



Senator Scott Wiener, 11th Senate District

Senate Bill 4 – Affordable Housing on Faith Lands Act

SUMMARY

Senate Bill 4 provides a streamlined process for religious organizations and nonprofit colleges to develop affordable housing on their property regardless of local zoning restrictions.

BACKGROUND

Faith-based organizations have a long history of partnering with nonprofit developers to build affordable housing. Often, these religious organizations have excess land that they make available for affordable housing developments.

In addition to faith-based organizations, other non-traditional players with surplus land, such as nonprofit colleges, have also stepped up to provide affordable housing solutions for their students, faculty, and others in the community.

Affordable housing development is limited both by available funding as well as land-use restrictions that prohibit all residential uses at densities adequate for affordable housing development.

PROBLEM

Unfortunately, many of these faith-based organizations and non-profit colleges are located in areas that are not zoned to permit multifamily housing. This means that the religious institution and affordable housing developer partner have to rezone the land, which is a tricky process that costs money and can cause long delays in building the affordable homes Californians need. Further, the rezoning process opens up the affordable housing development to significant

risk and unpredictability in the approval process as there are more avenues for lawsuit and appeal.

SOLUTION

Senate Bill 4 streamlines the building process for faith-based institutions and non-profit colleges that want to build affordable projects for low-income families by allowing them to build multifamily housing, regardless of local zoning restrictions. This proposed legislation also guarantees by-right approval of projects so long as they are consistent with all objective standards of the jurisdiction and comply with listed environmental protections. This approval process ensures that the California Environmental Quality Act (CEQA) cannot be misused against these projects. CEQA is a critically important law for protecting the environment from projects such as refineries that pollute natural resources and jeopardize health, especially for historically marginalized and underserved populations. However, each step of the CEQA process is subject to appeals and lawsuits that can increase project costs. It's not unusual for it to take three to four years and millions of dollars to resolve a single lawsuit, while appeals regularly take six months to resolve.

Equally important, this Act will help our state's construction workforce rise and thrive. Construction workers will be protected by the requirement to pay prevailing wages on projects with over 10 units. On projects with at least 50 units, contractors must offer apprentices employment and pay for health care for construction workers and their dependents. This creates an economic base and new opportunities for construction workers and provides our state

with the highly skilled workforce it needs to build our future.

The faith-based organization or nonprofit college must agree to maintain the affordability of these homes to households below 80 percent of the area median income for at least 55 years for rental housing and 45 years for homeownership opportunities. If a project is located in an area zoned for residential use, it must be allowed a density deemed appropriate for lower income households per housing element law. If located in a commercially zoned area, the project may be up to 40 units per acre, and a height of one story above the maximum height applicable to that parcel.

This legislation would make building affordable housing easier, faster, and less expensive for faith-based institutions and nonprofit colleges in a broad range of communities across California. Many of these institutions are already community anchors, and this will help them build stable, safe, affordable housing for local residents and families.

SUPPORT

- **Non-Profit Housing Association of Northern California (NPH) (Sponsor)**
- **Southern California Association of Non-Profit Housing (SCANPH) (Sponsor)**
- **Jewish Public Affairs Committee of California (JPAC) (Sponsor)**
- **California Conference of Carpenters (Sponsor)**
- **Inner City Law Center (Sponsor)**
- United Way of Greater Los Angeles
- Los Angeles Family Housing
- Housing Action Coalition
- Many Mansions
- Abundant Housing Los Angeles
- Peninsula Solidarity Cohort
- Making Housing and Community Happens
- Move LA
- East Bay Housing Organizations

- Generation Housing
- City of Emeryville
- City of Berkeley
- Muslim Public Affairs Council
- Multi-Faith Action Coalition
- St. Francis Center of Redwood City
- San Francisco Bay Area Planning and Urban Research Association (SPUR)
- Santa Monica Forward
- Active San Gabriel Valley
- Merritt Community Capital Corporation
- Walnut Creek Homeless Task Force
- Union Station Homeless Services
- Jewish Free Loan Association
- IKAR
- Venice Community Housing Corporation
- Jewish Family & Community Services East Bay
- Hadassah Southern California
- South District of the California-Pacific Annual Conference of the United Methodist Church
- Multifaith Voices for Peace and Justice
- First Congregational Church of Berkeley, United Church of Christ
- Claremont United Church of Christ
- Unitarian Universalist Fellowship of Redwood City
- Destination: Home
- Novin Development
- First Congregational Church of Palo Alto, United Church of Christ
- The People Concern
- Faith and Community Empowerment
- San Gabriel Valley Consortium on Homelessness
- Jewish Federation of the Sacramento Region
- Housing Opportunities Made Easier
- LA Voice
- Peninsula Sinai Congregation
- California YIMBY
- All Home

FOR MORE INFORMATION

Tate Hanna, Legislative Aide

Email: tate.hanna@sen.ca.gov

Phone: (916) 651-4011