



SB 330 / SB 35 HOUSING DEVELOPMENT PRELIMINARY APPLICATION FACT SHEET

Senate Bill 330 Housing Crisis Act	Senate Bill 35 Affordable Housing: Streamlining
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What are SB 330 and SB 35?

SB 330 (as amended) became effective as of January 1, 2020, in response to the California housing crisis. Commonly referred to as the Housing Crisis Act (HCA), SB 330 aims to increase residential development, protect existing housing inventory, and expedite residential permit processing.

SB 330 affected State Government ("Gov.") Code Sections: [65589.5](#), [65905.5](#), [65913.10](#), [65940](#), [65941.1](#), [65943](#), [65950](#), [66300](#) and [66301](#).

SB 35 (as amended), effective as of January 1, 2018, allows qualifying affordable housing projects to request a streamlined ministerial approval process, exempted from review under the California Environmental Quality Act ("CEQA"). Eligible affordable housing projects that apply for SB 35 streamlining must be approved if they meet all objective design standards and SB 35 eligibility criteria.

SB 35 is codified under Gov. Code Section [65913.4](#).

What is the Purpose of a Preliminary Application?

The HCA allows qualifying housing development applicants who submit a complete preliminary application to the City of Culver City (the "City") to "lock in" (vest) development standards and fees in place at the time of a complete preliminary application submittal and applicable processing fees. In addition, no more than 5 public hearings can be held in conjunction with review of the project. This process provides the developer with greater certainty regarding development requirements for an anticipated development while they gather all materials necessary for a full application submittal. CEQA standards apply.

Affordable housing projects intending to apply for SB 35 streamlining must first submit a notice of intent to invoke SB 35 in the form of a preliminary application containing the information required by Gov. Code Section [65941.1](#). Submittal of a complete preliminary application for SB 35 and applicable processing fees serves as the required notice of intent and initiates the mandatory Native American scoping consultation process.

What Projects are Eligible for the Preliminary Application Process?

To qualify for vesting through submittal of an SB 330 preliminary application, the housing development must meet any of the following criteria:

- The project is residential only, and creates 2 or more units;
- The project is a mixed-use development in which at least 2/3 of the square-footage is residential; or
- The project is a transitional housing or supportive housing project.

To qualify for vesting through submittal of an SB 35 preliminary application, an affordable housing development must meet ALL of the following criteria:

- The project is a multi-family or mixed-use development creating 2 or more units, and at least 2/3 of the total square-footage is residential; AND
- 50% of the total number of units are affordable to low-income households (before calculating any density bonus), except as otherwise determined by the latest SB 35 Statewide Determination Summary released by the California Department of Housing and Community Development (HCD).
- The project meets all applicable SB 35 eligibility criteria in Gov. Code Section [65913.4](#).

What Happens After Preliminary Application Submittal?

After submitting this Preliminary Application to the City, an applicant has 180 days to submit a complete development application, or the preliminary application (and vesting rights) will expire.

Within 30 days of receiving a notice of intent to invoke SB 35, the City must notify relevant California Native American tribes about the proposed project and invite them to engage in a scoping consultation. The purpose of this process is to ensure that any potential impacts on tribal cultural resources are properly addressed. If there is no response from the tribes or there is an agreement reached in a scoping consultation, the project may proceed to apply for SB 35 streamlining. If no agreement can be reached as part of the scoping consultation process, the project is not eligible for SB 35 approval.