



# County of Santa Cruz

## Department of Community Development and Infrastructure

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## SB 330/SB 8 GUIDE: HOUSING CRISIS ACT OF 2019

### Overview

In October 2019, Governor Newsom signed into law the Housing Crisis Act of 2019 ([SB 330](#)), which established a statewide housing emergency and added new regulations focused on the production and preservation of housing. Changes included a new section of California Government Code called the “Housing Crisis Act” ([Gov. Code section 65941.1](#)), as well as updates to the existing Housing Accountability Act or HAA ([Gov. Code section 65589.5](#)) and Permit Streamlining Act or PSA ([Gov. Code section 65950](#) and related code sections). In 2021, the governor signed into law [SB 8](#), which made several further changes to these code sections. The Housing Crisis Act of 2019 is in effect until January 1, 2030.

This guide provides information on the main aspects of the Housing Crisis Act of 2019 in three sections below: Expedited Permitting, SB 330 Preliminary Application, and Affected County Areas.

### Expedited Permitting

The Housing Crisis Act of 2019 expedites **planning permits** for all **housing development projects** in the following ways:

- historic site determination at the time an application is deemed complete
- maximum of five public hearings when a project is consistent with objective standards in place at the time an application is deemed complete
- project approval within 60 to 90 days after an Environmental Impact Report has been certified

### Planning Permits

Planning permits are land use entitlements, or any permits required by the Planning Division of the Santa Cruz County Community Development and Infrastructure Department, that applicants must obtain prior to applying for a building permit.

### Housing Development Projects

Housing development projects include all ministerial or discretionary residential projects, including single-family developments, accessory dwelling units, multifamily developments, mixed use projects with at least two-thirds of development square footage designated for residential use, and transitional or supportive housing projects.

## SB 330 Preliminary Application

The Housing Crisis Act provides an optional vesting opportunity for housing development projects, which freezes the policies, standards, and fees in effect when a preliminary application is submitted. Projects that utilize the SB 330 Preliminary Application process are subject to the timelines shown on Page 3.

### Vesting Rights

Under SB 330, housing development projects are subject only to the ordinances, policies, and standards in effect when the SB 330 Preliminary Application is submitted, including development impact fees, capacity or connection fees or charges, permit or processing fees, and any other required payments.

### Preliminary Application Process

Early consultation with County Planning staff is strongly recommended. Applicants must submit all information listed in the SB 330 Preliminary Application and payment of the permit processing fee to obtain vesting rights. The Preliminary Application will be reviewed by staff to ensure all required application materials have been submitted and date-stamped, freezing fees and development standards as of this date, unless exceptions per Government Code § 65889.5(o) are triggered (see Page 3). Please refer to the [SB 330 Preliminary Application](#) to see what information is required.

After submittal of the SB 330 Preliminary Application, an applicant has 180 days to submit a full project application or vesting rights secured by Preliminary Application will expire. If the development proponent revises the project to change the number of residential units or square footage of construction by 20 percent or more, excluding any increase resulting from Density Bonus Law, the development proponent must resubmit the SB 330 Preliminary Application so that it reflects project revisions, and the vesting date will be updated accordingly. See timeline on Page 3 for more information.

## Affected County Areas

Within affected cities and counties, SB 330 protects existing housing stock and ensures future housing can be developed at current densities to address the statewide housing shortfall. Per state law, an affected county is defined as a Census Designated Place (CDP) wholly within a Census-defined urbanized area. In Santa Cruz County, this includes the following CDPs: Live Oak, Soquel, Pasatiempo, and Paradise Park. See SB 330 Affected County Areas Map on Page 4 or visit the [Santa Cruz County GISWeb](#) for the County's online web map.

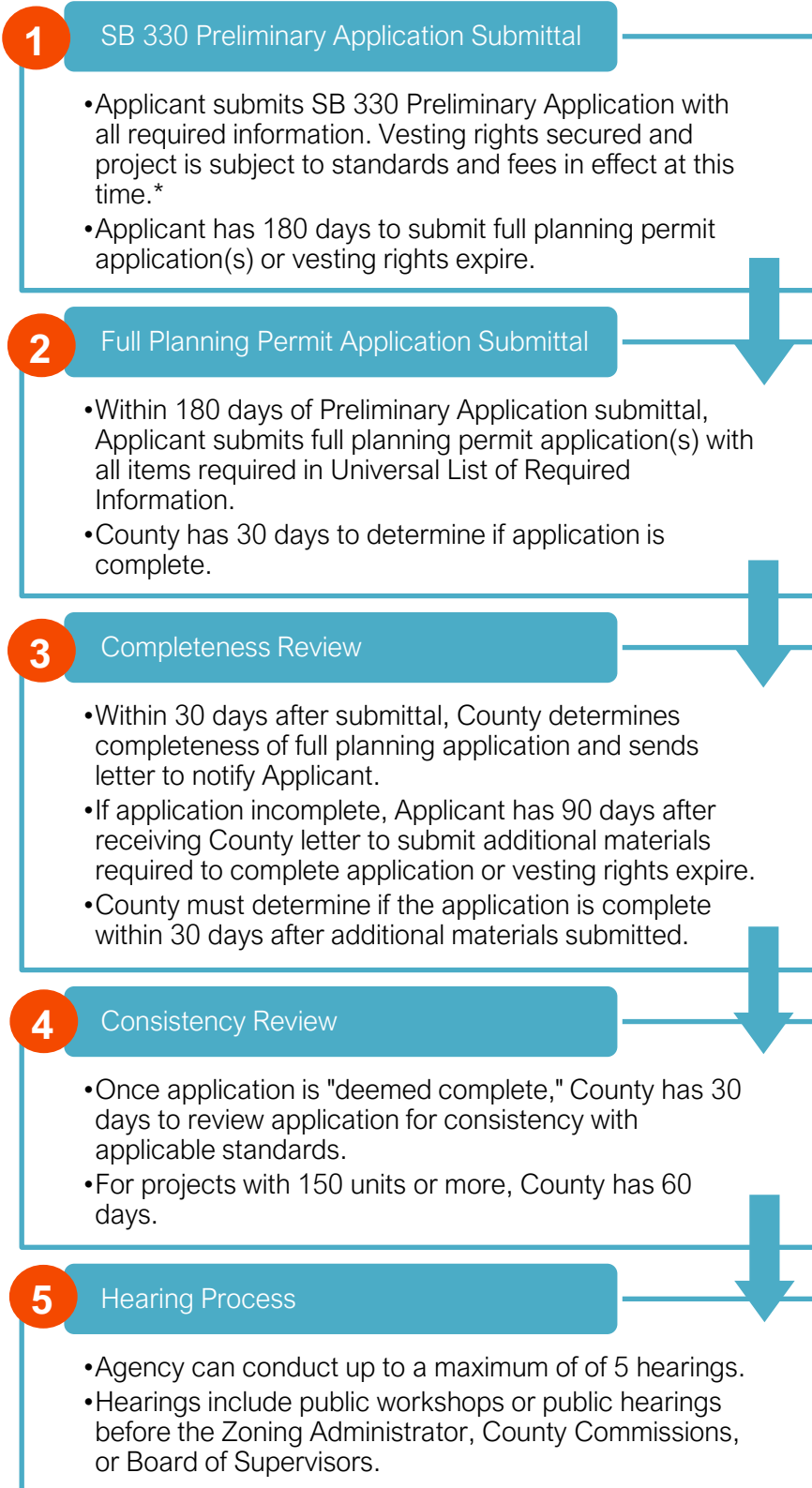
### Requirements to Replace Housing Units

The Housing Crisis Act requires housing projects that will demolish existing residential units to replace those units. If the project demolishes "protected" units (rent-controlled, deed restricted affordable, or rented to low-income residents), there are further restrictions regarding relocation for residents and affordability for replacement units.

### Limited County Zoning Actions

Within affected county areas, the County cannot: institute a moratorium on housing development or implement County Growth Goal limitations; impose non-objective design standards established after January 1, 2020; or change the General Plan designation or zoning on an individual parcel to a less intensive use compared to January 1, 2018, unless the housing potential is concurrently increased by at least the same amount on another site.

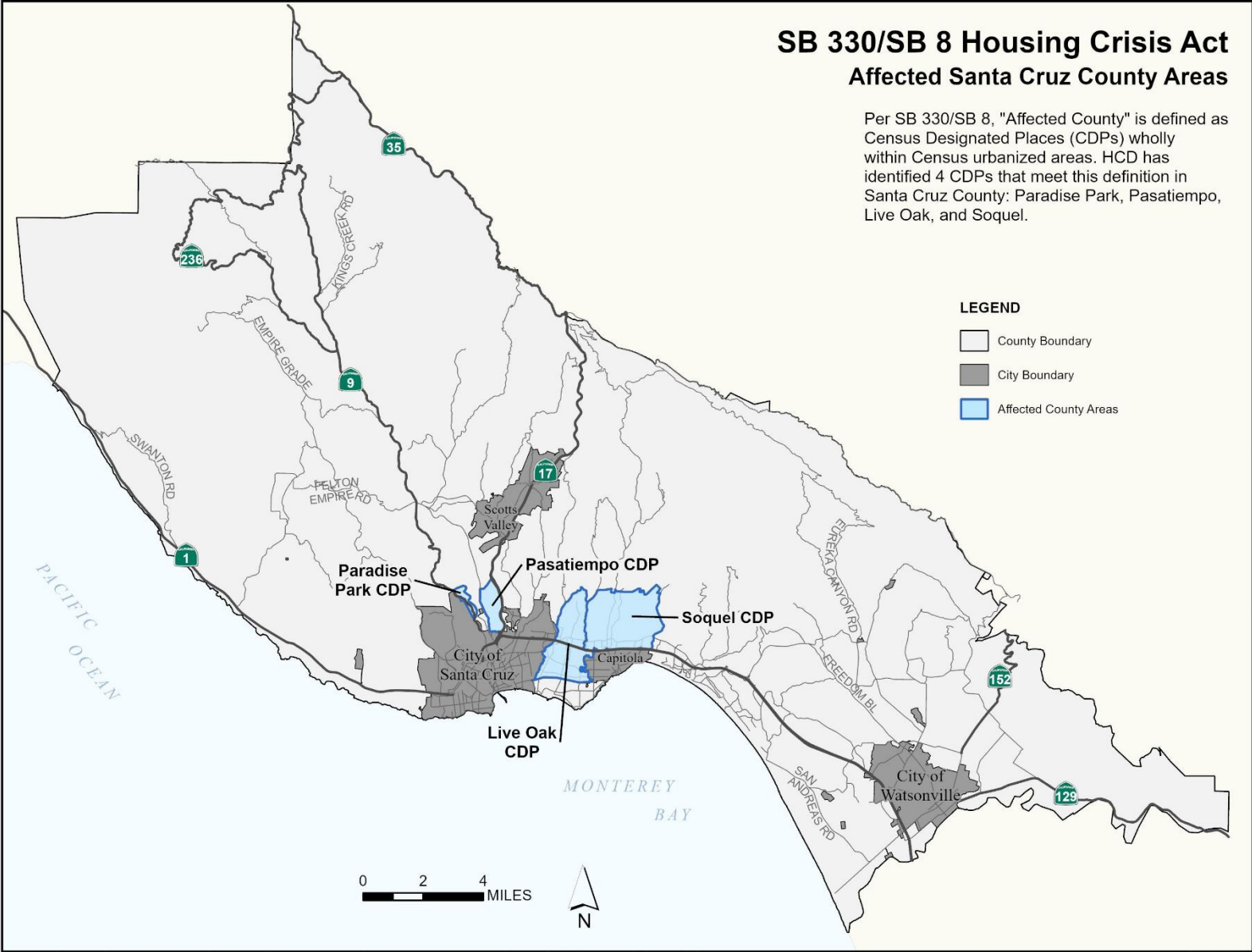
# SB 330 APPLICATION PROCESS TIMELINE



\*Per Gov. Code [§65589.5\(o\)\(2\)](#), projects may be subject to standards adopted after the preliminary application was submitted under the following circumstances:

- Any fee changes related to annual fee adjustments per cost index
- Changes are necessary to mitigate or avoid specific, adverse impact upon public health or safety or under CEQA
- Project has not started construction within 2.5 years after final approval (3.5 years for affordable housing projects)
- Revisions to the project result in 20% or more changes to total residential units or building area compared to preliminary application figures. Vesting date no longer applies and preliminary application must then be resubmitted.
- Any payments required after the building permit has received final inspection, including inspections, rent control, vacation rental bans, etc.

# SB 330 AFFECTED COUNTY AREAS MAP



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