



SB 35 IMPLEMENTATION AND APPROVED PROJECTS

May 19, 2021 Board of Appeals





San Francisco
Planning

SB-35 Background

- Effective January 2018
- Ministerial review for projects that provide a certain amount of affordable housing (50%-100%).
- Based upon RHNA production.
- State-wide

Overview

State Legislation mandating streamlined approval of housing projects in cities that are not meeting RHNA production goals.

RHNA INCOME CATEGORIES	SAN FRANCISCO
Above-moderate income (above 120% AMI)	
Housing for households below 80% AMI	

Benefits

For qualifying projects, requires streamlined approval including:



Ministerial approval process

Removes requirement for CEQA analysis associated with Planning entitlements



Removes requirement for Conditional Use Authorizations
or other discretionary entitlements.



Codifies strict approval and review timelines

60-90 days for completeness depending on size

90-180 days for design depending on project size

Eligibility Criteria



- **Consistent with Objective Standards**
- **Affordability**
- **Size (2 or more units)**
- **Zoning**
- **Location**
- **No Demolition – Residential rental unit 10 years**
- **No Demolition – Historic Structures: Article 10 or 11**
- **Prevailing Wages**
- **Skilled and Trained Workforce**
- **Subdivisions**

Objective Standards

“Require no personal or subjective judgement by a public official”

“uniformly verifiable by reference to an external and uniform benchmark”

Objective Standards

Rear Yard Setback
Dwelling Unit Exposure
Open Space

Non-Objective Standards

Design Guidelines
Preservation Design Comments

Challenge: Most projects require some type of discretionary action

Project Types



100% Affordable Housing Projects

- Administrative approval (PC Section 315)
- 100% Affordable Housing Density Bonus Program (PC Section 206.4)



Mixed-income projects including at least 50% on-site affordable

- Projects conforming to existing zoning and meeting objective standards. May require entitlements for Planning Commission review

Review process + timelines

① Sponsor Submittal

- *Building Permit Application*
- *SB-35 Application*
- *Individually Requested State Density Bonus Application, if applicable*

② Neighborhood Notification is not required.

No Discretionary Review.

③ Planning Staff must determine eligibility within

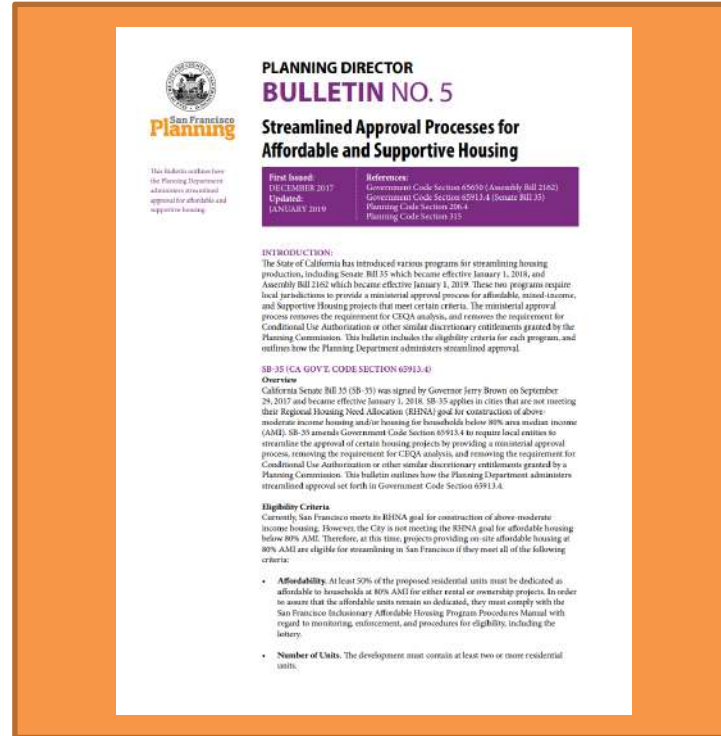
- *60 days of application submittal if project contains 150 units or fewer*
- *90 days of application submittal if project contains more than 150 units*

④ Planning Staff must complete any design review or other public oversight within

- *90 days for projects with 150 units or fewer*
- *180 days for projects with more than 150 units*

Implementation Strategy

- Issued Planning Director Bulletin 5 in December 2017
- Issued application and Information packet in January 2018
- Internal working group meetings to look at SF specific implications



Projects

16



**PROJECTS APPROVED SINCE
JANUARY 2018**

1,980



TOTAL HOUSING UNITS ADDED

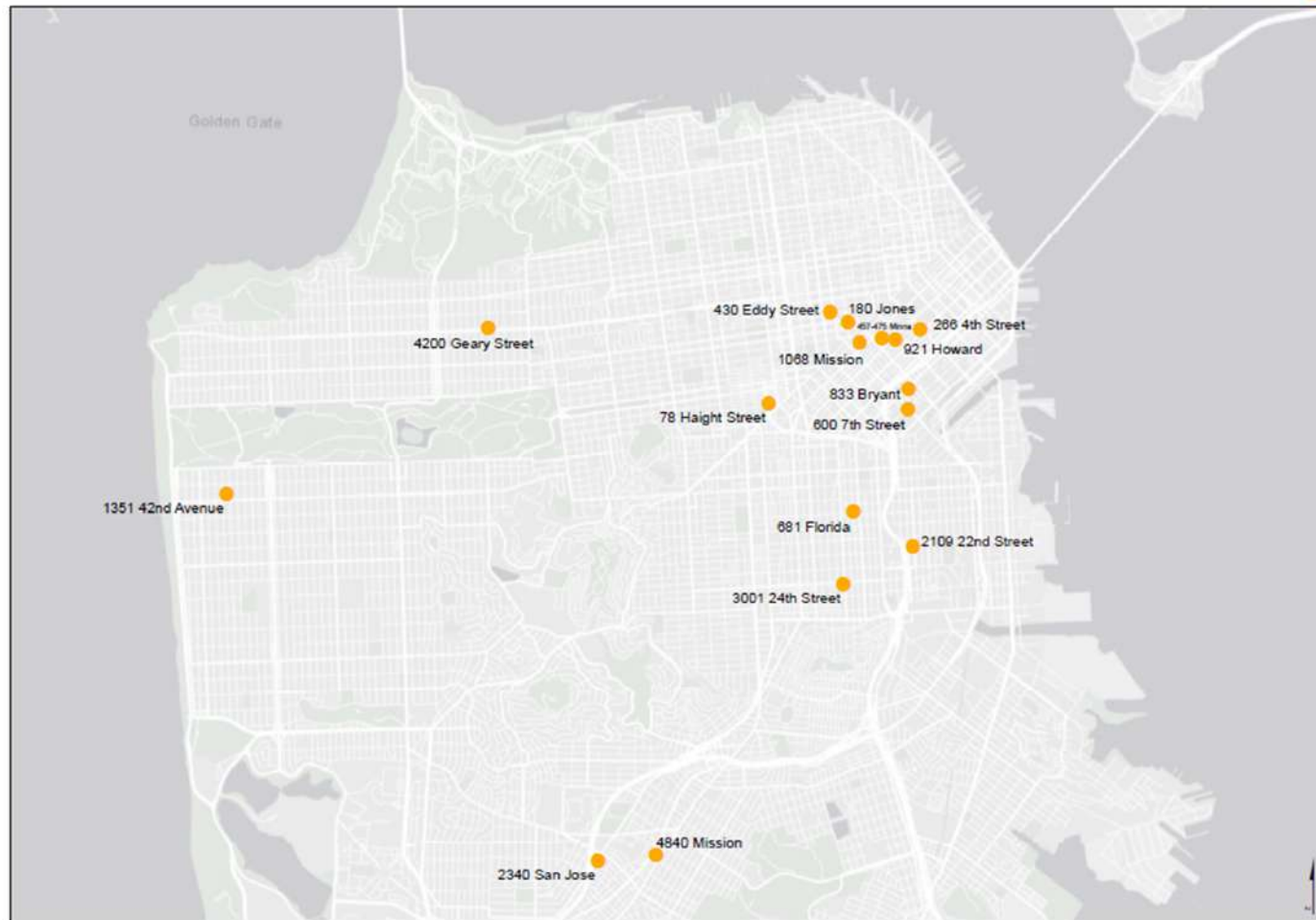
1,851



**DEED RESTRICTED
AFFORDABLE UNITS**

Projects Map

Projects Map



0 0.25 0.5 1 Mile



681 Florida

130 UNITS

100% AFFORDABLE

**LAND DEDICATION FOR 2000-
2070 BRYANT**

GROUND FLOOR PDR

**UNITS RANGE FROM 30% AMI
TO 80 % AMI**

2340 San Jose

121 UNITS

**GROUND FLOOR
CHILD CARE AND
COMMERCIAL**

100% AFFORDABLE

**UNITS RANGE FROM
35% AMI TO 100%
AMI**





1064-1068 Mission

258 TOTAL UNITS (TWO BUILDINGS)

-153 ADULT STUDIOS

-105 SENIOR STUDIOS

-2 PROPERTY MANAGERS

100% AFFORDABLE

**CHEFS TRAINING
ON-SITE CLINIC**

50% AMI



3001 24th Street

45 SENIOR HOUSING UNITS

100% AFFORDABLE

UNITS AFFORDABLE TO LOW-INCOME AND FORMERLY HOMELESS SENIORS AGED 62 AND OLDER (AT OR BELOW 50% AMI)



457-475 Minna

270 GROUP HOUSING ROOMS

16-STORIES

53% AFFORDABLE

**UNITS RANGE FROM 50% AMI
TO 110% AMI**

833 Bryant

**146 GROUP HOUSING
ROOMS**

**100% AFFORDABLE
W/OUT GAP FUNDING
FROM MOHCD**

**UNITS RANGE FROM
50% AMI TO 60% AMI**



4840 Mission

**137 DWELLING
UNITS**

**100%
AFFORDABLE**

**UNITS RANGE
FROM 30% AMI TO
100% AMI**



AB 831 Background

- Effective September 28, 2020.
- Updates SB-35 with a modification path for existing development projects.
- Local governments must approve and construct public improvements without inhibiting, chilling, or precluding development that was ministerially approved.
- State-wide

AB 831 Background continued:

- To ensure compliance with AB 831, Planning hopes to track ancillary permits.
 - Examples: sidewalk legislation (ex. sidewalk widening), street tree(s) (removal and installation of new), and on-street loading, etc. that are appealable to the Board of Appeals.
- The ancillary audit will confirm ministerially-approved development is not being inhibited, chilled, or precluded to meet the intent of SB-35.



THANK YOU



**San Francisco
Planning**

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