



**MCCMC LEGISLATIVE COMMITTEE MEETING
MONDAY, AUGUST 22, 2022, 8:00 AM**

ZOOM: <https://usc.zoom.us/j/5258684574?pwd=OTNLb3RXeXpMQWJMVGtRU2pZVzVmQT09>

CALL-IN NUMBER: +1 669 900 6833

MEETING ID: 525 868 4574

PASSCODE: 072299

AGENDA

A. WELCOME/INTRODUCTIONS

B. REPORTS

Melissa Apuya, District Director - Report from Assemblymember Marc Levine's Office
Summer Cassel, District Representative – Report from Senator Mike McGuire's Office

C. UPDATES

Budget and Legislative Update – Emanuels Jones & Associates

Updates to Bills on Committee Watch List (p. 4 to 8)

- **AB-1445** (Levine) Planning and zoning: regional housing need allocation: climate change impacts
Cal Cities Position: Watch
Status: Read second time. Ordered to third reading.
- **AB-1733** (Quirk) State Bodies: Open Meetings
Cal Cities Position: Watch
Status: In committee: Hearing postponed by committee.
- **SB-1020** (Laird) Clean Energy, Jobs, and Affordability Act of 2022
Cal Cities Position: Watch
Status: Read second time. Ordered to third reading.
- **SB-1050** (Dodd) State Route 37 Toll Bridge Act
Cal Cities Position: Watch
Status: August 11 hearing: Held in committee and under submission.
- **SB-1100** (Cortese) Open Meetings: Orderly Conduct
Cal Cities Position: Neutral
Status: Enrolled and presented to the Governor at 2 p.m (August 10).

Update to Bills on Previous Action List (p. 4 to 8)



- **AB-1685** (Bryan) Vehicles: parking violations
Cal Cities Position: Oppose Unless Amended
Status: Read second time. Ordered to third reading.
- **AB-2097** (Friedman) Residential and Commercial Development: Remodeling, Renovations, and Additions: Parking Requirements.
Cal Cities Position: Oppose
Status: Read second time and amended. Ordered to third reading.
- **AB-2449** (Rubio) Open Meetings: Local Agencies: Teleconferences.
Cal Cities Position: Removal of Opposition
Status: Read second time. Ordered to third reading.
- **AB-2953** (Salas) Department of Transportation and local agencies: streets and highways: recycled materials
Cal Cities Position: Neutral
Status: Read second time. Ordered to third reading.

D. COMMITTEE BUSINESS

Action Items (p. 13 to 18)

- **AB-1445** (Levine) Planning and zoning: regional housing need allocation: climate change impacts
Cal Cities Position: Watch
Status: Read second time. Ordered to third reading.
- **AB 916** (Salas D) Zoning: accessory dwelling units: bedroom addition.
CalCities Position: Oppose Unless Amend
Status: Read second time. Ordered to third reading.
- **AB 2234** (Rivas, Robert D) Planning and zoning: housing: postentitlement phase permits.
CalCities Position: Oppose Unless Amend
Status: Read third time and amended. Ordered to second reading.
- **AB 2295** (Bloom D) Local educational agencies: housing development projects.
CalCities Position: Support if Amend
Status: Read second time. Ordered to third reading.
- **AB 1951** (Grayson D) Sales and use tax: exemptions: manufacturing.
CalCities Position: Oppose Unless Amend
Status: Read second time. Ordered to third reading.
- **SB 6** (Caballero) Local planning: commercial zones.
CalCities Position: Oppose Unless Amend
Status: Read second time. Ordered to third reading.
- **SB 867** (Laird) Sea level rise: planning and adaptation.



CalCities Position: Neutral
Status: Read second time. Ordered to third reading.

E. CHAIRS REPORT

1. General Chair Committee Update

F. CALENDAR

Upcoming MCCMC Legislative Committee Meetings:

- September 26, 2022
- October 24, 2022

Upcoming MCCMC Meetings:

- September 28, 2022
- October 26, 2022

G. ADJOURN



MCCMC LEGISLATIVE COMMITTEE SCOPE OF ADVOCACY:

Fiscal Protection: Protect city revenues from the State.

Local Control: Support legislation that enhances local control of resources to provide services while supporting regional cooperation. Oppose unfunded mandates, preemption of local authority, and control of land use.

Transportation Investment: Promote stable transportation finance structure for state and local government. Support multimodal transportation that enhances livable communities.

Housing and Land Use: Protect local government land use authority. Oppose punitive housing legislation and legislation that restricts or reduces local discretion on land use decisions.

Other legislation can be recommended to MCCMC at a regular meeting.



BILLS AND STATUS

UPDATE TO BILLS ON COMMITTEE WATCH LIST

AB-1445 (Levine) Planning and zoning: regional housing need allocation: climate change impacts

The Planning and Zoning Law requires each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city, and specified land outside its boundaries, that includes, among other mandatory elements, a housing element. For the 4th and subsequent revisions of the housing element, existing law requires the Department of Housing and Community Development to determine the existing and projected need for housing for each region. Existing law requires the appropriate 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, county, or city and county, as provided. Existing law requires that the final regional housing plan adopted by a council of governments, or a delegate subregion, as applicable, be based on a methodology that includes specified factors, and similarly requires that the department take into consideration specified factors in distributing regional housing need, as provided. Commencing January 1, 2025, this bill would authorize a council of governments, a delegate subregion, or the department, as applicable, to additionally consider among these factors emergency evacuation route capacity, wildfire risk, sea level rise, and other impacts caused by climate change, as provided. This bill contains other existing laws.

DIGEST KEY

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

Link to Cal Cities Bill Summary/Status: <https://ctweb.capitoltrack.com/public/search.aspx?id=ad485199-37cd-42cd-8217-d19b4d257119&session=21&s=ab%201445&t=bill>

Cal Cities Position: Watch

Status: Read second time. Ordered to third reading.

Senate Appropriations Analysis: https://ctweb.capitoltrack.com/Bills/21Bills/asm/ab_1401-1450/ab_1445_cfa_350721_sen_comm.html

Assembly Floor Analysis: https://ctweb.capitoltrack.com/Bills/21Bills/asm/ab_1401-1450/ab_1445_cfa_344947_asm_comm.html

AB-1733 State Bodies: Open Meetings. (Quirk)

Existing law, the Bagley-Keene Open Meeting Act, requires, with specified exceptions, that all meetings of a state body be open and public and all persons be permitted to attend any meeting of a state body. The act defines a "meeting" to include any congregation of a majority of the members of a state body at the same time and place to hear, discuss, or deliberate upon any item that is within the subject matter jurisdiction of the state body to which it pertains. The act authorizes teleconferenced meetings under specified circumstances, provided that at least one member of the state body is physically present at the location specified in the notice of the meeting, and all votes taken during a teleconferenced meeting are taken by rollcall. The act provides that if the state body elects to conduct a meeting or proceeding by teleconference, the state body is required to post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the rights of any party or member of the public appearing before the state body. The act requires each teleconference location to be identified in the



notice and agenda of the meeting or proceeding, and each teleconference location to be accessible to the public, and the agenda to provide an opportunity for members of the public to address the state body at each teleconference location.

This bill would specify that a "meeting" under the act, includes a meeting held entirely by teleconference. The bill would require all open meetings to be held by teleconference, would allow for use of teleconference in closed sessions, and would remove existing provisions of the act that require each teleconference location to be identified in the notice and agenda and accessible to the public. The bill would instead require the state body to provide a means by which the public may remotely hear, or hear and observe, the meeting and may remotely address the state body via two-way audio-visual platform or two-way telephonic service, as specified, and would require information to be provided in any notice to the public indicating how the public can access the meeting remotely. The bill would require the state body to provide an opportunity for members of the public to address the state body. The bill would require the state body to provide members of the public a physical location to hear, observe, and address the state body, and would authorize the members of the state body to participate in a meeting remotely or at a designated physical meeting location, and specify that physical presence at any physical meeting location is not necessary for the member to be deemed present at the meeting. The bill would require the agenda to be posted 10 days in advance of the meeting, or as provided in accordance with the provisions applicable to a special or emergency meeting, as well as posted on the state body's internet website and, on the day of the meeting, at any physical meeting location designated in the notice. The bill would also provide that the notice of the meeting is required to specify the means by which a meeting may be accessed by teleconference. The bill would prohibit the notice and agenda from disclosing any information regarding any remote location from which a member is participating, and require members attending a meeting from a remote location to disclose whether any other individuals 18 years of age or older are present in the room, as specified. This bill contains other related provisions and other existing laws.

DIGEST KEY

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: no

Link to Cal Cities Bill Summary/Status:

<https://ctweb.capitoltrack.com/public/publishbillinfo.aspx?bi=6n%2bZMf5Yd4iLLWUVDmjOg%2bvRxo%2bk5msZcXlFkzD%2bGa6DtIomvjLtwICj1KR4jMxw>

Cal Cities Position: Watch

Status: In committee: Hearing postponed by committee.

SB-1020 (Laird) Clean Energy, Jobs, and Affordability Act of 2022

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The act requires the state board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions and to update the scoping plan at least once every 5 years. The act requires the state board to conduct a series of public workshops to give interested parties an opportunity to comment on the plan and requires a portion of those workshops to be conducted in regions of the state that have the most significant exposure to air pollutants, including communities with minority populations, communities with low-income populations, or both. This bill instead would modify, with respect to the provision that a portion of the workshops be conducted in regions of the state that have the most significant exposure to air pollutants, the above-



described included communities as additionally being areas designated as federal extreme nonattainment. This bill contains other related provisions and other existing laws.

DIGEST KEY

Vote: majority Appropriation: yes Fiscal Committee: yes Local Program: yes

Link to Cal Cities Bill Summary/Status: <https://ctweb.capitoltrack.com/public/search.aspx?id=ad485199-37cd-42cd-8217-d19b4d257119&session=21&s=sb%201020&t=bill>

Cal Cities Position: Watch

Status: From committee: Do pass as amended. (Ayes 12. Noes 4.) (August 11).

Assembly Committee on Utilities and Energy: https://ctweb.capitoltrack.com/Bills/21Bills/sen/sb_1001-1050/sb_1020_cfa_351693_asm_comm.html

Senate Committee on Appropriations Analysis: https://ctweb.capitoltrack.com/Bills/21Bills/sen/sb_1001-1050/sb_1020_cfa_348453_sen_comm.html

Senate Committee on Energy, Utilities, and Communications Analysis:

https://ctweb.capitoltrack.com/Bills/21Bills/sen/sb_1001-1050/sb_1020_cfa_347798_sen_comm.html

SB-1050 State Route 37 Toll Bridge Act

Existing law creates the Metropolitan Transportation Commission (MTC) as a local area planning agency to provide comprehensive regional transportation planning for the region comprising the City and County of San Francisco and the Counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano, and Sonoma. This bill would authorize MTC to apply to CTC for high-occupancy toll lanes or other toll facilities to be developed and operated on State Route 37, as provided. If CTC approves the application submitted by MTC, the bill would create the SR-37 Toll Authority as a public instrumentality governed by the same board as that governing the Bay Area Infrastructure Financing Authority. The bill would require the authority to operate and maintain tolling infrastructure, including by installing toll facilities, and to collect tolls for the use of the Sonoma Creek Bridge, and would authorize the authority to design and construct improvements on the bridge and a specified corridor of State Route 37 in accordance with programming and scheduling requirements adopted by the authority. The bill would authorize the authority to issue bonds payable from the revenues derived from those tolls. The bill would authorize revenues from the toll bridge to be used for specified purposes, including capital improvements to repair or rehabilitate the toll bridge, to expand toll bridge capacity, to improve toll bridge or corridor operations, to reduce the demand for travel in the corridor, and to increase public transit, carpool, vanpool, and nonmotorized options on the toll bridge or in the corridor, as specified. The bill would require the authority to develop and approve an expenditure plan for the revenues of the toll bridge, and any related toll bridge revenue bonds, and to update that plan at least every 3 years. The bill would require that the authority's toll schedule provide a 50% discount to qualifying high-occupancy vehicles and between a 25% and 50%, inclusive, discount to low-income drivers, as defined, who subscribe to the electronic toll collection system administered by the Bay Area Toll Authority. This bill contains other existing laws.

DIGEST KEY

Vote: 2/3 Appropriation: yes Fiscal Committee: yes Local Program: yes

Link to Cal Cities Summary: <https://ctweb.capitoltrack.com/public/search.aspx?id=ad485199-37cd-42cd->



[8217-d19b4d257119&session=21&s=sb%201050&t=bill](https://ctweb.capitoltrack.com/Bills/21Bills/sen/sb_1001-1050/sb_1050_cfa_350011_sen_comm.html)

Cal Cities Position: Watch

Status: August 11 hearing: Held in committee and under submission.

Senate Committee on Appropriations Analysis:

https://ctweb.capitoltrack.com/Bills/21Bills/sen/sb_1001-1050/sb_1050_cfa_350011_sen_comm.html

Senate Committee on Governance and Finance Analysis:

https://ctweb.capitoltrack.com/Bills/21Bills/sen/sb_1001-1050/sb_1050_cfa_346971_sen_comm.html

Senate Committee on Transportation Analysis:

https://ctweb.capitoltrack.com/Bills/21Bills/sen/sb_1001-1050/sb_1050_cfa_345297_sen_comm.html

SB-1100 Open Meetings: Orderly Conduct

Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. Existing law requires every agenda for regular meetings of a local agency to provide an opportunity for members of the public to directly address the legislative body on any item of interest to the public, before or during the legislative body's consideration of the item, that is within the subject matter jurisdiction of the legislative body. Existing law authorizes the legislative body to adopt reasonable regulations to ensure that the intent of the provisions relating to this public comment requirement is carried out, including, but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker. Existing law authorizes the members of the legislative body conducting the meeting to order the meeting room cleared and continue in session, as prescribed, if a group or groups have willfully interrupted the orderly conduct of a meeting and order cannot be restored by the removal of individuals who are willfully interrupting the meeting. This bill would authorize the presiding member of the legislative body conducting a meeting or their designee to remove, or cause the removal of, an individual for disrupting the meeting. The bill, except as provided, would require removal to be preceded by a warning to the individual by the presiding member of the legislative body or their designee that the individual's behavior is disrupting the meeting and that the individual's failure to cease their behavior may result in their removal. The bill would authorize the presiding member or their designee to then remove the individual if the individual does not promptly cease their disruptive behavior. The bill would define "disrupting" for this purpose. This bill contains other related provisions and other existing laws.

DIGEST KEY

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

Link to Cal Cities Summary: <https://ctweb.capitoltrack.com/public/search.aspx?id=ad485199-37cd-42cd-8217-d19b4d257119&session=21&s=sb%201100&t=bill>

Cal Cities Position: Neutral

Status: Enrolled and presented to the Governor at 2 p.m.

Assembly Floor Analysis: https://ctweb.capitoltrack.com/Bills/21Bills/sen/sb_1051-1100/sb_1100_cfa_351803_asm_comm.html



Senate Floor Analysis: https://ctweb.capitoltrack.com/Bills/21Bills/sen/sb_1051-1100/sb_1100_cfa_347110_sen_comm.html

Senate Committee on Judiciary Analysis: https://ctweb.capitoltrack.com/Bills/21Bills/sen/sb_1051-1100/sb_1100_cfa_346579_sen_comm.html

Senate Committee on Governance and Finance Analysis:
https://ctweb.capitoltrack.com/Bills/21Bills/sen/sb_1051-1100/sb_1100_cfa_345236_sen_comm.html



UPDATE TO BILLS ON PREVIOUS ACTION LIST

AB-1685 Vehicles: parking violations

Existing law authorizes a parking citation processing agency, as defined, to collect an unpaid parking penalty by requesting the Department of Motor Vehicles to place a registration hold on the vehicle to which the citations have been issued, or by obtaining a civil judgment against the registered owner of the vehicle, as specified. Existing law requires a processing agency to offer a payment plan for unpaid parking citations to qualified indigent persons. This bill would require a processing agency to forgive at least \$1,500 in parking fines and fees annually for a qualified homeless person, as specified. The bill would also require a processing agency to provide certain information regarding the parking citation forgiveness program, as specified, including on its internet website. The bill would also require each processing agency that receives an application for the citation forgiveness program to annually report specified information to the California Interagency Council on Homelessness and would require the council to compile and publish this data in a publicly accessible page on its departmental internet website. This bill contains other related provisions and other existing laws.

DIGEST KEY

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

Link to Cal Cities Bill Summary/Status: <https://ctweb.capitoltrack.com/public/search.aspx?id=ad485199-37cd-42cd-8217-d19b4d257119&session=21&s=ab%201685&t=bill>

Cal Cities Position: Oppose Unless Amended

Status: Read second time. Ordered to third reading.

Senate Transportation Analysis: https://ctweb.capitoltrack.com/Bills/21Bills/asm/ab_1651-1700/ab_1685_cfa_350624_sen_comm.html

Assembly Committee on Appropriations Analysis:

https://ctweb.capitoltrack.com/Bills/21Bills/asm/ab_1651-1700/ab_1685_cfa_348484_asm_comm.html

Assembly Committee on Housing and Community Development Analysis:

https://ctweb.capitoltrack.com/Bills/21Bills/asm/ab_1651-1700/ab_1685_cfa_347666_asm_comm.html

AB-2097 Residential and Commercial Development: Remodeling, Renovations, and Additions: Parking Requirements.

The Planning and Zoning Law requires each county and city to adopt a comprehensive, long-term general plan for its physical development, and the development of certain lands outside its boundaries, that includes, among other mandatory elements, a land use element, and a conservation element. Existing law also permits variances to be granted from the parking requirements of a zoning ordinance for nonresidential development if the variance will be an incentive to the development and the variance will facilitate access to the development by patrons of public transit facilities. This bill would prohibit a public agency, in a county with a population of 600,000 or more, from imposing or enforcing a minimum automobile parking requirement, on any of specified residential, commercial, or other development types if the project is located within 1/2 mile of public transit, as defined. The bill would also prohibit a public agency, in a county with a population of less than 600,000, and a city with a population of 75,000 or more, from imposing or enforcing a minimum automobile parking requirement on specified residential, commercial,



or other development types if the project is located within 1/4 mile of public transit. For a city with a population of less than 75,000, or a county with a population of less than 600,000, the bill would authorize that city or county to adopt an ordinance or resolution that applies certain prohibitions regarding the above-described parking requirements within its boundaries. When a project provides parking voluntarily, the bill would authorize a public agency to impose specified requirements on the voluntary parking. The bill would prohibit these provisions from reducing, eliminating, or precluding the enforcement of any requirement imposed on a new multifamily or nonresidential development to provide electric vehicle supply equipment installed parking spaces or parking spaces that are accessible to persons with disabilities. The bill, notwithstanding the above provisions, would also require the development project to provide parking, as required by local ordinance, for employees and other workers of hotels, motels, bed and breakfast inns, transient lodgings, and event centers. The bill would exempt certain commercial parking requirements from these provisions if the requirements of the bill conflict with an existing contractual agreement of the public agency that was executed before January 1, 2023. This bill contains other related provisions and other existing laws.

DIGEST KEY

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

Link to Cal Cities Summary: <https://ctweb.capitoltrack.com/public/search.aspx?id=ad485199-37cd-42cd-8217-d19b4d257119&session=21&s=ab%202097&t=bill>

Senate Committee on Housing Analysis: https://ctweb.capitoltrack.com/Bills/21Bills/asm/ab_2051-2100/ab_2097_cfa_351500_sen_comm.html

Cal Cities Position: Oppose

Status: Failed Deadline pursuant to Rule 61(b)(15)

Notice of Opposition from Cal Cities: <https://ct3.blob.core.windows.net/21blobs/127eeaac-f2ef-4488-abec-7d7aceae064b>

AB-2449 Open Meetings: Local Agencies: Teleconferences.

The Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act generally requires posting an agenda at least 72 hours before a regular meeting that contains a brief general description of each item of business to be transacted or discussed at the meeting, and prohibits any action or discussion from being undertaken on any item not appearing on the posted agenda. The act authorizes a legislative body to take action on items of business not appearing on the posted agenda under specified conditions. The act contains specified provisions regarding providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. This bill would revise and recast those teleconferencing provisions and, until January 1, 2026, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements that each teleconference location be identified in the notice and agenda and that each teleconference location be accessible to the public if at least a quorum of



the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction. Under this exception, the bill would authorize a member to participate remotely under specified circumstances, including participating remotely for just cause or due to emergency circumstances.

DIGEST KEY

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

Link to Cal Cities Bill Summary/Status: <https://ctweb.capitoltrack.com/public/search.aspx?id=ad485199-37cd-42cd-8217-d19b4d257119&session=21&s=ab%202449&t=bill>

Cal Cities Position: Removal of Opposition

Status: Read second time. Ordered to third reading.

Cal Cities Removal of Opposition: <https://ct3.blob.core.windows.net/21blobs/89d5e4c4-d65e-49ab-b607-967e03d8184a>

Senate Governance and Finance Analysis: https://ctweb.capitoltrack.com/Bills/21Bills/asm/ab_2401-2450/ab_2449_cfa_351570_sen_comm.html

Assembly Third Reading: https://ctweb.capitoltrack.com/Bills/21Bills/asm/ab_2401-2450/ab_2449_cfa_348330_asm_comm.html

Assembly Committee on Local Government Analysis:
https://ctweb.capitoltrack.com/Bills/21Bills/asm/ab_2401-2450/ab_2449_cfa_348097_asm_comm.html

AB-2953 (Salas) Department of Transportation and local agencies: streets and highways: recycled materials

The California Integrated Waste Management Act of 1989 requires the Director of Transportation, upon consultation with the Department of Resources Recycling and Recovery, to review and modify all bid specifications relating to the purchase of paving materials and base, subbase, and pervious backfill materials using certain recycled materials. Existing law requires the specifications to be based on standards developed by the Department of Transportation for recycled paving materials and for recycled base, subbase, and pervious backfill materials. Existing law requires a local agency that has jurisdiction over a street or highway to either adopt these standards developed by the Department of Transportation or to discuss at a public hearing why the standards are not being adopted. Existing law requires the State Procurement Officer, when purchasing materials to be used in paving or paving subbase for use by the Department of Transportation and any other state agency that provides road construction and repair services, to contract for those items that use recycled material in those materials, unless the Director of Transportation determines that the use of the materials is not cost effective. This bill would require the department and a local agency that has jurisdiction over a street or highway, to the extent feasible and cost effective, to use advanced technologies and material recycling techniques that reduce the cost of maintaining and rehabilitating streets and highways and that exhibit reduced levels of greenhouse gas emissions through material choice and construction method. The bill would require, beginning January 1, 2024, a local agency that has jurisdiction over a street or highway, to the extent feasible and cost effective, to apply standard specifications that allow for the use of recycled materials in streets and highways, as



specified. The bill would exempt cities and counties whose revenues do not exceed specified thresholds from these requirements. By increasing the duties of local agencies, this bill would impose a state-mandated local program.

DIGEST KEY

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

Link to Cal Cities Summary: <https://ctweb.capitoltrack.com/public/search.aspx?id=ad485199-37cd-42cd-8217-d19b4d257119&session=21&s=ab%202953&t=bill>

Assembly Committee on Appropriations Analysis:

https://ctweb.capitoltrack.com/Bills/21Bills/asm/ab_2951-3000/ab_2953_cfa_349339_asm_comm.html

Cal Cities Position: Neutral

Status: Read second time. Ordered to third reading.

Notice of Opposition from Cal Cities (3-30-22): <https://ct3.blob.core.windows.net/21blobs/3d01fdad-74f6-46a1-a875-10c6673f60c8>



ACTION ITEMS

AB 916 Zoning: accessory dwelling units: bedroom addition.

The Planning and Zoning Law authorizes the legislative body of any county or city to adopt ordinances that regulate the use of buildings, structures, and land as between industry, business, residences, open space, and other purposes. This bill would prohibit a city or county legislative body from adopting or enforcing an ordinance requiring a public hearing as a condition of reconfiguring existing space to increase the bedroom count within 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 include findings that ensuring adequate housing is a matter of statewide concern and is not a municipal affair, and that the provision applies to all cities, including charter cities.

This bill would authorize a local agency to establish a height limitation of lower than 18 feet, as specified, for those accessory dwelling units. The bill would create an exception from that limitation to permit a local agency to impose a height limitation of not less than 25 feet if the accessory dwelling unit is within 1/2 mile walking distance of a major transit stop or a high-quality transit corridor, as defined, or not less than 25 feet or the height limitation in the local zoning ordinance that applies to the primary dwelling unit, whichever is lower, if the accessory dwelling unit is attached to a primary dwelling. The bill would specify that a local agency shall ministerially approve an application for a building permit within a residential or mixed-use zone to create not more than 2 accessory dwelling units that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling and are subject to the above-described height limitations and specified setbacks. The bill would prohibit a local agency from requiring a modification of an existing multifamily dwelling that exceeds this height limitation or has a rear or side setback of less than 4 feet. The bill would also prohibit a local agency from rejecting an application to construct an accessory dwelling unit pursuant to these provisions on the basis that the existing multifamily dwelling exceeds the applicable height limitation or has a rear or side setback of less than 4 feet.

This bill contains other related provisions and other existing laws.

DIGEST KEY

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

Link to Cal Cities Bill Summary/Status: <https://ctweb.capitoltrack.com/public/search.aspx?id=ad485199-37cd-42cd-8217-d19b4d257119&session=21&s=ab%20916&t=bill>

Cal Cities Position: Oppose Unless Amend
Status: Read second time. Ordered to third reading.

Assembly Committee On Housing And Community Development Analysis:
https://ctweb.capitoltrack.com/Bills/21Bills/asm/ab_0901-0950/ab_916_cfa_344720_asm_comm.html

Assembly Committee On Local Government Analysis:
https://ctweb.capitoltrack.com/Bills/21Bills/asm/ab_0901-0950/ab_916_cfa_344748_asm_comm.html
Senate Committee On Housing Analysis: https://ctweb.capitoltrack.com/Bills/21Bills/asm/ab_0901-



[0950/ab_916_cfa_350211_sen_comm.html](https://leginfo.ca.gov/pub/09_50/ab_916_cfa_350211_sen_comm.html)

AB 2234 Planning and zoning: housing: postentitlement phase permits.

Existing law, the Permit Streamlining Act, which is part of the Planning and Zoning Law, requires each public agency to provide a development project applicant with a list that specifies the information that will be required from any applicant for a development project. The act requires public agencies to approve or disapprove of a development project within certain specified timeframes. Existing law requires a city, county, or special district to provide specified information, including a current schedule of fees, exactions, and affordability requirements applicable to a proposed housing development project, and an archive of impact fee nexus studies, cost of service studies, or equivalent studies, conducted by the city, county, or special district, on its internet website. The Housing Accountability Act, among other things, prohibits a local agency from disapproving, or conditioning approval in a manner that renders infeasible, specified housing development projects, including projects for very low, low, or moderate-income households and projects for emergency shelters, that comply with applicable, objective general plan, zoning, and subdivision standards and criteria in effect at the time the application for the project is deemed complete, unless the local agency makes specified written findings supported by a preponderance of the evidence in the record. The act authorizes a project applicant, a person who would be eligible to apply for residency in the housing development or emergency shelter, or a housing organization to bring a lawsuit to enforce its provisions. This bill would require a local agency to compile a list of information needed to approve or deny a postentitlement phase permit, as defined, to post an example of a complete, approved application and an example of a complete set of postentitlement phase permits for at least 5 types of housing development projects in the jurisdiction, as specified, and to make those items available to all applicants for these permits no later than January 1, 2024. The bill would define “local agency” for these purposes to mean a city, county, or city and county. This bill contains other related provisions and other existing laws.

DIGEST KEY

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

Link to Cal Cities Bill Summary/Status: <https://ctweb.capitoltrack.com/public/search.aspx?id=ad485199-37cd-42cd-8217-d19b4d257119&session=21&s=ab%202234&t=bill>

Cal Cities Position: Oppose Unless Amend
Status: Read second time. Ordered to third reading.

Assembly Committee On Housing And Community Development Analysis:
https://ctweb.capitoltrack.com/Bills/21Bills/asm/ab_2201-2250/ab_2234_cfa_346843_asm_comm.html

Assembly Committee On Housing And Community Development Analysis:
https://ctweb.capitoltrack.com/Bills/21Bills/asm/ab_2201-2250/ab_2234_cfa_347699_asm_comm.html

Senate Committee On Governance And Finance Analysis:
https://ctweb.capitoltrack.com/Bills/21Bills/asm/ab_2201-2250/ab_2234_cfa_350998_sen_comm.html

Senate Committee on Housing Analysis: https://ctweb.capitoltrack.com/Bills/21Bills/asm/ab_2201-2250/ab_2234_cfa_351502_sen_comm.html



AB 2295 Local educational agencies: housing development projects.

Existing law, the Planning and Zoning Law, requires that the legislative body of each county and each city adopt a comprehensive, long-term general plan for the physical development of the county and city, and specified land outside its boundaries, that includes, among other mandatory elements, a housing element. Existing law authorizes the legislative body of any county or city, pursuant to specified procedures, to adopt ordinances that, among other things, regulate the use of buildings, structures, and land as between industry, business, residences, open space, and other purposes. Existing law generally requires each local agency to comply with all applicable building ordinances and zoning ordinances of the county or city in which the territory of the local agency is situated, but, among other things, authorizes the governing board of a school district that has complied with specified law, by a 2/3 vote of its members, to render a city or county zoning ordinance inapplicable to a proposed use of property by the school district, unless the proposed use of the property is for nonclassroom facilities, as provided. This 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, as described. 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, among other things, would authorize the land used for the development of the housing development to be jointly used or jointly occupied by the local educational agency and any other party, subject to 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.

DIGEST KEY

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

Link to Cal Cities Bill Summary/Status: <https://ctweb.capitoltrack.com/public/search.aspx?id=ad485199-37cd-42cd-8217-d19b4d257119&session=21&s=ab%202295&t=bill>

Cal Cities Position: Support if Amend

Status: Read second time. Ordered to third reading.

Senate Committee On Housing Analysis:

https://ctweb.capitoltrack.com/Bills/21Bills/asm/ab_2251-2300/ab_2295_cfa_351399_sen_comm.html

Senate Committee On Governance And Finance Analysis:

https://ctweb.capitoltrack.com/Bills/21Bills/asm/ab_2251-2300/ab_2295_cfa_350999_sen_comm.html

Assembly Committee On Appropriations Analysis:

https://ctweb.capitoltrack.com/Bills/21Bills/asm/ab_2251-2300/ab_2295_cfa_348605_asm_comm.html



AB 1951 Sales and use tax: exemptions: manufacturing.

Existing sales and use tax laws impose taxes on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state, or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state. The Sales and Use Tax Law provides various exemptions from those taxes, including a partial exemption from those taxes, on and after July 1, 2014, and before July 1, 2030, for the gross receipts from the sale of, and the storage, use, or other consumption of, qualified tangible personal property purchased by a qualified person for purchases not exceeding \$200,000,000, for use primarily in manufacturing, processing, refining, fabricating, or recycling of tangible personal property, as specified; qualified tangible personal property purchased for use by a qualified person to be used primarily in research and development, as provided; qualified tangible personal property purchased for use by a qualified person to be used primarily to maintain, repair, measure, or test any qualified tangible personal property, as provided; and qualified tangible personal property purchased by a contractor purchasing that property for use in the performance of a construction contract for the qualified person, that will use that property as an integral part of specified processes. Existing law, on and after January 1, 2018, and before July 1, 2030, additionally exempts from those taxes the sale of, and the storage, use, or other consumption of, qualified tangible personal property purchased for use by a qualified person to be used primarily in the generation or production, as defined, or storage and distribution, as defined, of electric power. This bill would, on and after January 1, 2023, and before January 1, 2028, make this a full exemption for purchases not exceeding \$200,000,000. The bill would repeal these provisions on January 1, 2028, and would revert to the above-described partial exemption on that date. This bill contains other related provisions and other existing laws.

DIGEST KEY

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

Link to Cal Cities Bill Summary/Status: <https://ctweb.capitoltrack.com/public/search.aspx?id=ad485199-37cd-42cd-8217-d19b4d257119&session=21&s=ab%201951&t=bill>

Cal Cities Position: Oppose Unless Amend

Status: Read second time. Ordered to third reading.

Senate Committee On Governance And Finance Analysis:

https://ctweb.capitoltrack.com/Bills/21Bills/asm/ab_1951-2000/ab_1951_cfa_352528_sen_comm.html

Senate Committee On Appropriations Analysis:

https://ctweb.capitoltrack.com/Bills/21Bills/asm/ab_1951-2000/ab_1951_cfa_353914_sen_comm.html

Assembly Committee On Revenue And Taxation Analysis:

https://ctweb.capitoltrack.com/Bills/21Bills/asm/ab_1951-2000/ab_1951_cfa_348243_asm_comm.html

SB 6 Local planning: commercial zones.

The Planning and Zoning Law requires each county and city to adopt a comprehensive, long-term general plan for its physical development, and the development of certain lands outside its boundaries, that includes, among other mandatory elements, a housing element. Existing law requires that the housing element include, among other things, an inventory of land suitable and available for residential



development. If the inventory of sites does not identify adequate sites to accommodate the need for groups of all households pursuant to specified law, existing law requires the local government to rezone sites within specified time periods and that this rezoning accommodate 100% of the need for housing for very low and low-income households on sites that will be zoned to permit owner-occupied and rental multifamily residential use by right for specified developments. This bill, the Neighborhood Homes Act, would deem a housing development project, as defined, an allowable use on a parcel that is within a zone where office, retail, or parking are a principally permitted use, if the development and site meet specified requirements, including that the site is not adjacent to an industrial use or agricultural use. The bill would require the density for a housing development under these provisions to meet or exceed the density deemed appropriate to accommodate housing for lower income households according to the type of local jurisdiction, including a density of at least 20 units per acre for a suburban jurisdiction. The bill would require the housing development to meet all other local requirements, other than those that prohibit residential use, or allow residential use at a lower density than that required by the bill. The bill would provide that a housing development under these provisions is subject to the local zoning, parking, design, and other ordinances, local code requirements, and procedures applicable to the processing and permitting of a housing development in a zone that allows for the housing with the density required by the act. If more than one zoning designation of the local agency allows for housing with the density required by the act, the bill would require that the zoning standards that apply to the closest parcel that allows residential use at a density that meets the requirements of the act would apply. If the existing zoning designation allows residential use at a density greater than that required by the act, the bill would require that the existing zoning designation for the parcel would apply. The bill would also require that a housing development under these provisions comply with public notice, comment, hearing, or other procedures applicable to a housing development in a zone with the applicable density. The bill would require that the housing development is subject to a recorded deed restriction with a 15% affordability requirement, as provided. The bill would require that a developer either certify that the development is a public work, as defined, or is not in its entirety a public work, but that all construction workers will be paid prevailing wages, as provided, or certify that a skilled and trained workforce, as defined, will be used to perform all construction work on the development, as provided. The bill would require a local agency to require that a rental of any unit created pursuant to the bill's provisions be for a term longer than 30 days. The bill would authorize a local agency to exempt a parcel from these provisions in its land use element of the general plan if the local agency makes written findings supported by substantial evidence that the local agency concurrently reallocated the lost residential density to other lots so that there is no net loss in residential density in the jurisdiction, as provided. The bill would specify that it does not alter or affect the application of any housing, environmental, or labor law applicable to a housing development authorized by these provisions, including, but not limited to, the California Coastal Act, the California Environmental Quality Act, the Housing Accountability Act, obligations to affirmatively further fair housing, and any state or local affordability laws or tenant protection laws. The bill would require an applicant of a housing development under these provisions to provide notice of a pending application to each commercial tenant of the parcel. The bill would require the Department of Housing and Community Development to undertake at least 2 studies of the outcomes of these provisions that include specified information, including, among other things, the number of projects built and the number of units built. The bill would repeal these provisions on January 1, 2029. This bill contains other related provisions and other existing laws.

DIGEST KEY

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes



Link to Cal Cities Bill Summary/Status:

<https://ctweb.capitoltrack.com/public/search.aspx?id=ad485199-37cd-42cd-8217-d19b4d257119&session=21&s=sb%206&t=bill>

Cal Cities Position: Oppose Unless Amend

Status: Read second time and amended. Ordered to second reading.

Assembly Committee On Housing And Community Development Analysis:

https://ctweb.capitoltrack.com/Bills/21Bills/sen/sb_0001-0050/sb_6_cfa_352668_asm_comm.html

Assembly Committee On Appropriations Analysis:

https://ctweb.capitoltrack.com/Bills/21Bills/sen/sb_0001-0050/sb_6_cfa_353319_asm_comm.html

SB-867 Sea level rise: planning and adaptation.

Existing law creates within the Ocean Protection Council the California Sea Level Rise State and Regional Support Collaborative to provide state and regional information to the public and support to local, regional, and other state agencies for the identification, assessment, planning, and, where feasible, the mitigation of the adverse environmental, social, and economic effects of sea level rise within the coastal zone, as provided. This bill would require a local government, as defined, lying, in whole or in part, within the coastal zone, as defined, or within the jurisdiction of the San Francisco Bay Conservation and Development Commission, as defined, to implement sea level rise planning and adaptation through either submitting, and receiving approval for, a local coastal program, as defined, to the California Coastal Commission or submitting, and receiving approval for, a sub-regional San Francisco Bay shoreline resiliency plan to the San Francisco Bay Conservation and Development Commission, as applicable, on or before January 1, 2033. By imposing additional requirements on local governments, the bill would impose a state-mandated local program. The bill would require local governments that receive approval for sea level rise planning and adaptation on or before January 1, 2028, to be prioritized for sea level rise funding, upon appropriation by the Legislature, for the implementation of projects in the local government's approved sea level rise adaptation plan. The bill would require, on or before December 31, 2023, the California Coastal Commission and the San Francisco Bay Conservation and Development Commission, in close coordination with the Ocean Protection Council and the California Sea Level Rise State and Regional Support Collaborative, to establish guidelines for the preparation of that planning and adaptation. The bill would make the operation of its provisions contingent upon an appropriation for its purposes by the Legislature in the annual Budget Act or another statute. This bill contains other related provisions and other existing laws.

DIGEST KEY

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

Link to Cal Cities Bill Summary/Status: <https://ctweb.capitoltrack.com/public/search.aspx?id=ad485199-37cd-42cd-8217-d19b4d257119&session=21&s=sb%20867&t=bill>

Cal Cities Position: Neutral

Status: Read second time. Ordered to third reading.

Senate Committee On Natural Resources And Water Analysis:



https://ctweb.capitoltrack.com/Bills/21Bills/sen/sb_0851-0900/sb_867_cfa_345099_sen_comm.html

Senate Floor Analysis: https://ctweb.capitoltrack.com/Bills/21Bills/sen/sb_0851-0900/sb_867_cfa_346367_sen_comm.html

Assembly Committee On Natural Resources Analysis:
https://ctweb.capitoltrack.com/Bills/21Bills/sen/sb_0851-0900/sb_867_cfa_350416_asm_comm.html

Assembly Committee On Appropriations Analysis: https://ctweb.capitoltrack.com/Bills/21Bills/sen/sb_0851-0900/sb_867_cfa_353401_asm_comm.html