

New Housing Laws, Funding and Programs

*Thursday, November 4, 2021
2:00 – 3:30 pm*



Thank You for Joining!

Webinar Host & Moderator

Melissa Kuehne

Senior Program Manager
Institute for Local Government



Today's Agenda

Welcome & Logistics

Setting the Stage & Upcoming Resources

Presentations by:

- Sohab Mehmood, Housing Policy Specialist, Department of Housing and Community Development
- Chris Lee, Legislative Representative, California State Association of Counties
- Jason Rhine, Assistant Legislative Director, League of California Cities

Q&A

Wrap Up & Adjourn

How to Ask a Question During the Webinar

- All webinar participants will be on MUTE during the entire call.
- Please TYPE any questions into the question box at any time during the webinar.
- The moderator will read your questions during the question period at the end of the webinar.



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Districts Association**
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LEAGUE OF
**CALIFORNIA
CITIES**

We provide practical and easy-to-use resources so local agencies can effectively implement policies on the ground.

ILG's Programs & Services

Program Areas

Leadership & Governance

Civics Education & Workforce

Public Engagement

Sustainable Communities



Services

Education & Training

Technical Assistance

Capacity Building

Convening

Our mission is to help local government leaders navigate complexity, increase capacity & build trust in their communities

Setting the Stage

Ongoing
through
June
2023

Statewide Housing Technical Assistance Program



Planning Commissioner's Handbook

Spring -
Winter
2021

Working Group

- Local, regional, and statewide expertise
- Planners, elected officials, nonprofits, commissioners
- New themes and content updates

Online Toolkit

- Vignettes & case stories
- Infographics
- Photos & Videos
- Webinar recordings

The screenshot displays the homepage of the Institute for Local Government's 'Housing and Public Engagement Toolkit'. At the top left is the ILG logo and the text 'INSTITUTE FOR LOCAL GOVERNMENTSM Housing and Public Engagement Toolkit'. To the right are navigation links for 'ILG HOME', 'ABOUT THE TOOLKIT', a search icon, and a menu icon. The main content area features a large blue banner with the title 'Framing a New Conversation About Housing in your Community' and the subtitle 'A Housing and Public Engagement Toolkit for California'. Below the banner is a row of six icons, each with a corresponding title: a house icon for 'California's Housing Crisis', a hand icon for 'The Role of Public Engagement', a handshake icon for 'How to Engage Your Community', a building icon for 'Housing Policy Considerations', a scales icon for 'Legal Procedures and Public Hearings', and a map of California icon for 'Funding Opportunities'.

Planning Commissioner's Handbook

The Planning Commissioner's Role

Meetings and Procedures

The Planning Framework

Housing Laws and Policies

Public Participation in Planning

Application Review

Community Design

CEQA and Environmental Issues

Fiscal Issues

Infrastructure Planning

Legal Issues

Glossary

Planning Commissioner Trainings

2022

Planning Commission Basics

- Roles and Responsibilities
- Working with Planning Staff & Elected Officials
- Effective Meetings

The Planning Process

- Land Use
- CEQA
- Community Engagement

Planning in Your Region

- Regional Challenges
- Resilience
- Equity in Planning

Today's Presenters

Sohab Mehmood
Housing Policy Specialist
Department of Housing
and Community
Development



Chris Lee
Legislative
Representative
California State
Association of Counties



Jason Rhine
Assistant Legislative
Director
League of California
Cities



Technical Assistance and Funding

California Department of Housing and Community
Development (HCD)



Agenda

Funding

Technical Support for
Local Governments

Funding – Homelessness

Program	Use	Timeline
Encampment Resolution Funding Program	Funding for providing responsive services to individuals living in encampments and restoring sites to its intended use	Current – December, 2021
Regional Early Action Planning Grants (REAP) 2.0 - \$600 million	Fund implementation activities of regional plans that accelerate infill and reduce VMT with subgrants for cities and counties	Spring, 2022 (estimated)
Homekey 2.0 - \$1.45 Billion	Converting to hotels, motels, commercial properties to Permanent or Interim Housing for the Target Population.	Current



Program	Use	Timeline
Infill Infrastructure Grant (IIG) Program	financial assistance for Capital improvement Projects that promote infill housing development.	NOFA/Guidelines – Feb/Marc, 2022 (estimated)
Permanent Local Housing Allocation Program (PLHA) - \$342 million (approx.)	Predevelopment, development, acquisition, rehab, and preservation of housing for lower-income households	Current
Joe Serna Farmworker Housing - \$103 million	Construction, rehab, and acquisition of units for ag workers.	Current – November 18
Streamlined Multifamily Housing Application Implementation (AB 434) – Super NOFA	One application for MHP, VHHP, Serna, TOD, IIG, HHC	February, 2022

Statewide and Regional TA Efforts

Housing Planning Hub Site for Accelerating Housing Production

Support for Local Governments

- Customized regional delivery plans
- Suite of state-wide tools and regional tools
- Tools and resources that directly address the needs you have identified
- Statewide Clearinghouse

Planning Grants &  Public Engagement & Education

 Housing Element Technical Assistance

Resources by topic:

ght  Priority Policy Area #2
Objective Design & Development Standards

ed Codes Coupled with  Priority Policy Area #4
Accessory Dwelling Units or Other Innovative Building Strategies

CEQA Streamlining

Coming Soon  Priority Policy Area #5
Expedited Processing

Coming Soon  Priority Policy Area #6
Innovative Housing Finance, Fees, or Infrastructure

San Joaquin Valley Multiagency Working Group Regional Technical Assistance Plan

BACKGROUND

The **San Joaquin Valley** region is made up of Fresno Council of Governments (FCOG), Kern Council of Governments (KCOG), Kings County Association of Governments (KCAG), Madera County Transportation Commission (MCTC), Merced County Association of Governments (MCOG), San Joaquin Council of Governments (SJCOC), Stanislaus Council of Governments (StanCOG), and Tulare County Association of Governments (TCAG), which together form the San Joaquin Valley Multiagency Working Group (SJMVG). The San Joaquin Valley has long been California's refuge for affordable life, including affordable housing. Following the 2008 recession, homeownership in the San Joaquin Valley declined drastically due to rampant foreclosures throughout the region. Homeownership rates in the San Joaquin Valley have continued to stay low since the recession while rental occupied households increased, indicating San Joaquin Valley households have not been able to recover financially since the housing market crash and resulting recession. Rent in this region is still unaffordable for many [low income](#) households, leading to cost burden, overcrowding, and living in substandard housing. The San Joaquin Valley continues to experience population growth, particularly out-migration from rapidly unaffordable areas of the State, such as the Bay Area and Los Angeles. Despite this, the San Joaquin Valley is predominantly comprised of small rural cities and unincorporated communities, many of whose origins are traced to serving surrounding agricultural activities that function as important residential and employment centers.

In 2013-2014, the California Department of Housing and Community Development (HCD) assigned the San Joaquin Valley a total regional housing need of 236,710 units for the 5th Cycle planning period (from January 2014 through December 2021): FCOG received 41,470 units, KCOG received 67,675 units, KCAG received 10,220 units, MCTC received 12,895 units, MCOG received 15,850 units, SJCOC received 40,360 units, StanCOG received 21,330, and TCAG received 26,910. The San Joaquin Valley has not received a regional housing need for the 6th cycle.

The Local Government Planning Support Program was established by Assembly Bill (AB) 74 and AB 101 to fund housing activities to accelerate the production of housing. The program provides regions and jurisdictions with one-time funding, including grants for planning activities, to enable jurisdictions to meet the 6th Cycle of the Regional Housing Needs Assessment (RHNA). This program includes two grant funding subprograms: The Local Early Action Planning (LEAP) grant program and the Regional Early Action Planning (REAP) grant program. The Local Government Planning Support Program required the San Joaquin Valley to form the SJMVG to be eligible for nearly \$19 million in REAP funding for the eight San Joaquin Valley Regional Planning Agencies collectively. The SJMVG makes decisions for how to allocate the funding and oversee the implementation of the grant program. Eligible uses of the funding include (1) improving the RHNA methodology used by the councils of governments (COGs); and (2) suballocating funds for housing planning, such as infrastructure planning, technical assistance, feasibility studies, establishing trust funds, temporary [staffing](#) and any other actions to accelerate housing production.

San Joaquin Valley Multiagency Working Group Regional Technical Assistance Plan

Needs		Priority	Tool, Resource, or Training	Deliverable Source	Planning Grant Program Coordination	Schedule
Kings	Housing Element Support – Housing Needs Assessment	High	Direct Assistance and/or small group training on completing Housing Needs Assessment for 6 th Cycle Housing Element Update	HCD/TA Team – Regional Liaison for SJV	Complement SB2 and LEAP activities pursued by Kings jurisdictions	TBD
Madera	Specific plans, form-based codes, and CEQA streamlining	High	Sample language/templates for CEQA documentation Excel-, web-, and/or GIS-based tools for general/Specific Plan buildout calculations	HCD/TA Team – Regional Liaison for SJV	Complement SB2 and LEAP activities pursued by Madera jurisdictions	TBD
Merced	Public engagement strategies	High	Pre-made and/or easily customizable graphics/tables for enumerating and illustrating standards and requirements under various Priority Policy Areas (PPAs) Housing Element PowerPoint explaining new laws for workshops or hearings	HCD/TA Team – Regional Liaison for SJV	Complement SB2 and LEAP activities pursued by Merced jurisdictions	TBD



Tools Currently Available

Checklists and Ordinances

By-right zoning

Emergency Shelters

Supportive Housing

Zoning Code Definitions

Reasonable Accommodation

Housing Element Compliance Flyer

Guidebooks

Public Engagement

Objective Design and Development

AFFH (Affirmatively Furthering Fair Housing)

Sites Inventory for RHNA

Accessory Dwelling Units

Guidebook on Housing Planning Costs



Coming Soon!

New Housing Laws	Factsheets, decision trees, PowerPoints, staff reports, and trainings
Housing Policy Implementation	<ul style="list-style-type: none">- Plug-and-play draft ordinances and checklists on ADUs, DB, Supportive Housing, Emergency shelters, rezoning, TOD, etc.,- Trainings- One-on-one assistance- Help desk- SB9 Guidance
Building Support and Engagement	<ul style="list-style-type: none">- Planning Commissioners trainings and handbook- Local elected officials support – what tools do you need?- Housing Element Video- Explainer Graphics on Housing Policy Topics- FAQs on Housing Issues- Flyers and Handouts on Housing Topics- Housing Element Surveys
Housing Finance	How to guides and workshops on infrastructure challenges, inclusionary nexus studies, site selection for funding programs, etc.,





Institute for Local Government

November 4, 2021

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By-Right Duplexes and Lot Splits

SB 9 (Atkins) Housing Development Approvals

Requires a local government to ministerially approve a housing development containing two residential units in single-family zones. Additionally, requires local governments to ministerially approve urban lot split. One of the units must be owner-occupied for three years. No offsite improvements can be required and can only impose objective local standards that do not conflict with ability to build units authorized by the bill. Compliant project must be approved unless the local government makes findings, support by a preponderance of the evidence, that the project would create a health and safety risk that cannot be mitigated.

Housing Crisis Act of 2019

SB 8 (Skinner) Housing Crisis Act of 2019

Among other changes, SB 8 extends the sunset on SB 330, the Housing Crisis Act of 2019, by five years, to January 1, 2030. SB 330 imposed restrictions on certain types of development standards, amended the Housing Accountability Act and made changes to local approval processes and the Permit Streamlining Act. Until January 1, 2034, SB 8 also allows the SB 330's provisions to apply to a housing project that submits a preliminary application before January 1, 2030. It also expands the definition of "housing development project," to include both discretionary and ministerial projects, as well as projects to construct single units.

CEQA Exemption for Rezoning

SB 10 (Wiener) Rezoning – CEQA Exemption

Until 2029, authorizes a city or county to pass an ordinance to zone any parcel for up to 10 units of residential density, at a height specified by the local government in the ordinance, if the parcel is located in a transit-rich area (generally, areas near rail transit or bus routes with peak headways of 15 minutes or faster) or an urban infill site, as specified. Purports to create an exception to any locally-approved ballot measures that would otherwise preclude the council/board from completing such rezonings, except as related to a local ballot measure designating publicly-owned property for open space or recreational purposes. Specifies that rezonings completed pursuant to the bill are not projects for purposes of CEQA.

Zoning Standards for Small Multifamily

SB 478 (Wiener) Zoning - Housing Development Projects

For projects of three to ten residential units in a multifamily or residential mixed use zone and NOT located in a single family zone or historic district, precludes local agencies from imposing floor area ratio (FAR) standards except as follows:

For three to seven units: FAR of at least 1.0

For eight to ten units: FAR of at least 1.25

Prohibits a local agency from denying a housing development project located on an existing legal parcel solely on the basis that the lot area of the proposed lot does not meet minimum lot size. Specifies that the bill only precludes local zoning standards that conflict with the above limitations. Declares conflicting CCRs null and void.

Enforcement of State Housing Laws

AB 215 (Chiu) Housing Element – Violations

Increases HCD enforcement authority in relation to violations of state housing law and requires cities and counties to make any draft revisions to their housing elements available for public comment for at least 30 days. AB 215 also requires HCD to review draft Housing Elements and report its written findings to the planning agency within 90 days of receiving the first draft submittal for each housing element revision or within 60 days of its receipt for a subsequent draft amendment or adoption. The bill also creates a new, three-year statute of limitations for any action brought pursuant to the enforcement process created under AB 72 (Santiago, 2017). Allows HCD to seek outside counsel should the Attorney General choose not to enforce a violation of state housing law.

Residential Impact Fees

AB 602 (Grayson) Residential Impact Fees – Nexus Study

Makes significant changes to laws governing local residential development impact fee programs. Specifically, the bill requires local governments to update their nexus studies used to justify certain impact fees at least once every eight years; requires jurisdictions to base fee calculations on the square footage of individual residential units, unless the jurisdiction demonstrates that another metric is more appropriate. AB 602 also adds additional public hearing requirements and requires local agencies to make additional findings supporting their fee calculations and address evidence challenging the validity of their findings.

Building Habitability Standards

AB 838 (Friedman) Enforcement – Response to Complaints

Makes several changes to local building code enforcement processes and procedures. Specifically, the bill requires local agencies to promptly complete an inspection when a violation of the State Housing Law or lead paint requirements is alleged and to provide free copies of the inspection report and any citations to the tenant. Includes exceptions when previous unfounded complaints were made. Precludes local agencies from making the inspection or the report subject to any unreasonable conditions (e.g. requirements that the tenant be current on rent, etc). Limits fee recovery from individual property owners for inspections completed pursuant to this bill unless code violations are discovered.

Building Habitability Standards, cont.

AB 362 (Quirk-Silva) Homeless Shelters – Safety Regulations

Requires city or county that receives a complaint alleging that a homeless shelter has substandard housing issues to complete an inspection in a timely manner and to issue a notice to correct any violation within 10 business days of the inspection, or immediately if the violation constitutes an imminent threat to the health and safety. Requires a city or county to provide free copies of any inspection report or citation pursuant to the bill to a complaining occupant or their agent. Requires the owner/operator of a homeless shelter to correct each violation within 30 days of receipt of the citation. Prohibits a city or county from distributing any state homeless shelter funding to the owner or operator of a shelter with outstanding violations and allows State to make owner/operator ineligible for funding. Requires local governments to report annually to HCD on uncorrected violations, emergency orders issues, and owners/operators with 3 or more violations within any 6-month period.



On Demand Webinars



TACKLING CALIFORNIA'S HOUSING CRISIS

A FREE WEBINAR SERIES FOR LOCAL GOV'T STAFF & ELECTED OFFICIALS

ABOUT THE SERIES

California's housing crisis is growing. While local governments do not build housing units, local officials play an integral role in land use and housing decisions that set the stage for housing development.

This new series from ILG will help city and county leaders better navigate complex housing issues. Experts will tackle timely topics like land use and housing, legal regulations and parameters, and community engagement.

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This series is hosted by the Institute for Local Government with funding from the California Department of Housing and Community Development

Topics:

- Effective Leadership in Housing and Development
- Rental and Mortgage Assistance, Tenant Protection and Other Tools to Support Residents During the COVID Pandemic
- Strategies to Engage Your Community on Housing Issues
- Equity in Housing: Meeting and Exceeding California's Fair Housing Requirements
- Climate-Resilient Land Use and Housing Policies
- Housing Strategies to Help Address Homelessness

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Thank You!

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