




DEPARTMENT OF CITY PLANNING
Executive Office

City Hall, 200 N. Spring Street, Room 525, Los Angeles, CA 90012

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TO: Interested Parties
Department of City Planning Staff

FROM: Vincent P. Bertoni, AICP 
Director of Planning
Department of City Planning

SUBJECT: **SB 35 MAXIMUM DENSITY PERMITTED BY LAND USE DESIGNATION
OR ZONE**

On September 29, 2017, Governor Jerry Brown approved Senate Bill No. 35 (SB 35), 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 3, Section 300 of HCD's Streamlined Ministerial Approval Process Guidelines, the Department of City Planning has created an application process for eligible developments.

The purpose of SB 35 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).

Among other requirements, an eligible development is one that is consistent with objective zoning standards and objective design review standards. In accordance with Government Code Section 65913.4(a)(5)(A), a development utilizing SB 35 "...shall be deemed consistent with the objective zoning standards related to housing density, as applicable, if the density proposed is compliant with the maximum density allowed within that land use designation,..." As such, a development shall be allowed to utilize the maximum density permitted by the current land use designation or zone. In instances where the density permitted by the land use designation is utilized, a zone change would not be required. Except in specified circumstances, the objective standards applicable to other aspects of a development will be those of the site's zoning (inclusive of D, T and Q Conditions) and any applicable design review standards, specific plan and/or overlays.

An entitlement request seeking to deviate from objective zoning standards, such as a zone change or zone variance, is not eligible for SB 35 Streamlining. However, a development will remain consistent with objective standards even when requesting a greater density or modifications to objective zoning standards granted pursuant to Density Bonus Law at Government Code Section 65915, local density bonus ordinances and the Transit Oriented Communities Affordable Housing Incentive Program.