

Attachment 4 – 2021 Housing and Planning Laws, Effective January 1, 2022

Bill	Government Code (GC) Citation	Summary	Ordinances/ Comprehensive Plan Preempted?
Senate Bill (SB) 8 Skinner Housing Crisis Act Extension	GC Section 65589.5	Extends the provisions of SB 330 (Housing Crisis Act of 2019) from January 1, 2025 to January 1, 2030.	No
SB 9 Atkins Housing Opportunity and More Efficiency Act (HOME)	GC Sections 65852.21 and 66411.7	Requires ministerial approval of two residential units per lot and lot splits for parcels located within single-family residential zones (i.e., RR, R-1/E-1, EX-1, and SLP zones) in census-designated urbanized areas or urban clusters.	Yes
SB 10 Wiener 10-Unit Upzonings	GC Section 65913.5	Authorizes jurisdictions to adopt an ordinance to allow up to 10 dwelling units on a parcel in a transit-rich area or urban infill site.	No
Assembly Bill (AB) 215 Chiu Housing Element Revision Publication Requirements and Housing Law Violation Enforcement	GC Section 65585	Requires that jurisdictions make draft revisions of the housing element available for public comment for 30 days. They must also consider and incorporate public comments before submitting housing elements to the California Department of Housing and Community Development (HCD) for review.	No
AB 345 Quirk-Silva ADU Separate Conveyances	GC Sections 65852.2 and 65852.26	Allows accessory dwelling units (ADUs) to be sold separately from the primary residence if they meet certain requirements, including that the ADU was built by a nonprofit and the property is held by a tenancy in common agreement.	Not likely; this is a limited exception to the existing ban on ADU sales.
AB 634 Carrillo Density Bonus Law Affordability Restrictions	GC Section 65915.2	Allows jurisdictions to require an affordability period that is longer than 55 years for any units that qualified the applicant for the award of a density bonus.	No
AB 787 Gabriel Moderate Income Conversions Counted Toward RHNA	GC Section 65400.2	Allows jurisdictions to satisfy up to 25 percent of their moderate-income regional housing needs allocation (RHNA) through the conversion of units in an existing multifamily building if restricted for moderate-income households.	No
AB 1304 Santiago Affirmatively Further Fair Housing (AFFH) Compliance	GC Sections 8899.50, 65583, and 65583.2	Mandates that jurisdictions comply with AFFH law by requiring the housing element sites inventory to identify sites needed to meet the AFFH requirement, analyze fair housing issues, and provide a schedule of actions to address those issues.	No
AB 1398 Bloom Accelerated Rezoning Requirement for	GC Sections 65583, 65583.2, and 65588	Requires that jurisdictions complete any rezones required to accommodate their RHNA within a year of the statutory deadline for the adoption of the housing element. Previously,	No

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Noncompliant Housing Elements		jurisdictions has three years to rezone. If the jurisdiction takes longer that one year, the housing element will not be in substantial compliance until the jurisdiction completes the required rezones.	
SB 290 Skinner Density Bonus Law Amendments	GC Sections 65400 and 65915	Allows developers to request one concession or incentive for projects that include at least 20 percent of the total units for lower-income students in a student housing development. It also requires jurisdictions to report on student housing projects receiving density bonuses as part of a housing element annual report. SB 290 also clarifies other provisions of State Density Bonus Law.	Yes
SB 478 (paired with AB 215) Wiener Minimum Floor Area Ration (FAR)/Lot Coverage Standards	GC Section 65913.11	Establishes statewide minimum FAR and lot size rules. Covenants, conditions, and restrictions (CCRs) are void if they prohibit housing development from using state FAR.	Yes, if development meets requirements for State FAR.