

Attachment A

Summary of Senate Bill 35 (SB 35) Eligibility Criteria

A development proponent may submit an application for a development that is subject to a streamlined, ministerial approval process if the development complies with the tribal scoping consultation requirements and satisfies all of the following objective planning standards:

1. The development is a multifamily housing development that contains two or more residential units.
2. At least 75 percent of the perimeter of the site on which the project is located adjoins parcels that are developed with urban uses and the site is zoned for or has a general plan designation that allows for residential use or residential mixed-use development
3. The development proponent has committed to record, prior to the issuance of the first building permit, a land use restriction providing that any lower or moderate-income housing units remain available at affordable housing costs or rent to persons and families of lower or moderate income for no less than fifty-five years for units that are rented and forty-five years for units that are owned.
4. The development is consistent with applicable objective zoning standards, objective subdivision standards, and objective design review standards.
5. The development is not located on a site that is any of the following:
 - a. Within a coastal zone
 - b. Prime farmland, farmland of statewide importance, or land zoned or designated for agricultural protection or preservation by a local ballot measure
 - c. Wetlands
 - d. Within a very high fire hazard severity zone
 - e. A hazardous waste site (Cortese list site)
 - f. Within a delineated earthquake fault zone
 - g. A special flood hazard area subject to inundation by the 1% annual chance flood,
 - h. A regulatory floodway,
 - i. Lands identified for conservation in an adopted community conservation plan, habitat conservation plan, or other adopted natural resource protection plan
 - j. A habitat for protected species,
 - k. Land under conservation easement
6. The development would not require the demolition of a listed historic structure or protected housing units and the site was not used for housing occupied by tenants that was demolished in the last 10 year.
7. The development proponent provides applicable certifications regarding the use of prevailing wages and a skilled and trained workforce.