



SB 330 PRELIMINARY APPLICATION FORM AND SUBMITTAL CHECKLIST

PREPARED BY:

Planning Division
Community Development Department
City of Baldwin Park

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SB 330 PRELIMINARY APPLICATION FORM

Submittal Checklist and Vesting Application

CITY OF BALDWIN PARK

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GENERAL INFORMATION

This form serves as the preliminary application for housing development projects seeking vesting rights pursuant to Senate Bill (SB) 330, the Housing Crisis Act of 2019 (HCA). The HCA aims to increase residential unit development, protect existing housing inventory, and expedite development processing by locking in the development requirements, standards, and fees at the time a complete Preliminary Application is submitted, as stated in California Government Code § 65589.5

APPLICABILITY

A preliminary application may be filed for a housing development project as defined in Government Code Section 65589.5(h)(2). A housing development project includes a project composed of any one the following:

1. Residential units only
2. Mixed-use development with at least two-thirds of the project's square footage designated for residential use
3. Transitional or supportive housing

VESTING TIMELINE AND THRESHOLDS

An SB 330 Preliminary Application must be deemed complete by the Planning Division for the application to be vested for the purpose of subjecting such application to "ordinances, policies, and standards" as defined by Government Code Section 65589.5(o), except in circumstances prescribed under that section of code, at the time of filing or when the application is deemed complete, whichever is later. An SB 330 Preliminary Application is deemed complete when:

1. All required forms, documents, and materials listed in these instructions and checklist are received by the Planning Division; and
2. The final invoice has been issued and proof of payment is provided along with the required items described herein.

In addition, a housing development project must meet the following timelines and thresholds to obtain vested status:

1. The SB 330 Preliminary Application must be filed with the Planning Division prior to filing an application requesting approval of any discretionary action for a housing development project.
2. An application for discretionary action must be filed with the Planning Division within 180 days of the date that the SB 330 Preliminary Application was filed or deemed complete, whichever is later.
3. If an application for discretionary action is deemed incomplete after filing, the applicant must submit all missing or incomplete items to the Planning Division within 90 days of being notified in writing by the Department.
4. Construction of the project must commence within two and one-half years following the date that the project receives final approval, as defined in Government Code Section 65589.5(o)(2).
5. Any change in the dwelling unit count is limited to less than 20 percent—exclusive of any increase resulting from the receipt of a density bonus, concession, or waiver—indicated on the SB 330 Preliminary Application.
6. Any change in the square footage of construction is limited to less than 20 percent—exclusive of any increase resulting from the receipt of a density bonus, concession or waiver—indicated on the SB 330 Preliminary Application.

Submittal of all the information listed in the Submittal Checklist **and** payment of the permit processing fee freezes fees and development standards to the date said application was formally received, unless exceptions per Government Code Section 65889.5(o) are triggered

SB 330 Preliminary Application Form - Continued

SB 330 Submittal Checklist

The following information and checklist is intended as a guide to help applicants and Planning Division Staff determine if a project is eligible for expedited development processing under SB 330. **All requested information must be provided. Any application containing incomplete information will not be accepted or deemed complete.**

PROJECT LOCATION - The specific location, including parcel numbers, a legal description, and site address, if applicable.

Street Address _____ Unit/Space Number _____

Legal Description (Lot, Block, Tract)

Attached? YES NO

Assessor Parcel Number(s) _____

EXISTING USES - The existing uses on the project site and identification of major physical alterations to the property on which the project is to be located.

SITE PLAN - A site plan showing the building(s) location on the property and approximate square footage of each building that is to be occupied.

Attached? YES NO

ELEVATIONS - Elevations showing design, color, material, and the massing and height of each building that is to be occupied.

Attached? YES NO

PROPOSED USES - The proposed land uses by number of units and square feet of residential and nonresidential development using the categories in the applicable zoning ordinance.

SB 330 Preliminary Application Form - Continued

RESIDENTIAL DWELLING UNIT COUNT:

Please indicate the number of dwelling units proposed, including a breakdown of levels by affordability, set by each income category.

| | Number of Units |
|----------------------------------|-----------------|
| Market Rate | |
| Managers Unit(s) – Market Rate | |
| Extremely Low Income | |
| Very Low Income | |
| Low Income | |
| Moderate Income | |
| Total No. of Units | |
| Total No. of Affordable Units | |
| Total No. of Density Bonus Units | |

Other notes on units:

FLOOR AREA - Provide the proposed floor area and square footage of residential and nonresidential development, by building (attach relevant information by building and totals here):

| | Residential | Nonresidential | Total |
|---------------------------------------|-------------|----------------|-------|
| Floor Area (Zoning) | | | |
| Square Footage of Construction | | | |

PARKING - The proposed number of parking spaces:

AFFORDABLE HOUSING INCENTIVES, WAIVERS, CONCESSIONS and PARKING

REDUCTIONS - Will the project proponent seek Density Bonus incentives, waivers, concessions, or parking reductions pursuant to California Government Code Section 65915?

YES NO

If "YES," please describe:

SB 330 Preliminary Application Form - Continued

SUBDIVISION – Will the project proponent seek any approvals under the Subdivision Map Act, including, but not limited to, a parcel map, a vesting or tentative map, or a condominium map?
 YES NO

If "YES," please describe:

POLLUTANTS – Are there any proposed point sources of air or water pollutants?
 YES NO

If "YES," please describe:

EXISTING SITE CONDITIONS – Provide the number of existing residential units on the project site that will be demolished and whether each existing unit is occupied or unoccupied. Provide attachment, if needed.

| | Occupied Residential Units | Unoccupied Residential Units | Total Residential Units |
|------------------|----------------------------|------------------------------|-------------------------|
| Existing | | | |
| To Be Demolished | | | |

ADDITIONAL SITE CONDITIONS –

- a. Whether a portion of the property is located within any of the following:
 - i. A very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection, pursuant to Section 51178?
 YES NO
 - ii. Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993)?
 YES NO
 - iii. A hazardous waste site that is listed pursuant to Section 65962.5, or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code?
 YES NO
 - iv. A special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by any official maps published by the Federal Emergency Management Agency?
 YES NO

SB 330 Preliminary Application Form - Continued

v. 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 building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2?

YES NO

vi. A stream or other resource that may be subject to a streambed alteration agreement pursuant to Chapter 6 (commencing with Section 1600) of Division 2 of the Fish and Game Code?

YES NO

If "YES" to any, please describe:

b. Does the project site contain historic and/or cultural resources?

YES NO

If "YES," please describe:

c. Does the project site contain any species of special concern?

YES NO

If "YES," please describe:

SB 330 Preliminary Application Form - Continued

- d. Does the project site contain any recorded public easement, such as easements for storm drains, water lines, and other public rights of way? YES NO

If "YES," please describe:

- e. Does the project site contain a stream or other resource that may be subject to a streambed alteration agreement pursuant to Chapter 6 (commencing with Section 1600) of Division 2 of the Fish and Game Code? Provide an aerial site photograph showing existing site conditions of environmental site features that would be subject to regulations by a public agency, including creeks and wetlands. YES NO

If "YES," please describe and depict in attached site map:

COASTAL ZONE - For housing development projects proposed to be located within the coastal zone, whether any portion of the property contains any of the following:

- a. Wetlands, as defined in subdivision (b) of Section 13577 of Title 14 of the California Code of Regulations. YES NO
- b. Environmentally sensitive habitat areas, as defined in Section 30240 of the Public Resources Code. YES NO
- c. A tsunami run-up zone. YES NO
- d. Use of the site for public access to or along the coast. YES NO

PROJECT TEAM INFORMATION - The applicant's contact information and, if the applicant does not own the property, consent from the property owner to submit the application.

Applicant's Name _____

Company/Firm _____

Address _____ Unit/Space Number _____

City _____ State _____ Zip Code _____

Telephone _____ Email _____

Are you in escrow to purchase the property? YES NO

SB 330 Preliminary Application Form - Continued

Property Owner of Record Same as applicant Different from applicant

Name (if different from applicant) _____

Address _____ Unit/Space Number _____

City _____ State _____ Zip Code _____

Telephone _____ Email _____

Optional: Agent/Representative Name _____

Company/Firm _____

Address _____ Unit/Space Number _____

City _____ State _____ Zip Code _____

Telephone _____ Email _____

Optional: Other (Specify Architect, Engineer, CEQA Consultant, etc.) _____

Name _____

Company/Firm _____

Address _____ Unit/Space Number _____

City _____ State _____ Zip Code _____

Telephone _____ Email _____

Primary Contact for Project: Owner Applicant Agent/Representative Other

PROPERTY OWNER AFFIDAVIT

Before the application can be accepted, the owner of each property involved must provide a signature to verify the Preliminary Application is being filed with their knowledge. Staff will confirm ownership based on the records of the City Engineer or County Assessor. In the case of partnerships, corporations, LLCs or trusts, the agent for service of process or an officer of the ownership entity so authorized may sign as stipulated below.

- **Ownership Disclosure.** If the property is owned by a partnership, corporation, LLC or trust, a disclosure identifying the agent for service or process or an officer of the ownership entity must be submitted. The disclosure must list the names and addresses of the principal owners (25 percent interest or greater). The signatory must appear in this list of names. A letter of authorization, as described below, may be submitted provided the signatory of the letter is included in the Ownership Disclosure. Include a copy of the current partnership agreement, corporate articles, or trust document as applicable.
- **Letter of Authorization (LOA).** A LOA from a property owner granting someone else permission to sign the Preliminary Application form may be provided if the property is owned by a partnership, corporation, LLC or trust, or in rare circumstances when an individual property owner is unable to sign the Preliminary Application form. To be considered for acceptance, the LOA must indicate the name of the person being authorized to file, their relationship to the owner or project, the site address, a general description of the type of application being filed and must also include the language in items 1-3 below. In the case of partnerships, corporations, LLCs or trusts, the LOA must be signed by the authorized signatory as shown on the Ownership Disclosure or in the case of private ownership by the property owner. Proof of Ownership for the signatory of the LOA must be submitted with said letter.
- **Grant Deed.** Provide Copy of the Grant Deed if the ownership of the property does not match local records. The Deed must correspond exactly with the ownership listed on the application.
- **Multiple Owners.** If the property is owned by more than one individual (e.g., John and Jane Doe, or Mary Smith and Mark Jones) signatures are required of all owners.

1. I hereby certify that I am the owner of record of the herein previously described property located in _____ which is involved in this Preliminary Application, or have been empowered to sign as the owner on behalf of a partnership, corporation, LLC, or trust as evidenced by the documents attached hereto.
2. I hereby consent to the filing of this Preliminary Application on my property for processing by the Planning Division of the City of Baldwin Park for the sole purpose of vesting the proposed housing project subject to the Planning and Zoning ordinances, policies, and standards adopted and in effect on the date that this Preliminary Application is deemed complete.
3. Further, I understand that this Preliminary Application will be terminated and vesting will be forfeited if the housing development project is revised such that the number of residential units or square footage of construction increases or decreases by 20 percent or more, exclusive of any increase resulting from the receipt of a density bonus, incentive, concession, waiver, or similar provision, and/or an application requesting approval of an entitlement is not filed with _____ within 180 days of the date that the Preliminary Application is deemed complete.
4. By my signature below, I certify that the foregoing statements are true and correct.

Signature _____

Signature _____

Printed Name _____

Printed Name _____

Date _____

Date _____