

2019 California Housing Bill Matrix

Last Updated: June 3, 2019

Topic	Bill	Summary	Napa County Staff Comments
PROTECTION			
Rent Cap	AB 1482 (Chiu)	Caps annual rent increases by an unspecified amount above the percent change in the cost of living. Exempts housing subject to a local ordinance that is more restrictive than the bill. Prohibits termination of tenancy to avoid the bill's provisions.	None. CSAC-Watch RCRC-No Position
Tenant Organizing Rights/ Tenant Rights	AB 1110 (Friedman)	Requires 90 days notice if a landlord of a residential dwelling unit with a month-to-month tenancy increases the rent by more than 10% but no more than 15%. Requires 120 days notice if the increase is more than 15%.	None. CSAC-No Position RCRC-Watch
	AB 1399 (Bloom)	Existing law, commonly known as the Ellis Act, generally prohibits public entities from adopting any statute, ordinance, or regulation, or taking any administrative action, as specified, to compel the owner of residential real property to offer or to continue to offer accommodations, as defined, in the property for rent or lease. Existing law authorizes a public entity acting pursuant to the Ellis Act to require an owner who offers accommodations against for rent or lease within a period not exceeding 10 years from the date on which they were withdrawn, as specified, to first offer the unit to the tenant or lessee displaced from that unit by the withdrawal, subject to certain requirements. If the owner fails to comply with this requirement, the owner is liable to a displaced tenant or lessee for punitive damages not to exceed 6 months' rent. This bill would prohibit a payment of the above-described punitive damages from being construed to extinguish the owner's obligation to offer the accommodations to a prior tenant or lessee, as described above. This bill contains other related provisions and other existing laws.	None. CSAC-No Position RCRC-No Position

Napa County Legislative Subcommittee

Topic	Bill	Summary	Napa County Staff Comments
Rent Assistance & Access to Legal Counsel	SB 18 (Skinner)	AMENDED: This bill deletes the sunset on the requirement of 90 days' written notice to a renter in the case of foreclosure.	None. CSAC-No Position RCRC-Watch
	SB 329 (Mitchell)	Changes definition of "source of income" to mean lawful, verifiable income paid directly to a tenant or paid to the housing owner or landlord on behalf of a tenant, including federal, state, or local public assistance and housing subsidies.	Could allow greater use of Section 8 Vouchers in Community. CSAC-Watch RCRC-No Position
Rent Assistance & Access to Legal Counsel	AB 437 (Wood)	Would establish a Move-In Loan Program for the purpose of providing grants to eligible non-profit organizations to be used to provide no-interest loans to eligible applicants to afford the security deposit and first-month's rent for a dwelling unit for renters making up to median income.	Could provide greater assistance to renters in County. CSAC-Watch RCRC-No Position
	SB 644 (Glazer)	Lowers the amount that a landlord can charge active duty military service members, for a security deposit on residential rental housing.	Could provide greater assistance to renters in County. CSAC-No Position RCRC-No Position
	SB 725 (Rubio)	Requires the Department of Veteran's Affairs to establish a rental housing assistance program to provide financial assistance to veterans seeking rental housing.	None CSAC-Watch RCRC-No Position

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Topic	Bill	Summary	Napa County Staff Comments
Home Ownership	AB 1590 (Rubio, Blanca)	AMENDED: Allows a non-refundable personal income tax credit of up to \$5,000 to a low-or moderate income first-time homebuyers who purchase a principal residence located in a disadvantaged community.	Related to Worker Proximity Down Payment Assistance Program. CSAC-Watch RCRC-No Position
State Organization	AB 1010 (Garcia, Eduardo)	Expands definition of “local agency” and “local public entity” to include a duly constituted governing body of an Indian reservation or Rancheria.	None CSAC-Watch RCRC-Watch

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PRODUCTION & PRESERVATION			
Accessory Dwelling Units (ADUs)	AB 68 (Ting)	Prohibits local ADU standards from including certain requirements related to minimum lot size, floor area ratio or lot coverage, and parking spaces. Requires an ADU (attached or detached) of at least 800 square feet and 16 feet in height to be allowed. Reduces the allowable time to issue a permit from 120 days to 60 days.	Concerns. Most of these ADU/JADU updated fixes existing poor language or doesn't impact Napa County because we have a policy that allows more. There are concerns with the continued degree of removing local control, like reducing/eliminating setback requirements, and expanding zones where ADU is allowed. CSAC-Concerns RCRC-Pending Napa County-Watch
	AB 69 (Ting)	Requires HCD to propose small home building standards to the California Building Standards Commission governing accessory dwelling units and homes smaller than 800 square feet. Authorizes HCD to notify the Attorney General if they find that an ADU ordinance violates state law.	Possible local control issue. CSAC has determined that it is a positive outcome to have defined standards. CSAC-Support RCRC-Pending

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<p>Accessory Dwelling Units (ADUs)</p>	<p>AB 587 (Friedman)</p>	<p>Authorizes an ADU that was ministerially approved to be sold separately from the primary residence to a qualified buyer if the property was built or developed by a qualified nonprofit corporation and a deed restriction exists that ensures the property will be preserved for affordable housing.</p> <p>NOTE: Appears to have been amended to allow only by local ordinance.</p>	<p>Concerns. Allows subdivision of ADU from main dwelling provided the entity that built the unit is a non-profit that received a welfare exemption and home is sold to a low-income family. Appears County is obligated to allow the subdivision where we have allowed ADU's which is highly problematic for agriculturally designated land. Despite a recorded contract, once the subdivision allowed by this regulation occurs, the new parcel created ostensibly exists forever setting up a situation where the qualified non-profit entity and ADU use could be extinguished leaving a new developable lot that would otherwise not be possible under voter mandate (Measures J and P).</p> <p>CSAC-Watch RCRC-Pending Napa County-Watch</p>
	<p>AB 671 (Friedman)</p>	<p>Requires local agencies to include a plan that incentivizes and promotes the creation of ADUs that can be offered for rent for very low-, low- and moderate-income households in their housing elements.</p>	<p>County already has program for JADUs/some ADUs</p> <p>CSAC-Pending RCRC-Pending</p>

Topic	Bill	Summary	Napa County Staff Comments
Accessory Dwelling Units (ADUs)	AB 881 (Bloom)	Eliminates ability of local jurisdiction to mandate that an applicant for an ADU permit be an owner-occupant. Limits criteria for local agencies to determine where ADUs may be permitted due to water and sewer.	Concerns. Local control issue. Limits criteria for local agency to determine where ADUs may be permitted due to water and sewer and the impact on ADUs on traffic and public safety. Requires ministerial approval for ADUs on lots with multi-family residences and within existing garages. CSAC-Pending RCRC-Pending
	SB 13 (Wieckowski)	Maintains local jurisdictions’ ability to define height, setback, lot coverage, parking and size of an ADU related to a specified amount of total floor area. Prohibits local agency from requiring the replacement of parking if a space is demolished to construct an accessory dwelling unit. Allows a local agency to count an ADU for purposes of identifying adequate sites for housing.	Concerns. Local control issue. Bill reduces the ability of “unreasonable” restrictions by local government agencies to limit ADUs. Eliminates developer fees, limits lot size standards and owner occupancy requirements. Concerns about impact on Measure J and P. CSAC-Pending RCRC-Pending

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Zoning/ Housing Approvals	AB 1279 (Bloom)	Would require the Department of Housing and Community Development to designate areas in the state as “high resource areas”-meaning an area of high opportunity and low residential density that is not currently experiencing gentrification and displacement. Creates a “use by right”	Concerns. Bill includes language that would exempt AP/AWOS—Airport Industrial Area a concern. CSAC-Concerns RCRC-Pending Napa County-Watch
	AB 1561 (Garcia, Cristina)	AMENDED: This bill requires cities and counties to evaluate the impact of government action on the cost of housing and associated impacts to minority communities. Specifically, this bill requires a city, county, and city and county, to examine impacts on persons belonging to a protected class when performing an update to the housing element.	CSAC-Pending RCRC-Pending
	SB 330 (Skinner)	Restricts a local jurisdiction or ballot measure from downzoning or imposing building moratoria on land where housing is an allowable use within an affected county or city identified by HCD as having fair market rate percent higher than statewide average fair market rent for the year and a vacancy rate below percent. Prohibits a city or county from conducting more than three de novo hearings on an application for a housing development project. Ten year emergency statute.	Concerns. Local control issues. Prohibits any local action, including voter initiative from rezoning land zoned for housing to lower density or other use. Enacts a housing crisis until January 1, 2030. League of California Cities has opposed. CSAC-Pending RCRC-Pending Napa County-Watch

Topic	Bill	Summary	Napa County Staff Comments
Fees/ Transparency	AB 831 (Grayson)	Requires HCD by June 30, 2019, to complete a study to evaluate the reasonableness of local fees charged to new developments. Requires the study to include findings related and recommendations to amend the Mitigation Fee Act. Requires study to be posted on the internet.	None. CSAC-Pending RCRC-Watch
	AB 1483 (Grayson)	Requires a city or county to compile of zoning and planning standards, fees, special taxes, and assessments in the jurisdiction. Requires each local agency to post the list on its website and provide the list to the HCD and any applicable metropolitan planning organization (MPO). Requires each city and county to annually submit specified information concerning pending housing development projects with completed applications within the city or county to HCD and any applicable MPO.	None. CSAC-Pending RCRC-Pending
	AB 1484 (Grayson)	Prohibits a local agency from imposing a fee on a housing development project unless the type and amount of the exaction is specifically identified on the local agency’s internet website at the time the development project application is submitted. Prohibits a local agency from imposing, increasing, or extending any fee on a housing development project at an amount that is in excess of information made available on its web site. Applicable to all cities statewide, including charter cities.	Concerns. There may be times when a “good faith” estimate has a warranted exception. CSAC consulting with counties. CSAC-Concerns RCRC-Pending
	AB 1485 (Wicks)	For a 15-year period, provides specified financial incentives to a residential development project in the San Francisco Bay Area that dedicates at least 20 percent of housing units to households making no more than 150 percent AMI. Incentives include exemption from CEQA, a cap on fees, a density bonus of 35 percent, parking reductions and a waiver of other local requirements.	Concerns. Local control issue that forces streamlining. County’s ag preserve protection language is included. This bill will likely be amended to be statewide vehicle for streamlining. CSAC-Pending RCRC-Watch Napa County-Watch

Topic	Bill	Summary	Napa County Staff Comments
Public Lands	SB 6 (Beall)	Requires HCD to provide the Department of General Services (DGS) with a list of local lands suitable and available for residential development as identified by a local government as part of the housing element of its general plan. Requires DGS to create a database of that information and information regarding state lands determined or declared excess and to make this database available and searchable by the public by means of a link on its internet website.	Consistent with County Legislative Platform. County has identified State lands that would be ideal for housing. CSAC-Watch RCRC-Watch
	AB 1255 (Rivas)	Requires the housing element to contain an inventory of land owned by the city or county that is in excess of its foreseeable needs and requires the city or county to identify those sites that qualify as infill or high density.	Consistent with County Legislative Platform. CSAC-Pending RCRC-Pending
	AB 1486 (Ting)	Revises the definitions of “local agency” and “surplus land” applicable to the current law requirement that local agencies provide notice that the land is available for housing development. Permits residential uses on all non-exempt surplus land, if 100 percent of the residential units are sold or rented at an affordable housing cost. Requires that HCD create and maintain a downloadable inventory of public lands in the state. The inventory would be developed from information submitted by local agencies. Expands HCD’s enforcement mandate to include the Surplus Lands Act.	Concerns. Places onerous new requirements on public agencies disposing of surplus land. Redefines and broadens definition of “dispose of” and restricts easements and buffer properties. CSAC-Oppose Unless Amended RCRC-Oppose Unless Amended Napa County-Watch
	AB 10 (Chiu)	Expands the state’s Low Income Housing Tax Credit program by \$500 million per year, up from \$94 million, leveraging an estimated \$1 billion in additional federal funds annually.	Increases Low Income Housing Tax Credit program. Many housing developments in Napa County has relied on this funding to develop affordable units. CSAC-Support RCRC-Watch Napa County-Support

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Funding	AB 1487 (Chiu)	Establishes the Housing Alliance for the Bay Area (HABA), a new regional entity serving the nine Bay Area counties to fund affordable housing production, preservation and tenant protection programs. Authorizes HABA to place unspecified revenue measures on the ballot, issue bonds, allocate funds to the various cities, counties, and other public agencies and affordable housing projects within its jurisdiction to finance affordable housing development, preserve and enhance existing affordable housing, and fund tenant protection programs, Provides that HABA will governed by a board composed of an unspecified number of voting members from MTC, ABAG and gubernatorial appointees and be staffed by the Metropolitan Transportation Commission (MTC).	None. CSAC-Watch RCRC-Watch Napa County-Watch
	AB 1783 (Rivas, Robert)	Existing federal law governing immigration authorizes the importation of an alien as a nonimmigrant agricultural worker, known as an H-2A worker, if specified requirements are met, including that the employer furnish housing, as provided. This bill would prohibit the provision of state funding, as defined, for the purposes of planning, developing, or operating any housing used to comply with the federal law requirement to furnish housing to H-2A workers and would require an employer, as defined, or other recipient of state funding who utilizes state funding for these purposes to reimburse the state or state agency that provided the funding in an amount equal to the amount of that state funding expended for those purposes. The bill would exempt from these provisions any contract or other enforceable agreement pursuant to which the state or a state agency provides funding that was entered into prior to January 1, 2020. The bill would also make various conforming changes to other laws.	Seeking industry/advocate comments. CSAC-Pending RCRC-No Position

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	SB 5 (Beall)	Authorizes local agencies to apply to the state to reinvest their share of ERAF (Educational Revenue Augmentation Fund) funds in affordable housing or other community improvement purposes. Sets an initial limit of \$200 million per year for the first five years, growing to \$250 million in 2029. Establishes the Local-State Sustainable Investment Incentive Program which would be administered by a new Sustainable Investment Incentive Committee comprised of state agency representatives and legislative and gubernatorial appointees. Requires at least 50 percent of funds to be allocated for affordable housing and workforce housing and for 50 percent of the units to be affordable.	Concerns with “waterfall” of ERAF funding. County Legislative Subcommittee has placed on “Watch” list. CSAC-Watch RCRC-Pending Napa County-Watch
	ACA 1 (Aguiar-Curry)	<ul style="list-style-type: none"> Reduces vote threshold for local bonds or special taxes for affordable housing production, preservation or public infrastructure. 	Napa County has supported. CSAC-Support RCRC-Pending
	SB 9 (Beall)	Existing law establishes a low-income housing tax credit program pursuant to which the California Tax Credit Allocation Committee (CTCAC) provides procedures and requirements for the allocation, in modified conformity with federal law, of state insurance, personal income, and corporation tax credit amounts to qualified low-income housing projects that have been allocated, or qualify for, a federal low-income housing tax credit, and farmworker housing projects. This bill would delete the January 1, 2020, date with respect to both of these provisions, thereby requiring the allocation of credits among partners in accordance with the partnership agreement and authorizing the sale of a credit, as described above, indefinitely.	Affordable Housing projects in Napa have relied on tax credit allocations to fund construction. CSAC-Support RCRC-Pending Napa County-Support
	SB 128 (Beall)	Eliminates the voter approval requirement for Enhanced Infrastructure Financing Districts (EIFDs), which can be used to finance affordable housing production and preservation, among other purposes.	Would remove local voter requirement for Enhanced Infrastructure Financing Districts and makes them easier to use. CSAC-Support RCRC-Watch

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	AB 168 (Aguiar-Curry)	Until January 1, 2026, authorizes a development proponent to submit an application for multi-family housing that is subject to streamlined, ministerial approval process, if the development meets certain standards. Coastal, wetland, farmland, high-severity fire zones and habitat protected land excluded.	Bill has not been scheduled for hearing. CSAC-Watch RCRC-No Position
	SB 235 (Dodd)	Allows the City and the County of Napa to reach an agreement under which the county would be allowed to count certain housing units built within the city toward the county’s regional housing needs assessment (RHNA) requirement.	Napa County Sponsored Bill CSAC-No Position RCRC-Support Napa County-Support
	SB 744 (Caballero)	Requires a lead agency to prepare the record of proceeding for a No Place Like Home project with the environmental review of the project if it is not eligible for approval as a use by right.	Creates quicker mechanism to create supportive housing. CSAC-Watch RCRC-Support
Planning	SB 695 (Portantino)	AMENDED: Allows a city to meet 5% of its regional housing needs allocation requirement through home sharing programs for elderly or disabled individuals.	Napa City and County operate a home sharing program that assists with placement of low income renters in existing homes. Program might be eligible for RHNA credit under this bill. CSAC-Watch RCRC-Pending

Napa County Legislative Subcommittee

Key:

RCRC- Rural County Representatives of California CSAC-California State Association of Counties

Yellow Highlights- May impact Napa County Green Highlights- Napa County Leg Subcommittee has reviewed and provided direction