



SENATE BILL 35 ELIGIBILITY CHECKLIST

COMMUNITY DEVELOPMENT DEPARTMENT
 50 PARK PLACE | BRISBANE, CA 94005
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California Senate Bill 35 (2017 Legislative session) created a streamlined and ministerial approval process for certain housing projects under Government Code §65913.4. Invocation of Senate Bill 35 streamlining must be initiated by the project applicant, subject to the eligibility restrictions listed in the checklist below.

Applicants intending to invoke SB 35 streamlining and ministerial approval process must fill out this checklist completely and provide supporting documentation for each question to demonstrate eligibility. **Incomplete checklists that do not include required attachments or supporting documentation will not be processed.**

If any of the answers to the questions below are “no,” then the project is not eligible for Senate Bill 35 review and the City’s standard development review process will apply, per applicable zoning regulations.

	Eligibility Requirements	N/A	Yes?	No?
1.	Is the project a multifamily housing development (2 or more units) or a mixed-use project where least 2/3 of the square footage of the project is dedicated to residential uses ^{subd.(a)(1)?}			
2.	Has the applicant dedicated at least 50% of units in the project to households making below 80% of the area median income ^{subd. (a)(4)(B)?}			
3.	Does at least 75% of the perimeter of the site adjoin parcels currently or formerly developed with “urban uses” ^{subds. (a)(2)(B),(h)(8)?}			
4.	Does the site’s zoning OR general plan designation allow for residential or residential mixed-use development, as applicable to the project ^{subd.(a)(2)(C) ?}			
5a.	If a land subdivision is required , is the project financed with low-income housing tax credits and will prevailing wages be paid?			
5b.	If a land subdivision is required , will the development pay prevailing wages to a trained and skilled workforce?			
6.	Does the project meet density requirements in the general plan designation applicable to the subject property/ies?			
7.	Does the project meet objective zoning standards of the zoning designation applicable to the subject property/ies?			
8.	Does the project meet objective design review standards per BMC Chapter 17.42 and the applicable zoning district regulations?			
9.	Is the project outside of any of the following areas: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <ul style="list-style-type: none"> - Wetlands as defined under federal law - Earthquake fault zones - High or very high fire hazard severity zones - Hazardous waste site - FEMA designated flood plain or floodway - Protected species habitat, including lands designated for conservation in the San Bruno Mountain Habitat Conservation Plan - Lands under a conservation easement </div> <div style="width: 45%;"> <ul style="list-style-type: none"> - A site that would require demolition of housing (1) subject to recorded rent restrictions or (2) housing occupied by tenants within the past 10 years - A site that would require the demolition of a historic structure listed on a local, state, or federal register - A site governed by the Mobilehome Residency Law, the Recreational Vehicle Park Occupancy Law, the Mobilehome Parks Act, or the Special Occupancy Parks Act </div> </div>			
10.	For projects of over 10 units, will the entire development be a “public work” as defined in Section 1720 of the California Labor Code, or will construction workers be paid at least the prevailing wage?			

	Eligibility Requirements	N/A	Yes?	No?
11.	For projects of 75 or more units, will a “skilled and trained” workforce, as defined in Section 2601 of the California Public Contracts Code, be used to complete the development?			

Applicants must check the box below if the completed checklist demonstrates eligibility for SB 35 streamlining:

- As demonstrated by the completed SB 35 eligibility checklist above, the project is eligible for application streamlining and ministerial approval per Government Code §65913.4 and I hereby assert that the City of Brisbane utilize the SB 35 application processing procedures for this application.

REQUIRED ATTACHMENTS:

- Supporting documentation for all questions
- Completed planning permit application(s)
- All required planning permit application materials, per applicable permit application checklist(s)

Applicant’s signature

Date