



Charles "CJ" Higley

Partner

cjhigley@fbm.com

San Francisco: 415.954.4942

Charles "CJ" Higley is a real estate generalist. His practice is focused on real estate development, land use entitlements (a notoriously complex undertaking in the Bay Area), and construction law. With respect to the latter, CJ has a particular expertise in negotiating contracts, ranging from architect's agreements to the contracts with consultants and contractors that are typical for a development. The projects in which he's been involved have been equally diverse, including large-scale residential, commercial, industrial, and institutional developments.

Sixteen years of experience have also given CJ an intricate matrix of relationships in the political, administrative, and real estate communities of San Francisco that has inured to the benefit of his clients. City planning staff, the Board of Supervisors, and the larger community find him relatable and pragmatic. He's someone they can work with to find common ground, and help move a project forward. CJ's knowledge of the real estate and construction players in San Francisco saves his clients time and money, and improves the odds of success. He knows the issues that are sensitive, and can either avoid or prepare for them, depending on the situation.

The acuteness of the Bay Area housing shortage has altered the process of permitting and obtaining the necessary entitlements for construction projects, particularly for developers engaged in affordable housing projects. The ability to delay, or in some cases, stop a project through a prolonged environmental review process is decreasing, and the political landscape is shifting towards streamlining the process, and sometimes exempting it from environmental review altogether. In this context, an experienced entitlement attorney with relationships throughout the various administrative bodies involved in the development process is invaluable, particularly when augmented by expertise in environmental law. By integrating experience, expertise and the versatility of an attorney who's been actively engaged in a wide variety of projects, CJ is a significant competitive asset for his real estate and construction clients.

Distinctions

- *The Legal 500 United States* 2016 Land Use / Zoning
- Northern California *Super Lawyers* - Rising Stars (2013)
- *Best Lawyers in America* in the area of Real Estate Law (2021-2022)

Memberships and Affiliations

- Housing Policy Board for San Francisco Planning and Urban Research (SPUR)
- Legislative Committee for San Francisco Housing Action Coalition (SFHAC)
- Legislative Committee of the Environmental Section of the State Bar of California

Experience

MedMen Wins Approval for New San Francisco Cannabis Retail Store

Services

- Real Estate
- Land Use / Development
- Construction
- Cannabis

Education

- University of California, Berkeley, School of Law (J.D., 2002)
 - . articles editor, *Ecology Law Quarterly*
- Vermont Law School (Masters of Studies in Environmental Law - M.S.E.L., 2001)
 - . *magna cum laude*
- University of Virginia (B.A., 1995)

Bar Admissions

- California

Provided national premium cannabis retailer MedMen Enterprises Inc. with land use and permitting advice to win approval to open a new retail store on Union Street in San Francisco's Cow Hollow neighborhood.

San Francisco Transbay Parcel F Tower Approved

Represented the joint venture of Hines, Urban Pacific Development, and Goldman Sachs to secure approval for the construction of a 61-story, 800-foot tall mixed-use tower adjacent to the Transbay Terminal on Howard St. known as Transbay Parcel F. It will be the fourth-tallest building and second tallest residential tower in San Francisco.

AvalonBay Communities/BRIDGE Housing Corporation – Balboa Reservoir Project

Land use and real estate counsel to a partnership of AvalonBay and BRIDGE Housing seeking to purchase a 13-acre vacant reservoir site from the City and County of San Francisco and develop an 1,100 unit mixed-income development, including negotiation of a land disposition agreement, general plan amendments, rezoning and development agreement.

655 Folsom – Forton Fund

Provided land use advice for a residential project in San Francisco.

Mercy Housing/Related California

We are land use counsel to Sunnydale Development Company, a joint venture of Mercy Housing California and Related California for the Sunnydale HOPE-SF public housing replacement project that will redevelop a dilapidated public housing site into a 1700-unit mixed income development, including replacement 1 for 1 of the public housing units. We assisted in preparation of the EIR/EIS, creation of a special use district, and the negotiation of a Development Agreement between the San Francisco Housing Authority, the City and Sunnydale Development Company.

Publications

March 31, 2020

San Francisco Mayor Breed Issues Proclamation Providing Protection to Some Commercial Tenants

November 25, 2019

New California Housing Laws: AB 68 Accessory Dwelling Units

November 18, 2019

Newly Adopted California Housing Laws – Assembly Bill 1485 Streamlining the Permit Process for Housing Developments

November 11, 2019

Newly Adopted California Housing Laws - Senate Bill 330 Housing Crisis Act

October 28, 2019

Upcoming Changes to California Housing Laws – AB 1482 Tenant Protection Act

September 20, 2019

A Watershed Moment for Renter Protections

Daily Journal

September 4, 2019

San Francisco COPA Program Rules Released

August 1, 2019

California's Changing Approach to Housing Policy

Daily Journal

June 20, 2019

Accessory Dwelling Units Authorized in New Construction

May 20, 2019

Keeping Tabs on Energy Efficiency – New Benchmarking Requirements for San Francisco

April 12, 2019

Attorney General Finds Impact Fees on Density Bonus Projects Invalid

March 29, 2019

California Legislators Tackle Affordable Housing with Flurry of Proposed Bills

8/2/2018

San Francisco's HOME-SF Density Bonus Program: Three Key Changes Important to Developers

7/12/2017

What You Need to Know About San Francisco's Inclusionary Affordable Housing Program

8/24/2015

Density Bonus Comes to San Francisco

Outside the Office

CJ lives in Berkeley with his family, and spends most of his free time with his 12 and 14 year-old children.