housing and Infrastructure Financing Districts" throughout the state. Districts could bond against tax increment and use the money for housing and public facilities. *Died in Senate Appropriations*

SB 1800 (Ducheny) – Revamps General Plan (GP) and Housing Element law, including: 1) requires the GP to cover a 20-year planning and projection period and all elements to be updated at least every 10 years; 2) eliminates state Department of Housing and Community Development (HCD) review of the portion of the housing element in which the jurisdiction outlines actions it will take to make sites available for the portion of the housing need that currently cannot be accommodated. Instead, requires the local government to adopt a "Housing Opportunity Plan" and update it every 5 years. The remainder of the housing element must be updated every 10 years and reviewed by HCD; and 3) requires the locality to rezone all land designated in the housing element for housing at the time of the element's adoption. *Died in Senate Transportation and Housing Committee*

2007

AB 927 (Saldaña) – Chapter 618, Statutes of 2007

Requires that funds expended by the Multifamily Housing Program (general) for senior rental home developments be dispersed in the same proportion as the number of eligible seniors bears to the total number of lower-income renter households in the state.

SB 2 (Cedillo) – Chapter 633, Statutes of 2007

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Requires all cities and counties to provide at least one zoning category in which emergency shelters can be located without discretionary approval from the local government. The zoning category must be identified in the locality's housing element, and include sites with sufficient capacity to meet the local need for emergency shelter. Also requires that all localities provide at least one such site. Expands the Housing Accountability Act to prohibit localities from denying a proposal to build an emergency shelter, transitional housing or supportive housing if it is needed and otherwise consistent with the locality's zoning and development standards.

SB 86 (Committee on Budget and Fiscal Review) – Chapter 179, Statutes of 2007

Outlines the details of Proposition 1C's \$850 million infill development program.

SB 586 (Dutton) – Chapter 652, Statutes of 2007

Allocated Proposition 1C's \$100 million for innovative financing as follows: \$50 million for short-term loans for property acquisitions; \$35 million for local housing trust funds; \$5 million for mobile home park purchases; \$5 million for a pilot program to reduce developers insurance costs; and \$5 million for a pilot program to build homes for students and school employees on school properties.

Vetoed by Governor in 2007

SB 1689 (Lowenthal) – Local agencies: redevelopment

Would have required the state Department of Housing and Community Development to send a list of uncorrected major violations found in redevelopment agency audits to the Attorney General annually. The bill also would have established a procedure by which courts could have considered any "action to compel an agency's compliance" filed by the Attorney General.

2008

AB 2494 (Caballero) – Chapter 641, Statutes of 2008

Outlines the details of Proposition 1C's \$200 million housing-related parks program.

AB 2280 (Saldaña) – Chapter 454, Statutes of 2008

Planning and Zoning Law requires a local government to provide developers with a density bonus or other incentives/concessions if the development contains a specific percentage of homes for low-, very-low-, or moderate-income households. AB 2280 clarifies procedures and requirements for utilizing density bonuses and requires local agencies to identify sources of funding for very-low-income homes if developers are donating land to fulfill those requirements.

SB 375 (Steinberg) – Chapter 728, Statutes of 2008

Requires regions with high air pollution to develop a Sustainable Communities Strategy in order to reduce greenhouse gas emissions from cars. To align with the Sustainable Communities Strategy, SB 375 extends the duration of the major regions' housing elements from 5 years to 8 years and strengthens housing elements by adding consequences for not adopting a housing element, and added enforcement if jurisdictions do not rezone land for housing development.

AB 2069 (Jones) – Chapter 491, Statutes of 2008

This "no-net-loss zoning" law requires a city or county to maintain an inventory of adequate sites throughout the housing-element planning period and prohibits a city or county from downzoning or permitting a lower residential density on a site that has been identified in the housing element unless the city or county adds zoning capacity for a comparable number of units elsewhere (upzones) or makes findings that the reduction is consistent with the housing element and that remaining sites are

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adequate to accommodate the jurisdiction's housing need. AB 2069 clarifies two instances in which no-net zoning law is triggered, the first being when approval of a project results in fewer homes than were projected and the second being when a city or county that has not adopted a compliant housing element approves a project that results in fewer than 80 percent of the maximum number of units that would otherwise be permitted on the site.

Vetoed by Governor in 2008

AB 2097 (Coto) – L&M funds: supportive services: Santa Clara County

Would have allowed a redevelopment agency (RDA) in the County of Santa Clara to use tax increment funds from the Low- and Moderate-Income (L&M) Fund to pay for supportive services for new permanent units occupied by persons and families with extremely low incomes.

2009

SB 575 (Steinberg) – Chapter 354, Statutes of 2009

Clean-up and clarification of various provisions of 2008's SB 375.

AB 1459 (Davis) – Chapter 533, Statutes of 2009

Allows permanent, supportive-home developments to restrict occupancy to veterans, removing a prior restriction that required land to be owned by the United States Department of Veterans Affairs or the California Department of Veterans Affairs.

2010

SB 812 (Ashburn) – Chapter 507, Statutes of 2009

Requires local governments to include needs of individuals with a developmental disability within their housing needs analysis.

Died or Vetoed in 2010

AB 602 (Feuer) – Housing Element

Would have increased the statute of limitations for bringing suit to fix deficient housing elements from the current 90 days to five years.

AB 1177 (Fong) – Interagency Council on Homelessness

Would have created a state Interagency Council on Homelessness.

AB 2033 (Torres) – Balance of State Federal Homelessness Funds

Would have required the state Department of Housing and Community Development to form a "Balance of State" Continuum of Care to access nearly \$1 million in funding for rural areas of the state without their own continua of care.

AB 2293 (Torres) – Housing: Construction Loans

Would have allowed the state Department of Housing and Community Development to contract with private lenders to make construction loans using a small portion of the \$1.75 billion in bond proceeds or escrow bond proceeds as collateral for lenders willing to make the construction loans with their own capital.