Affordable, In-Fill Housing, and Sustainable Buildings Expedite Program

This information bulletin (IB) describes the minimum submittal requirements and permit process for the Affordable, In-fill Housing and Sustainable Buildings Expedite Program (Expedite Program). The Expedite Program provides expedited discretionary and ministerial permit processing for all eligible affordable, in-fill housing and sustainable development permits and building projects (see Section III below).

I. Process: Expedite vs. Standard

To expedite the processing of projects more quickly compared to standard review times, a more aggressive processing timeline is achieved by the City staff through the following:

A. Discretionary Expedite Process

1. A request to confirm program eligibility is required prior to submittal. To submit this request, email DSD-ExpediteProgram@sandiego.gov.

2. Once confirmation of eligibility has been received, all forms, documents and applications must be submitted electronically. Visit the Development Services Department (DSD) website at sandiego.gov/DSD to begin the submittal process. Additional information, including a detailed User Guide, is also available. Expedite Program Completeness Check is five business days for initial determination.

3. A Mandatory Initial Review (see Section V on page 4) meeting provides early staff feedback within 15 days.

4. Applicant funds the Environmental Initial Study at initial review.

5. First Review Cycle - 20 business days.

6. Optional Project Review Meeting is held within 10 days after the first review cycle for any issue clarification and conflict resolution.

7. Subsequent Reviews by discipline are performed with the goal of approximately 50% less review time as compared to standard review (i.e. 10 days vs. 20 days).

8. Development Project Managers on the Expedite team work to complete Assessment Letters and Hearing documents within the review cycle time, as opposed to after a review cycle is completed.

9. Public hearings are scheduled upon completion of the Environmental document.

Note: Self Certification training for Completeness Check is available through Development Services semi-annually, and the schedule is published on the DSD website. The option for applicants reduces five days from the overall process.

Upon request, this information is available in alternative formats for persons with disabilities.
DS-5538 (01-22)
B. **Cost of Expedite Program Fees for Discretionary Project**

The Expedite Program is an optional service for qualified applicants seeking expedited permit processing. Fees are based on project eligibility criteria and are required at the time of full submittal, along with any other standard applicable fee and/or deposit (see IB-501 and IB-503).

1. **Residential**
   a. Eligible discretionary residential projects (per section III) pay a fee as shown in Section IV.A on Page 2 of IB-503.
   b. 100% Affordable housing development on site: The City waives Expedite fees for 100% affordable housing projects. Only standard applicable fees/deposit charged.

2. **Non-Residential - Commercial/Industrial** (per Section F, G, and I eligibility requirements) pay by square footage (SF) as shown in Section IV.A on Page 2 of IB-503.

3. **Mixed use** (per Section III eligibility requirements):
   a. Eligible discretionary mixed-use projects pay applicable residential and non-residential fees as shown in Section IV.A on Page 2 of IB-503.
   b. Retail/Commercial with 100% Affordable housing development on site: The City waives Expedite fees; only standard applicable fees/deposit charged.

Expedite program fees will be capped as shown in Section IV.A on Page 2 of IB-503, an amount not to exceed 40% of the actual staff hourly billings (as determined upon project closeout). If at project closeout it is determined that Expedite fees paid at submittal exceed 40% of the hourly billing, the applicant will be refunded the difference.

II. **Ministerial Expedite/Express Process**

A. **Expedite Process** - Projects with related completed Expedite discretionary review, or which qualify for discretionary Expedite, will be entered into ministerial Expedite processing, provided they meet eligibility requirements of Section III of this IB as determined by staff. Expedite goals include 25% reduced review times from standard.

B. **Express Process** - Ministerial projects with 100% affordable housing component will be processed 50% faster or “Expressed,” without additional express processing fees. The City’s goal is to process 100% affordable projects in half the review times as standard projects, but this is not guaranteed.

Eligible projects as discussed in this section must first submit for a Submitted Completeness Review.

C. **Submitted Completeness Review** - Key components to the success of the Expedite Program are the Submitted Completeness Review and assignment of an active Project Manager to the project.

This review allows staff adequate time to review plans/documents and set up the project for review. Submitted Completeness Review typically takes five working days and requires the following:

1. All plans/documents as identified in the Development Services Project Submittal Requirements Section 2.
2. Completed DS-531 Form, Commitment Requirement for Affordable In-Fill Housing and Sustainable Buildings Expedite Program.

After Submitted Completeness Review, staff will notify the applicant via email whether the application is ready for full submittal or additional information/clarification is required.

III. Expedite Program Eligibility (Discretionary and Ministerial Projects)

Eligibility is based upon the Affordable, In-fill Housing and Sustainable Buildings Regulations, City Council Policy 600-27, and San Diego Municipal Code (SDMC) §143.0915. This information bulletin provides further clarification on eligibility requirements for Expedite Program processing. DSD requires projects with any residential component to provide ten units or more to be eligible for Expedite (except within the Promise Zone there are no limits).

Projects that elect to pay the Affordable Housing fees to satisfy the Inclusionary Housing Regulations are not eligible for the Expedite Program (except for G and H, below). Fees shall not be utilized to provide for a partial affordable housing unit. The number (e.g. 10%) of affordable housing units required for eligibility in the Expedite program shall be rounded up (e.g. a 24-unit residential project requires three affordable housing units).

Eligible Expedite Program Projects Include:

A. Residential development projects where at least 10% of the total number of units proposed within the development (includes any density bonus units) are set aside for households with an income at or below 60% of area median income (AMI) for rental units, and at or below 100% AMI for for-sale units, or 15% at or below 120% AMI for for-sale units as set forth in Chapter 14, Article 2, and Division 13: Inclusionary Housing Regulations [Council Policy 600-27 item (C)(1) and SDMC §143.0915(a)(1)].

B. Residential development projects receiving funding from the San Diego Housing Commission as a result of a public/private partnership with the City, or a City agency, or are located on City-owned real property, of which at least 15% of the total units are affordable to households with an income at or below 120% AMI [SDMC §143.0915(a)(2)].

C. Residential development projects subject to a Federal, State or Local governmental agreement that restricts tenancy and rents at or below 80% AMI [SDMC §143.0915(a)(3)].

D. Urban infill housing development projects of ten units or more within Transit Priority Areas of the City as defined in the Climate Action Plan. These projects are eligible for expedited processing if all the dwelling units are affordable to households earning no more than 150% AMI for both rental and for-sale (first ownership cycle only) units. Infill housing development projects need to provide a larger number of affordable housing units than they replace [Council Policy 600-27 item (C)(2) and SDMC §143.0915(a)(4) and (b)(2)].

E. Military housing constructed by the Federal Government or through a contract with the Federal Government, for use by active military personnel and their families [SDMC §143.0915(a)(5)].
F. Mixed-use development projects or development projects that combine residential with other land uses where at least 50% of the gross floor area of the entire project site is dedicated to residential use. The residential affordable dwelling units must meet the criteria as described in A through D above [SDMC §143.0915(a)(6)].

G. Any commercial, industrial, residential development project located within the boundaries of the federally designated San Diego Promise Zone. The area is comprised of three of the City’s most economically disadvantaged neighborhoods, and generally stretches from East Village and Barrio Logan in the west, extending to Encanto and Emerald Hills in the east [Council Policy 600-27 item (C)(3) and SDMC §143.0915(b)(2)].

H. Residential development projects of 10 units or more that incorporate the Mandatory and Voluntary Tier 1 and Tier 2 Measures of the Title 24, Part 11 California Green Building Standards Code (CGBSC) in effect at the time the building permit application is deemed complete but not less than the current regulations. See CGBSC Title 24, Part 11 Appendix A4 for the applicable checklist. CALGreen Forms and Worksheets. (Completed checklist is required at time of submittal) [Council Policy 600-27 item(C)(4) and SDMC §143.0915(c)].

I. Non-Residential development projects that incorporate the Mandatory and Voluntary Tier 1 and Tier 2 Measures of the Title 24, Part 11 CGBSC in effect at the time the building permit application is deemed complete but not less than the current regulations. See CGBSC Title 24, Part 11 Appendix A5 for the applicable checklist. CALGreen Forms and Worksheets. (Completed checklist is required at time of submittal) [Council Policy 600-27 item(C)(4) and SDMC §143.0915(c)].

Additional Processing Incentives

The Expedite Program also provides development incentives to builders of affordable, in-fill housing and sustainable building projects by allowing deviations from the development regulations of the Municipal Code. SDMC §143.0920 allows for a Neighborhood Development Permit to be requested for deviations specific to affordable and in-fill housing projects where a Site Development Permit or Planned Development Permit might otherwise be required. Please refer to Section 143.0920 for more detailed information.

V. Required Forms: DS-530 and DS-531

The Affordable Housing Requirements Checklist (DS-530) is required to be completed for all residential development applications proposing two units or more and requires the applicant to identify how they are satisfying the City's Inclusionary Affordable Housing requirements.

DS-531 is a checklist required to request affordable or sustainable processing through the Expedite Program. The applicant must sign an agreement that obligates the project to provide affordable and/or sustainable housing units. If at any time during the processing of the project the applicant amends the project to pay the fee instead of providing the affordable units, or decides not to provide the required sustainability measures, the project application will be withdrawn, expended monies will not be refunded, and the applicant will be required to resubmit a new permit application for standard permit processing. That application shall be subject to all applicable fees and regulations in effect on the date the new application is deemed complete. DS-531 must be completed for projects using the affordable
VI. Mandatory Initial Review for Discretionary Projects

The Mandatory Initial Review (MIR) is a key component of the success of the Expedite Program. All projects in the Expedite Program must first go through an MIR. The MIR is not a Preliminary Review (see IB-513) but involves a thorough and detailed initial review of the project before the project is officially deemed complete. Expedite projects receive many benefits from the MIR process, including (but not limited to): Early initiation of the environmental review process, providing more time to resolve environmental issues, resulting in a higher potential for environmental exemption; early involvement and project commitment from a specialized team of City staff who will follow through with the project to a final hearing; and an opportunity for the applicant's consulting team and the City's multi-disciplinary team to meet face-to-face early on to discuss the project and facilitate the expedited permit process.

Applicants in the due-diligence stage, seeking general information, or who have fundamental design and/or process questions that prohibit a full submittal pursuant to the Project Submittal Requirements, are not yet ready to enter the Expedite Program. Instead, these applicants should first apply for a Preliminary Review. The Expedite program is designed for applicants who have committed to a final design, have all consultants on board, have prepared all required plans and anticipated technical studies, and are motivated and responsive to the City's requirements and staff's review comments/recommendations.

Once an applicant is ready to enter the Expedite Program, the first step is the Mandatory Initial Review (MIR). The applicant must prepare a MIR submittal package based on the Development Services Department's Project Submittal Requirements (Section 4), found within the Land Development Manual Volume I, Chapter 1. The applicant submits the MIR package (one set) for Completeness Check, or a full submittal with Professional Certification for Completeness Review (per IB-514). Please note that the full discretionary approval deposit and or flat fee, submittal fees, and applicable Expedite fees are due with this submittal.

To schedule a virtual appointment to submit, please email DSD-ExpediteProgram@sandiego.gov at least two days in advance (please indicate if submitting with Professional Certification). Staff's completeness review will be completed within five working days.
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