

# Senate Bills 50 and 330

2019 Housing Legislation



CUPERTINO

# Senate Bill 50 - Weiner

More Housing Opportunity,  
Mobility, Equity, and Stability  
("HOMES") Act of 2019

# Equitable Communities Incentives

- Jobs Rich Areas
- Transit Rich Areas

# Jobs Rich Areas

- Determined by State of California
- Areas with “Positive Educational and Economic Outcomes”
- Housing would enable shorter commutes or allow residents to live near a jobs rich area.

# Incentives in Jobs Rich Areas

- Waive Maximum Density Limits
- Waive Some Parking Requirements
- Provide Three Land Use Incentives or Concessions

## Transit Rich Areas

- One half mile from a major transit stop
- One quarter mile from a stop on a high quality bus corridor

# Incentives in Transit Rich Areas

- All jobs rich incentives
- 55 foot height limit and 3.25 FAR if within  $\frac{1}{4}$  mile of major transit stop
- 45 foot height limit and 2.5 FAR if within  $\frac{1}{2}$  mile of major transit stop
- No parking requirements near major transit stops

# Affordability Requirements

- 1-10 Units – None
- 11-20 Units – Pay unspecified in lieu fee
- 20+ Units – Pay in lieu fee or build affordable units on site (6% to 25%)
- Or follow local inclusionary ordinance if more restrictive



# Other Requirements

- CEQA
- Local Design Review, Use Permit, Impact Fees
- Labor and other laws

# Sensitive Communities

- Areas defined by MTC in Bay Area then updated by HCD
- May comply through a community led process

# Compliance Costs

- State determines that may be covered by service charges, fees, or assessments
- No State reimbursement

# **SB 330 - Skinner**

The Housing Crisis Act of 2019

# Housing Crisis

- Declares Crisis until January 1, 2030
- Legislation expires effective January 1, 2030

## Affected Cities and Counties

- Higher than average rents
- Lower than average rental vacancy rates
- Determined by HCD

# Limits on Planning and Zoning

- No reductions in height, density, floor area, etc.
- No growth limits/housing moratoria
- Retroactive to January 1, 2018

# Limits on Development Review

- Vested right to standards at time of application
- No fees in excess of those in effect January 1, 2018
- No fees on affordable units
- No enforcement of existing growth caps



# Exceptions

- Section 8 Housing
- Rent Controlled Units
- Ellis Act Units
- Affordable housing without relocation benefits

## Rules for All Cities and Counties

- Vested right upon complete application
- Limit on Hearings
- Posting development application requirements

# Substandard Buildings

- HCD to develop new rules
- Occupied substandard buildings that comply with new rules protected for 7 years



**Questions?**