

SB 79 Qualifying Criteria

#	Criteria
1	<p>Be considered a “housing development project” per Government Code sec. 65589.5, without any hotels/motels/short-term rentals proposed, consisting of any of the following scenarios:</p> <ul style="list-style-type: none"> • Residential units only; • Mixed-use of residential and nonresidential where: <ul style="list-style-type: none"> ○ At least two-thirds of the gross square footage is for residential use; ○ At least 50 percent of the gross square footage is residential and at least 500 net new units; or ○ At least 50 percent of the gross square footage is residential and includes at least 500 net new units, and demolition or conversion of at least 100,000 square feet of nonresidential use with demolition of at least 50 percent of existing nonresidential square footage. • Transitional or supportive housing.
2	Located on a site zoned for residential, commercial, or mixed-use development.
3	<p>Not located on a site that meets either of the following criteria:</p> <ul style="list-style-type: none"> • A site containing more than two units where the development would require the demolition of housing that is subject to any form of rent or price control¹ that has been occupied by tenants within the past seven years. • A site that was previously used for more than two units of housing that were demolished within seven years before submission of an application to develop under SB 79, and any of the units were subject to any form of rent or price control.
4	Minimum of five dwelling units.
5	Minimum density that is the greater of i) at least 30 dwelling units per acre or, ii) the minimum density required under local zoning (if applicable).
6	Average total floor area of proposed units shall not exceed 1,750 net habitable square feet.

¹ In Mountain View, this would generally include apartments with three or more units built before 1995 that are considered “fully covered” under the City’s Community Stabilization and Fair Rent Act (CSFRA).

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7	Comply with local standards, including an inclusionary zoning requirement as well as applicable local objective general plan and zoning standards, that do not, alone or in concert, prevent achieving the applicable development standards based on a site's location.
8	Comply with otherwise applicable objective fire safety standards established pursuant to the California Building Code, the California Fire Code, the California Wildland-Urban Interface Code, the Health and Safety Code, the Public Resources Code, or Government Code sec. 51175 <i>et seq.</i>
9	Comply with the height, noise, and safety standards of an adopted airport land use compatibility plan (in Mountain View, this is the Moffett Field Comprehensive Land Use Plan) or Department of Defense Air Installation Compatible Use Zones.
10	Result in no net loss of existing residential units on a project site and shall comply with any local demolition and anti-displacement standards established through local ordinance.
11	For projects with more than 10 units, provide a minimum proportion of units affordable to extremely low income, very low income, or lower income households, unless local provisions require a higher percentage of affordable units or a deeper level of affordability.
12	For projects over 85 feet in height, comply with specified labor standards, including payment of prevailing wages to all construction workers employed in development of the project.