



Senator Scott Wiener, 11th Senate District

Senate Bill 827 – More Homes Near High-Quality Transit

SUMMARY OF FEBRUARY 2018 AMENDMENTS

- 1. Locally adopted mandatory inclusionary housing requirements shall apply to SB 827 projects.** Additionally, voluntary programs that grant zoning bonuses and waivers for different levels of affordable housing based on proximity to bus and rail transit, such as the Transit Oriented Communities Guidelines in Los Angeles, shall dictate affordability requirements based on the final design of the building.
- 2. Ban on demolishing rent-controlled housing units.** Rent-controlled housing may not be considered for demolition permits unless a local government certifies by resolution, after the passage of SB 827, that the city will consider demolition permits for rent-controlled housing based on criteria and processes set forth in the resolution, and affirm that every displaced tenant will have a Right to Remain Guarantee (#4). After the resolution passes, the city retains full discretion to deny, restrict, or limit issuance of these permits in accordance with its policy.
- 3. All local processes for evaluating demolition permits shall apply to SB 827 projects.** These local processes may include reviews through a Planning Commission or City Council, or even be categorical bans on certain types of demolition. Additionally, a demolition permit may not be issued for an SB 827 project until an adequate Right to Remain Guarantee for all displaced tenants – regardless of whether the housing was rent-controlled or not – has been approved by the local government.
- 4. An adequate Right to Remain Guarantee – at minimum – must include a developer providing to all displaced tenants:**
 - a. Moving expenses for moving into, and out of, an interim unit in the area.
 - b. Up to 42 months of rental assistance for the price of an available, comparable unit in the area.
 - c. A right of first refusal for a comparable housing unit in the new building, and offered with a new lease at the rent previously enjoyed by the tenant in their demolished unit.
- 5. Local setback and yard requirements will remain enforceable as long as the SB 827 building is permitted to occupy a reasonable amount of the lot area.** This will be measured in minimum floor area ratio requirements established in SB 827 for the different height tiers, and be comparable to 50-60% of the lot area.
- 6. Projects seeking a Transit-Rich Housing Bonus through SB 827 may also, concurrently, seek a State Density Bonus.** The waivers and concessions for the State Density bonus shall be calculated using SB 827 criteria as base development standards.
- 7. Transit-rich projects will qualify within ¼ mile of a high-quality transit stop on a corridor – not the corridor itself.** A parcel must be within ¼ mile of a stop on a high-frequency bus line **or** ½ mile of a major transit stop in order to qualify for SB 827.
- 8. Street width is measured from property line to property line (“right of way”) instead of curb-to-curb.** A street shall be considered subject to higher height tiers if there is a >70ft right of way.
- 9. Parcels in zoning districts permissive to residential development may use SB 827.** In most communities, this includes residential and residential mixed-use zoning districts. A site adjacent to transit that is currently zoned exclusively for industrial use would not be able to use SB 827.
- 10. SB 827 projects will be protected by the Housing Accountability Act and may be eligible for SB 35 streamlining.** For the purpose determining eligibility for these laws, SB 827 projects shall be considered “compliant with local zoning.”