



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

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SB 35 STREAMLINED MULTIFAMILY REVIEW PROCESS GUIDE

What is Senate Bill 35 (SB 35)?

In 2017, Governor Brown signed into law [Senate Bill 35 \(SB 35\)](#) to address the State of California's housing shortage. The new law provides a streamlined review process for eligible multifamily projects in cities and counties that have not built their share of housing to accommodate the region's population growth. In unincorporated Santa Cruz County, not enough housing has been built to meet our share of regional housing needs. Therefore, multifamily projects in Santa Cruz County may be eligible for SB 35 streamlining.

What is the SB 35 Streamlined Multifamily Review Process?

Under the streamlined review process, applicants are routed directly to "ministerial" project review (review of project compliance with the County's objective standards). This means that SB 35 applicants skip both "discretionary" review (subjective project review) and environmental review under the California Environmental Quality Act (CEQA). The streamlined process also provides more flexible density and parking requirements, reduced project review timelines and extended project approval expirations. The California Office of Housing and Community Development (HCD) has prepared [guidelines](#) that further explain this process.

Is my project eligible for the Streamlined Multifamily Review Process?

The streamlined review process is only available to multifamily projects that meet specific criteria. Please refer to [Page 2](#) of this guide to determine if your project is eligible for the streamlined process.

How do I apply for the SB 35 Streamlined Multifamily Review Process?

Prior to accepting an application for SB 35 approval, the County must notify relevant California Native American tribes about the proposed development. Applicants are required to complete a notice of intent to submit an SB 35 application in the form of the [SB 330 Preliminary Application](#). A pre-application meeting with County Planning staff is also recommended. Once tribal consultation has been completed, applicants can submit the [SB 35 Streamlined Multifamily Review Process Application](#). The County will review the application to determine if the project is consistent with objective planning standards and complete design review within the timelines shown on [Page 3](#). After the project is approved for SB 35 streamlining, the applicant may apply for a building permit.

What are Objective Planning Standards?

Objective planning standards are standards that involve no personal or subjective judgement by a public official. These standards can be found in the County Code and General Plan/Local Coastal Program. For example, a building height limit of 3 stories is an objective standard. In comparison, a requirement that a building must blend appropriately with the neighborhood character is a subjective standard.

IS MY PROJECT ELIGIBLE FOR THE STREAMLINED MULTIFAMILY REVIEW PROCESS?

A project may be eligible for the streamlined review process if it meets the following criteria:

Multifamily Residential Development

The project must involve the development of 2 or more attached residential units. The project may be mixed use, but a minimum of two-thirds of above ground development square footage must be designated for residential use.

Infill Parcels Only

At least 75% of the perimeter of the site must adjoin parcels developed with urban uses, which includes current or former residential, commercial, public institutional, or transit facility uses. Parcels separated by a street or highway are considered adjoining.

Consistent with Objective Standards

The project must be consistent with objective zoning, subdivision, and design review standards.

Labor Requirements

All projects of 10 units or more are subject to special labor requirements. Projects involving subdivisions or lot mergers may qualify for SB 35 streamlining with certain labor requirements.

No Demolition of Housing or Historic Structures

The project cannot involve demolition of certain categories of housing or a historic structure and cannot develop on a site where rental housing was demolished within the last 10 years.

Affordable Housing Requirements

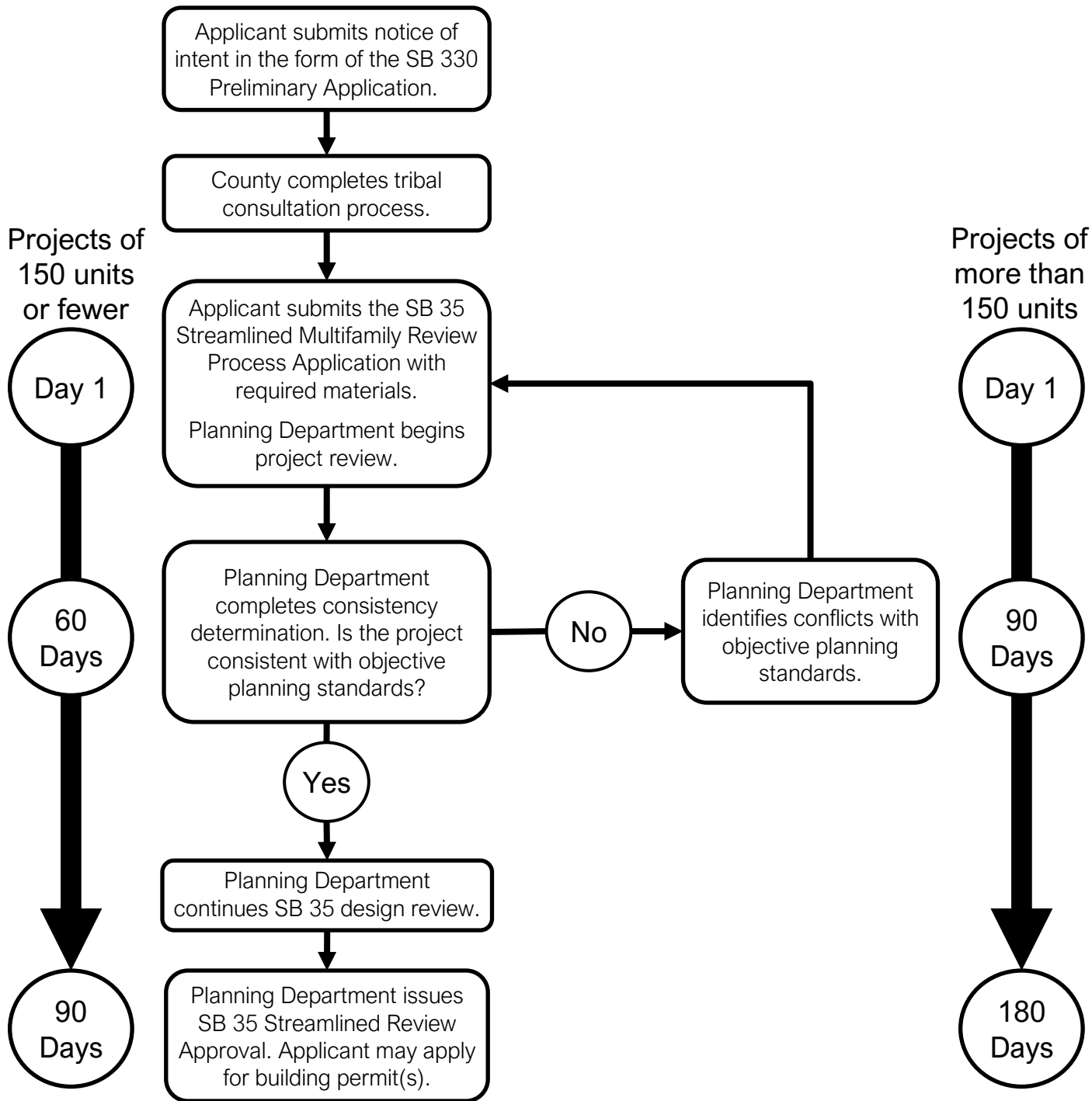
In addition to the affordability requirements in County Code Chapter 17.10, projects of 10 units or more must provide at least 10% of the units as deed-restricted affordable housing for households making below 80% of the Area Median Income.

Not Within Protected Resource Areas

The project site cannot be in the Coastal Zone, a conservation area, or a hazardous waste site, and cannot contain protected species habitat, prime farmland, farmland of statewide importance, wetlands, floodways, or conservation easements. Projects in a very high fire hazard severity zone, earthquake fault zone, or 100-year flood plain must mitigate those hazards.

These are general guidelines. Please refer to Gov. Code [§65400](#), [§65582.1](#), and [§65913.4](#), and review the [SB 35 Streamlined Multifamily Review Process Application](#) for detailed eligibility information.

STREAMLINED MULTIFAMILY REVIEW PROCESS TIMELINE



EXPIRATION OF SB 35 STREAMLINED REVIEW APPROVAL

Streamlined approval does not expire if the project includes public investment in housing affordability, beyond tax credits, where 50% of the units are affordable to households making below 80% of the area median income.

- ◆ For all other projects, approval expires after 3 years.
- ◆ Approval may remain valid if vertical construction is in progress.
- ◆ Projects may be eligible for a one-time, one-year extension with documentation showing significant progress has been made towards starting construction, such as filing a building permit.