

MTC State Housing Law Resolution
For San Francisco Bay Area Cities and Counties

- SAMPLE -

Resolution No. _____

**A RESOLUTION OF THE [City Council/Board of Supervisors] OF THE
[Jurisdiction] TO COMPLY WITH STATE HOUSING LAWS**

WHEREAS, the San Francisco region has the highest housing costs in the United States; and

WHEREAS, the Bay Area produced less than 30% of the need for low- and moderate-income housing units from 2007-2014, and is on track to similarly underproduce low-income units during the 2015-2023 time period; and

WHEREAS, there are limited funding sources available to secure land for the construction of low- and moderate-income housing; and

WHEREAS, public lands can play a critical role in increasing the supply of land for affordable housing;

WHEREAS, accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) provide an important option to increase the availability and affordability of housing, especially in existing, lower density neighborhoods; and

WHEREAS, density bonuses are an effective tool to increase the financial feasibility of housing and incentivize the creation of affordable housing; and

WHEREAS, the Metropolitan Transportation Commission adopted Resolution No. 4505, outlining the programming policy and project selection criteria for the One Bay Area Grant Program (OBAG 3), including certain requirements to access these funds;

NOW, THEREFORE, BE IT RESOLVED, by the [City Council/Board of Supervisors] of [Jurisdiction], State of California, as follows:

That the [Jurisdiction] agrees to comply with the terms of Surplus Land Act (California Government Code § 54220 et seq.), as exists now or may be amended in the future, including, but not limited to, AB 1255 (Rivas, 2019), which requires jurisdictions to compile and report annually an inventory of surplus lands to the California Department of Housing and Community Development; and

That the [Jurisdiction] agrees to comply with state laws related to ADUs and JADUs, as it exists now or may be amended in the future, including, but not limited to California Government Code §§ 65852.150, 65852.2, 65852.22, et seq. and California Health & Safety Code §§ 17980.12; and

That the [Jurisdiction] agrees to comply with state Density Bonus Law (California Government Code § 65915 et seq.), as exists now or may be amended in the future; and

That the [Jurisdiction] warrant and represents that is in compliance with the aforementioned state housing laws and that except for those matters listed in Exhibit A, there are no claims, actions, suits, or proceedings pending to the best of the [Jurisdiction]'s knowledge, alleging violations of the state housing laws by the [Jurisdiction].

PASSED AND ADOPTED by the [City Council/Board of Supervisors] of the [Jurisdiction], State of California, on _____, 20__, by the following vote:

Link to state law or current text may be supplied for reference.