

Local & State Housing Law Summary

The [Housing Accountability Act](#) (HAA; adopted in 1982 and revised in 2017) (Gov. Code § 65589.5) limits the City’s ability to deny or reduce the density of most housing development projects¹ if the project meets objective general plan, zoning, and adopted design standards. HAA further prohibited a City from denying a housing project that meets objective standards unless specific public health and safety findings can be made. The 2019 [Housing Crisis Act](#) (HCA; SB 330) strengthened the provisions of the HAA by allowing a vesting process to provide projects with vested rights for certain development standards in effect at the time of application filing. While HAA contains no explicit reference to historic resources, the HCA mandated an agency to make any required historic site determinations applicable to the project at the time when the application is deemed complete. Neither regulation expressly exempts historic resources.

California defines **objective standards** (objective, quantifiable, written development standards, conditions, and policies) as a “design standard that involves no personal or subjective judgment by a public official and is uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official before submittal of an application.” (Gov. Code § 66300(a)(7)). Simply put, objective standards must be quantifiable, clear, predictable, fixed, and knowable to all parties involved.

The following are state laws that are available to streamline housing development projects and may require the application of ODS:

Law	CA Gov. Code	Summary
SB1818 (2004): State Density Bonus Law Multiple updates between 2005 and 2024	§§ 65915	Grants development benefits for affordable housing projects of five or more units, including density increases; concessions and incentives; waivers or reductions of development standards; and reductions in parking requirements. <i>A project may be denied if it impacts a property listed on the California Register of Historical Resources.</i>
SB 35 (2017): Streamlined Ministerial Approvals Extended by SB 423 (2023) to 2036	§ 65913.4	Creates an opt-in streamlined ministerial approvals process for certain housing projects in areas that have failed to make sufficient progress on state-mandated regional housing need allocation (RHNA) goals. As of July 1, 2026 the City is now subject to streamlining for projects containing 10% affordable housing, or 10 units or less. <i>A project cannot demolish an HPOZ Contributing structure, but can be located on a Contributing lot.</i>
SB 13: Ministerial Approval of Accessory Dwelling Units (ADUs; 2019) Multiple updates since 2019	§ 66310 et. Seq.; §65852(a)(3); § 66323	Encourages creation of accessory dwelling units (ADUs) by requiring ministerial approval if certain requirements are met. Allows local agencies to adopt an ADU ordinance that outlines where ADUs are permitted; and sets objective standards on height, setbacks and maximum size. <i>A local ordinance may prohibit impacts to properties listed in the California Register of Historical Resources.</i>
AB 803 (2021): Starter Home Revitalization Act (SHRA) Updated by SB 684 (2023) Expanded by SB 1123 (2024): Starter Home Revitalization Act of 2021	§§ 65852.28 and 66499.41	Increases homeownership opportunities by streamlining the subdivision approval process for projects that include up to 10 new parcels/dwelling units. Limits the application of standards related to density, setbacks and minimum lot width, depth, and frontage. <i>No specific exemption for historic resources.</i>

¹ A Housing Development Project is defined in California Government Code Sections 65905.5(b)(3) as an entirely residential use of at least two units or a mixed-use development with at least two-thirds residential use.

<u>SB 9</u> (2021): Ministerial Duplex and Urban Lot Splits Updated by <u>AB 1061</u> (2025)	§§ 65852.21(b) and 66411.7(c); amendment of §66452.6	Requires ministerial approval of two-unit housing developments and lot splits – “without discretionary review or a hearing” within a single-family residential zone that includes no more than two residential units, if certain requirements are met. <i>Urban lot splits are permitted on HPOZ Contributing and Non-Contributing lots, provided no alteration or demolition of a structure is proposed. Two-unit developments are permitted on HPOZ Contributing lots if no demolition of a Contributing structure is proposed, and Non-Contributing lots.</i>
<u>AB 2011</u> (2022): Affordable Housing and High Road Jobs Act Updated by <u>AB 2433</u> (2024)	§§ 65400 and 65585	Authorizes development of multi-family housing on commercially zoned properties subject to a streamlined, ministerial approval process and not subject to a conditional use permit, if the development satisfies specified objective planning standards. <i>A project cannot demolish an HPOZ Contributing structure, but can be located on a Contributing lot.</i>
<u>AB 130</u> (2025): Updates to California Permit Streamlining Act (PSA; 1977)	§§ 65920 et Seq.	Creates a new California Environmental Quality Act (CEQA) exemption for qualifying infill housing projects. Strengthens PSA requirements by expanding expedited review and approval timelines for qualifying housing projects. <i>A project cannot demolish a property listed in a national, state or local register to qualify for the infill CEQA exemption. However, there is no specific exemption for historic resources with regard to PSA streamlining requirements.</i>