

2021 Housing Bills Summary

The State has not yet issued a summary of bills passed in 2021. Several bills are summarized below - additional discussion of 2021 bills is available at a number of websites, including:

<https://www.natlawreview.com/article/california-enacts-new-legislation-to-combat-growing-housing-crisis-not-without>

<https://alfredtwu.medium.com/2021-california-housing-legislation-highlights-de42073deebd>. **This website also has a neat graphic**

[SB 8 \(Skinner\) - SB 330 Housing Crisis Act Extension](#)

Senate Bill 8 extends the provisions of SB 330, the Housing Crisis Act of 2019, from 2025 until 2030. SB 8 also clarifies that a “housing development project”, for the purposes of the housing Crisis Act, may involve discretionary and/or ministerial approvals, or construction of a single dwelling unit.

[SB 9 \(Atkins\) - Duplex and Lot Split Zoning](#)

Senate Bill 9 requires ministerial approval of duplex or two single family units (developments of two housing units) on qualifying parcels in single-family zoning districts. The proposed housing development must meet a range of requirements, including:

- It would not require demolition or alteration of housing that has been occupied by a tenant in the last three years.
- It would not demolish more than 25 percent of the existing exterior structural walls, unless the housing development meets at least one of the following conditions:
- It is not located within a historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed

as a city or county landmark or historic property or district pursuant to a city ordinance.

Senate Bill 9 allows single-family parcels to be subdivided into two lots, when combined with the provision to allow up to two units per lot, this could allow for development of up to four housing units on lots in a single family zone. SB 9 requires applicants for qualifying lot splits to occupy one of the housing units as their principal residence for a minimum of three years, unless the applicant is a community land trust or qualified nonprofit corporation.

SB 9 provides for a local agency to deny a proposed housing project if it finds that the project would have an adverse health and safety or environmental impact that cannot be feasibly mitigated or avoided.. The bill includes provisions to prevent the displacement of existing renters and protect historic districts, fire-prone areas, and environmental quality.

[SB 10 \(Wiener\) - CEQA Streamlining for Upzoning](#)

SB 10 creates a voluntary process that is exempt from CEQA for local governments to adopt an ordinance to zone any parcel for up to 10 units near transit or in urban infill areas. SB 10 prohibits larger residential or mixed-use projects with more than 10 units developed on one or more parcels upzoned pursuant to SB 10 from being approved ministerially or by right and from being exempt from CEQA, with limited exceptions. If a local agency chooses to adopt an ordinance under SB 10, it must do so by January 1, 2029.

[SB 478 \(Wiener\) - Minimum FAR Restrictions](#)

Senate Bill 478 prohibits local governments from: 1) establishing a floor area ratio (FAR) that is less than 1.0 for projects of three to seven units, 2) establishing a FAR less than 1.25 for projects consisting of eight to ten unit, and 3) denying a housing development project on a legal existing parcel solely on the basis of not meeting minimum lot size standards. This applies to projects that are either entirely residential, mixed-use with at least two-

thirds of the square footage designated for residential use, or transitional or supportive housing. Eligible projects must consist 3 to 10 units, be located in either a multi-family residential zone or mixed-use zone, and not be located within a single-family zone nor within a historic district or property. This bill also limits private restrictions that effectively prohibit or unreasonably restrict an eligible project from achieving the FARs described herein.