

SUPPORT SB 677 (WIENER):

Improving SB 9 & SB 423

SB 677 updates SB 9 and SB 423, improving both to make it faster, easier, and more affordable to build homes of all types where they are needed the most.

SB 9 (Atkins, 2021) and SB 35/423 (Wiener, 2023) are key tools in our fight to build new homes more quickly and affordably.

- ➡ SB 9 made it legal for homeowners to split their lots, and build a duplex on each lot.
- ➡ SB 35 streamlines the housing approval process in cities that have fallen behind their housing goals, making it an engine of subsidized affordable housing production.
- ➡ SB 423 was passed in 2023 to extend the provisions of SB 35, and expand them to encourage more mixed-income housing, along with more homes in coastal areas.

However, the initial implementation of SB 9 and SB 423 has exposed loopholes in the existing law that need improvement and strengthening.

- ➡ Certain provisions in SB 9 have made it difficult for homeowners and homebuilders to use, while others have allowed local jurisdictions and anti-housing groups to effectively block SB 9 projects.
- ➡ Particular requirements in SB 423 have similarly made many projects financially infeasible, and limit the law from being used in areas that could benefit from it.

SB 677 resolves several of the remaining challenges with both SB 9 and SB 423 to close known loopholes and make both laws more effective.

Some improvements to each bill include:

SB 9

- ➡ Preventing HOAs and Covenants, Conditions, & Restrictions from prohibiting or restricting SB 9 projects.
- ➡ Eliminating owner-occupancy requirements.
- ➡ Limiting impact fees on certain projects.
- ➡ Changing setback, height limit, lot coverage, and access requirements to prevent bad-faith efforts by local governments to make projects infeasible.

SB 423

- ➡ Increasing the viability of new subsidized housing by reducing the required percentage of low-income homes required in SB 423 projects from 50% to 20%.
- ➡ Increasing re-evaluation frequency from every 4 years (every half-RHNA cycle for most jurisdictions) to every 2 years (every quarter-RHNA cycle for most jurisdictions).