

**ASSEMBLY BILL**

**No. 1910**

---

**Introduced by Assembly Member Cristina Garcia**

February 9, 2022

---

An act to add Chapter 14.7 (commencing with Section 50871) to Part 2 of Division 31 of the Health and Safety Code, relating to housing.

LEGISLATIVE COUNSEL'S DIGEST

AB 1910, as introduced, Cristina Garcia. Publicly owned golf courses: conversion: affordable housing.

Existing law establishes the Department of Housing and Community Development and requires it to, among other things, administer various programs intended to fund the acquisition of property to develop or preserve affordable housing.

This bill would, upon appropriation by the Legislature, require the department to administer a program to provide incentives in the form of grants to local agencies that enter into a development agreement to convert a golf course owned by the local agency into housing and publicly accessible open space, as specified. This bill would require the department to award funding in accordance with the number of affordable units a local agency proposes to construct.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Chapter 14.7 (commencing with Section 50871)
- 2 is added to Part 2 of Division 31 of the Health and Safety Code,
- 3 to read:

1 CHAPTER 14.7. CONVERSION OF PUBLICLY OWNED GOLF  
2 COURSES TO AFFORDABLE HOUSING  
3

4 50871. (a) Upon appropriation by the Legislature, the  
5 Department of Housing and Community Development shall  
6 administer a program to provide incentives in the form of grants  
7 to local agencies that enter into a development agreement to convert  
8 a golf course owned by the local agency into housing and publicly  
9 accessible open space.

10 (b) In order to be eligible for a grant, a local agency shall enter  
11 into a disposition and development agreement with a developer  
12 that, at a minimum, meets the following requirements:

13 (1) The agreement ensures that at least 25 percent of all new  
14 dwelling units developed on the former golf course are affordable  
15 to, and occupied by, lower income households, in accordance with  
16 subdivision (c).

17 (2) At least 15 percent of the development is publicly accessible  
18 open space. Space used as a golf course shall not be considered  
19 open space.

20 (3) No more than one-third of the square footage of the  
21 development, excluding the portion reserved for open space, is  
22 dedicated to nonresidential uses. Parking shall be considered a  
23 nonresidential use.

24 (c) (1) Rental units developed pursuant to this section shall be  
25 subject to a recorded deed restriction of 55 years that provides that  
26 the units designated for use by lower income households are  
27 continuously available to or occupied by lower income households  
28 at rents that do not exceed those prescribed by Section 50053, or,  
29 to the extent that the terms of federal, state, or local financing or  
30 financial assistance conflicts with Section 50053, rents that do not  
31 exceed those prescribed by the terms of the financing or financial  
32 assistance. The deed restriction shall authorize the local agency to  
33 monitor the development for compliance with its terms.

34 (2) (A) Ownership units developed pursuant to this section  
35 shall be subject to a recorded deed restriction of 45 years that  
36 provides that the units designated for use by lower income  
37 households are continuously available to lower income households  
38 at affordable housing costs that do not exceed those prescribed by  
39 Section 50052.5, or, to the extent that the terms of federal, state,  
40 or local financing or financial assistance conflicts with Section

1 50052.5, affordable housing costs that do not exceed those  
2 prescribed by the terms of the financing or financial assistance.  
3 The deed restriction shall authorize the local agency to monitor  
4 the development for compliance with its terms.

5 (B) Ownership units developed pursuant to this section shall be  
6 subject to an equity sharing agreement consistent with paragraph  
7 (2) of subdivision (c) of Section 65915 of the Government Code,  
8 and the local agency shall utilize any proceeds received from an  
9 equity sharing agreement for programs to facilitate lower income  
10 home ownership.

11 (d) To the extent that funds are available, the department shall  
12 issue a Notice of Funding Availability (NOFA) covering the  
13 12-month period after the NOFA is issued, and, if there was no  
14 NOFA for the previous 12-month period, covering the 12-month  
15 period before the NOFA was issued. The department shall accept  
16 applications from applicants throughout the 12-month period after  
17 the NOFA is issued.

18 (e) (1) The department shall allocate a grant to each local  
19 agency that meets the criteria specified in subdivision (b) in an  
20 amount determined by the department and pursuant to the NOFA.  
21 For each NOFA, the department shall allocate grants according to  
22 the number of affordable units each local agency proposes to  
23 construct. The department shall award a greater portion of available  
24 funding to local agencies that propose to construct a higher number  
25 of affordable units, in accordance with subdivision (c). If the  
26 amount of funds available to the department is insufficient to  
27 provide each eligible local agency with the full grant amount  
28 specified in the NOFA, the department shall reduce the amount of  
29 grant funds awarded to each eligible local agency proportionately.

30 (2) The department shall disburse one-half of the grant funds  
31 awarded to the local agency after the local agency enters into a  
32 development agreement that meets the criteria of this section. The  
33 department shall disburse the remaining one-half of the grant funds  
34 awarded to the local agency after the completion of the  
35 development of housing and publicly accessible open space that  
36 meet the criteria of this section and the development agreement.

37 (f) The department may review, adopt, amend, and repeal  
38 guidelines to implement uniform standards or criteria that  
39 supplement or clarify the terms, references, or standards set forth  
40 in this chapter. Any guidelines adopted pursuant to this chapter

- 1 shall not be subject to Chapter 3.5 (commencing with Section  
2 11340) of Part 1 of Division 3 of Title 2 of the Government Code.  
3 (g) For purposes of this section, both of the following definitions  
4 apply:  
5 (1) “Local agency” means any local public agency and excludes  
6 any state agency, board, or commission.  
7 (2) “Lower income household” has the same meaning as in  
8 Section 50079.5 of the Health and Safety Code.