



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

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” (CA Gov. Code section 65941.1), as well as updates to the existing Housing Accountability Act (CA Gov. Code section 65589.5) and Permit Streamlining Act (CA 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 from January 1, 2020 to 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 any permits that applicants must obtain from the Santa Cruz County Planning Department prior to applying for a building permit.

Housing Development Projects

Housing development projects include ministerial or discretionary single-family dwellings, accessory dwelling units, multifamily developments, mixed use projects with a minimum of 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 for completeness and date-stamped by the planner, 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 the Preliminary Application will expire. If the development proponent revises the project to change the number of residential units or square footage of construction changes 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 the 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: Amesti, Live Oak, Pasatiempo, and Paradise Park. See SB 330 Affected County Areas Map on Page 4 or the Santa Cruz County GISWeb.

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 PROJECT SUBMITTAL TIMELINE

Completeness Determination

SB 330 Preliminary Application Submittal

Applicant submits SB 330 Preliminary Application with required information. Project is subject to all standards and fees in effect at this time*.

Applicant must submit all information required to process discretionary permit(s) within 180 days.

Discretionary Application Submittal

Applicant submits discretionary permit application(s) with items required in Universal List of Required Information.

County must determine if the application is complete within 30 days after discretionary application submittal.

Completeness Determination

County determines if discretionary application(s) complete.

If the application is incomplete, the County will send the Applicant a letter detailing specific information required to process the application.

Amend Application

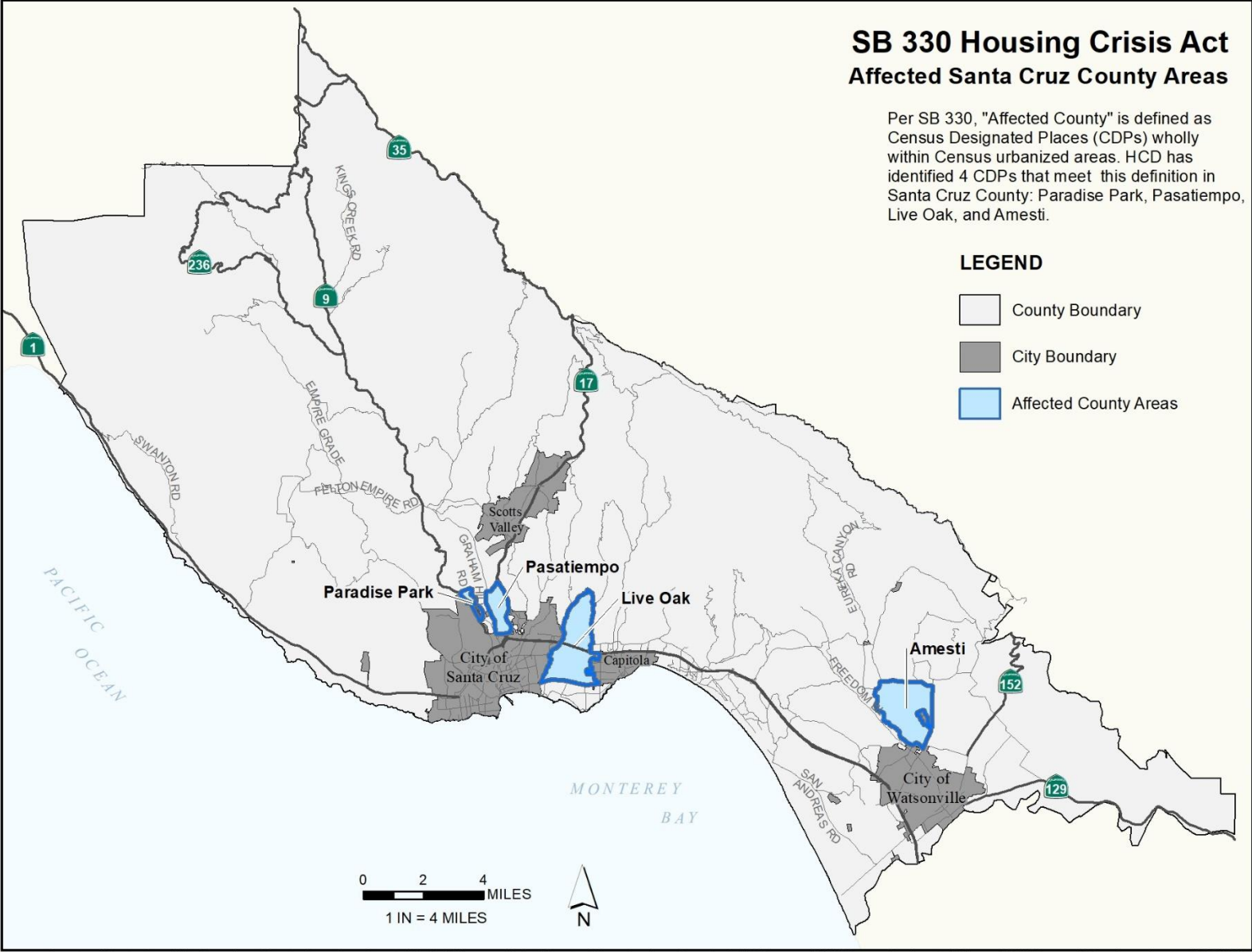
Applicant must submit additional materials needed to complete the application within 90 days of receiving County's letter or preliminary application will expire.

County must determine if the application is complete within 30 days after materials submitted.

*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. The 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



S:\A Sustainability and Special Projects\GIS\PLING\PROJECTS\003\MXD\SB330_2019\HCA_AffectedCounty_Only_20200113.mxd