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How Your Local Agency is Impacted by SB 684

SB 684 Requires Ministerial Approval of Small Housing Projects

Senate Bill 684 (SB 684), which was signed into law on **October 11, 2023**, requires a local agency to ministerially approve, without discretionary review or a hearing, a parcel map or a tentative and final map for a housing development project that consists of 10 or fewer single-family residential units and meets certain minimum parcel size and density requirements. The housing development project must also be located on a lot zoned for multifamily residential development that is no larger than five acres and is substantially surrounded by qualified urban uses, and meets other qualifying criteria.

The bill added Government Code sections 65852.28, 65913.4.5, and 66499.41 in an effort to make it faster and easier to build more homes on smaller lots. Housing development projects on qualifying sites are not required to comply with minimum requirements on the size, width, depth, or dimensions of an individual parcel created by the development beyond a 600-foot minimum parcel size and are exempt from the requirement to form a homeowners' association, except as required by the Davis-Stirling Common Interest Development Act.

The bill does authorize a local agency to impose certain objective zoning standards, objective subdivision standards, or objective design standards that are related to a housing development or to the design or improvement of a parcel. However, certain standards cannot be imposed, including enclosed or covered parking, certain setbacks and certain floor area ratios, among others.

Taking Action to Implement SB 684 by Preparing a Checklist and Application Forms

The operative provisions of SB 684 went into effect on July 1, 2024.

While local agencies do not have to adopt an ordinance to implement the provisions of SB 684, cities and counties should consider developing specific applications and a checklist to ensure a

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streamlined review. The timelines under SB 684 are very short. A local agency must approve or deny an application for a housing development project or an application for a parcel map or tentative map submitted pursuant to SB 684, within 60 days from the date the local agency receives a completed application. If the local agency does not approve or deny a completed application within 60 days, the application must be deemed approved.

A local agency may deny the issuance of a parcel map, a tentative map, or a final map or disapprove a housing development project that would otherwise meet the requirements of SB 684, if the local agency can make a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact (as defined in Government Code section 65589.5(d)(2)), upon public health and safety and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

How a California Public Law Attorney Can Help

Given the short timelines in SB 684, local agencies should be prepared to timely process any applications that are submitted. A public law attorney can assist a local agency in preparing an ordinance, if desired, to implement SB 684 or can assist in preparing applications and a checklist for projects submitted under SB 684.

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