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Senate Bill 7: A “Streamlined” CEQA Process For Housing Projects Or Just Another Regulatory Wrinkle?

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The pace of construction of new housing in California consistently falls far short of demand. As much as 100,000 housing units per year are needed, and fewer than 15 percent of that need is constructed each year, resulting in a cumulative housing construction shortfall that by some measures now exceeds two million of needed new residential units. Some of the reasons for the shortfall include limited availability of buildable land, excessive monetary fees and exactions imposed by local governments, overly complex and time-consuming permitting processes, and local resistance to large-scale affordable housing projects. Also significant is the constant threat of environmental litigation under the California Environmental Quality Act (CEQA) leading potentially to additional years of delay and expense even after an environmental impact report (EIR) has been prepared and certified and project approvals are secured. At various times, state-level legislation to alleviate obstacles and promote additional housing construction has been proposed, with limited success so far. The efforts to revamp CEQA in a manner that materially impacts new housing availability also have had little success, to date.

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