



# MIDDLE CLASS HOUSING ACT SB 6 HOUSING DEVELOPMENTS ELIGIBILITY CHECKLIST P-44

Community Development Dept.  
Planning Division  
1635 Faraday Avenue  
(442) 339-2600  
www.carlsbadca.gov  
Refer to **IB-136** for information

*Applicants intending to propose a housing development pursuant to SB 6 [Gov. Code [§§65852.24](#)] must complete this checklist to demonstrate eligibility. Refer to Informational Bulletin IB-136 for additional information on the SB 6 allowances and the city's permit application review processes.*

## HOUSING DEVELOPMENTS

The following pertains to the property being considered for an SB 6 application. Applicants answering "YES" to the following statements may be eligible for SB 6 processing. Subject to applicable state code requirements.

**Project Type.** Does the project include either five or more residential units only or a mixed-use development, where at least 50% of square footage is residential? YES  NO

**Use Type.** Is the project located in a zone where an office, retail or parking are principally permitted and occupies more than one-third of the square footage of the site without the need for a conditional use permit? YES  NO

**Zoning Designation.** Is the project located in one of the following zoning designations? YES  NO

- |   |  |   |  |
|---|--|---|--|
| <ul style="list-style-type: none"> <li>• Commercial Tourist (CT)</li> <li>• Local Shopping Center (C-L)</li> <li>• Residential Density Multiple (RD-M)</li> </ul> | <ul style="list-style-type: none"> <li>• General Commercial (C-2)</li> <li>• Neighborhood Commercial (C-1)</li> <li>• Local Shopping Center (C-L)</li> </ul> | <ul style="list-style-type: none"> <li>• Gen Comm/Qualified Develop (C-2-Q)</li> <li>• Office (O)</li> <li>• Village-Barrio (VB)</li> </ul> | <ul style="list-style-type: none"> <li>• Local Shopping Center (C-L)</li> <li>• Planned Community (P-C)</li> </ul> |
|---|--|---|--|

**Acreage.** Is the property less than 20 acres or larger in size? YES  NO

**Earthquake Fault.** The property is **not** within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection code standards adopted by the CA Building Standards Commission under the CA Building Standards Law (part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and CMC §18.04.010 where the city adopted by reference the 2019 California Building Code chapter 16, section 1613 Earthquake Loads which references chapter 18 of the American Society of Civil Engineers ASCE 7-16 manual. YES  NO

**Flood Hazards.** The property is **not** located within a special flood hazard area in any official maps published by the Federal Emergency Management Agency unless the development complies with the city's FEMA floodplain requirements. YES  NO

**High Fire Severity Zone.** The property is **not** located within a high fire severity zone. YES  NO

**Hazardous Waste Site.** The property is **not** located within a hazardous waste site and is **not** located within 3,000 feet of a facility that actively extracts or refines oil or natural gas. YES  NO

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- Industrial Use.** Is the property or adjacent property void of any industrial uses?
- Farmland.** The property is not located on prime farmland or farmland of statewide importance.
- Prevailing Wage.** The project proponent committed to the prevailing wage requirements and labor standards of Article 2 of the California Labor Code?
- Certification.** Has the developer/contractor certified to the local agency that a skilled and trained workforce will perform construction?
- Relocation Assistance.** Has the development proponent provided a notice of pending application and relocation assistance to each eligible commercial tenant on the parcel consistent with state law?
- Rental terms.** Will all rental units be rented for a term longer than 30 days?

## SIGNATURES

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***Under penalty of perjury the following declarations are made:***

1. I hereby certify that all statements contained in this application and any accompanying documents are true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer may be grounds for denial or subsequent revocation of the deemed complete status.
2. I understand this application is not a development application that authorizes an entitlement and is strictly for the purposes of Senate Bill 6, the MIDDLE-CLASS HOUSING ACT of 2022.
3. I understand and agree that any report, study, map or other information submitted to the city in furtherance of this application will be treated by the city as a public record which may be reviewed by any person and if requested, that a copy will be provided by the city.
4. I understand that if this application cannot be submitted and deemed complete by staff at the submittal appointment.
5. If the applicant is not the Property Owner, both the Property Owner and Applicant must sign this affidavit. By signing this affidavit, the Property Owner authorizes the Applicant listed in this application to act as the Property Owner's agent on all matters in connection with this application.
6. I understand and agree to defend, indemnify, and hold harmless, the City of Carlsbad, its officers, agents, employees, and volunteers (collectively "city"), from any and all legal actions, claims, or proceedings (including administrative or alternative dispute resolution and Public Records Act requests (collectively "actions"), arising out of any city process or approval prompted by this Action, either in whole or in part. Such actions include but are not limited to: actions to attack, set aside, void, or otherwise modify, an entitlement approval, environmental review, or subsequent permit decision; actions for personal or property damage; actions based on an allegation of an unlawful pattern and practice; inverse condemnation actions; and civil rights or an action based on the protected status of the petitioner or claimant under state or federal law (e.g. ADA or Unruh Act). I understand and agree to reimburse the city for any and all costs incurred in defense of such actions. This includes, but it not limited to, the payment of all costs (including litigation costs, administrative record preparation, public records act responses) and attorneys' fees, all judgments or awards, damages, and settlement costs. The City will promptly notify a subdivider of any claim, action, or proceeding arising out of any city process or approval prompted by this Action and that the local agency will cooperate fully in the defense. The indemnity language in this paragraph is intended to be interpreted to the broadest extent permitted by law and shall be in addition to anyother indemnification language agreed to by the applicant.

*The city requires original signatures below – the signatures do not need to be notarized.*

## PROPERTY OWNER

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Name: \_\_\_\_\_ Email: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**APPLICANT**  Same as above

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Name: \_\_\_\_\_ Email: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

City Staff Only

App. Vesting Date: \_\_\_\_\_

Staff Name: \_\_\_\_\_ Staff Signature: \_\_\_\_\_ Date: \_\_\_\_\_