



SB-35/SB-330 APPROVAL GUIDELINES

BACKGROUND

California Senate Bill 35 (SB-35), signed by Governor Jerry Brown in 2017 and effective January 1, 2018, aims to address the housing crisis by speeding up the approval process for eligible housing projects. It applies to cities not meeting their housing goals and introduces a streamlined approval process that bypasses public hearings and CEQA for qualifying developments, following objective standards set by the California Department of Housing and Community Development (HCD).

In 2019, Senate Bill 330 (SB-330) was passed to further support housing development by limiting local governments' ability to block or delay housing projects. SB-330 restricts cities and counties from enacting policies that reduce the number of units in housing proposals or cause unnecessary delays, making it easier to build more affordable housing. Together, SB-35 and SB-330 work to remove barriers and speed up housing development in California.

PROJECT ELIGIBILITY CHECKLIST

This checklist provides an overview of SB-35 and SB-330 requirements which provides for a streamlined and ministerial approval process for certain housing projects. If the answers to all of the statements below are "yes," then your project is eligible for the approval process under Government Code section 65913.4. If any of these responses are "no," then the project is not eligible.

ELIGIBILITY REQUIREMENTS	YES	NO
Number: The development is a multi-family housing development that contains two (2) or more residential units (subd. (a)(1)).		
Affordability: The applicable minimum percentage of units in the project has been dedicated to households making below 80% of the area median income (subd. (a)(4)(B)).		
Urbanized: It is a legal parcel or parcels located in a city if, and only if, the city boundaries include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau, or, for unincorporated areas, a legal parcel or parcels wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau (subd. (a)(2)(A)).		



Infill Development: At least 75% of the perimeter of the site adjoins lots developed with urban uses and public services are readily available (subd. (a)(2)(B)).		
Residential Use: The site has either zoning or a general plan designation that allows for residential use or a residential mixed-use development (subd. (a)(2)(C)).		
Mixed Use Projects: Mixed use projects must have at least two-thirds of the square footage of the development designated for residential use (subd. (a)(2)(C)).		
Subdivision: The project is consistent with objective zoning standards, objective subdivision standards, and objective design review standards in effect at the time that the development is submitted to the local government (subd. (a)(5)).		
Objective Standards: The project meets all objective general plan, zoning, subdivision, and design standards.		
The development is not located on a site that is any of the following (subds. (a)(6) - (a)(7)): • A coastal zone • Either prime farmland or farmland of statewide importance • Wetlands as defined under federal law • High or very high fire hazard severity zone • Hazardous waste site • Earthquake fault zone as determined by the State Geologist • FEMA designated floodplain or floodway • Habitat for protected species • Lands under conservation easement • Lands identified for conservation in an adopted natural community conservation plan • A site that would require demolition of (a) housing subject to recorded rent restrictions, (b) housing subject to rent control, (c) housing occupied by tenants within the past 10 years, or (d) a historic structure placed on a local, state, or federal register • A site that previously contained housing occupied by tenants within the past 10 years • A parcel of land governed by the Mobilehome Residency Law, the Recreational Vehicle Park Occupancy Law, the Mobilehome Parks Act, or the Special Occupancy Parks Act.		



The project proponent certified that either the entire development is a “public work” for purposes of the prevailing wage law or that the construction workers will be paid at least the prevailing wage (subd. (a)(8)(A)).		
A “skilled and trained workforce” will be used to complete the development if the requirement is applicable (subd. (a)(8)(B)).		

** For more information on these and other requirements, please refer to the Government Code section 65913.4.*

STREAMLINED APPROVAL PROCESS

This is a summary of the affordable housing streamlined approval process for projects that meet the eligibility criteria.

Step 1: Confirm the Project’s Eligibility

The first step is to confirm that the project meets the eligibility criteria. Read the eligibility checklist to confirm the project is eligible.

Step 2: Submit Notice of Intent

Once you have confirmed that the project meets all eligibility criteria, submit a “Notice of Intent” in the form of the SB-35/SB-330 Preliminary Application.

Step 3: Tribal Consultation (City)

Upon receipt of the SB-35/SB-330 Preliminary Application, the City will engage in a scoping consultation with any California Native American tribe that is affiliated with the geographic area. The timeline is as follows:

1. **Notice.** Within 30 days, the City will provide formal notice for each Tribe.
2. **Acceptance.** Each Tribe has 30 days to accept the invitation to engage in consultation.
3. **Consultation.** The city initiates consultation within 30 days of acceptance of the invitation.

Step 4: Submit a Complete Preliminary Application

After submitting the SB-35 Preliminary Application to the City of Temple City’s Planning Division, an applicant has 180 days to submit a complete application, or the Preliminary Application will expire. Once the Tribal



City of Temple City

PLANNING DIVISION

626-656-7316 email: planning@templecity.us

Consultation has been concluded, and the project meets the eligibility criteria, you will submit the following:

1. Copy of the SB-35/SB-330 Preliminary Application
2. City of Temple City Planning Application
3. State Density Bonus Application Supplemental (if applicable)
4. Architectural Plans
5. Certificate of Compliance (Hazardous Waste Site Disclosure Statement)

Step 5: Ministerial Review (City)

The timelines for ministerial review are as follows:

1. **Application Review.** Planning staff will determine if the application is complete and if the project conflicts with any objective zoning and design review standards, within 60 days for projects of 150 or fewer units, and 90 days for projects of more than 150 units.
2. **Design Review.** After the application is determined to be complete, the review shall be objective and strictly focused on assessing compliance with applicable criteria and objective design review standards.
3. **Action on the Application.** Action on the application including ministerial design review must be completed in 90 days for 150 or fewer units and 180 days for projects with more than 150 units, measured from the date of a complete application submittal.
4. **Expiration.** A decision to approve the project will expire after three years. A denial of a qualifying streamlined housing project may be appealed by the applicant to the City Council.

Step 6: Submit for a Building Permit

A building permit must be issued prior to the three-year approval expiration date. A project may receive a one-time, one-year time extension if the applicant shows significant progress toward getting construction ready.



City of Temple City
PLANNING DIVISION
626-656-7316 email: planning@templecity.us

CONFLICT WITH PLANNING STANDARDS

If a development conflicts with objective planning standards:

- For developments with 150 or fewer housing units, the local government must provide written documentation of the conflicts within 60 days of submission.
- For developments with more than 150 housing units, the local government has 90 days to provide such documentation.

If the required documentation is not provided, the development is considered to comply with the planning standards. If the Department provides written comments to an Applicant detailing how a project is not SB-35/SB-330 eligible as proposed, or requests additional information to make such a determination, then the 60- or 90-day timeline will restart upon submittal of a revised development application in response to that written notice.

Any design review or public oversight must be completed in 90 days for 150 or fewer units and 180 days for projects with more than 150 units, measured from the date of the SB-35/SB-330 application submittal.



City of Temple City SB-35/SB-330 PRELIMINARY APPLICATION

1. **PROJECT LOCATION** - The specific location, including parcel numbers, a legal description, and site address, if applicable.

Street Address: _____

Unit/Space No.: _____ Legal Description (Lot, Block, Tract): _____

Assessor Parcel Number(s) _____ Attached? YES ☐ NO ☐

Land Use Summary	
	Total Proposed Floor Area
Residential	
Non-Residential	

Other Project Features	
	Proposed
Building Stories	
Usable Open Space/Amenities	
Parking Spaces	
Loading Spaces	
Bicycle Spaces	

Unit Information					
	Unit Size	Market Rate Units	Affordable Units	Number of Units	Total Floor Area
Studio					
1 Bed					
2 Bed					
3+ Bed					
ADUs/JADUs					
Other					

	Number of Units
Market Rate	
Managers Unit(s) - Market Rate	
Extremely Low Income	
Very Low Income	
Low Income	
Moderate Income	
Total No. of Units	
Total No. of Affordable Units	
Total No. of Density Bonus Units	

	YES	NO
Are there any proposed point sources of air or water pollutants?		
Does the project site contain any species of special concern?		
Does the project site contain historic and/or cultural resources?		
Will the project proponent seek Density Bonus incentives, waivers, concessions, or parking reductions pursuant to California Government Code Section 65915?		
Will the project proponent seek any approvals under the Subdivision Map Act, including, but not limited to, a parcel map, a vesting or tentative map, or a condominium map?		

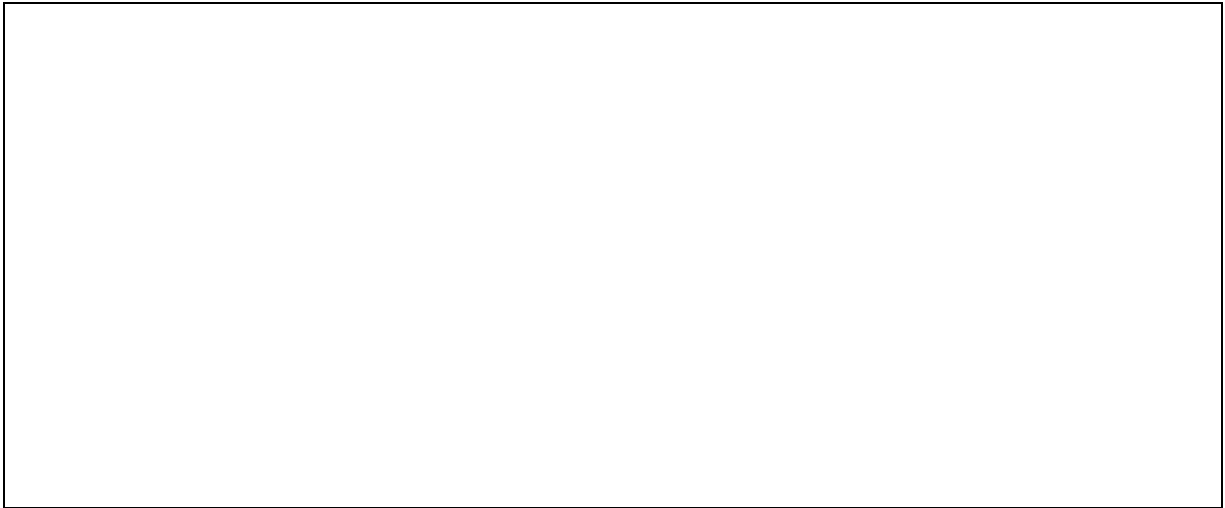
- 2. EXISTING USES** - Provide a complete description of the existing uses on the project site and identification of major physical alterations to the property on which the project is to be located.

3. **SITE PLAN** – Provide a site plan showing the building(s) location on the property and approximate square footage of each building that is to be occupied.
Attached? YES ☐ NO ☐

4. **ELEVATIONS** – Provide elevations showing design, color, material, and the massing and height of each building that is to be occupied.

Attached? YES ☐ NO ☐

5. **PROPOSED USES** – Provide a complete description of all proposed land uses by number of units and square feet of residential and nonresidential development using the categories in the applicable zoning ordinance.



6. ADDITIONAL SITE CONDITIONS

Confirm whether a portion of the property is located within any of the following:

- i. **Fire Hazard.** A very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection, pursuant to Section 51178?

YES ☐ NO ☐

- ii. **Wetlands.** As defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993)?

YES ☐ NO ☐

- iii. **Hazardous Waste Site.** A hazardous waste site that is listed pursuant to Section 65962.5, or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code? A Certificate of Compliance (Disclosure Statement) is required to be submitted with this application.

- iv. **Special Flood Hazard Area.** A special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by any official maps published by the Federal Emergency Management Agency?

- v. **Earthquake Fault Zone.** A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2?

- vi. **Stream or Other Resource.** A stream or other resource that may be subject to a streambed alteration agreement pursuant to Chapter 6 (commencing with Section 1600) of Division 2 of the Fish and Game Code?

If "YES" to any listed from i to vi, please describe below:

7. **EXISTING RESIDENTIAL USES AND PROPOSED DEMOLITION** - The number of existing residential units on the project site that will be demolished and whether each existing unit is occupied or unoccupied:

	Occupied Units	Unoccupied Units	Total Units
Existing			
To Be Demolished			

8. **STREAMBED ALTERATION AGREEMENT** - Does the project site contain a stream or other resource that may be subject to a streambed alteration agreement pursuant to Chapter 6 (commencing with Section 1600) of Division 2 of the Fish and Game Code? Provide an aerial site photograph showing existing site conditions of environmental site features that would be subject to regulations by a public agency, including creeks and wetlands.

YES ☐ NO ☐

If "YES," please describe below and include a site map attachment:

--

9. **PUBLIC EASEMENTS** - Does the project site contain any recorded public easement, such as easements for storm drains, water lines, and other public rights of way?

YES ☐ NO ☐

If "YES," please describe below:

--

PROJECT TEAM INFORMATION

Please provide the applicant's contact information below, and if the applicant does not own the property, consent from the property owner to submit the application is required.

Applicant's Name _____
Company/Firm _____
Address _____ Unit/Space Number _____
City _____ State _____ Zip Code _____
Telephone _____ Email _____

Property Owner of Record ☐ Same as applicant ☐ Different from applicant
Name (if different from applicant) _____
Address _____ Unit/Space Number _____
City _____ State _____ Zip Code _____
Telephone _____ Email _____

Applicant's Affidavit

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. 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 pre-application.

Signature of Property Owner (Wet signature required) Date

Signature of Applicant (Wet signature required) Date