



Local Government Affairs Director Report

June/July 2022

By: John Beckman, GAD

City of Manteca has released their proposal for Inclusionary Zoning. It has the potential to increase the fees on a single-family house over \$40,000 per unit. We are working with CVAR to oppose this proposal. Legislation like this is where we might bring in CAR to help with a PR program to help oppose it.

City of Tracy is still working on a draft of an Inclusionary Zoning program but no details have come out yet.

Stan COG and SJ COG have both completed updating their Regional Housing Needs Allocations for the jurisdictions within the respective counties. Next year the process will begin to update all of their Housing Elements – we will monitor that process to make sure the cities comply with state housing law.

We have updated our candidate questionnaires for local and state representatives and set the dates for candidate interviews.

Here's the legislative update out of Sacramento

ACTIVE C.A.R. SPONSORED BILLS

AB 2170 (Grayson) Codification of GSE "First Look" Program – This bill will prohibit bulk sales of REO parcels by a mortgage servicer that forecloses on 175 or more residential properties annually. This bill will also: a) Enact in California law, the existing federal guidelines for the federal "First Look" program which provide owner-occupants and public entities with an opportunity to purchase REO properties for 30 days; b) Require mortgage servicers to provide a written acknowledgment to the potential owner-occupant purchaser and public entities of all offers during that 30 day period; and c) Require mortgage servicers to respond to "First Look" offers on REO parcels prior to accepting offers from investor purchasers. AB 2170 passed out of the Senate Judiciary Committee on the Consent Calendar on June 21st which reflects the bipartisan support for and lack of any opposition to this bill. Status: Senate Appropriations Committee

AB 2245 (Ramos) The Uniform Partition of Heirs Property Act Extension Bill – C.A.R. sponsored AB 633 (Calderon) was signed into law last year and enacted the Uniform Partition of Heirs Property Act (UPHPA) into California law. As a result, safeguards were put into place in the law to protect heir’s property owners from losing generational wealth due to their potential abuse in co-tenancy situations where there are multiple heirs and no will or trust. This bill would require all tenancies in common to be partitioned in a similar manner to the UPHPA. As with the UPHPA, this law would require where possible the property to be marketed by a real estate broker as opposed to a court ordered sale at auction to secure the best price for the property as well as other safeguards currently enshrined in the UPHPA. The bill would only apply to those tenancies in common where there is no written agreement regarding how the property should be partitioned should that be necessary. This bill passed out of Legislature on June 16th and is now pending signature by the Governor. The bill has no opposition. Status: Governor’s Desk

SCA 2 (Allen & Wiener) Public Housing Projects – Enacted by voters in 1950, Article 34 of the California Constitution requires that any development comprised of “low-rent” dwellings, financed in whole or in part by federal, state, or local government, be approved by a vote of the people in the jurisdiction where the project is located. Article 34 does not just apply to “public housing”, but also affects mixed income developments which often contain units partially “subsidized” by local government. The article adds significant costs to the production of affordable housing as developers must comply with its provisions for a ballot measure or to pursue alternative means of financing which would avoid the Article’s provisions. C.A.R. is a co-sponsor of SCA 2 which seeks to repeal Article 34 in its entirety. Status: Assembly Appropriations Committee

State Budget Ask: Allocation to Ownership Housing – C.A.R. is working in a coalition with Habitat for Humanity California, The Two Hundred, San Francisco Bay Area Planning and Research Association (SPUR), LISC San Diego, Housing Action Coalition, National Association of Hispanic Real Estate Professionals (NAHREP), the California Building Industry Association (CBIA), and the Black Leadership Council (BLC) to request that the 2022-2023 State Budget increase homeownership funding as it has for other forms of housing to support the full continuum of necessary housing options for Californians. The coalition is asking that the budget, at a minimum, include \$600 million towards homeownership housing. In addition, the coalition and C.A.R. strongly supports funding for Senate Pro Tem Atkins California Dream for All and its innovative down payment assistance program. Status: Pending

SUPPORT BILLS

AB 916 (Salas) Zoning: accessory dwelling units: bedroom addition – AB 916 will require: 1) local governments to ministerially approve a permit request to add a bedroom to an existing single-family home; and 2) to increase the height maximum for accessory dwelling units in an existing multifamily and multistory building from 16 to 18 feet. This bill passed out of the Senate Housing Committee on June 13th and is now pending a vote in the Senate Governance and Finance Committee. Status: Senate Governance and Finance Committee

AB 1707 (Boerner Horvath) Property tax postponement: Senior Citizens and Disabled Citizens Property Tax Postponement Fund – Existing law establishes the Property Tax Postponement (PTP) program which allows the state Controller to pay property taxes to county tax collectors on behalf of individuals over the age of 62 or disabled persons with an annual household income of \$39,000 or less. AB 1707 would provide a permanent source of funding to ensure the viability of the PTP program. C.A.R. supports the need to ensure that this program continues to operate as this valuable program offers individuals on fixed incomes and seniors or disabled persons assistance with paying their property taxes which allows them to continue to stay in their homes. This bill passed out of the Senate Governance and Finance

Committee on June 15th and will be heard in the Senate Appropriations Committee on June 27th .
Status: Senate Appropriations Committee

AB 2705 (Quirk- Silva) Housing: Fire Safety Standards – This bill allows continued development in wildfire areas if developers constructing development of 10 units or more and located within a very high fire hazard severity zone meet increased fire safety requirements to address wildfire risks (e.g., building siting, setbacks and buffer zones, mandatory HOA for defensible space management, resident education, and fire drills, etc.). This bill passed out of the Senate Housing Committee on June 21st and is now pending a hearing in the Senate Appropriations Committee. Status: Senate Appropriations Committee

AB 2817 (Reyes) House California Challenge Program – This bill establishes the House California Challenge Program (Program) to help persons who are experiencing homelessness obtain housing and, upon appropriation by the Legislature, allocates \$5 billion in funding to the Program over a 5-year period. C.A.R. obtained amendments to ensure that at least \$2.8 billion is used for rental assistance and master leasing of units. This bill passed out of the Senate Housing Committee on June 21st and is now pending a hearing in the Senate Appropriations Committee. Status: Senate Appropriations Committee

AB 2917 (Mike Fong) State Law: Disability Access – This bill requires an attorney who sends or serves a complaint alleging an internet website is not accessible pursuant to construction-related disability access law must send a copy of the complaint to the California Commission on Disability Access (CCDA) within five days of serving the complaint and notify the CCDA of any dismissal, settlement or judgment, any remedy, and whether the defendant asked for an early evaluation conference, as specified. This bill also requires CCDA to assist in facilitating compliance with standards related to the accessibility standards for internet websites. C.A.R. supports AB 2917 because it will help educate businesses about how to make their websites accessible. This bill passed out of the Senate Judiciary Committee on June 8th and will next be heard in the Senate Appropriations Committee on June 27th . Status: Senate Appropriations Committee

AB 2960 (Committee on Judiciary) Judiciary Omnibus Bill – AB 2960, the Judiciary Committee's noncontroversial omnibus bill, will provide that disclosure requirements in effect on the date that all parties enter into a real estate contract or agreement subject to those requirements are the requirements that apply to that contract or agreement. The language also provides that any amendment to those disclosure requirements that becomes effective after the date that the parties enter into a contract or agreement does not alter the disclosure requirements that apply to that contract or agreement. This was originally going to be a sponsored bill but due to the non-controversial nature of this provision it is in the omnibus bill. This bill passed out of the Senate Judiciary Committee on June 14th and will next be heard in the Senate Appropriations Committee on June 27th . Status: Senate Appropriations Committee

SB 1084 (Hurtado) Ownership of Agricultural Land by A Foreign Government – SB 1084 would prohibit the ownership of agricultural land by foreign governments, including foreign state-controlled entities. Land held by foreign governments prior to January 1, 2023, would be exempt from this prohibition. C.A.R. supports this bill because foreign ownership of agricultural land makes it more expensive for Californians to own. This bill passed out of the Assembly Judiciary Committee on June 14th and will be heard in the Assembly Agriculture Committee on June 29th . Status: Assembly Agriculture Committee

SB 1357 (Archuleta) Property Tax Exemption: Disabled Veterans – This bill would provide a full property exemption for property owned by, and that constitutes the principal place of residence of a veteran and the veteran's spouse if the veteran is 100% disabled and a partial property exemption if the veteran has a disability rating of less than 100%. C.A.R. supports this measure as it seeks to make housing more

affordable for individuals who are on a fixed income, such as disabled veterans and reduces their risk of going into foreclosure due to an inability to pay their property taxes. This bill passed out of the Assembly Revenue and Taxation Committee on June 20th and is now pending a hearing in the Senate Military and Veterans Affairs Committee. Status: Senate Military and Veterans Affairs Committee

OPPOSED BILLS

AB 1445 (Levine) Planning and zoning: RHNA: climate change impacts – This bill requires, beginning in 2025, that the methodology used by a council of governments, their delegate subregions, or the Department of Housing and Community Development for allocating regional housing needs must factor in the impacts caused by climate change, including emergency evacuation route capacity, wildfire risk, and sea level rise. The general plan process already must account and plan for climate change, including emergency evacuation route capacity, wildfire risk, and sea level rise. While the goal of the bill is laudable, the marriage between the general planning process and the regional housing needs planning process needs to be aligned but not create a “no growth” planning policy which restricts the opportunities for development, while taking into consideration public safety. C.A.R. will oppose AB 1445 until it is amended to identify, but not constrain, development planning within the regional planning process for impacts caused by climate change, including emergency evacuation route capacity, wildfire risk, and sea level rise. This bill was placed on the Suspense File during the Senate Appropriations Committee on June 13th . Status: Senate Appropriations Committee

SB 897 (Wieckowski) Accessory/Jr. Accessory Dwelling Units – Under existing law, the Planning and Zoning Law, authorizes a local agency, by ordinance or ministerial approval, to provide for the creation of accessory (ADU) and jr. accessory dwelling units (jr. ADU) in areas zoned for residential use and permits local agencies to impose standards on, among other things, parking, height, setback, landscape, architectural review, and maximum size of a unit. SB 897 would, among other things, require that the standards imposed on accessory dwelling units be objective instead of subjective to create uniformity in the ADU/jr. ADU application and approval process. Additionally, SB 897 seeks to increase the height maximum ministerially from 16 to 25 feet in any residential or multifamily zone which permits the construction of ADUs or jr. ADUs. C.A.R. will oppose SB 897 unless it is amended to eliminate the proposed ADU height increase which could amount to three stories in some instances. The provisions of SB 897 simply go too far and will significantly impact our single-family neighborhoods and runs contrary to the goals we have supported in other legislation seeking to ministerially approve ADUs and jr. ADUs. This bill passed out of the Assembly Housing and Community Development Committee on June 15th and will next be heard in the Assembly Local Government Committee