**2018 Housing Bills**

Updated July 17, 2018

**Overall**

The 2018 legislative cycle does not appear to be as significant for housing issues as the previous year. A number of the more controversial or significant bills have not advanced. Bills under active consideration propose the following:

* **RHNA** – Changes to make the RHNA distribution process more rigorous and more tied to jobs,
* **ADUs** – Reduces jurisdictions’ ability to regulate ADUs,
* **Streamlined Review and HAA** – Clarifications to and small expansion of Streamlined Review/Housing Accountability Act,
* **Density bonus** – Expansion, additional reporting requirements and clarification regarding density bonus and coastal zone,
* **Fair Housing** –Requirements that housing programs to Affirmatively Further Fair Housing,
* **Planning** –Application of General Plan rules to charter cities, which were previously exempt,
* **Supportive Housing** – Supportive housing allowed by right in multifamily zones, and
* **Mitigation Fee Act** – Minor additional consequences for cities that do not do annual reports.

**Key Bills**

**ADUs**

|  |  |
| --- | --- |
| AB 2890 | Reduces restrictions on ADU development including no rules permitted regarding lot coverage, lot size, and FAR. ADUs may be 800 square feet and 16 feet tall. Requires HCD to develop small home building standards. [Link](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB2890) |
| SB 1469 | Reduces restrictions on ADU development and speeds up the approval process. Limits reassessments. Limits fees. Requires HCD to develop small home building standards. [Link](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB1469) |

**Density Bonus**

|  |  |
| --- | --- |
| AB 2372 | Allows cities to offer FAR in addition to number of units as part of density bonus. [Link](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB2372) |
| AB 2753 | Requires cities to notify developers about the density bonus they are eligible for when applications are deemed complete. [Link](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB2753) |
| AB 2797 | Projects cannot be found to be inconsistent with Coastal Act merely because they receive a density bonus. [Link](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB2797) |

**Fair Housing**

|  |  |
| --- | --- |
| AB 686 | Requires that housing programs Affirmatively Further Fair Housing. [Link](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB686) |

**General Plans**

|  |  |
| --- | --- |
| SB 1333 | Applies many General Plan and zoning rules to charter cities. [Link](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB1333) |

**Housing Accountability Act/ SB 35**

|  |  |
| --- | --- |
| AB 3194 | HAA applies if zoning is out of date, but developments follow general plan. [Link](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB3194) |
| SB 850 | Clarifies some aspects of SB 35. (Passed and signed) [Link](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB850) |

**Mitigation Fee Act**

|  |  |
| --- | --- |
| SB 1202 | If a city does not do its annual report for three consecutive years, and an applicant requests an audit, city must pay for audit. [Link](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB1202) |

**RHNA**

|  |  |
| --- | --- |
| AB 1771 | Requires Regional Housing Needs Assessment (RHNA) methodology to be more data based and more transparent. [Link](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB1771) |
| SB 828 | Increases the weight given to jobs when calculating RHNA and increases the low income allocation in wealthier communities. [Link](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB828) |

**Supportive Housing**

|  |  |
| --- | --- |
| AB 2162 | Supportive housing permitted by right in multifamily zones and eliminates parking requirements. [Link](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB2162) |

**Zoning / Permitting**

|  |  |
| --- | --- |
| AB 565 | Clarifies building code around Live/Work units. [Link](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB565) |

**Less Significant Bills**

|  |  |  |
| --- | --- | --- |
| ADUs | AB 2071 | Changes definition of owner occupancy to include a trust for the benefit of a disabled person. |
| Affordable Housing Authorities  | AB 2035 | This bill makes a number of administrative and technical changes to Affordable Housing Authority (AHA) law.  |
| Affordable Housing Authorities | AB 1792 | Affordable Housing Authorities, which are permitted under current law, could finance infrastructure for affordable housing |
| Building Code | AB 2132 | Cities can waive building fees for ADA accommodations for seniors. |
| Building Code | AB 2263 | Reduces parking on some historic renovations. |
| Density Bonus | SB 1227 | Creates a 35% density bonus category for college student housing. |
| Funding | SB 1206 | [Asks voters in November to use prop 63 funds (intended for mental health services) to build permanent supportive housing.](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB1206)  |
| Funding | SB 1182 | [Incrementally raises the state tax credit for renters over the next five years, and give a larger break to renters with children.](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB1182)  |
| CEQA  | AB 1804 | Expands infill exemption to unincorporated counties. |
| Taxes  | SB 1115 | Eliminates the dollar cap on affordable housing welfare exemptions. |
| Mobile Homes | AB 1943 | Minor correction regarding establishing title in condo-converted mobile homes |
| Mobile Homes | AB 2056 | Allows access to funding for rehab for nonprofit owned mobile home parks  |
| Mobile Homes | AB 2588 | Requires mobile park owners to have emergency plan. Requires used mobile homes to have smoke detectors at time of sale.  |
| Mobile Homes | SB 46 | Extends mobile home inspection program to 2024 |
| Mobile Homes | SB 1130 | Allows mobile home parks to participate in state Property Tax Postponement fund |
| Tenant Protections | AB 2343 | Slightly strengthens tenants’ right when facing an eviction by changing timeframes from calendar days to court days.  |