



EL DORADO COUNTY
PLANNING & BUILDING DEPARTMENT
PLANNING DIVISION

www.edcgov.us/Government/Planning

2850 Fairlane Court, Placerville, CA 95667
Phone (530) 621-5355, Fax (530) 642-0508

SB 35 DESIGN REVIEW
PROCESS INSTRUCTIONS

PURPOSE

California Senate Bill 35 (SB 35), enacted in 2018, was signed into law to address California's overall housing shortage. The law requires cities and counties to streamline review and approval of eligible affordable housing projects through a ministerial approval process and also exempts eligible projects from environmental review under the California Environmental Quality Act ("CEQA"). This process does not allow public hearings to consider the merits of the project; rather, only design review or public oversight of the development is allowed, which must be objective and strictly focused on assessing compliance with criteria required for streamlined projects as well as objective design review of the project (Government Code Section 65913.4(c)(1)).

Depending on the number of housing units proposed in the project, the jurisdiction has only a short timeframe within which to review the application to determine if it is eligible for processing under SB 35 (within 60 days for projects with 150 or fewer units or within 90 days for larger projects). If it is determined that the project is eligible, the Planning Division will make a final decision on the project within 90 days for projects with 150 or fewer units or within 180 days for larger projects.

PROCESS

1. Applicant/agent prepares all state and County required submittal information and makes an appointment to submit the application to the Planning Division. Note: As of September 28, 2020, state SB 35 processing requirements include submittal of a preliminary [Pre-Application/Notice of Intent](#) and documentation of successful completion of Native American tribal consultation with any tribes requesting SB 35 consultation with the County.
2. A planner is assigned and makes a determination that the application is complete and for eligibility under the SB 35 streamlined approval process. An eligibility determination will be made within 60 days for projects with 150 or fewer units or within 90 days for larger projects. Staff will notify the applicant/agent during that timeframe if a project is ineligible for SB 35 streamlined processing and notification will include the reason(s) for ineligibility. A project deemed ineligible for SB 35 streamlining may continue to be processed under standard requirements and processing timelines. Alternatively, the applicant/agent may revise the project to meet SB 35 streamlining requirements and submit a new SB 35 streamlining request. If a new SB 35 streamlining request is submitted for a project, a new 60 or 90 day review timeline shall begin.
3. A Planning Commission public hearing may be held, as determined by the Director, to provide appropriate public oversight under the provisions of SB 35 and further evaluate the project's consistency with locally-adopted "objective design standards" as defined under SB 35. Such review may include but not be limited to consistency with objective development standards found in the County Zoning Ordinance, the County General Plan (e.g. traffic Level Of Service), the

Design Improvement Standards Manual (DISM), California Building Code and Fire Code and public health standards and requirements.

4. Unless the applicant and County mutually agree on a time extension, the Planning Director or Planning Commission will make a final decision on the project within 90 days for projects of 150 or fewer units, or within 180 days for larger projects.

APPEALS

As SB 35 streamlining projects are considered a ministerial process under Government Code Section 65913.4, all decisions by the **Decision Making Body are final and may not be appealed.**

FEES

Current application and revision fees may be obtained by contacting Planning Services at **(530) 621-5355** or by accessing Planning Services' online fee schedule at www.edcgov.us/Planning/.

NOTE: Application fees are nonrefundable. Should you request withdrawal of the application, you may receive only that portion of the fee which has not yet been expended. Once a public hearing notice has been advertised, fees are nonrefundable.

NOTE: Projects consistent with SB 35 are considered ministerial projects and are deemed Statutorily Exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15268 of the CEQA Guidelines (Ministerial Projects).

Pursuant to Resolution No. 240-93, a \$50.⁰⁰ processing fee is required by the County Recorder to file the Notice of Exemption. The filing of the Notice of Exemption is optional; however, not filing the Notice extends the statute of limitations for legal challenges to the project from 30 days to 180 days.

CONDITIONS OF APPROVAL

Applicants requesting SB 35 streamlined approvals should be aware that conformance with each affected agency's objective development standards may be included as project conditions of approval. Depending upon the scope of proposed improvements associated with the project, conditions of approval may include but not be limited to landscaping, outdoor lighting, protection of riparian areas, mitigation for oak tree removal, payment of traffic impact fees, on or off-site road or utility improvements, deed restrictions for compliance with SB 35 standards for affordable housing, noise restrictions, and Fire Safe development standards.

If your application also involves a pending building permit, you should be aware of other costs that may be part of the building permit process that typically follows approval of an application. In addition to typical building permit fees, you will likely be required to pay traffic impact fees, school fees based on square footage of the proposed building, plus fire and solid waste fees. The County Building Division has an informational document on commercial projects which identifies the extent of fees that may be required for multifamily residential projects. It is also beneficial to contact those departments or agencies requiring the fees to determine actual estimated costs.

DEED RESTRICTIONS

Please review and understand any private deed restrictions recorded against your property to insure your proposed application does not violate such deed restrictions. If a conflict exists between the deed restrictions and your application, the County can still approve your application and issue

necessary permits. However, County approval does not absolve your obligation to comply with deed restrictions.

APPLICATION

You may contact the Planning Division at **(530) 621-5355** for general assistance regarding this application and submittal requirements.

APPOINTMENT

Applications are accepted by appointment only. Please call ahead for an appointment with a Planner when you are ready to submit your application. Please have all required submittal information completed before your appointment. Appointments are generally made within 48 hours of your call to Planning Services at **(530) 621-5355**.

DRAFT

SB 35 DESIGN REVIEW Streamlined Affordable Housing Projects

REQUIRED SUBMITTAL INFORMATION

If all the required and applicable information is not provided, the application will be deemed incomplete and will not be accepted. Please use the check (✓) column on the left to be sure you have all the required and applicable information. All plans and maps MUST be folded to 8½" x 11".

FORMS AND MAPS REQUIRED

Check (✓)
Applicant County

LOCAL FIRE DISTRICT AND CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION (CALFIRE):

_____ 1) Provide a copy of the California Department of Forestry and Fire Protection (CalFire) and local fire district Objective Design Standards for SB 35 Projects. (Note: Please contact Planning Division staff to confirm the applicable local Fire District for your project.)

EL DORADO IRRIGATION DISTRICT:

_____ 2) If public sewer or water service is proposed, obtain and provide a Facilities Improvement Letter if the project is located within the EID service area, or a similar letter if located in another sewer/water district.

COUNTY DEPARTMENT OF TRANSPORTATION (DOT):

_____ 3) For projects proposing five or more units or parcels, provide a DOT- approved Traffic Impact Study (TIS).

_____ 4) Provide a Drainage Report and Post-Construction Storm Water Plan consistent with the requirements of the [West Slope Development and Redevelopment Standards and Post Construction Storm Water Plan](#), and the Drainage Manual. For storm water, please refer to Project Type 3: Regulated Projects and Project Type 5: Hydromodifications Projects.

_____ 5) Provide Construction Plans, including Site Plan, Grading Plan and Landscaping Plan. Show all vehicular and pedestrian access and Circulation. Design the Grading in accordance with the County's Grading Design Manual (Volume III of the Design and Improvement Standards Manual [DISM]). The Plans shall be stamped and signed by an appropriately licensed professional.

_____ 6) Where the Traffic Study identifies offsite mitigation measures to be constructed by the project, provide a separate set of plans for these off-site improvements.

_____ 7) Design any required signing, markings or striping on County Maintained roadways in accordance with the California Manual on Uniform Traffic Control Devices (CA MUTCD).

FORMS AND MAPS REQUIRED

Check (√)
Applicant County

- _____ 8) If access is to a County Maintained Roadway, comply with the provisions of the County Encroachment Ordinance.
- _____ 9) Access to a County Maintained Roadway must be located and designed in accordance with the DISM, including (but not limited to) Standard Plans 103C through 103F (as appropriate) and Standard Plan 109. Provide an Engineering Evaluation of Sight Distance at each access.
- _____ 10) Show location and size of all utility service lines proposed for the project.
- _____ 11) For projects that front on County Maintained Roads, show proposed frontage improvements, and comply with the County Frontage Improvement Ordinance (El Dorado County Ordinance #5044).
- _____ 12) Where a County Road is to be widened in a future Capital Improvement Program (CIP) project, show setbacks consistent with the future widening. Refer to General Plan Transportation Element and Figure TC-1.

STANDARD APPLICATION REQUIREMENTS:

- _____ 13) Copy of previously submitted, signed SB 35 Pre-Application/Notice of Intent (PA/NOI).
- _____ 14) Documentation of successful SB 35 Native American tribal consultation (e.g. tribal approved project-specific conditions of approval) from any tribes requesting consultation in response to the project's PA/NOI consistent with Government Code Section 65913.4(b)(1)(A)(iii)(I)(ia-ic).
- _____ 15) Application form (last page), completed and signed.
- _____ 16) Letter of authorization from all property owners authorizing agent to act as applicant, when applicable.
- _____ 17) Proof of ownership (Grant Deed), if the property has changed title since the last tax roll.
- _____ 18) A copy of official Assessor's map, showing the property outlined in red.
- _____ 19) An 8 ½ x 11" vicinity map showing the location of the project in relation to the distance to major roads, intersections, and town sites.
- _____ 20) Environmental Questionnaire form, completed and signed.
- _____ 21) Provide name, mailing address and phone number of all property owners and

FORMS AND MAPS REQUIRED

Check (✓)
Applicant County

their agents.

- _____ 22) If off-site sewer or water facilities are proposed to serve the project, provide four (4) copies of a map showing location and size of proposed facilities. If ground water is to be used for domestic water, submit a report noting well production data for adjacent parcels, or submit a hydrological report prepared by a geologist noting the potential for water based on the nature of project site geology.
- _____ 23) In an accompanying report, provide the following data for area on each proposed parcel which is to be used for sewage disposal:
- a) The percolation rate and location of test on 4.5 acres or smaller
 - b) The depth of soil and location of test
 - c) The depth of groundwater and location of test
 - d) The direction and percent of slope of the ground
 - e) The location, if present, of rivers, streams, springs, areas subject to inundation, rock outcropping, lava caps, cuts, fills, and easements
 - f) Identify the area to be used for sewage disposal
 - g) Such additional data and information as may be required by the Director of Environmental Management to assess the source of potable water, the disposal of sewage and other liquid wastes, the disposal of solid wastes, drainage, and erosion control
- _____ 24) Preceding parcel map, final map, or record of survey, if any exists.
- _____ 25) Preliminary grading, drainage plan, and report. The plan should be of sufficient detail to identify the scope of grading, including quantities, depths of cut and fills (for roads and driveways where cuts/fills exceed 6 feet, and mass pad graded lots), location of existing drainage, proposed modifications, and impacts to downstream facilities. (See Section 110.14.200 of County Grading Ordinance for submittal detail)
- _____ 26) Name and address of Homeowner's Association, CSA 9 Zone of Benefit, or other road maintenance entity if it exists in the project area.
- _____ 27) An acoustical analysis shall be provided whenever a noise-sensitive land use (residences, hospitals, churches, libraries) are proposed adjacent to a major transportation source, or adjacent or near existing stationary noise sources. Such study shall define the existing and projected noise levels and

FORMS AND MAPS REQUIRED

Check (√)
Applicant County

define how the project will comply with standards set forth in the General Plan and Zoning Ordinance.

OAK TREE/OAK WOODLAND REMOVAL

The following supplemental information shall be required if any Oak Woodlands, Individual Native Oak Trees, or Heritage Trees, as defined in Section 130.39.030 (Definitions) will be impacted by the project (i.e. cut down) consistent with Section 130.39.070 (Oak Tree and Oak Woodland Removal Permits – Discretionary Development Projects).

- _____ 1) An Oak Resources Code Compliance Certificate.
- _____ 2) Oak Resources Technical Report prepared by a Qualified Professional consistent with Section 2.5 (Oak Resources Technical Reports) of the Oak Resources Management Plan.
- _____ 3) Completed Oak Resources Technical Report Checklist, including supplemental data for impacted Individual Native Oak Trees within Oak Woodlands, as applicable.
- _____ 4) Security deposit for on-site oak tree/oak woodland retention and/or replacement planting (if proposed as part of project mitigation) consistent with Section 130.39.070.F (Security Deposit for On-Site Oak Tree/Oak Woodland Retention) and Section 130.30.070.G (Security Deposit for On-Site Oak Tree/Oak Woodland Replacement Planting).
- _____ 5) Reason and objective for Impact to oak trees and/or oak woodlands.

SITE PLAN REQUIREMENTS

Five copies **folded to 8½" x 11"**, **plus one 11" x 17" reduction** plus an electronic copy on USB Flash Drive. Plans shall be of sufficient size and resolution to clearly show all details and required data.

Please check the Applicant column on the left to be sure you have all the required submittal information for the site plan.

- _____ 1) Project name (if applicable).
- _____ 2) Name, address of applicant and designer (if applicable).
- _____ 3) Date, north arrow, and scale.
- _____ 4) Entire parcel of land showing perimeter with dimensions.

FORMS AND MAPS REQUIRED

Check (√)
Applicant County

- _____ 5) All roads, alleys, streets, and their names.
- _____ 6) Location of easements, their purpose and width.
- _____ 7) All existing and proposed uses (i.e. buildings, driveways, dwellings, utility transmission lines, etc.).
- _____ 8) Parking and loading stalls with dimensions (refer to Zoning Ordinance Chapter 130.35 – Parking and Loading, and the Community Design Standards – Parking and Loading Standards).
- _____ 9) Trash and litter storage or collection areas, and propane tank location(s).
- _____ 10) Total gross square footage of proposed buildings.
- _____ 11) Proposed/existing fences or walls.
- _____ 12) Sign locations and sizes (if proposed). (Refer to Zoning Ordinance Chapter 130.16 - Signs – Ordinance No. 5025).
- _____ 13) Pedestrian walkways, courtyards, etc.
- _____ 14) Exterior lighting. (Refer to Zoning Ordinance Chapter 130.34 and the Community Design Standards – Outdoor Lighting Standards).
- _____ 15) Existing/proposed water, sewer, septic systems, and wells (if applicable).
- _____ 16) Existing/proposed fire hydrants.
- _____ 17) Adjacent parcel owner(s); Assessor's Parcel Number (unless this is included on tentative map).
- _____ 18) Public uses (schools, parks, etc.)
- _____ 19) The location, if present, of rock outcropping, lava caps, drainage courses, lakes, canals, reservoirs, rivers, streams, spring areas subject to inundation and wetlands. (Show respective 100-foot and 50-foot septic system setbacks when a septic system is proposed.)
- _____ 20) Identify areas subject to a 100-year flood on perennial streams or creeks, and show high water level (100-year) on map. Where this data is not readily available, January 1997 flood level can be shown if known. (Refer to the

FORMS AND MAPS REQUIRED

Check (√)
Applicant County

Federal Emergency Management Agency (FEMA) website).

- _____ 21) Note any proposed trails within the project; and where applicable, connection to existing or proposed trail systems.

PRELIMINARY LANDSCAPE PLAN REQUIREMENTS

Required when parking facilities are proposed. (Refer to Zoning Ordinance Chapter 130.35). Five copies **folded to 8½" x 11"**, **plus one 11" x 17" reduction** plus an electronic copy on USB Flash Drive.

FORMS AND MAPS REQUIRED

Check (√)
Applicant County

- _____ 1) Location, quantity, and a gallon size of proposed plant material (See Zoning Ordinance Section 130.33 – Landscaping Standards, and the Community Design Standards – Landscaping and Irrigation Standards)
- _____ 2) Location, general type (pine, oak, etc.) and size of all existing trees, in those areas that are subject to grading or otherwise may be removed/affected by proposed improvements. Note quantity/type of trees to be removed.
- _____ 3) List of both common and botanical names of plant material (use of native and drought tolerant species is highly recommended). A recommended list of drought-tolerant species is available at Planning Services.
- _____ 4) Location of irrigation proposed. (NOTE: The final Landscape Plan will be required to conform to the [California Model Water Efficient Landscape Ordinance](#) [MWELO].)

PRELIMINARY GRADING AND DRAINAGE PLAN

Required whenever any grading is proposed. Five copies **folded to 8½" x 11"**, **one 11" x 17" reduction**, plus an electronic copy on USB Flash Drive.

FORMS AND MAPS REQUIRED

Check (√)
Applicant County

- _____ 1) Contours or slope data (pursuant to Chapter 110.14 of County Code Grading, Erosion, and Sediment Control Ordinance)..
- _____ 2) Drainage improvements, culverts, drains, etc.

FORMS AND MAPS REQUIRED

Check (√)
Applicant County

_____ 3) Limits of cut and fill.

PLAN OF BUILDING ELEVATIONS

Required whenever a new structure or addition is proposed. Five copies **folded to 8½" x 11"**, **one 11" x 17" reduction**, plus an electronic copy on USB Flash Drive.

FORMS AND MAPS REQUIRED

Check (√)
Applicant County

- _____ 1) Building design, elevations of all sides.
- _____ 2) Exterior materials, finishes, and colors.
- _____ 3) Existing/proposed signs showing location, height and dimensions.
Include sign plan for project with multiple businesses, if applicable.

NOTE:

APPLICATION WILL BE ACCEPTED BY APPOINTMENT ONLY. MAKE YOUR APPOINTMENT IN ADVANCE BY CALLING (530) 621-5355.



PLANNING AND BUILDING DEPARTMENT

Planning Division

2850 Fairlane Court, Placerville, CA 95667

Phone: (530) 621-5355 www.edcgov.us/Planning/

APPLICATION FOR: **SB 35 DESIGN REVIEW** **FILE #** _____

ASSESSOR'S PARCEL NO.(s) _____

PROJECT NAME/REQUEST: (Describe proposed use) _____

APPLICANT/AGENT _____

Mailing Address _____
P.O. Box or Street _____ City _____ State & Zip _____

Phone () _____ EMAIL: _____

PROPERTY OWNER _____

Mailing Address _____
P.O. Box or Street _____ City _____ State & Zip _____

Phone () _____ EMAIL: _____

LIST ADDITIONAL PROPERTY OWNERS ON SEPARATE SHEET IF APPLICABLE

ENGINEER/ARCHITECT _____

Mailing Address _____
P.O. Box or Street _____ City _____ State & Zip _____

Phone () _____ EMAIL: _____

LOCATION: The property is located on the SELECT ONE side of _____ street or road
N / E / W / S
_____ feet/miles SELECT ONE of the intersection with _____ major street or road
N / E / W / S
in the SELECT ONE area. **PROPERTY SIZE** _____ acreage / square footage

X _____ Date _____
signature of property owner or authorized agent

FOR OFFICE USE ONLY

Date _____ Fee \$ _____ Receipt # _____ Rec'd by _____ Census _____

Zoning _____ GPD _____ Supervisor Dist_ _____ Sec _____ Twn_ _____ Rng _____

ACTION BY

PLANNING COMMISSION

ZONING ADMINISTRATOR

PLANNING DIRECTOR

ACTION BY BOARD OF SUPERVISORS

Hearing Date _____

Hearing Date _____

Approved _____ Denied _____
findings and/or conditions attached

Approved _____ Denied _____
findings and/or conditions attached

APPEAL:
Approved _____ Denied _____

Executive Secretary _____