

INSTRUCTIONS

SB 35 – STREAMLINED INFILL PROJECTS Filing Instructions



Related Code Section

On September 29, 2017, Governor Jerry Brown approved Senate Bill (SB) 35 to be effective as of January 1, 2018. On November 29, 2018, the California Department of Housing and Community Development (HCD) released the guidelines for the Streamlined Ministerial Approval Process created by SB 35 (SB 35 Guidelines). As required by Article III, Section 300 of HCD’s Streamlined Ministerial Approval Process Guidelines, Los Angeles City Planning (City Planning) has created an application process for eligible developments.

Purpose

The purpose of SB 35 Streamlining is to provide eligible developments a Streamlined Ministerial Approval Process that is not subject to the California Environmental Quality Act (CEQA). Applicants may request that their entitlement for an eligible development be approved through a streamlined, administrative process (SB 35 Streamlining).

Note: Any entitlement requests seeking to deviate from objective zoning code standards, such as Zone Changes or Zone Variances, are not eligible for SB 35 Streamlining. For more information on what entitlement requests are eligible for SB 35 Streamlining, please consult the Affordable Housing Services Section (AHSS) at planning.priorityhousing@lacity.org.

For more information on all SB 35 Streamlining requirements and benefits, please review the SB 35 Guidelines, updated on March 30, 2021, and available at <https://www.hcd.ca.gov/policy-research/docs/sb-35-guidelines-update-final.pdf>. Please visit the California [Department of Housing and Community Development](https://www.hcd.ca.gov/) website at <https://hcd.ca.gov/> to view the latest SB 35 Guidelines.

Executive Directive No. 1

In accordance with the Mayor Bass’ Executive Directive No. 1 (ED 1), issued on December 16, 2022, City Planning has implemented a policy to exempt 100 percent affordable housing projects and shelters from Site Plan Review, pursuant to LAMC Section 16.05. No environmental review or public hearing will be required, and all eligible projects shall be processed within 60 days following the submission of a complete application; and clearances shall be provided within five business days for 100 percent affordable housing projects and within two business days for Shelters. To qualify, the project shall include at least 5 units that have at least two-thirds residential square footage, with all units affordable to Low Income households or lower; and **NOT** include a legislative action (e.g., General Plan Amendment, Zone Change, Height District Change), or a deviation from development standards outside of affordable housing incentives (e.g., Adjustment, Variance, Waiver of Dedications and/or Improvements); or be subject to Coastal Development Permit or the Subdivision Map Act.

Eligible Developments

In order for a development project to be eligible for SB 35 Streamlining, it must comply with the following criteria including, but not limiting to:

1. The development must be multifamily housing as defined in Section 102(p) of the SB 35 Guidelines. The units can be offered for rental or for-sale.
2. At least two-thirds of the square footage of the development shall be designated for residential use.
3. The development must be consistent with all objective zoning standards in effect at the time of filing.
4. The site of the development must comply with all of the requirements of Section 401 of the SB 35 Guidelines.
5. A minimum of 50% of the total units in the development, calculated prior to any density increase, must be affordable (80% Area Median Income or lower). Any required affordable units must be restricted per the Los Angeles Housing Department's (LAHD) Land Use Schedule VI. Contact lahd-landuse@lacity.org for more information.
6. The development must comply with all of the labor provisions of Section 403 of the SB 35 Guidelines.

For more information on these and other requirements, please review the SB 35 Guidelines.

Application Process

The general sequence for the application process is listed below:

1. Confirm that your project site is eligible for SB 35 Streamlining on [ZIMAS](#), under the "Planning and Zoning" tab.
2. Confirm that your project site is not located on a parcel containing any Habitat. To declare whether a development and/or subdivision being proposed under SB 35 is located on a parcel containing any Habitat, a Habitat Statement Form must be completed. If Section 2.10 of the Eligibility Criteria Checklist states "No", submit the Owner's Declaration of No Habitat ([CP-3608](#)). If it states "Bio Review Needed", submit the Biologist's Statement of Habitat ([CP-3610](#)). For assistance regarding which forms are applicable to your request, please consult with DSC staff. Note that if Habitat for protected species exists on the site, the parcel is **ineligible** for SB 35.
3. Request a consultation with AHSS to discuss your development by making an appointment through BuildLA at <https://appointments.lacity.org/>.

4. Fill out Section I of the Preliminary Zoning Assessment (PZA) Form ([CP-4064](#)), and follow the instructions on the form. Make sure to inform Los Angeles Department of Building and Safety (LADBS) staff that the project is seeking review under the SB 35 Streamlined Ministerial Review process. Contact LADBS directly for any questions related to zoning plan check at ladbs.ahs@lacity.org.
5. Submit the form, materials, and fees necessary to obtain the SB 8 Replacement Unit Determination to the Los Angeles Housing Department (LAHD) at lahd-landuse@lacity.org. Make sure to inform LAHD Staff that the project is seeking review under the SB 35 Streamlining. This step can be done concurrently with Step 2 above. Contact LAHD directly for any questions related to this step.
6. If applicable, obtain a signed Geographic Project Planning Referral Form ([CP-7812](#)) from the planner assigned to the geography in which the proposed development is located. You may view the latest Assignment List at <https://planning.lacity.org/about/staff-directory>. This step can be done concurrently with Step 3 above.
7. Submit the appropriate Housing Referral Form (Affordable Housing, Transit Oriented Communities [TOC], or Qualified Permanent Supportive Housing [QPSH] Referral Form), a complete set of architectural plans, and the completed, applicable Habitat Form referenced in Step 2, to AHSS at planning.priorityhousing@lacity.org. This step can also be done concurrently with Step 3 above. Standard pre-application review fees will apply.
8. Once the applicable Housing Referral Form has been assigned to an AHSS planner and SB35 eligibility has been determined, submit the AB 168 Notice of Intent (NOI) Form ([CP-4066](#)) to AHSS at planning.priorityhousing@lacity.org. The AHSS planner will coordinate the AB 168 NOI Form with the assigned Geographic Project Planner.
9. The Geographic Project Planner will conduct a tribal consultation with any tribes that request consultation. **Tribal consultation must be concluded prior to filing the entitlement application with City Planning.**

Once all of the above steps have been completed, the main entitlement application may be filed at one of the Development Services Center (DSC) locations. When filing for the above application, the following items are required in addition to those specified in the Department of City Planning (DCP) Application Filing Instructions ([CP-7810](#)):

AB 168 Notice of Intent (NOI) for SB 35 Projects

An AB 168 NOI Form ([CP-4066](#)) must be completed and signed by Project Planning Staff with documentation confirming that tribal consultation has been concluded.

SB 8 Replacement Unit Determination (RUD) Letter

This letter may be required if the project proposes a Housing Development Project subject to the HCA (e.g., any project that results in one or more residential units or residential lots) and the

subject property requires **HCA housing replacement review**, check “Housing Crisis Act Replacement Review” under the Housing tab on ZIMAS. If “Yes”, an RUD letter must be obtained from LAHD, unless the project qualifies for a No Net Less Declaration ([CP-4069](#)). The RUD will determine whether any affordable replacement units are required and if any applicable occupant protections apply. For assistance, contact lahd-landuse@lacity.org. For more information, refer to the [Housing Development Project Applicability Matrix](#).

Let LAHD Staff know that you are requesting SB 35 Streamlining.

Preliminary Zoning Assessment Form

This form ([CP-4064](#)) is required if the proposed project creates two or more residential units (including Accessory Dwelling Units). The purpose of this form is to facilitate an informational Zoning Plan Check by LADBS. **Section VI** shall be completed by LADBS Staff, along with signed project plans, at the conclusion of the informational Zoning Plan Check. For more information, refer to the [Housing Development Project Applicability Matrix](#).

Specialized Habitat Form

The applicable Habitat Form shall be completed. If Section 2.10 of the Eligibility Criteria Checklist states “No”, submit the Owner’s Declaration of No Habitat ([CP-3608](#)). If it states “Bio Review Needed”, submit the Biologist’s Statement of Habitat ([CP-3610](#)).

Specialized Requirements for Entitlements

This form is required if your request includes an entitlement for which there is a Specialized Requirement Form available. Review and complete the form, if applicable, and include it with your application. [Forms](#) are listed alphabetically on the City Planning website.


(Optional) Supporting Materials

Provide any additional materials to support the eligible development’s compliance with Sections 400, 401, 402, and/or 403 of the SB 35 Guidelines.

An appointment to file an entitlement application at one of the DSC locations is required. To schedule an appointment, visit BuildLA at <https://appointments.lacity.org/>. You will need to create an Angeleno account if you don't have one.

All forms are available at the DSC Public Counters and on the City Planning Website at <https://planning.lacity.org/development-services/forms>. Please note that some of the City Planning forms described above may also be available through our Online Application System (OAS) Portal through the website: <https://plncts.lacity.org/oas>.

Projects that are eligible for SB 35 Streamlining are not required to submit materials for environmental review. For projects determined to be ineligible for SB 35 Streamlining during application review, applicants will be required to provide any materials required for environmental review otherwise



associated with the specific request. If these materials are not submitted, the application will be considered incomplete, and review will not proceed.

For additional information regarding SB 35 Streamlining, contact the AHSS at planning.priorityhousing@lacity.org.