



Streamlined Housing Development Senate Bill 35 Application Packet

Senate Bill 35 (SB 35) became effective on January 1, 2018. It enacted Government Code Section 65913.4 to require cities and counties to use a streamlined ministerial review process for qualifying multifamily housing developments that comply with the jurisdiction's objective planning standards, provide specified levels of affordable housing, and meet other specific requirements.

SUBMITTAL REQUIREMENTS

If an application qualifies under the Senate Bill 35 Eligibility Checklist, the following information and materials listed on the attached SB 35 Application Checklist are required for a complete application. The Planning Division will determine if the project is eligible for streamlined approval within 60 days after application submittal for projects of 150 or fewer units, or within 90 days for larger projects. If the Planning Division denies the application as incomplete or ineligible for SB 35, the applicant may revise the project to comply with SB 35 and resubmit the application, subject to the same timeline for review. Once the application is accepted for review under SB 35, the Planning and Economic Development Department will approve or deny the project within 90 days after application submittal for projects of 150 or fewer units, or within 180 days for larger projects.

Project Site Information:

Project Name: _____

Zoning: _____

General Plan Designation: _____

Site Address(es): _____

Assessor's Parcel Number(s): _____

Total Property size in acres: _____

Applicant Information:

Contact Name: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Alternate Phone: _____

Email Address: _____

Application Representative Information (if different from applicant):

Contact Name: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Alternate Phone: _____

Email Address: _____

Property Owner Information: *Property Owner Signature Required Below

Contact Name: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Alternate Phone: _____

Email Address: _____

Project Information:

<p>Is the project seeking a density bonus or any concession, waiver, or reduction of parking standards under state Density Bonus Law? Yes <input type="checkbox"/> No <input type="checkbox"/></p>
<p>Type of Multifamily Housing Development Proposed: <input type="checkbox"/> Multifamily rental; residential only with no proposed subdivision. <input type="checkbox"/> Multifamily residential with proposed subdivision (must qualify for exception to subdivision exclusion) <input type="checkbox"/> Mixed-use (at least 2/3 of square footage must be designated for residential. If a subdivision is included, must qualify for exception to subdivision exclusion.)</p>
<p>Number of Parking Spaces Proposed: _____</p> <ul style="list-style-type: none">• Is the site within an architecturally and historically significant historic district? Yes <input type="checkbox"/> No <input type="checkbox"/>• Are on-street parking permits required but not offered to project occupants? Yes <input type="checkbox"/> No <input type="checkbox"/>• Is the development located within one-half mile of public transit as defined by Section 102(r) of the HCD Guidelines? Yes <input type="checkbox"/> No <input type="checkbox"/>• Is there a car share vehicle as defined by Section 102(d) within one block of the development? Yes <input type="checkbox"/> No <input type="checkbox"/>
<p>Does the project propose more than 10 units? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none">• Has the applicant certified compliance with affordability requirements? Yes <input type="checkbox"/> No <input type="checkbox"/> n/a <input type="checkbox"/>• Has the applicant certified compliance with prevailing wage requirements? Yes <input type="checkbox"/> No <input type="checkbox"/> n/a <input type="checkbox"/>
<p>Does the project propose 75 units or more? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none">• Has the applicant certified compliance with skilled and trained workforce requirements? Yes <input type="checkbox"/> No <input type="checkbox"/> n/a <input type="checkbox"/>

<p>Does the project involve a subdivision of land? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> • Is the project financed with low-income housing tax credits? Yes <input type="checkbox"/> No <input type="checkbox"/> • Has the applicant certified compliance with prevailing wage requirements? Yes <input type="checkbox"/> No <input type="checkbox"/> n/a <input type="checkbox"/> • Has the applicant certified compliance with skilled and trained workforce requirements? Yes <input type="checkbox"/> No <input type="checkbox"/> n/a <input type="checkbox"/>
<p>Has the applicant certified that the project site has not contained any housing occupied by tenants within the past 10 years? Yes <input type="checkbox"/> No <input type="checkbox"/></p>
<p>Is the project site within a very high fire hazard severity zone? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> • Are there adopted fire hazard mitigation measures applicable to the development? Yes <input type="checkbox"/> No <input type="checkbox"/>
<p>Is the project site a hazardous waste site? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> • Has the applicant provided evidence that the Department of Toxic Substances Control has cleared the site for residential use or residential mixed-uses? Yes <input type="checkbox"/> No <input type="checkbox"/> n/a <input type="checkbox"/>
<p>Is the project site within a delineated earthquake fault zone? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> • Does the development comply with applicable seismic protection building code standards? Yes <input type="checkbox"/> No <input type="checkbox"/>
<p>Is the project site habitat for protected species, identified in an adopted natural community conservation plan, or under a conservation easement? Yes <input type="checkbox"/> No <input type="checkbox"/></p>
<p>Does the project funding source include public funds? Yes <input type="checkbox"/> No <input type="checkbox"/></p>

PROPERTY OWNER'S CONSENT – I declare under penalty of perjury that I am the owner of said property or have written authority from property owner to file this application. I certify that all of the submitted information is true and correct to the best of my knowledge and belief. I understand that any misrepresentation of submitted data may invalidate any approval of this application.

PROPERTY OWNER'S SIGNATURE _____



INDEMNIFICATION AGREEMENT

File No: _____

Project Name and Address: _____

As part of this application, the developer/applicant shall indemnify, protect, defend, (with counsel selected by the City), and hold harmless the City of Merced and any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof, from any and all claims, actions, suits, proceedings, or judgments against the City, or any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof to attach, set aside, void, or annul, an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board, or legislative body, including actions approved by the voters of the City, concerning the project and the approvals granted herein. Furthermore, developer/applicant shall indemnify, protect, defend, and hold harmless the City, or any agency or instrumentality thereof, against any and all claims, actions, suits, proceedings, or judgments against any governmental entity in which developer/applicant's project is subject to that other governmental entity's approval and a condition of such approval is that the City indemnify and defend (with counsel selected by the City) such governmental entity. City shall promptly notify the developer/applicant of any claim, action, suits, or proceeding. Developer/applicant shall be responsible to immediately prefund the litigation cost of the City including, but not limited to, City's attorney's fees and costs. If any claim, action, suits, or proceeding is filed challenging this approval, the developer/applicant shall be required to execute a separate and formal defense, indemnification, and deposit agreement that meets the approval of the City Attorney and to provide all required deposits to fully fund the City's defense immediately but in no event later than five (5) days from that date of a demand to do so from City. In addition, the developer/applicant shall be required to satisfy any monetary obligations imposed on City by any order or judgment.

I have read and agree to all of the above.

Applicant (please print name)

Applicant (please sign name)



**Streamlined Housing Development
Certificate for Compliance with Eligibility Requirements**

Date

I, _____, do hereby certify and declare as follows:

The subject property is located at (address and assessor's parcel number):

Assessor's Parcel Number

Address

- a. I am a duly authorized officer or owner of the subject property.
- b. The property owner agrees to comply with the applicable affordable housing dedication requirements established under Government Code section 65913.4(a)(4).
- c. The property owner agrees to comply with the applicable prevailing wage requirements established under Government Code section 65913.4(a)(8)(A).
- d. The property owner agrees to comply with the applicable skilled and trained workforce requirements established under Government Code section 65913.4(a)(8)(B).
- e. The property owner certifies that the project site has not contained any housing occupied by tenants within 10 years prior to the date written above.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on this day in:

Location

Date

Signature

Name (Print), Title



CITY OF MERCED DEVELOPMENT SERVICES DEPARTMENT
Streamlined Housing Development Senate Bill 35
Application Checklist

SUBMITTAL REQUIREMENTS. Each of the following materials and/or plans are required for a complete application.

REQUIRED MATERIALS – 1 COPY OF EACH UNLESS OTHERWISE INDICATED BELOW

APPLICATION. One completed SB35 Application Packet.

COMPLETION OF PRE-APPLICATION MEETING. A pre-application meeting with City staff to review the submittal requirements in the application checklist and the conceptual design.

FILING FEE. See current Fee Schedule.

CERTIFICATE FOR COMPLIANCE WITH ELIGIBILITY REQUIREMENTS. The property owner or the owner's authorized agent must certify under penalty of perjury that certain threshold eligibility criteria are satisfied to qualify for this streamlined program.

PROJECT DESCRIPTION. A narrative that summarizes the proposed project, and any relevant details including on-sit operations, parking specifics, amenities, etc. Please include a discussion of the project site context, including what existing uses, if any, adjoin the project site.

STATEMENT OF DESIGN INTENT. Describe the design program, the designer's approach, and how the architectural, landscape and other elements have been integrated in compliance with the City's objective standards. The relationship of the project to adjacent properties and to the adjacent streets should be expressed in design terms. Define the site, building design, and landscape concepts in terms of site design goals and objectives, pedestrian circulation, outdoor-use areas, visual screening and enhancements, conservation of natural resources, mitigation of negative site characteristics, and off-site influences.

STATEMENT OF CONSISTENCY WITH OBJECTIVE STANDARDS. Describe how the proposed project is consistent with all objective zoning and design review standards to the project site, including those standards included in the General Plan, Merced Municipal Code (MMC), all applicable master development plans, and specific and/or community plans, Design and Construction Standards associated with the installation of public improvements and other applicable City documents. At a minimum, define how the project complies with use requirements, density, setbacks, height standards, lot coverage ratios, landscaping standards, water efficient landscaping requirements, storm water requirements, and the General Design Standards for Multi-Family Dwellings found in MMC Section 20.46.030 and the Specific Design Standards for Multi-Family Dwellings found in MMC Section 20.46.040.

COLOR AND MATERIALS BOARD. Samples of materials and color palette representative of actual materials/colors for all buildings and structures.

TITLE REPORT. Prepared within the past three months. Submit copies of all existing easements and maps and other recorded documents for review.

AFFORDABILITY. Provide certification that the project will meet the affordability requirements under Government Code Section 65913.4(a)(3). Affordability Agreement with the City of Merced will be recorded prior to issuance of the Building Permit.

PREVIOUS OCCUPANCY. If housing existed on the site and was demolished within the last 10 years, provide qualifying evidence that housing was not occupied by residential tenants in accordance with Article IV, Section 401 (c) 2 (A) and (B).

REQUIRED PLANS - (PLEASE PROVIDE 2 FULL SIZE SETS (24"X36"), 1 SET REDUCED TO 11"X17", AND A CD WITH ALL PLANS IN PDF FORMAT)

DEVELOPMENT PLAN SETS. The following plans shall comprise the development plan set:

TITLE SHEET. Including project name, location map, address, assessor's parcel numbers, current project numbers, prior development approvals, and table of contents listing all the plan sheets with content, page numbers, and date prepared.

SITE PLAN. Prepared by a licensed Civil Engineer or Architect, drawn at 1" = 20' scale, with scale noted, a graphic bar scale, and north arrow. The plan shall include the following:

- Vicinity map showing north arrow, the location and boundary of the project, major cross streets and the existing street pattern in the vicinity.
- Table with the following information:
 - General Plan and Zoning designations.
 - Size of property including gross & net lot area (square feet and acres).
 - For residential development, include the floor area for each unit type, the number of bedrooms, the number of units by type, the number of units per building, the total number of units, and net density.
 - For commercial development, total floor area in each building (including basements, mezzanines, interior balconies, and upper stories or levels in a multistory building) and total building area.
 - Percent lot coverage, percent of net lot area covered by buildings (total ground floor area of all buildings divided by net lot area).
 - Percentage of net lot area devoted landscaping, common open space and private useable open space.
 - Parking requirements under Government Code section 65913.4(d) and tabulation of the number of parking spaces proposed by type (standard, universal, compact and handicapped) and proposed parking ratios.
 - Bicycle and motorcycle parking
- Existing and proposed property lines with dimensions, bearings, radii and arc lengths, easements, and net & gross lot area for existing and proposed parcels.
- Dimensions of setbacks from property lines and between structures.
- Location, dimension and purpose (i.e. water, sewer, storm drain, public access, public utility, private easements etc.) of all easements including sufficient recording data to identify the conveyance (book and page of official records). No private improvements or structures shall be built within the easement limits on-site including roofs, footings, foundations, fences, walls, parking lots or any other structures that could infringe on their use. Indicate if sidewalks are outside of the ROW then dedicate a public access easement over the sidewalks. If pedestrian ramps are outside of the ROW, then dedicate ROW over the ramps.

- Location and dimensions for all adjacent streets (public and private) and proposed streets showing both sides of streets, street names, street width, striping, centerlines, centerline radii of all curves, median and landscape strips, bike lanes, pedestrian ways, trails, bridges, curb, gutters, sidewalks, driveways, and edge of right-of-way including any proposed or required right-of-way dedication and/or Public Utility dedications. Show all existing and proposed improvements including bike lanes, parking lanes, Landscape planters, center left/right turn lanes, Pedestrian access ramps, Pedestrian crossings, bus stops, bus turn outs, bus shelters, traffic signal poles and traffic signs.
- Public Right of Way (ROW) and Public Utility Easements (PUE) shall be shown consistent with the City's General Plan. Plot and dimension the existing and proposed half street ROW and PUE width dimensions along each street that fronts on the project. No private improvements or structures shall be built within the PUE limits on-site including roof overhangs, footings, foundations, fences, walls, parking lots or any other structures.
- Existing topography as prepared by a California Land surveyor or Civil Engineer and proposed grading extending 50-feet beyond the property at 1-foot contour intervals for slopes up to 5% and less than 5feet in height; and contour intervals of 5feet for slopes over 5% or greater than 5feet in height. Include spot elevations, pad elevations, percent slope and show all retaining walls with TOW/BOW elevations. Indicate areas of special interest/protection including rock out cropping, wetlands and protected redwood trees, heritage oaks.
- Drainage information showing spot elevations, pad elevations, existing catch basins, and direction of proposed drainage, including approximate street grade and existing and proposed storm drain locations, earth swales or concentrated flows.
- Location and dimensions of existing and proposed utilities including water supply system, sanitary sewers and laterals, drainage facilities, wells, septic tanks, underground and overhead electrical lines, utility poles, aboveground utility vaults and meters, transformers, electroliers, street lights, lighting fixtures, underground irrigation and drainage lines, backflow prevention and reduced pressure devices, traffic signal poles, underground conduit for signals and interconnect, and traffic signal pull boxes, signal cabinets, service cabinets, and other related facilities.
- Location and dimensions of parking spaces, back-up, loading areas, and circulation patterns. Show a dimension of minimum 22-feet wide clear travel lanes in the parking lot for fire truck circulation.
- If any parcel is within a FEMA defined 100-year floodplain or floodway:
- Identify the floodplain or floodway on all plan sheets depicting the existing and proposed site, with the base flood elevation (BFE) and flood zone type clearly labeled. In addition, show the existing site topography and finish floor elevations (set one foot minimum above the BFE) for all existing and proposed structures. If FEMA has not defined a BFE, a site specific hydraulic analysis will be required to be submitted from a Civil Engineer to determine the BFE, and the structure's proposed finish floor prior to deeming the application complete.

- Flood zone boundaries and floodwater surface elevation. If the property proposed to be developed is within or adjacent to the 100-year flood zone (Zone A) or the National Flood Insurance Program, Flood Insurance Rate Map (FIRM), the extent of Zone A shall be clearly drawn on the tentative map and the 100-year flood water surface elevation shall be shown. The map shall show the approximate location of the Floodway Boundary as shown on the latest edition of the "Flood Boundary and Floodway Map" published by the Federal Emergency Management Agency. Place the FIRM Map panel number and FIRM map effective date on the cover sheet.

CONTEXTUAL PLAN. Use topographic or aerial map as base. Show the relationship of the project to the building and site features within 50 feet. The plan shall include:

- Building footprints, pad elevations and building height.
- Land use and zoning designation on all lots.
- Property lines and dimensions of the subject site and adjacent properties showing all existing and proposed easements of record including utility, storm drain, access, roadway, EVA easements.
- Location of streets, medians, curb cuts, sidewalks, driveways, and parking areas.
- Location of all creeks, waterways and trees.
- Vicinity map indicating site in relation to major streets.

BUILDING ELEVATIONS. Plans shall be drawn by a licensed Architect at $1/8" = 1'$ minimum scale; dimensioned vertically and horizontally with sample representations at $1/4" = 1'$ scale for detail areas. Elevations should not include superimposed landscaping and trees that hide the buildings. The plans shall include:

- Fully dimensioned elevations for buildings identifying materials, details and features include visible rooftop equipment, plumbing, electrical meters and method of concealment.
- All four sides of buildings.
- Vertical dimensions from all points above existing and finished grade on all elevations.
- Topography with existing and proposed grades accurately represented to show building height to show the relationship of the building to the site and adjacent properties.
- Location, height and design of rooftop mechanical equipment and proposed screening. Provide a section detail showing height of equipment in relation to the height of the proposed screen structure.
- Elevations and dimensions for existing structures to remain.
- Location and type of building mounted exterior lighting.
- Detailed building sections showing depth of reveals, projections, recesses, etc.
- Details of vents, gutters, downspouts, scuppers, external air conditioning equipment, etc.
- Details including materials and dimensions of door and window treatments, railings, stairways, handicap ramps, trim, fascia, soffits, columns, fences, and other elements which affect the building. Provide wall sections at $1/2" = 1'$ scale to clarify detailing as appropriate.

FLOOR PLANS. Plan shall be drawn by a licensed Architect at $1/8" = 1'$ or larger scale.

ROOF PLAN. Plan shall be drawn by a licensed Architect at 1/8" = 1' or larger scale. The plan shall include property lines, outline of building footprint, ridgelines, valleys, flat roof areas, roof pitch and rooftop mechanical equipment, and screening. Plans shall show existing roof forms and roof forms to be added or changed.

LANDSCAPE PLANS. Plan shall be drawn at 1" = 20' or larger scale by a licensed Landscape Architect. Landscape plans shall comply with the requirements of Merced Municipal Code Section 20.36- Landscaping and all other applicable landscape requirements found in the General and Specific Design Standards for Multi-Family Dwellings found in Sections 20.46.030 and 20.46.04. The plan shall incorporate the proposed Grading and Utility Plan, showing the location of existing and proposed utility lines and utility structures screened back, but legible, and shall include the following:

- Final planting plan showing proposed trees, shrubs and shrub groupings, lawn, and groundcover areas, existing trees to be saved, storm water treatment areas, special paving, hardscape, and site furnishings. Include a landscape legend with a list of proposed plant materials (indicate both Latin and common name), including size, spacing, total quantities, ultimate height, and spread of materials. Trees shall be a minimum of 24-gallon size and shrubs a minimum of 5-gallon size. Accent or sub-shrubs may be 1- gallon in size. Larger trees may be required depending on project location, size, or other conditions.
- Size, species, trunk location, and canopy of all existing trees (6" in diameter or larger) on-site and on abutting property that could be affected by the project. Identify which trees will remain and trees to be removed. Any tree proposed as mitigation for the removal of a protected tree shall be identified as a replacement tree.
- Identify the location and screening of all above ground utilities and bioswales or other storm water treatment areas with 1:10 scale cross sections showing the planting within the bio-swales and screening of the utilities.
- Provide enlarged details (minimum of 1:10 scale) for focal points and accent areas.
- Location and details and/or manufacturers catalogue cuts of ground signs, walls, fences, paving, decorative planters, trellises, arbors, and other related site improvements.
- Color and materials submittal for all special paving, hardscape treatment, walls, landscape lighting, and site furnishings.
- The Landscape plan shall be coordinated and consistent with the Storm water Plan.
- Note signed and dated by project by Landscape Architect that plans are in compliance with all City standards.
- Landscape plans shall meet with the requirements of the Water Efficient Landscaping Ordinance (WELO) adopted by the City of Merced in compliance with State Law.

FENCE PLAN. Drawn at 1"=20' scale showing the location, height and type of all fences and walls. Locate fence and fence footings outside of ROW and PUEs and other easements. All fencing shall be in compliance with MMC Section 20.30.

LIGHTING PLAN. Location and type of exterior lighting, both fixed to the building and freestanding, any and all lights for circulation, security, landscaping, building accent or other purpose.

PHOTOMETRIC PLAN. Show light levels based on proposed fixture types and locations.

UTILITY PLAN. Prepared by a licensed Civil Engineer and drawn at 1"= 20' scale, with scale noted, showing the location and dimensions of existing and proposed utilities including water supply system, sanitary sewers and laterals, drainage facilities/storm drainage system, wells, septic tanks, underground and overhead electrical lines, utility poles, aboveground utility vaults and meters, transformers, underground irrigation and drainage lines, backflow prevention and reduced pressure devices, electroliers, lighting fixtures, street lights, traffic signal poles, traffic signal pull boxes, signal cabinets, fire hydrants, double detector check valve, fire department indicator and connection valve and fire mains. Indicate pipe size, pipe materials, pipe slope, and pipe inverts for gravity lines and Manhole/vault top of grate elevations. Proposed utilities shall be installed per the adopted City of Merced Standard Designs. Public main extensions shall be shown on the plans.

GRADING PLAN. A grade plan shall show existing topography and contour finish, cut and fill line, cut/fill quantity and limits of grading line. Plans where BMPs will be installed require a grade plan to be coordinated with the SWLID plan. A cross section analysis is required for hillside sites over 10%. Grading Plans shall include topographic elevations, drainage slope, drainage directional arrows, top of curb elevations, finish grade elevations, BMP devices placed at grading low points, high points or ridge elevations, top and toe of wall elevations, underground drainage pipes with pipe material, pipe slope, and pipe size identified, Pipe invert elevations and top of grate elevations, provisions for lot to lot drainage shown and typical grading details at the property lines. If the grading is over an acre, then provide a copy of the Storm water Pollution Prevention Plan (SWPPP) or if under an acre, provide an erosion control plan for use during construction.

PHOTOS. Several photos of the project site and adjacent development.

PLAN DETAILS. Provide details including trash enclosure, utility structure screening, fences/walls, and screening of mechanical equipment.

STREET LIGHTING AND TRAFFIC SIGNING AND STRIPING PLAN. Provide Street Light location, stationing and standard call out, pull box location, conduit location, service point location, provide the call out for the street light standards. On and Off-site Traffic signing, and striping shall be per called out per CA. MUTCD standards. All on-site ADA signs and parking stalls shall be designed to current ADA standards with details shown on the building plans.

REQUIREMENTS FOR ALL DEVELOPMENT PLANS.

All plans shall:

- Be prepared, signed and stamped by licensed professionals.
- Include the date of preparation and dates of each revision.
- Be fully dimensioned and drawn to scale on the same size sheets.
- Be submitted in collated sets.
- Be numbered in proper sequence.

Please submit:

- 2 sets full size 24" x 36"
- 1 set reduced to 11" x 17"
- CD with plans in pdf format