



Home	Bill Information	California Law	Publications	Other Resources	My Subscriptions	My Favorites
------	------------------	----------------	--------------	-----------------	------------------	--------------

**AB-916 Zoning: bedroom addition.** (2021-2022)

SHARE THIS:  

Date Published: 09/29/2022 02:00 PM

**Assembly Bill No. 916**

**CHAPTER 635**

An act to add Section 65850.02 to the Government Code, relating to housing.

[ Approved by Governor September 28, 2022. Filed with Secretary of State September 28, 2022. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 916, Salas. Zoning: bedroom addition.

The Planning and Zoning Law authorizes the legislative body of any county or city to adopt ordinances that regulate the use of buildings, structures, and land as between industry, business, residences, open space, and other purposes.

This bill would prohibit a city or county legislative body from adopting or enforcing an ordinance requiring a public hearing as a condition of reconfiguring existing space to increase the bedroom count within an existing dwelling unit. The bill would apply these provisions only to a permit application for no more than 2 additional bedrooms within an existing dwelling unit. The bill would specify that these provisions are not to be construed to prohibit a local agency from requiring a public hearing for a proposed project that would increase the number of dwelling units within an existing structure. The bill would include findings that ensuring adequate housing is a matter of statewide concern and is not a municipal affair, and that the provision applies to all cities, including charter cities.

By imposing additional duties on local officials, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** Section 65850.02 is added to the Government Code, immediately following Section 65850.01, to read:

**65850.02.** (a) Notwithstanding any other local law, with respect to land zoned for residential use, the legislative body of a city or county shall not adopt or enforce an ordinance requiring a public hearing as a condition of reconfiguring existing space to increase the bedroom count within an existing dwelling unit.

(b) This section shall only apply to a permit application for no more than two additional bedrooms within an existing dwelling unit.

(c) This section shall not be construed to prohibit a local agency from requiring a public hearing for a proposed project that would increase the number of dwelling units within an existing structure.

(d) The Legislature finds and declares that ensuring adequate housing is a matter of statewide concern and is not a municipal affair, as that term is used in Section 5 of Article IX of the California Constitution. Therefore, this section applies to all cities, including charter cities.

**SEC. 2.** No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.