



**ORANGE COUNTY  
COUNCIL OF GOVERNMENTS  
Technical Advisory Committee**

**Meeting Date / Location**

**Tuesday, June 2, 2020**

**9:30 A.M. – 12:00 P.M.**

<https://yorbalingda.zoom.us/j/98288781804?pwd=RndWZzNxOGphb05CKzh5bFJJYXRTZz09>

Meeting ID: 982 8878 1804

Password: 594325

Mobile: +16699006833

98288781804#

**Agenda Item**

**Staff**

**Page**

**INTRODUCTIONS**

(Chair Nate Farnsworth,  
City of Yorba Linda)

**PUBLIC COMMENTS**

(Chair Farnsworth)

The agenda descriptions are intended to give members of the public a general summary of items of business to be transacted or discussed. The posting of the recommended actions does not include what action will be taken. The Technical Advisory Committee may take any action which it deems appropriate on the agenda item and is not limited in any way by the notice of the recommended action.

At this time members of the public may address the TAC regarding any items within the subject matter jurisdiction, which are not separately listed on this agenda. Members of the public will have an opportunity to speak on agendized items at the time the item is called for discussion. NO action may be taken on items not listed on the agenda unless authorized by law. Comments shall be limited to three minutes per person and an overall time limit of twenty minutes for the Public Comments portion of the agenda.

Any person wishing to address the TAC on any matter, whether or not it appears on this agenda, is requested to complete a "Request to Speak" form available at the door. The completed form is to be submitted to the TAC Chair prior to an individual being heard. Whenever possible, lengthy testimony should be presented to the TAC in writing and only pertinent points presented orally. A speaker's comments shall be limited to three minutes.

**ADMINISTRATION**

- |    |   |                    |   |
|----|---|--------------------|---|
| 1. | <b>OCCOG TAC Meeting Minutes</b>  | (Chair Farnsworth) | 4 |
|    | <ul style="list-style-type: none"> <li>• Draft OCCOG TAC minutes for the May 5, 2020 meeting</li> </ul> |                    |   |

**Recommended Action:** Approve OCCOG TAC minutes for the May 5, 2020 meeting, as presented or amended

Agenda Item	Staff	Page	
<b>PRESENTATIONS, DISCUSSION AND ACTION ITEMS, REPORTS</b>			
2	<b>Center of Demographic and Research Update</b> <ul style="list-style-type: none"> <li>• Housing Inventory System (HIS) Data Collection</li> <li>• Orange County Data Acquisition Partnership (OCDAP)</li> </ul>	(Ms. Deborah Diep, Director, Center for Demographic Research) – 30 minutes	8
<i><u>Recommended Action:</u></i> Receive report. Discussion.			
3.	<b>ADU Ad Hoc Committee Report</b>	(Chair Farnsworth) 15 minutes	37
<i><u>Recommended Action:</u></i> Receive report. Discussion.			
4.	<b>Grant Funding</b> <ul style="list-style-type: none"> <li>• LEAP Grant</li> <li>• REAP Grant</li> </ul>	(Chair Farnsworth) 15 minutes	38
<i><u>Recommended Action:</u></i> Receive report. Discussion			
5.	<b>SCAG Data Map Books</b>	(Ms. Deborah Diep) – 15 minutes	41
<i><u>Recommended Action:</u></i> Receive report. Discussion			
6.	<b>Connect SoCal/RHNA</b> <ul style="list-style-type: none"> <li>• Update on Connect SoCal/RHNA</li> <li>• Lessons Learned</li> <li>• SCAG Entitlement Database Review</li> </ul>	(Ms. Deborah Diep) 15 minutes	44
<i><u>Recommended Action:</u></i> Receive report. Discussion			
7.	<b>SCAG Housing Element Data Package</b>	(Ms. Deborah Diep) – 15 minutes	58
<i><u>Recommended Action:</u></i> Receive report. Discussion			
8.	<b>Proposed Housing Legislation</b>	(Chair Farnsworth) 15 minutes	59
<i><u>Recommended Action:</u></i> Receive report. Discussion			

**REPORT FROM THE OCCOG EXECUTIVE DIRECTOR**

**MATTERS FROM OCCOG TAC MEMBERS**

**ANNOUNCEMENTS FROM NON-MEMBERS**

**ITEMS FOR NEXT MEETING**

**IMPORTANT DATES OR UPCOMING EVENTS**

- June 4, 2020 – SCAG General Assembly
- June 8, 2020 – Comment deadline for the State of California Draft 2020-2024 Federal Consolidated Plan
- June 11, 2020- SCAG/USC Demographic Workshop (Part 1)
- June 18, 2020 - SCAG/USC Demographic Workshop (Part 2)
- June 23, 2020 - Chapman Economic Forecast Update at 3pm. Registration is free:  
<https://www.chapman.edu/research/institutes-and-centers/anderson-center/economic-forecast/index.aspx>

**Adjourn to: JULY 7, 2020**  
**LOCATION: TBD**



**ORANGE COUNTY  
COUNCIL OF GOVERNMENTS**  
*Technical Advisory Committee*

**Draft Action Minutes**

Meeting of June 2, 2020

The Orange County Council of Governments Technical Advisory Committee (TAC) meeting of May 5, 2020, was called to order by Chair Nate Farnsworth, City of Yorba Linda. The meeting was held through video and telephone conferencing.

**PUBLIC COMMENT:**

There were no public comments at this time.

**ADMINISTRATION**

**1. OCCOG TAC Meeting Minutes**

The OCCOG meeting minutes of April 7, 2020 were unanimously approved by the TAC as moved by Vice Chair Justin Equina, City of Irvine, and a second by Belinda Dienes from the City of Dana Point.

**PRESENTATIONS, DISCUSSION AND ACTION ITEMS, REPORTS**

**2. Local Early Assistance Planning Grant Program (LEAP)**

Sohab Mehmood from Housing and Community Development (HCD) presented to the OCCOG TAC members about the LEAP grant funding. All applications must include eligible planning activities with nexus findings. Fifteen percent of the total grant may be used towards technical studies containing implementation measures. Additionally, site specific projects may be counted as an eligible task only if it creates a reoccurring benefit and a significant community impact. In other words, the project has to serve as a template for future projects.

**3. Senate Bill 743 (SB 743)**

Delia Votsch and Jason Pack from Fehr & Peers provided a general overview of SB 743. The bill changes the focus from measuring impacts to drivers to measuring the impact of driving. The change is being made by replacing Level of Service (LOS) with vehicle miles of travel (VMT) and providing streamlined review of land use and transportation projects that help reduce future VMT growth. The deadline for jurisdictions to incorporate VTM changes is July 1, 2020.

**4. Center for Demographic Research – Housing Inventory System (HIS) Data Collection & DOF Parallel Housing Survey (PHS)**

Ms. Deborah Diep, Executive Director for the Center for Demographic Research, provided the OCCOG TAC with an update on the January 1 – December 31, 2019 Housing Inventory System (HIS) Data Collection, DOF Parallel Housing Survey (PHS), 2020 Census Participant Statistical Areas Program (PSAP) Verification Phase Status Report, and Orange County Data Acquisition Partnership (OCDAP).

**OCCOG TAC Minutes**  
**Meeting of June 2, 2020**  
**Page 2**

HIS submission forms were updated in 2020 to include additional sample entries and clarifications in the instructions. An additional optional column was added “Building Permit Date Issued” to assist in compiling HIS, DOF and HCD APR data. Please submit data to CDR using the new 2020 HIS form located at <http://www.fullerton.edu/cdr/HISform.xls> . Revisions to prior years may use either the new or old form. Please verify that the same data reported to CDR is also provided to DOF in their annual Housing Unit Change Survey.

CDR’s Demographic Analyst and HIS contact is Tania Torres. She can be reached at 657-278-3417 or [tatorres@fullerton.edu](mailto:tatorres@fullerton.edu).

CDR will send requests for the January 1 – June 30, 2020 HIS data on July 1, 2020 with a deadline to submit the data to CDR by Friday, July 24, 2020.

**DOF Parallel Housing Survey (PHS)**

The Department of Finance is conducting data collection for the April 2020 Parallel Housing Survey (PHS) to coincide with the U.S. Census Bureau’s 2020 Decennial Census. The housing information gathered on the PHS is collected only once each decade and it essential for the State to transition into new population and housing estimates starting from the Decennial Census date of April 1, 2020. The PHS also serves as a closing point for the 2010-2020 estimates period. When the 2020 Decennial Census data is available, the PHS will be used as a comparative tool to make sure the vital housing information you are providing to Finance annually is being captured accurately. The PHS is collecting housing changes from 1/1/2020 – 3/31/2020 only. The 2021 Housing Survey will collect the remaining 9 months of calendar year 2020 in January 2021. The PHS is different than the annual Housing Survey.

DOF has extended the deadline to May 30, 2020.

**2020 Census Data Release Schedule**

The Census Bureau is posting revisions to the release of the 2020 Census data. Below are some of the revisions and links to further information.

<https://www.census.gov/programs-surveys/decennial-census/about/rdo/summary-files.2020.html>

Posting December 2020 through January 2021

- Shapefiles
- Maps (.pdf)
- Block Assignment Files/Name Look-up Tables
- 2010 to 2020 tabulation block crosswalk

<https://2020census.gov/en/news-events/operational-adjustments-covid-19.html?#>

**OCCOG TAC Minutes**  
**Meeting of June 2, 2020**  
**Page 3**

2020 Census Operational Adjustments Due to COVID-19 (updated 4/13/2020)

Process Apportionment Counts

After collection activities are complete, Census Bureau experts run and review output from programs to unduplicate responses, determine final housing unit status, populate any missing housing unit data on household size and finalize the universe to be included in the apportionment count file.

- a) Planned Schedule July 31, 2020 – December 31, 2020
- b) Revised Schedule October 31, 2020 – April 30, 2021

Process Redistricting Data

Census Bureau experts run and review programs to populate any missing demographic data for each household, run differential privacy programs to ensure confidentiality and run tabulation programs for each state delivery.

- c) Planned Schedule January 1, 2021 – March 30, 2021
- d) Revised Schedule May 1, 2021 – July 31, 2021

**Orange County Data Acquisition Partnership (OCDAP)**

Orange County agencies are partnering with SCAG to pool resources to create purchase online and GIS-accessible aerial imagery for Orange County. This is patterned off of LA County's collaborative GIS effort known as LARIAC (Los Angeles Region Imagery Acquisition Consortium). <https://egis3.lacounty.gov/dataportal/lariac/>

This joint effort, now called the Orange County Data Acquisition Partnership (OCDAP), will reduce the cost of purchasing aerial imagery and other GIS information that can be used by all departments within an agency without the need for GIS software by including a user-friendly, non-GIS platform; GIS users would have access to GIS data. Cycle 1 will include 3-inch pixel aerial/ortho imagery, infrared, and building footprints. The services will include in-person training, webinars, and additional support. Imagery and reference information is expected to be collected in June 2020, which would provide a critical baseline reference for the 2020 U.S. Decennial Census and the 2024 RTP/SCS. 2020 is expected to be the base year for CDR's 2022 Orange County Projections (OCP). Some of the goals are to reduce or eliminate duplicate purchases across the region, reduce costs using economies of scale, allow for unlimited and cross-departmental users within an agency.

The total project cost for Cycle 1 is \$383,603. Currently, 17 agencies have indicated participation and full funding has been reached to proceed with the project. Additional agencies may still participate; those interested in participation should contact Javier Aguilar, SCAG: (213) 236-1845 Cell: (213) 999-1252 [aguilar@scag.ca.gov](mailto:aguilar@scag.ca.gov).

The OCCOG Board has authorized OCCOG take the lead in invoicing the participating agencies in Cycle 1 for the OCDAP. OCCOG will collect the funds and send to SCAG. A Participant Agreement will need to be signed by each agency participating in Cycle 1 of OCDAP; the

**OCCOG TAC Minutes**  
**Meeting of June 2, 2020**  
**Page 4**

Agreement will also be signed by OCCOG, which will be invoicing and collecting the funds, and SCAG who is handling the procurement of the vendor contract. Copies of the Participant Agreement will be prepared and distributed by SCAG for signature; this is expected to occur by the end of May 2020.

Action: Received report. Discussion

**5. 2020 SCAG Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS or Connect SoCal) Data**

Chair Nate Farnsworth updated the OCCOG TAC members on the 2020 SCAG RTP/SCS. At the upcoming May 7<sup>th</sup> Regional Council Meeting, SCAG staff is recommending the Regional Council to approve the Connect SoCal as required for federal transportation conformity purposes only. SCAG staff is also recommending the Regional Council to postpone approval of the document for up to 120 days for all other purposes, including the submittal to the Air Resource Board for its determination whether the SCS meets the regional greenhouse gas emission reduction targets.

Action: Received Report. Discussion.

**6. RHNA Update**

Chair Nate Farnsworth updated the OCCOG TAC members on the RHNA. On May 7, 2020, SCAG staff is recommending to the Regional Council to approve the RHNA appeals procedures. Details on the RHNA methodology and proposed RHNA appeals are available on SCAG's website.

On April 23, 2020, the OCCOG Board authorized two letters to be sent related to RHNA. The first letter is to HCD and encourages the state reconsider the regional determination of 1.34 million housing units for the 6<sup>th</sup> Cycle RHNA by following state housing law. The second letter is to SCAG's President and expresses its frustration and disappointment with the RHNA methodology process. The OCCOG Board is recommending that Orange County jurisdictions consider sending similar letters to HCD and SCAG.

**7. Accessory Dwelling Units (ADU)**

Chair Nate Farnsworth led the discussion about strategies in counting ADU's towards the RHNA allocation. An ad hoc committee will be formed to determine a regional coordinated approach that will receive pre-approval from HCD.

**8. REAP Grant**

Chair Nate Farnsworth updated the OCCOG TAC members about REAP funding. SCAG will be allocating a portion of their funding to counties. OCCOG TAC should start thinking how REAP funds should be utilized as it will be available by Fall.



**Item 2:** Center for Demographic Research (CDR) Updates  
**Recommended Action:** Receive reports.

## Reports

---

### 1. Housing Inventory System (HIS) Data Collection

**CDR will send requests for the January 1 – June 30, 2020 HIS data on July 1, 2020 with a deadline to submit the data to CDR by Friday, July 24, 2020.**

HIS submission forms were updated in 2020 to include additional sample entries and clarifications in the instructions. An additional optional column was added “Building Permit Date Issued” to assist in compiling HIS, DOF and HCD APR data. Please submit data to CDR using the new 2020 HIS form located at <http://www.fullerton.edu/cdr/HISform.xls> . Revisions to prior years may use either the new or old form. Please verify that the same data reported to CDR is also provided to DOF in their annual Housing Unit Change Survey. For HIS questions, please contact Tania Torres at 657-278-3417 or [tatorres@fullerton.edu](mailto:tatorres@fullerton.edu).

Attached to this staff report is an updated HIS unit flow chart to better explain how to record unit activity when attached ADUs are involved. This is similar to DOF’s new housing survey flow chart DOF, but is tailored to CDR’s 4 ADU types.

Attachment: Draft CDR HIS Unit Flow Chart

### 2. Orange County Data Acquisition Partnership (OCDAP)

Orange County agencies are partnering with SCAG to pool resources to create purchase online and GIS-accessible aerial imagery for Orange County. This is patterned off of LA County’s collaborative GIS effort known as LARIAC (Los Angeles Region Imagery Acquisition Consortium). <https://egis3.lacounty.gov/dataportal/lariac/>

This joint effort, called the Orange County Data Acquisition Partnership (OCDAP), will reduce the cost of purchasing aerial imagery and other GIS information that can be used by all departments within an agency without the need for GIS software by including a user-friendly, non-GIS platform; GIS users would have access to GIS data. Cycle 1 will include 3-inch pixel aerial/ortho imagery, infrared, and building footprints. The services will include in-person training, webinars, and additional support. Imagery and reference information is expected to be collected in July 2020, which would provide a critical baseline reference for the 2020 U.S. Decennial Census and the 2024 RTP/SCS. Some of the goals are to reduce or eliminate duplicate purchases across the region, reduce costs using economies of scale, allow for unlimited and cross-departmental users within an agency.

The total project cost for Cycle 1 is \$383,603. Currently, 16 agencies have verbally indicated participation and full funding has been reached to proceed with the project. The OCCOG Board has authorized OCCOG take the lead in invoicing the participating agencies in Cycle 1 for the OCDAP. OCCOG will collect the funds and send to SCAG. A Participant Agreement (attached) will need to be signed by each agency participating in Cycle 1 of OCDAP; the





Agreement will also be signed by OCCOG, which will be invoicing and collecting the funds, and SCAG who is handling the procurement of the vendor contract. Copies of the Participant Agreement will be prepared and distributed by SCAG for signature; this is expected to occur in mid-June. Additional agencies may still participate; those interested in participation should contact Javier Aguilar, SCAG: (213) 236-1845 Cell: (213) 999-1252 [aguilar@scag.ca.gov](mailto:aguilar@scag.ca.gov).

**Attachments:**

- SCAG Data Collaborative FAQ 4/28/2020
- OCDAP Cycle 1 Participation Agreement

---

Contact: Ms. Deborah Diep, Director, Center for Demographic Research  
657/278-4596 [ddiep@fullerton.edu](mailto:ddiep@fullerton.edu)

Employment data: Ms. Ruby Zaman, Assistant Director, CDR  
657/278-4709 [ruzaman@fullerton.edu](mailto:ruzaman@fullerton.edu)

For GIS: Mr. Ian Boles, GIS Analyst, CDR  
657/278-4670 [iboles@fullerton.edu](mailto:iboles@fullerton.edu)

For HIS: Ms. Tania Torres, Demographic Analyst, CDR  
657/278-3417 [tatorres@fullerton.edu](mailto:tatorres@fullerton.edu)



# HOUSING UNIT CHANGE FORM

Date of Estimate: 1/1/2020

PLEASE READ ATTACHED INSTRUCTIONS. RETURN BY **January 17, 2020.**

Demographic Research Unit, Department of Finance, 915 L Street, Sacramento, CA 95814, Fax (916) 327-0222, Telephone (916) 323-4086.

City/Town: \_\_\_\_\_

County: \_\_\_\_\_

**Please check the method you reported on this survey for newly constructed units:**

Housing units completed between 1/1/19-12/31/19 based on **Final Inspections, Certificates of Occupancy, Completion Certificates or Utility Releases.**

**Or**

If you can only report building permits issued, you **MUST** adjust the building permits to estimate completions using a different time frame:

**Single unit** permits issued: 7/1/18 – 6/30/19; **Multiple unit** permits issued: 1/1/18 – 12/31/18.

SECTION I. HOUSING UNITS GAINED	SINGLE-FAMILY			MULTI-FAMILY				Total Housing Units	How many of the total units reported (left) were of the following types:			
	Detached Units	Attached Units	Mobile Homes	2, 3, or 4 -Plex		5 or More			Total Affordable Units	Detached Accessory Dwelling Units	Attached Accessory Dwelling Units	Total Accessory Dwelling Units
				structures	Units	structures	Units					
1. Newly Constructed Units												
2. Converted Units Gained												
3. Non-Permitted Units Gained												
<b>SECTION II. HOUSING UNITS LOST</b>												
<b>From January 1, 2019 through December 31, 2019</b>												
1. Demolition , fire or natural disaster												
2. Converted Units Lost												
3. Non-Permitted Units Lost												

**SECTION III. ANNEXATIONS AND DETACHMENTS**  
From January 1, 2019 through December 31, 2019

**For Cities Only.** Attach additional sheets if necessary.

LAFCO #	Annexation Short Titles & Effective Date	SINGLE-FAMILY			MULTI-FAMILY				TOTAL UNITS
		Detached Units	Attached Units	Mobile Homes	2, 3, or 4 -Plex		5 or More		
					structures	Units	structures	Units	

**SECTION IV. CIVILIAN GROUP QUARTERS CHANGE**  
From January 1, 2019 through December 31, 2019

Attach additional sheets if necessary.

Facility Name, Address, Zip Code, & Telephone Number	DATE OF STATUS CHANGE					PERMANENT RESIDENTS	
	Annexed	detached	opened	closed	changed	1/1/2019	12/31/2019

Reported by: \_\_\_\_\_ Department: \_\_\_\_\_ Title: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip Code: \_\_\_\_\_

E-mail Address: \_\_\_\_\_ Telephone: \_\_\_\_\_ FAX : \_\_\_\_\_

## DOF HOUSING UNIT SURVEY INSTRUCTIONS

Please return the attached Housing Unit Survey to the Department of Finance (Finance) by **January 17, 2020**.

### Section I. Housing Units Gained

Report all housing unit change information that occurred within your jurisdiction from **January 1, 2019 through December 31, 2019**.

1. **REPORT HOUSING UNITS GAINED from newly constructed housing units** within the given time frame. Preferred sources of newly constructed housing units include: Final Inspections, Certificates of Occupancy, Completion Certificates, and Utility Releases. Please do **NOT** provide building permits issued. If you only have building permits issued to indicate new housing construction, report them as indicated below under Adjusted Building Permits.

**Adjusted Building Permits:** Report the number of building permits that were issued for the following time frames: **single structure units** issued from **July 1, 2018 to June 30, 2019**, and **multi-structure units** issued from **January 1, 2018 to December 31, 2018**.

**Mobile Home Units:** Report mobile home unit changes on lots from January 1, 2019 to December 31, 2019. Changes in mobile homes may be reported regardless of the source of new construction.

2. **REPORT HOUSING UNITS GAINED from conversions or moved into your jurisdiction.** If your jurisdiction gained any new housing units from converting non-residential buildings into housing units, or by converting one type of housing unit structure into a new housing structure, (such as a duplex gained by converting a single family home) or any new housing units gained from military conversions, report these units under "conversions" from January 1, 2019 through December 31, 2019. Also, report any housing units moved into your jurisdiction.
3. **REPORT OTHER HOUSING UNITS GAINED from non-permitted activity.** Consists of non-permitted residential units; military units converted to civilian use without the issuance of a building permit; and non-permitted residential units added illegally within your jurisdiction. An example of an illegal unit -- a secondary non-permitted unit intended for residential occupancy added to an existing primary residence.

### Section II. Housing Units Lost

We request local jurisdictions to report all units lost within your jurisdiction from January 1, 2019 through December 31, 2019.

1. **REPORT HOUSING UNITS LOST from demolition, fire, or other natural disaster.** Report residential housing units lost within your jurisdiction from January 1, 2019 through December 31, 2019 demolition, fire, earthquake, flood, or other natural disaster.
2. **REPORT HOUSING UNITS LOST from conversions or moved out of your jurisdiction.** Report units lost from converting housing units into non-residential uses, or lost by converting one type of housing unit structure into a new housing structure (such as a single family home lost by converting it into a duplex) from January 1, 2019 through December 31, 2019. Also, report any units that moved out of your jurisdiction.
3. **REPORT OTHER HOUSING UNITS LOST from non-permitted activity.** Consists of non-permitted residential units; and non-permitted residential units added illegally within your jurisdiction. An example of an illegal unit -- a secondary non-permitted unit intended for residential occupancy added to an existing primary residence.

### Section III. Annexations and Detachments (cities only)

Cities must list all inhabited annexations and detachments that occurred between January 1, 2019 and December 31, 2019 in this section. For inhabited **annexations and detachments**, report all existing housing units within the area as of the **effective date**. Report housing units built **after** the effective date under **Section I-** Housing Units Gained. Include the full name of each annexation/detachment and its LAFCO resolution number.

### Section IV. Civilian Group Quarters Change (see definition below)

Report resident Group Quarters change information for facilities that opened or closed during the year, or whose resident population significantly changed during the calendar year. Report annexed Group Quarters facilities in this section. For this survey, only consider changes for facilities that have 100 or more residents. If no significant changes occurred in the last calendar year, write "no change" in this section.

## ADDITIONAL INFORMATION

Provide documentation for any additional information that may affect your area's population. Include the basis of the population change and the source of the information. Finance reviews all additional population change information documented by local areas.

We do accept housing survey revisions for previous years going back to the most recent decennial census. For blank survey forms from previous years, see the contact information at the end of this document. An example of a housing survey revisions includes: 'grandfathered' units that were constructed without a permit, but which were brought into compliance during the reporting time frame.

### Definitions

**Single-detached unit** - a one-unit structure with open space on all four sides. The unit often possesses an attached garage.

**Single-attached unit** - a one-unit structure attached to another unit by a common wall, commonly referred to as a townhouse, half-plex, or row house. The shared wall or walls extend from the foundation to the roof with adjoining units to form a property line. Each unit has individual heating and plumbing systems.

**Mobile home unit** - a one-unit structure that was originally constructed to be towed on its own chassis.

**2-, 3-, and 4-plex units per structure** - a structure containing two, three, or four units and not classified as single-unit attached structure. The units in the structure share attic space and heating and plumbing systems.

**5 or more units per structure** - a structure containing five or more housing units. The units share attic space, and heating and plumbing systems.

**Affordable Units** – Any unit with a legally enforceable agreement for at least 30 years that restricts occupancy and requires affordable housing costs (Health and Safety Code section 50052.5) or affordable rent (Health and Safety Code section 50053) be provided to person(s) whose household income qualifies as extremely-low, very-low, low, or moderate income. Legally enforceable agreements may include deed-restrictions recorded by the local County Recorder or affordability restrictions enforceable by a public agency (e.g. local inclusionary ordinances or density bonus units).

**Accessory Dwelling Unit (ADU)** - An attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the existing unit is situated. ADUs can only be added to parcels containing a single family housing unit.

ADUs are a subcategory type of housing reported by how they are constructed according to single family and multi-family definitions. When reporting ADUs on the Housing Survey, follow the steps below (or see flowchart for a visual depiction):

1. Determine whether the ADU is attached or detached to the primary housing unit.
2. If detached, determine whether the ADU is a mobile home or not.
  - a. If not a mobile home, report as a newly constructed single family detached unit.
  - b. If it is a mobile home, report as a newly constructed mobile home.
3. If attached, determine whether the ADU has its own heating and plumbing system.
  - a. If the ADU has its own heating and plumbing system, report as a newly constructed single family attached unit.
  - b. If the ADU does **not** have its own heating and plumbing system (shared with the primary unit), report as 1 structure and 2 Converted Units Gained in the Multi-Family, Two to Four category. Be sure to also report the loss of 1 Single Family Detached unit in the Converted Units Lost category.
4. Because ADUs are considered a subcategory of housing units, they are tabulated according to their construction and are not separately identified in the Single Family, Mobile Homes, and Multi-Family categories. Keep track of all attached and detached ADUs and report the totals in each subcategory.

Below are some examples of the most common ADUs and how they should be reported:

1. A parcel containing a single family housing unit added a detached ADU on the same parcel.
  - Report 1 newly constructed Single Family Detached housing unit; report 1 newly constructed Detached ADU.
2. A parcel containing a single family housing unit added an attached ADU that shares heating and plumbing with the primary housing unit.
  - Report 1 Structure and 2 Converted Units Gained in the Multi-Family, Two to Four category; report 1 Converted Unit Lost in the Single Family Detached category; report 1 Converted Unit Gained in the Attached ADUs category. Net housing unit gain = +1 unit

3. A parcel containing a single family housing unit converted a detached garage to an ADU.
  - Report 1 newly constructed Single Family Detached housing unit; report 1 newly constructed Detached ADU. Because the garage was not previously considered a permitted legal housing unit, it is considered a newly constructed housing unit in this situation.
4. A parcel containing a single family housing unit added a mobile home on the same parcel.
  - Report 1 newly constructed Mobile Home Unit; report 1 newly constructed Detached ADU.

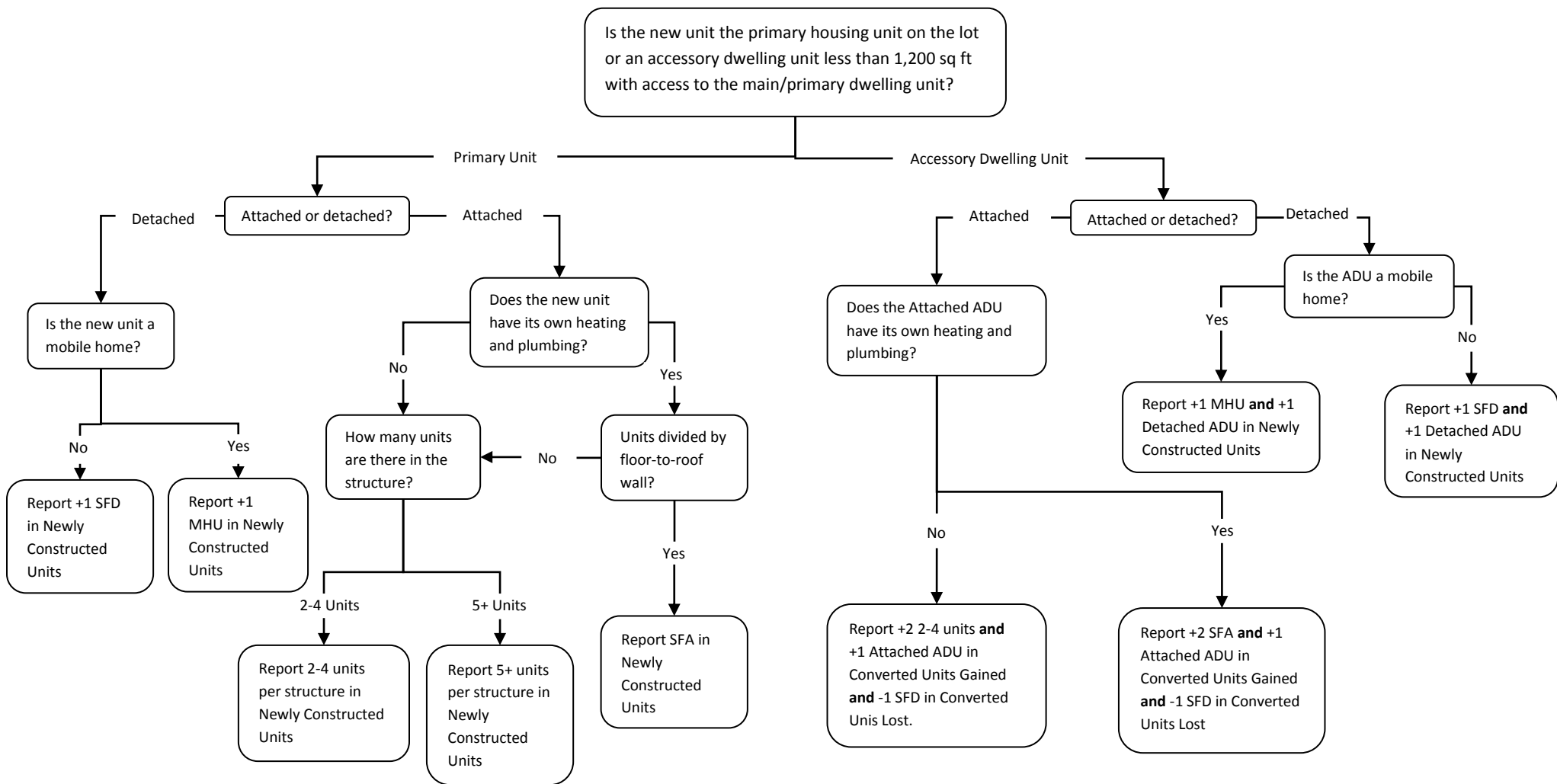
**Civilian Group Quarters** - are non-household residential facilities. Types of Group Quarters facilities include: nursing and convalescent homes; orphanages; shelters; convents; private dormitories; and local facilities for the mentally and physically disabled. Residents living in these facilities have no permanent residence elsewhere.

**Note:** Condominium refers to an ownership classification, not a structural type. Report condominiums based on their structural types.

Please return the completed survey form by one of the following methods:

- Online HUS System: <http://housingsurvey.dof.ca.gov/HUS/Index.aspx>
- Fax: (916) 327-0222
- Mail: (see address below)
- Download PDF File: [http://www.dof.ca.gov/Forecasting/Demographics/Housing\\_Unit\\_Survey/](http://www.dof.ca.gov/Forecasting/Demographics/Housing_Unit_Survey/)
- E-mail: [Housing.Survey@dof.ca.gov](mailto:Housing.Survey@dof.ca.gov)

**Department of Finance  
Demographic Research Unit  
915 L Street, 8th Floor  
Sacramento, CA 95814**



ADU = Accessory Dwelling Unit  
 SFD = Single Family Detached  
 SFA = Single Family Attached  
 MHU = Mobile Home Unit



Jurisdiction	1 Price covers 2 years	Cycle 1 Participation?
Aliso Viejo	\$2,000	
Anaheim	\$5,000	yes
Brea	\$2,000	yes
Buena Park	\$2,000	Interested
Costa Mesa	\$2,000	yes
Cypress	\$2,000	
Dana Point	\$2,000	Cycle 2
Fountain Valley	\$2,000	yes
Fullerton	\$2,000	
Garden Grove	\$2,000	Interested
Huntington Beach	\$5,000	
Irvine	\$5,000	Interested
Laguna Beach	\$2,000	
Laguna Hills	\$2,000	yes
Laguna Niguel	\$2,000	yes
Laguna Woods	\$2,000	
La Habra	\$2,000	Interested
Lake Forest	\$2,000	Interested
La Palma	\$2,000	
Los Alamitos	\$2,000	
Mission Viejo	\$2,000	yes
Newport Beach	\$2,000	yes
Orange	\$2,000	Interested
Placentia	\$2,000	
Rancho Santa Margarita	\$2,000	
San Clemente	\$2,000	yes
San Juan Capistrano	\$2,000	
Santa Ana	\$5,000	yes
Seal Beach	\$2,000	
Stanton	\$2,000	
Tustin	\$2,000	Interested
Villa Park	\$2,000	
Westminster	\$2,000	Interested
Yorba Linda	\$2,000	yes
County of Orange	\$15,000	

**Project cost for Cycle 1: \$383,603**

Includes:

- 3" aerial/ortho imagery with infrared for all Orange County (tif, ecw...)
- Building Footprints
- Ability to download and retain local copies of above data to use in GIS and/or CAD systems software
- Vendor-hosted online software application for unlimited non-GIS users to view data listed above and perform data analysis
- Training for all participants
- One price for two years' worth of access

Committed Regional Agencies:

- SCAG- \$230,000
- MWDOC- \$50,000
- OCWD- \$50,000
- OCFA- \$62,275
- OCCOG- \$20,000
- Cities- \$28,000

Project funding: Reached

Draft pricing for jurisdictions is based on minimum base fee of \$2,000 that covers the online software/user-interface and aerial images.

**CONTACT JAVIER AGUILAR IF INTERESTED IN PARTICIPATING BY MAY 31, 2020.**

With unlimited user access, all departments within an agency can utilize the information to address their unique needs. This can be done on mobile devices or at their workstation instead of having to go out into the field.

Some example uses are:

- Reference/point-in-time snapshots
- Planning: Measuring height of buildings or setbacks
- Public Works: distance between manhole openings, curb-to-curb
- Fire: Counting number of floors in a building; locating fire hydrants
- Police: assessing access points on a building
- Sidewalk analyses
- Tree canopy coverage
- Vegetation coverage



## Project Overview

Through the SCAG GIS Services Program and SCAG Future Communities Initiative, SCAG has worked to build a consortium in Orange County with local jurisdictions and partner agencies to procure and share orthogonal, obliques, building footprints, LiDAR and digital terrain imagery. Cycle 1 will have imagery flights completed to serve as a benchmark for the 2020 Decennial Census and RTP 2024 base year. Envisioned as a 10-year program with five two-year cycles, this data collaborative between Orange County and SCAG is part of a broader, region-wide effort SCAG is undertaking.

As part of the project, SCAG staff is helping to manage the project, assist to secure funds, host a consortium website, and coordinate activities with agency technical staff. Currently, a small group of staff from SCAG, Orange County jurisdictions, water districts, non-profits, and special districts are working to secure funds for the project, establish project parameters, and oversee the project. Meetings have been held around Orange County to discuss the project. Contact Javier Aguilar, SCAG at [aguilar@scag.ca.gov](mailto:aguilar@scag.ca.gov) to be included on the email distribution list regarding the project and future meetings.

## Objectives

1. Obtain high accuracy aerial imagery (and related products) to support local agencies' needs, such as land use and asset monitoring, pre-engineering design, and geospatial analyses.
2. Unify imagery acquisition to improve communication among Orange County agencies and SCAG.
3. Eliminate duplicate imagery acquisitions for many agencies and leverage economies of scale to obtain more and better products.
4. Save taxpayer money and increase efficiency through collaboration.
5. Integrate aerial imagery and related products with the SCAG land use database and other geographic information system (GIS) layers.

## What's Included in Cycle 1?

- Aerial imagery flown in late spring/early summer 2020
  - 3" aerial/ortho imagery with infrared for all Orange County (tif, ecw...)
  - Building Footprints
- Ability to download and retain local copies of above data to use in GIS and/or CAD systems software
- Vendor-hosted online software application for unlimited non-GIS users to view data listed above and perform data analysis
- Training for all participants
- One price for two years' worth of access

## Timeline

- Ongoing - Outreach to OC agencies for participation
- SCAG RFP & vendor selection in late fall 2019
- Imagery flights in late June 2020
- Training and outreach on product beginning in summer 2020 & ongoing throughout Cycle 1
- Products available in late 2020
- Billing for Cycle 1 in ~July 2020 (FY2020/21)

## FAQs

- Cycle 2 expected to include everything in Cycle 1 plus:
  - Obliques/45-degree angle aerial imagery
  - Contours
  - LiDAR (Light Detection and Ranging)— a remote sensing method used to examine the surface of the Earth
- An agency can sign up for one cycle at a time; this is not a 10-year commitment.
- If an agency needs to drop out in future cycles, they will still have access to their original cycle's data.
- Even if you only want some of the products, there is a minimum base fee on the pricing that covers the online software/user-interface and aerial images; no city will pay less than the \$2,000 base fee.
- Recognizing agencies may currently be in multi-year contracts, this information can be used for future budgeting and procurement.
- Cycles run for two fiscal years:
  - Cycle 1: July 2020-June 2022
  - Cycle 2: July 2022-June 2024
  - Cycle 3: July 2024-June 2026
  - Cycle 4: July 2026-June 2028
  - Cycle 5: July 2028-June 2030
- Aerials will be flown every two years
- LiDAR- about every 5-6 years (TBD)

**ORANGE COUNTY DATA ACQUISITION PARTNERSHIP (OCDAP)  
Participation Agreement between the Southern California Association of  
Governments, Orange County Council of Governments and [local agency name]**

THIS ORANGE COUNTY DATA ACQUISITION PARTNERSHIP (OCDAP) PARTICIPATION AGREEMENT (“Agreement”) is made and entered into this XX day of XX 2020, by and between [local agency name], hereinafter referred to as “[Local Agency]”, Orange County Council of Governments, hereinafter referred to as “OCCOG” and the Southern California Association of Governments, hereinafter referred to as “SCAG” (hereinafter collectively also the “Parties”).

**RECITALS**

WHEREAS, the County of Los Angeles established a Los Angeles Region Imagery Acquisition Consortium (LARIAC) to lead the acquisition of purchasing Digital Aerial Data, in partnership with cities and agencies to reduce costs and enable participants to acquire more data than would be possible individually;

WHEREAS, the County of Los Angeles entered into an agreement with Pictometry International Corp. (“Pictometry”) dated December 2013, including duly-approved amendments and/or addenda thereto, (collectively, the “LAC Agreement”) after a competitive process, and each Party signing this Agreement acknowledges it has been provided a copy of such LAC Agreement, a true and correct copy of which is available at [https://scag-my.sharepoint.com/:f/g/personal/aguilar\\_scag\\_ca\\_gov/EqDGf9DeuuZFmLfG3yq8nuMBJAMpNHIX\\_Hhmv6fnZ5Dujg?e=K72q5I](https://scag-my.sharepoint.com/:f/g/personal/aguilar_scag_ca_gov/EqDGf9DeuuZFmLfG3yq8nuMBJAMpNHIX_Hhmv6fnZ5Dujg?e=K72q5I)

WHEREAS, the LAC Agreement provides that an External Entity (i.e., City, County, Joint Powers Authority or any governmental entity) may license or otherwise acquire rights to Digital Aerial Data outside of Los Angeles County pursuant to the pricing and other terms of the LAC Agreement;

WHEREAS, SCAG meets the criteria necessary to be an External Entity and SCAG therefore qualifies for the same pricing as the LAC Agreement, and, pursuant to its rights as an External Entity, SCAG is authorized to enter into this Agreement with OCCOG and Local Agency;

WHEREAS, SCAG and Orange County agencies wish to enter into an agreement to obtain Digital Aerial Data to leverage the same pricing as the LAC Agreement. The group of participating agencies is known as the Orange County Data Acquisition Partnership (“OCDAP”);

WHEREAS, SCAG entered or will enter into an Agreement with Pictometry for Digital Aerial Data (“SCAG Agreement”) for the Orange County Data Acquisition Partnership Project (“Project”), which is substantially in the form attached to this Agreement as Attachment A. The Project includes one (1) cycle of data capture anticipated to begin in June 2020 for the period of July 2020 – June 2022 (“Cycle 1”);

WHEREAS, the Parties recognize the need to invest in Digital Aerial Data to conduct local and regional planning and to evaluate current and future legislative and regulatory proposals and wish to utilize the Digital Aerial Data from the SCAG Agreement;

WHEREAS, OCCOG is responsible for invoicing the Parties for the Project in Cycle 1;

WHEREAS, the Parties wish to enter into this Agreement to outline the roles and responsibilities for the Project:  
and

WHEREAS the “Recitals” are incorporated herein by this reference:

### TERMS OF AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the Parties hereby agree as follows:

#### 1. Compensation

Local Agency will compensate SCAG as described in Section 4 for the Digital Aerial Data, described in Section 2 for the data capture in 2020 for Cycle 1. The total cost of Cycle 1 is \$383,603.10. The next geospatial data capture is expected in 2022 (“Cycle 2”). Agencies participating in Cycle 1 are not obligated to participate in Cycle 2. Regardless of whether Local Agency chooses to participate beyond Cycle 1, Local Agency is authorized to possess and use the Cycle 1 Digital Aerial Data described in Section 2 for its organizational purposes in perpetuity, subject to the disclosure provisions of Section 5. If applicable, an amendment to this Agreement will be executed by the Parties for Cycle 2.

#### 2. Digital Aerial Data Description

- A. Digital Imagery: 3-inch resolution, 4 band (red, green, blue, and near infrared) true natural color digital orthophoto/ortho-rectified data covering Orange County as shown in the map in Attachment B, attached hereto and incorporated herein by this reference. Digital imagery will be provided in the following formats: GeoTIFF tiles and mosaic of ECW or Mr.SID tile format (which includes seamline generation, radiometric balancing and final color balancing to ensure seamless consistent coverage of the area of interest). These data will be California State Plane Coordinate System, Zone 6 (US feet), Datum NAD 83.
- B. Building footprints: Outlines of building footprints for structures that are 300 square feet or greater will be provided for all Orange County in shapefile format with z values. These data will be California State Plane Coordinate System, Zone 6 (US feet), Datum NAD 83. The vertical datum will be North American Vertical Datum of 1988 (NAVD88), US Feet.
- C. Pursuant to the terms of the LAC Agreement, which is fully incorporated herein by reference, the Parties will have access and use of all imagery collected and processed through the online viewing software hosted by Pictometry through the LAC Agreement or be provided copies of the data by SCAG as described in Section 3.

#### 3. Data Delivery

When possible, the digital data will be provided electronically through the online platform hosted by Pictometry or through File Transfer Protocol (FTP) by SCAG. Alternatively, upon request and receipt of a hard drive from the Local Agency, the digital imagery data will be provided by SCAG on such hard drive within 30 days of receipt by SCAG, subject to any use restrictions set forth in the agreement between SCAG and Pictometry or LAC Agreement.

#### 4. Invoicing/Payment

OCCOG, on behalf of SCAG, will submit an invoice to Local Agency for \$XXX as payment for Cycle 1 Digital Aerial Data. Local Agency will submit payment to OCCOG within 30 days. This will be a line item invoice for those agencies that also receive an annual invoice for OCCOG dues (for OCCOG member agencies) and CDR

fees. OCCOG shall invoice the Parties in July 2020. OCCOG will remit collected payments to SCAG within three months of invoicing Parties. In the event payment is not received by OCCOG from the Local Agency, the Local Agency will be denied access to the online data platform and will not receive copies of the data from SCAG.

The parties further understand and acknowledge that if SCAG does not proceed to approve the SCAG Agreement, this Agreement shall be deemed null and void and the parties will have no further obligations.

#### 5. Disclosure of Information

Local Agency may distribute the Digital Aerial Data to its subcontractors or consultants on projects that are outsourced from its own operations. The Local Agency shall require each subcontractor or consultant to whom the Digital Aerial Data is transferred or distributed to execute a written acknowledgement and agreement provided as Attachment C, Orange County Data Acquisition Partnership (OCDAP) Authorized User Confidentiality and Non-Disclosure Agreement, attached hereto and incorporated herein by this reference.

#### 6. Representations and Warranties

SCAG warrants that the Digital Aerial Data does not and shall not violate: (a) any applicable law, rule, or regulation (“**Laws**”); or (b) any contracts with third parties; or (c) any third-party rights in any patent, trademark, copyright, trade secret, or any other proprietary or intellectual property right.

SCAG represents that it will identify, obtain and keep current all necessary licenses, approvals, permits and authorizations as may be required from time to time under applicable Laws and third-party contracts with respect to the Digital Aerial Data.

SCAG warrants that it has full authority and sufficient right, title, and interest in and to the Digital Aerial Data subject to the terms set forth in the LAC Agreement to grant and convey the rights accorded to Local Agency under Section 2.

Local Agency warrants that its use, grant, and conveyance of the Digital Aerial Data will not violate any applicable terms set forth in the LAC Agreement.

#### 7. Indemnification

SCAG agrees to indemnify and defend Local Agency against all third-party claims, liabilities, losses, expenses, suits, actions and causes of actions (including reasonable attorneys’ fees and legal expenses), fines, penalties, or damages (collectively, the “**Liabilities**”) to the extent such Liabilities arise out of or result from: (a) the negligent acts or omissions, the willful or intentional misconduct of SCAG or its employees, subcontractors or agents, in the course of providing the Digital Aerial Data; (b) SCAG’s breach of the terms of this Agreement; or (c) any claim that any of Digital Aerial Data provided by SCAG infringes or misappropriates a third party’s intellectual property rights.

Local Agency agrees to indemnify and defend SCAG, its directors, officers and employees, against all Liabilities to the extent such Liabilities arise out of or result, from: (a) the negligent acts or omissions, the willful or intentional misconduct of Local Agency or its employees, subcontractors or agents under this Agreement; or (b) Local Agency’s breach of the terms of this Agreement.

#### 8. Amendments

No alteration or deviation of the terms of this Agreement shall be valid unless made in writing and properly executed by the Parties.

## 9. Notices

Any notice or notices required or permitted to be given pursuant to this Agreement may be personally served on the other party by the party giving such notice, or may be served by certified mail, return receipt requested, to the following addresses:

To SCAG:                   **Basil Panas**  
Chief Financial Officer  
Southern California Association of Governments  
900 Wilshire Blvd., Suite 1700  
Los Angeles, CA 90017  
Phone: (213) 236-1817  
[panas@scag.ca.gov](mailto:panas@scag.ca.gov)

To OCCOG:               **Marnie Primmer**  
Executive Director  
Orange County Council of Governments  
3972 Barranca Pkwy., Suite J-127  
Irvine, CA 92606

To **Local Agency Name:**

## 10. Force Majeure

No Parties shall be liable or deemed to be in default for any delay or failure in performance under this Agreement or interruption of services resulting, directly or indirectly, from acts of God, civil or military authority, acts of public enemy, war, strikes, labor disputes, pandemics, or any other similar cause beyond the reasonable control of the Parties.

## 11. Entire Agreement

This Agreement represents and contains the entire agreement of the Parties with respect to the matters set forth herein. This Agreement supersedes any and all prior negotiations, discussions and, if any, previous agreements between the Parties.

## 12. Execution of Agreement or Amendment

This Agreement, or any amendment related thereto (Amendment), may be executed in multiple counterparts, each of which shall be deemed to be an original, but all of which shall constitute one and the same agreement. The signature page of this Agreement or any Amendment may be executed by way of a manual or authorized digital signature. Delivery of an executed counterpart of a signature page to this Agreement or an Amendment by electronic transmission scanned pages shall be deemed effective as a delivery of a manually or digitally executed counterpart to this Agreement or any Amendment.

**SIGNATURE PAGE TO  
ORANGE COUNTY DATA ACQUISITION PARTNERSHIP (OCDAP) AGREEMENT**

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their duly authorized representatives as of the dates indicated below:

\_\_\_\_\_  
By  
XXX  
Local agency name

\_\_\_\_\_  
By  
Basil Panas  
Southern California Association of Governments

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

\_\_\_\_\_  
By  
Marnie Primmer, Executive Director  
Orange County Council of Governments

\_\_\_\_\_  
Date

ATTACHMENT “A”

SCAG AGREEMENT FOR THE ORANGE COUNTY DATA ACQUISITION PARTNERSHIP PROJECT

AND

ATTACHMENT “B”

ORANGE COUNTY DATA ACQUISITION PARTNERSHIP (OCDAP)  
SECTOR MAP/AERIAL IMAGERY COVERAGE AREA

[See Following Pages]

**LAC EXTERNAL ENTITY AGREEMENT BETWEEN  
PICTOMETRY INTERNATIONAL CORP. (“Pictometry”) AND  
SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (“SCAG” OR “CUSTOMER”)**

Whereas, Pictometry is a party to an Agreement By and Between County of Los Angeles and Pictometry for Digital Aerial Data dated December 2013 (the “LAC Agreement”); and

Whereas the LAC Agreement provides that an External Entity (as defined in the LAC Agreement) may license or otherwise acquire rights to digital aerial data outside of Los Angeles County pursuant to or based upon the pricing and/or other terms set forth in Exhibit C (Schedule for External Entities) of the LAC Agreement; and

Whereas, Customer meets the criteria necessary to be an External Entity; and

Whereas, Customer wishes to obtain certain Pictometry products and services as an External Entity based upon the LAC Agreement;

Now therefore, Customer and Pictometry hereby agree as follow

1. This order form (“Order Form”), in combination with certain provisions of the LAC Agreement identified below and the contract components listed below and attached hereto:

Section A: Product Descriptions, Prices and Payment Terms  
Section B: Non-Standard Terms and Conditions  
Appendix I: Photogrammetric Product Specifications  
Sector Map

(all of which, collectively, constitute the “SCAG Agreement”), which sets forth the entire understanding between Pictometry and Customer with respect to the subject matter hereof and supersedes all prior representations, agreements and arrangements, whether oral or written, relating to the subject matter hereof. Modifications to the SCAG Agreement must be made in writing and be signed by duly authorized officers of each party. Any purchase order or similar document issued by Customer in connection with this SCAG Agreement is issued solely for Customer’s internal administrative purposes and the terms and conditions set forth on any such purchase order shall be of no force or effect as between the parties.

2. In the event of any conflict among any contract components comprising the SCAG Agreement, order of precedence for resolving such conflict shall be, from highest (i.e., supersedes all others) to lowest (i.e., subordinate to all others): Non-Standard Terms and Conditions (if any), Photogrammetric Product Specifications (if any), and Order Form (including provisions incorporated from the LAC Agreement).
3. All notices under the SCAG Agreement shall be in writing and shall be sent to the following respective addresses:

CUSTOMER NOTICE ADDRESS	PICTOMETRY NOTICE ADDRESS
818 West 7th Street,	25 Methodist Hill Drive
12th Floor	Rochester, NY 14623
Los Angeles, CA 90017-3435	Attn: Contract Administration
Attn: Javier Aguilar, Senior Regional Planner	Phone: (585) 486-0093

Either party may change their respective notice address by giving written notice of such change to the other party at the other party’s then-current notice address. Notices shall be given by any of the following methods: personal delivery; reputable express courier providing written receipt; or postage-paid certified or registered United States mail, return receipt requested. Notice shall be deemed given when actually received or when delivery is refused.

4. All of the SCAG Agreement, including all licenses granted pursuant to it, shall be binding upon and inure to the benefit of the parties hereto, their successors and permitted assigns, but shall not be assignable by either party except that (i) Pictometry shall have the right to assign its right to receive Fees under the SCAG Agreement, provided no such assignment shall affect Pictometry’s obligations hereunder, and (ii) Pictometry shall have the right to assign all its rights under the SCAG Agreement to any person or entity, provided the assignee has assumed all of Pictometry’s obligations under the SCAG Agreement.
5. Customer shall have the rights set forth in Section 10 of the LAC Agreement to use the products and services described in Section



A to the SCAG Agreement.

6. The products and services described in Section A to the SCAG Agreement are provided to Customer subject to the provisions of Sections 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 28, 30, 31, 32, 33, 34, 35, 39, 40, 41, 42, 43, 53, 54, 55, 56, 57, and 58 of the LAC Agreement as if those provisions were set forth herein, *mutatis mutandis*.
7. In consideration of, and subject to, payment by Customer of the Fees specified in Section A of the SCAG Agreement, Pictometry agrees to provide Customer with access to and use of the products specified in Section A of the SCAG Agreement, subject to the terms and conditions set forth in the SCAG Agreement.
8. Customer hereby agrees to pay the Fees specified in Section A of the SCAG Agreement in accordance with the stated payment terms and accepts and agrees to abide by the terms of the SCAG Agreement.

The SCAG Agreement shall become effective upon execution by duly authorized officers of the Customer and Pictometry and receipt by Pictometry of such fully executed document, such date of receipt by Pictometry being the "Effective Date."

**PARTIES:**

<b>CUSTOMER</b>	<b>PICTOMETRY</b>
<b>SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS</b>	<b>PICTOMETRY INTERNATIONAL CORP.</b>
a political subdivision of the State of California	a Delaware corporation
<b>SIGNATURE:</b>	<b>SIGNATURE:</b>
<b>NAME:</b>	<b>NAME:</b>
<b>TITLE:</b>	<b>TITLE:</b>
<b>DATE:</b>	<b>EXECUTION DATE:</b>
	<b>DATE OF RECEIPT (EFFECTIVE DATE)</b>

**SECTION A**

**PRODUCT DESCRIPTIONS, PRICES AND PAYMENT TERMS**

Pictometry International Corp.  
 25 Methodist Hill Drive  
 Rochester, NY 14623

<b>ORDER #</b>
C11074408

<b>BILL TO</b>
Southern California Association of Governments
Javier Aguilar, Senior Regional Planner
818 West 7th Street, 12th Floor Los Angeles, CA 90017-3435
(213) 236-1845
aguilar@scag.ca.gov

<b>SHIP TO</b>
Southern California Association of Governments
Javier Aguilar, Senior Regional Planner
818 West 7th Street, 12th Floor Los Angeles, CA 90017-3435
(213) 236-1845
aguilar@scag.ca.gov

<b>CUSTOMER ID</b>	<b>SALES REP</b>
A133917	bgarcia

QTY	PRODUCT NAME	PRODUCT DESCRIPTION	LIST PRICE	DISCOUNT PRICE (%)	AMOUNT
948	IMAGERY-Color Digital Orthophotography Four Band-3in GSD-Industry-Std Delivery Format-per sq mi	Product includes: Color Digital Orthophotography Four Band - 3 inch GSD ("CDO4") consists of 3-inch GSD ortho mosaics delivered to Customer in an open industry-standard digital delivery format not proprietary to Pictometry. See Appendix for mosaic specifications and selected delivery format. Customer shall own the copies of the CDO4 delivered to the Customer in an industry-standard digital delivery format not proprietary to Pictometry pursuant to this Agreement (the "CDO4 Deliverables"), notwithstanding anything in this Agreement to the contrary. Pictometry shall retain copies of the CDO4 Deliverables and shall own those copies. Applicable Terms and Conditions: Order Form	\$325.00	\$225.00 (30.769%)	\$213,300.00
685,354	Third Party Planimetrics	Planimetrics provided by third-party vendor. Refer to attached Appendix for specifications. Applicable Terms and Conditions: Order Form	\$0.15		\$102,803.10
2	Pictometry Connect - CA - 1000	Pictometry Connect - CA - 1000 (Custom Access) provides up to 1000 concurrent authorized users the ability to login and access the Pictometry-hosted custom imagery libraries specified elsewhere in this Agreement via a web-based, server-based or desktop integration. The default deployment is through web-based Pictometry Connect. Term commences on date of activation. The quantity represents the number of years in the Connect term. Applicable Terms and Conditions: Online Services General Terms and Conditions; Software License Agreement	\$30,000.00		\$60,000.00
1	AccuPLUS Project Fee - PICT DTM	AccuPLUS project fee for projects without customer-supplied DTM Applicable Terms and Conditions: Delivered Content Terms and Conditions of Use	\$7,500.00		\$7,500.00
1	RapidAccess - Disaster Response Program	RapidAccess - Disaster Response Program is an emergency response program offering flights after an emergency or disaster. Refer to the attached detailed description of the Disaster Response Program. Applicable Terms and Conditions: Order Form	\$0.00		\$0.00
1	AccuPlus Imagery Bundle w/ Two(2) Yrs of EFS Maint & Support	Includes digital copy of the Licensed Documentation for the License Software, two (2) End User Training Sessions, one (1) Advanced User Technical Training, one (1) Administration / IT Training Session, ten (10) hours of telephone support, one copy of Pictometry Electronic Field Study (EFS) software, latest version, on the storage media specified herein, and access to download updated versions of the EFS Licensed Software for a period of two years from the initial date of shipment of the EFS software, along with a copy of the updated documentation. Applicable Terms and Conditions: Software License Agreement	\$0.00		\$0.00

QTY	PRODUCT NAME	PRODUCT DESCRIPTION	LIST PRICE	DISCOUNT PRICE (%)	AMOUNT
1	Media Drive Capacity 931G - Drive Model 1T - EXTPOWER	External USB 2.0 / eSATA Externally Powered. Delivery media prices include copying a complete image library onto media. Sub-warehousing sold separately. Applicable Terms and Conditions: Order Form	\$199.00	\$0.00 (100%)	\$0.00
1	Pictometry for Esri Web AppBuilder	Pictometry for Esri Web AppBuilder is a server based widget for installation on Customer's server that allows users with valid Pictometry Connect accounts to access oblique and orthogonal imagery within web applications authored using Web AppBuilder for ArcGIS (Developer Edition) available separately from Esri. Requires a Pictometry Connect account. Applicable Terms and Conditions: Software License Agreement	\$1,990.00	\$0.00 (100%)	\$0.00
2	CONNECT ImageService CA	Connect Image Service - CA (Custom Access) provides access via a secure web mapping service to existing orthomosaics available within Customer's Connect account. This service allows use by Customer each calendar month of a total number of image request transactions equal to the product resulting from multiplying (a) the number of concurrent users authorized to use the Connect Image Service pursuant to this Agreement, by (b) 1500 (such product being the "Monthly Image Request Limit"). To the extent use of the Connect Image Service pursuant to this Agreement results in a total number of image request transactions in excess of the Monthly Image Request Limit, Pictometry may review the usage with Customer, increase the price for Customer's Connect Image Service with Customer's consent or, in Pictometry's discretion, suspend further access by Customer to the Connect Image Service. This offering is provided solely for internal use within Customer's organization. Customer must maintain an active paid Pictometry Connect account in order to utilize the Connect Image Service. Applicable Terms and Conditions: Online Services General Terms and Conditions	\$2,000.00	\$0.00 (100%)	\$0.00
2	Pictometry Connect View - CA	Pictometry Connect View - CA (Custom Access) provides visualization-only access to the Pictometry-hosted custom imagery libraries specified elsewhere in this Agreement via a web application or server based integration. Requires a customer-provided web application or server based application. With respect to imagery available through this product to third parties or the Public, Pictometry reserves the right to reduce the resolution of the imagery available. Term commences on date of activation. The quantity represents the number of years in the Connect term. Applicable Terms and Conditions: Web Visualization Offering Terms and Conditions	\$750.00	\$0.00 (100%)	\$0.00
1	Integrated Pictometry Application	Integrated Pictometry Applications are web based technologies that allow a developer to embed a web instance into a product / application that connects to a customers Licensed Pictometry-hosted imagery. Currently supports JavaScript / iFrame applications for both Visualization (External or Public Facing) use and/or Analytics (Internal with Measurement Tools) use. Requires a Pictometry Connect or Pictometry Connect PFW / View Account depending on use type. Applicable Terms and Conditions: Online Services General Terms and Conditions; Software License Agreement	\$1,990.00	\$0.00 (100%)	\$0.00

Thank you for choosing Pictometry as your service provider.	<b>TOTAL</b>	\$383,603.10
---	--------------	--------------

<sup>1</sup>Amount per product = ((1-Discout %) \* Qty \* List Price)

#### FEES; PAYMENT TERMS

All amounts due to Pictometry pursuant to this Agreement ("Fees") are expressed in United States dollars and do not include any duties, taxes (including, without limitation, any sales, use, ad valorem or withholding, value added or other taxes) or handling fees, all of which are in addition to the amounts shown above and, to the extent applicable to purchases by Customer, shall be paid by Customer to Pictometry without reducing any amount owed to Pictometry unless documents satisfactory to Pictometry evidencing exemption from such taxes is provided to Pictometry prior to billing. To the extent any amounts properly invoiced pursuant to this Agreement are not paid within thirty (30) days following the invoice due date, such unpaid amounts shall accrue, and Customer shall pay, interest at the rate of 1.5% per month (or at the maximum rate allowed by law, if less). In

addition, Customer shall pay Pictometry all costs Pictometry incurs in collecting past due amounts due under this Agreement including, but not limited to, attorneys' fees and court costs.

Due at Signing	\$79,963.27
Due at Initial Shipment of Imagery	\$111,838.28
Due at First Anniversary of Shipment of Imagery	\$191,801.55
<b>Total Payments</b>	<b>\$383,603.10</b>

## PRODUCT PARAMETERS

### ACCUPLUS IMAGERY

**Product:** **IMAGERY-Color Digital Orthophotography Four Band-3in GSD-Industry-Std Delivery Format-**  
**per sq mi**  
**Coverage Area Format:** Shapefile  
**Leaf:** Leaf On: Foliage on trees and shrubs will likely be present

### CONNECT

**Product:** **Pictometry Connect - CA - 1000**  
**Admin User Name:** Javier Aguilar  
**Admin User Email:** aguilar@scag.ca.gov  
**Geofence:** CA Orange  
CA Los Angeles

**Product:** **Pictometry Connect View - CA**  
**Admin User Name:** Javier Aguilar  
**Admin User Email:** aguilar@scag.ca.gov  
**Geofence:** CA Orange  
CA Los Angeles

### CONNECT-SERVER INTEGRATION

**Product:** **Pictometry for Esri Web AppBuilder**  
**Server Integration:** Web AppBuilder (Both Visualization and Analytics)

**Product:** **Integrated Pictometry Application**  
**Server Integration:** IPA (Both Visualization & Analytics)

### RapidAccess—Disaster Response Program (“DRP”)

Customer is eligible for DRP described below from the Effective Date through the second anniversary of the initial Project delivery. Following payment to Pictometry of amounts due with respect to each subsequent Project, Customer will be eligible for the then-current DRP for a period of two years from delivery of such subsequent Project. Customer must be in good-standing with Pictometry to maintain eligibility for DRP.

- A. Disaster Coverage Imagery at No Additional Charge** – Pictometry will, upon request of Customer and at no additional charge, provide standard quality imagery of up to 200 square miles of affected areas (as determined by Pictometry) upon the occurrence of any of the following events during any period Customer is eligible for DRP:
- Hurricane:** areas affected by hurricanes of Category 2 and higher.
  - Tornado:** areas affected by tornados rated EF4 and higher.
  - Terrorist:** areas affected by damage from terrorist attack.
  - Earthquake:** areas affected by damage to critical infrastructure resulting from earthquakes measured at 6.0 or higher on the Richter scale.
  - Tsunami:** areas affected by damage to critical infrastructure resulting from tsunamis.
- B. Discounted Rate** – Coverage for areas affected by the events set forth above exceeding 200 square miles will be, subject to Pictometry resource availability, offered to Customer at the then current DRP rates. Also, coverage for areas affected by hurricanes below Category II, tornadoes below EF4 or earthquakes rated below 6.0 on the Richter scale will be, subject to Pictometry resource availability, offered to Customer at the then current DRP rates.
- C. Online Services – Use of Pictometry Connect Explorer™** – Pictometry’s DRP includes the use of Connect Explorer for a term of ninety days from the date of delivery of the DRP imagery. Customer shall have access to the DRP imagery for as long as they maintain an active Connect account.

## **SECTION B**

## **NON-STANDARD TERMS AND CONDITIONS**

1. Pictometry shall use commercially reasonable efforts to complete the image capture in this Agreement during the Summer of 2020 capture season. This is a target season only because the image capture process and the delivery dates may be affected by numerous conditions outside of Pictometry's control including weather, aircraft availability, and airspace permissions.

## APPENDIX 1

## PHOTOGRAMMETRIC PRODUCT SPECIFICATIONS

### Color Digital Orthophotography

#### Product Overview:

Seamless, 4-band, digital ortho-mosaic produced from individual frames and tiled to County's preferred tiling scheme. Specifications and deliverables as follows:

#### Acquisition:

Frame Overlap: 60% forward/30% side

Capture Window: solar elevation >30 degrees or most optimal 4-hour window

Environmental Conditions: ground free of snow cover; imagery free of clouds, fog, haze, smoke, and dust

Camera System: Pictometry PentaView Sensor based system; dynamic range of 12 bits per band, RGB + NIR, resampled to 8 bits during processing

#### Ground Control:

Points surveyed to meet ASPRS Positional Accuracy Standards Edition 1 Version 1 – November 2014

#### Image Processing:

Aerial Triangulation: Pictometry will perform aerial triangulation utilizing post-processed exterior orientations, calibrated camera model(s), and specified ground control points as input to the aerial triangulation process. Aerial triangulation process to be performed using Trimble Inpho's Match-AT software.

Elevation Surface: Best available terrain model will be used to support orthorectification; if surface is found to be of insufficient accuracy/quality to support accuracy specifications, Pictometry will use automated surface extraction with limited manual editing to generate a surface to support generation of orthoimagery.

Orthorectification: Pictometry will use the triangulated exterior orientation values, calibrated camera interior orientation models, and the specified digital terrain model to perform the Orthorectification. When rectification requires a resampling of the source imagery, cubic convolution will be used.

Mosaicking: Global color balancing will be applied to all orthophotos to create homogeneous orthophotos within the project area. Local adjustments of brightness values, color, and contrast will be performed if needed. There will be no obvious seam edge between two adjacent orthophotos. Mosaic will be created using automated seamline steering, with manual edits to eliminate feature misalignment caused by seamlines which pass thru features above the elevation surface. Feature alignment across seamlines will be 3 pixels or better. When possible, seamlines will be steered away from elevated features to improve orthophoto quality. Final mosaic will be tiled and named according to the agreed upon schema for delivery or as specified below.

Tiling Schema: Imagery will be tiled according to mutually agreed upon schema.

#### Deliverables:

The following will be delivered:

3-inch GSD four-band (R,G,B,NIR) ortho mosaic tiles (GeoTIFF format; according to specified tiling schema)

3-inch GSD area-wide ortho mosaic (RGB, ECW format)

3-inch GSD area-wide ortho mosaic (RGB, MrSID format)

3-inch GSD area-wide ortho mosaic (CIR, ECW format)

3-inch GSD area-wide ortho mosaic (CIR, MrSID format)

FGDC compliant metadata

AT/Survey report

#### Orthomosaic Accuracy

3-inch GSD: RMSE(x or y) 0.75 ft; RMSE(r) 1.06 ft; NSSDA (95%) 1.84 ft

### Third Party Planimetrics

#### Statement of Work

##### INTRODUCTION

Pictometry and its Subcontractor (DatasetSolutions) shall deliver under this Statement of Work (SOW) Building Representations collected from stereo imagery. The planimetric features (building representations) shall be topologically correct and meet the American Society for Photogrammetry and

Remote Sensing (ASPRS) accuracy standards for large scale class 1 maps for 1" = 100' (and 1" = 200' for some areas) mapping in order to be incorporated into existing participants' GIS systems.

**DEFINITIONS**

The following definitions shall apply throughout this SOW:

1. Building Representation

The term "Building Representation" shall mean Planimetric Feature representing the representation of an erect building (not under construction or ruin) that serves a primary business, government, or residential function.

**SCOPE OF WORK**

Utilization of stereo imagery to generate building representations with height attribution. This method will allow for data extraction without radial displacement and delineation of features obstructed by building lean.

1. Horizontal accuracy shall be consistent with Second Order, Class I, i.e. ninety- five percent (95%) confidence interval of 2 cm base error and 20 parts per million linear errors.
2. Data creation shall be constrained to American Society for Photogrammetry and Remote Sensing (ASPRS) accuracy standards for large scale class 1 maps for 1" = 100'.
3. Vertical datum shall be NAVD88. All vertical stations set will be tied directly to NGS monuments whose orthometric height was determined by differential leveling and adjusted by the NGS on, or after June 1995.
4. Units shall be U.S. Survey Feet.
5. All features will conform to the representative State Plane Coordinate System required by the customer.
6. Each enclosed building representation polygon shall contain two "z" (elevation) attributes representing the highest point on the building (building height above ground and mean sea level), excluding flagpoles, chimneys, and other features smaller than 4 square feet.
7. Original building IDs shall be maintained with new building IDs generated for buildings. A separate data set for demolished/removed building representations will also be created.

TESTED CHARACTERISTIC	MEASURE OF ACCEPTABILITY
Feature	Features captured will represent building representations for permanent structures that meet the minimum size requirements. This excludes RV parks.
Feature Types	<p><b>Primary building</b> - Polygon enclosing all erect buildings (not under construction or ruin) that serve primary business and residential functions (i.e., houses, apartments, commercial facilities). Includes attached covered porches, permanent overhangs, carport roofs, covered sidewalks, etc. as part of the building. Do not show common rooflines (e.g., between town homes, or interior sections/firewalls in commercial buildings).</p> <p>Courtyard or Atrium - Polygon created inside a primary building that is fully encompassing of an open area.</p> <p><b>Secondary building</b> - Polygon enclosing all erect buildings (not under construction or ruin) that serve as secondary or minor buildings (garage/outbuilding). Includes the following:</p> <p>Smokestack - A closed circle enclosing the base of a large cylindrical smokestack.</p> <p>Silo/Bin - Polygon enclosing a large cylindrical receptacle for farm product storage.</p> <p>Tank - Polygon enclosing commercial storage tank features (Oil, chemical and propane). Do not capture small private/residential propane tanks.</p> <p>Water tower - Polygon enclosing water tower.</p>

	Do not capture temporary structures such as construction trailers or tool storage sheds.
Vector data	Features should be closed polygons that are snapped and joined to create continuous segments without overruns and gaps.
Buildings/townhouses and parcels	Features will be cut by parcel lines (downtown core buildings only) unless extending 1' or less into the next parcel. In this case, it should be snapped to the parcel. Townhouses and contiguous buildings crossing parcel lines will not be cut.
Buildings connected by corridors, covers, and walkways	Each building portion shall be created or digitized as a separate polygon (when possible) .
Building generalization	Building shapes can be "interpreted" (and attributed as such) when factors such as shadows or occlusions exist.
Vertical or "Z" values and building IDs	Z-values for height above ground and mean sea level will be gathered from the highest point of the roof (rounded to the nearest 1/10 <sup>th</sup> of a foot). This excludes non-structural features such as chimneys, air conditioning units, antennas, and flag poles. Original building IDs will be maintained with new IDs generated for updated/new buildings. Demolished/removed building representations will be consolidated into a separate data set.
Minimum building size	Building shapes (polygons) should be created for all structures 20' X 20' (or 400 sq. ft.) or larger in size.
Minimum segment length	1.5' excluding awnings
Metadata	Meets minimum FGDC Content Standard.
Attribute Table Contents	Attribute contents shall include the following; <ul style="list-style-type: none"> <li>• FID</li> <li>• Shape (Polygon)</li> <li>• ObjectID</li> <li>• BLD_ID</li> <li>• Height</li> <li>• Elevation</li> <li>• Source (imagery)</li> <li>• Area</li> <li>• Shape_Length</li> <li>• Shape_Area</li> </ul>



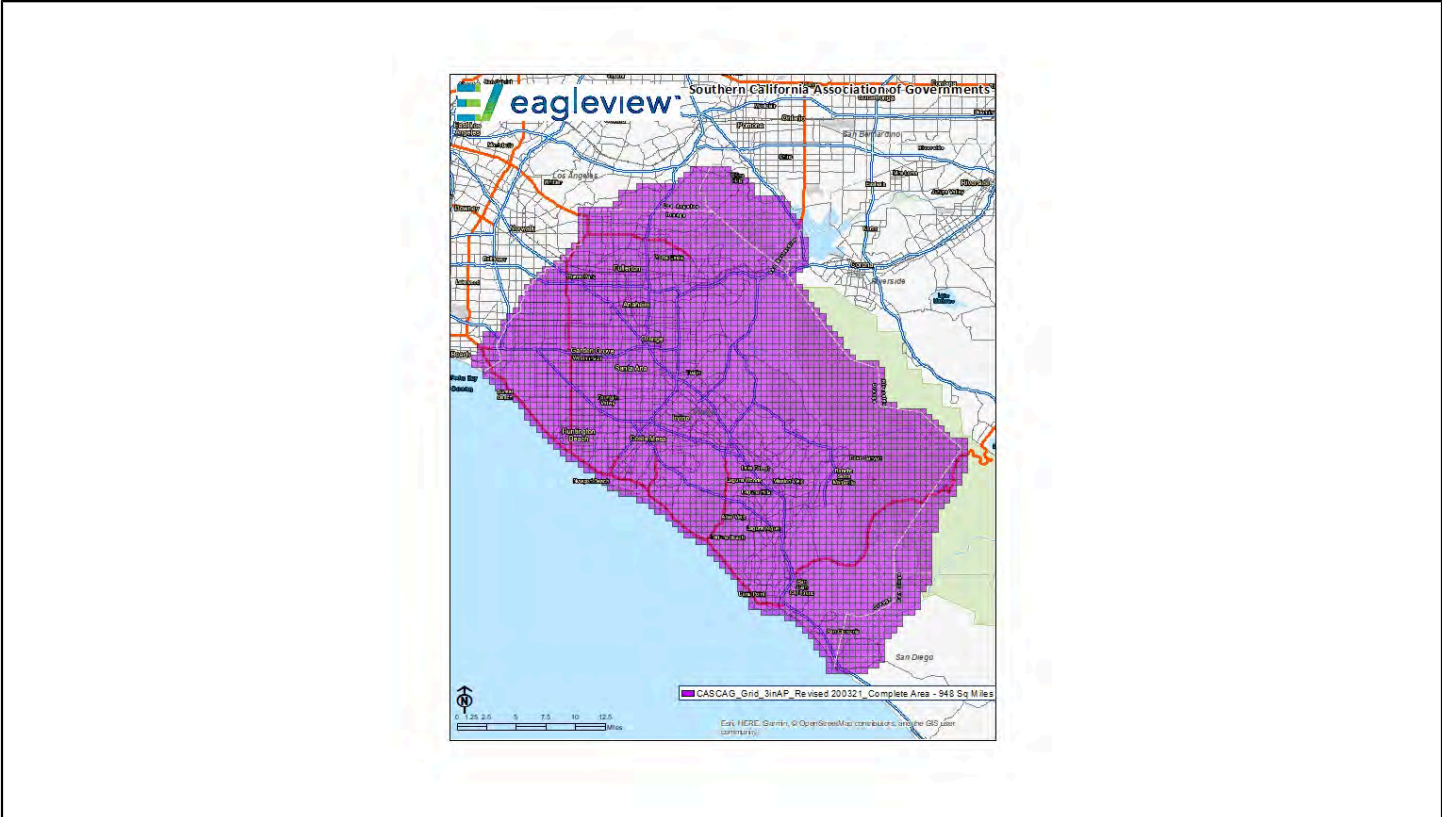




# Coverage Map

Proposal for: Southern California Association of Governments  
Project Name: Orange County - 3in CDO Four Band  
Contract Term: 2 Year(s)

EagleView Rep: Brian Garcia  
Expiration Date: 7/1/2020  
Targeted Capture: 2020-c-Summer



This quote is non-binding, creates no legal rights, duties or obligations, expressed or implied, on either party, and shall become binding only in the event that Pictometry and Customer enter into a definitive agreement incorporating it. The pricing quoted above does not reflect applicable taxes, which will be reflected in any resulting definitive agreement with Customer. This quote is valid until the date shown above, after which it expires. All Discounts are approximate.

ATTACHMENT “C”

ORANGE COUNTY DATA ACQUISITION PARTNERSHIP (OCDAP)  
AUTHORIZED USER CONFIDENTIALITY AND NON-DISCLOSURE AGREEMENT

[See Following Page]

**ORANGE COUNTY DATA ACQUISITION PARTNERSHIP (OCDAP)  
AUTHORIZED USER CONFIDENTIALITY AND NON-DISCLOSURE AGREEMENT**

This ORANGE COUNTY DATA ACQUISITION PARTNERSHIP (“OCDAP”) AUTHORIZED USER CONFIDENTIALITY AND NON-DISCLOSURE AGREEMENT (“NDA”) is entered as of \_\_\_\_\_, 2020 by and between [Local Agency Name] and the undersigned entity (“Authorized User”).

1. Pictometry International Corp., a Delaware company with offices at 100 Town Centre Drive, Suite A, Rochester, NY 14623 (“Pictometry”), and the Southern California Association of Governments (“SCAG”) have entered into that certain agreement dated \_\_\_\_\_ (“Agreement”) for the delivery of licensed digital mapping data and software (“Licensed Products”) to SCAG. Under the Agreement, certain governmental entities, including SCAG departments and non-SCAG Authorized Participants, which participate in OCDAP (“OCDAP Member Agencies”) shall be granted copies of or otherwise provided access to the Licensed Products through a Participation Agreement (“Participation Agreement”) with SCAG.
2. Pursuant to the Participation Agreement and for purposes of this NDA, the OCDAP Member Agency includes [Local Agency Name].
3. Pursuant to Section 5 of the Participation Agreement, Licensed Products may only be accessed or otherwise used by other entities besides SCAG such as OCDAP Member Agencies. OCDAP Member Agencies in turn may choose to share Licensed Products with other partners, contractors or consultants that use the Licensed Products either at their facilities or for any Project (as defined below).
4. The undersigned (“Authorized User”) desires to use the Licensed Products solely for noncommercial use and for purposes no greater than reasonably needed to achieve the objectives of an actual project (“Project”).
5. The undersigned Authorized User understands and agrees that the Licensed Products contain trade secret and/or confidential information (“Confidential Information”) of Pictometry. Therefore, by signing this NDA, the Authorized User agrees that it will use, and require any of its authorized employees, agents or consultants to use, the Licensed Products solely for the Project, which is a nonexclusive, nontransferable and non-assignable right, from the effective date of this NDA in perpetuity. The Authorized User understands and hereby acknowledges that it shall be solely responsible for assuring its authorized employees, agents and consultants comply with the terms of this NDA and shall implement whatever methods it deems necessary to assure such compliance.

IN WITNESS WHEREOF, the undersigned Authorized User, by his/her authorized signature, agrees to all terms and conditions of this NDA as of the date set forth below.

**AUTHORIZED USER:**

Signature: \_\_\_\_\_ Address: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Organization: \_\_\_\_\_ City/Zip: \_\_\_\_\_  
 Date: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Email: \_\_\_\_\_

**[Local Agency Name]:**

Signature: \_\_\_\_\_ Name: \_\_\_\_\_  
 Date: \_\_\_\_\_ Title: \_\_\_\_\_

**Item 3:** ADU Ad Hoc Committee  
**Recommended Action:** Discussion.

## Reports

---

The OCCOG TAC formed an ADU Ad Hoc Committee at the May 5, 2020, OCCOG TAC meeting. The purpose of this Ad Hoc Committee was to work together to discuss a potential ADU package that could be submitted to HCD for its pre-approval on counting ADUs towards a jurisdiction's housing sites inventory for the upcoming Housing Element updates. The Ad Hoc Committee has met twice over the past month and has identified the following components for future discussions:

### 1. Capacity Assumptions

Determine the potential proportion of the total capacity of ADUs that can be assumed to satisfy RHNA. This will be tied to programs intended to encourage ADU production. The Ad Hoc Committee received a presentation from ESRI on GIS tools that could be used to assist with this analysis.

### 2. Affordability Assumptions

There are multiple approaches to determine an affordability analysis, such as conducting surveys option, analyzing comparable rental rates, or using existing rental breakdowns.

### 3. Programs

Identify a menu of programs that can be used to encourage ADU production and justify aggressive ADU growth projections. Initial ideas include:

- Monitoring/reporting ADU production progress
- Waiving permit fees for affordable covenants
- Standardized plans
- ADU ombudsman
- Grants to cover percentage of ADU construction costs for affordability agreement

### 4. Package

Discussion of what should be submitted to HCD. An initial idea was that it essentially be an ADU portion of the HE.



**Item 4:** **State Grant Funding**  
**Recommended Action:** Discussion.

**Reports**

---

In the 2019-20 Budget Act, Governor Gavin Newsom allocated \$250 million for all regions, cities, and counties to do their part by prioritizing planning activities that accelerate housing production to meet identified needs of every community. With this allocation, HCD established the Regional Early Action Planning Grant Program (REAP) and the Local Early Action Planning Grant Program (LEAP). A total of \$250 million is available Statewide to fund both programs.

REAP provides a one-time grant funding to regional governments and regional entities for planning activities that will accelerate housing production and facilitate compliance in implementing the sixth cycle of the Regional Housing Needs Allocation (RHNA). SCAG is eligible to apply for up to \$47,417,023. A portion of the funding will be available to counties in assisting with housing-related planning activities.

LEAP provides a one-time grant directly to local jurisdictions updating their planning documents and implementing process improvements that accelerate housing production, and help prepare for their 6th cycle RHNA, much like the SB 2 Planning Grants Program. Jurisdictions are eligible for the following maximum LEAP grant based on 2018 population:

<u>Population Range</u>	<u>Maximum Grant</u>
>= 750,000	\$1,500,000
300,000-749,999	\$750,000
100,000-299,000	\$500,000
60,000-99,000	\$300,000
20,000-59,999	\$150,000
<20,000	\$ 65,000

The LEAP application deadline is July 1, 2020.

Attachment: Technical Assistance Flyer

**Northwest  
Gerlinde**

**Far North / Shasta  
Daniella,  
Molivann**

**Sierra / Gold  
Country  
Cassandra**

**SACOG  
Irvin**

**San Joaquin Valley  
Paul, Gianna, Sohab**

**ABAG  
Hillary,  
Jamillah,  
Reid, Gerlinde**

**Eastern Sierra  
Cassandra**

**San  
Bernardino  
John**

**Central Coast  
Shawn**

**Ventura County  
Molivann**

**Los Angeles County  
Fidel, Colin, Divya**

**Orange  
County  
Jose, Colin**

**San Diego  
Jose**

**Imperial  
Jose**

**Riverside  
Sohab**



<p><b>Northwest –</b></p> <p>Humboldt, Mendocino, Lake Counties</p> <p>Gerlinde Bernd  <a href="mailto:Gerlinde.Bernd@hcd.ca.gov">Gerlinde.Bernd@hcd.ca.gov</a></p>	<p><b>Far North/Shasta</b></p> <p>Modoc, Shasta, Del Norte, Siskiyou, Lassen, Plumas, Trinity Counties</p> <p>Daniella Stepek  <a href="mailto:Daniella.Stepek@hcd.ca.gov">Daniella.Stepek@hcd.ca.gov</a></p> <p>Butte, Colusa, Tehama, Glenn Counties</p> <p>Molivann Phlong  <a href="mailto:Molivann.Phlong@hcd.ca.gov">Molivann.Phlong@hcd.ca.gov</a></p>
<p><b>ABAG</b></p> <p>Sonoma and Napa County  Gerlinde Bernd  <a href="mailto:Gerlinde.Bernd@hcd.ca.gov">Gerlinde.Bernd@hcd.ca.gov</a></p> <p>San Mateo, San Francisco, Santa Clara County  Hillary Prasad  <a href="mailto:Hillary.Prasad@hcd.ca.gov">Hillary.Prasad@hcd.ca.gov</a></p> <p>Solano and Contra Costa County  Jamillah Williams  <a href="mailto:Jamillah.Williams@hcd.ca.gov">Jamillah.Williams@hcd.ca.gov</a></p> <p>Alameda and Marin County  Reid Miller  <a href="mailto:Reid.Miller@hcd.ca.gov">Reid.Miller@hcd.ca.gov</a></p>	<p><b>Sierra/Gold County</b></p> <p>Cassandra Paz  <a href="mailto:Cassandra.Paz@hcd.ca.gov">Cassandra.Paz@hcd.ca.gov</a></p> <p><b>Eastern Sierra Region</b></p> <p>Cassandra Paz  <a href="mailto:Cassandra.Paz@hcd.ca.gov">Cassandra.Paz@hcd.ca.gov</a></p> <p><b>SACOG</b></p> <p>Irvin Saldana  <a href="mailto:Irvin.Saldana@hcd.ca.gov">Irvin.Saldana@hcd.ca.gov</a></p> <p><b>San Bernardino County</b></p> <p>John Buettner  <a href="mailto:John.Buettner@hcd.ca.gov">John.Buettner@hcd.ca.gov</a></p>
<p><b>Central Coast</b></p> <p>Shawn Danino  <a href="mailto:Shawn.Danino@hcd.ca.gov">Shawn.Danino@hcd.ca.gov</a></p>	<p><b>Riverside County</b></p> <p>Sohab Mehmood  <a href="mailto:Sohab.mehmood@hcd.ca.gov">Sohab.mehmood@hcd.ca.gov</a></p>
<p><b>Ventura County</b></p> <p>Molivann Phlong  <a href="mailto:Molivann.Phlong@hcd.ca.gov">Molivann.Phlong@hcd.ca.gov</a></p>	<p><b>Orange County</b></p> <p>Colin Cross  <a href="mailto:Colin.Cross@hcd.ca.gov">Colin.Cross@hcd.ca.gov</a></p> <p>Jose Ayala  <a href="mailto:Jose.Ayala@hcd.ca.gov">Jose.Ayala@hcd.ca.gov</a></p>
<p><b>Los Angeles County</b></p> <p>Fidel Herrera  <a href="mailto:Fidel.Herrera@hcd.ca.gov">Fidel.Herrera@hcd.ca.gov</a></p> <p>Colin Cross (Gateway Cities)  <a href="mailto:Colin.Cross@hcd.ca.gov">Colin.Cross@hcd.ca.gov</a></p> <p>Divya Ram  <a href="mailto:Divya.Ram@hcd.ca.gov">Divya.Ram@hcd.ca.gov</a></p>	<p><b>SANDAG</b></p> <p>Jose Ayala  <a href="mailto:Jose.Ayala@hcd.ca.gov">Jose.Ayala@hcd.ca.gov</a></p> <p><b>Imperial County</b></p> <p>Jose Ayala  <a href="mailto:Jose.Ayala@hcd.ca.gov">Jose.Ayala@hcd.ca.gov</a></p>





**Item 5: Recommended Action:**                      **SCAG 2020 RTP/SCS/Connect SoCal Draft Data/Map Book Discussion.**

**Report**

---

In March 2019, the OCCOG TAC discussed SCAG’s planned rerelease of the Draft 2017 Data/Map books. The following feedback was provided to SCAG and some of these items were incorporated.

1. What is the purpose of publishing a final map book? Who are the intended audiences?
2. Have a table that lists the all maps with original data sources
3. For each map where jurisdiction is responsible for data, specify if jurisdiction provided updates. If jurisdiction did not review, does this mean SCAG data, corrected or not will be included?
4. Incorporated into November 2019 drafts:
  - a. Original data source should be listed, not SCAG. If anything, the original data source and SCAG if applicable
  - b. Date of data in map is separate from date of map printing
  - c. Each map should have explanation of data within map and be self-contained. Expect that each map will be extracted and used as its own document.
  - d. All pages should have header/footer of “SCAG Data Map Book”
  - e. Potential Infill sites map and SED should not be in the map book

SCAG recently updated its Draft Data/Map Book Page with a description of how SCAG incorporated entitlements in Connect SoCal. Included on the page are the updated Data/Map Books for each jurisdiction (still in draft format for local review and sans growth forecast), the Regional Entitlements Database, as well as the Connect SoCal Growth Vision Methodology: <https://www.connectsocial.org/Pages/Local-Input-Process.aspx> SCAG anticipates seeking feedback from jurisdictions in summer 2020 to finalize any draft data elements for the data/map book after the second round of local review on entitlements is completed in June 2020.

Some initial feedback for discussion:

1. Incorporate date of data/map book into page header for every page.
2. P.2 table of data: change “Admin Boundary” to “Reference Geographies”
3. P.3 paragraph 1 “The Anderson Land Use Classification was used as the standardized 2016 SCAG Land UseS feedback received from jurisdictions during the Bottom-Up Local Input and Envisioning Process.”
  - a. What if a jurisdictions didn’t comment on this? Should it say “obtained from” instead of “received from”.
4. P.3 “GENERAL PLAN LAND USE & ZONING- General plan land use and zoning data are shown at the parcel level and depict a local agency’s adopted documents. However, the data shown in some areas may be generalized, because the parcel level database representing general plan land use and zoning data does not support multiple uses or designations on a single parcel (either splitting the parcel or representing overlays). Due to this limitation, if site specific data is necessary, users should always reference a local agency’s adopted documents or field surveys to determine actual land use designations.”



- a. This phrasing is repeated in the EXISTING LAND USE and SPECIFIC LAND USE paragraphs that follow.
- b. A user of these data should always use the original source for the latest and greatest information. The sentence should read: Though this information is provided in this document, Due to this limitation, if site specific data is necessary, users should always reference a local agency’s adopted documents or field surveys to determine actual land use designations.”
5. Following sentence was added to the sections listed below: “Please note the informatno included in this book reflects feedback reeived from jurisdictions during the Bottom-Up Local Input and Envisioning Process.” Why is this included in some but not all sections?
  - a. P. 8 Open Space & Park
  - b. P. 10 Flood Areas
  - c. P. 11 Farmland
6. P. 7 – first paragraph under bullets: “To provide input on these datasets, please notify SCAG as well as the agencies listed as the primary owner of the database, discussed in detail here.”
  - a. Is SCAG still accepting input?
7. P. 8- paragraph 2: “The most up-to-date version is CPAD v.2017a, which was released in August, 2017.”
  - a. There is a 2019 dataset. Change to “The most up-to-date version available during the preparation for the 2018 Bottom-Up Local Input and Envisioning Process was is CPAD v.2017a, which was released in August, 2017.”
8. P. 8 – paragraph 3 “Federal, state, county, city, special district and non-governmental agency holdings are included and have been mapped at the high levels of accuracy.”
  - a. What does “high levels of accuracy” mean? Should “detail” be used instead of “accuracy”?
9. P. 10- Flood- paragraph 1- “This type of flood is commonly referred to as the 100-year flood or base flood. The 100-year flood has a 26 percent chance of occurring during a 30 year period, the length of many mortgages.”
  - a. Is the 100-year flood classification because most mortgages are for 30 years? Is there actually a link or is this coincidental?
10. P. 13- HQTA paragraph 3 (second after bullets) “This inventory is based on available information at the time regarding existing and planned transit service.”
  - a. Reference to late 2019 should likely be included because these were changed in early 2020.
11. P. 14 HQTA- paragraph 1- “Please note that this map may undergo changes as SCAG continues to update its transportation network as part of the Connect SoCal development process and SCAG shall not be responsible for local jurisdiction’s use of this map. Updates to this information will be forthcoming as information becomes available.”
  - a. Language should change because these maps have supposedly been updated to reflect changes after discussions in January 2020 and the close of the RTP public comment period.
12. P. 14- TPA paragraph 3 (second after bullets) “This inventory is based on available information at the time regarding existing and planned transit service.”
  - a. Reference to late 2019 should likely be included because these were changed in early 2020.



13. P. 14 TPA- paragraph 4- “Please note that this map may undergo changes as SCAG continues to update its transportation network as part of the Connect SoCal development process and SCAG shall not be responsible for local jurisdiction’s use of this map. Updates to this information will be forthcoming as information becomes available.”
  - a. Language should likely be changed because these maps have supposedly been updated to reflect changes after discussions in January 2020 and the close of the RTP public comment period.
14. P. 16- TAZ overview and TAZ Map- should clarify these are SCAG Tier 2 TAZs
15. P. 17- “ENTITLEMENT- Based on feedback from stakeholders, SCAG convened the Entitlement Working Group comprised of professionals in the building industry and development services to help inform the update of local data for use in Connect SoCal and Regional Housing Needs Assessment (RHNA).”
  - a. Who/what are “development services” and were jurisdictions also involved?
  - b. Is this an ongoing group or has it been completed? Change to past tense if it is no longer active.
16. HQTA & TPA maps- these were created on 6/18/2019. These should be updated to reflect the changes incorporated into the final RTP/SCS.
17. Bikeways Map source should include CTCs as indicated in the narrative on pages 14-15.



- Item 6:** SCAG 2020 RTP/SCS / Connect SoCal / RHNA Update
- Status on Connect SoCal/RHNA
  - SCAG Entitlement Database Review
  - Lessons Learned

**Recommended Action:** Discussion.

## **Report**

---

### **Status on Connect SoCal**

On May 7, 2020, the SCAG Regional Council approved the RTP portion of Connect SoCal to submit for federal conformity. The SCS portion was delayed 120 days in order for SCAG to verify or correct entitlements and report back on the effects of the economic shutdown due to COVID-19.

### **Entitlement Review- Round 2**

Part of the reason for the 120-day delay was for SCAG to verify entitlements are accurately reflected in the RTP/SCS (“Connect SoCal”) growth forecast. There is one entitled project (Centennial) in Unincorporated LA County that has been publically identified as an item of concern. In an internal analysis, SCAG did their own analysis on entitlements and, due to their calculations and assumptions, identified six jurisdictions of the 197 in the region where they believed a handful of entitled projects may not have been accurately incorporated into the RTP/SCS. A draft summary of this was provided at the May 21, 2020 SCAG Technical Working Group (TWG) (Attachment A).

On May 27, 2020, SCAG sent an email (Attachment B) addressed to “City Managers and Other Local Partners” with instructions on how to contact SCAG regarding the second opportunity to review the entitlement information. As a reminder, from October 2019 to December 2019, SCAG had an entitlement review period where jurisdictions were asked to verify and correct their entitlement data in the draft growth forecast for Connect SoCal. Working with all 35 jurisdictions, CDR corrected the SCAG growth forecast to ensure that it properly reflected entitlements, general plan densities and open space and submitted that corrected dataset to SCAG on December 11, 2019.

In February 2020, CDR verified that SCAG included those corrections submitted in December 2019 in the final draft growth forecast. For all 35 jurisdictions, Year 2016 data in SCAG’s growth forecast is the TAZ-level local input data (i.e., the 2018 Orange County Projections). For 12 OC jurisdictions, SCAG used the local input/OCP-2018 TAZ-level data for Year 2045. For the remaining 23 OC jurisdictions, SCAG used the 12/11/2019 modified SCAG growth forecast with OC’s technical corrections at the TAZ level for Year 2045. This was reported to the OCCOG Board in February 2020 and the OCCOG TAC in March 2020 (Attachment C). CDR verified the above data/uses at the TAZ level again in May 2020.

Of the six jurisdictions that SCAG identified as possibly having issues with entitlements, three were in Orange County. If your jurisdiction has not been contacted thus far, it is not one of the three. At this time, for the 32 OC jurisdictions that have not been individually contacted, there is



no further action that needs to be taken. Further elaboration and discussion on this will occur at the June 2 OCCOG TAC meeting.

It has been determined, upon review and consultation with the three jurisdictions on the entitlements in question and the local input submitted by the jurisdictions, the jurisdictions' local input data was correct. As a result of the discussion with the jurisdictions, issues of concern have been raised about SCAG's process and analysis regarding entitlements. These can be incorporated into the overall "lessons learned".

1. Though the growth forecast process in Orange County makes it clear, outside of Orange County, it was not made clear that:
  - a. The RTP/SCS is not a full "build out" scenario.
  - b. Entitled projects may be fully completed after the horizon year of the RTP/SCS.
  - c. It is up to the local jurisdiction to provide input on phasing of projects in their best estimate of what is most likely to occur by the horizon year of the RTP/SCS.
  - d. All growth forecast data and input to SCAG other than public comments should be funneled through the jurisdiction.
2. There needs to be a better understanding by SCAG staff of entitlements and that:
  - a. The jurisdiction should always be the first point of contact for any questions or concerns on an entitled project at any point in time and before issues are raised publically.
  - b. SCAG should not make its own assumptions or calculations on the maximum density or number of units/jobs for an entitled project; the jurisdiction should be the sole source of this information unless the jurisdiction provides written deferral to SCAG.
  - c. Entitled project totals are typically the maximum density or number of what may be built (setting aside density bonuses).
  - d. What ends up getting built may likely be lower than the original entitled number.
  - e. Entitlements do get updated and it should not be assumed that once they are in SCAG's entitlement database those numbers are fixed forever and no further follow up needs to happen.
  - f. An entitled project can be tabled or set aside and may not actually be incorporated into the projection/growth forecast if the jurisdiction has received no submitted plans or the owner has not indicated any sort of timeline on when the entitlement may come to fruition.

Attachments:

- A. May 21, 2020- SCAG TWG staff report
- B. May 27, 2020- SCAG email regarding round #3 of data review- focus: entitlements
- C. March 3, 2020 OCCOG TAC Item 3: 2020 SCAG RTP/SCS (Connect SoCal) Data / Growth Vision Update

**Lessons Learned**

The TAC will discuss and share lessons learned from this round of the RTP/SCS building upon lessons learned from last two iterations.

**DRAFT Proposed Approach for Addressing Entitlements in SCAG's Tier 2 Transportation Analysis Zone (TAZ) level modeling data for Connect SoCal**

**May 21, 2020**

**EXECUTIVE SUMMARY:**

On May 7, the Regional Council adopted Resolution No. 20-621-1 approving Connect SoCal for federal conformity purposes only as part of its action, directed staff to work with local authorities to identify and restore locally approved entitlements as conveyed by local jurisdictions, among other directives. This report describes the process SCAG staff plans to undertake to address these directives, while also meeting the requirements to provide a progress report describing anticipated modifications to the SCS and associated approximate modeling and analysis within 60 days of Resolution adoption.

**Background:**

SCAG's regional transportation model relies on population, household and employment data at the neighborhood level—Tier 2 Transportation Analysis Zones (TAZs)—as part of a complex series of calculations to predict travel behavior and resulting outcomes, like vehicle miles travelled and greenhouse gas emissions. There are 11,267 Tier 2 TAZs in the SCAG region. SCAG coordinates an extensive local engagement process, called the Bottom-Up Local Input and Envisioning Process, with towns, cities and counties as part of the development of the plan to create this dataset, so that it respects local general plans while also reflecting the impacts of regional policy. For example, when projecting growth in a TAZ, if there is capacity to place more future growth within a regional Priority Growth Area, within the regulatory framework of a general plan, then staff would determine that this is the best reflection of regional policy.

In addressing the Regional Council directives, SCAG will continue to work closely with the development community and local jurisdictions to review how growth is reflected in areas with entitled projects. This becomes a particularly sensitive and challenging process for large-scale developments that may take several decades to come to fruition, but also challenging, because large scale development often comprise their own Tier 2 TAZs so the regional data can be misconstrued as reflecting the growth limits of an entitled project, when it is simply a point-in-time projection of the growth over a 25 year period for regional transportation planning purposes.

**Analysis of Entitlement Data for Connect SoCal**

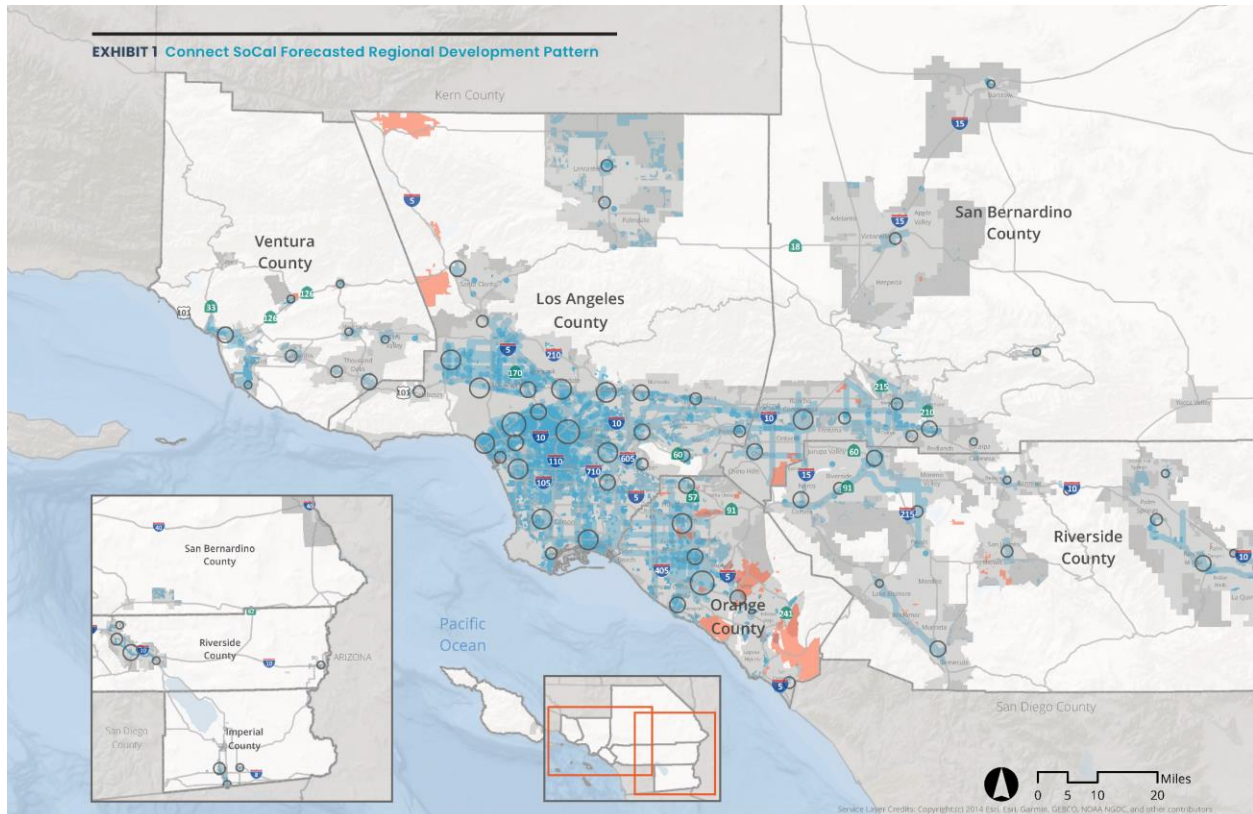
The *Planning Process* that was used for the Final Proposed Connect SoCal plan to capture entitlement data for consideration in the development of the growth forecast for the plan is described below. . Indeed, one of Connect SoCal's Guiding Principles is to "Assure that land use and growth strategies recognize local input, promote sustainable transportation options, and support equitable and adaptable communities". The proposed *Supplemental Review and Data Refinement* process follows the Planning Process description and includes additional steps to be

taken over the next 60 and 120 days as directed by the Regional Council to augment the planning process to-date with further opportunities for review and to identify and restore locally approved entitlements as conveyed by local jurisdictions.

### *Planning Process*

An important aspect of projecting growth and planning our region's future development is taking into account new housing and employment related projects that are already in the pipeline – both in establishing a geographic database of entitled projects, and in collaborating with local jurisdictions to understand anticipated project impacts on future population, household, and employment growth through Connect SoCal's 2045 horizon year. To first establish a database of entitled projects in preparing for Connect SoCal, SCAG worked with local jurisdictions and private sector developers early in the process to develop an Entitlements Database - the first of its kind and breadth in the region. This began by engaging with developers in 2016 through an Entitlements Working Group to map the locations and understand intensities of 66 major housing and employment projects. SCAG then met one-on-one with all 197 jurisdictions in 2017 and 2018 to review and supplement this database with additional entitlements – since jurisdictions are the authority on entitled projects and development agreements. SCAG's towns, cities, and counties were asked to review the dataset by October 1, 2018, and 44 jurisdictions from all six counties offered feedback. In total, SCAG's dataset grew to 424 projects with entitlements for over 195,000 new single family and multifamily development units. Many of these projects also included plans for employment related uses, with over 132,000 jobs projected based on potential future building square footages. For regional planning purposes, entitlements change frequently and SCAG's 2018 Entitlements Database includes projects anticipated for near-term entitlement as conveyed by jurisdictions.

All of these entitled projects are depicted within the Forecasted Regional Development Pattern for the Final Proposed Connect SoCal plan, shown as Exhibit 1 in the Sustainable Communities Technical Report:



○ Job Centers    ■ Priority Growth Areas    ■ Entitled Projects    ■ Incorporated Areas    ■ Sphere of Influence\*

\* Priority Growth Areas include Spheres of Influence outside of constrained areas, as discussed further in the SCS Technical Report.

Source: County Transportation Commissions, LAFCO, Local Jurisdictions in SCAG region, SCAG, 2019

The next step in incorporating entitlements in Connect SoCal was understanding the likely phasing of these projects through 2045. Unlike many local general plans, Regional Transportation Plans and Sustainable Communities Strategies (RTP/SCSs) do not represent the region’s ultimate “build out.” Since there are many factors impacting the timeframe that bring entitlements to fruition - including market forces, local trends, anticipated phasing of development, amongst others – it was important to engage with local jurisdictions to understand neighborhood impacts and overall growth through 2045. This also supports Connect SoCal’s Guiding Principle to “assure that land use and growth strategies recognize local input, promote sustainable transportation options, and support equitable and adaptable communities.” In total, over 80 percent of SCAG’s 197 jurisdictions provided feedback in 2018 as part of the Bottom-Up Local Input and Envisioning Process on the anticipated phasing of population, household, and employment growth from 2016 to 2045. In comparing growth projected from entitlements to each jurisdiction’s overall growth, all 424 projects in the Entitlements Database are reflected in Connect SoCal. Further, Connect SoCal is adopted by SCAG at the jurisdictional level (not at the TAZ level) and jurisdictions have the authority to



determine consistency of any project with the plan. Nothing in Connect SoCal precludes a project from being determined consistent with the SCS, as entitled, by the applicable jurisdiction. Additionally, Government Code §65080 (b)(2)(K) expressly states: “Nothing in a sustainable communities strategy shall be interpreted as superseding the exercise of the land use authority of cities and counties within the region. ...Nothing in this section shall require a city’s or county’s land use policies and regulations, including its general plan, to be consistent with the regional transportation plan or an alternative planning strategy.”

SCAG has been notified of concerns from some stakeholders, including the Building Industry Association (BIA), regarding the representation of entitled projects in the neighborhood level growth forecast dataset. The neighborhood level growth forecast is specifically used for regional modeling purposes and is collaboratively developed with local jurisdictions to ensure growth projections reflect local knowledge of conditions, market forces and other factors contributing to future growth and do not exceed the capacity of local general plans. The data used in the Final Proposed Connect SoCal plan originates from the Bottom-Up Local Input and Envisioning Process and represents a local jurisdiction’s best understanding, at that time, of anticipated growth through 2045 taking into account the phasing of entitled projects. The neighborhood level data includes transportation analysis zone (TAZ)-level population, household, and employment growth projections, which are informed by the Entitlements Database. This data is not published in Connect SoCal and is typically released in consultation with local jurisdictions through a defined protocol to ensure it is understood as a tool for regional planning purposes only.

As part of the final review of Connect SoCal, SCAG conducted an analysis of the proposed Final Draft Plan with the entitlement database to assess the extent to which the growth anticipated from entitled projects was reflected in the plan’s growth forecast to 2045:

- Of the 424 projects in the 2018 Entitlements Database, 10 projects in six jurisdictions were identified where the households or jobs reflected in the Entitlement Database were not fully captured in the Tier 2 TAZ level growth projections for 2045
- SCAG understood the primary reason for this difference related to the anticipated phasing of a project, as conveyed and/or reviewed by jurisdictions, recognizing that the build out of the development would continue beyond the horizon year of the plan
- SCAG further estimated that the number of dwelling units phased for development beyond 2045 to be 2,515 units, representing less than one percent (0.15 percent) of the 1.6 million new households anticipated between 2016 and 2045
- SCAG also estimated the number of jobs that would come to fruition after the 2045 horizon to be 38,403, representing 2 percent of the 1.6 million new jobs expected from 2016 through 2045

The phasing of development at this scale can be assumed to be regionally insignificant, meaning if these units and jobs materialize earlier there would likely be minimal impact regionally to travel behavior and the model outcomes that SCAG produces for regional planning purposes. However, if further adjustments were made to the Tier 2 growth forecast dataset, the regional model would need to be re-run to confirm this assumption. More information on the process and datasets used in the development of Connect SoCal, and the process for requesting data, can be found on-line at <https://www.connectsocial.org/Pages/Local-Input-Process.aspx>

### *Supplemental Review and Data Refinements*

To supplement the planning and review process, SCAG staff intends to pursue the following activities to work with local authorities to identify and restore locally approved entitlements as conveyed by local jurisdictions. Specific and targeted outreach will be conducted to the six jurisdictions impacted to confirm entitlements are expressed and growth is captured as conveyed by the local jurisdictions. SCAG will accept modifications to the TAZ level growth data to accommodate any needed modifications to capture entitlements while holding jurisdictional level growth constant.

In addition, a letter will be sent to all local jurisdictions on May 26 providing them with directions for accessing their Tier 2 TAZ data along with SCAG's publicly-accessible 2018 Entitlements Database (<https://www.connectsocial.org/Documents/DataMapBooks/EntitlementsSCAG.pdf>). Jurisdictions will be provided the opportunity to submit updated information on entitlements to SCAG as part of an ongoing effort to improve the quality of data available at the regional level on entitlements. Jurisdictions can also provide feedback on issues related to general plan capacity through this process. Adjustments to the neighborhood level growth data to reflect these entitlement updates and general plan capacities may also be submitted by local jurisdictions for review by SCAG and will be considered for inclusion in the plan if received by June 5. Time for review and comment by local jurisdictions is limited in order to ensure SCAG staff can be responsive to the Regional Council's direction to provide a progress report within 60 days of the May 7 adoption of Board Resolution No. 20-621-1 describing modifications to the SCS and associated modeling analysis. Given this is the third opportunity for review and feedback, the advisory nature of the data, and that the process is supplementary to analysis and outreach to address known discrepancies as described above, SCAG staff believes the timeframe is reasonable for addressing the Regional Council's directive.

Following the June 5 deadline, SCAG's Entitlements Database will remain a dynamic platform for capturing changes to entitlements for use in future planning updates. The Entitlement Database will be updated and made publicly accessible after this last round for review.

Additional enhancements to the Supplemental Review and Data Refinement process may be pursued by staff and based on input from the Technical Working Group and stakeholders. The suggested process improvements will be evaluated and pursued if consistent with Regional Council direction and achievable within established time constraints.

**Next Steps**

SCAG has initiated the process for reaching out to the targeted jurisdictions to confirm or revise growth forecast data to reflect growth anticipated during the horizon years of the plan. Letters to engage remaining jurisdictions will be distributed on May 26; feedback via email to SCAG's [RTPLocalInput@scag.ca.gov](mailto:RTPLocalInput@scag.ca.gov) account will be required, if changes are desired, by June 5. A report to the Regional Council on the Supplemental Review Process and Proposed Data Refinements will be provided on July 2, 2020.

DRAFT

---

**From:** SCAG <RTPLocalInput=scag.ca.gov@cmail20.com> on behalf of SCAG  
<RTPLocalInput@scag.ca.gov>  
**Sent:** Wednesday, May 27, 2020 6:45 PM  
**To:**  
**Subject:** [External] Connect SoCal Growth Forecast Data Review Process

---



**May 27, 2020**

Dear City Managers and Other Local Partners:

Thank you for your participation in the development of the Southern California Association of Government's (SCAG) Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS) - "[Connect SoCal.](#)" Connect SoCal was approved by SCAG's Regional Council on May 7, 2020, for federal transportation conformity purposes and approval for all other purposes was postponed for up to 120 days. This delay was intended to allow more time for SCAG to review Connect SoCal and consider its implications in light of the short and long-term impacts of the COVID-19 pandemic. Additionally, in response to Regional Council direction, SCAG staff will provide additional analysis and work with local authorities to address stakeholder's questions and concerns related to the neighborhood-level (i.e. transportation analysis zone (TAZ)) Growth Forecast utilized for modeling purposes for the SCS. As part of this process, we are reaching out to all jurisdictions to outline the next steps SCAG staff is undertaking as we consider refinements related to the neighborhood-level Growth Forecast.

Firstly, we want you to be aware of the opportunity to review and provide input on the TAZ-level Growth Forecast data by June 9, 2020. Similar to the data review process we conducted during

fall 2019, SCAG will accept feedback and proposed modifications to capture growth anticipated from entitlements at the TAZ-level and/or to ensure that growth at the TAZ-level does not exceed general plan capacities, in accordance with [Connect SoCal's Growth Forecast Guiding Principles](#). The TAZ-level data is available for your review upon request; additional instructions on [how to provide your input to SCAG are accessible online](#). Please note that this data has not changed since your jurisdiction was provided access to the Growth Forecast during the last week of February 2020.

Secondly, SCAG is conducting additional analysis of the TAZ-level Growth Forecast data to ensure consistency with Connect SoCal's Growth Forecast Guiding Principles, which aim to ensure Connect SoCal does not exceed the maximum density of local general plans as conveyed by jurisdictions at the TAZ level except in the case of existing entitlements and development agreements. To the extent this analysis suggests the Connect SoCal TAZ-level data needs further refinement, SCAG staff will reach out directly to local jurisdictions for to discuss these potential refinements.

Finally, to ensure an open and transparent process, SCAG will make TAZ-level Growth Forecast data available to stakeholders upon request. We ask that you direct other stakeholders interested in accessing this data to contact SCAG at [RTPLocalInput@scag.ca.gov](mailto:RTPLocalInput@scag.ca.gov), so the data can be released through appropriate protocols to ensure the advisory nature of the data is understood. While stakeholder review will be accommodated through this process, technical refinements must be initiated by local jurisdictions and input must be provided by jurisdictions to SCAG by the June 9, 2020, deadline.

We appreciate your attention on this matter and believe the time allotted is sufficient given the level of engagement and confirmation we have already received from local jurisdictions on the plan data through two previous rounds of review. In addition, SCAG's analysis and targeted outreach will allow us to quickly identify and troubleshoot any remaining issues across the region.

Thank you again for your continued collaboration as we move forward with the final review of Connect SoCal and advance the plan for consideration by the Regional Council within the next 120 days. Please do not hesitate to contact me or my staff, Ying Zhou at [RTPLocalInput@scag.ca.gov](mailto:RTPLocalInput@scag.ca.gov), if you have any questions about Connect SoCal or the Growth Forecast data review process.

Sincerely,



Sarah Jepson  
Planning Director, SCAG

CC: Local Jurisdiction Community Development Directors, Planning Directors, City Clerks,  
Subregional Executive Directors, Subregional Coordinators, Local Jurisdiction Staff

---

Southern California Association of Governments  
900 Wilshire Blvd., Ste. 1700, Los Angeles, CA 90017  
Telephone (213) 236-1800  
[scag.ca.gov](http://scag.ca.gov)

Email not displaying correctly? [View in browser](#) | [Forward to a friend](#)

You can instantly unsubscribe from these emails by [clicking here](#).

**Item 3: 2020 SCAG RTP/SCS (Connect SoCal) Data / Growth Vision Update****Recommended Action:** Receive report.

From February 21-23, 2020, SCAG sent emails to all 197 jurisdictions with a letter providing an update on the “Final Growth Vision for Connect SoCal” (2020 RTP/SCS) summarizing the process and directions on how to access the Final Growth Vision in the SPM data portal. CDR reviewed the city and split TAZ-level dataset and verified the following:

**Table 1**

Jurisdiction	Year 2016 city- and TAZ-level data from	Year 2045- Jurisdictional totals are OCP-2018; Split TAZ-level data is from:
Aliso Viejo	OCP-2018	12/11/2019 modified SCAG growth forecast with OC’s technical corrections
Anaheim	OCP-2018	12/11/2019 modified SCAG growth forecast with OC’s technical corrections
Brea	OCP-2018	12/11/2019 modified SCAG growth forecast with OC’s technical corrections
Buena Park	OCP-2018	OCP-2018
Costa Mesa	OCP-2018	OCP-2018
Cypress	OCP-2018	12/11/2019 modified SCAG growth forecast with OC’s technical corrections
Dana Point	OCP-2018	12/11/2019 modified SCAG growth forecast with OC’s technical corrections
Fountain Valley	OCP-2018	12/11/2019 modified SCAG growth forecast with OC’s technical corrections
Fullerton	OCP-2018	12/11/2019 modified SCAG growth forecast with OC’s technical corrections
Garden Grove	OCP-2018	12/11/2019 modified SCAG growth forecast with OC’s technical corrections
Huntington Beach	OCP-2018	12/11/2019 modified SCAG growth forecast with OC’s technical corrections
Irvine	OCP-2018	OCP-2018
La Habra	OCP-2018	12/11/2019 modified SCAG growth forecast with OC’s technical corrections
La Palma	OCP-2018	12/11/2019 modified SCAG growth forecast with OC’s technical corrections
Laguna Beach	OCP-2018	OCP-2018
Laguna Hills	OCP-2018	12/11/2019 modified SCAG growth forecast with OC’s technical corrections
Laguna Niguel	OCP-2018	12/11/2019 modified SCAG growth forecast with OC’s technical corrections
Laguna Woods	OCP-2018	OCP-2018
Lake Forest	OCP-2018	OCP-2018
Los Alamitos	OCP-2018	OCP-2018
Mission Viejo	OCP-2018	12/11/2019 modified SCAG growth forecast with OC’s technical corrections
Newport Beach	OCP-2018	12/11/2019 modified SCAG growth forecast with OC’s technical corrections
Orange	OCP-2018	12/11/2019 modified SCAG growth forecast with OC’s technical corrections
Placentia	OCP-2018	12/11/2019 modified SCAG growth forecast with OC’s technical corrections
Rancho Santa Margarita	OCP-2018	12/11/2019 modified SCAG growth forecast with OC’s technical corrections
San Clemente	OCP-2018	OCP-2018
San Juan Capistrano	OCP-2018	12/11/2019 modified SCAG growth forecast with OC’s technical corrections
Santa Ana	OCP-2018	OCP-2018
Seal Beach	OCP-2018	OCP-2018
Stanton	OCP-2018	12/11/2019 modified SCAG growth forecast with OC’s technical corrections
Tustin	OCP-2018	12/11/2019 modified SCAG growth forecast with OC’s technical corrections
Unincorporated County	OCP-2018	OCP-2018
Villa Park	OCP-2018	12/11/2019 modified SCAG growth forecast with OC’s technical corrections
Westminster	OCP-2018	12/11/2019 modified SCAG growth forecast with OC’s technical corrections
Yorba Linda	OCP-2018	OCP-2018



To provide background and further clarification, listed below is a summary of the timeline for SCAG’s growth forecast/growth vision development:

1. Summer 2016-September 2018: 2018 Orange County Projections (OCP-2018) development by CDR and Orange County jurisdictions.
2. Fall 2017-October 1, 2018: SCAG’s Bottom-Up Local Input Process and Envisioning Process.
3. October 1, 2018: CDR transmitted city and split TAZ (TAZ split by jurisdiction) growth forecast data (OCP-2018) to SCAG as local input for the 2020 RTP/SCS growth forecast.
4. October 2018-September 2019:
  - a. SCAG incorporated jurisdictions’ local input into their draft growth forecast.
  - b. SCAG staff and its consultant modified local input at the split TAZ level into a different “growth vision” by redistributing the growth, transmitted by local jurisdictions, with the primary intent to ensure that the regional greenhouse gas emission reduction targets set by CARB were achieved.
    - i. In doing so, SCAG staff did not adhere to its own Growth Forecast Principle #2: “Connect SoCal’s growth forecast at the traffic transportation analysis zone level is controlled to not exceed the maximum density of local general plans, except in the case of existing entitlements and development agreements” or to its commitment to properly reflect all entitled and approved projects (“entitlements”).
    - ii. After determining its own Draft Growth Vision was inconsistent with Growth Forecast Principle #2 and being unable to make the corrections on its own, SCAG decided to reach out to jurisdictions to make the corrections to ensure entitlements were properly reflected and general plan densities were not exceeded.
5. October 31, 2019: SCAG invited all 197 jurisdictions to review and provide feedback on its Draft Growth Vision at the split TAZ level “to ensure that (1) entitled projects are properly incorporated in the Connect SoCal’s Final Growth Vision, and that (2) projected development in the Final Growth Vision does not exceed the maximum densities of current local general or specific plans, as conveyed by jurisdictions.” The deadline to submit corrections was December 11, 2019.
6. **November 5-December 11, 2019: OC jurisdictions provided CDR with additional information on entitlements, open space, and general plan densities that CDR documented and then used to correct SCAG’s Draft Growth Vision; CDR provided SCAG the corrected dataset on December 11, 2019 (12/11/2019 modified SCAG growth forecast with OC’s technical corrections).**
7. January 8, 2020: CDR requested a copy of the revised growth forecast dataset to verify all technical corrections were made for Orange County. SCAG informed CDR that the request would not be fulfilled until mid-February.
8. January 16, 2020: SCAG Technical Working Group (TWG)- SCAG staff outlined their progress on incorporating the technical corrections and their process to determine if the “corrected growth vision” (SCAG’s Draft Growth Vision containing the technical corrections sent to SCAG by December 11, 2019 by CDR and others) or the “original local input” (OCP-2018 for Orange County) would be used for each jurisdiction. Depending on a number of factors, each jurisdiction’s data would be evaluated, and either





the “corrected growth vision” or “original local input” would be used in SCAG’s Final Growth Vision.

9. February 3, 2020: SCAG staff informed CDR the requested city/Tier 2 TAZ dataset would not be available until mid- to late February.
10. February 19, 2020: SCAG transmitted the TWG agenda packet with the draft “Connect SoCal Growth Vision Methodology” document that summarized the development of the “Final Growth Vision” for the 2020 RTP/SCS and contained the list of jurisdictions for which SCAG used the original local input data.
11. February 20, 2020: SCAG TWG meeting- SCAG staff shared they would be sending a letter to all 197 jurisdictions with the summary of the growth vision methodology document “Connect SoCal Growth Vision Methodology,” thereby sharing which dataset was ultimately incorporated into the Final Growth Vision for each jurisdiction (original local input, SCAG’s Draft Growth Vision or SCAG’s Draft Growth Vision with technical corrections).
  - a. SCAG share the 2020 RTP/SCS (Connect SoCal) will still meet the regional greenhouse gas emission reduction targets.
12. February 20, 2020: CDR again requested the growth forecast data along with the quantitative outputs for each jurisdiction that were used to determine whether the original local input (OCP-2018) or the “corrected growth vision” (12/11/2019 modified SCAG growth forecast with OC’s technical corrections) was used in SCAG’s Final Growth Vision.
13. February 21, 2020: SCAG sent CDR the Final Growth Vision dataset at the split TAZ level.
- 14. February 24, 2020: CDR reviewed SCAG’s Final Growth Vision data and confirmed that all of the data changes requested by the jurisdictions, which were consistent with SCAG’s parameters to correct entitlements and general plan densities, have been incorporated into SCAG’s Final Growth Vision for each jurisdiction at the split TAZ level. See Table 1 above.**
  - a. Data includes population, households, and employment (jobs).
  - b. CDR confirmed the jurisdiction totals match OCP-2018 for 2016 and 2045.
15. February 25, 2020: SCAG sent CDR the quantitative outputs for each jurisdiction that were used to determine whether the original local input (OCP-2018) or the “corrected growth vision” (12/11/2019 modified SCAG growth forecast with OC’s technical corrections). Attachment 2 is the narrative of the criteria methodology and Attachment 3 is a table containing the outputs calculated by SCAG for each of the criteria.

**Attachments:**

1. SCAG February 21-23, 2020 letter to jurisdictions “Update on the Final Growth Vision for Connect SoCal”
2. SCAG Connect SoCal February 25, 2020 – Final Growth Vision Selection Criteria for Jurisdictions
3. SCAG: Summary Table of Growth Strategy Analysis by Criteria Used to Determine Use of Local Input or Corrected Growth Vision 2/25/2020

---

Contact: Ms. Deborah Diep, Director, Center for Demographic Research  
657/278-4596 [ddiep@fullerton.edu](mailto:ddiep@fullerton.edu)



**Item 7:** **SCAG Housing Element Data Packages**  
**Recommended Action:** Discussion.

## **Report**

---

SCAG is working to provide housing element data support for local jurisdictions. The 6th cycle housing elements will be due to the California Department of Housing and Community Development (HCD) in October 2021. To help local jurisdictions prepare for the updates and save on time and resources, SCAG staff is developing a package containing a range of data and information required by HCD as part of the housing element update. SCAG is working with HCD so that parts of the housing element review will be streamlined and pre-approved by HCD if it contains the pre-approved data package prepared by SCAG.

An initial draft of the variables likely to be included in the data package is below. This agenda item is to provide feedback to SCAG on the data package.

- **Demographic Summary**
  - Population by Age by Gender
  - Race/Ethnicity
  - Population by Types of Disabilities
- **Housing Summary**
  - Household by Tenure
  - Vacancy Units by Type
  - Overcrowding Housing Units (Owners- and Renters-Occupied)
  - Median selected Monthly Owner Costs as a Percentage of Household Income
  - Household Units by Income Limits
  - Gross Rent as a Percent of Household Income
  - Housing Units by Year Structure Built
  - Housing Unit with Householders Moving In
  - Substandard Housing Information (Owner- and Renter-Occupied)
  - Percentage of Owner-Occupied Housing Costs by Annual Income
  - Percentage of Renter-Occupied Housing Costs by Annual Income
- **Socioeconomic Summary**
  - School Enrollment Numbers
  - Educational Attainment
  - People Employed by Industry
  - People Employed by Occupation
- **Segregation Summary**
  - Populations Living in Poverty
  - Households Living in Poverty
  - 20-59 Year Olds in the Labor Force
  - Means of Transportation to Work
- **Map Summary**
  - Opportunity Map (TCAC/HCD)
  - SB 535 Disadvantaged Communities (CalEPA)

Contact: Tom M. Vo, SCAG, [Vo@scag.ca.gov](mailto:Vo@scag.ca.gov), (213) 236-1930  
Kevin Kane, SCAG, [kane@scag.ca.gov](mailto:kane@scag.ca.gov), (213) 236-1828



**Item 8:** State Housing Legislation  
**Recommended Action:** Discussion.

## **Report**

---

On May 20<sup>th</sup>, Senate Pro Tem Toni Atkins (D- San Diego) unveiled a package of five bills that are proposed as the Senate’s approach to housing legislation for the remainder of the 2020 session. These bills are expected to be heard the week of May 25<sup>th</sup> prior to the Senate’s deadline for policy bills on May 29, 2020. Below are the bills included in the package:

SB 1085 (Skinner): This bill enhances existing Density Bonus Law by increasing the number of incentives provided to developers in exchange for providing more affordable units.

SB 1385 (Caballero): This bill would unlock existing land zoned for commercial office and retail for potential residential development. The bill would also allow streamlined ministerial approval for such projects if the site has been vacant or underutilized for at least three years and if it meets the existing requirements for by-right housing.

SB 1120 (Atkins): This bill builds off state Accessory Dwelling Unit law that allows for at least three units/parcel. The bill also further encourages small-scale neighborhood development by creating a ministerial approval process for duplex and lot splits that meet local zoning, environmental, and tenant displacement standards.

SB 995 (Atkins): Provides California Environmental Quality Act (CEQA) relief by expanding the existing AB 900 process for Environmental Leadership Development Projects for housing projects, particularly affordable housing.

SB 902 (Weiner): Allows local governments to pass a zoning ordinance that is not subject to CEQA for projects that allow up to 10 units, if they are located in one of the following priority areas:

- A transit-rich area
- A jobs-rich area
- An urban infill site

Attachment: Senate Housing Production Legislative Package Fact Sheet

# Senate Housing Production Legislative Package FACT SHEET

*Housing production remains a top priority of the Senate and is key to California's economic recovery. The Senate is proposing a housing production legislative package that would streamline existing housing approval processes at the state and local levels, focus on proposals that would reduce the workload of local planning departments, increase the availability of affordable housing, and build on policies that would accelerate job growth and economic development. The package also includes the budget proposal previously announced by Senate Democrats for a renter/landlord stabilization program.*

## **Housing Production Package**

**SB 1385 (Caballero):** This bill would unlock existing land zoned for commercial office and retail for potential residential development by making housing an eligible use on those sites.

**Impact on housing production:** Even before COVID-19, many large-scale commercial developers were moving toward mixed-use projects that integrate live/work/play uses into one neighborhood. This trend has only been accelerated by the COVID-19 crisis, and this bill reflects the need to update the development landscape statewide to embrace that evolution and create much-needed housing alongside office and retail.

### **Requirements:**

- The site's density meets or exceeds the level needed to accommodate multifamily affordable housing.
- Local zoning, parking, design, and other ordinances that apply to other areas zoned for multifamily housing in the jurisdiction also apply.
- Any housing development that utilizes this provision complies with any design review or public notice, comment, or hearing process.

### **The bill also would:**

- Allow for streamlined ministerial approval of housing projects on land zoned for office or retail commercial use when the site has been vacant or severely underutilized (less than 50% of available square footage) for at least three (3) years and the project meets the existing requirements for by-right housing:
  - a. Consistent with objective zoning, subdivision, and design-review standards.
  - b. Does not require demolition of a historic structure.
  - c. Located outside of environmentally sensitive areas, as specified.
  - d. Provides at least 10% affordable housing (increased to 50% in jurisdictions that are building enough middle-income housing but not enough low-income housing).
  - e. Does not affect existing affordable housing, rent-controlled housing, or housing where tenants have resided in the last 10 years.
  - f. Provides prevailing wage to all workers (regardless of public works status) and uses a skilled and trained workforce for midsize projects (generally 50-75+ units).
  - g. Provides one (1) parking space/unit unless located near transit/in a historic district/near a car-share.



## **2020 PRIORITY LEGISLATION LIST**

### **HOUSING, COMMUNITY & ECONOMIC DEVELOPMENT**

**Yellow Highlight = Really Important Bill**

**Turquoise Highlight = Important Bill**

#### Planning and Zoning

#### **AB 725 (Wicks) Housing Element. Moderate-income and Above Moderate-income Housing.**

This measure would require incorporated areas within a metropolitan jurisdiction, at least 25% of the jurisdiction's share of the regional housing need for both the moderate-income and above moderate-income housing categories must be allocated to sites with zoning that allows at least two units of housing, but no more than 35 units of housing per acre.

League Position: Pending

#### **AB 1279 (Bloom) Housing Developments. High-resource Areas.**

This measure would require HCD to designate areas in this state as high-resource areas by January 1, 2021, and every 5 years thereafter. In any area designated as a high-resource area, this measure would require cities, at the request of a developer, to allow up to fourplexes in single-family zones and up to 100 units per acre in commercial zones. These projects shall receive ministerial approval (use by right).

League Position: Pending

#### **AB 1775 (Reyes) Local Planning. Environmental Justice.**

This measure would require a city, county, or city and county to notify the Department of Justice at least 60 days before the adoption or review of the environmental justice element, or related environmental justice goals, policies, and objectives integrated in other elements.

League Position: Watch

#### **AB 1851 (Wicks) Faith-based Organizations. Housing Developments. Parking Requirements.**

This measure would, upon the request of a developer of a housing development project, require a local agency to ministerially approve a request to that local agency to reduce or eliminate any parking requirements that would otherwise be imposed by that local agency on the development if the housing development project qualifies as a faith-based organization affiliated housing development project. This measure would prohibit a local agency from requiring the replacement

of religious-use parking spaces proposed to be eliminated by a faith-based organization's housing project or from requiring the curing of any preexisting deficit of religious-use parking as a condition of approval of a faith-based organization affiliated housing development project.  
League Position: Pending

**AB 2345 (Gonzalez) Planning and Zoning. Density Bonus.**

This measure would greatly expand Density Bonus law and allow developers to receive up to five concessions and incentives from local governments and up to 50% more density.  
League Position: Pending

**AB 2580 (Eggman) Conversion of Motels and Hotels. Streamlining.**

This measure would authorize a development proponent to submit an application for a development for the conversion of a motel, hotel, or commercial use into multifamily housing units to be subject to a streamlined, ministerial approval process, provided that development proponent reserves at least 20% of the proposed housing units for persons and families of low or moderate income. The measure would require a local government to notify the development proponent in writing if the local government determines that the development conflicts with any of those objective standards within 30 days of the application being submitted; otherwise, the development would be deemed to comply with those standards.  
League Position: Pending

**AB 3040 (Chiu) Local Planning. Regional Housing Need.**

This measure would create a voluntary program to incentivize local governments to allow four units per parcel, by-right, in exchange for additional credit towards the city or county's share of the regional housing need allocation for each site identified under these provisions. The measure would prohibit the cumulative credit received by a city or county from exceeding more than 25% of the total units needed to meet its regional housing needs allocation.  
League Position: Support in concept.

**AB 3107 (Bloom) Planning and Zoning. Housing Developments.**

This measure would require, notwithstanding any inconsistent provision of a city's or county's general plan, specific plan, zoning ordinance, or regulation, a housing development in which at least 20 percent of the units have an affordable housing cost or affordable rent for lower income households shall be an allowable use on a site designated in any element of the general plan for commercial uses.  
League Position: Pending

**AB 3155 (Rivas. R) Subdivision Map Act. Small Lot Subdivisions.**

This measure would require a small lot subdivision to be located on a parcel zoned for multifamily residential use and consist of individual housing units that comply with existing height, floor area, and setback requirements applicable to the presubdivided parcel. The bill would prohibit the total number of units created by the small lot subdivision from exceeding the

allowable residential density permitted by the existing general plan and zoning designations for the presubdivided parcel.

League Position: Pending

**AB 3234 (Gloria) Subdivision Map Act.**

This measure would specify that no tentative or final map shall be required for the creation of a parcel or parcels necessary for the development of a subdivision for a housing development project, as defined in the Housing Accountability Act, that meets specified criteria, including that the site is an infill site, as defined, is located in an urbanized area or urban cluster, as defined, and the proposed site to be subdivided is no larger than 5 acres, among other requirements.

League Position: Pending

**SB 899 (Wiener) Housing Development. Nonprofit Hospitals or Religious Institutions.**

This measure would require that a housing development project be a use by right upon the request of a nonprofit hospital, nonprofit diagnostic or treatment center, nonprofit rehabilitation facility, nonprofit nursing home, or religious institution that partners with a qualified developer on any land owned in fee simple by the applicant if the development satisfies specified criteria.

League Position: Pending

**SB 902 (Wiener) Neighborhood Multifamily Project. Use By Right.**

This measure would provide that a neighborhood multifamily project (up to fourplexes, based on population) is a use by right in zones where residential uses are permitted if the project is not located in a very high fire severity zone, does not demolish sound rental housing or housing that has been placed on a national or state historic register, and follows specified local objective criteria. This measure would also allow a local government to pass an ordinance, notwithstanding any local restrictions on adopting zoning ordinances enacted by the jurisdiction, including restrictions enacted by a local voter initiative, that limit the legislative body's ability to adopt zoning ordinances, to zone any parcel for up to 10 units of residential density per parcel, at a height specified by the local government in the ordinance, and not be subject to CEQA.

League Position: Pending

**SB 1085 (Skinner) Density Bonus Law. Housing for Lower-income Students.**

This measure would require a city or county to grant one incentive or concession for a project that will contain a specified percentage of units for lower income students in a student housing development.

League Position: Pending

**SB 1138 (Wiener) Housing Element. Emergency Shelters. Zoning of Sites.**

This measure would revise the requirements of the housing element, as described above, in connection with identifying zones or zoning designations that allow residential use, including mixed use, where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit. This would also, for the 6th and each subsequent revision of the

housing element, require that a local government that fails to adopt a housing element that the Department of Housing and Community Development has found to be in substantial compliance with state law within 120 days of the statutory deadline to complete the rezoning no later than one year (instead of three years under current law) from the statutory deadline for the adoption of the housing element.

League Position: Pending

**SB 1299 (Portantino) Housing Development. Incentives. Rezoning of Idle Retail Sites.**

This measure would, upon appropriation by the Legislature, require HCD to administer a program to provide incentives in the form of grants allocated as provided to local governments that rezone idle sites used for a big box retailer or a commercial shopping center to instead allow the development of workforce housing.

League Position: Pending

**SB 1385 (Caballero) Local Planning. Housing in Commercial Zones.**

This measure, the Neighborhood Homes Act, would deem a housing development project, as defined, an authorized use on a neighborhood lot that is zoned for office or retail commercial use under a local agency's zoning code or general plan. The measure would require the density for a housing development under these provisions to meet or exceed the density deemed appropriate to accommodate housing for lower income households according to the type of local jurisdiction, including a density of at least 20 units per acre for a suburban jurisdiction.

League Position: Watch

**SB 1410 (Gonzalez. L) Rental Assistance. COVID-19 Emergency Rental Assistance Program.**

This measure would establish the COVID-19 Emergency Rental Assistance Program, to be administered by the Director of Housing and Community Development. The measure would deem a household eligible for rental assistance payments under the program if the household demonstrates an inability to pay all or any part of the household's rent due between April 1, 2020, and October 31, 2020, due to COVID-19 or a response to COVID-19 and the owner of the dwelling unit consents to participate in the program. This measure would also require the Department of Housing and Community Development to develop a process to confirm whether a household demonstrates an inability to pay rent and develop a process to obtain the owner's consent to participate in the program.

League Position: Pending

Accessory Dwelling Units (ADUs)

**AB 953 (Ting) Accessory Dwelling Units (ADUs).**

This measure would deem a permit application for the creation of an accessory dwelling unit or junior accessory dwelling unit approved if the local agency has not acted upon the completed application within 60 days.



### **SB 773 (Skinner) Accessory Dwelling Units (ADUs)**

This measure would deem a permit application for the creation of an accessory dwelling unit or junior accessory dwelling unit approved if the local agency has not acted upon the completed application within 60 days.

### Homelessness

#### **ACA 10 (Ting) Personal Rights. Right to Housing.**

This measure would declare that the fundamental human right to housing exists in this state. The measure would declare that this right is exclusively enforceable by a public right of action. The measure would specify that it is the shared obligation of state and local jurisdictions to respect, protect, and fulfill this right through progressively implemented measures, consistent with available resources, within an aggressive but reasonable time frame.

League Position: Pending

#### **AB 1845 (Rivas) Office to End Homelessness**

This measure would create the Governor's Office to End Homelessness, which would be administered by the Secretary on Housing Insecurity and Homelessness appointed by the Governor. The bill would require that the office serve the Governor as the lead entity for ending homelessness in California and would task the office with coordinating the various federal, state, and local departments and agencies that provide housing and services to individuals experiencing homelessness or at risk of homelessness.

League Position: Watch

#### **AB 1905 (Chiu) Housing and Homelessness Response Fund. Mortgage Interest Deduction.**

This measure would entirely eliminate the option to claim the mortgage interest deduction (MID) on second homes. On qualified home loans acquired in 2018 or later for primary homes, the amount of interest a filer can claim would be reduced from the current level of \$1 million to \$750,000, conforming California's tax regulations with federal law. The savings from the elimination and reform of these tax deductions, which is estimated to be between \$400-\$500 million annually, would be redirected to the Housing and Homelessness Response Fund to alleviate California's homelessness crisis.

League Position: Pending

#### **AB 2329 (Chiu) Homelessness. Statewide Needs and Gaps Analysis.**

This measure, upon appropriation by the Legislature, would require the Homelessness Coordinating Council to conduct a statewide needs and gaps analysis to identify state programs that provide housing or services to persons experiencing homelessness. The measure would require the council to report on the analysis to the Legislature by July 31, 2021.

League Position: Watch

**AB 2405 (Burke) Housing. Homelessness. Children and Families.**

This measure would require local jurisdictions to, on or before January 1, 2022, establish and submit to the Department of Housing and Community Development an actionable plan to house their homeless populations based on their latest point-in-time count.

League Position: Watch

**AB 2553 (Ting) Shelter Crisis Declaration.**

This measure would allow a city, county, or city and county, in lieu of compliance with local building approval procedures or state housing, health, habitability, planning and zoning, or safety standards, procedures, and laws, may adopt by ordinance reasonable local standards and procedures for the design, site development, and operation of homeless shelters and the structures and facilities therein, to the extent that it is determined at the time of adoption that strict compliance with state and local standards or laws in existence at the time of that adoption would in any way prevent, hinder, or delay the mitigation of the effects of the shelter crisis.

League Position: Pending

**AB 2746 (Gabriel) Funding Accountability. State Funding for Homelessness.**

This measure would require a recipient that receives state funds for the HHAPP, CESH, CalWORKs, Housing and Disability Income Advocacy Program, Bringing Families Home Program, or any other program receiving state funding to address homelessness, or that receives state funds appropriated in the Budget Act of 2019 for a Whole Person Care pilot program, to submit a report regarding the use of state funds to the appropriate agency. The bill measure would require the recipient to submit the report on a form and method provided by the agency within 90 days of receiving program funds, or by April 1, 2021, if the recipient already received program funds as of January 1, 2021.

League Position: Watch

**AB 2988 (Chu) Planning and Zoning. Supportive Housing. Emergency Shelters.**

Under Planning and Zoning Law, supportive housing is a use by right in zones where multifamily and mixed uses are permitted if the developer provides the planning agency with a plan for providing supportive services and the proposed housing development meets specified criteria, including that the housing development consist of 50 units or fewer if it is located in an unincorporated area of a county or city that has a population of fewer than 200,000 and a population of persons experiencing homelessness of 1,500 or fewer. This measure would, additionally, make supportive housing a use by right in zones where emergency shelters are permitted.

League Position: Watch

**AB 3269 (Chiu) State and Local Homelessness Plans.**

This measure, upon appropriation by the Legislature, would require the Homeless Coordinating and Financing Council to conduct, or contract with an entity to conduct, a statewide needs and gaps analysis to identify, among other things, state programs that provide housing or services to

persons experiencing homelessness and funding required to move persons experiencing homelessness into permanent housing. This measure would also state the intent of the Legislature that each state and local agency aim to reduce homelessness within its jurisdiction by 90% by December 31, 2028.

League Position: Pending

#### **AB 3300 (Santiago) Homelessness Grant Funds.**

This measure would appropriate, commencing with the 2020–21 fiscal year and every fiscal year thereafter, without regard to fiscal year, \$2 billion from the General Fund to the Department of Housing and Community Development for the purpose of providing local jurisdictions and other specified entities with ongoing grant funds to sustain or expand efforts to address their immediate and long-term homelessness challenges. The measure would require \$1.1 billion to be distributed to counties and continuums of care, \$800 million to be distributed to cities with a population of at least 300,000, and \$100 million to nonprofit housing developers for specified purposes relating to the provision of housing. The measure would require the method of allocation to be based on a formula that considers specified data.

League Position: Pending

#### Mitigation Fees/Development Fees

#### **AB 1484 (Grayson) Mitigation Fee Act.**

This measure would prohibit a local agency from imposing a housing impact requirement adopted by the local agency on a housing development project unless specified requirements are satisfied by the local agency, including that the housing impact requirement be roughly proportional in both nature and extent to the impact created by the housing development project.

League Position: Oppose

#### Mobilehomes

#### **AB 2690 (Low) Mobilehome Park. Local Ordinances.**

Current law, the Mobilehome Residency Law, prescribes various terms and conditions of tenancies in mobilehome parks. Current law exempts new construction, defined as spaces initially held out for rent after January 1, 1990, from any ordinance, rule, regulation, or initiative measure adopted by a city or county, which establishes a maximum amount that a landlord may charge a tenant for rent. This measure would repeal the exemption regarding new construction from ordinances, rules, regulations, and initiative measures, establishing a maximum amount that a landlord may charge a tenant for rent.

League Position: Watch

#### **SB 999 (Umberg) Mobilehome Park Residencies. Rent Control Exemption.**

The Mobilehome Residency Law prescribes various terms and conditions of tenancies in mobilehome parks. Current law exempts a rental agreement in a mobilehome park that is in

excess of 12 months' duration, and that meets other specified requirements, from local ordinances and initiative measures that establish a maximum amount that a landlord may charge a tenant for rent, commonly referred to as rent control. This measure would prohibit the above-described exemption from rent control in mobilehome parks for rental agreements from applying to a rental agreement entered into on and after January 1, 2020. The bill would repeal these provisions on January 1, 2025. The bill would declare that these provisions are severable.

League Position: Watch

### Miscellaneous

#### **AB 828 (Ting) Temporary Moratorium on Foreclosures and Unlawful Detainer Actions. Coronavirus.**

This measure would prohibit a person from taking any action to foreclose on a residential real property while a state or locally declared state of emergency related to the COVID-19 virus is in effect and until 15 days after the state of emergency has ended, including, but not limited to, causing or conducting the sale of the real property or causing recordation of a notice of default. This measure would also require a tax collector to suspend the sale, and not attempt to sell, tax-defaulted properties while a state or locally declared state of emergency related to the COVID-19 virus is in effect and until 15 days after the state of emergency has ended.

League Position: Watch

#### **AB 2501 (Limon) COVID-19. Homeowner, Tenant, and Consumer Relief.**

This measure would enact the COVID-19 Homeowner, Tenant, and Consumer Relief Law of 2020. This measure, with respect to residential mortgage loans, would prohibit a mortgage servicer, mortgagee, trustee, beneficiary, or authorized agent from taking specified actions during the COVID-19 emergency and the 180-day period following the emergency. This measure would prohibit the above persons from commencing or continuing any judicial foreclosure action, recording a notice of default, or taking any action to evict a person following a foreclosure. The measure would also require the above persons to stay all foreclosure proceedings and time limits in a judicial or nonjudicial foreclosure on a property.

League Position: Watch

#### **AB 3205 (Salas) Regions Rise Grant Program.**

This measure would establish the Regions Rise Grant Program within the Governor's Office of Business and Economic Development for the purpose of enabling regions to collaborate and create interdisciplinary and cross-sector regional strategies to address key regional issues and challenges. The measure would define "region" for these purposes as a group consisting of at least one government agency, one local business, and one nonprofit organization, that spans a geographic area that includes an area in at least 2 different counties, and is comprised of an area that experiences common community issues and challenges.

League Position: Watch

**AB 3352 (Friedman) Housing Law. Enforcement Response to Complaints.**

This bill would, beginning July 1, 2021, require a city or county that receives a complaint of a substandard building or a lead hazard violation, cite the violation and provide free copies of the inspection report and citations issued, if any, to the tenant, resident, occupant, or agent, and to all potentially affected tenants, residents, occupants, or the agents of those individuals.

League Position: Oppose unless amended.

**AB 2852 (Mullin) Public Employee Housing. Local Agencies.**

This measure would authorize a school district to make units in a rental housing facility that is constructed, reconstructed, or renovated with financing proceeds, as specified, available to employees of other school districts, community college districts, cities, counties, and special districts. This measure would also allow a city, county, or city and county to offers affordable rental housing for its employees that are financed by federal or state funds or tax credits, including, but not limited to, an allocation of federal low-income housing tax credits.

League Position: Pending

**SB 795 (Beall) Affordable Housing and Community Development Investment Program.**

This measure would invests \$2 billion annually for 5 years into the immediate construction of affordable housing units and programs that address and prevent homelessness. Additionally, this measure creates two new programs administered by the Office of Business and Economic Development Office (GoBiz) to help local governments with their economic recovery and natural disaster preparedness.

Of the \$2 billion, \$1.15 billion shall be used to construct affordable housing, spur economic development and create jobs through infrastructure and employment programs. Funds will be distributed as follows: 1) Multi-family Housing Program—\$500 million (25%); 2) Infill Incentive Grant Program-- \$300 (15%) million; 3) Local Housing Trust Fund Matching Grant Program- \$200 million (10%); 4) Cal Home Program \$75 million (3.75%); 5) Joe Serna, Jr. Farmworker Housing Grant Fund--\$75 million (3.75%)

League Position: Support

**SB 1049 (Glazer) Local Ordinances. Short-term Rentals.**

Current law authorizes a city legislative body to impose fines, penalties, and forfeitures for violations of ordinances, provided that a fine may not exceed \$1,000. This measure would authorize a city legislative body to impose a fine of up to \$5,000 for a violation of a short-term rental ordinance. The measure would define “short-term rental” for these purposes as a residential property that is rented to a visitor for fewer than 30 days through a centralized online platform where the rental is advertised and payments for the rental are securely processed.

League Position: Watch

**PUBLIC SAFETY**

**AB 2094 ([Jones-Sawyer D](#)) Cannabis: facilities used for unlawful purposes.**

Would authorize a licensing authority under MAUCRSA to impose an administrative fine of up to \$50,000 per violation against a person who violates the prohibition on renting, leasing, or making available a building, room, space, or enclosure for the purpose of unlawfully manufacturing, distributing, or selling cannabis. The bill would make each day the violation continues a separate violation for this purpose.

**League Position:** Watch

**AB 2122 ([Rubio, Blanca D](#)) Unlawful cannabis activity: enforcement.**

Would impose a civil penalty on persons aiding and abetting unlicensed commercial cannabis activity of up to \$30,000 for each violation. The bill would prohibit an action for civil penalties brought against a person pursuant to MAUCRSA from commencing unless the action is filed within 3 years from the first date of discovery of the violation by a licensing authority or a participating agency, whichever is earlier or earliest.

**League Position:** Support

**AB 2236 ([Gabriel D](#)) Peace officer training: hate crimes.**

Current law requires the Commission on Peace Officer Standards and Training (POST) to develop and implement a course of instruction and training for specified peace officers on the topic of hate crimes. Current law requires that training to be implemented into the basic course and requires, as specified, all state and local law enforcement agencies to provide the training to all peace officers they employ. This bill would require the basic course curriculum on the topic of hate crimes to include the viewing of a specified video course developed by POST. The bill would also require POST to make the video available via the online learning portal, and would require all peace officers to view the video no later than January 1, 2022.

**League Position:** Watch

**AB 2421 ([Quirk D](#)) Land use: permitting: wireless communications.**

Would, until January 1, 2024, require local agencies to adopt specified approval procedures for an application to install an emergency standby generator that meets specified standards, within the physical footprint of a macro cell tower site. Specifically, the bill would require a local agency that receives a completed permit application to install an emergency standby generator that meets specified requirements to approve or deny the application within 60 days of submittal of the application.

**League Position:** Pending

**AB 2481 ([Lackey R](#)) Sexual assault forensic evidence: testing.**

Would require law enforcement agencies, for any sexual assault forensic evidence received by the law enforcement agency prior to January 1, 2016, to submit that evidence to the crime lab on or before January 20, 2021. The bill would additionally require the crime labs, for any sexual assault forensic evidence received by the lab prior to January 1, 2016, to process that evidence no later than May 20, 2021. Because this bill would impose a higher level of service on local law

enforcement agencies in processing that evidence, it would impose a state-mandated local program.

**League Position:** Watch

**AB 2532 ([Irwin D](#)) Firearms: gun violence restraining orders.**

Current law, commencing on September 1, 2020, authorizes specified individuals, including a law enforcement officer, or a family member, employer, or coworker of a person, to petition the court to issue an order restraining that person from possessing a firearm, as specified, or to petition the court for the renewal of such an order. This bill would add a district attorney to the list of persons authorized to request the issuance or renewal of these orders.

**League Position:** Watch

**AB 2617 ([Gabriel D](#)) Firearms: prohibited persons.**

Under current law, a person who owns or possesses a firearm or ammunition with the knowledge that they are prohibited from doing so by a gun violence restraining order is guilty of a misdemeanor and shall be prohibited from having custody or control of, owning, purchasing, possessing, or receiving, or attempting to purchase or receive, a firearm or ammunition for a 5-year period, commencing upon the expiration of the existing gun violence restraining order. This bill would specify that this offense also applies to persons who are subject to a gun violence restraining order, as described, issued by an out-of-state jurisdiction.

**League Position:** Watch

**AB 3330 ([O'Donnell D](#)) Cannabis: advertising and marketing: penalties**

Would prohibit a person, as defined, from collecting a fee or any other form of compensation for advertising or marketing the sale or provision of cannabis or cannabis products, unless the sale or provision is done in compliance with MAUCRSA. The bill would also prohibit the completion, initiation, or facilitation of the sale or provision of cannabis or cannabis products unless the sale or provision is in compliance with MAUCRSA. The bill would make a violation of these provisions a public nuisance and subject a person in violation of these provisions to a criminal penalty and a civil penalty of up to \$30,000, as provided.

**League Position:** Pending Support

**SB 909 ([Dodd D](#)) Emergency vehicles.**

Current law prohibits any vehicle, other than an authorized emergency vehicle, from being equipped with a siren. Current law requires an emergency vehicle to be equipped with a siren that meets requirements set forth by the Department of the California Highway Patrol. This bill would authorize an emergency vehicle to be equipped with a “hi-lo” audible warning sound and would authorize the “hi-lo” to be used solely for the purpose of notifying the public of an immediate need to evacuate. This bill contains other current laws.

**League Position:** Pending

## GOVERNANCE, TRANSPARENCY & LABOR RELATIONS

### **AB 196 (Gonzalez) Workers' Compensation. COVID-19. Essential Occupations and Industries.**

This measure would define "injury," for certain employees who are employed in an occupation or industry deemed essential in the Governor's Executive Order of March 19, 2020 (Executive Order N-33-20), except as specified, or who are subsequently deemed essential, to include coronavirus disease 2019 (COVID-19) that develops or manifests itself during a period of employment of those persons in the essential occupation or industry. The bill would apply to injuries occurring on or after March 1, 2020, would create a conclusive presumption, as specified, that the injury arose out of and in the course of the employment, and would extend that presumption following termination of service for a period of 90 days, commencing with the last date actually worked.

**League Position:** Watch

### **AB 418 (Kalra) Evidentiary Privileges. Union Agent-Represented Worker Privilege.**

This measure would establish a privilege between a union agent, as defined, and a represented employee or represented former employee to refuse to disclose any confidential communication between the employee or former employee and the union agent made while the union agent was acting in the union agent's representative capacity, except as specified. The bill would permit a represented employee or represented former employee to prevent another person from disclosing a privileged communication, except as specified.

**League Position:** Oppose

### **AB 664 (Cooper) Workers' Compensation. Injury. Communicable Disease.**

This measure would define "injury," for certain state and local firefighting personnel, peace officers, certain hospital employees, and certain fire and rescue services coordinators who work for the Office of Emergency Services to include being exposed to or contracting, on or after January 1, 2020, a communicable disease, including coronavirus disease 2019 (COVID-19), that is the subject of a state or local declaration of a state of emergency that is issued on or after January 1, 2020. The bill would create a conclusive presumption, as specified, that the injury arose out of and in the course of the employment. The bill would apply to injuries that occurred prior to the declaration of the state of emergency. The bill would also exempt these provisions from the apportionment requirements.

**League Position:** Oppose

### **AB 1107 (Chu) Unemployment Benefits. Temporary Additional Benefits.**

This measure would, until March 1, 2021, instead provide that once the temporary federal unemployment increase due to the COVID-19 outbreak has ceased, an individual's weekly benefit amount would be increased by \$600, notwithstanding the weekly benefits cap.

**League Position:** Watch



**AB 1276 (Bonta) Local Redistricting.**

This measure would provide that these criteria do not apply to a charter city that has adopted comprehensive or exclusive redistricting criteria, as defined, in its city charter. The bill would authorize the city council of a charter city to instead establish an advisory body to hold public redistricting hearings.

**League Position:** Watch

**AB 1945 (Salas) Emergency Services: First Responders.**

This measure would, for purposes of the California Emergency Services Act, define “first responder” as an employee of the state or a local public agency who provides emergency response services, including a peace officer, firefighter, paramedic, emergency medical technician, public safety dispatcher, public safety telecommunicator, or emergency response communication employee.

**League Position:** Watch

**AB 1947 (Kalra) Employment Violation Complaints. Requirements: Time.**

This measure would extend the period of time within which people may file complaints subject to the 6-month deadline, to within one year after the occurrence of violations.

**League Position:** Oppose

**AB 2473 (Cooper) Public Investment Funds.**

This measure would exempt from disclosure under the California Public Records specified records regarding an internally managed private loan made directly by a public investment fund, including quarterly and annual financial statements of the borrower or its constituent owners, unless the information has already been publicly released by the keeper of the information.

**League Position:** Support

**AB 2992 (Weber) Employment Practices. Leave Time.**

This measure would expand the provision to prohibit an employer from discharging, or discriminating or retaliating against, an employee who is a victim of crime or abuse for taking time off from work to obtain or attempt to obtain relief, as prescribed.

**League Position:** Watch

**AB 2999 (Low) Employees. Bereavement Leave.**

This measure would enact the Bereavement Leave Act of 2020. The bill would require an employer to grant an employee up to 10 business days of unpaid bereavement leave upon the death of a spouse, child, parent, sibling, grandparent, grandchild, or domestic partner, in accordance with certain procedures, and subject to certain exclusions. The bill would prohibit an employer from interfering with or restraining the exercise or attempt to exercise the employee’s right to take this leave. This bill would authorize an employee who has been discharged, disciplined, or discriminated against for exercising their right to bereavement leave to file a

complaint with the Division of Labor Standards Enforcement or bring a civil action against their employer for reinstatement, specified damages, and attorney's fees.

**League Position:** Watch

**AB 3116 (Irwin) Mobility Devices. Personal Information.**

This measure would authorize a public agency, defined as a state or local public entity that issues a permit to an operator for mobility services or that otherwise regulates an operator, to require an operator to periodically submit to the public agency anonymized trip data and the operator's mobility devices operating in the geographic area under the public agency's jurisdiction and provide specified notice of that requirement to the operator. The bill would authorize a public agency to share anonymized trip data with a contractor, agent, or other public agency only if specified conditions are met, including that the purpose of the sharing is to assist the public agency in the promotion and protection of transportation planning, integration of mobility options, and road safety. The bill would prohibit a public agency from sharing trip data with a contractor or agent.

**League Position:** Oppose

**AB 3216 (Kalra) Employee Leave. Authorization.**

This measure would revise and recast provisions under the Moore-Brown-Roberti Family Rights Act, or California Family Rights Act (CFRA), to make it an unlawful employment practice for any employer to refuse grant a request by an employee, with qualified employment service, to take up to 12 workweeks of unpaid protected leave during any 12-month period for family care and medical leave, including birth of the employee's child or adoption, to care for the employee's own medical condition, or for a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner, as specified. The bill would also make it an unlawful business practice for an employer to refuse to grant an employee up to 12 workweeks of leave in a 12-month period for emergency leave, as defined.

**League Position:** Watch

**AB 3348 (Bonta) Public Records.**

This measure would require that if a record has been reproduced onto optical disk, that the original record be retained for at least 16 months, as specified, before destruction.

**League Position:** Watch

**SB 266 (Leyva) Public Employees' Retirement System. Disallowed Compensation: Benefit Adjustments.**

This measure would establish new procedures under PERL for cases in which PERS determines that the benefits of a member or annuitant are, or would be, based on disallowed compensation that conflicts with PEPRA and other specified laws and thus impermissible under PERL. The bill would also apply these procedures retroactively to determinations made on or after January 1, 2017, if an appeal has been filed and the employee member, survivor, or beneficiary has not exhausted their administrative or legal remedies. At the threshold, after determining that

compensation for an employee member reported by the state, school employer, or a contracting agency is disallowed, the bill would require the applicable employer to discontinue the reporting of the disallowed compensation.

**League Position:** Oppose

**SB 970 (Committee on Elections and Constitutional Amendments) Primary Election Date.**

This measure would change the date of the statewide direct primary to the first Tuesday after the first Monday in June in even-numbered years in which there is no presidential primary.

**League Position:** Support

**SB 1159 (Hill) Workers' Compensation. COVID-19. Critical Workers.**

This measure would, until an unspecified date, define "injury" for a critical worker, as specified, to include illness or death that results from exposure to coronavirus disease 2019 (COVID-19) under specified circumstances. The bill would create a disputable presumption, as specified, that an injury that develops or manifests itself while a critical worker is employed arose out of and in the course of the employment.

**League Position:** Watch

**SB 1173 (Durazo) Public Employment. Labor Relations. Employee Information.**

This measure would generally authorize an exclusive representative to file a charge of an unfair labor practice with the Public Employment Relations Board, as specified, alleging a violation of the requirements to provide employee information.

**League Position:** Oppose

## **REVENUE & TAXATION**

**AB 1860 (Santiago) Local Government Finance. Special Taxes. Homeless Housing and Services.**

This measure would authorize a local government to impose, extend, or increase a sales and use tax or transactions and use tax that would exceed a combined rate of 2% if the revenue is used for the purposes of funding homeless housing and services. The new tax would be subject to a majority vote of the electorate of the local government voting on the proposition and a 2/3 vote of the governing board of the local government.

**League Position:** Watch

**AB 2013 (Irwin) Property Taxation. New Construction. Damaged or Destroyed Property.**

This measure would authorize the owner of property substantially damaged or destroyed by a disaster, as declared by the Governor, to apply the base year value of that property to replacement property reconstructed on the same site of the damaged or destroyed property within five years after the disaster if the reconstructed property is comparable to the substantially damaged or destroyed property.

The measure defines "substantially equivalent" as up to 120 percent of size or value of the pre-damaged improvements. This creates a safe harbor of within 120 percent of size or value. Anything over 120 percent would be assessable as new construction. The measure retroactively to apply to real property damaged or destroyed by misfortune or calamity on or after January 1, 2017.

**League Position:** Watch

**AB 2570 (Stone, Mark) False Claims Act.**

This measure would bolster state and local tax enforcement efforts by allowing authorities to pursue false tax claim actions based on credible information provided by whistleblowers under the California False Claims Act (Act). Under AB 2570, the Act will protect whistleblowers of tax fraud and improve the collection of public funds.

**League Position:** Support

**AB 3349 (Cervantes) Sales and Use Taxes. Exemptions: Breast Pumps and Related Supplies.**

This measure, on and after January 1, 2022, and before January 1, 2027, would exempt sales taxes on the purchase of breast pumps, breast pump collection and storage supplies, breast pump kits, and breast pads.

**League Position:** Watch

**SB 1067 (Moorlach) Local Agencies. Refunding Bonds. Pension Obligations.**

This measure would require that refunding bonds to be used to refund pension obligation bonds with specified characteristics be approved by 55 percent of the voters of the local agency voting on the proposition that authorizes the indebtedness.

**League Position:** Watch

**SB 1072 (McGuire) Local Agencies. Transient Occupancy Taxes. Online Short-Term Rental Facilitator. Collection.**

This measure would authorize a local agency to enact an ordinance exclusively delegating its authority to collect any transient occupancy tax imposed by that local agency on short-term rentals to the California Department of Tax and Fee Administration and to enter into a contract with the department to perform all functions incident to the collection and administration of any transient occupancy tax imposed on a short-term rental.

**League Position:** Take to Policy Committee

**SB 1319 (Bates) Property Taxation. Change in Ownership.**

This measure would further clarify a "change in ownership" of commercial property to include when at least 90 percent of direct or indirect ownership interests in a legal entity are sold or transferred in a single transaction. This clarification would improve property tax collection and

reduce the number of new owners of commercial property that evade reassessment of their properties.

**League Position:** Pending Support

**SB 1386 (Moorlach) Local Government. Assessments, Fees, and Charges. Water.**

This measure would clarify that “water” for purposes of the Proposition 218 Omnibus Implementation Act also includes the public fixtures, appliances, and appurtenances connected to an above-described system of public improvements intended to provide for the production, storage, supply, treatment, or distribution of water from any source.

By doing so this measure would protect fire hydrant system funding while preventing additional costs and financial burdens to individual fire protection agencies

**League Position:** Watch

**SB 1431 (Glazer) Property Taxation. Reassessment. Disaster Relief.**

This measure would require county assessors to reassess certain types of properties based on their ability to generate income from renters during the COVID-19 emergency. This measure would be retroactive to April 5, 2020.

**League Position:** Watch

**SB 1441 (McGuire) Local Prepaid Mobile Telephony Services Collection Act.**

This measure would remove the sunset on local governments’ ability to collect Utility User Taxes (UUTs) from retail sales of prepaid wireless telecommunication products and services and would assist the California Department of Tax and Fee Administration (CDTFA) with administration of the program.

**League Position:** Support

**TRANSPORTATION, COMMUNICATIONS & PUBLIC WORKS**

**[AB 429](#) (Nazarian) Seismically Vulnerable Buildings: Inventory.**

This measure would require the Alfred E. Alquist Seismic Safety Commission to identify funding and develop a bidding process for hiring a third party contractor to develop a statewide inventory and/or survey of potentially seismically vulnerable buildings in 29 of California’s counties that are particularly prone to seismic activity.

**League Position:** Support

**[AB 1112](#) (Friedman) Shared Mobility Devices: Local Regulation.**

This measure would prohibit local governments from requiring individual trip data from shared mobility device providers (such as Lime and Bird) as a condition of an agreement to operate within the jurisdiction. The type of data that can be required by local governments is further limited by the bill’s various definitions of data, including:

- “Aggregated Data” – data that relates to groups of trips, from which start points, stop points, routes, and times of individual trips have been removed and that cannot be used, or combined with other information to isolate details of an individual trip.

- “Deidentified Data” – data that cannot reasonably identify, relate to, describe, be capable of being associated with, or be linked, directly or indirectly, to a particular user.

**League Position:** Oppose

**AB 1286 (Muratsuchi) Shared Mobility Devices: Agreements.**

This measure would prohibit shared mobility device providers (such as Lime and Bird) from waiving the legal rights and remedies of their users, require them to maintain general liability insurance coverage, and have prior authorization from the jurisdictions in which they wish to operate. The bill also requires local governments that authorize the deployment of these devices within their jurisdiction to adopt operation, parking, and maintenance rules through ordinance, agreement, or permit terms.

**League Position:** Support/Co-Sponsor with the Consumer Attorneys of California

**AB 2421 (Quirk) Land Use: Permitting: Wireless Communications.**

This measure would require local agencies to adopt completed permit applications to install an emergency standby generators within the physical footprint of a macro cell tower site within 60 days of submittal of the application. If a local agency has not approved or denied such permit applications within 60 days, the permit will be deemed approved.

**League Position:** Concerns

**AB 2730 (Cervantes) Access and Functional Needs: Local Government: Agreement for Emergency Management, Transportation, and Paratransit Services.**

This measure would require a county, including a city and county, to enter into an agreement with an adjacent county for emergency management and transportation services in the event of an emergency that requires the evacuation and relocation of the access and functional needs population in the adjacent county.

**League Position:** Watch

**AB 3116 (Irwin) Mobility Devices: Personal Information.**

This measure limits the type of data local agencies receive from mobility service providers, operating in their jurisdictions, to aggregated deidentified data. The bill would authorize a public agency to share anonymized trip data with a contractor, agent, or other public agency only if specified conditions are met. AB 3116 is not limited to data for micromobility, but also future modes of transit.

- “Aggregated” – Data reflects average information, including trip length, trip duration, approximate trip, and location of no less than five separate trips by no less than five separate users.
- “Deidentified” – Information that cannot reasonably identify, relate to, describe, be capable of being associated with, or be linked, directly or indirectly, to a particular user or trip.

**League Position:** Oppose

**AB 3277 (Jones-Sawyer) Parking Penalties. Collection.**

This measure would increase the total amount of unpaid parking tickets that can be paid in installments from \$300 to \$750 and extend the amount of time they can be paid from 18 months up to 30 months.

**League Position:** Watch

**SB 794 (Jackson) Emergency Services: Telecommunications.**

This measure would authorize cities to enter into agreements with their own social services departments and/or public utility or to utilize its own records to automatically enroll their residents into the city or county-operated public emergency warning system. The measure requires local governments that exercise this authority to provide an opt-out for residents that do not wish to be enrolled in the system.

**League Position:** Support

**SB 865 (Hill) Excavations: Subsurface Installations.**

This measure would strengthen safe excavation practices by increasing collaboration between excavators and operators, requiring data sharing amongst key stakeholders, and moving the Dig Safe Board to the Office of Energy Infrastructure Safety. Entities that violate the requirements of SB 865 will face civil penalties. The funds collected through these penalties will be deposited into the Safe Energy Infrastructure and Excavation Fund to fund public education and outreach programs designed to promote excavation safety around subsurface installations.

**League Position:** Support

**SB 1058 (Hueso) Communications: Moore Universal Telephone Service Act and Internet Service Providers.**

This measure would require the California Public Utilities Commission (CPUC) to evaluate the extent to which federal reductions in lifeline telephone service subsidies and the lack of access to reliable, affordable broadband voice service would result in rates limiting access to basic voice service. This bill would also require the commission to direct every internet service provider, to file an annual emergency operations plan.

**League Position:** Watch

**SB 1130 (Gonzalez) Telecommunications: California Advanced Services Fund**

This measure would require the California Public Utilities Commission (CPUC) to develop, implement, and administer the California Advanced Services Fund program to encourage deployment of 21st century-ready communications. The bill would provide that the goal of the program is to approve funding for infrastructure projects that will provide high-capacity, future-proof infrastructure to unserved areas or unserved high-poverty areas.

**League Position:** Watch

**SB 1238 (Hueso) Road Project Contracts: Preference: Recycled Plastics.**

Would require the Department of Transportation to conduct a study to determine if including recycled plastics in asphalt used for a construction and repair project of a state highway is

feasible. The bill would declare it to be the goal of the state that, by 2045, the department and each local agency use asphalt that includes recycled plastics in every construction or repair project of a local road or state highway that will use asphalt.

**League Position:** Watch

## **ENVIRONMENTAL QUALITY**

### **Climate Change:**

#### **AB 3256 (E. Garcia) Climate Risks: Bond Measure**

This measure is the vehicle for the Assembly's climate resiliency bond measure. This measure would enact the Wildfire Prevention, Safe Drinking Water, Climate Resilience, Drought Preparation, and Flood Protection Bond Act of 2020. If approved by the voters, would authorize a \$6.980 billion bond for a wildfire prevention, safe drinking water, climate resilience, drought preparation, and flood protection program. The Legislature has until June 25 to place this bond measure on the November 2020 ballot.

League Position: Watch

#### **SB 45 (Allen) Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020**

This measure is the vehicle for the Senate's climate resiliency bond measure. This measure would authorize the issuance of \$5.51 billion in bonds for wildfire prevention, safe drinking water, drought preparation, and flood protection programs. The Legislature has until June 25 to place this bond measure on the November 2020 ballot.

League Position: Watch

### **Emergency/Disaster Preparedness and Response:**

#### **AB 2178 (Levine) Emergency Services**

This measure would amend the California Emergency Services Act to additionally include deenergization, defined as a planned public safety power shutoff, within those conditions constituting a state of emergency and a local emergency. Similar to SB 862 (Dodd).

League Position: Pending

#### **SB 378 (Wiener) Electrical Corporations: Deenergization Events: Procedures: Allocation of Costs: Reports**

This measure requires electrical corporations, such as Pacific Gas and Electric; Southern California Edison; and San Diego Gas and Electric; to collect more data on their electrical corporation equipment and ensure that costs accrued by local governments and customers during a utility-initiated power shutoff are recovered in a timely manner. This measure also establishes a civil penalty imposed on electrical corporations during a de-energization event as determined by the California Public Utilities Commission (CPUC). Electrical corporations must also notify



cities and counties as early as possible of any utility-initiated power shutoff, and provide all specific local information.

League Position: **Support**

### **SB 862 (Dodd) Planned Power Outage: Public Safety**

This measure would do the following:

- Amend the California Emergency Services Act to additionally include a deenergization event within a sudden and severe energy shortage constituting a state of emergency and a local emergency;
- Require an electrical corporation, as a part of its wildfire mitigation plan, to include protocols that deal specifically with access and functional need individuals, including those individuals who are enrolled in the California Alternative Rates for Energy program;
- Require an electrical corporation to coordinate with local governments in its service territory to identify sites within those jurisdictions where community resource centers can be established and operated during a deenergization event and the level of services that will be available at those centers.
- Require the electrical corporation to perform additional duties in coordination with local governments, including performing any necessary electrical upgrades to ensure that a mobile backup generator can be located at, and provide the necessary electricity for, the community resource center during a deenergization event; and
- Is similar to AB 2178 (Levine).

League Position: Pending

### **SB 1099 (Dodd) Emergency Backup Generators: Critical Facilities: Exemption**

This measure would require air districts to adopt a rule, or revise its existing rules, to allow critical facilities with a permitted emergency backup generator to use that emergency backup generator during a deenergization event or other loss of power, and to test and maintain that emergency backup generator without having that usage, testing, or maintenance count toward that emergency backup generator's time limitation on actual usage and routine testing and maintenance. This measure would prohibit air districts from imposing a fee on the issuance or renewal of a permit issued for those critical facility emergency backup generators. This measure is sponsored by CMUA.

League Position: Pending

### **SB 1215 (Stern) Electricity: Microgrids: Grant Program**

This measure would do the following:

- Establish the Local Government Deenergization Event Resiliency Program, to be administered by Cal OES, to support state and local government efforts to enhance public safety, protect vulnerable populations and individuals, and improve resiliency in response to deenergization events;
- Establish the Local Government Deenergization Event Resiliency Fund and would continuously appropriate the moneys in the fund for specific expenditures;
- Transfer an unspecified sum from the General Fund to the fund;

- Allocate unspecified sums from the fund to local governments, joint powers authorities, and special districts for various purposes relating to microgrid projects;
- Requires Cal OES to offer planning grants and technical assistance to local governments to assist in identifying microgrid projects within their jurisdictions, as provided, and would require an identified microgrid project to satisfy specified requirements; and
- Require the CPUC to collect and make publicly accessible a statewide database of critical facilities and critical infrastructure, and related critical circuits, and identify whether it serves a high fire-threat district or vulnerable transmission area.

League Position: Pending

### **Energy and Utilities:**

#### **SB 1312 (McGuire) Electrical Corporations: Deenergization**

This measure would create a framework to shorten and decrease utility initiated power shutoff events and to ultimately reduce their use. This measure also requires Investor Owned Utilities (IOUs) to take both short and long-term steps to harden their infrastructure and reduce the impacts of PSPS events on Californians. In doing so, it requires IOUs to prioritize public health and safety as well as uphold the belief that Californians today should have the right to reliable electrical service.

League Position: Pending

### **Solid Waste and Recycling:**

#### **SB 54 (Allen)/AB 1080 (Gonzalez) Solid Waste: Packaging and Products**

These identical measures would direct the California Department of Resources Recycling and Recovery (CalRecycle) to establish a comprehensive framework to address plastic pollution and waste by:

- Adopting regulations by January 1, 2024 that require producers, which includes the people who manufacture single-use packaging or priority single use products, to achieve a 75 percent reduction of waste generated from single-use packaging and priority single-use plastic products in the California market by 2030;
  - “Single-use packaging” means the packaging of a product when the packaging is routinely recycled, disposed of, or discarded after its contents have been used or unpackaged, and is typically not refilled; and
  - “Priority single-use plastic products” are defined as single-use food service ware, including plates, bowls, cups, utensils, stirrers, and straws.
- Requiring producers to source reduce single-use packaging and priority single-use products to the maximum extent feasible;
- Requiring producers to make single-use packaging and priority single-use products recyclable or compostable by 2030; and
- Developing criteria, via an implementation plan with stakeholder input, to determine which packaging materials qualify to be labeled as recyclable or compostable. This implementation plan will also include the development of incentives and policies to encourage in-state manufacturing using recycled material generated in California as a way to shift towards a more circular economy.

League Position: **Support**

## **Water:**

### **SB 1044 (Allen) Firefighting Equipment and Foam: PFAS Chemicals**

This measure, commencing January 1, 2022, would require any person, including a manufacturer, that sells firefighter personal protective equipment to any person or public entity to provide a written notice to the purchaser at the time of sale if the firefighter personal protective equipment contains perfluoroalkyl and polyfluoroalkyl substances (PFAS). This measure would also, commencing January 1, 2022, prohibit a manufacturer of class B firefighting foam from manufacturing, or knowingly selling, offering for sale, distributing for sale, or distributing for use in this state class B firefighting foam to which PFAS chemicals have been intentionally added.

League Position: Pending

## **COMMUNITY SERVICES**

### **Disaster Preparedness and Community Resiliency:**

#### **AB 2054 (Kamlager) Emergency Services: Community Response: Grant Program**

This measure would enact the Community Response Initiative to Strengthen Emergency Systems Act or the C.R.I.S.E.S. Act. This act would do the following:

- Create, implement, and evaluate the C.R.I.S.E.S. Act Grant Pilot Program;
- Require Cal OES to establish rules and regulations for the act to make grants to community organizations operating in a minimum of 10 cities, counties, over 3 years, to expand the participation of community organizations in emergency response for specified vulnerable populations.
- Require a community organization receiving funds to use the grant to stimulate and support involvement in emergency response activities;
- Require the director of Cal OES to not use more than 5% of the moneys to assemble staff and resources to carry out certain duties in support of the program;
- Require Cal OES to support an 11-member C.R.I.S.E.S. Advisory Committee, selected by the Governor, the Chair of the Senate Rules Committee, and the Speaker of the Assembly to be inclusive of community organizations with a proven history of leadership and partnership on emergency response. The committee would establish grant application criteria and parameters for eligible community organizations, review and decide upon grant proposals, ensure grants are adhering to standards, and make recommendations to the office;
- Establish the Community Response Initiative to Strengthen Emergency Systems Act Fund to support of the program, to be administered by the director of Cal OES; and
- Require that the act be implemented only if appropriate funding is made available to Cal OES, which would make such a determination to be published on its internet website.

League Position: Watch

#### **AB 2064 (Patterson) Emergency Preparedness: Access and Functional Needs**

This measure would amend the California Emergency Services Act to require Cal OES to include best practices in the next update of the existing State Emergency Plan. This measure also

requires Cal OES to develop and update annually, in coordination with organizations the access and functional needs population, a guidance document for local governments based on a review of recent emergency and natural disaster incidents and what did or did not go well in the response efforts. The measure would also require Cal OES to review the emergency plans of all local governments to determine if they are consistent with the proposed best practices provisions and, upon request by a local government, provide necessary technical assistance to that local government.

League Position: Pending

### **[AB 2213 \(Limon\)](#) Office of Emergency Services: Model Guidelines**

This measure requires the California Office of Emergency Services (Cal OES) to develop model guidelines for local governments and other local entities active in disasters to identify, type, and track community resources that could assist in responding to or recovering from disasters.

League Position: Watch

### **Tobacco, E-Cigarettes, and Vaping:**

#### **[SB 793 \(Hill\)](#) Flavored Tobacco Products**

This measure would prohibit a tobacco retailer from selling, offering for sale, or possessing with the intent to sell or offer for sale, a flavored tobacco product. The measure would make a violation of this prohibition an infraction punishable by a fine of \$250 for each violation. This measure would also state the intent of the Legislature that these provisions not be construed to preempt or prohibit the adoption and implementation of local ordinances related to the prohibition on the sale of flavored tobacco products.

League Position: Watch

## **TONY CARDENAS**

Public Affairs Regional Manager

Orange County Division

League of California Cities

(714) 944-4023

[TCardenas@cacities.org](mailto:TCardenas@cacities.org) | [www.cacities.org](http://www.cacities.org)



***STRENGTHENING CALIFORNIA CITIES THROUGH EDUCATION & ADVOCACY***

[Twitter](#) | [Facebook](#) | [YouTube](#) | [LinkedIn](#)

## **Senate Housing Production Legislative Package FACT SHEET**

**SB 1120 (Atkins):** Builds off state Accessory Dwelling Unit (ADU) law that allows for at least three units/parcel; further encourages small-scale neighborhood development spearheaded by homeowners by creating a ministerial approval process for duplexes and lot splits that meet local zoning, environmental and tenant displacement standards.

**Impact on housing production:** Promotes small-scale neighborhood development (i.e. adding capacity to an existing, typically single-family residential area) in a meaningful way to increase production. Housing stock is being increased thanks to the ADU law, and the small-scale nature of SB 1120 would make success that much more achievable, and could help bolster finances for individual homeowners.

### **Requirements:**

- Ministerial duplexes:
  - a. Meets objective zoning and design standards (height, setbacks, etc.).
  - b. Does not require demolition of more than one wall of an existing structure (unless deemed vacant).
  - c. Located within an urbanized area or urban cluster.
  - d. Located outside of environmentally sensitive areas, as specified. However, coastal zones will be included.
  - e. Does not require demolition or alteration of affordable housing, rent-controlled housing, Ellis Act housing, or any housing that has had tenants in recent years.
  - f. Not allowed in a historic district.
  - g. Provides one (1) parking spot/unit unless located near transit/in a historic district/by a car-share program, or unless the local jurisdiction waives parking.
  
- Ministerial lot splits: Meet the same requirements as duplexes, as well as meet the additional requirements for the resulting parcels:
  - a. Must be of equal size.
  - b. Must be at least 1,200 sq. ft.
  - c. Must meet local requirements to provide easements and public right-of-way.
  - d. Have not previously been subject to a ministerial lot split.

*Note: Local governments are not required to permit ADUs on sites that exercise these new authorities (although they may). The creation of local ordinances to implement these sections are not subject to CEQA.*

---

## **Senate Housing Production Legislative Package FACT SHEET**

**SB 995 (Atkins):** Provides California Environmental Quality Act (CEQA) relief by expanding the existing AB-900 process for Environmental Leadership Development Projects for housing projects, particularly affordable housing.

**Impact on housing production:** This creates a new tool for housing developers who may have been interested in utilizing the AB 900 process, but did not meet the existing dollar threshold. In addition to creating housing units, it also could carry the benefit of creating numerous construction jobs. According figures compiled by the Governor's Office of Planning and Research and Senate Office of Research, since 2011, 10,573 housing units have been constructed or proposed under projects certified under AB 900, and the law helped create 46,949 high-wage, permanent construction jobs.

### **Requirements:**

- Provide a minimum investment of \$15 million dollars (as opposed to the current \$100 million threshold).
- Located on an infill site and consistent with the region's sustainable communities strategy.
- Dedicates at least two-thirds of the project for residential use.
- Dedicates a minimum of 15% of residential units as affordable housing (in keeping with other state incentive programs).
- This allows projects to take advantage of an expedited 270-day CEQA litigation process.

### **The bill also would:**

- Broaden application and utilization of the Master Environmental Impact Report (MEIR) process that allows cities to do upfront planning that streamlines housing approvals on an individual project level.
- Pursue additional opportunities to revise local community plans and policies to support more housing, reform funding and administrative processes at state housing entities, and protect and sustain equity in existing neighborhoods.

---

**SB 902 (Wiener) – As Proposed to Be Amended on May 20, 2020:** Allows local governments to pass a zoning ordinance that is not subject to CEQA for projects that allow up to 10 units, if they are located in one of the following priority areas:

- A transit-rich area
- A jobs-rich area
- An urban infill site

**Impact on housing production:** This bill further allows for additional small-scale infill development for local governments who want to spur more housing production. It provides cities with a new tool to rezone for density in a streamlined, expedited way. Currently, cities that want to rezone for more housing - or are required to rezone due to state mandates - face years of process and lawsuits, costing significant taxpayer funds. It is important to note this measure does not waive any of existing or proposed new standards that a local government applies to new housing in their jurisdiction.

# Senate Housing Production Legislative Package FACT SHEET

---

**SB 1085 (Skinner):** Enhance existing Density Bonus Law by increasing the number of incentives provided to developers in exchange for providing more affordable units.

**Impact on housing production:** Increasing the amount of affordable housing for low-income families remains a top priority for the Senate. Unfortunately, the current budget environment doesn't provide for additional public subsidy. Enhancing the Density Bonus Law would allow developers to expand projects, thereby enhancing their profitability, and adding more affordable housing units at no cost to taxpayers.

**Declares:**

- Modify Density Bonus Law to further incentivize the construction of very low-, low-, and moderate-income housing units.
- Ensure that any additional benefits conferred upon a developer are balanced with the receipt of a public benefit in the form of affordable housing.
- Ensure that density bonus law incentivizes the construction of more housing across all areas of the state.

*Senate Budget Proposal (Previously Announced)*

**Renter/Landlord Stabilization Program:** The program would enable agreements between renters, landlords, and the state to resolve unpaid rents over a limited period, as well as make available short-term tax-credits that provide immediate value to landlords at risk of foreclosure.

**Impact on housing production:** While the Senate embarked on the goal of increasing housing production at the beginning of 2020, given COVID-19 and its impacts on Californians, the need arose to also incorporate measures to ensure the state doesn't lose existing rental housing stock. This proposal provides immediate relief to tenants in need to ensure no one is evicted as a result of COVID-19 and/or its economic impacts, while also protecting landlords who operate in good faith and otherwise face foreclosure and, by result, tenant evictions.

## **31<sup>st</sup> Annual Demographic Workshop | SCAG and USC**

### **Accelerating Planning to Catch Up to 21st Century Demographics**

<http://scag.ca.gov/calendar/Pages/DemographicWorkshop.aspx>

#### FREE VIRTUAL WORKSHOPS

#### **Draft Agenda**

#### **Part 1: June 11, Thursday**

The Changing Demographic Outlook and Housing Trends

1:30 PM – 3:15 PM

Part 1 will open with introductory remarks, which will be followed by an update on the latest in demographic trends including migration, fertility and aging, and their implications on our regional planning as we begin a new decade. Part 1 will close with a series of applied roundtable discussions from 3:45 p.m. – 4:45 p.m.

3:45 PM – 4:45 PM

Part 1: Roundtable Discussion

- Department of Finance
- Public Health
- Census Bureau
- SCAG Resources

#### **Part 2: June 18, Thursday**

Impact of COVID-19 on Housing and Economy

1:30 PM – 3:15 PM

Part 2 will open with an update on the progress and challenges of Census 2020, which is currently in the field. Afterward, there will be a discussion on the impacts of COVID-19 on the housing market and the economy, which will be followed by another series of applied roundtable discussions to close the workshop from 3:45 p.m. – 4:45 p.m. **20 minutes:**

3:45 PM – 4:45 PM

Part 2: Roundtable Discussion

- Housing and Community Development
- L.A. Unified School District
- Census Bureau
- SCAG Resources