

SB 450 (Atkins) –California HOME Act Clean Up

IN BRIEF

In 2021, the Governor signed into law SB 9 (Atkins), the California HOME (Housing Opportunity and More Efficiency) Act. Senate Bill 450 makes a number of changes to SB 9 to improve access and certainty for homeowners to the streamlined housing options provided by SB 9.

THE ISSUE

California has under-produced housing every single year since 1989. To address decades of under-producing housing, the state Department of Housing and Community Development (HCD) estimates that California must plan for more than 2.5 million new homes over the next eight years.¹

Over the past seven years, the Legislature has taken a number of actions to encourage housing development. Those efforts include SB 9, which was an integral part of the Senate’s 2021 housing package to address California’s ongoing housing crisis. SB 9 established a streamlined statewide path for homeowners to create a duplex or subdivide an existing residential parcel. Following decades of historical patterns of housing segregation and exclusion embedded in land use and finance policies, SB 9 encourages the creation of new housing – making positive changes in our communities that strengthen the fabric of our neighborhoods with equity and inclusivity.

THE SOLUTION

SB 450 maintains the goals of SB 9 by addressing explicit attempts by some local governments to either ignore the law in its entirety or impose local objective standards that seek to discourage the creation of new units and lot splits.

This bill includes key provisions to ensure homeowners can fully utilize the streamlined housing options put in place by SB 9:

- ✓ Deletes unnecessary and redundant language relating to the demolition of a property and maintains key tenant protections in law.
- ✓ Provides more certainty for a homeowner in the application process by requiring a local government to deny or approve SB 9 applications within 60 days, similar to existing ADU (Accessory Dwelling Unit) law.
- ✓ Ensures HCD’s Housing Law Unit has accountability and enforcement authority over the California HOME Act.
- ✓ Requires consistency in local objective zoning, subdivision, and design standards to prevent local governments from imposing overly burdensome requirements solely on units and lot splits created utilizing SB 9 streamlining.
- ✓ Makes other technical and conforming changes to the statutes put in place by SB 9.

FOR MORE INFORMATION

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¹California Department of Housing and Community Development. 2022 Statewide Housing Plan. Accessible here: <https://statewide-housing-plan-cahcd.hub.arcgis.com/>