



SB-35 Multifamily Housing Permit

ELIGIBILITY CHECKLIST

P-35

Community Development Dept.
 Planning Division
 1635 Faraday Avenue
 (442) 339-2600
 www.carlsbadca.gov
 Refer to [IB-135](#) for information

Applicants intending to request SB-35 multi-family housing streamlining [Gov. Code § 65913.4] must fill out this checklist to demonstrate eligibility. Refer to Informational Bulletin [IB-135](#) for additional applications and submittal requirements and permit processing steps. Checklist updated to include bills through AB 1174 [September 2021].

PROJECT ELIGIBILITY CHECKLIST

If the project complies with ALL the following, it may qualify for SB-35 review:	Comply	N/A
1. Number. Project contains at least two or more net new residential units.	<input type="checkbox"/>	<input type="checkbox"/>
2. Affordability. A minimum of 50% of the total residential units will be dedicated to low-income households making ≤80% of the area median income (prior to calculating density bonus), and applicant is committed to record affordability restrictions of 55 years for units that will be rented, and 45 years for units that will be owned.	<input type="checkbox"/>	<input type="checkbox"/>
3. Residential Uses. The parcel is currently designated or zoned for residential or residential mixed uses and the proposed development meets the maximum residential density.	<input type="checkbox"/>	<input type="checkbox"/>
4. Mixed Use Projects. Mixed use projects must have at least two-thirds of the square footage of the development designated for residential use. (Calculations include Density Bonus square footage, but do not include underground space, such as basements or underground parking garages. Structures utilized by both residential and non-residential uses shall be credited proportionally.)	<input type="checkbox"/>	<input type="checkbox"/>
5. Infill Development. At least 75% of the perimeter of the site adjoins lots developed with urban uses and public services are readily available. Includes lots separated by a street or highway.	<input type="checkbox"/>	<input type="checkbox"/>
6. Historic Resources. The project does NOT demolish a historic structure, site, or feature that has been placed on a national, state, or local historic register.	<input type="checkbox"/>	<input type="checkbox"/>
7. Demolition of Residential Units. The project does NOT demolish housing units that have been occupied by tenants in the last 10 years, subsequently offered for sale to the general public by the subdivider or subsequent owner of the property, subject to rent or price control, restricted rents to moderate, low, or very low incomes, or located on a site used for housing that was occupied by tenants that was demolished within 10 years. To verify, please complete Housing Declarations, Form P-38 .	<input type="checkbox"/>	<input type="checkbox"/>
8. Location. The project site is NOT within any of these areas: a coastal zone, prime farmland, farmland of statewide importance, land zoned for agricultural preservation by ballot measure, wetlands, a community conservation plan area, a habitat for protected species, or under a conservation easement. (See Gov. Code § 65913.4(a)(6)(B), (C), (I) through (K) for additional guidance.)	<input type="checkbox"/>	<input type="checkbox"/>
9. Location (Mobilehome). The project site is NOT within any of these areas: land or site that is governed under the Mobilehome Residency Law, the Recreational Vehicle Park Occupancy Law, the Mobilehome Parks Act, or the Special Occupancy Parks. (See Gov. Code § 65913.4(a)(10) for additional guidance.)	<input type="checkbox"/>	<input type="checkbox"/>
10. Location (Hazards). The project site is either NOT within any of these areas, or the site has been cleared for residential use and complies with applicable hazard mitigation building code standards for these areas: high fire hazard severity zone, hazardous waste site, delineated earthquake fault zone, special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood), or a regulatory floodway as determined by FEMA. (See Gov. Code § 65913.4(a)(6)(D) through (H) for additional guidance and exemptions. If the project falls within one of these areas but meets a statutory exemption (e.g. meets minimum flood plain management criteria), please specify the exemption as an attachment.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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| 11. Prevailing Wages. Either the entirety of the development is a public work (Labor Code §1720), or all construction workers employed in the execution of the development will be paid at least the general prevailing rate of per diem wages for the type of work and geographic area, if the development is not a public work. Projects which are not a public work project and include 10 or fewer units are exempt from this requirement. (See Gov. Code § 65913.4(a)(8)(A) and (C) for additional guidance.) | <input type="checkbox"/> | <input type="checkbox"/> |
| 12. Skilled and Trained Workforce. A skilled and trained workforce, as defined in the Public Contract Code §§ 2600 et seq, will complete the development if the project includes 50 or more units with a residential component that is not 100 percent subsidized affordable housing. (See Gov. Code § 65913.4(a)(8)(B) for additional guidance.) | <input type="checkbox"/> | <input type="checkbox"/> |
| 13. Notification to California Native American tribes. After providing a Notice of Intent, a determination by the city was made that either: no potential tribal cultural resource could be affected by the development; or all parties and the property owner entered into an agreement establishing the methods, measures, and conditions for treatment of tribal cultural resources. (See Gov. Code § 65913.4(b) for additional guidance.) | <input type="checkbox"/> | <input type="checkbox"/> |
| 14. Consistent with Objective Standards. The project meets all objective zoning, subdivision, and design review standards at the time of SB-35 application submittal or the notice of intent to submit an application. (See Gov. Code § 65913.4(a)(5) for additional guidance.) | <input type="checkbox"/> | <input type="checkbox"/> |
| 15. Subdivision. The project is consistent with all objective subdivision standards and either (A) The development has received or will receive financing or funding by means of a low-income housing tax credit and is subject to the requirement that prevailing wages (see above), or (B) The development is subject to the requirement that prevailing wages be paid, and a skilled and trained workforce used (see above). | <input type="checkbox"/> | <input type="checkbox"/> |

Under penalty of perjury the following declarations are made:

1. The undersigned is the owner or authorized agent of the owner of this property.
2. The information presented is true and correct to the best of my knowledge.
3. I understand that any information provided becomes part of the public record and can be made available to the public for review and posted to the city website.
4. I agree to comply with the applicable requirements established under Government Code sections 65913.4(a)(3), 65913.4(a)(8)(A), and 65913.4(a)(8)(B).
5. I certify that the project site has not contained any housing occupied by tenants within 10 years prior to the date written below.
6. If the applicant is not the Property Owner, both the Property Owner and Applicant must sign this affidavit. By signing this affidavit, the Property Owner authorizes the Applicant listed in this application to act as the Property Owner’s agent on all matters in connection with this application.

PROPERTY OWNER:	
_____	_____
<i>Owner’s Signature</i>	<i>Date</i>

<i>Owner’s Name (printed)</i>	

APPLICANT: <input type="checkbox"/> Same as above	
_____	_____
<i>Applicant’s Signature</i>	<i>Date</i>
_____	_____
<i>Applicant’s name (printed)</i>	<i>Title (Architect, etc.)</i>