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SUPERIOR COURT OF THE STATE OF CALIFORNIA

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COUNTY OF LOS ANGELES, CENTRAL DISTRICT - UNLIMITED JURISDICTION

YES IN MY BACK YARD, a California nonprofit corporation; SONJA TRAUSS, an individual; and MAMBA 24 LLC, a California limited liability company; Petitioners/Plaintiffs, v. CITY OF LOS ANGELES; CITY COUNCIL OF THE CITY OF LOS ANGELES; and DOES 1-25.	Case No.: **VERIFIED PETITION FOR WRIT OF MANDATE, PROHIBITION, OR OTHER EXTRAORDINARY RELIEF; COMPLAINT FOR DECLARATORY RELIEF** [CCP § 1094.5; CCP § 1085; CCP § 1060 ; Gov. Code § 65589.5; Gov. Code § 65941.1; Gov. Code § 65943]

Petitioners and Plaintiffs YES IN MY BACK YARD, a California nonprofit corporation; SONJA TRAUSS, an individual; and MAMBA 24 LLC, a California limited liability company (collectively "Petitioners") bring this action for a writ of mandate and declaratory relief against Respondents and Defendants CITY OF LOS ANGELES, THE CITY COUNCIL OF THE CITY OF LOS ANGELES, AND DOES 1-25 (collectively, "Respondents" or the "City"). Petitioners respectfully seek an order compelling Respondents to comply with California law — specifically,

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the Permit Streamlining Act ("PSA") (Gov. Code § 65943, *et. seq.*), the Housing Accountability Act ("HAA") (Gov. Code § 65589.5, *et seq.*) and the Housing Crisis Act ("HCA") (Gov. Code § 65941.1, *et seq.*) — as well as an order requiring the City to follow its own ordinances, regulations, executive orders, and guidelines. Petitioners also seek attorneys' fees and other relief specified below.

INTRODUCTION

The City's Politically Motivated Actions Blocking the Olinda Project Violated State and Local Laws

1. This case further demonstrates why the City of Los Angeles faces a deepening housing crisis, and is the *third* such case involving the City's unlawful disapproval of a 100 percent affordable housing project. (*See Yes In My Back Yard, et. al. v. City of Los Angeles, et. al.*, LA Sup. Court Case No. 24STCP00070; *Yes In My Back Yard, et. al. v. City of Los Angeles, et. al.*, LA Sup. Court Case No, 24STCP00385.) While the rate of those suffering from homelessness continues to rise to unprecedented levels, Respondents refuse to comply with the California Legislature's clear mandate to approve qualified affordable housing projects such as the one at issue in this case. Instead, the City continues to block needed housing projects in violation of state laws, as well as its own emergency declarations and departmental guidelines. The City's leaders have explicitly acknowledged the dire need for more housing and adopted several emergency declarations and related guidelines to facilitate the approval of housing projects. Unfortunately, however, the City's actions have not matched its rhetoric.

2. The project at issue here is precisely the type of development that citizens need to alleviate the shortage of affordable housing. Mamba 24 LLC proposes to build 78 new rental units to be constructed at 10898, 10898 1/2, and 10900 West Olinda Street (the "Olinda Project"), all of which meet the definition of "affordable housing" under state law. But rather than following the expedited procedure for approving affordable housing projects that the City had recently enacted, the City instead buckled to political pressure from "Not In My Back Yard" constituents and blocked the Olinda Project. In so doing, the City abandoned its avowed commitment to

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housing, ignored the law, and cited demonstrably false and pretextual reasons for its decision to disapprove the project.

3. The City's actions violated state housing laws and City ordinances, executive orders and regulations in several respects. The laws at issue are somewhat technical and complex, but a review of the key facts makes it easy to see that the City broke the law and acted in bad faith.

4. After initially accepting Mamba 24 LLC's application and identifying it as an eligible project for expedited approval under the City's new Executive Directive 1 ("ED1," discussed below), the City later reversed course without a lawful basis for doing so.

5. The City also later erroneously claimed that the Olinda Project was ineligible for the streamlined ED1 approval process because ED1 had been recently amended to exclude multi-family housing developments, such as the Olinda Project, situated in single-family zones. But the law clearly provides that a developer's rights vest at the time the application for a development is submitted, meaning that the project was "locked in" to the rules in effect at the time – including ED1. The City, however, argued that its own executive orders did not qualify as an enforceable policy upon which a developer could rely and that state vesting rights did not apply to ED1, thumbing its nose at clearly established state law.

6. Based on the City's deliberate misinterpretation of state housing law, the City informed Mamba 24 LLC that it would be required to complete the ordinary, non-streamlined entitlement process. The City issued a new case number, and the Olinda Project was essentially thrown to the back of the line, all while the City demanded thousands more in permit fees to process the 100 percent affordable project.

7. When apprised of the City's actions concerning similarly situated projects at 5501-5511 N. Ethel Avenue (the "Ethel Project"), 8217 North Winnetka Avenue (the "Winnetka Project"), and 7745-7751 N. Wilbur Avenue (the "Wilbur Project"), the State of California intervened. The State issued an opinion letter stating that ED1 *did* in fact constitute an ordinance, standard, and/or policy in which a developer can obtain vesting rights. In other words, the State told the City that it was wrong, and that the City's decision to deprive vested projects, like the Olinda Project, of the benefit of the streamlined ED1 process was unlawful. With respect to the

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Ethel project, the City's elected City Council conceded that ED1 rights had vested, and the City ultimately approved the Ethel project under the ED1 rules.

8. Even though the Olinda Project and Ethel Project both submitted preliminary applications to vest ED1 rights to ministerial processing, the City only recognized the vesting rights of the Ethel Project and denied the identical rights to ED1 processing for the Olinda Project.

9. In summary, the City's actions defy the law, common sense, and basic notions of fair dealing. In appeasing the vocal NIMBY groups opposed to affordable housing in their backyard, the City chose political expediency over its duty to follow the law.

The City's Conduct Violates the Permit Streamlining Act, the Housing Crisis Act and the Housing Accountability Act

10. The City's actions are contrary to California's laws enacted to prevent local governments from blocking needed housing developments. One such statute is the **Permit Streamlining Act** (the "PSA"). The PSA establishes uniform procedural requirements for public agencies' intake of development project applications. Importantly, the PSA requires local governments to specify a "submittal requirement checklist" for prospective applicants; once the applicant submits the required information, the application is deemed complete (but not yet approved). During the substantive review of the project, the public agency may inquire about the details of the project or ask the applicant to elaborate on the information provided in the application. Such inquiries, however, do not alter the fact that the initial application is deemed complete and is ready to be processed under the applicable rules.

11. Here, the City determined that the Olinda Project's application was incomplete based upon its determination that certain aspects of the development were "inconsistent" with City regulations. The City then used its erroneous determination to halt the streamlined ED1 review of the project and demand additional information (and permit fees) to process the application as a discretionary permit.

12. The PSA is clear. Once Mamba 24 LLC furnished the information required for the AHRF, the application was complete. The City cannot circumvent its obligation to process the application based on its finding that the project is "inconsistent" with regulations. The City's

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refusal to treat Mamba 24 LLC's housing development application as complete — and refusal to process the Olinda Project under the ED1 rules — is a violation of the PSA.

13. Respondents' actions are also in conflict with the **Housing Crisis Act** (the "HCA") and the **Housing Accountability Act** (the "HAA"). Under the HCA's vesting provision, a housing developer's project is "locked in" to the then-in-effect ordinances, standards and policies governing the approval of projects as soon as the preliminary application is complete. Imposing ordinances, standards and policies that were not in effect at the time a preliminary application is submitted is a violation of the HAA.

14. When Mamba 24 LLC completed the preliminary application for Olinda, it was eligible for the streamlined approval process under ED1. In fact, the City informed Mamba 24 LLC that Olinda would be processed under ED1.

15. Later, however, the City amended ED1 to exclude affordable housing projects like Olinda that are located in areas zoned for single-family housing. The City then claimed that Olinda was no longer eligible for ED1 approval because ED1 had been amended. The City further found that ED1 did not constitute an ordinance, standard or policy that qualified for vesting under the HCA. The City then informed Mamba 24 LLC that it was no longer on the ED1 approval track and reassigned the Olinda Project a new case number for ordinary, non-expedited processing.

16. This action effectively disapproved the same application that the City previously acknowledged would be processed under ED1's streamlined, expedited review procedures and blocked the applicant from advancing the project unless it acquiesced to an entirely new discretionary application process. The City's refusal to process the application in accordance with its own rules and State law dealt Mamba 24 LLC a massive blow – derailing the project from the risk-free ministerial fast track and instead subjecting it to the City's notoriously slow and uncertain public hearing, administrative appeal and California Environmental Quality Act ("CEQA") review procedures.

17. The City's attempt to deprive Mamba 24 LLC of the benefit of the ED1 approval process violates the HCA's vesting provision. In fact, as noted, the California Department of

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SAN FRANCISCO, CALIFORNIA 94104

Housing and Community Development ("HCD") advised the City in a written letter that ED1 does indeed constitute an ordinance, standard or policy that qualifies for vesting under the HCA.

18. It is worth repeating that when faced with an identical situation in which the City's Planning Department also erroneously concluded that a different affordable housing project no longer qualified for expedited processing under the original ED1 because ED1 had been amended, the Planning and Land Use Committee of the City Council (the "PLUM Committee"), and ultimately the full City Council, deferred to HCD's opinion that ED1 rights had vested and rejected the Planning Department's recommendation.

19. The City Council then considered Mamba 24 LLC's nearly identical appeal of the Planning Department's determination that ED1 rights had not vested. As the record demonstrates, the City clearly denied the Olinda Project appeal because the political winds had shifted against applying ED1's ministerial expedited procedures to affordable housing projects in lower density zones.

20. In summary, the City violated the PSA by failing to acknowledge that the AHRF application was complete and then misapplied the HCA when it determined that ED1 rights had not vested. The City's failure to provide a lawful basis to disapprove of the Olinda Project and its decision to impose policies that were not in effect at the time the preliminary application was submitted also constitute violations of the HAA.

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PARTIES TO THE ACTION

21. Petitioner and Plaintiff Yes In My Back Yard ("YIMBY") is a § 501(c)(3) nonprofit corporation; YIMBY is the litigation affiliate of YIMBY Action, a § 501(c)(4) nonprofit corporation, whose membership cuts across socioeconomic lines, including members with very low, low, moderate, middle, and higher incomes ("YIMBY Members"). YIMBY's mission is to increase the accessibility and affordability of housing in California by enforcing state housing laws and by advocating for increased access to housing for households of all income levels, including for YIMBY Members who reside in, or wish to reside in, the City of Los Angeles. YIMBY has a direct and substantial interest in ensuring that Respondents' actions are in conformity with the requirements of law, that those requirements are properly executed, and that Respondents' duties are enforced. YIMBY Members, as well as the general public, will be adversely affected by the acts described herein and are aggrieved by the acts, decisions, and omissions of Respondents as alleged in this Petition and Complaint. YIMBY brings this Petition and Complaint on its own behalf and on behalf of others affected by Respondents' failure to comply with state law as alleged herein.

22. Petitioner and Plaintiff Sonja Trauss ("Trauss") is a natural person and a resident of the State of California, and she is the executive director of YIMBY and a member of YIMBY Action. Trauss has a substantial interest in ensuring that Respondents' actions are in conformity with the requirements of law, that those requirements are properly executed, and that the public duties of Respondents are enforced.

23. Petitioner and plaintiff Mamba 24 LLC is a California limited liability company with its principal place of business in Culver City, California and is the applicant for the housing development project at issue in this case.

24. Respondent and Defendant City of Los Angeles (the "City") is an incorporated municipality of the State of California.

25. Respondent and Defendant City Council of the City of Los Angeles (the "City Council") is the City's policy making, legislative, and quasi-judicial municipal body.

26. Petitioners are not aware of the identities of respondents/defendants DOES 1-25, who are responsible for the acts and omissions alleged herein and that caused damage to

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SAN FRANCISCO, CALIFORNIA 94104

Petitioners; therefore, Petitioners will amend this Petition and Complaint when the true identities of DOES 1-25 are ascertained.

27. Petitioners are informed and believe that at all times mentioned in this Petition and Complaint, all respondents/defendants were the agents or employees of one of the defendants, and in doing the things alleged in this Petition and Complaint, were acting within the course and scope of that agency and employment.

JURISDICTION AND VENUE

28. Los Angeles County Superior Court has initial jurisdiction of the matters alleged herein pursuant to Code of Civil Procedure §§ 1094.5 and 1085, which authorizes the Court to issue a writ of mandate.

29. Venue is proper in this Court because the entire controversy occurred in Los Angeles County, and Respondents are situated in Los Angeles County. (Code Civ. Proc. §§ 394 & 395.)

30. This action is timely because it is brought within 90 days of a final action on a housing development project application. (Gov. Code § 65589.5(m).)

31. Petitioners performed any and all conditions precedent to filing this action to the extent required by law and exhausted all available administrative remedies.

STATEMENT OF FACTS

California's Housing Crisis

32. In enacting the Housing Accountability Act, the Legislature found and declared that California "has a housing supply and affordability crisis of historic proportions. The consequences of failing to effectively and aggressively confront this crisis are hurting millions of Californians, robbing future generations of the chance to call California home, stifling economic opportunities for workers and businesses, worsening poverty and homelessness, and undermining the state's environmental and climate objectives . . . despite the fact that, for decades, the Legislature has enacted numerous statutes intended to significantly increase the approval, development, and affordability of housing for all income levels." (Gov't Code § 65589.5(a)(2)(A)(J).)

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SAN FRANCISCO, CALIFORNIA 94104

33. As a result of the housing crisis, Californians are being denied the opportunities for housing security and homeownership that were afforded to previous generations. Many middle- and lower-income families devote more than half of their take-home pay to rent, leaving little money to pay for transportation, food, and healthcare.[1] Unable to set aside money for savings, these families are also at risk of losing their housing in the event of a personal financial setback, and housing insecurity in California has led to a mounting homelessness crisis.[2]

Los Angeles' Housing Emergency

34. The adverse effects of California's housing crisis are nowhere more apparent than in the City of Los Angeles. The number of unhoused people in the City has nearly doubled in the past decade, with the number of unhoused families increasing by 238 percent since 2007. Although the City represents less than 10 percent of the population of California, 25 percent of California's unsheltered population reside in the City. The number of unsheltered people in the City of Los Angeles is approximately 18 times higher than New York City and 14 times higher than Chicago.

35. To address this crisis, on December 12, 2022, the Mayor of Los Angeles, Karen Bass, issued a Declaration of Local Emergency ("Declaration") that stated, the "impacts of a lack of housing warrant and necessitate that I declare the existence of a local emergency." (Attached hereto as **Exhibit A**.) The Declaration, amongst other things, directed all City agencies, in coordination with the City Council, to take steps to provide "[r]egulatory relief from other jurisdictions and within Los Angeles City agencies to create flexibility to address the crisis." The very next day, the City Council adopted the Declaration.

36. In response to the Declaration, on December 16, 2022, Mayor Bass issued Executive Directive No. 1, entitled "Expedition of Permits and Clearances for Temporary Shelters and Affordable Housing Types." (Attached hereto as **Exhibit B**.) ED1 directed all City

[1] California Department of Housing and Community Development, *California's Housing Future: Challenges and Opportunities: Final Statewide Housing Assessment 2025* (2018), p. 27, *available at* https://www.hcd.ca.gov/policy-research/plans-reports/docs/sha_final_combined.pdf.
[2] *Id.* at pp. 3, 48-50.

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SAN FRANCISCO, CALIFORNIA 94104

departments to develop plans to provide a ministerial, streamlined review process for any application that proposes a 100 percent affordable housing development project.

37. On February 9, 2023, the General Managers of the Planning Department, Building and Safety, and Housing issued "Implementation Guidelines for Executive Directive 1: Expedition of Permits and Clearances for Temporary Shelters and Affordable Housing Types" ("Guidelines"). The Guidelines summarized the eligibility criteria and exceptions, general procedures, project review timelines, filing requirements, City Planning fees, and development standards for any project seeking approval under ED1.

38. The Guidelines excluded any 100 percent affordable housing projects with fewer than five units, any project that required a legislative action (e.g., general plan amendment or zone change), any project that required a deviation from development standards (e.g., variance or specific plan exception), any project that required a subdivision map or coastal development permit, and any project that proposed for-sale units. The Guidelines did not include any other eligibility requirements.

39. The Guidelines explained that "to implement ED 1, all ED 1 projects will be reviewed through the ED 1 Ministerial Approval Process. The ED 1 Ministerial Approval Process provides ED 1 projects with project review streamlining enhancements, shortened review periods at all stages of the City Planning project review process, and reduced filing fees."

40. The Guidelines also explicitly informed future applicants of their vesting rights under a state law, the Housing Crisis Act. The Guidelines explained that "housing projects qualify to submit an optional HCA Vesting Preliminary Application, which "locks in" local planning and zoning rules at the time the complete application is submitted. To initiate a request for HCA vesting rights, submit a Housing Crisis Act Vesting Preliminary Application (CP-4062) Form and the required materials through City Planning's Online Application Portal."

41. On June 12, 2023, Mayor Bass issued an amended version of ED1 ("Amended ED1"). Amended ED1 contained an entirely new eligibility requirement that was not included in ED1 or in the ED1 Implementation Guidelines. Specifically, Amended ED1 excluded any 100% affordable housing project "located in a single family or more restrictive zone."

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SAN FRANCISCO, CALIFORNIA 94104

42. In the six-month period between when ED1 and Amended ED1 had been issued, 48 affordable housing project applications had been filed with City Planning. The 48 projects proposed a total of 4,232 new affordable housing units, enough units to house roughly 10 percent of the City's unhoused population.

The Olinda Affordable Housing Project

43. The proposed housing development project at issue in this case is a modest new three-story multi-family residential building with 78 new rental units with associated parking, open space, and ancillary uses. The Olinda Project proposes to restrict 100 percent of the units as affordable, including 14 units that would be reserved as affordable for moderate income households with incomes between 80 percent and 120 percent of area median income ("AMI"), 62 units reserved as affordable for low-income households with incomes between 50 percent and 80 percent of AMI, and 1 unit reserved for very low-income households with incomes between 30 percent and 50 percent of AMI (with one manager's unit that would not be income-restricted).

44. The Olinda Project is proposed over several different parcels located at 10898, 10898 1/2, and 10900 West Olinda Street – along the Interstate 5 corridor – in the Sun Valley-La Tuna Canyon area of the City of Los Angeles ("Project Site"). The Project Site is approximately 30,304 square feet. Both parcels are designated "Low Residential land uses" in the Sun Valley – La Tuna Canyon Community Plan ("Community Plan") and the Project Site is zoned as R1-1-CUGU (Suburban Zone, Height District 1). According to the Community Plan's General Plan Land Use Map, the Low Residential land use designation corresponds to the RE9 (Residential Estate), RS (Suburban), R1 (One-Family), RU (Residential Urban), RD6 and RD5 (Restricted Density Multiple Dwelling) zones, which accommodate a range of single and multi-family residential densities ranging from one unit per lot to one unit per 5,000 square feet of lot area.

45. The Project Site located within a designated "Transit Priority Area" due to its location within one-half mile of a major transit stop. The parcels to the south and the east of the site are developed with multi-family residential uses. The parcels to the north and west are primarily single-family homes.

The Permit Streamlining Act

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SAN FRANCISCO, CALIFORNIA 94104

46. The state Permit Streamlining Act, codified at Gov. Code § 65920, et seq., is intended to expedite decisions on development projects. The PSA requires public agencies to compile lists that specify the information that will be required from an applicant for a Formal Application for a development project (Gov. Code § 65940); includes strict timelines for agencies to determine whether an application is complete (Gov. Code § 65943); and provides a process for an applicant to appeal a completeness determination wherein an agency must make a final determination on the appeal within 60 days (Gov. Code § 65943).

47. Any incompleteness determination "shall be limited to those items actually required on the lead agency's submittal requirement checklist." (Gov. Code § 65943.)

48. Upon a resubmittal of the application made in response to a written incompleteness determination, "a new 30-day period shall begin, during which the public agency shall determine the completeness of the application." (*Id.*) However, an agency "shall not subsequently request of an applicant any new or additional information" that was not specified in the initial "exhaustive list" of incomplete items. The PSA also confirms that it "shall not be construed as requiring an applicant to submit with an initial application the entirety of the information which a public agency may require in order to take final action on the application." (*Id.*)

49. Critically, only *after* a public agency accepts an application as complete, the agency "may, in the course of *processing* the application, *request* the applicant to clarify, amplify, correct, or otherwise supplement the information required for the application." (Gov. Code § 65944.)

50. The PSA does not require that an application establish that the project is consistent with a jurisdiction's zoning code and general plan. Rather, the PSA merely requires an applicant to submit materials that are actually required on an agency's submittal list. Although an agency may "*request* the applicant to clarify, amplify, correct, or otherwise supplement the information," any such "corrections" are not mandatory. Significantly, such requests for "corrections" may only be made "*[a]fter* a public agency accepts an application as complete." (Gov. Code § 65944.)

51. In summary, the PSA prescribes a process by which local governments collect information to *begin* processing an application. The PSA ensures that a local government's

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SAN FRANCISCO, CALIFORNIA 94104

process is transparent and prevents the local government from "moving the goal posts." And importantly for this case, the PSA makes clear that the applicant need only provide the information necessary to start the application process and not all the information necessary to act on the project, and certainly not information necessary to *approve* a project.

The Housing Crisis Act (SB 330)

52. In 2019, the Legislature enacted the Housing Crisis Act, also known as SB 330. According to the Senate Floor Analyses for the Housing Crisis Act, the purpose of the bill was to prohibit "the most egregious practices" by local governments that prevent the development of new housing. The HCA added a new "preliminary application" process to the PSA designed to "stop[] them from changing the rules on builders who are in the midst of going through the approval process."

53. Gov. Code § 65941.1(a) allows a housing development applicant to submit a preliminary application that "vests" the development standards that are in effect at the time a complete preliminary application is submitted. Housing development projects are *only* subject to the "ordinances, policies, and standards adopted and in effect when a preliminary application . . . was submitted." (Gov. Code § 65589.5(o)(1).) Consequently, the HCA's vesting provision prevents local governments from changing the rules after the housing development application has been submitted.

54. The HCA defines "ordinances, policies, and standards" broadly to include "general plan, community plan, specific plan, zoning, design review standards and criteria, subdivision standards and criteria, and *any other rules, regulations, requirements, and policies of a local agency* . . . ." (Gov Code § 65589.5(o)(4).)

55. To maintain vesting rights, an applicant must submit a formal application "that includes all of the information required to process the development application" within 180 calendar days after submitting a preliminary application. (Gov. Code § 65941.1(d)(1).)

56. However, the HCA also recognizes that the PSA is an iterative process, often with multiple rounds of formal application submittals until an application is deemed complete. The HCA therefore goes on to state that if a local government determines that the formal application "is not complete pursuant to Section 65943," the applicant must "submit the specific information

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SAN FRANCISCO, CALIFORNIA 94104

needed to complete the application within 90 days of receiving the agency's written identification of the necessary information." (Gov. Code § 65941.1(d)(2).) If the applicant "does not submit this information within the 90-day period, then the preliminary application shall expire and have no further force or effect." (*Id.*)

The Housing Accountability Act

57. The HAA provides a process for local governments to determine whether a project is inconsistent with applicable code standards, which occurs *after* an application is complete. For projects with more than 150 units, such as the one at issue here, the HAA states that a written compliance documentation shall be provided "[w]ithin 60 days of the date that the application for the housing development project is determined to be complete" pursuant to the PSA. (Gov. Code § 65589.5(j)(2).)

58. Although inconsistency with local development standards may be a reason to disapprove an application in some circumstances, inconsistency is not a valid basis for deeming an application incomplete or refusing to process an application.

59. In response to local governments' attempts to circumvent the requirements of state law and deny housing projects by refusing to process applications, the California Department of Housing and Community Development ("HCD") has issued letters to cities to explain that finding an application incomplete based on a purported code inconsistency violates both the PSA and the HAA.

60. HCD has explained that a code-compliance comment "cannot be used as a basis for determining the completeness of the application" and that when "a local jurisdiction improperly characterizes comments as incomplete items, the jurisdiction impermissibly raises the bar to achieving a complete application, in violation of the PSA." (*See, e.g.,* HCD Notice of Violation issued to City of La Cañada Flintridge, CA on June 8, 2023, and attached as **Exhibit C**; HCD Letter of Technical Assistance issued to Fillmore, CA on August 24, 2023, and attached as **Exhibit D**.) HCD notes that local governments must "properly differentiate[ ] between these separate components of the review process" to ensure that "consistency review does not become a barrier to achieving an otherwise complete application." (*Id.*)

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SAN FRANCISCO, CALIFORNIA 94104

61. The HAA also limits the ability of local governments to disapprove affordable housing development projects that comply with applicable, objective general plan, zoning, and subdivision standards and criteria; impose conditions that a project be developed at a lower density; or impose conditions that would have a substantial adverse effect on the viability or affordability of a housing development for very low, low-, or moderate-income households. (Gov. Code 65589.5(d); (i); (j).)

62. The term "disapprove" is defined as any instance in which an agency "[v]otes on a proposed housing development project application and the application is disapproved, including any required land use approvals or entitlements necessary for the issuance of a building permit." (Gov. Code 65589.5(h)(6).)

63. In addition, any instance wherein a local government "required or attempted to require a housing development project to comply with an ordinance, policy, or standard not adopted and in effect when a preliminary application was submitted" constitutes an HAA violation. (Gov. Code 65589.5(k)(1)(A)(i)(III).)

64. As a further means to achieve the twin goals of encouraging the development of needed housing and discouraging local governments from unlawfully disapproving applications to build needed housing, the HAA imposes the burden of proof on the local government, rather than the applicant, to demonstrate that its action complied with the HAA. The HAA emphatically states that a City "shall bear the burden of proof that its decision has conformed to all of the conditions specified in Section 65589.5." (Gov. Code § 65589.6.)

65. The Legislature has also made clear that any ambiguities must be resolved in favor of a housing project, stating that the policy of California is that its housing laws "should be interpreted and implemented in a manner to afford the fullest possible weight to the interest of, and the approval and provision of, housing." (Gov. Code § 65589.5(a)(2)(L).)

Submission of the Olinda Project Preliminary Application

66. After Mayor Bass issued ED1, which directed all City agencies to provide a streamlined ministerial review process for 100 percent affordable projects, Mamba 24 LLC communicated extensively with the Planning Department and other city staff regarding the applicability of ED 1 and the state density bonus law to the Olinda Project. In the course of these

PATTERSON & O'NEILL, PC
235 MONTGOMERY STREET, SUITE 950
SAN FRANCISCO, CALIFORNIA 94104

communications, city staff repeatedly and consistently confirmed that these requests would be accepted for ED 1 processing.

67. After receiving these confirmations, Mamba 24 LLC made a substantial investment in the Project Site and proceeded with various submittals to seek approval of the Project.

68. On March 21, 2023, Mamba 24 LLC submitted and paid for a HCA Preliminary Application for the Project, in accordance with the City's guidance and established procedures. The HCA Preliminary Application reflects a proposed density of 78 units and a total square footage of construction of 28,525 square feet. Pursuant to the HCA, Mamba 24 LLC's submittal and payment of fees for the HCA Preliminary Application established vesting rights for the Project against any future changes in City ordinances, policies, and standards.

69. On May 9, 2023, Mamba 24 LLC received Planning Department's approval of an Affordable Housing Referral Form ("AHRF") reflecting the Project's proposed entitlement strategy as well as its eligibility for ED 1 processing. According to the City and as described in the Department's Appeal Recommendation Report, the purpose of AHSS's review of the AHRF "is to confirm the Project's consistency with regulations related to issues including but not limited to: the overall unit count, needed affordable unit amounts, any applicable transit qualifiers, and requested development incentives or waivers, such as those related to the State Density Bonus Law (Gov. Code Sec. 65915)." The AHRF had checked the box identifying the project as eligible for ED1 processing and AHSS staff signed off on the form.

70. On May 31, 2023, Mamba 24 LLC submitted and paid for a 100% Affordable Building Permit Application for the Olinda Project, including coordinated engineering and architectural plans consistent with pre-entitlement referrals.

71. On June 12, 2023, nearly three months *after* Mamba 24 LLC obtained vesting rights for the Olinda Project, Mayor Bass issued Amended ED1 that prohibited streamlined ministerial processing for any project located in a single-family zone.

The Project Formal Application Submittal

72. On June 21, 2023, Mamba 24 LLC submitted and paid all required application submittal fees for case filing, which reflected a total density of 78 units and a total square footage

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of construction of 38,420 square feet. The Olinda Project's vesting HCA Preliminary Application was acknowledged by the Planning Department as part of the case filing. The Planning Department created an "administrative review" application case number for the submittal, confirming the applicability of the ED1 expedited ministerial review process (Case No. ADM-2023-4205-DB-ED1-VHCA).

73. Just a few weeks later on July 6, 2023, the Planning Department sent a letter (the "Denial Letter"). The Denial Letter completely changed the City's course, and now stated that the proposed Project was no longer eligible for ED1 processing at all "[p]er the revised Executive Directive 1 (ED1) issued by Mayor Karen Bass on June 12, 2023." The Denial Letter stated that the Project would be subject to the eligibility requirements of Amended ED1 even though the Project had obtained vesting rights three months before Amended ED1 was issued. The Denial Letter instructed Mamba 24 LLC to again contact AHSS to "discuss other project review options or to revise the Affordable Housing Referral Form for the project." The Denial Letter went on to say that "modification of entitlement requests will likely require updated and/or additional application materials including environmental clearance documentation."

74. On July 10, 2023, The Planning Department issued a second letter entitled "Status of Project Review: Application Incomplete and Case Processing on Hold," which listed four items required to be provided or revised to proceed with the processing of the case. After receiving this letter, Mamba 24 LLC began working on compiling the requested items. Pursuant to the HCA, it had 90 days to submit the specific information needed to complete the application. Mamba 24 LLC responded to the July 10th letter on September 27, 2023 and submitted revised architectural plans.

75. On August 4, 2023, the Planning Department issued another letter entitled "Second Status of Project Review: Application Incomplete and Case Processing on Hold." This new incompleteness letter was not in response to an application resubmittal, but rather appeared to be in response to the City's unilateral and forced conversion of the Project from an administrative review process to a discretionary review process.

76. The second incompleteness letter stated that the prior application "will be considered converted as of July 6, 2023, to a regular entitlement process" and the Planning

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Department gave the Project a new application case number (Case No. CPC-2023-4205-DB-PHP-VHCA). The second incompleteness letter confirmed the City's position that "the project does not qualify for ED1 processing as stated in our letter dated July 6, 2023."

77. The second incompleteness letter further stated that, because the City would no longer ministerially process the application, the project would require Planning Commission review and environmental review. The letter demanded the submittal of new discretionary application materials that were not identified in the first incompleteness letter, and also demanded payment of more than $35,000 in additional permit fees. Curiously, the letter states that the "project remains vested in the LAMC provisions and land use plans in effect on the date of your complete Preliminary Application." Despite acknowledging the Preliminary Application vesting, the City cited the narrow vesting of the "LAMC provisions and land use plans" rather than the "ordinances, policies, and standards" that may be vested through an HCA Preliminary Application under state law.

78. Far from a mere technical about face, the forced conversion of the Project application from a no-risk, ministerial, expedited ED1 process to a discretionary case involving public hearing(s), administrative appeals and California Environmental Quality Act ("CEQA") review had massive timing and risk implications for the Applicant.

79. On September 27, 2023, Mamba 24 LLC responded to the July 10, 2023 within the required 90 timeline. The city did not respond within the 30-day limits as required under Government Code Section 65943(a). As such, the application is deemed complete as a matter of law.

80. On November 22, 2023, the City issued a letter titled: "Letter of Non-Compliance" confirming that the project application was deemed complete as a matter of law on October 27, 2023. The letter further stated that the project was "inconsistent and not in compliance" with the Zoning Code because it did not qualify for ED 1.

The Ethel Project is Granted Vesting Rights

81. The Project at issue in this case was not the only 100 percent affordable project that the City forced into a discretionary approval process due to Amended ED1. For example,

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another project at 5501 North Ethel Avenue was also deemed incomplete under the PSA and deemed ineligible to vest ED1's provisions. That incompleteness determination and forcible conversion was also appealed pursuant to the PSA.

82. Prior to the City's action on the Ethel Avenue appeal, HCD sent the City a letter of technical assistance addressing the ability to vest ED1 ministerial processing. (Attached hereto as **Exhibit E**.) HCD's letter stated that: "The central question between the City and the Applicant is as follows: Is an executive directive one of the rules, regulations, requirements, and policies that vest upon submission of a complete Preliminary Application? The answer is 'yes.'"

83. HCD's letter further clarified that "ED1 is not excluded from the expansive HAA definition of 'ordinances, policies, and standards'" and is therefore eligible for vesting under the HCA. Thus, HCD confirmed that "an applicant that submitted a complete preliminary application at a time when ED1 did not exclude single-family or more restrictive zones may proceed under the previous ED1 regulations throughout the entitlement process."

84. On September 19, 2023, the Planning and Land Use Management Committee (PLUM) of the City Council held a hearing on the PSA appeal for the Ethel Avenue project. Planning Department staff repeated its position that ED1 policies and procedures were not eligible for vesting under the HCA and HAA. Despite the Department's report and recommendation, PLUM granted the appeal and determined that the Ethel Avenue Project *could* be processed under the ED1 ministerial approval process. The City Council later upheld PLUM's decision.

85. On December 18, 2023, the City issued a letter stating that the Ethel Avenue Project was consistent with ED1 and issued an approval of the Project. (Attached hereto as **Exhibit F**.)

86. The City is now defending its decision to grant the Ethel Avenue Project its rights to ED1 processing and the City's approval of the project in a related case, *New School for Child Development, et. al. v. City of Los Angeles, et al.*, LA Sup. Court Case No. 23STCP04109.

The Winnetka Project is Denied Vesting Rights

87. Just two weeks after granting the Ethel Project its vesting rights, PLUM held a PSA appeal hearing regarding ED 1 vesting rights for a different 100 percent affordable housing

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project located at 8217 North Winnetka Avenue. Although PLUM had just granted such vesting rights to the Ethel Project and even though HCD had explicitly told the City that "HCD urges the City to apply the law evenly across all ED1 projects and allow projects vested by the preliminary applications to be processed under the 'ordinances, policies, and standards' in effect when the complete preliminary application was submitted," PLUM voted to deny ED1 vesting rights to the Winnetka Project. The only substantive difference between the projects was that the Winnetka Project was located in the council district represented by Bob Blumenfeld, who expressed opposition to ED1 projects within single-family zoned areas within his district.

88. The City is now defending its decision to deny the Winnetka Project its rights to ED1 processing and the City's approval of the project in litigation, *Yes In My Back Yard, et. al. v. City of Los Angeles, et. al.*, LA Sup. Court Case. No 24STCP00070).

The Wilbur Project is Denied Vesting Rights

89. On October 12, 2023, HCD wrote a new letter of technical assistance specific to the Wilbur Project. (Attached hereto as **Exhibit G**.) The letter explained HCD "has already issued technical assistance on this matter" and that the City "has not presented any new information that would change HCD's guidance." HCD stated that to "the extent that the appeals for the Winnetka Project, Wilbur Project, or any other ED1 projects address the same question raised by the project located at 5501-5511 N. Ethel Avenue, the technical assistance provided in HCD's September 14, 2023, letter applies."

90. PLUM held a hearing on the Wilbur Project appeal on November 7, 2023. At the conclusion of the hearing, despite granting a nearly identical appeal just a few weeks earlier and despite HCD's plea to treat all projects equally, PLUM voted to deny the appeal and deny the Project vesting rights to ED1 processing. The next day, the full City Council held a hearing on the appeal. The City Council ultimately voted to deny the appeal, deny the Project's vesting rights to ED1 ministerial processing, and effectively disapprove the project by cancelling the ministerial application.

91. The City is now defending its decision to deny the Wilbu Project its rights to ED1 processing and the City's approval of the project in litigation, *Yes In My Back Yard, et. al. v. City of Los Angeles, et. al.*, LA Sup. Court Case. No 24STCP00385).

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The Olinda Project's Appeal Hearing

92. On December 1, 2023, Mamba 24 LLC submitted the appropriate appeal documents to appeal the Planning Department's effective denial of its application for ministerial approval under ED-1. The appeal specifically requested that the City rescind its Denial Letter and Second Status of Project Review Letter, to convert the entitlement case number back to an ED 1 case, acknowledge that the Project has State law vested rights to utilize ED 1 based on the filing of the HCA Preliminary Application, and reinstate processing of the Project's Case Filing under ED 1, consistent with the express provisions and intent of the HCA and HAA.

93. Mamba 24 LLC's appeal explained how the applicant had spent over six months working with the City to develop a project that was consistent with ED1, and that the Planning Department's decision to change the rules in the middle of the approval process was antithetical to the HCA's preliminary application process.

94. The Appeal letter explained that the "action by the City represents a clear violation of the vesting protections provided by the HCA Preliminary Application filed for the Project and directly conflicts with the provisions and intent of the HAA, as amended by the Housing Crisis Act of 2019 (i.e., Cal Gov. Code Section 65941.1)." As a matter of State law, the HCA Preliminary Application filed for the Project grants vesting protections that require the City's continued ED 1 processing of the Case Filing, as the Project became vested prior to the issuance of the Revised ED 1. Further, as the letter stated, the discontinuation of ministerial case processing efforts by DCP, and the forced conversion of the case to a discretionary City Planning Commission case, the City effectively denied this 100% affordable housing Project's ministerial Case Filing.

95. The City Council held a hearing on the Appeal on January 30, 2024. Petitioners YIMBY and Trauss participated in the appeal, including by providing written comments prior to the hearing urging the City to grant the appeal, recognize the project's vesting rights, and approve the project ministerially as required by law.

96. Planning Department staff spoke at the Appeal Hearing to explain that the Department was not disputing that vesting rights under the HCA were obtained before Amended ED1 was issued – but argued that ED1 "is not the equivalent of an ordinance, policy, standard,

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planning rule, or zoning rule," and there is no ability to "vest" ED1's ministerial processing provisions. Staff went on to say that the Department's position is that vesting ED1 is beyond the authorization of the HAA or Government Code Section 65941.1.

97. As a matter of law, the Planning Department's position is simply wrong. As a letter from HCD explains (discussed below), ED1 constitutes an "ordinance, policy or standard" that vests upon the submission of a preliminary application. In other words, when Mamba 24 LLC submitted its HCA Preliminary Application for the Olinda Project, its ED1 rights vested.

98. At the conclusion of the hearing, despite granting a nearly identical appeal just a few months earlier and despite HCD's plea to treat all projects equally, the City Council voted to deny the appeal, deny the Project's vesting rights to ED1 ministerial processing, and effectively disapprove the project by cancelling the ministerial application and imposing a time-intensive, risky and costly discretionary approval process and increased fees that has a substantial adverse effect on the viability and feasibility of this one hundred percent affordable housing development project.

FIRST CAUSE OF ACTION

Writ of Mandate - CCP § 1094.5 and/or § 1085; Violation of Permit Streamlining Act ("PSA") Gov. Code § 65920

(Against All Respondents)

99. Petitioners incorporate here by reference the allegations contained in Paragraphs 1 through 98 of this Petition and Complaint.

100. Petitioners, YIMBY Members, and the public each have beneficial interests that have been, and will further be, severely injured and adversely affected if Respondents' actions are not set aside and invalidated, and if Respondents' interpretation of the requirements of the PSA are allowed to be enforced against Petitioners, YIMBY Members, and others similarly situated. Petitioners' interests include ensuring that Respondents comply with state laws requiring that they timely process decisions on development projects, particularly housing development projects to address the housing needs of California residents; ensuring that Respondents' actions are in conformity with the requirements of state law; and having those requirements properly executed and their public duties enforced. Petitioners have a clear, present, and legal right to Respondents'

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SAN FRANCISCO, CALIFORNIA 94104

performance of their legal duties as described herein. Respondents have failed to perform their duties.

101. The PSA requires public agencies to compile lists that specify the information that will be required from an applicant for a development project, and it includes strict timelines for agencies to provide an "exhaustive list" of items that were not complete and prohibits an agency from requesting new information that was not on the initial list. (Gov. Code § 65943(a).)

102. The PSA's process is strictly informational and is distinct from a substantive review of the project for consistency with code requirements. The City's Letter of Non-Compliance violated the PSA in two ways. First, the "incompleteness" letter included comments related to inconsistency with ED1 that were inaccurately identified as "incomplete" items. Moreover, the City continued to contradictorily state that the application was deemed complete as a matter of law but was also incomplete because it was missing environmental review documents that are not required for ED 1 projects.

103. As confirmed by HCD, when an agency improperly characterizes a determination of project consistency as an "incomplete item," the jurisdiction impermissibly demands more information than necessary to achieve a complete application, in violation of the PSA. Second, the City's Second Status of Project Review letter impermissibly demanded the submittal of new information and new fees that were not identified in the "exhaustive list" of incomplete items in the First Status of Project Review letter, in violation of the PSA.

104. The City refused to process an application based on a substantive decision regarding project compliance with ED1 and attempted to unilaterally cancel the ED1 application and force the Project into a discretionary approval process. This PSA violation is an undue constraint on the Project, and respondents failed to carry out a ministerial duty to accept and process a complete development application.

105. The HCA added a preliminary application process to the PSA specifically for housing development projects, and it states that a Preliminary Application shall be deemed complete upon providing certain specific information. A preliminary application remains valid so long as an applicant responds to a development application incompleteness determination within 90 days after receiving the determination.

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SAN FRANCISCO, CALIFORNIA 94104

106. Respondents' refusal to accept a development application based on purported noncompliance with ED1, respondents' forced conversion of the ED1 application to a discretionary application, and Respondents' repeated statements that ED1's ministerial processing policies cannot be vested all demonstrate a clear effort by Respondents to avoid providing Petitioners, YIMBY Members, and others similarly situated the protections of the HCA's state-mandated vesting rights.

107. Petitioners have no plain, speedy, and adequate remedy in the ordinary course of law to challenge the Respondents' actions, and a writ of mandate under Code of Civil Procedure § 1094.5 and/or § 1085 is the prescribed remedy for violations of this type. Petitioners have performed all conditions precedent to the issuance of a writ of mandate. Petitioners seek an immediate stay or other appropriate relief, including an injunction, declaration, and/or order, commanding Respondents to perform their legal duties under the PSA, including with respect to the preliminary application and development application for the proposed Project.

SECOND CAUSE OF ACTION

Writ of Mandate - CCP § 1094.5 and/or § 1085; Violation of Housing Accountability Act (HAA) Gov. Code § 65589.5

(Against All Respondents)

108. Petitioners incorporate here by reference the allegations contained in Paragraphs 1 through 107 of this Petition and Complaint.

109. Petitioners assert that the disapproval of the Project is invalid because Respondents abused their discretion by not proceeding in the manner required by law, issuing a decision unsupported by the findings, and issuing findings that are unsupported by the evidence.

110. Petitioners, YIMBY Members, and the public each have beneficial interests that have been, and will further be, severely injured and adversely affected if Respondents' actions are not set aside and invalidated, and if Respondents' interpretation of the requirements of the HAA are allowed to be enforced against Petitioners, YIMBY Members, and others similarly situated. Petitioners' interests include ensuring that Respondents comply with state laws requiring that they approve housing development projects expeditiously and at the density proposed by the developer, in order to address the housing needs of California residents; ensuring that

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Respondents' actions are in conformity with the requirements of state law; and having those requirements properly executed and their public duties enforced. Petitioners have a clear, present, and legal right to Respondents' performance of their legal duties as described herein. Respondents have failed to perform their duties.

111. The HAA limits the ability of local governments to disapprove housing development projects for very low, low-, or moderate-income households or imposing any conditions that have a substantial adverse effect on the viability and feasibility of the Project to provide affordable housing. The HAA defines "disapprove" as any instance in which an agency "[v]otes on a proposed housing development project application and the application is disapproved, including any required land use approvals or entitlements necessary for the issuance of a building permit."

112. Respondents have not proceeded in a manner required by law in disapproving the Project for very low, low-, or moderate-income households without making the one of the required findings in Gov. Code § 65589.5, subd. (d)(1) – (5), nor did the City support such findings by a preponderance of the evidence in the record.

113. Moreover, the HAA states that an applicant or a housing advocacy group may bring an action to enforce the HAA if "the local agency, in violation of subdivision (o), required or attempted to require a housing development project to comply with an ordinance, policy, or standard not adopted and in effect when a preliminary application was submitted." (Gov. Code § 65589.5(k)(1)(A)(i)(III).) Mamba 24 LLC submitted a preliminary application while ED1 was in effect, which allows for ministerial processing of 100 percent affordable housing projects regardless of whether the project is proposed within a single-family zone. In violation of HAA subdivision (o), the City has attempted to deny the Project vesting rights under ED1 and instead applied the standards of Amended ED1 that were not in effect when the preliminary application for this Project was submitted.

114. Petitioners have no plain, speedy, and adequate remedy in the ordinary course of law to challenge the Respondents' actions, and a writ of mandate under Code of Civil Procedure § 1094.5 and/or § 1085 is the prescribed remedy for violations of this type. Petitioners have performed all conditions precedent to the issuance of a writ of mandate. Petitioners seek an

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immediate stay or other appropriate relief, including an injunction, declaration, and/or order, commanding Respondents to perform their legal duties and obligations under the HAA, including with respect to the proposed Project.

THIRD CAUSE OF ACTION

Declaratory Relief - Code Civ. Proc. § 1060

(Against All Respondents)

115. Petitioners incorporate here by reference the allegations contained in Paragraphs 1 through 114 of this Petition and Complaint.

116. An actual controversy has arisen and now exists between Petitioners and Respondents concerning their obligations and duties under California statutory law, including but not limited to Respondents' policies and practices which operate to avoid obligations established by state law, such as: (i) refusing to process housing development projects that qualify for ministerial processing under ED1; (ii) refusing to consider a housing development project application as being "complete" for the purposes of the PSA until after Respondents have determined a project is consistent with zoning and general plan standards; and, (iii) disregarding the vesting rights of preliminary applications and associated housing development project applications under state law. As set forth herein, Petitioners contend that Respondents' actions are prohibited by the state Housing Accountability Act (Gov. Code § 65589.5), state Permit Streamlining Act (Gov. Code § 65943), and the preliminary application provisions of the HCA (Gov. Code § 65941.1).

117. Petitioners further contend that Respondents' actions are intended to evade their legal duties and deny Petitioners, YIMBY Members, and others similarly situated their rights under these state laws. Petitioners are informed and believe, and on that basis allege, that Respondents contend in all respects to the contrary. A judicial determination and declaration as to the applicability of state law to Respondents' actions, and of the resulting legal obligations of Respondents, is therefore necessary and appropriate.

WHEREFORE, Petitioners demand judgment against Respondents for the following:

1. For writ of mandate or other appropriate relief, including an injunction, declaration, and/or order, commanding Respondents to review and process development

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applications, including the Olinda Project application, pursuant to the state Permit Streamlining Act's provisions, including refraining from refusing to accept development applications based on "inconsistent" applications;

2. For writ of mandate or other appropriate relief, including an injunction, declaration, and/or order, commanding Respondents to review and process housing development project preliminary applications pursuant to the provisions of the HCA, including refraining from denying vesting rights based on a refusal to properly process "inconsistent" formal applications;

3. For writ of mandate or other appropriate relief, including an injunction, declaration, and/or order declaring the City Council's January 30, 2024 denial of the Permit Streamlining Act appeal void for violating Government Code section 65589.5 subdivision (d) and (o); issuance of a writ of mandate ordering the City Planning Department to accept and process the development application and for the City, the City Council, and the City Planning Department to take any and all necessary steps to immediately process the application and approve the Project as submitted, and issue all related, necessary project approvals within 60 days; and for the court to retain continuing jurisdiction over this matter to ensure compliance with this court's decision and applicable law;

4. For writ of mandate or other appropriate relief, including an injunction, declaration, and/or order, commanding Respondents to review and process housing projects according to state Housing Accountability Act standards, including refraining from using "inconsistent" application determinations to evade processing applications and making the required findings under the Housing Accountability Act;

5. For writ of mandate or other appropriate relief, including an injunction, declaration, and/or order, commanding Respondents to comply with the Housing Accountability Act with respect to the proposed Olinda Project, including, but not limited to, an order that the Project is deemed compliant and directing Respondents to approve the housing development project within 60 days due to Respondents' bad faith actions pursuant to Gov. Code § 65589.5;

6. A declaration that: (a) the City violated Government Code 65589.5 subdivision (d) by failing to process and accept the formal application and approve the Project consistent with Government Code section 65589.5 subdivision (d); (b) the City Council violated Government

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Code section 65589.5 subdivision (d) by failing to grant the appeal and direct staff to process the application and approve the Project; (c) that the City's rejection of the application and denial of vesting rights to the Olinda Project while granting such rights to similarly situated projects was arbitrary, capricious, and devoid of merit or evidentiary support; and (d) for an order declaring that the City's actions, including inventing a new justification for the City's denial at the hearing without notice to Petitioners, constituted bad faith as defined by Government Code section 65589.5 subdivision (l).

7. For costs of suit herein;

8. For reasonable attorneys' fees under Code of Civil Procedure § 1021.5 and Gov. Code § 65589.5;

9. For fines and penalties to be assessed pursuant to Gov. Code § 65589.5; and

10. For any other relief that the Court deems just and proper.

Dated: February 16, 2023

Respectfully Submitted,
PATTERSON & O'NEILL, PC

_____

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VERIFICATION

I, Sonja Trauss, declare as follows:

1. I am a natural person and a resident of the State of California. I am a petitioner in this action and the founder of petitioner Yes in MY Back Yard ("YIMBY"). I am authorized to verify this VERIFIED PETITION FOR WRIT OF MANDATE, PROHIBITION, OR OTHER EXTRAORDINARY RELIEF; COMPLAINT FOR DECLARATORY RELIEF on behalf of YIMBY.

2. I have read the foregoing VERIFIED PETITION FOR WRIT OF MANDATE, PROHIBITION, OR OTHER EXTRAORDINARY RELIEF; COMPLAINT FOR DECLARATORY RELIEF and know its contents. The matters stated in the VERIFIED PETITION FOR WRIT OF MANDATE, PROHIBITION, OR OTHER EXTRAORDINARY RELIEF; COMPLAINT FOR DECLARATORY RELIEF are true of my own knowledge from having reviewed the City Council's File No. 23-1387 that denied the Permit Streamlining Act appeal of an incompleteness determination for the housing development project at 10898, 10898 1/2, and 10900 West Olinda Street, Los Angeles, CA.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on February 16, 2024.

_____
Sonja Trauss