CITY OF MORGAN HILL
Development Services Department

SB 6 (2022) ELIGIBILITY CHECKLIST

This checklist provides an overview of Senate Bill No. 6's (2022) requirements which provides for a streamlined approval process for certain housing projects. If the answers to all of the statements below are "yes," then your project is eligible for the City of Morgan Hill application and approval process. If any of these responses are "no," then the project is not eligible. **For any statement with a response of "yes," the applicant must demonstrate (providing supplemental exhibits as appropriate) how that determination was rendered or the application will not be accepted**.

	GENERAL ELIGIBILITY REQUIREMENTS	Yes	No	N/A
1.	The housing development project is in a zone where office, retail, or parking are principally permitted use.	☐	☐	
2.	Proposed housing development must be either: o Project that includes residential units only; OR o Mixed-use project with at least 50 percent of the square footage dedicated to residential use	☐	☐	
3.	The project site is 20 acres or less.	☐	☐	
4.	The project is located within an urbanized area or urban cluster (now designated "urban areas" by the US Census Bureau).	☐	☐	
5.	The proposed housing development is not on or adjoined to a site where more than one-third dedicated to industrial uses.	☐	☐	
6.	The project is consistent with any applicable and approved sustainable community strategy or alternative plan (i.e., Plan Bay Area 2050).	☐	☐	
7.	The project shall provide notice to commercial tenants and provide relocation assistance to certain qualifying independently-owned commercial tenants.	☐	☐	☐
8.	The project will pay prevailing wage established under Government Code section 65913.4(a)(8)(A).	☐	☐	
9.	The project will utilize a skilled and trained workforce except where, after specified bidding process, fewer than two prequalified contractors that are committed to using a "skilled and trained workforce" bid on the contract. o Developer agrees to require these standards be included in all construction contracts. o Developer agrees to certify to the local government that the labor requirements will be met in the project construction. o Developer shall provide local agency with monthly compliance reports.	☐	☐	
10.	The local agency has not exempted the parcel.	☐	☐	
11.	Project density meets or exceeds applicable density deemed appropriate to accommodate lower-income households pursuant to housing element law.	☐	☐	
12.	Project complies with local zoning, parking, design and other ordinances, local code requirements and procedures applicable to the processing and permitting of a housing development in zone that allows for housing at density deemed appropriate to accommodate lower-income households pursuant to housing element law. • Note: If more than one zoning designation allows for above-described density, the applicable zoning standards shall be those for the zoning designation for the closest parcel that allows residential use at density that is appropriate to accommodate lower-income households pursuant to housing element law. • Note: If existing zoning designation for the parcel allows residential density that exceeds housing element law density, the existing zoning designation applies.	☐	☐	

GENERAL ELIGIBILITY REQUIREMENTS		Yes	No	N/A
13.	The project shall comply with all other objective local requirements for a parcel (except those that prohibit residential use or allow residential use only at a lower density) including impact fee and inclusionary housing requirements.	☐	☐	

PROCESS NOTES:

1. CEQA: Not exempt under CEQA.
2. Permit Processing: SB6 is a new approval process but may invoke SB 35 and Housing Accountability Act.

Exhibit A

Certificate for Compliance with Eligibility Requirements (SB 6)

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

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

_____ _____ - _____ - _____

Address *Assessor's Parcel Number*

(b) I am a duly authorized officer or owner of the subject property.

(c) The project will comply with the applicable prevailing wage requirements established under Government Code section 65913.4(a)(8)(A) and utilize a skilled and trained workforce.

(d) The responses provided in the SB 6 (2022) Eligibility Checklist are true and correct.

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