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April 01, 2020

California Land Use & Development Law Report

Non-Essential Construction No Longer Allowed Under New Bay Area Shelter-in-Place Orders

On March 31, six Bay Area counties—Alameda, Contra Costa, Marin, San Francisco, San Mateo, and Santa Clara—jointly issued new shelter-in-place restrictions that expand, clarify, and extend certain restrictions until May 3, 2020. Previous county orders issued on March 16 allowed almost all Bay Area housing construction to continue, as well as certain other construction projects (as did Governor Gavin Newsom's March 19 safer-at-home order, which applies statewide). The new orders, however, allow only construction for essential infrastructure, healthcare projects directly related to addressing the COVID-19 pandemic, housing and mixed-use projects that include at least 10% income-restricted affordable housing, projects required to maintain safety, sanitation, and habitability of residences and commercial buildings, and construction necessary to secure an existing construction site that must shut down. Our complete report on the new orders, by [Cecily T. Barclay](#), [Marie A. Cooper](#) and Auria Maleksalehi is available [here](#).

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