
		File name: Master
CA SB 48	AUTHOR: Wiener [D] TITLE: Interim Housing Intervention Developments FISCAL COMMITTEE: yes URGENCY CLAUSE: no DISPOSITION: Pending COMMITTEE: Senate Governance and Finance Committee HEARING: 04/10/2019 CODE SECTION:	

An act[A> to amend Section 65583 of, and<A] to add Article 12 (commencing with Section 65660) to Chapter 3 of Division 1 of Title 7[D>-of</D] [A> of,<A] the Government Code, relating to housing.

SUMMARY:

Requires that emergency shelters be in areas that allow residential use. Requires that an interim housing intervention development be a use by right if it meets specified requirements. Authorizes these developments to include recuperative or respite care, motel vouchers, navigation centers, and emergency shelters. Imposes requirements on these developments. Requires these developments to provide privacy, accommodations for people with disabilities, and services to connect people to permanent housing.

DIGEST:

SB 48, as amended, Wiener. Interim housing intervention developments.

(1) The Planning and Zoning Law requires the legislative body of each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city that includes a housing element. Existing law requires that the housing element identify adequate sites for housing, including rental housing, factory-built housing, mobilehomes, and emergency shelters, and to make adequate provision for the existing and projected needs of all economic segments of a community. Existing law requires that supportive housing be a use by right, as defined, in zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses, if the proposed housing development meets specified requirements.

This bill would revise the requirements of the housing element, as described above, in connection with the identification of zones where emergency shelters are allowed as a permitted used with a conditional use or other discretionary permit. The bill would generally require that emergency shelters be in areas that allow residential use, including mixed-use areas, but would permit designation in industrial zones if a local government can demonstrate that the zone is connected to specified amenities and services. The bill would remove the authorization granted to local government to require off-street parking, as specified, in connection with standards applied to emergency shelters. The bill would require that zones where emergency shelters are allowed include sites that meet at least one of certain prescribed standards. This bill would require that an interim shelter intervention development be a use by right, as defined, if it meets specified requirements. The bill would define "interim shelter intervention" as housing or shelter in which a resident may live temporarily while waiting to move into permanent housing. The bill would authorize these developments to include recuperative or respite care, motel vouchers, navigation centers, transitional housing, and emergency shelters. The term "use by right" in this context would mean that certain requirements, such as a conditional use permit or other discretionary

local government review or approval could not be imposed on an interim shelter intervention if it meets specified requirements. The bill would require that an interim shelter intervention development meet state and local health and safety requirements and state and local building codes and, among other things, that it allow for the presence of partners, pets, and the storage of possessions. The bill also would require that an interim shelter intervention development provide privacy, accommodations for people with disabilities, and services to connect people to permanent housing. The bill would prohibit a local jurisdiction from imposing parking requirements on an interim shelter intervention development.

The bill would prescribe requirements for notifying a developer that its application for an interim housing intervention is complete and for the local jurisdiction to complete its review of the application. The bill would declare that interim housing intervention developments are essential tools for alleviating the homelessness crisis in this state and are a matter of statewide concern and thus applicable to charter cities. The bill would make legislative findings and declarations.

By increasing the duties of local planning officials, this bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote Required: MAJORITY Appropriation: NO Fiscal Committee: YES Local Program: YES Immediate Effect NO Urgency: NO Tax Levy: NO Election: NO Usual Current Expenses: NO Budget Bill: NO Prop 25 Trailer Bill: NO

STATUS:

12/03/2018	INTRODUCED.
01/16/2019	To SENATE Committee on RULES.
03/06/2019	From SENATE Committee on RULES with author's amendments.
03/06/2019	In SENATE. Read second time and amended. Re-referred to Committee on RULES.
03/13/2019	Re-referred to SENATE Committees on HOUSING, GOVERNANCE & FINANCE and ENVIRONMENTAL QUALITY.
03/25/2019	From SENATE Committee on HOUSING with author's amendments.
03/25/2019	In SENATE. Read second time and amended. Re-referred to Committee on HOUSING.
04/02/2019	From SENATE Committee on Housing: Do pass to Committee on GOVERNANCE AND FINANCE. (8-0)

VOTES:

04/02/2019 Senate Housing Committee P 8-0

Position: Watch
Subject: Housing

CA SB 611

AUTHOR: Caballero [D]
COAUTHOR(S): Nazarian [D], Aguiar-Curry [D]
TITLE: Housing: Elderly and Individuals with Disabilities
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
DISPOSITION: Pending

COMMITTEE: Senate Housing Committee
HEARING: 04/22/2019
CODE SECTION:

An act [A>to add Article 5 (commencing with Section 9150) to Chapter 2 of Division 8.5 of the Welfare and Institutions Code, <A]relating to housing.

SUMMARY:

Establishes the Master Plan for Aging Housing Task Force, chaired by the director or their designee, and composed of specified stakeholders and representatives of government agencies to, among other things, make recommendations to the Legislature for legislation that will help increase the supply of affordable housing for older adults and reduce barriers to providing health care and social services to older adults in affordable housing.

DIGEST:

SB 611, as amended, Caballero. Housing: elderly and individuals with disabilities.

Existing law establishes the Department of Housing and Community Development in the Business, Consumer Services, and Housing Agency. The department is administered by the Director of Housing and Community Development. The department is responsible for administering various housing and home loan programs throughout the state. Existing law requires the department, on or before December 31 of each year, to submit an annual report containing specified information to the Governor and both houses of the Legislature on the operations and accomplishments during the previous fiscal year of the housing programs administered by the department.

This bill would establish the Master Plan for Aging Housing Task Force, chaired by the director or their designee, and composed of specified stakeholders and representatives of government agencies to, among other things, make recommendations to the Legislature for legislation that will help increase the supply of affordable housing for older adults and reduce barriers to providing health care and social services to older adults in affordable housing.

This bill would require the task force to meet at least 6 times in the 2020 calendar year, and would require the task force to submit a report to the Legislature by April 30, 2021, that provides specified information and policy recommendations related to the supply of affordable housing for older adults. The bill would make various related legislative findings.

Vote Required: MAJORITY Appropriation: NO Fiscal Committee: YES Local Program: NO Immediate Effect NO Urgency: NO Tax Levy: NO Election: NO Usual Current Expenses: NO Budget Bill: NO Prop 25 Trailer Bill: NO

STATUS:

02/22/2019	INTRODUCED.
03/14/2019	To SENATE Committee on RULES.
03/27/2019	From SENATE Committee on RULES with author's amendments.
03/27/2019	In SENATE. Read second time and amended. Re-referred to Committee on RULES.
04/03/2019	Re-referred to SENATE Committee on HOUSING.
Subject: Housing	

TITLE: Planning and Zoning: California Environmental Quality
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
DISPOSITION: Pending
COMMITTEE: Senate Governance and Finance Committee
HEARING: 04/10/2019
CODE SECTION:

An act to [D>add Article 12 (commencing with Section 65670) to Chapter 3 of Division 1 of Title 7</D] [A>amend Sections 65650, 65651, and 65656<A] of the Government Code, and to add Chapter 5.5 (commencing with Section 21163) to Division 13 of the Public Resources Code, relating to housing.

SUMMARY:

Requires the lead agency to prepare concurrently the record of proceeding for a No Place Like Home project, with the performance of the environmental review of the project if that project is not eligible for approval as a use by right, as described. Requires the lead agency to file and post a notice of determination within 2 working days of the approval of the project.

DIGEST:

SB 744, as amended, Caballero. Planning and zoning: California Environmental Quality Act: permanent supportive housing: No Place Like Home Program.

(1) Existing law, known as the No Place Like Home Program, requires the Department of Housing and Community Development to award \$2,000,000,000 among counties to finance capital costs, including, but not limited to, acquisition, design, construction, rehabilitation, or preservation, and to capitalize operating reserves, of permanent supportive housing for the target population, as specified. Existing law requires that \$1,800,000,000 of the moneys available under the program be awarded, in at least 4 rounds, by a competitive program based on specified criteria, including that the county has developed a county plan to combat homelessness. Existing law requires that, before the disbursement of any funds for loans made pursuant to the competitive component of the No Place Like Home Program, the department and the development sponsor, as defined, enter into a regulatory agreement that includes specified provisions.

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. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. Existing law authorizes the court, upon the motion of a party, to award attorney's fees to a prevailing party in an action that has resulted in the enforcement of an important right affecting the public interest if 3 conditions are met.

This bill would require the lead agency to prepare concurrently the record of proceeding for a No Place Like Home project, as defined, with the performance of the environmental review of the project if that project is not eligible for approval as a use by right, as described below. Because the bill would impose additional duties on the lead agency, this bill would impose a state-mandated

local program. The bill would require the lead agency to file and post a notice of determination within 2 working days of the approval of the project. The bill would require a person filing an action or proceeding challenging the lead agency's action on the grounds of noncompliance with CEQA to file the action or proceeding within 10 days of the filing of the notice of determination or, in the case of a project that is eligible for approval as a use by right, as described below, the date of the public agency's decision to carry out or approve the project. The bill would require a person bringing an action or proceeding to file a copy of the pleading with the Attorney General concurrent with the filing of the action or proceeding with the court. The bill would require the lead agency to file a copy of the record of proceeding with the Attorney General concurrent with the filing of the record with the court. The bill would require the Attorney General, within 45 days of the receipt of the record of proceedings, to determine whether the action or proceeding is brought in the public interest. The bill would prohibit the court, if the Attorney General finds that the action or proceeding is not brought in the public interest or fails to make a determination, from awarding attorney's fees to a prevailing petitioner. The bill would apply the Rules of Court, which require an action or proceeding brought against certain projects or the granting of any approval for those projects, including any potential appeals therefrom, to be resolved, to the extent feasible, within 270 days of the filing of the certified record of proceedings with the court, to actions and proceedings against a No Place Like Home project.

This bill would specify that a decision of a public agency to seek funding from, or the department's awarding of funds pursuant to, the No Place Like Home Program is not a project for purposes of CEQA.

(2) The Planning and Zoning Law requires the legislative body of each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city that includes, among other mandatory elements, a housing element. Under that law, supportive housing, as defined, is a use by right in zones where multifamily and mixed uses are permitted if the proposed housing development meets specified criteria and the developer provides the planning agency with a plan for providing supportive services, as specified. Existing law authorizes a local government to require a supportive housing development to comply with objective, written development standards and policies, but requires that the development only be subject to those objective development standards and policies that apply to other multifamily housing within the same zone. Existing law limits supportive housing developments allowed under these provisions to 50 units or fewer in certain cities and counties, but authorizes these cities and counties to develop a policy to approve as a use by right a proposed housing development with a limit higher than 50 units. Existing law includes findings that these provisions address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

This bill would expand the definition of "supportive housing" under these provisions to include associated facilities if they are used to provide services to housing residents and revise the definition of "supportive services" for these purposes. The bill would also expand these provisions to apply to supportive housing that is either (1) included in a county's application for competitive funds under the No Place Like Home Program or (2) subject to a regulatory agreement between the developer and the Department of Housing and Community Development, as described above, under the program. The bill would

define the term "objective development standards and policies" for these purposes and require that a local government's review of a supportive housing development under these standards and policies be consistent with specified other law and consider whether the development, excluding certain units, is consistent with the objective development standards and the objective design review standards in effect at the time that the application for the supportive housing is submitted. The bill would also provide that development of a policy to approve as a use by right a development with a limit higher than 50 units, as described above, is not a project for purposes of CEQA. The bill would specify that its provisions do not prohibit a local government from imposing fees and other exactions, as specified, but would prohibit a local government from adopting any requirement, including increased fees, that applies to a project solely or partially on the basis that the housing project constitutes a permanent supportive housing development or based on the development's eligibility for ministerial approval pursuant to these provisions. The bill would revise the above-described findings of statewide concern to specify that these changes apply to all cities, including charter cities.

This bill, by expanding the scope of supportive housing allowed as a use by right, would expand the exemption for the ministerial approval of projects under CEQA. Because this bill would add additional duties on local planning officials, this bill would impose a state-mandated local program.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote Required: MAJORITY Appropriation: NO Fiscal Committee: YES Local Program: YES Immediate Effect NO Urgency: NO Tax Levy: NO Election: NO Usual Current Expenses: NO Budget Bill: NO Prop 25 Trailer Bill: NO

STATUS:

02/22/2019	INTRODUCED.
03/14/2019	To SENATE Committees on HOUSING, GOVERNANCE AND FINANCE and ENVIRONMENTAL QUALITY.
03/27/2019	From SENATE Committee on HOUSING with author's amendments.
03/27/2019	In SENATE. Read second time and amended. Re-referred Committee on HOUSING.
04/02/2019	From SENATE Committee on Housing: Do pass to Committee on GOVERNANCE AND FINANCE. (8-1)
04/10/2019	From SENATE Committee on GOVERNANCE AND FINANCE: Do pass to Committee on ENVIRONMENTAL QUALITY.

VOTES:

04/02/2019 Senate Housing Committee

P 8-1

Position: Tracked
Subject: Housing

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