

HOUSING DEVELOPMENT STREAMLINED APPROVAL - MIXED INCOME HOUSING PROJECTS APPLICATION

INFORMATIONAL AND SUPPLEMENTAL APPLICATION PACKET

For questions, you can call the Planning counter at 628.652.7300 or email <u>pic@sfgov.org</u> where planners are able to assist you.

Español: Si desea ayuda sobre cómo llenar esta solicitud en español, por favor llame al 628.652.7550. Tenga en cuenta que el Departamento de Planificación requerirá al menos un día hábil para responder.

中文:如果您希望獲得使用中文填寫這份申請表的幫助,請致電628.652.7550。請注意,規劃部門需要至少 一個工作日來回應。

Filipino: Kung gusto mo ng tulong sa pagkumpleto ng application na ito sa Filipino, paki tawagan ang 628.652.7550. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.

WHAT IS A HOUSING DEVELOPMENT STREAMLINED APPROVAL USING ASSEMBLY BILL 2011 (AB 2011)?

In response to California's housing crisis, the State Legislature has introduced numerous bills to fund, incentivize, and legalize new housing. On September 29, 2022, Governor Gavin Newsom signed into law Assembly Bill 2011 (AB 2011), the Affordable Housing and High Road Jobs Act of 2022. Generally, AB 2011 creates a ministerial approval process for multifamily housing developments on certain sites where office, retail or parking are principally permitted in exchange for certain amounts of on-site affordable housing and workforce commitments.

IS MY PROJECT ELIGIBLE FOR HOUSING DEVELOPMENT STREAMLINED APPROVAL USING AB 2011?

In order to be eligible for streamlining, the project must meet all of the development and eligibility criteria in Government Code 65912 et seq. Please review <u>Planning Director Bulletin 9</u> and Government Code 65912 et seq. for additional information. This section summarizes certain general requirements. In the event of any conflict between the provisions of the Government Code section 65912 et seq, and this AB 2011 application, the Government Code shall control.

This housing development streamlined approval application is for mixxed income housing projects only. To qualify as a mixed-Income project, it must include a minimum number of affordable units. Please see the <u>Planning Director</u> <u>Bulletin 9</u> for Mixed Income affordability requirements.

AB 2011 Mixed Income Housing Projects must:

- propose at least five dwelling units and be considered a Housing Development Project as defined in Government Code Section 65912.101(e);
- must be located on streets that are between 70 and 150 feet wide, including sidewalks;
- meet minimum density requirements of 80 units/acre;
- must not be located in the Coastal Zone and have a height limit of 65 feet, unless the zoning allows for a higher height. Special setback requirements will apply; and
- meet all other objective standards within the Planning Code, and agree to minimum labor/workforce standards.

WHAT IS THE PROCESS FOR HOUSING DEVELOPMENT STREAMLINED APPROVAL USING AB 2011?

To apply for AB 2011 approval, please submit a complete AB 2011 supplemental application.

The Planning Department will determine if the development submitted pursuant to this article is in conflict with any of objective planning standards within 60 days of submittal of a complete application if the development proposal contains 150 or fewer housing units, and within 90 days of submittal of a complete application if the development proposal contains more than 150 housing units.

The Planning Department will conduct design review of the development within 90 days of submittal of a complete application if the development proposal contains 150 or fewer housing units, and within 180 days of submittal of a complete application if the development proposal contains more than 150 housing units.

Certain requirements, including workforce requirements, replacement dwelling unit requirements, and commercial relocation requirements will be included as conditions on the site permit and must be recorded in a Notice of Special Restrictions.



AFFORDABLE HOUSING AND HIGH ROADS JOB ACT APPROVAL - MIXED INCOME HOUSING PROJECTS (AB 2011)

SUPPLEMENTAL APPLICATION

Property Information				
Existing Project Address(s):	Exi	sting Block/Lot(s):		
Proposed Project Address(s):	Pro	pposed Block/Lot(s)	:	
Property Owner's Inform	ation			
Name:				
Address:		Email Address:		
, ida i essi		Telephone:		
Applicant Information				
Same as above				
Name:				
Company/Organization:				
Address		Email Address:		
Address:		Telephone:		
Please Select Billing Contact:	Owner	Applicant	Other (see below for details)	
Name:	Email:		Phone:	

Project Description Please provide a narrative project description that summarizes the project. **SB-1214 Authorization**: Senate Bill 1214 allows applications to limit the plans available to the public. You can find more information on our website. Yes, all plans may be shared publicly. No, floor plans may not be shared publicly. A reduced plan set with only a massing diagram and site plan has been provided with this submittal for public distribution.

PROJECT AND LAND USE TABLES

All fields relevant to the project **must be completed** in order for this application to be accepted.

		Existing	Proposed
	Parking GSF		
se	Residential GSF		
<u> </u>	Retail/Commercial GSF		
	Office GSF		
General Land Use	Industrial-PDR		
<u>.</u>	Medical GSF		
ine	Visitor GSF		
ğ	CIE (Cultural, Institutional, Educational)		
	Dwelling Units - Affordable		
	Dwelling Units - Market Rate		

	Dwelling Units - Affordable	
	Dwelling Units - Market Rate	
	Dwelling Units - Total	
	Hotel Rooms	
	Number of Building(s)	
رم درم	Number of Stories	
ě	Parking Spaces	
atn	Loading Spaces	
Project Features	Bicycle Spaces	
<u>je</u> c	Car Share Spaces	
20	Useable Open Space GSF	
_	Public Open Space GSF	
	Roof Area GSF - Total	
	Living Roof GSF	
	Solar Ready Zone GSF	
	Other:	

	Studio Units	
	One Bedroom Units	
al	Two Bedroom Units	
Residentia	Three Bedroom (or +) Units	
esid	Group Housing - Rooms	
e - R	Group Housing - Beds	
d Us	SRO Units	
Land	Micro Units	
	Accessory Dwelling Units For ADUs, list all ADUs and include unit type (e.g. studio, 1 bedroom, 2 bedroom, etc.) and the square footage area for each unit.	

MIXED INCOME PROJECT ELIGIBILITY CRITERIA SUPPLEMENTAL

(Pursuant to Govt. Code Sections 65912.101-104; 65912.120-124)

	ELIGIBILITY OF PROPERTY	YES	NO
	Is the development located on a street with a right of way between 70' and 150', measured from property line to property line, and the subject parcel has at least 50' of frontage along that street?		
1	Street Width:		
	Parcel Frontage Length:		
	Is the development located on a legal parcel in a zone where either office, retail, or parking are a principally permitted use?		
2	For purposes of an AB 2011 application, principally permitted means "a use that may occupy more than one-third of the square footage of designated use on the site and does not require a conditional use permit" (see Gov't Code §65912.101(n).)		
	Zoning District:		
3	Is the development not located on a property that contains prime farmland, wetlands, a high fire hazard severity zone, a delineated earthquake fault zone, a flood plain, a floodway, a community conservation plan area, a habitat for protected species, or that is under a conservation easement? (Gov't Code § 65912.121(g).)		
	Is the development site a hazardous waste site? (Gov't Code §§ 65912.121(g); 65913.4(a)(6)(e).)		
4	If yes, you must secure a letter from the State Department of Public Health, State Water Resources Control Board, or the Department of Toxic Substance Control stating that the site is suitable for residential uses prior to submitting an AB 2011 application. Applications for projects on hazardous waste sites without a letter from the appropriate government agency stating that the site is suitable for residential uses will not be accepted as complete.		
5	Will any of the housing on the development site be located less than 500 feet from a freeway, defined in California Vehicle Code section 332, or less than 3200 feet from a facility that actively extracts or refines oil or natural gas?		
	Is the development site a lot where more than 1/3 of the square footage on the site is "dedicated to industrial uses"? For a definition of "industrial uses" please see Planning Director Bulletin 10.		
6	Is the development adjacent to a lot where more than 1/3 of the square footage on the site is "dedicated to industrial uses"?		
	Is the development separated by a street or highway from any lot where more than 1/3 of the square footage on the site is "dedicated to industrial uses"?		
	Please complete the attached AB 2011 Industrial Uses Affidavit.		
7	Is the development located on a site no greater than 20 acres?		
	Site Square Footage		
8	Does the development require the demolition of any historic structure placed on a national, state, or local historic register (Planning Code Article 10 or 11)?		

	SITE ELIGIBILITY (MIXED INCOME SUPPLEMENTAL CONTINUATION)	YES	NO
9	Does the existing site contain 1 to 4 dwelling units?		
	Is the site vacant and zoned for housing, but not for multi-family (5 or more units) residential use?		
10	Does the development require the demolition of any of the following types of housing: affordable housing that is subject to deed restriction restricting rents to levels affordable to persons and families of moderate, low, or very low income; housing subject to rent or price controls; housing that has been occupied by tenants in the last 10 years, excluding any manager's units; permanent housing that was occupied by tenants, excluding manager's units, and demolished in the last 10 years? (Gov't Code § 65912.121(h)(2).)		
11	Has the project completed a Phase 1 Environmental Site Assessment? The project sponsor must complete and submit a Phase 1 Environmental Site Assessment at application submittal. If hazardous materials are found, further investigation and/or remediation may be required. Remediation may also be required if there is potential for exposure to significant hazards from off-site source(s) in the surrounding area. If hazardous materials are found, the project sponsor must coordinate with the San Francisco Department of Public Health to conduct additional investigation and, if required, soil and/or groundwater remediation. This would likely be done as part of compliance with the Maher ordinance (San Francisco Health Code Chapter 22A) and would be conditioned as part of the AB 2011 approval.		
12	Is the development site vacant? If the site is vacant, the Department will conduct tribal consultation as described by Section 21080.3.1 of the Public Resources Code to confirm that the site does not contain tribal cultural resources. (Gov't Code § 65912.111(h).)		

SUBMITTAL REQUIREMENTS

Commercial Tenants: If there are existing commercial tenants, they may be eligible for relocation assistance. See Government Code Section 65912.123 for additional guidance.

Please provide a proof of service that the following documents have been provided to each commercial tenant on the development site:

- 1. Notification to Commercial Tenants of Assembly Bill 2011
- 2. AB 2011 Commercial Tenants Affidavit

Verify submission of the following items with this application:

Industrial Uses Affidavit

Phase 1 Environmental Assessment

Owner's Affidavit (projects with existing commercial tenants)

Proof of Service (with existing commercial tenants)

Prevailing Wage and Apprenticeship Standards Affidavit

Inclusionary Affordable Housing Affidavit

Letter from State Department of Public Health, Water Resources Board or Department of Toxic Substance Control (if located on a site with hazardous waste)

ADDITIONAL DEVELOPMENT REQUIREMENTS

Affordability: The Project must meet the required affordability requirements as specified in AB2011 and described in Planning Director Bulletin 9.

Applicants must also submit the <u>Inclusionary Affordable Housing Affidavit</u>.

OWNER'S AFFIDAVIT FOR COMMERCIAL TENANT NOTIFICATION

Under penalty of perjury the following declarations are made:

- a) I, the undersigned, am the owner/owner's agent of the property that is the subject of this application.
- b) The information presented is true and correct to the best of my knowledge.
- c) I acknowledge that the Planning Department or Department of Building Inspection may request additional information or applications prior to a decision on this application.
- d) I have notified each of the eligible commercial tenants with current leases or leases that have expired within the past three years and provided them with a copy of this AB 2011 application and with the Commercial Tenant's Affidavit prior to or concurrently with the submittal of this AB 2011 application.
- e) The following tenants have leases at the subject property within the three years preceding this AB 2011 application submission. These leases have expired or will expire within three years following this AB 2011 application. These businesses were still in operation on the site at the time of the expiration of these leases. I have attached a copy of each of these leases to this submission.

 Tenant:

•	renant			, iease uuration _		1()	
		DBA	,	,	Date		Date
•	Tenant:	DBA	,Unit #	, lease duration _	Date	to	Date•
	Tenant:			, lease duration _		to	
		DBA	,	, tease daration =	Date		Date
•	Tenant:		,	, lease duration _		to	
	Th l	DBA	Unit#	ne parcel within the las	Date		Date
a s D	ccounts have upplemental i epartment. I u	not been provinformation is understand that	ided as part of this Al required by this appl at any information pr	II) - i.e. social security r 3 2011 application or A ication, PII has been re rovided to the Planning v and/or posted to Dep	ffidavits attache dacted prior to Department be	ed thereto. I submittal to ecomes part	Furthermore, who the Planning
Signa	ture			Na	ame (Printed)		
 Date							
	ionship to Proj	ect	Phone	 Er	mail		
* <u>AB2</u>	011 legislatior	n with the spec	ific criteria for tenan	t relocation assistance.			
	or Department Use Only		ng Department:				

By: _

Date: _



WHY AM I RECEIVING THIS NOTICE?

NOTICE TO COMMERCIAL TENANTS OF ASSEMBLY BILL 2011 APPLICATION

The applicant shall provide this notice to all existing commercial tenants before or concurrently with submittal of this AB2011 Application. Please fill all blanks prior to providing notice. Proof of service of this notice to all existing commercial tenants shall be provided with the application.

For questions, you can call the Planning counter at 628.652.7300 or email pic@sfgov.org where planners are able to assist you.

Español: Si desea ayuda sobre cómo llenar esta solicitud en español, por favor llame al 628.652.7550. Tenga en cuenta que el Departamento de Planificación requerirá al menos un día hábil para responder.

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The owner of or agent for property at	is submitting an application to build a
Address	0 11
residential project Assembly Bill 2011 (2022), the Affordable I	Housing and High Road Jobs Act of 2022, As
part of the AB 2011 Application, the project applicant must se	end this notice to each current tenant at
Under the provisions of ℓ	AB 2011, commercial tenants may be entitled to
Address	
relocation assistance.	

WHAT IS THE AFFORDABLE HOUSING AND HIGH ROADS JOBS ACT OF 2022?

In response to California's housing crisis, the State Legislature has introduced numerous bills to fund, incentivize, and legalize new housing. Assembly Bill 2011, the Affordable Housing and High Road Jobs Act of 2022, Government Code Section 65912.120 et seq., effective July 1, 2023, creates a ministerial approval process for multifamily housing developments on certain sites where office, retail or parking are principally permitted. The project must include a minimum amount of on-site affordable housing and the project sponsor must agree to certain workforce commitments. Under AB 2011, eligible commercial tenants located on the parcel that is the subject of the application may be entitled to relocation assistance (Government Code Section 65912.123(i).

WHO QUALIFIES FOR RELOCATION ASSISTANCE UNDER THE AFFORDABLE HOUSING AND HIGH ROADS JOBS ACT OF 2022?

Relocation assistance shall be provided to eligible commercial tenants upon expiration of the lease of that commercial tenant. To qualify for commercial tenant relocation assistance, the commercial tenant must meet all of the following criteria:

- A) The commercial tenant is an independently owned and operated business with its principal office located in the City and County of San Francisco.
- B) The commercial tenant's lease expired and was not renewed by the property owner.
- C) The commercial tenant's lease expired within the three years following the development proponent's submission of the application for a housing development.

- D) The commercial tenant employes 20 or fewer employees and has annual average gross receipts under one million dollars (\$1,000,000) for the three taxable year period ending with the taxable year that precedes the expiration of their lease.
- E) The commercial tenant is still in operation on the site at the time of the expiration of its lease.

ADDITIONAL CRITERIA APPLY. Please see Government Code section 65912.123(i) for details. The specific criteria for tenant relocation assistance and a link to the AB 2011 text can be found at <u>AB2011 legislative text</u>.

WHAT IS THE TIMELINE FOR HOUSING DEVELOPMENT STREAMLINED APPROVAL USING AB 2011?

The Planning Department will determine if the development submitted pursuant to AB 2011 is eligible for approval within 60 to 90 days of submittal of a complete application depending on the size of the development and will conduct design review of the proposed development within 90 to 180 days.

Projects seeking to use AB 2011 must be ministerially approved, which means they will not be reviewed by the Planning Commission, Board of Supervisors or Board of Appeals. Commercial tenant relocation requirements will be included as conditions on the site permit and will be recorded in a Notice of Special Restrictions.

Please return the enclosed "Commercial Tenant Affidavit" within 90 days of receipt to Bridget. Hicks@sfgov.org.

If you have any questions about this project application, please contact Bridget.Hicks@sfgov.org or 628.652.7528.

For further assistance or questions about operating your business in the City and County of San Francisco please contact the Office of Small Business at sfc.gov/departments/office-economic-and-workforce-development/office-small-business.

COMMERCIAL TENANT'S AFFIDAVIT

The applicant shall provide this notice to all existing commercial tenants before or concurrently with submittal of this AB2011 Application. Please fill all blanks prior to providing notice. Proof of service of this notice to all existing commercial tenants shall be provided with the application.

Under penalty of perjury the following declarations are made:

a) I, the undersigned, am a commercial tenant or the authorized agent of a commercial tenant with a lease to operate on the parcel subject to the AB 2011 application. The information presented is true and correct to the best of my knowledge. b) The commercial tenant that is the subject of this declaration is an independently owned and operated business with its principal office located in the City and County of San Francisco. The duration of the lease at _ $_$, and a copy of the to Address lease has been submitted along with this affidavit. Either: e) expired and was not renewed by the property owner, and the business was still in The lease at _ Address operation on the site at the time of the expiration of the lease, or The lease is active and has an expiration date within three years following The business employs 20 or fewer employees and has had annual average gross receipts under one million dollars (\$1,000,000) for the three taxable year period ending with the taxable year that precedes the expiration of the lease. I hereby waive my right to taxpayer confidentiality in order for the City and County of San Francisco to determine whether I qualify for a relocation assistance from the project applicant pursuant to AB2011 and the amount of relocation assistance I qualify for. I attest that personally identifiable information (PII) - i.e. social security numbers, driver's license numbers, bank accounts have not been provided as part of this AB 2011 application or Affidavits attached thereto. Furthermore, where supplemental information is required by this application, PII has been redacted prior to submittal to the Planning Department. I understand that any information provided to the Planning Department becomes part of the public record and can be made available to the public for review and/or posted to Department websites. Name (Printed) Signature Date

*AB2011 legislation with the specific criteria for tenant relocation assistance.

Phone

If you would like assistance determining your eligibility for relocation benefits, please contact the Office of Small Business.

Email

Relationship to Project

(i.e. Owner, Architect, etc.)

PROOF OF SERVICE

_	name and location of employer
On, I served the following o	document(s):
	cial Tenants of Assembly Bill 2011 Application Commercial Tenant Affidavit and High Roads Jobs Act (AB 2011) Application
on the following persons at the locations specifie	ed:
LIST ALL COI	MMERICAL TENANT(S) BEING SERVED
Name of Commerical Tenant	Address of Commerical Tenant
in the matter indicated below:	
BY UNITED STATES MAIL: Following ord documents in addressed envelope(s) and States Postal Service. I am readily familia processing mail. In the ordinary course of deposited, postage prepaid, with the Unit BY PERSONAL SERVICE: I sealed true and caused such envelope(s) to be delivered be declaration from the messenger who me	by hand at the above locations by a professional messenger service. A nade the delivery is attached. and correct copies of the above documents in addressed envelope(s) and on and delivery by overnight courier service. I am readily familiar with the
BY UNITED STATES MAIL: Following ord documents in addressed envelope(s) and States Postal Service. I am readily familia processing mail. In the ordinary course of deposited, postage prepaid, with the Unit BY PERSONAL SERVICE: I sealed true and caused such envelope(s) to be delivered be declaration from the messenger who may overnight Delivery: I sealed true placed them at my workplace for collection practices of the	d placed them at my workplace for collection and mailing with the United ar with the practices of
BY UNITED STATES MAIL: Following ord documents in addressed envelope(s) and States Postal Service. I am readily familia processing mail. In the ordinary course of deposited, postage prepaid, with the Unit BY PERSONAL SERVICE: I sealed true and caused such envelope(s) to be delivered be declaration from the messenger who may overnight Delivery: I sealed true placed them at my workplace for collection practices of the	d placed them at my workplace for collection and mailing with the United ar with the practices of

I, _____ declare as follow:

INDUSTRIAL USES AFFIDAVIT

List the uses on the subject lot and surrounding lots. If you are unsure how to classify a business as a use, please consult <u>Planning Code Section 102</u> or contact <u>pic@sfgov.org</u>.

If there is an industrial use in the subject or adjacent lots, complete the table below. Under penalty of perjury the following declarations are made: The exisiting uses on the development site are ___ The existing use on the adjacent lots to the development site are ____ The existing uses on the lots separated by a street or highway from the development site are _ **Subject Lot** Lot North of Lot South of **Lot East of Subject** Lot West of **Subject Property Subject Property Property Subject Property** Block / Lot Number **Total Building Sqft** Use #1 Sqft Use #2 Sqft Signature Name (Printed)

Email

Phone

Date

Relationship to Project

(i.e. Owner, Architect, etc.)

^{*}AB2011 legislation with the specific criteria for tenant relocation assistance.



PREVAILING WAGE AND APPRENTICESHIP STANDARDS

FOR AB 2011 MIXED INCOME PROJECTS (CA GOT, CODE SEC. 659 12.100-65912.140)

This Project has applied for streamlined ministerial approval process pursuant to California Government Code Section 65912.120.

The Developer agrees to comply with the following requirements, which will be made conditions of approval on a building or site permit:

- All construction workers employed in the execution of the development will be paid at least the
 general prevailing rate of per diem wages for the types of work and geographic area, as determined by
 the Director of Industrial Relations pursuant to Sections 1773 and 1773.9 of the Labor Code, except that
 apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards
 may be paid at least the applicable apprentice prevailing rate.
- 2. All contracts will include language requiring compliance for all covered work with requirements to submit, maintain, and verify payroll records via the City's certified payroll reporting system.
- 3. All contracts will include language acknowledging the Office of Labor Standards Enforcement as the enforcement entity of these terms and requiring full cooperation with the Office of Labor Standards Enforcement in any potential investigations.

Project Sponsor's Information Name: Address: Address: Telephone: Property Information and Related Applications Project Address: Block / Lot (s): Building Permit Application No(s): Planning Department Case No(s): Planning Commission Motion No(s) (if applicable): Estimated Residential Units: Estimated Height / Floors: Estimated Construction Cost:

Anticipated Start Date:

AFFIDAVIT FOR PREVAILING WAGE AND APPRENTICESHIP

DECLARATION OF SPONSOR OF PRINCIPAL PROJECT

PRINT NAME AND TITLE OF	F AUTHORIZED REPRESENTATIVE		
EMAIL	PHONE		
I hereby declare that th	e information provided herein is ac	curate to the best of my knowledge.	
SIGNATURE OF AUTHORIZ	ED REPRESENTATIVE	 DATE	

For Planning Department Staff Only: Please email an electornic copy of the completed affidavit for Prevailing Wage and Apprenticeship Standards to OLSE's Prevailing Wage Team at prevailingwage@sfgov.org.

Office of Labor Standards Enforcement

Address: 1 Dr. Carlton B. Goodlette Place, Room 430, San Francisco, CA 94102

Phone: 415.554.6573

APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

- a) The undersigned is the owner or authorized agent of the owner of this property.
- b) The information presented is true and correct to the best of my knowledge.
- c) Other information or applications may be required.
- d) I hereby authorize City and County of San Francisco Planning staff to conduct a site visit of this property as part of the City's review of this application, making all portions of the interior and exterior accessible through completion of construction and in response to the monitoring of any condition of approval.
- e) I attest that personally identifiable information (PII) i.e. social security numbers, driver's license numbers, bank accounts -have not been provided as part of this application. Furthermore, where supplemental information is required by this application, PII has been redacted prior to submittal to the Planning Department. I understand that any information provided to the Planning Department becomes part of the public record and can be made available to the public for review and/or posted to Department websites.

Signature		Name (Printed)	
Date			
Relationship to Project (i.e. Owner, Architect, etc.)	Phone	Email	

For Department Use Only Application received by Planning Department:	
By:	Date: