

Action # 12.1 Restore Fair Predictable Process and Close Loopholes in State Housing Laws		
1.1	Key Element of CASA Compact	#12. Entitlement reform to reduce delays and improve compliance with state law
1.	Brief Description <i>1-3 sentence summary of action or policy</i>	<p>Amend the Mitigation Fee Act, Permit Streamlining Act, Housing Accountability Act and CEQA as follows:</p> <ol style="list-style-type: none"> 1. Disallow height and density reductions, limits, and moratoria in already residentially zoned areas to avoid compliance with State housing law especially the HAA. 2. Where the general plan or its housing element and zoning already allow housing, HAA shall apply to provide protections to projects consistent with these plan standards despite any locally required rezonings for project approvals needed due to plan inconsistency with local zoning. 3. For projects consistent with the general plan, any relevant specific plans, and consistent with residential use zoning, LOCK FEES AND RULES AT APPLICATION COMPLETENESS (excepting rule changes for life safety conditions). Lock fees and rules for 100% affordable projects as of the date of application. Local agency and special district rules, fees, codes, and standards must be made available in writing to an applicant on a written form available at the local agency with clear mechanisms for determining rules, fees, inclusionary standards, community benefits and historic status determinations or they cannot be requested by the local agency nor agreed to by the developer. These local rules/fees cannot be modified after Application Completeness. Completeness shall be defined as making all the required plan changes in the first zoning completeness letter. Historic status must be determined at completeness based on published reports. 4. Allow no more than 3 de novo public hearings on a housing project (with possibility of appeals). 5. Require approval of residential projects of up to 20,000 square feet in size in 6 months. 6. Created unqualified Categorical Exemption under CEQA for infill projects of 20,000-square feet or less so PSA will apply. 7. Local agencies must report to Bay Area Metro and HCD the length of time from new or renovated housing project application to project approval for all housing projects and remodels, as well as the number of de novo hearings and appeals on each. <p>References: https://www.law.berkeley.edu/wp-content/uploads/2018/02/Getting_It_Right.pdf</p>

1.3	Supports these CASA goals: (check all that apply)	<input type="checkbox"/> Protection <input type="checkbox"/> Preservation <input checked="" type="checkbox"/> Production
1.4	Desired Effect <i>What problem would this solve? Who would benefit? If applicable, identify any specific populations who will especially benefit.</i>	<p>Reinstate fairness, reasonableness, certainty, and deadlines in housing permitting through entitlement reform for homeless, affordable, and market rate housing. Case-by-case public disputes and opposition to many if not most housing projects, even when these are consistent with local plans and rules, prevent the region from supplying needed housing at any income level.</p> <p>Good government must be transparent, fair, predictable, and even-handed across the region, with clear rules that apply to everyone equally.</p> <p>This will improve local government workloads, enabling them to increase the number and speed of housing approvals and increase the amount of housing in the Bay Area. With these reforms, housing production cannot effectively increase in a significant manner because it is bottlenecked and can be delayed making fast, scalable housing production increases impossible across the region</p>
1.5	Key Questions and Points of Concern <i>What key questions or issues need to be resolved?</i> <i>What are the major sticking points and areas of negotiation?</i>	<p>Some cities will resist State process reforms.</p> <p>Localities or neighborhoods should be eligible for planning grant funding to enable them to update and streamline their planning approvals process to meet new State standards, and to update their rules and codes so all standards are adopted up front and can be imposed in a transparent and consistent fashion.</p>
1.6	Resources Needed <i>What costs will be incurred and by whom? Note any funding sources that are readily available, if known.</i>	State law action team to draft and work out details of proposed legislation.
1.7	Scale of Impact (as measured by Plan Bay Area goal alignment)	<p>Protect: _____ tenant households annually Preserve: X _____ ??net new units annually through</p> <p>Produce: new housing quickly and at scale <input checked="" type="checkbox"/> Above moderate housing (>120% ami): _____ units <input checked="" type="checkbox"/> Middle market housing (81-120% ami): _____ units <input checked="" type="checkbox"/> Affordable housing (<80% ami): _____ units</p>
1.8	Potential Vehicles for Implementation Check all that apply	X Legislation
1.9	Time Frame <i>Time needed for action to be approved and implemented.</i>	✓ Short-Term (0-2 years)— State bills in these areas have already been introduced
1.10	Feasibility <i>Select one and describe your rationale for why this level of feasibility is anticipated.</i>	X Easy: State Law to begin to reform these practices has already been introduced in Sacramento, CASA members should endorse and assist lobbying efforts for this reform.