

# AIA CA Priority Bill Positions

---

## Adaptive Reuse

---

### [AB 2909](#) **(Santiago D) Historical property contracts: qualified historical property: adaptive reuse.**

**Status:** 4/15/2024-Assembly Rule 56 suspended. (Pending re-refer to Com. on H. & C.D.)

**Summary:** Existing law authorizes an owner of any qualified historical property to contract with the legislative body of a city, county, or city and county to restrict the use of the property, as specified, in exchange for lowered assessment values. Existing law defines “qualified historical property” as privately owned property that is not exempt from property taxation and is either listed in the National Register of Historic Places or located in a registered historic district, as defined, or listed in any state, city, county, or city and county official register of historical or architecturally significant sites, places, or landmarks.

This bill, starting January 1, 2026, and until January 1, 2036, would additionally define as “qualified historical property” a privately owned property that is not exempt from property taxation that was constructed at least 30 years prior to the year a legislative body and property owner enter into a contract to restrict the use of the property, as specified, and that is located on a site that satisfies certain criteria, including, among others, being in a zone where office, retail, or parking are a principally permitted use. The bill would require a contract entered into to restrict the use of that qualified historical property to require adaptive reuse of the qualified historical property. The bill would also update an obsolete cross-reference.

**Position:** Support if Amended

**Notes:** Amendments requested: Establish two tracks; one for historic and one non-historic and fund from separate funds to eliminate competition for selection between historic buildings and non-historic buildings. One path remains as is, property tax reduction and the savings spent on rehabilitating or maintaining designated historic structures. The second path or category would be non-historic buildings eligible for conversion from office to residential with property tax reduction as a means of offsetting conversion costs. Adoption of a program for non-historic buildings would be at the discretion of local jurisdictions. Fees charged for evaluating and monitoring properties under contract could and should be different for different paths or categories.

### [AB 2910](#) **(Santiago D) State Housing Law: local regulations: conversion of commercial or industrial buildings.**

**Status:** 4/17/2024-From committee: Do pass and re-refer to Com. on L. GOV. (Ayes 9. Noes 0.) (April 17). Re-referred to Com. on L. GOV.

**Summary:** The California Building Standards Law establishes the California Building Standards Commission within the Department of General Services. Current law requires the commission to approve and adopt building standards and to codify those standards in the California Building Standards Code, which is required to be published once every 3 years. The State Housing Law establishes statewide construction and occupancy standards for buildings used for human habitation. That law requires the building department of every city or county to enforce within its jurisdiction the provisions of the California Building Standards Code, the provisions of the State Housing Law, and specified other rules and regulations promulgated pursuant to that law. That law authorizes a city or county to adopt alternative building regulations for the conversion of commercial or industrial buildings to joint living and work quarters, as specified.

This bill would additionally authorize a city or county to adopt alternative building regulations for the conversion of commercial or industrial buildings to residential uses, as specified. The bill would require a city or county to have a housing element compliant with law and to be designated prohousing, before the city or county is authorized to adopt alternative building regulations pursuant to this bill.

This bill, before the city or county is authorized to adopt alternative building regulations, would require the city or county to submit proposed alternative building regulations to the commission. The bill would require the commission, in consultation with specified state agencies, to review the proposed alternative building regulations within 30 days of receiving the proposed regulations. The bill would authorize the commission to request the city or county to revise or amend the proposed regulations in order to protect public health, safety, and welfare. If the commission does not request revisions or amendments within 30 days, the bill would authorize the city or county to proceed with the adoption of alternative building regulations.

This bill, if the commission requests revisions or amendments to the proposed alternative building regulations, would require the city or county to consider the requested revisions or amendments and to respond, as specified, within 30 days of receiving the request for revisions or amendments. Within 30 days of receiving the response from the city or county, the bill would require the commission, in consultation with specified state agencies, to approve or deny the proposed alternative building regulations. The bill would require the commission to provide written comments regarding the revisions or amendments to the proposed regulations needed to protect public health, safety, and welfare, if the commission denies the proposed alternative building regulations.

**Position:** Support

**Notes:** Reasoning for Support: California Health and Safety Code Section 17958.11 was enacted in 1979 and already allows local jurisdictions to establish alternative standards for conversion projects that would not be allowed otherwise in a traditional change of use project. However, this law only applies to joint living and work quarters. Current California Health and Safety Code and local buildings codes do not always support adaptive reuse projects. The committee believed that this proposed bill finds that ‘sweet spot’ where protection of health, safety and welfare is accomplished via approval process from state entities, while at the same time allowing flexibility in how code is applied to these conversion projects. They believed that this measure will lead to more innovation, more housing, more well paying jobs, fewer greenhouse gas emissions – all while protecting the public health safety and welfare with equivalent measures.

---

## Development Fees

---

[SB 937](#)

**(Wiener D) Development projects: permits and other entitlements: fees and charges.**

**Status:** 4/17/2024-From committee: Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 0.) (April 16). Re-referred to Com. on APPR.

**Summary:** The Permit Streamlining Act, among other things, requires a public agency that is the lead agency for a development project to approve or disapprove that project within specified time periods. Current law extended by 18 months the period for the expiration, effectuation, or utilization of a housing entitlement, as defined, that was issued before, and was in effect on, March 4, 2020, and that would expire before December 31, 2021, except as specified. Current law provides that if the state or a local agency extended the otherwise applicable time for the expiration, effectuation, or utilization of a housing entitlement for not less than 18 months, as specified, that housing entitlement would not be extended an additional 18 months pursuant to these provisions.

This bill would extend by 24 months the period for the expiration, effectuation, or utilization of a housing entitlement, entitlement for a priority residential development project, as those terms are defined, that was issued before January 1, 2024, and that will expire before December 31, 2025, except as specified. The bill would toll this 24-month extension during any time that the housing entitlement is the subject of a legal challenge. By adding to the duties of local officials with respect to housing entitlements, this bill would impose a state-mandated local program. The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

**Position:** Support

Housing Action Coalition Sponsored

---

## Embodied Carbon

---

[SB 1207](#)

**(Dahle R) Buy Clean California Act: eligible materials.**

**Status:** 4/17/2024-From committee: Do pass and re-refer to Com. on APPR with recommendation: To consent calendar. (Ayes 7. Noes 0.) (April 17). Re-referred to Com. on APPR.

**Summary:** The Buy Clean California Act requires the Department of General Services, by January 1, 2022, to establish and publish in the State Contracting Manual, in a department management memorandum, or on the department’s internet website, a maximum acceptable global warming potential for each category of eligible materials, as defined, in accordance with specified requirements. Current law defines “eligible materials” for those purposes. By January 1, 2025,

and every 3 years thereafter, current law requires the department to review the maximum acceptable global warming potential for each category of eligible materials, as provided.

This bill would revise the definition of “eligible materials” to include all insulation types and would make various nonsubstantive changes to the definition provisions of the act.

**Position:** Support

---

## Streamline/Incentive

---

### [AB 2243](#)

**(Wicks D) Affordable Housing and High Road Jobs Act of 2022: objective standards and affordability and site criteria.**

**Status:** 4/17/2024-From committee: Do pass and re-refer to Com. on L. GOV. (Ayes 9. Noes 0.) (April 17). Re-referred to Com. on L. GOV.

**Summary:** Existing law, The Affordable Housing and High Road Jobs Act of 2022 (AB 2011) allows the development of multi-family infill housing in areas zoned for parking, retail, and office. In return for making these housing developments by-right, developers need to provide affordable housing on-site and ensure that the construction workers are paid the prevailing wage.

AB 2243 would expand AB 2011’s geographic applicability and clarify aspects of the law that are subject to interpretation. In terms of geographic expansion, AB 2243 includes the following, in addition to other proposed changes:

- Applies AB 2011 to the conversion of office to housing, even if the site is not along a major commercial corridor;
- Applies AB 2011 to regional malls that exceed 20 acres in size; and
- Applies AB 2011 to existing high-rise districts even if site is not along a commercial corridor.

In terms of removing subjectivity, AB 2243 includes the following, in addition to other proposed changes:

- Clarifies the intersection of density bonus law and AB 2011;
- Clarifies that all aspects of AB 2011 projects are ministerial and not subject to CEQA; and
- Specifies that any site remediation needs to occur after project approval but before the site can be occupied

**Position:** Support

#### **Notes:**

Support with request to not limit the use of the ‘existing building’ to office, but also include hospitality, entertainment, storage, and retail uses (eg, hotel, theatre, warehouse, major retail building).

### [AB 2433](#)

**(Quirk-Silva D) California Private Permitting Review and Inspection Act: fees: building permits.**

**Status:** 4/16/2024-Re-referred to Com. on H. & C.D.

**Summary:** Existing law, the State Housing Law, establishes statewide construction and occupancy standards for buildings used for human habitation. Existing law authorizes the governing body of a county or city to prescribe fees for permits, certificates, or other forms or documents required or authorized under the State Housing Law, and fees to defray the cost of enforcement required by the law to be carried out by local enforcement agencies.

This bill, the California Private Permitting Review and Inspection Act, would require a building department of the county or city to prepare a schedule of the above-described fees and post the schedule on the county or city’s internet website if the city or county prescribes the fees. This bill contains other related provisions and other existing laws.

Existing law, the California Building Standards Law, establishes the California Building Standards Commission within the Existing law requires the building department of every city or county to enforce the provisions of the State Housing Law, the California Building Standards Code, and the other specified rules and regulations promulgated pursuant to the State Housing Law. Existing law requires the local agency, upon the applicant’s request, to contract with or employ temporarily a private entity or person to check the plans and specifications submitted as part of an application for a residential building permit, when there is excessive delay in checking the plans and specifications. Existing law defines “excessive delay” as a local agency taking more than 30 days after submittal of a complete application to complete the structural building safety plan check of the applicant’s set of plans and specifications, as specified. Existing law

authorizes the local agency to inspect any building or premises whenever necessary to secure compliance with, or prevent a violation of, any provision of the law.

This bill would authorize an applicant to contract or employ at the applicant's own expense a private professional provider, as defined, to check plans and specifications submitted as part of an application for a building permit if the local agency has not completed checking plans and specifications within 30 days of receiving the application. The bill would also authorize an applicant to contract with or employ at the applicant's own expense a private professional provider to complete an inspection as part of an application for a building permit if the local agency has not completed the inspection within 5 days of receiving a request for an inspection. The bill would require a local agency to create a list of suggested private professional providers and post the list on its internet website. The bill would require a private professional provider to prepare an affidavit, under penalty of perjury, that the private professional provider performed the plan-checking services or inspection and that the plans and specification or building complies with the State Housing Law and the California Building Standards Code if the plans and specifications or building complies with the State Housing Law and the California Building Standards Code. The bill would require the applicant to submit to the local agency a specified report of the plans and specifications check or inspection, which includes the affidavit, within 5 days of the completion of the check or inspection. The bill would require the local agency, within 30 days of receiving the report, to consider the report and issue or deny a building permit if the plans and specifications, building, and the private professional provider complies or fails to comply with the State Housing Law or the California Building Standards Code, as specified. The bill would authorize an applicant to appeal a denial of a building permit to a local appeals board. The bill would provide that the bill's provisions do not apply to health facilities, public buildings, or highrise structures.

**Position: Support if Amended**

**Notes:** Requested amendments: 1) The bill currently requires a local agency to create a list of suggested private professional providers and post the list on its internet website. Requested amendment to say a list of qualified private professional providers approved by the local agency. 2) This bill would authorize an applicant to contract or employ at the applicant's own expense a private professional provider to check plans and specifications submitted as part of an application for a building permit if the local agency has not completed checking plans and specifications within 30 days of receiving the application. Requested amendment to clarify that this applies to "completed applications" not just any application submitted.

**Total Measures: 6**

**Total Tracking Forms: 6**