



City Council
Legislative Subcommittee Agenda
70 N. First Street, Campbell CA
Wednesday, August 20, 2021, 4:00 pm
VIA Telecommunication

NOTE: To protect our constituents, City officials, and City staff, the City requests all members of the public follow the guidance of the California Department of Health Services, and the County of Santa Clara Health Officer Order, to help control the spread of COVID-19. Additional information regarding COVID-19 is available on the City's website at www.campbellca.gov.

This Legislative Subcommittee Meeting will be conducted via telecommunication and is compliant with provisions of the Brown Act and Executive Order N-29-20 issued by the Governor.

The following Subcommittee members are listed to permit them to appear electronically or telephonically at the Legislative Subcommittee meeting on Friday, August 20, 2021: Mayor Elizabeth "Liz" Gibbons and Councilmember Sergio Lopez.

Members of the public will not be able to attend meetings at the Campbell City Council Chamber physically. The Legislative Subcommittee Meeting will be live streamed on YouTube (<https://www.youtube.com/user/cityofcampbell>)

Public comment for the City Council meeting will be accepted via email at clerksoffice@campbellca.gov prior to the meeting. Please indicate in the subject line "FOR PUBLIC COMMENT." Comments will be read during the Oral Requests comment period. Written comments received by 3:00 p.m. on Friday, August 20, 2021 will be posted on the website and distributed to the subcommittee before the meeting.

Special Meeting of the Legislative Subcommittee

CALL TO ORDER

PUBLIC COMMENT

NEW BUSINESS

1. **2021 State Legislation** - Follow-up on Active Legislative Bills the Subcommittee has not taken action on:

a. **[SB 10 \(Wiener\) Planning and zoning: housing development: density](#)**

Hearing Status: 8/19/21 Assembly Third Reading File Senate Bills

Would, notwithstanding any local restrictions on adopting zoning ordinances, authorize a local government to adopt an ordinance to zone any parcel for up to 10 units of residential density per parcel, at a height specified in the ordinance, if the parcel is located in a transit-rich area or an urban infill site, as those terms are defined. The bill would prohibit a local government from adopting an ordinance pursuant to these provisions on or after January 1, 2029. The bill would specify that an ordinance adopted under these provisions, and any resolution to amend the jurisdiction's General Plan, ordinance, or other local regulation adopted to be consistent with that ordinance, is not a

project for purposes of the California Environmental Quality Act. The bill would prohibit an ordinance adopted under these provisions from superseding a local restriction enacted or approved by a local initiative that designates publicly owned land as open-space land or for park or recreational purposes.

b. **AB 897 (Mullin) Office of Planning and Research: regional climate networks: regional climate adaptation and resilience action plans.**

Hearing Status: Referred to suspense file.

Staff provided Fact Sheet and CalCities Support Letter on 8/12/21

c. **AB 602 (Grayson) Development fees: impact fee nexus study**

Hearing Status: Referred to suspense file.

Staff provided Fact Sheet and CalCities Oppose Letter on 8/12/21

2. Updates to Legislative Bills the City has taken action on:

a. **SB 9 Housing Development: Approvals**

Amended on 8/16 to include an owner occupancy requirement (amended bill attached)

Hearing Status: 8/19/21 Assembly Appropriations

City Position: Watch; Mayoral Oppose Letter Filed on 7/9/21

b. **Legislation Advancing to Appropriations** (last day to advance is 8/27/21; Floor Session 8/30-9/10)

i. SB 8 (Skinner) Density Bonus - Watch

ii. SB 478 (Wiener) Planning and Zoning Law: Housing Development Projects – Oppose Unless Amended

iii. AB 215 (Chiu) Housing Element – Oppose

iv. SB 556 (Dodd) Streetlight poles, traffic signals: small wireless facilities attachments- Oppose

v. SB 555 (McGuire) TOT taxes: Online Short-Term Rental Facilitator Collection – Support

vi. SB 619 (Laird) Organic Waste Reduction Regulations – No position

c. **Legislation Placed in Reading File**

i. AB 43 (Friedman) Traffic Safety - Support

ii. AB 773 Street Closures and Designations – Support

iii. AB 339 (Lee) State and Local Government: Open Meetings – No position

d. **Legislation Placed in Suspense File**

i. AB 1401 (Friedman) Residential and Commercial Development: Parking Requirements – Oppose

ii. AB 14 (Aguiar-Curry) Communications: Broadband Services: CA Advanced Services Fund – No Position

iii. SB 278 (Leyva) PERS: disallowed compensation: benefit adjustments

ADJOURN

ATTACHMENTS

SB 9 – August 16 Amended Bill
2021 State Legislation Bills Matrix

AMENDED IN ASSEMBLY AUGUST 16, 2021

AMENDED IN SENATE APRIL 27, 2021

AMENDED IN SENATE APRIL 5, 2021

SENATE BILL

No. 9

Introduced by Senators Atkins, Caballero, Rubio, and Wiener
(Coauthors: Senators Cortese, Gonzalez, and McGuire)
(Coauthors: Assembly Members Robert Rivas and Wicks)

December 7, 2020

An act to amend Section 66452.6 of, and to add Sections 65852.21 and 66411.7 to, the Government Code, relating to land use.

LEGISLATIVE COUNSEL'S DIGEST

SB 9, as amended, Atkins. Housing development: approvals.

The Planning and Zoning Law provides for the creation of accessory dwelling units by local ordinance, or, if a local agency has not adopted an ordinance, by ministerial approval, in accordance with specified standards and conditions.

This bill, among other things, would require a proposed housing development containing no more than 2 residential units within a single-family residential zone to be considered ministerially, without discretionary review or hearing, if the proposed housing development meets certain requirements, including, but not limited to, that the proposed housing development would not require demolition or alteration of housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income, that the proposed housing development does not allow for the demolition of more than 25% of the existing exterior structural walls, except as provided, and that the

development is not located within a historic district, is not included on the State Historic Resources Inventory, or is not within a site that is legally designated or listed as a city or county landmark or historic property or district.

The bill would set forth what a local agency can and cannot require in approving the construction of 2 residential units, including, but not limited to, authorizing a local agency to impose objective zoning standards, objective subdivision standards, and objective design standards, as defined, unless those standards would have the effect of physically precluding the construction of up to 2 units or physically precluding either of the 2 units from being at least 800 square feet in floor area, prohibiting the imposition of setback requirements under certain circumstances, and setting maximum setback requirements under all other circumstances.

The Subdivision Map Act vests the authority to regulate and control the design and improvement of subdivisions in the legislative body of a local agency and sets forth procedures governing the local agency's processing, approval, conditional approval or disapproval, and filing of tentative, final, and parcel maps, and the modification of those maps. Under the Subdivision Map Act, an approved or conditionally approved tentative map expires 24 months after its approval or conditional approval or after any additional period of time as prescribed by local ordinance, not to exceed an additional 12 months, except as provided.

This bill, among other things, would require a local agency to ministerially approve a parcel map for an urban lot split that meets certain requirements, including, but not limited to, that the urban lot split would not require the demolition or alteration of housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income, that the parcel is located within a single-family residential zone, and that the parcel is not located within a historic district, is not included on the State Historic Resources Inventory, or is not within a site that is legally designated or listed as a city or county landmark or historic property or district.

The bill would set forth what a local agency can and cannot require in approving an urban lot split, including, but not limited to, authorizing a local agency to impose objective zoning standards, objective subdivision standards, and objective design standards, as defined, unless those standards would have the effect of physically precluding the construction of 2 units, as defined, on either of the resulting parcels or

physically precluding either of the 2 units from being at least 800 square feet in floor area, prohibiting the imposition of setback requirements under certain circumstances, and setting maximum setback requirements under all other circumstances. The bill, until January 1, 2027, bill would require an applicant to sign an affidavit stating that they intend to occupy one of the housing units as their principal residence for a minimum of 3 years from the date of the approval of the urban lot split, unless the applicant is a community land trust or a qualified nonprofit corporation, as specified. The bill would prohibit a local agency from imposing an any additional owner occupancy requirement on applicants unless specified conditions are met. standards on applicants. By requiring applicants to sign affidavits, thereby expanding the crime of perjury, the bill would impose a state-mandated local program.

The bill would also extend the limit on the additional period that may be provided by ordinance, as described above, from 12 months to 24 months and would make other conforming or nonsubstantive changes.

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. CEQA does not apply to the approval of ministerial projects.

This bill, by establishing the ministerial review processes described above, would thereby exempt the approval of projects subject to those processes from CEQA.

The California Coastal Act of 1976 provides for the planning and regulation of development, under a coastal development permit process, within the coastal zone, as defined, that shall be based on various coastal resources planning and management policies set forth in the act.

This bill would exempt a local agency from being required to hold public hearings for coastal development permit applications for housing developments and urban lot splits pursuant to the above provisions.

By increasing the duties of local agencies with respect to land use regulations, the bill would impose a state-mandated local program.

The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

~~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.~~

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 specified reasons.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 65852.21 is added to the Government
2 Code, to read:

3 65852.21. (a) A proposed housing development containing
4 no more than two residential units within a single-family residential
5 zone shall be considered ministerially, without discretionary review
6 or a hearing, if the proposed housing development meets all of the
7 following requirements:

8 (1) The parcel subject to the proposed housing development is
9 located within a city, the boundaries of which include some portion
10 of either an urbanized area or urban cluster, as designated by the
11 United States Census Bureau, or, for unincorporated areas, a legal
12 parcel wholly within the boundaries of an urbanized area or urban
13 cluster, as designated by the United States Census Bureau.

14 (2) The parcel satisfies the requirements specified in
15 subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision
16 (a) of Section 65913.4.

17 (3) Notwithstanding any provision of this section or any local
18 law, the proposed housing development would not require
19 demolition or alteration of any of the following types of housing:

20 (A) Housing that is subject to a recorded covenant, ordinance,
21 or law that restricts rents to levels affordable to persons and
22 families of moderate, low, or very low income.

23 (B) Housing that is subject to any form of rent or price control
24 through a public entity’s valid exercise of its police power.

25 (C) Housing that has been occupied by a tenant in the last three
26 years.

1 (4) The parcel subject to the proposed housing development is
2 not a parcel on which an owner of residential real property has
3 exercised the owner’s rights under Chapter 12.75 (commencing
4 with Section 7060) of Division 7 of Title 1 to withdraw
5 accommodations from rent or lease within 15 years before the date
6 that the development proponent submits an application.

7 (5) The proposed housing development does not allow the
8 demolition of more than 25 percent of the existing exterior
9 structural walls, unless the housing development meets at least
10 one of the following conditions:

11 (A) If a local ordinance so allows.

12 (B) The site has not been occupied by a tenant in the last three
13 years.

14 (6) The development is not located within a historic district or
15 property included on the State Historic Resources Inventory, as
16 defined in Section 5020.1 of the Public Resources Code, or within
17 a site that is designated or listed as a city or county landmark or
18 historic property or district pursuant to a city or county ordinance.

19 (b) (1) Notwithstanding any local law and except as provided
20 in paragraph (2), a local agency may impose objective zoning
21 standards, objective subdivision standards, and objective design
22 review standards that do not conflict with this section.

23 (2) (A) The local agency shall not impose objective zoning
24 standards, objective subdivision standards, and objective design
25 standards that would have the effect of physically precluding the
26 construction of up to two units or that would physically preclude
27 either of the two units from being at least 800 square feet in floor
28 area.

29 (B) (i) Notwithstanding subparagraph (A), no setback shall be
30 required for an existing structure or a structure constructed in the
31 same location and to the same dimensions as an existing structure.

32 (ii) Notwithstanding subparagraph (A), in all other circumstances
33 not described in clause (i), a local agency may require a setback
34 of up to four feet from the side and rear lot lines.

35 (c) In addition to any conditions established in accordance with
36 subdivision (b), a local agency may require any of the following
37 conditions when considering an application for two residential
38 units as provided for in this section:

1 (1) Off-street parking of up to one space per unit, except that a
2 local agency shall not impose parking requirements in either of
3 the following instances:

4 (A) The parcel is located within one-half mile walking distance
5 of either a high-quality transit corridor, as defined in subdivision
6 (b) of Section 21155 of the Public Resources Code, or a major
7 transit stop, as defined in Section 21064.3 of the Public Resources
8 Code.

9 (B) There is a car share vehicle located within one block of the
10 parcel.

11 (2) For residential units connected to an onsite wastewater
12 treatment system, a percolation test completed within the last 5
13 years, or, if the percolation test has been recertified, within the last
14 10 years.

15 *(d) Notwithstanding subdivision (a), a local agency may deny*
16 *a proposed housing development project if the building official*
17 *makes a written finding, based upon a preponderance of the*
18 *evidence, that the proposed housing development project would*
19 *have a specific, adverse impact, as defined and determined in*
20 *paragraph (2) of subdivision (d) of Section 65589.5, upon public*
21 *health and safety or the physical environment and for which there*
22 *is no feasible method to satisfactorily mitigate or avoid the specific,*
23 *adverse impact.*

24 ~~(e)~~

25 (e) A local agency shall require that a rental of any unit created
26 pursuant to this section be for a term longer than 30 days.

27 ~~(e)~~

28 (f) Notwithstanding Section 65852.2 or 65852.22, a local agency
29 shall not be required to permit an accessory dwelling unit or a
30 junior accessory dwelling unit on parcels that use both the authority
31 contained within this section and the authority contained in Section
32 66411.7.

33 ~~(f)~~

34 (g) Notwithstanding subparagraph (B) of paragraph (2) of
35 subdivision (b), an application shall not be rejected solely because
36 it proposes adjacent or connected structures provided that the
37 structures meet building code safety standards and are sufficient
38 to allow separate conveyance.

39 ~~(g)~~

1 (h) Local agencies shall include units constructed pursuant to
2 this section in the annual housing element report as required by
3 subparagraph (I) of paragraph (2) of subdivision (a) of Section
4 65400.

5 ~~(h)~~

6 (i) For purposes of this section, all of the following apply:

7 (1) A housing development contains two residential units if the
8 development proposes no more than two new units or if it proposes
9 to add one new unit to one existing unit.

10 (2) The terms “objective zoning standards,” “objective
11 subdivision standards,” and “objective design review standards”
12 mean standards that involve no personal or subjective judgment
13 by a public official and are uniformly verifiable by reference to
14 an external and uniform benchmark or criterion available and
15 knowable by both the development applicant or proponent and the
16 public official prior to submittal. These standards may be embodied
17 in alternative objective land use specifications adopted by a local
18 agency, and may include, but are not limited to, housing overlay
19 zones, specific plans, inclusionary zoning ordinances, and density
20 bonus ordinances.

21 (3) “Local agency” means a city, county, or city and county,
22 whether general law or chartered.

23 ~~(i)~~

24 (j) A local agency may adopt an ordinance to implement the
25 provisions of this section. An ordinance adopted to implement this
26 section shall not be considered a project under Division 13
27 (commencing with Section 21000) of the Public Resources Code.

28 ~~(j)~~

29 (k) Nothing in this section shall be construed to supersede or in
30 any way alter or lessen the effect or application of the California
31 Coastal Act of 1976 (Division 20 (commencing with Section
32 30000) of the Public Resources Code), except that the local agency
33 shall not be required to hold public hearings for coastal
34 development permit applications for a housing development
35 pursuant to this section.

36 SEC. 2. Section 66411.7 is added to the Government Code, to
37 read:

38 66411.7. (a) Notwithstanding any other provision of this
39 division and any local law, a local agency shall ministerially
40 approve, as set forth in this section, a parcel map for an urban lot

1 split only if the local agency determines that the parcel map for
2 the urban lot split meets all the following requirements:

3 (1) The parcel map subdivides an existing parcel to create no
4 more than two new parcels of approximately equal lot area
5 provided that one parcel shall not be smaller than 40 percent of
6 the lot area of the original parcel proposed for subdivision.

7 (2) (A) Except as provided in subparagraph (B), both newly
8 created parcels are no smaller than 1,200 square feet.

9 (B) A local agency may by ordinance adopt a smaller minimum
10 lot size subject to ministerial approval under this subdivision.

11 (3) The parcel being subdivided meets all the following
12 requirements:

13 (A) The parcel is located within a single-family residential zone.

14 (B) The parcel subject to the proposed urban lot split is located
15 within a city, the boundaries of which include some portion of
16 either an urbanized area or urban cluster, as designated by the
17 United States Census Bureau, or, for unincorporated areas, a legal
18 parcel wholly within the boundaries of an urbanized area or urban
19 cluster, as designated by the United States Census Bureau.

20 (C) The parcel satisfies the requirements specified in
21 subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision
22 (a) of Section 65913.4.

23 (D) The proposed urban lot split would not require demolition
24 or alteration of any of the following types of housing:

25 (i) Housing that is subject to a recorded covenant, ordinance,
26 or law that restricts rents to levels affordable to persons and
27 families of moderate, low, or very low income.

28 (ii) Housing that is subject to any form of rent or price control
29 through a public entity's valid exercise of its police power.

30 (iii) A parcel or parcels on which an owner of residential real
31 property has exercised the owner's rights under Chapter 12.75
32 (commencing with Section 7060) of Division 7 of Title 1 to
33 withdraw accommodations from rent or lease within 15 years
34 before the date that the development proponent submits an
35 application.

36 (iv) Housing that has been occupied by a tenant in the last three
37 years.

38 (E) The parcel is not located within a historic district or property
39 included on the State Historic Resources Inventory, as defined in
40 Section 5020.1 of the Public Resources Code, or within a site that

1 is designated or listed as a city or county landmark or historic
2 property or district pursuant to a city or county ordinance.

3 (F) The parcel has not been established through prior exercise
4 of an urban lot split as provided for in this section.

5 (G) Neither the owner of the parcel being subdivided nor any
6 person acting in concert with the owner has previously subdivided
7 an adjacent parcel using an urban lot split as provided for in this
8 section.

9 (b) An application for a parcel map for an urban lot split shall
10 be approved in accordance with the following requirements:

11 (1) A local agency shall approve or deny an application for a
12 parcel map for an urban lot split ministerially without discretionary
13 review.

14 (2) A local agency shall approve an urban lot split only if it
15 conforms to all applicable objective requirements of the
16 Subdivision Map Act (Division 2 (commencing with Section
17 66410)), except as otherwise expressly provided in this section.

18 (3) Notwithstanding Section 66411.1, a local agency shall not
19 impose regulations that require dedications of rights-of-way or the
20 construction of offsite improvements for the parcels being created
21 as a condition of issuing a parcel map for an urban lot split pursuant
22 to this section.

23 (c) (1) Except as provided in paragraph (2), notwithstanding
24 any local law, a local agency may impose objective zoning
25 standards, objective subdivision standards, and objective design
26 review standards applicable to a parcel created by an urban lot
27 split that do not conflict with this section.

28 (2) A local agency shall not impose objective zoning standards,
29 objective subdivision standards, and objective design review
30 standards that would have the effect of physically precluding the
31 construction of two units on either of the resulting parcels or that
32 would result in a unit size of less than 800 square feet.

33 (3) (A) Notwithstanding paragraph (2), no setback shall be
34 required for an existing structure or a structure constructed in the
35 same location and to the same dimensions as an existing structure.

36 (B) Notwithstanding paragraph (2), in all other circumstances
37 not described in subparagraph (A), a local agency may require a
38 setback of up to four feet from the side and rear lot lines.

39 (d) *Notwithstanding subdivision (a), a local agency may deny*
40 *an urban lot split if the building official makes a written finding,*

1 based upon a preponderance of the evidence, that the proposed
2 housing development project would have a specific, adverse impact,
3 as defined and determined in paragraph (2) of subdivision (d) of
4 Section 65589.5, upon public health and safety or the physical
5 environment and for which there is no feasible method to
6 satisfactorily mitigate or avoid the specific, adverse impact.

7 (d)

8 (e) In addition to any conditions established in accordance with
9 this section, a local agency may require any of the following
10 conditions when considering an application for a parcel map for
11 an urban lot split:

12 (1) Easements required for the provision of public services and
13 facilities.

14 (2) A requirement that the parcels have access to, provide access
15 to, or adjoin the public right-of-way.

16 (3) Off-street parking of up to one space per unit, except that a
17 local agency shall not impose parking requirements in either of
18 the following instances:

19 (A) The parcel is located within one-half mile walking distance
20 of either a high-quality transit corridor as defined in subdivision
21 (b) of Section 21155 of the Public Resources Code, or a major
22 transit stop as defined in Section 21064.3 of the Public Resources
23 Code.

24 (B) There is a car share vehicle located within one block of the
25 parcel.

26 (e)

27 (f) A local agency shall require that the uses allowed on a lot
28 created by this section be limited to residential uses.

29 (f)

30 (g) (1) A local agency ~~may impose an owner occupancy~~
31 ~~requirement on~~ shall require an applicant for an urban lot split that
32 ~~meets one of the following conditions:~~

33 (A) The applicant intends to sign an affidavit stating that the
34 applicant intends to occupy one of the housing units as their
35 principal residence for a minimum of ~~one year~~ three years from
36 the date of the approval of the urban lot split.

37 (B) The applicant is a ~~“qualified nonprofit corporation.”~~ A
38 ~~“qualified nonprofit corporation”~~ means a nonprofit corporation
39 organized pursuant to Section 501(c)(3) of the Internal Revenue

1 Code that has received a welfare exemption under either of the
2 following:

3 (i) Section 214.15 of the Revenue and Taxation Code for
4 properties intended to be sold to low-income families who
5 participate in a special no-interest loan program.

6 (ii) Section 214.18 of the Revenue and Taxation Code for
7 properties owned by a community land trust.

8 (2) This subdivision shall not apply to an applicant that is a
9 “community land trust,” as defined in clause (ii) of subparagraph
10 (C) of paragraph (11) of subdivision (a) of Section 402.1 of the
11 Revenue and Taxation Code, or is a “qualified nonprofit
12 corporation” as described in Section 214.15 of the Revenue and
13 Taxation Code.

14 (2)

15 (3) A local agency shall not impose additional owner occupancy
16 standards, other than provided for in this subdivision, on an urban
17 lot split pursuant to this section.

18 (3) This subdivision shall become inoperative on January 1,
19 2027.

20 (g)

21 (h) A local agency shall require that a rental of any unit created
22 pursuant to this section be for a term longer than 30 days.

23 (h)

24 (i) A local agency shall not require, as a condition for ministerial
25 approval of a parcel map application for the creation of an urban
26 lot split, the correction of nonconforming zoning conditions.

27 (i)

28 (j) (1) Notwithstanding any provision of Section 65852.2,
29 Section 65852.21, Section 65852.22, Section 65915, or this section,
30 a local agency shall not be required to permit more than two units
31 on a parcel created through the exercise of the authority contained
32 within this section.

33 (2) For the purposes of this section, “unit” means any dwelling
34 unit, including, but not limited to, a unit or units created pursuant
35 to Section 65852.21, a primary dwelling, an accessory dwelling
36 unit as defined in Section 65852.2, or a junior accessory dwelling
37 unit as defined in Section 65852.22.

38 (j)

39 (k) Notwithstanding paragraph (3) of subdivision (c), an
40 application shall not be rejected solely because it proposes adjacent

1 or connected structures provided that the structures meet building
2 code safety standards and are sufficient to allow separate
3 conveyance.

4 ~~(k)~~

5 (l) Local agencies shall include the number of applications for
6 parcel maps for urban lot splits pursuant to this section in the
7 annual housing element report as required by subparagraph (I) of
8 paragraph (2) of subdivision (a) of Section 65400.

9 ~~(t)~~

10 (m) For purposes of this section, both of the following shall
11 apply:

12 (1) “Objective zoning standards,” “objective subdivision
13 standards,” and “objective design review standards” mean standards
14 that involve no personal or subjective judgment by a public official
15 and are uniformly verifiable by reference to an external and
16 uniform benchmark or criterion available and knowable by both
17 the development applicant or proponent and the public official
18 prior to submittal. These standards may be embodied in alternative
19 objective land use specifications adopted by a local agency, and
20 may include, but are not limited to, housing overlay zones, specific
21 plans, inclusionary zoning ordinances, and density bonus
22 ordinances.

23 (2) “Local agency” means a city, county, or city and county,
24 whether general law or chartered.

25 ~~(m)~~

26 (n) A local agency may adopt an ordinance to implement the
27 provisions of this section. An ordinance adopted to implement this
28 section shall not be considered a project under Division 13
29 (commencing with Section 21000) of the Public Resources Code.

30 ~~(n)~~

31 (o) Nothing in this section shall be construed to supersede or in
32 any way alter or lessen the effect or application of the California
33 Coastal Act of 1976 (Division 20 (commencing with Section
34 30000) of the Public Resources Code), except that the local agency
35 shall not be required to hold public hearings for coastal
36 development permit applications for urban lot splits pursuant to
37 this section.

38 SEC. 3. Section 66452.6 of the Government Code is amended
39 to read:

1 66452.6. (a) (1) An approved or conditionally approved
2 tentative map shall expire 24 months after its approval or
3 conditional approval, or after any additional period of time as may
4 be prescribed by local ordinance, not to exceed an additional 24
5 months. However, if the subdivider is required to expend two
6 hundred thirty-six thousand seven hundred ninety dollars
7 (\$236,790) or more to construct, improve, or finance the
8 construction or improvement of public improvements outside the
9 property boundaries of the tentative map, excluding improvements
10 of public rights-of-way that abut the boundary of the property to
11 be subdivided and that are reasonably related to the development
12 of that property, each filing of a final map authorized by Section
13 66456.1 shall extend the expiration of the approved or conditionally
14 approved tentative map by 48 months from the date of its
15 expiration, as provided in this section, or the date of the previously
16 filed final map, whichever is later. The extensions shall not extend
17 the tentative map more than 10 years from its approval or
18 conditional approval. However, a tentative map on property subject
19 to a development agreement authorized by Article 2.5
20 (commencing with Section 65864) of Chapter 4 of Division 1 may
21 be extended for the period of time provided for in the agreement,
22 but not beyond the duration of the agreement. The number of
23 phased final maps that may be filed shall be determined by the
24 advisory agency at the time of the approval or conditional approval
25 of the tentative map.

26 (2) Commencing January 1, 2012, and each calendar year
27 thereafter, the amount of two hundred thirty-six thousand seven
28 hundred ninety dollars (\$236,790) shall be annually increased by
29 operation of law according to the adjustment for inflation set forth
30 in the statewide cost index for class B construction, as determined
31 by the State Allocation Board at its January meeting. The effective
32 date of each annual adjustment shall be March 1. The adjusted
33 amount shall apply to tentative and vesting tentative maps whose
34 applications were received after the effective date of the
35 adjustment.

36 (3) “Public improvements,” as used in this subdivision, include
37 traffic controls, streets, roads, highways, freeways, bridges,
38 overcrossings, street interchanges, flood control or storm drain
39 facilities, sewer facilities, water facilities, and lighting facilities.

1 (b) (1) The period of time specified in subdivision (a), including
2 any extension thereof granted pursuant to subdivision (e), shall
3 not include any period of time during which a development
4 moratorium, imposed after approval of the tentative map, is in
5 existence. However, the length of the moratorium shall not exceed
6 five years.

7 (2) The length of time specified in paragraph (1) shall be
8 extended for up to three years, but in no event beyond January 1,
9 1992, during the pendency of any lawsuit in which the subdivider
10 asserts, and the local agency that approved or conditionally
11 approved the tentative map denies, the existence or application of
12 a development moratorium to the tentative map.

13 (3) Once a development moratorium is terminated, the map
14 shall be valid for the same period of time as was left to run on the
15 map at the time that the moratorium was imposed. However, if the
16 remaining time is less than 120 days, the map shall be valid for
17 120 days following the termination of the moratorium.

18 (c) The period of time specified in subdivision (a), including
19 any extension thereof granted pursuant to subdivision (e), shall
20 not include the period of time during which a lawsuit involving
21 the approval or conditional approval of the tentative map is or was
22 pending in a court of competent jurisdiction, if the stay of the time
23 period is approved by the local agency pursuant to this section.
24 After service of the initial petition or complaint in the lawsuit upon
25 the local agency, the subdivider may apply to the local agency for
26 a stay pursuant to the local agency's adopted procedures. Within
27 40 days after receiving the application, the local agency shall either
28 stay the time period for up to five years or deny the requested stay.
29 The local agency may, by ordinance, establish procedures for
30 reviewing the requests, including, but not limited to, notice and
31 hearing requirements, appeal procedures, and other administrative
32 requirements.

33 (d) The expiration of the approved or conditionally approved
34 tentative map shall terminate all proceedings and no final map or
35 parcel map of all or any portion of the real property included within
36 the tentative map shall be filed with the legislative body without
37 first processing a new tentative map. Once a timely filing is made,
38 subsequent actions of the local agency, including, but not limited
39 to, processing, approving, and recording, may lawfully occur after
40 the date of expiration of the tentative map. Delivery to the county

1 surveyor or city engineer shall be deemed a timely filing for
2 purposes of this section.

3 (e) Upon application of the subdivider filed before the expiration
4 of the approved or conditionally approved tentative map, the time
5 at which the map expires pursuant to subdivision (a) may be
6 extended by the legislative body or by an advisory agency
7 authorized to approve or conditionally approve tentative maps for
8 a period or periods not exceeding a total of six years. The period
9 of extension specified in this subdivision shall be in addition to
10 the period of time provided by subdivision (a). Before the
11 expiration of an approved or conditionally approved tentative map,
12 upon an application by the subdivider to extend that map, the map
13 shall automatically be extended for 60 days or until the application
14 for the extension is approved, conditionally approved, or denied,
15 whichever occurs first. If the advisory agency denies a subdivider's
16 application for an extension, the subdivider may appeal to the
17 legislative body within 15 days after the advisory agency has
18 denied the extension.

19 (f) For purposes of this section, a development moratorium
20 includes a water or sewer moratorium, or a water and sewer
21 moratorium, as well as other actions of public agencies that regulate
22 land use, development, or the provision of services to the land,
23 including the public agency with the authority to approve or
24 conditionally approve the tentative map, which thereafter prevents,
25 prohibits, or delays the approval of a final or parcel map. A
26 development moratorium shall also be deemed to exist for purposes
27 of this section for any period of time during which a condition
28 imposed by the city or county could not be satisfied because of
29 either of the following:

30 (1) The condition was one that, by its nature, necessitated action
31 by the city or county, and the city or county either did not take the
32 necessary action or by its own action or inaction was prevented or
33 delayed in taking the necessary action before expiration of the
34 tentative map.

35 (2) The condition necessitates acquisition of real property or
36 any interest in real property from a public agency, other than the
37 city or county that approved or conditionally approved the tentative
38 map, and that other public agency fails or refuses to convey the
39 property interest necessary to satisfy the condition. However,
40 nothing in this subdivision shall be construed to require any public

1 agency to convey any interest in real property owned by it. A
2 development moratorium specified in this paragraph shall be
3 deemed to have been imposed either on the date of approval or
4 conditional approval of the tentative map, if evidence was included
5 in the public record that the public agency that owns or controls
6 the real property or any interest therein may refuse to convey that
7 property or interest, or on the date that the public agency that owns
8 or controls the real property or any interest therein receives an
9 offer by the subdivider to purchase that property or interest for fair
10 market value, whichever is later. A development moratorium
11 specified in this paragraph shall extend the tentative map up to the
12 maximum period as set forth in subdivision (b), but not later than
13 January 1, 1992, so long as the public agency that owns or controls
14 the real property or any interest therein fails or refuses to convey
15 the necessary property interest, regardless of the reason for the
16 failure or refusal, except that the development moratorium shall
17 be deemed to terminate 60 days after the public agency has
18 officially made, and communicated to the subdivider, a written
19 offer or commitment binding on the agency to convey the necessary
20 property interest for a fair market value, paid in a reasonable time
21 and manner.

22 SEC. 4. The Legislature finds and declares that ensuring access
23 to affordable housing is a matter of statewide concern and not a
24 municipal affair as that term is used in Section 5 of Article XI of
25 the California Constitution. Therefore, Sections 1 and 2 of this act
26 adding Sections 65852.21 and 66411.7 to the Government Code
27 and Section 3 of this act amending Section 66452.6 of the
28 Government Code apply to all cities, including charter cities.

29 ~~SEC. 5. No reimbursement is required by this act pursuant to~~
30 ~~Section 6 of Article XIII B of the California Constitution because~~
31 ~~a local agency or school district has the authority to levy service~~
32 ~~charges, fees, or assessments sufficient to pay for the program or~~
33 ~~level of service mandated by this act, within the meaning of Section~~
34 ~~17556 of the Government Code.~~

35 *SEC. 5. No reimbursement is required by this act pursuant to*
36 *Section 6 of Article XIII B of the California Constitution because*
37 *a local agency or school district has the authority to levy service*
38 *charges, fees, or assessments sufficient to pay for the program or*
39 *level of service mandated by this act or because costs that may be*
40 *incurred by a local agency or school district will be incurred*

1 *because this act creates a new crime or infraction, eliminates a*
2 *crime or infraction, or changes the penalty for a crime or*
3 *infraction, within the meaning of Section 17556 of the Government*
4 *Code, or changes the definition of a crime within the meaning of*
5 *Section 6 of Article XIII B of the California Constitution.*

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2021 Legislation - Bills to Watch

Bill	Sponsor(s)	Summary	Position	Status
HOUSING				
<u>SB 8 Density Bonus</u>	Skinner	<p>Extends the existing Housing Crisis Act, which aims to address the housing crisis by requiring the timely processing of permits and includes anti-displacement measures to help keep tenants and low-income families in their homes, by five years to 2030 and makes clarifying changes.</p> <ul style="list-style-type: none"> Reduces the incentive criteria for LI: 17 percent for two incentives and 24 percent for three incentives (down from 20 percent and 30 percent, respectively). Increases density bonus maximum to 50 percent for MOD. Adjustments to transit and parking. Allows for split lots in areas currently zoned single-family. Two-unit projects ministerial approval. The City can develop standards as long as they do not physically preclude development. 	Watch	8/19/21 Assembly Appropriations
<u>SB 9 Housing Development: Approvals</u>	Atkins, Caballero, Rubio, and Wiener		<p>Mayoral Oppose Letter Submitted on 7/9</p> <p>CalCities: Oppose</p>	8/19/21 Re-referred to Assembly Appropriations
<u>SB 10 Planning and Zoning: Housing Development: Density</u>	Wiener	<p>Would, notwithstanding any local restrictions on adopting zoning ordinances, authorize a local government to adopt an ordinance to zone any parcel for up to 10 units of residential density per parcel, at a height specified in the ordinance, if the parcel is located in a transit-rich area or an urban infill site, as those terms are defined. The bill would prohibit a local government from adopting an ordinance pursuant to these provisions on or after January 1, 2029. The bill would specify that an ordinance adopted under these provisions, and any resolution to amend the jurisdiction's General Plan, ordinance, or other local regulation adopted to be consistent with that ordinance, is not a project for purposes of the California Environmental Quality Act. The bill would prohibit an ordinance adopted under these</p>	Watch	8/19/21 Assembly Third Reading File Senate Bills

2021 Legislation - Bills to Watch

Bill	Sponsor(s)	Summary	Position	Status
<p><u>SB 478</u> <u>Planning and Zoning Law: housing development projects.</u></p>	<p>Wiener</p>	<p>provisions from superceding a local restriction enacted or approved by a local initiative that designates publicly owned land as open-space land or for park or recreational purposes.</p> <p>The Planning and Zoning Law requires a city or county to adopt a general plan for land use development within its boundaries that includes, among other things, a housing element. The law also requires the Department of Housing and Community Development to notify the city, county, or city and county, and authorizes the department to notify the Attorney General, that the city, county, or city and county is in violation of state law if the department finds that the housing element or an amendment to that element, or any specified action or failure to act, does not substantially comply with the law as it pertains to housing elements or that any local government has taken an action in violation of certain housing laws. This bill would prohibit a local agency, as defined, from imposing specified standards, including a minimum lot size that exceeds an unspecified number of square feet on parcels zoned for at least 2, but not more than 4, units or a minimum lot size that exceeds an unspecified number of square feet on parcels zoned for at least 5, but not more than 10, units.</p>	<p>Oppose Unless Amended – Letter Submitted on 7/9/21</p>	<p>8/19/21 Assembly Appropriations</p>
<p><u>AB 215</u> <u>Housing Element</u></p>	<p>Chiu</p>	<p>The Planning and Zoning Law requires a city or county to adopt a general plan for land use development within its boundaries that includes, among other things, a housing element. That law requires the Department of Housing and Community Development (HCD) to determine whether the housing element is in substantial compliance with specified provisions of that law. That law also requires HCD to notify a city, county, or city and county, and authorizes HCD to notify the office of the Attorney General, that the city, county, or city and county is in violation of state law if HCD finds that the housing element or an amendment to the housing element does not substantially comply with specified provisions of the Planning and Zoning Law, or that the local government has taken action or failed to act in</p>	<p>Oppose – Letter Submitted on 7/9/21 CalCities: Oppose *Action Alert</p>	<p>8/23/21 Senate Appropriations</p>

2021 Legislation - Bills to Watch

Bill	Sponsor(s)	Summary	Position	Status
		violation of specified provisions of law. This bill would add the Housing Crisis Act of 2019 to those specified provisions of law.		
<u>AB 1401</u> <u>Residential</u> <u>and</u> <u>commercial</u> <u>development:</u> <u>parking</u> <u>requirements.</u>	Friedman	Would prohibit a local government from imposing a minimum parking requirement, or enforcing a minimum parking requirement, on residential, commercial, or other development if the development is located on a parcel that is within one-half mile walking distance of public transit, as defined, or located within a low-vehicle miles traveled area, as defined.	Oppose Letter Submitted 8/16/21 CalCities: Oppose	8/16/21 In Committee Referred to suspense file
<u>ACA 1</u> <u>Local</u> <u>government</u> <u>financing:</u> <u>affordable</u> <u>housing and</u> <u>public</u> <u>infrastructure:</u> <u>voter</u> <u>approval.</u>	Aguilar- Curry	The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements.	Support	Assembly Local Government and Housing and Appropriations
<u>AB 71</u> <u>Statewide</u> <u>Homelessness</u> <u>Solutions</u> <u>Program</u>	Luz Rivas, Bloom, Chiu, and Wicks	Establishes a revenue source to fund various State programs focused on solving the homeless crisis. Creates a funding source for developers to develop housing with wrap-around services (continuum of care) in certain jurisdictions.	Watch	07/01/21 Assembly Inactive File
<u>AB 115</u> <u>Planning and</u> <u>Zoning:</u> <u>Housing</u> <u>Development</u>	Bloom	Housing development an authorized use on a site designated for commercial if at least 20 percent of the project units are deed-restricted affordable. The development would need to comply with all local standards, including:	Watch	Two-Year Bill (active thru Jan 2022) – Appears Inactive

2021 Legislation - Bills to Watch

Bill	Sponsor(s)	Summary	Position	Status
<p><u>AB 59</u> <u>Mitigation Fee Act: Fees, Notice and Timelines</u></p>	<p>Gabriel</p>	<p>— Not adjacent to industrial uses and is more infill in nature with urban uses on 75 percent of the perimeter; and — Height limits, FAR, and density thresholds are defined in the law that takes into consideration local standards but is the greatest of the standards. • This bill would sunset on January 1, 2031. <i>(Similar to SB 6)</i></p> <p>Current law authorizes any party to protest the imposition of a fee, dedication, reservation, or other exactions imposed on a development project within 90 or 120 days of the imposition of the fee, as applicable, and specifies procedures for those protests and actions. The Mitigation Fee Act imposes the same requirements on a local agency for a new or increased fee for public facilities. Current law, for specified fees, requires any judicial action or proceeding to attack, review, set aside, void, or annul an ordinance, resolution, or motion adopting a new fee or service charge or modifying an existing fee or service charge to be commenced within 120 days of the effective date of the ordinance, resolution, or motion. Current law also provides that, if an ordinance, resolution, or motion provides for an automatic adjustment in a fee or service charge and the adjustment results in an increase in the fee or service charge, that any action to attack, review, set aside, void, or annul the increase to be commenced within 120 days of the increase. This bill would increase, for fees and service charges and for fees for specified public facilities, the time for mailing the notice of the time and place of the meeting to at least 45 days before the meeting.</p>	<p>Watch</p>	<p>Two-Year Bill (active thru Jan 2022)</p>
<p><u>AB 617</u> <u>Planning and Zoning: Regional Housing Needs: Exchange of Allocation</u></p>	<p>Davies</p>	<p>Would authorize a city or county, by agreement, to transfer all or a portion of its allocation of regional housing need to another city or county. The bill would allow the transferring city to pay the transferee city or county an amount determined by that agreement, as well as a surcharge to offset the impacts and associated costs of the additional housing on the transferee city. The bill would also require the transferring city or county and the transferee city or county to report to the council of governments and the department specified information about the transfer, as provided.</p>	<p>Watch</p>	<p>Two-Year Bill (active thru Jan 2022) – Appears Inactive</p>

2021 Legislation - Bills to Watch

Bill	Sponsor(s)	Summary	Position	Status
<u>AB 1258</u> <u>Housing</u> <u>Element:</u> <u>Regional</u> <u>Housing Need</u> <u>Plan: Judicial</u> <u>Review</u>	Nguyen	Current law requires each city, county, or city and county to prepare and adopt a general plan for its jurisdiction that contains certain mandatory elements, including a housing element. Under existing law, a part of the housing element is an assessment of housing needs, which includes the locality's share of the regional housing need. Under existing law the appropriate council of governments, or for cities and counties without a council of governments, the Department of Housing and Community Development, adopts a final regional housing need plan that allocates a share of the regional housing need to each locality in the region. This bill would subject the final regional housing need plan to judicial review.	Oppose	Two-Year Bill (active thru Jan 2022)
<u>SB 5 Housing</u> <u>Bond Act</u>	Atkins, Caballero, McGuire, Rubio, Skinner, and Wiener	Authorizes Legislature to issue bonds. Proceeds from bonds would be directed toward housing finance activities focused on homelessness and ELI, VLI households. Unclear if the funds would be directed into existing programs that serve these populations or if new programs would be established.	Watch	Inactive
<u>SB 6 Local</u> <u>Planning:</u> <u>Housing:</u> <u>Commercial</u> <u>Zones</u>	Caballero, Eggman, and Rubio	This bill designates a housing development project, a parcel within a commercial zone not adjacent to an industrial site, as an allowable use on a neighborhood lot if it complies with various requirements, one of which includes: the density for a housing development must meet or exceed the density appropriate for lower income households according to the local jurisdiction. <i>(Similar to AB 115)</i>	Watch	In Assembly – held at desk
<u>SB 15 Housing</u> <u>Development:</u> <u>Incentives:</u>	Portantino	Grant program to assist local government to rezone idle retail sites (big box or commercial shopping centers) for work force housing. This would be an annual grant.	Support – Letter	7/15/21 – Failed deadline to pass from Committee

2021 Legislation - Bills to Watch

Bill	Sponsor(s)	Summary	Position	Status
The Rezoning of Idle Retail Sites		<ul style="list-style-type: none"> Idle defined as at least 80 percent of leased or rentable square footage not occupied for at least one year. Zoning would be by right. Work force housing for lower- or moderate-income households with 55-year affordability term for a rental and 45-year term for ownership. 	Submitted on 3/30/21	
SB 765 Accessory dwelling units: setbacks.	Stern	Gives local governments the option to return to any setback regulations they had established prior to the state law mandating the 4-foot setback that took effect in 2020. The bill would authorize an accessory dwelling unit applicant to submit a request to the local agency for an alternative rear and side yard setback requirement if the local agency's setback requirements make the building of the accessory dwelling unit infeasible.	Watch	Two-Year Bill (active thru Jan 2022)
TRANSPORTATION				
AB 1091 Santa Clara Valley Transportation Authority: Board of Directors	Berman	Current law creates the Santa Clara Valley Transportation Authority (VTA) with various powers and duties relative to transportation projects and services and the operation of public transit in the County of Santa Clara. Current law vests the government of the VTA in a 12-member board of directors whose terms of office are two years. Under existing law, only members of the county board of supervisors and city council members and mayors of cities in the county are authorized to serve on the board. Current law provides for the appointment of the board members by those local governments, as specified. This bill, on and after July 1, 2022, would reduce the size of the board to 9 members, increase their terms of office to 4 years, and provide for residents living in the county, rather than local officials, to serve on the board, as specified.	Oppose – Letter Submitted 4/15/21	Two-Year Bill (active thru Jan 2022)
AB 43 Traffic Safety	Friedman	Current law establishes various default speed limits for vehicles upon highways, as specified. Current law authorizes state and local authorities to adjust these default speed limits, as specified, based upon certain findings determined by an engineering and traffic survey and prescribes specified factors that must be included in the survey, including prevailing speeds and road conditions. Current law	Support	8/19/21 Senate Assembly Bills – Third Reading File

2021 Legislation - Bills to Watch

Bill	Sponsor(s)	Summary	Position	Status
<u>AB 773</u> <u>Street closures and designations</u>	Nazarian	Would authorize a local authority to adopt a rule or regulation by ordinance to implement a slow street program, which may include closures to vehicular traffic or through vehicular traffic of neighborhood local streets with connections to citywide bicycle networks, destinations that are within walking distance, or green space. The bill would require the local authority to meet specified conditions to implement a slow street, including a determination that closure or traffic restriction is necessary for the safety and protection of persons using the closed or restricted portion of the street, conducting an outreach and engagement process, and clearly designating the closure or traffic restriction with specific signage.	Support	8/19/21 Senate Assembly Bills – Third Reading File
BROADBAND				
<u>SB 556</u> <u>Streetlight poles, traffic signals: small wireless facilities attachments</u>	Dodd	Would prohibit a local government or local publicly owned electric utility from unreasonably denying the leasing or licensing of its street light poles or traffic signal poles to communications service providers for the purpose of placing small wireless facilities on those poles. The bill would require that street light poles and traffic signal poles be made available for the placement of small wireless facilities under fair, reasonable, and nondiscriminatory fees, subject to specified requirements, consistent with a specified decision of the Federal Communications Commission.	Oppose – Letter submitted on 4/15/21 CalCities: Oppose	8/19/21 Assembly Appropriations
<u>AB 14</u> <u>Communications: Broadband Services: California Advanced Services Fund</u>	Aguiar-Curry	Existing law establishes the State Department of Education in state government, and vests the department with specified powers and duties relating to the state’s public school system. This bill would authorize local educational agencies to report to the department their pupils’ estimated needs for computing devices and internet connectivity adequate for at-home learning. The bill would require the department, in consultation with	City: No position CalCities: Support	8/16/21 Senate Appropriations: Referred to suspense file.

2021 Legislation - Bills to Watch

Bill	Sponsor(s)	Summary	Position	Status
AB 34 <u>Communications: Broadband for All Act of 2022</u>	Muratsuchi	the Public Utilities Commission, to compile that information and to annually post that compiled information on the department's internet website. Would propose a \$10 billion general obligation bond measure on the November 2022 ballot to provide funding for statewide broadband infrastructure in unserved and underserved communities throughout the State, and funds could be allocated to cities, among other entities.		Assembly Privacy and Consumer Protection. Held under submission.
SB 4 <u>Communications: California Advanced Services Fund</u>	Gonzalez	Current law establishes the Governor's Office of Business and Economic Development, known as "GO-Biz," within the Governor's office to serve the Governor as the lead entity for economic strategy and the marketing of California on issues relating to business development, private sector investment, and economic growth. This bill would require the office to coordinate with other relevant state and local agencies and national organizations to explore ways to facilitate streamlining of local land use approvals and construction permit processes for projects related to broadband infrastructure deployment and connectivity.	City: No position CalCities: Support	8/19/21 Assembly Communications and Conveyance - Hearing postponed by Committee
GOVERNANCE				
AB 339 State and Local Government: Open Meetings	Lee	Current law requires all meetings, as defined, of a house of the Legislature or a committee thereof to be open and public, and requires all persons to be permitted to attend the meetings, except as specified. This bill would require all meetings in jurisdictions with population over 250,000, including gatherings using teleconference technology, to include an opportunity for all persons to attend via a call-in option or an internet-based service option that provides closed captioning services and requires both a call-in and an internet-based service option to be provided to the public.	City: No position CalCities: Oppose	8/19/21 Senate Assembly Bills – Third Reading File
SB 278 Public Employees' Retirement System: disallowed	Leyva	Would establish new procedures under Public Employees' Retirement Law (PERL) for cases in which PERS determines that the benefits of a member or annuitant are, or would be, based on disallowed compensation that conflicts with PEPPRA and other specified laws and thus impermissible under PERL. The bill would also apply these procedures retroactively to	Oppose – Letter Submitted on 3/30/21	7/7/21 Placed on Suspend File

2021 Legislation - Bills to Watch

Bill	Sponsor(s)	Summary	Position	Status
<p><u>compensation</u> <u>: benefit</u> <u>adjustments.</u></p>		<p>determinations made on or after January 1, 2017, if an appeal has been filed and the employee member, survivor, or beneficiary has not exhausted their administrative or legal remedies. At the threshold, after determining that compensation for an employee member reported by the state, school employer, or a contracting agency is disallowed, the bill would require the applicable employer to discontinue the reporting of the disallowed compensation. The bill would require that contributions made on the disallowed compensation, for active members, be credited against future contributions on behalf of the state, school employer, or contracting agency that reported the disallowed compensation and would require that the state, school employer, or contracting agency return to the member any contributions paid by the member or on the member's behalf.</p>		
REVENUE AND TAXATION				
<p>SB 555 <u>Local</u> <u>Agencies:</u> <u>Transient</u> <u>Occupancy</u> <u>taxes: Online</u> <u>Short Term</u> <u>Rental</u> <u>Facilitator:</u> <u>Collection</u></p>	<p>McGuire</p>	<p>This bill would authorize a local agency to enact an ordinance exclusively delegating its authority to collect any transient occupancy tax imposed by that local agency on short-term rentals to the California Department of Tax and Fee Administration and to enter into a contract with the department for purposes of registration, rate posting, collection, and transmission of revenues necessary to collect and administer any transient occupancy tax imposed on a short-term rental as specified in this bill.</p> <p>This bill would require the department to perform those functions, as specified, and would require all local charges collected by the department to be deposited in the Local Charges for Short-term Rentals Fund, which would be created by the bill in the State Treasury. This bill would continuously appropriate all amounts in the fund to the department and would require the department to transmit the funds to the local agencies periodically as promptly as feasible, as provided. Local agencies that do not currently have a TOT collection agreement would be able to opt-in to the program.</p>	<p>Support – Letter re- submitted on 6/21/21 Letter Submitted on 3/22/21</p>	<p>8/19/21 Assembly Appropriations</p>

2021 Legislation - Bills to Watch

Bill	Sponsor(s)	Summary	Position	Status
<u>AB 1181 Fees: business licenses: alcoholic beverages: health permits</u>	Nguyen R	Would prohibit cities and counties, including charter cities and counties, from imposing or collecting license fees from restaurants from January 1, 2020, to December 31, 2021, as provided, and would require the city or county to refund to a restaurant any license fees collected during that period. By imposing new duties on cities and counties with respect to imposing or collecting specified license fees, and by requiring that the fees be refunded, this bill would impose a state-mandated local program.	Oppose	Two-Year Bill (active thru Jan 2022)
ENERGY				
<u>AB 987 Electrical Corporations: Reporting.</u>	Low	Would require increased reporting for Investor Owned Utilities on planned and unplanned electricity outages (City of San Jose is a sponsor)	Support	Two-Year Bill (active thru Jan 2022)
<u>SB-67 Clean energy: California 24/7 Clean Energy Standard Program</u>	Becker	Current law establishes as policy of the state that eligible renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers and 100% of electricity procured to serve all state agencies by December 31, 2045. This bill would revise that policy to establish a goal that 100% of electrical load be supplied by eligible clean energy resources, as defined. The bill would establish the California 24/7 Clean Energy Standard Program, which would require that 85% of retail sales annually and at least 60% of retail sales within certain subperiods by December 31, 2030, and 90% of retail sales annually and at least 75% of retail sales within certain subperiods by December 31, 2035, be supplied by eligible clean energy resources, as defined.	CalCities: Watch	Two-Year Bill (active thru Jan 2022)
ENVIRONMENTAL				
<u>SB-619 Organic waste: reduction regulations</u>	Laird	Current law requires the Department of Resources Recycling and Recovery, in consultation with the state board, to adopt regulations to achieve those targets for reducing organic waste in landfills, and authorizes those regulations to require local jurisdictions to impose requirements on generators or other relevant entities within their jurisdiction, to authorize local jurisdictions to impose penalties on generators for noncompliance,	No Position CalCities: Oppose	8/19/21 Assembly Appropriations

2021 Legislation - Bills to Watch

Bill	Sponsor(s)	Summary	Position	Status
<p><u>AB 377 Water quality: impaired waters.</u></p>	<p>Rivas</p>	<p>and to include penalties to be imposed by the department for noncompliance. Current law provides that those regulations shall take effect on or after January 1, 2022, except that the imposition of penalties by local jurisdictions pursuant to the regulations shall not take effect until 2 years after the effective date of the regulations. This bill would delay the effective date of the regulations from January 1, 2022, to January 1 of an unspecified year, and would provide that the operative date of each of the requirements in the regulations in effect as of December 31, 2021, shall be an unspecified amount of years after the operative date identified in the regulations.</p>	<p>Oppose-Letter Submitted on 4/13/21</p>	<p>Two-Year Bill (active thru Jan 2022)</p>