



## Major signed Housing Bills in 2023

### Application:

- **AB 529: Adaptive reuse projects.**
  - This bill expanded the definition of “prohousing” local policies to include adaptive reuse and mandated the establishment of a working group to identify challenges and opportunities to promote adaptive reuse projects.
- **AB 1332: Accessory dwelling units: preapproved plans.**
  - This bill required the development of a preapproval program for ADU plans and required that the permit processing for detached ADUs be expedited.
- **AB 976: Accessory dwelling units: owner-occupancy requirements.**
  - This bill eliminated the owner-occupancy requirement for ADU’s permitted after January 1, 2025, and authorized local agencies to establish a rental requirement for ADU’s to serve as long-term housing, instead of short-term rentals.
- **SB 684: Land use: streamlined approval processes: development projects of 10 or fewer residential units on urban lots under 5 acres.**
  - This bill required local agencies to approve qualifying parcel maps or tentative and final maps ministerially, without discretionary review or hearings, and that projects approved in this manner protect existing low-income housing from demolition.

### California Environmental Quality Act (CEQA):

- **AB 356: California Environmental Quality Act: aesthetic impacts.**
  - This bill extended a CEQA exemption for aesthetic impact for certain building projects and added a notice requirement for when a project that qualifies for this exemption is approved.
- **AB 1307: California Environmental Quality Act: noise impact: residential projects.**
  - This bill specified that noise from residents and guests in residential projects does not constitute an environmental effect under CEQA, and removed the alternative location consideration requirement, under certain conditions, for residential or mixed-use housing for public institutions of higher education.
- **AB 1449: Affordable housing: California Environmental Quality Act: exemption.**
  - This bill extended a CEQA exemption for certain actions related to affordable housing projects, modified the definition of affordable housing projects and created site requirement criteria for specified affordable housing projects.

### Entitlement:

- **AB 821: Planning and zoning: general plan: zoning ordinance: conflicts.**
  - This bill mandated the amendment of zoning ordinances, or project processing if they become inconsistent with a general plan and allowed residents to initiate legal action if a local agency fails to amend inconsistent zoning ordinances within 90 days.
- **AB 894: Parking requirements: shared parking.**



- This bill requires public agencies to allow for underutilized parking to be shared in certain situations, to count shared parking towards parking requirements for new or existing developments and required public agencies to accept outside parking analyses.
- **AB 1033: Accessory dwelling units: local ordinances: separate sale or conveyance.**
  - This bill allowed local agencies to create ordinances to allow for the separate conveyance of ADUs and primary residences as condominiums.
- **AB 1114: Planning and zoning: housing development projects: postentitlement phase permits.**
  - This bill expanded the definition of post-entitlement permits, changed processing times for reviewing and approving post entitlement permits, and prohibited additional appeals or hearings after determining an application complies with applicable standards.
- **SB 713: Planning and zoning: density bonuses: development standard.**
  - This bill changed the definition of development standards to include any standards adopted by local governments, including those enacted by the electorate through initiatives or referenda.

#### **Post-Entitlement:**

- **AB 1218: Development projects: demolition of residential dwelling units.**
  - This bill expanded demolition prohibitions for occupied or vacant protected units, added a replacement requirement for protected units, and required developers to provide existing occupants of protected units with the right of first refusal for a comparable unit in the new development.

#### **Legal Rights and Enforcement:**

- **AB 323: Density Bonus Law: purchase of density bonus units by nonprofit housing organizations: civil actions.**
  - This bill added a right of first refusal for nonprofit housing organizations when housing is built under local inclusionary zoning ordinances, and added a legal enforcement provision to that civil actions can be initiated by these nonprofits.
- **AB 835: State Fire Marshal: building standards: single-exit, single stairway apartment houses: report.**
  - This bill added a requirement for the State Fire Marshal to research standards for single-exit, single-stairway apartment houses with more than two dwelling units, and submit a report to the Senate, Assembly and the California Building Standards Commission.
- **AB 1485: Housing element: enforcement: Attorney General.**
  - This bill permitted HCD and the OAG to intervene in legal actions concerning violations of specified housing laws, including the Housing Accountability Act, the Density Bonus Law, and the Housing Crisis Act of 2019.
- **SB 229: Surplus land: disposal of property: violations: public meeting.**
  - This bill clarified the definition of “dispose,” to include certain surplus land sales, and increased HCD’s enforcement abilities under the Surplus Land Act.
- **SB 439: Special motions to strike: priority housing development projects.**



- This bill permitted defendants to file a special motion to strike any civil action challenging the approval or permitting of a priority housing development project and updated the definition of a Priority Housing Development Project.

#### **Surplus Land and Reuse:**

- **AB 480: Surplus land.**
  - This bill expanded the definition of exempt surplus land, created an administrative declaration process for certain types of surplus land, and further established penalty provisions for improperly disposed of surplus land.
- **SB 747: Land use: surplus land.**
  - This bill reaffirmed that local agencies can dispose of property to create economic opportunities, created an exemption for very small parcels, and lease exemptions for leases of surplus land that will be 15 years or less.
- **SB 240: Surplus state real property: affordable housing and housing for formerly incarcerated individuals.**
  - This bill authorized local agencies and nonprofit affordable housing sponsors to be considered priority buyers of surplus state real property if the property is intended for open space, public parks, affordable housing projects, and determined that the development of surplus state real property for affordable housing or housing for formerly incarcerated individuals by local agencies or nonprofit affordable housing sponsors is designated as a by-right use.
- **AB 1490: Affordable housing development projects: adaptive reuse.**
  - This bill defined adaptive reuse, created requirements for extremely affordable adaptive reuse projects, established infill requirements and created approval obligations for local agencies.

#### **Major signed Housing Bills in 2024**

##### **Application:**

- **AB 1820: Housing development projects: applications: fees and exactions.**
  - This bill allowed developers to request a preliminary estimate of all applicable fees and exactions, and that a good faith final estimate be provided within 30 days.
- **AB 2243: Housing development projects: objective standards: affordability and site criteria.**
  - This bill expanded eligibility for mixed-income housing projects on regional mall sites, revised high limit standards and streamlined approval processes for these projects.
- **AB 2430: Planning and zoning: density bonuses: monitoring fees.**
  - This bill prohibited local governments from charging monitoring fees on 100% affordable housing developments that meet specific requirements, unless the project uses a local incentive program, or the project also includes units affordable to moderate-income households.
- **AB 2663: Inclusionary housing: fees: reports.**



- This bill added a definition of inclusionary housing in-lieu fees, added an initial annual reporting requirement regarding their collection, and established a five-year timeline for future reports.
- **AB 2694: Density Bonus Law: residential care facilities for the elderly.**
  - This bill expanded the definition of housing development under the Density Bonus law to include RCFEs and added a specific definition for shared housing units as it relates to RCFEs.
- **SB 937: Development projects: fees and charges.**
  - This bill, for qualifying projects, allowed for the deferral of development impact fees, added a definition for the specific projects that are eligible for this deferral, and established limitations and exceptions for the deferrals.
- **SB 1123: Planning and zoning: subdivisions: ministerial review.**
  - This bill extended the streamlined approval process for the Starter Home Revitalization Act, recognized tenancy in common as an acceptable form of homeownership, made changes to ADU permitting for specified projects, and established minimum density requirements for these provisions.

#### **California Environmental Quality Act (CEQA):**

- **AB 1413: Housing Accountability Act: disapprovals: California Environmental Quality Act.**
  - This bill mandated that local agencies not make a CEQA determination until 60 days after the applicant provides notice alleging the agency's actions constitute an abuse of discretion or failure to act, that the agency must take certain actions within five working days, and that the local agency must consider all objections and evidence before making a final decision.
- **AB 2199: California Environmental Quality Act: exemption: residential or mixed-use housing projects.**
  - This bill extended an existing CEQA exemption for certain residential and mixed-use projects, clarified eligibility criteria for these projects, and clarified that this exemption does not apply to projects that may cause substantial adverse impacts to tribal cultural resources.

#### **Entitlement:**

- **AB 1801: Supportive housing: administrative office space.**
  - This bill permitted supportive housing developments to incorporate administrative office space as part of their facilities.
- **AB 1886: Housing Element Law: substantial compliance: Housing Accountability Act.**
  - This bill made changes to the definition of substantial compliance, for local agencies, and determined that a housing element or amendment is only compliant if determined to be so by HCD, or a court, when a preliminary application or complete application for the housing development project was submitted.
- **AB 1893: Housing Accountability Act: housing disapprovals: required local findings.**
  - This bill revised the definition of housing for lower income households, established site and density parameters for Builder's Remedy projects, and requires projects to comply with objective standards.



- **AB 2023: Housing element: inventory of land: substantial compliance: rebuttable presumptions.**
  - This bill established a rebuttable presumption of substantial compliance for a housing element and modified the timing for compliance for project applications.
- **AB 3093: Land use: housing element.**
  - This bill introduced two additional income categories to the RHNA framework, mandated that local jurisdictions include strategies to address these categories, and required further streamlining for the approval of multifamily housing projects that dedicate a portion of their units to these new categories.
- **AB 3122: Streamlined housing approvals: objective planning standards and subdivision applications.**
  - This bill modified thresholds for applying new objective planning standards, if the developer proposes certain, specified modifications.
- **SB 450: Housing development: approvals.**
  - This bill prohibited local agencies from imposing certain zoning standards on SB 9 projects, required local agencies to approve or deny complete applications within 60 days, removed an SB 9 restriction on demolishing exterior walls, and empowered HCD with oversight and enforcement authority over SB 9.

#### **Post-Entitlement:**

These bills can be found in the entitlement section.

#### **Legal Rights and Enforcement:**

- **AB 2667: Affirmatively furthering fair housing: housing element: reporting.**
  - This bill standardized reporting formats, enhanced annual progress reporting requirements for local jurisdictions, and required completion of the assessment of fair housing within a jurisdiction, prior to a revised housing element being released for public comment.
- **AB 2926: Planning and zoning: assisted housing developments: notice of expiration of affordability restrictions.**
  - This bill mandated acceptance of preservation offers, expanded the definition of assisted housing development, enhanced tenant notifications, and granted tenant enforcement rights.
- **ACA 10: Local government financing: affordable housing and public infrastructure: voter approval.**
  - This bill recognized housing as a fundamental human right, and obligated state and local governments to respect, protect and fulfill this right.
- **SB 1037: Planning and zoning: housing element: enforcement.**
  - This bill allowed for the imposition of civil penalties for failure to adopt a compliant housing element and determined where funds from these penalties would be allocated.

#### **Other Housing Bills:**

- **AB 1868: Property taxation: assessments: affordable housing.**



- This bill established a rebuttable presumption on a deed of trust, property tax assessment on sales of property to low-income families.
- **AB 2729: Development projects: permits and other entitlements.**
  - This bill created an 18-month extension for housing entitlements, clarified that the 18-month extension tolls during legal challenges, and updated the definition of housing entitlement.
- **AB 3177: Mitigation Fee Act: land dedications: mitigating vehicular traffic impacts.**
  - This bill revised criteria for traffic impact fees and prohibited local agencies from imposing land dedication requirements for roadway widening, to mitigate increased traffic.

## 2025 Fast Track Housing Package

In March 2025, a bipartisan group of legislators unveiled the Fast Track Housing Package – a “suite of more than 20 bills aimed at making housing more affordable by slashing red tape, removing uncertainty, and drastically diminishing the time it takes to get new housing approved and built.” The package builds off the recommendations in the Final Report of the Select Committee on Permitting Reform that was released last month. The package targets five key “bottlenecks that delay housing development”—application, CEQA compliance, entitlement, post-entitlement, and enforcement.

**Application:** The process of getting the housing project “in the door” to be reviewed by the local government.

- **AB 1294 (Haney):** Establishes a statewide uniform application for housing projects that are compliant with local laws, creating consistency across jurisdictions and ending the practice of some jurisdictions dissuading projects from even applying by asking for costly and unnecessary studies and materials.

**California Environmental Quality Act (CEQA):** The process of analyzing how the housing project affects the environment.

- **AB 609 (Wicks):** Creates an exemption from the California Environmental Quality Act (CEQA) for housing projects that are compliant with local laws and in environmentally friendly locations, thereby greatly reducing risks and increasing feasibility for these projects.
- **SB 607 (Wiener):** Incorporates several important reforms to CEQA that would benefit housing projects, including focusing analysis, expanding exemptions, and strengthening the determinations of lead agencies to allow exemptions.

**Entitlement:** The process of getting the project approved for construction by the local government.

- **AB 306 (Schultz):** Places a six-year moratorium on the adoption of new building standards by the California Building Standards Commission.



- **AB 357 (Alvarez):** Exempts student housing developed by a public institution of higher education or a qualified nonprofit from review by the Coastal Commission, allowing California's colleges to build student housing more efficiently and affordably.
- **AB 920 (Caloza):** Requires cities with a population of 150,000 or more to have a centralized application portal for all permits across departments and allow tracking in real time of applications.
- **AB 961 (Avila Farias):** Extends the sunset for the successful "California Land Recycling and Reuse Act of 2004" (CLRRA), which provides liability protections to promote the cleanup and redevelopment of blighted contaminated properties.
- **AB 1007 (Rubio):** Expedites the approval of housing by shortening the time frame for state and regional agencies to approve or disapprove applications for housing development projects for which they are a responsible agency, but not the lead agency.
- **AB 1276 (Carrillo):** Increases certainty for housing developers by locking in the rules at the time of application with regards to regulations and requirements made by state and regional agencies and requires those agencies to use a "reasonable person" standard when they are considering whether a housing project is consistent with an applicable regulatory plan.
- **SB 328 (Grayson):** Expedites the remediation and reuse of contaminated sites by placing timelines on the Department of Toxic Substance Control (DTSC) to respond to permit requests for housing projects and caps their fees for reviewing the remediation of sites that were not contaminated by the project sponsor.
- **SB 489 (Arreguin):** Plugs gaps in the permitting process by requiring state and regional agencies to post their application requirements online, and by ensuring that all decisions are either covered by the "shot clocks" included in the Permit Streamlining Act or post-entitlement permit statutes."
- **SB 677 (Wiener):** Improves the efficacy of two major housing bills, including removing provisions that have hampered the uptake of the by right duplex and lot-splitting provisions of SB 9 (Atkins, 2021) and increasing the feasibility of projects subject to the by right provisions of SB 35 (Wiener, 2017).

**Post-Entitlement:** The process of pulling together the permits necessary to build the housing, including demolition, grading, and building permits.

- **AB 557 (McKinnor):** Facilitates cost-savings by removing local inspections on factory-built housing that is already inspected by the State.
- **AB 660 (Wilson):** Expedites the post-entitlement process by allowing third-party review of building permits if they are not reviewed by the local agency in a timely way.
- **AB 782 (Quirk-Silva):** Eliminates unnecessary costs and delays by prohibiting local governments from requiring bonding or other financial assurances related to subdivision improvements that will be privately owned and maintained.
- **AB 818 (Avila Farias):** Facilitates the rapid rebuilding and repairing of housing affected by natural disasters by expediting its entitlement and post-entitlement permits and waiving fees.



- **AB 1026 (Wilson)**: Removes a major source of uncertainty from the development process by requiring investor-owned utilities to follow the same rules as local governments in reviewing and approving post-entitlement permits.
- **AB 1206 (Harabedian)**: Reduces costs by requiring cities to expedite the building permit approval for housing projects whose plans they have previously approved.
- **AB 1308 (Hoover)**: Expedites the post-entitlement process by requiring building departments to provide an estimated timeframe for building permit inspections and allows applicants to contract with private professional providers to undertake the inspection.

**Legal Rights and Enforcement:** The part of the process where the laws are interpreted, and the rights of all parties are upheld.

- **AB 610 (Alvarez)**: Ensures that local governments do not make it more difficult to build housing by precluding the adoption of stricter local regulations unless previously contemplated in the local Housing Element.
- **AB 712 (Wicks)**: Facilitates the enforcement of housing laws by increasing penalties for local and state agencies that violate housing statutes, in a manner in keeping with existing law in the Housing Accountability Act.
- **AB 1050 (Schultz)**: Helps unlock the redevelopment of underutilized commercial sites by prohibiting private reciprocal easement agreements from prohibiting housing if the site is already zoned for housing.
- **SB 786 (Arreguin)**: Resolves multiple ambiguities in housing element law to provide clarity for local governments, project applicants, and courts.