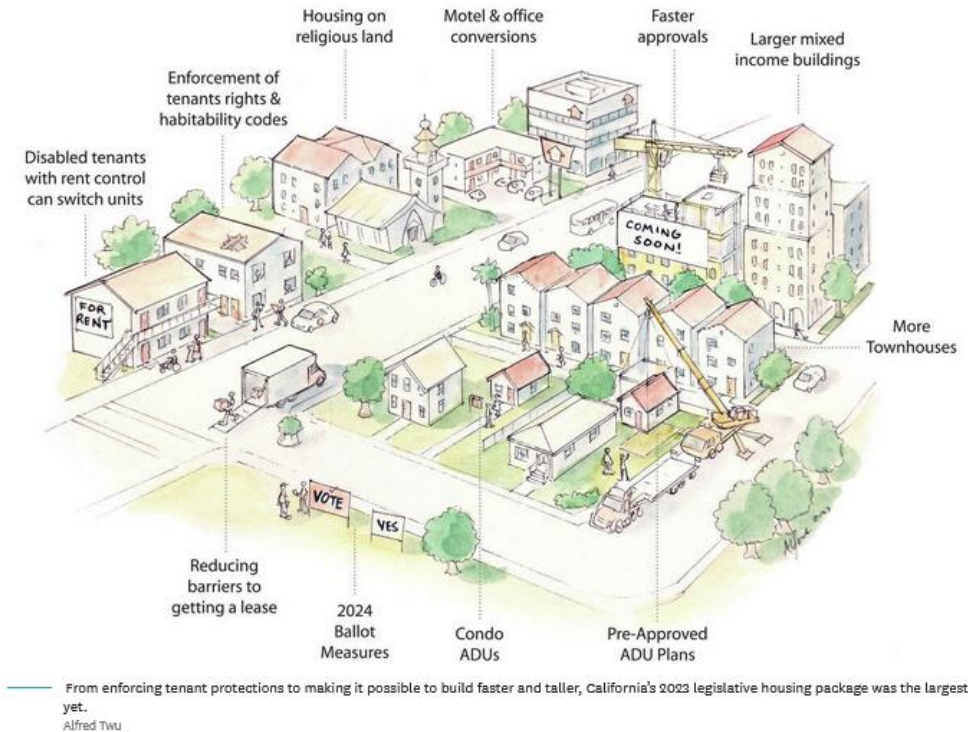


<https://www.sfchronicle.com/opinion/openforum/article/newsom-california-housing-bills-18442548.php>

Newsom signed over 60 housing bills this year. Here's how they're going to change California

Alfred Twu Oct. 24, 2023



From enforcing tenant protections to making it possible to build faster and taller, California's 2023 legislative housing package was the largest yet, with over 60 housing bills signed by Gov. Gavin Newsom. Many of this year's bills build on previous legislation, expanding the impact and reach of those laws. Others took successful local programs and brought them statewide.

Here's how these new laws are poised to change the Bay Area.

With pandemic eviction moratoriums ending, tenant protections were a priority this session. [SB567](#), by state Sen. María Elena Durazo, D-Los Angeles, strengthened the Tenant Protection Act of 2019, which brought rent increase limits and other protections to municipalities without local rent ordinances. [AB548](#), by Assembly Member Tasha Boerner, D-Encinitas (San Diego County), allowed inspectors to check the rest of a building if they find problems in one apartment, such as mold, that is likely to affect other residents. [AB1218](#), from Assembly Member Josh Lowenthal, D-Long Beach, expanded requirements for replacement housing when rent-controlled apartments are demolished.

Repealing Costa-Hawkins, the 1995 state law that limits the reach and impact of local rent control laws, has been a longtime goal of tenant groups. One small but important reform just passed in this pursuit. [AB1620](#), from Assembly Member Rick Chavez Zbur, D-Los Angeles, will

allow tenants with permanent disabilities living in a rent-controlled unit to switch units while keeping their low rent — for example, by moving to a ground floor unit in a walkup building.

The governor also signed bills to help low-income people who are homeless, living in overcrowded conditions or paying higher prices for short-term rentals. [AB12](#) from Assembly Member Matt Haney, D-San Francisco, reduced the maximum security deposit a landlord can charge — from two months rent to one month. This will help those who can afford rent but not a deposit.

Many Section 8 vouchers for low-income renters going unused because prospective tenants lack the credit score to qualify for an apartment, [SB267](#), by state Sen. Susan Talamantes Eggman, D-Stockton, will allow Section 8 tenants to use alternatives to credit score, such as proof of having paid rent on time in the past.

With the state facing lower revenues, the governor vetoed many bills for funding low-income housing. However, Newsom did sign every bill to streamline the approval of affordable housing. The most significant of these is [SB4](#), a bill from State Sen. Scott Wiener, D-San Francisco. It streamlines approvals and rezones land owned by religious organizations to allow affordable housing. Other bills such as [SB91](#), from state Sen. Thomas Umberg, D-Santa Ana; [AB1490](#), from Assembly Member Alex Lee, D-San Jose; and [AB529](#), from Assembly Member Jesse Gabriel, D-Los Angeles, encourage conversion of motels and other commercial properties to affordable housing.

YIMBYs celebrated the signing of numerous bills that will allow more homes to be built faster. The flagship bill was Wiener's [SB423](#), which, backed by the carpenters union, will speed the approval of housing in cities that aren't meeting their state-mandated housing goals. A [last-minute amendment](#) also made sure it would go into effect in San Francisco first, in 2024.

Two other bills close loopholes that San Francisco has been using to delay project approvals. One addresses the California Environmental Quality Act, [AB1633](#), by Assembly Member Phil Ting, D-San Francisco, and another building permits, [AB1114](#) from Haney.

Earlier this year, Newsom also signed AB130 from Assembly Member Buffy Wicks, D-Oakland, which clarified that students are not considered pollution under state environmental law and that student housing cannot be blocked by anti-pollution laws.

Single-family zones went mostly untouched this year, with a bill to strengthen last year's SB9 duplex bill put on hold. A bill to allow more medium-density homeownership opportunities such as townhouses, [SB684](#), by state Sen. Anna Caballero, D-Merced, was amended at the last minute to exclude single-family zones. Instead, California will be doubling down — literally — on existing apartment and mixed-use zones. Based on a successful San Diego program, [AB1287](#), from Assembly Member David Alvarez D-San Diego, allows more height and homes in exchange for providing some very low, low and moderate-income housing. Previously, such buildings could be up to 50% larger than allowed by zoning. Under AB1287, by providing additional income-restricted units, they can now be 100% larger.

Accessory Dwelling Units had another bright year. Many cities such as San Jose already have pre-approved ADU plans, where a homeowner can select a design and get a permit the same day. [AB1332](#), from Assembly Member Juan Carrillo, D-Palmdale, will bring this initiative statewide. While many of today's ADUs are used as rentals, condo ADUs — already common in Seattle — are coming soon. [AB671](#), from Assembly Member Chris Ward, D-San Diego, allows Community Land Trusts, a type of affordable housing nonprofit, to sell a house, ADU and junior ADU on a single property to three separate low-income families. Ting's [AB1033](#) gives cities and counties the option of allowing anyone to buy an ADU as a condo.

Legislators and the governor are not the only ones who get to weigh in on housing policy; California voters will have many ballot measures to decide in 2024. First, during the March presidential primary, there will be a proposition to reduce homelessness by funding housing and treatment. In November, there will be propositions to make it easier for cities to fund and build housing and another attempt to repeal Costa-Hawkins. The Bay Area Housing Finance Authority is also planning a regional affordable housing measure.

It can take a few years to see the full effect of legislation because it takes time for tenants to learn how to defend their new rights, and builders and funders to test projects to learn how to best use new opportunities. If these bills realize their potential, however, 2023 may be seen as the year that California truly turns the corner on the housing crisis.

Alfred Twu is a Bay Area architect who has worked with East Bay for Everyone and the California Democratic Renters Council on housing and tenant protection policy.