

Housing Ordinances Update
Summary of Applicable State Housing Mandates
Regional Planning Commission Public Hearing, December 3, 2025

State Mandates Incorporated into Proposed Ordinance	
State Mandate	Location in the County Code
<u>AB 2345 (2020)</u> : Codify the state law into the Density Bonus Ordinance (DBO), including various changes to the density bonus sliding scale, incentives sliding scale, and eligibility requirements for the expanded bonus units for 100% affordable housing projects and the reduced parking ratios for qualifying projects under the State Density Bonus Law (SDBL).	Section 22.14.010 (A) under “Affordable housing and senior citizen housing”: add definition of “unobstructed access.” Section 22.120.050 (Affordable Housing): update density bonus sliding scale, incentives, and eligibility. Section 22.120.080 (Parking): reduce required parking ratios.
<u>SB 290 (2021)</u> : Codify the state law, which reduces parking ratios for projects with at least 40% for-sale moderate-income housing set-aside within a half-mile of a major transit stop and removes the specified adverse impact on the physical environment from the list of required impact findings for denial of an incentive or waiver of development standards for a project receiving benefits under the SDBL.	Section 22.120.080 (Parking): reduce required parking ratios. Section 22.166.040 (Administrative Housing Permit): remove required finding of adverse impact on the physical environment.
<u>SB 728 (2021)</u> : Codify the state law, which provides the option for the initial sale of an affordable housing set-aside unit to a qualified nonprofit housing organization under the SDBL.	Section 22.14.010 (A) under “Affordable housing and senior citizen housing”: add definition for a “qualified nonprofit housing corporation.” Section 22.120.050 (Affordable Housing): specify sale requirements for affordable housing set-aside units. Section 22.166.070 (Covenant and Agreement): specify sale requirements for affordable housing set-aside units that must be included in a covenant and agreement.
<u>AB 1043 (2021)</u> : Codify the state law, which defines "acutely low-income households" for the purpose of defining affordable rent limits.	Section 22.14.090 (I) under “Income”: add definition for “acutely low income.”
<u>AB 491 (2021)</u> : Codify the state law, which requires comparability between income-	Section 22.119.050 (Requirement): Add a reference to Section 22.120.050 for the

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restricted units and market-rate units in a mixed-income multi-family structure so that the occupants of the income-restricted units have the same access to common entrances, common areas, and amenities of that structure as the occupants of the market-rate units. The law also prohibits a mixed-income multi-family structure from isolating the income-restricted units within the structure to a specific floor or an area on a specific floor. These requirements do not apply to a manager's unit.	specific requirements for comparability between affordable housing set-aside units and non-set-aside units. Section 22.120.050 (Affordable Housing): specify requirements for comparability between affordable housing set-aside units and non-set-aside units. Section 22.121.050 (Affordable Housing Set-Aside): Add a reference to Section 22.120.050 for the specific requirements for comparability between affordable housing set-aside units and non-set-aside units.
<u>SB 8 (2021)</u> : Codify the state law in the Affordable Housing Preservation Ordinance, which clarifies that no affordable replacement unit is required for projects consisting of a new single-family residence on a site with no other principal uses or structures, provided that only one existing unit on the site has been or is proposed to be demolished or vacated, since pursuant to Government Code Section 66300.5(i)(2) (new section number by <u>AB 1218 (2023)</u>), the new single-family residence could be at any income level.	Section 22.119.040 (Exemptions): add exemption for affordable housing replacement.
<u>AB 682 (2022)</u> : Codify the state law, which allows "shared housing buildings" to receive density bonuses and other benefits if certain criteria and requirements under the SDBL are met.	Section 22.14.080 (H): revise definition of "habitable room" to align with definition of "shared housing unit". Section 22.14.130 (M) under "Multi-family Housing": add "shared housing unit" as a type of principal dwelling unit in an "apartment house", where the apartment house is a shared housing building. Section 22.14.040 (D): include an exception in the definition of a new term

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	“dwelling unit, principal” to account for shared housing units in a shared housing building where the kitchen and dining area are not contained within the dwelling units, Section 22.14.190 (S): add definition of “shared housing building” and “shared housing unit.”
<u>AB 2334 (2022)</u>: Codify the state law, which expands the unlimited density bonus and additional benefits for 100% affordable housing projects from areas within a half-mile of a major transit stop to now also developments within a “very low vehicle travel area,” subject to affordability requirements specified under the SDBL.	Section 22.14.010 (A) under “Affordable housing and senior citizen housing”: add definition of “very low vehicle travel area”. Section 22.120.050 (Affordable Housing): establish unlimited density bonus and additional benefits for eligible projects.
<u>AB 1287 (2023)</u>: Codify the state law, which allows 1) up to five incentives for certain 100% affordable housing projects (previously, a maximum of four incentives were permitted), and 2) up to four incentives and an additional density bonus for projects providing an additional very low- or moderate-income housing set-aside under the SDBL.	Section 22.120.050 (Affordable Housing): add a new “stackable” density bonus sliding scale for projects providing an additional very low- or moderate-income housing set-aside and revise the allowable number of incentives. Section 22.120.100 (Rules and Calculations): add exception for cumulative density bonuses.
<u>AB 323 (2023)</u>: Codify the state law, which allows the initial sale of affordable housing set-aside units under the SDBL or a local inclusionary housing ordinance to qualified nonprofit housing corporations only if the units have not been purchased by income-qualifying households within 180 days of the issuance of the certificate of occupancy.	Section 22.14.010 (A) under “Affordable housing and senior citizen housing”: add definition for a “qualified nonprofit housing corporation”. Section 22.120.050 (Affordable Housing): specify sale requirements for affordable housing set-aside units. Section 22.121.050 (Affordable Housing Set-Aside): specify sale requirements for affordable housing set-aside units. Section 22.166.070 (Covenant and Agreement): specify sale requirements

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	for affordable housing set-aside units that must be included in a covenant and agreement.
<u>AB 1218 (2023)</u> : Codify the state law, which requires the actual replacement of demolished units by a new development (and thus limits the County's ability to allow payment of an in-lieu fee) and limits the option to replace units off-site to non-residential projects only. This bill no longer exempts projects in the Very High Fire Hazard Severity Zones (VHFHSZs) from SB 330's state-mandated replacement requirements.	Section 21.16.100 (Affordable Housing Replacement): Centralize affordable housing replacement requirements for subdivision projects in Title 21 of the County Code and limit the applicability of the Affordable Housing Replacement Fee to subdivisions that are not subject to AB 1218 (i.e. condominium conversion projects). Section 22.119.040 (Exemptions): remove exemption for projects in the VHFHSZs, add clarification that only certain industrial projects meeting the criteria in the state law are exempt from the affordable housing replacement requirements. Section 22.119.050 (Requirements): specify requirements for replacement units. Section 22.121.050 (Affordable Housing Set-Aside): Clarify that affordable housing set-aside units required by the Inclusionary Housing Ordinance may only be provided off-site if the units are not also used to satisfy the affordable housing replacement requirements.
<u>AB 1308 (2023)</u> : Codify the state law, which prohibits local jurisdictions from increasing the minimum parking requirement, as a condition of approval, for single-family residences undergoing remodeling, renovations, and additions, provided that such remodeling, renovations, or additions do not result in the single-family residence exceeding any maximum size limit imposed by applicable	Section 22.300.020 (Application of Planning Area Standards Districts and Community Standards Districts to Property): add exception for additions to single-family residences in the Planning Area Standards Districts (PASDs) and Community Standards Districts (CSDs) so that such projects would not be subject to the parking requirements specified in the PASDs or CSDs.

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zoning regulations including height, lot coverage, and floor-to-area ratio.	
<u>SB 1395 (2024)</u> : Codify the state law, which includes new definition of “Low Barrier Navigation Center.”	Section 22.14.050 (E): Add a reference to <u>Government Code section 65660</u> to the definition of “Emergency Shelter,” thereby incorporating “Low Barrier Navigation Center” as newly defined in <u>SB 1395</u> .
<u>AB 1801 (2024)</u> : Codify the state law, which specifies that “supportive housing” includes transitional housing for youth and young adults, as well as administrative office space, for purposes of the use by right provisions set forth in <u>Government Code sections 65650 through 65656</u> , and expands the use by right provisions in state law to include administrative office space (maximum 25% of the supportive housing development’s total floor area) and thus expands the exemption for approval of ministerial projects under CEQA.	Section 22.128.200 (Supportive Housing Streamlining): specify that the term “supportive housing” for the purposes of the streamlined ministerial review includes transitional housing for youth and young adults and other nonresidential uses and administrative office space.
<u>AB 2694 (2024)</u> : Codify the state law, which expands the definition of a senior citizen housing development in the SDBL to include a residential care facility for the elderly and specifies that, in the case of a residential care facility for the elderly, a “shared housing unit” includes a unit without an individual kitchen where a unit may be shared by unrelated persons, and a unit where a room that may be shared by unrelated persons meets the minimum room area requirements, as specified.	Section 22.14.010 (A) under “Affordable housing and senior citizen housing”: add “residential care facility for the elderly” in the definition of “senior citizen housing development.” Section 22.14.190 (S): In the proposed definition of “shared housing unit,” specify that, in the case of a residential care facility for the elderly, a “shared housing unit” includes a unit without an individual kitchen where a unit may be shared by unrelated persons, and a unit where a room that may be shared by unrelated persons meets the minimum room area requirements, as specified.
<u>AB 98 (2024)</u> : Codify the state law, which beginning January 1, 2026, will require an applicant for a logistics use to provide a 2-to-1 replacement of any demolished housing unit that was occupied within the last 10 years or an in-lieu fee, unless the	22.119.060 (Replacement Requirements for Logistics Uses): add replacement requirements for “logistics use” as defined in <u>Government Code section 65098</u> .

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housing unit was declared substandard by a building official.	
<u>SB 1211 (2024)</u> : Codify the state law, which increases the maximum number of detached accessory dwelling units (ADUs) on a lot with a multifamily dwelling from two to eight (not to exceed the number of principal units). This bill also prohibits local jurisdictions from requiring the replacement of off-street parking spaces if an uncovered parking space is demolished in conjunction with the construction of, or is converted to, an ADU.	Section 22.140.640 (Accessory Dwelling Units and Junior Accessory Dwelling Units): Increase the maximum number of detached ADUs permitted on a lot with a multifamily dwelling, and specify that no replacement parking is required if an uncovered parking space is demolished in conjunction with the construction of an ADU or converted into an ADU.
Codify Paragraph 6 of <u>Executive Order (EO) N-23-25</u> , which suspends certain provisions in the SDBL (Government Code Section 65915 (b), (d), and (e)) to the extent those provisions would otherwise require the County to grant the use of incentives or waivers or reductions of development standards to modify development standards related to pedestrian character if the housing development is in the Lake Avenue Mixed Use “Center” Area in the Altadena Community Standards District, or on Fair Oaks Avenue within the perimeter of the Eaton Fire.	Section 22.120.100 (Rules and Calculations): prohibit projects in the Lake Avenue Mixed Use “Center” Area in the Altadena Community Standards District, or on Fair Oaks Avenue within the perimeter of the Eaton Fire from receiving incentives or waivers or reductions of development standards to modify certain development standards as related to pedestrian character.
<u>AB 1529 (2025)</u> : Codify the state law, which clarifies that for certain rental housing development that dedicates at least 80% of units to lower income households, the affordable rent shall not exceed an amount consistent with the maximum rent levels for lower income households, as those rents and incomes are determined by the California Tax Credit Allocation Committee. This revised limit on “affordable rent” will apply to certain one hundred percent affordable housing developments that are subject to the SDBL.	Section 22.14.010 (A) under “Affordable housing and senior citizen housing”: revise definition of “affordable rent.” Section 22.120.050 (Affordable Housing): specify the limit on “affordable rent” for certain one hundred percent affordable housing developments that are subject to the SDBL.

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<u>SB 415 (2025)</u> : Codify the state law, which clarifies that nothing in AB 98 limits or precludes compliance with the affordable housing replacement requirements in the Housing Crisis Act (Article 2 (commencing with § 66300.5) of Chapter 12 of the Government Code), and requires a logistics use developer to comply with the Housing Crisis Act’s requirements before complying with any additional replacement requirements imposed by AB 98.	22.119.060 (Replacement Requirements for Logistics Uses): add replacement requirements for logistics use as defined in Government Code Section 65098.
<u>SB 92 (2025)</u> : Codify the state law, which specifies that an incentive provided by the SDBL shall not result in a proposed project, as prescribed, with a commercial floor area ratio that is greater than two and a half times the premises’ current allowed base zone commercial floor area ratio.	22.120.100 (Rules and Calculations): add a provision to specify that an incentive shall not result in a proposed project, as prescribed, with a specified commercial floor area ratio.
<u>AB 1154 (2025)</u> : Codify the state law, which specifies that owner-occupancy requirement would apply only if the junior accessory dwelling unit (JADU) has shared sanitation facilities with the existing structure.	22.140.640 (Accessory Dwelling Units and Junior Accessory Dwelling Units): Specify that owner-occupancy is required only if the JADU has shared sanitation facilities with the single-family residence.
<u>SB 543 (2025)</u> : Codify the state law, which 1) imposes a 15-business-day deadline for a permitting agency to determine whether an ADU or JADU application is complete; 2) clarifies that the floor area specified, such as the maximum 500-square-foot-size for a JADU, refers to “interior livable space;” and 3) limits the timeline for a final determination on an appeal to 60 business days for ADU and JADU applications.	22.14.010 (A): add definition for “floor area” for the purposes of Section 22.140.640 (Accessory Dwelling Units and Junior Accessory Dwelling Units) to align with state law’s reference to an “interior livable space.” 22.140.640 (Accessory Dwelling Units and Junior Accessory Dwelling Units): update provisions regarding the application review timeline and add a provision on the appeal process including the time limit for a final determination on an appeal.