

Assembly Bill No. 1483

CHAPTER 662

An act to add Section 65940.1 to the Government Code, and to amend Section 50452 of the Health and Safety Code, relating to housing.

[Approved by Governor October 9, 2019. Filed with Secretary of State October 9, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1483, Grayson. Housing data: collection and reporting.

(1) The Permit Streamlining Act, which is part of the Planning and Zoning Law, requires each public agency to provide a development project applicant with a list that specifies the information that will be required from any applicant for a development project. Existing law prohibits a local agency from requiring additional information from an applicant that was not specified in that list.

The Mitigation Fee Act requires a local agency that establishes, increases, or imposes a fee as a condition of approval of a development project to, among other things, determine a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.

This bill would require a city, county, or special district to maintain on its internet website, as applicable, a current schedule of fees, exactions, and affordability requirements imposed by the city, county, or special district, including any dependent special district, applicable to a proposed housing development project, all zoning ordinances and development standards, and annual fee reports or annual financial reports, as specified. The bill would require a city, county, or special district to provide on its internet website an archive of impact fee nexus studies, cost of service studies, or equivalent, as specified. By requiring a city or county to include this information on its internet website, the bill would impose a state-mandated local program.

(2) Existing law requires the department to update and provide a revision of the California Statewide Housing Plan to the Legislature every 4 years, as provided. Existing law requires that these revisions contain specified segments, including a comparison of the housing need for the preceding 4 years with the amount of building permits issued and mobilehome units sold in those fiscal years.

This bill, for the next revision of the plan on or after January 1, 2020, and each subsequent revision thereafter, would require that revisions of the plan include a 10-year housing data strategy, as provided. The bill would require the department, in establishing the 10-year housing strategy, to establish a workgroup that includes representatives from the Department of Technology, metropolitan planning organizations, local governments, relevant academic institutions, and nonprofits. The bill would require the 10-year housing data

strategy to include, among other things, an evaluation of data priorities, a strategy for how to achieve more consistent terminology for housing data across the state, and an assessment of the quality of data submitted by annual reports and recommendations based on that assessment.

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

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

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

SECTION 1. Section 65940.1 is added to the Government Code, to read:

65940.1. (a) (1) A city, county, or special district that has an internet website shall make all of the following available on its internet website, as applicable:

(A) A current schedule of fees, exactions, and affordability requirements imposed by the city, county, or special district, including any dependent special districts, as defined in Section 56032.5, of the city or county applicable to a proposed housing development project, which shall be presented in a manner that clearly identifies the fees, exactions, and affordability requirements that apply to each parcel.

(B) All zoning ordinances and development standards, which shall specify the zoning, design, and development standards that apply to each parcel.

(C) The list required to be compiled pursuant to Section 65940.

(D) The current and five previous annual fee reports or the current and five previous annual financial reports, that were required pursuant to subdivision (b) of Section 66006 and subdivision (d) of Section 66013.

(E) An archive of impact fee nexus studies, cost of service studies, or equivalent, conducted by the city, county, or special district on or after January 1, 2018. For purposes of this subparagraph, “cost of service study” means the data provided to the public pursuant to subdivision (a) of Section 66016.

(2) A city, county, or special district shall update the information made available under this subdivision within 30 days of any changes.

(b) For purposes of this section:

(1) “Affordability requirement” means a requirement imposed as a condition of a development of residential units, that the development include a certain percentage of the units affordable for rent or sale to households with incomes that do not exceed the limits for moderate-income, lower income, very low income, or extremely low income households specified in Sections 50079.5, 50093, 50105, and 50106 of the Health and Safety Code, or an alternative means of compliance with that requirement including, but not limited to, in-lieu fees, land dedication, off-site construction, or acquisition and rehabilitation of existing units.

(2) “Exaction” means any of the following:

- (A) A construction excise tax.
 - (B) A requirement that the housing development project provide public art or an in-lieu payment.
 - (C) A special tax levied on new housing units pursuant to the Mello-Roos Community Facilities Act (Chapter 2.5 (commencing with Section 53311) of Part 1 of Division 2 of Title 5).
 - (D) Dedications of parkland or in-lieu fees imposed pursuant to Section 66477.
- (3) “Fee” means a fee or charge described in the Mitigation Fee Act (Chapter 5 (commencing with Section 66000), Chapter 6 (commencing with Section 66010), Chapter 7 (commencing with Section 66012), Chapter 8 (commencing with Section 66016), and Chapter 9 (commencing with Section 66020)).
- (4) “Housing development project” means a use consisting of any of the following:
- (A) Residential units only.
 - (B) Mixed-use developments consisting of residential and nonresidential uses with at least two-thirds of the square footage designated for residential use.
 - (C) Transitional housing or supportive housing.
- (c) This section shall not be construed to alter the existing authority of a city or county to adopt or impose an exaction or fee.

SEC. 2. Section 50452 of the Health and Safety Code is amended to read:

50452. (a) The department shall update and provide a revision of the California Statewide Housing Plan to the Legislature by January 1, 2006, by January 1, 2009, and every four years thereafter. The revisions shall contain all of the following segments:

- (1) A comparison of the housing need for the preceding four years with the amount of building permits issued and mobilehome units sold in those fiscal years.
- (2) A revision of the determination of the statewide need for housing development specified in subdivision (b) of Section 50451 for the current year and projected four additional years ahead.
- (3) A revision of the housing assistance goals specified in subdivision (c) of Section 50451 for the current year and projected four additional years ahead.
- (4) A revision of the evaluation required by subdivision (a) of Section 50451 as new census or other survey data become available. The revision shall contain an evaluation and summary of housing conditions throughout the state and may highlight data for multicounty or regional areas, as determined by the department. The revision shall include a discussion of the housing needs of various population groups, including, but not limited to, the elderly persons, disabled persons, large families, families where a female is the head of the household, and farmworker households.

(5) An updating of recommendations for actions by federal, state, and local governments and the private sector which will facilitate the attainment of housing goals established for California.

(6) For the next revision of the plan on or after January 1, 2020, and each subsequent revision thereafter, a 10-year housing data strategy that identifies the data useful to enforce existing housing laws and inform state housing policymaking. In developing this data strategy, the department shall establish a workgroup that includes, but is not limited to, representatives from the Department of Technology, metropolitan planning organizations, local governments, relevant academic institutions, and nonprofits with relevant expertise selected by the department. The strategy shall include, but is not limited to, the following:

(A) An evaluation of data priorities.

(B) A strategy for how to achieve more consistent terminology for housing data across the state.

(C) An evaluation of the costs and benefits of, and the ways the department could support, a more integrated digital land use management system, building permit application management system, and other tools that would minimize resources needed for jurisdictions to submit required data.

(D) Information that must be reported under paragraph (2) of subdivision (a) of Section 65400, including, but not limited to, information that:

(i) Supports enforcement of laws, policies, and informs efforts to preserve existing affordable housing stock.

(ii) Supports enforcement of laws, policies, and informs efforts to protect tenants, and ensure habitability of existing housing stock.

(iii) Provides a better understanding of housing project appeals, approvals, delays, and denials, including any relevant data from courts and other state departments.

(iv) Provides an understanding of the process, certainty, cost, and time to approve housing and affordable housing projects.

(E) An assessment of the quality of data submitted by annual reports and recommended changes to annual report requirements and technical assistance based on this assessment.

(F) An assessment of the nature and cost of staffing and technology required for the department and local governments to meet data goals and requirements over the 10-year strategy period.

(G) Information that is useful to enforce state and local housing law and policy, including, but not limited to, enforcement of anti-rent gouging and just cause for eviction policies and ordinances.

(b) The Legislature may review the plan and the updates of the plan and transmit its comments on the plan or updates of the plan to the Governor, the Secretary of Business, Consumer Services and Housing, and the Director of Housing and Community Development.

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments

sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

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