



County of Santa Cruz

Department of Community Development and Infrastructure

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SB 330 PRELIMINARY APPLICATION/SB 35 NOTICE OF INTENT

The Housing Crisis Act of 2019, adopted in Senate Bill (SB) 330, added [Government Code section 65941.1](#), and allows an applicant for a housing development project to submit a preliminary application that provides a local agency with specified site information about the project. This preliminary application form serves multiple purposes:

1. SB 330 Preliminary Application: The SB 330 Preliminary Application provides an optional vesting opportunity for housing development projects under [SB 330/SB 8](#), which freezes the policies, standards, and fees in effect when the Preliminary Application is submitted. After this Preliminary Application is filed, an applicant has 180 days to submit a full [discretionary permit application](#), or vesting rights secured by the Preliminary Application will expire. Please refer to the [SB 330/SB 8 Guide](#) to learn more about these state laws and the Preliminary Application process.

2. SB 35 Notice of Intent: The SB 35 Notice of Intent is required for all applicants who wish to pursue ministerial review for eligible multifamily projects under [SB 35/SB 423](#). After this Notice of Intent to submit the SB 35 Application is filed, the County must notify relevant California Native American tribes about the proposed project and a public hearing before the Board of Supervisors may also be required. Once the tribal consultation/public meeting process has been completed, applicants can submit the [SB 35/SB 423 Streamlined Multifamily Review Application](#). Please refer to the [SB 35/423 Guide](#) to learn more about these state laws and the SB 35 Application process.

3. AB 2011 and SB 4 Tribal Notification: Projects seeking approval under AB 2011 ([Gov. Code section 65912.100 et seq.](#)) and SB 4 ([Gov. Code section 65913.16](#)) require tribal notification for projects located on vacant sites. AB 2011 and SB 4 provide a path for ministerial review of eligible affordable housing projects on commercial properties and on land owned by a higher education or religious institution. Eligible projects may not be located on sites that contain tribal cultural resources that could be affected by the development and that cannot be mitigated.

PLEASE COMPLETE SECTIONS 1 THROUGH 3 OF THIS FORM, INCLUDE REQUIRED ATTACHMENTS, AND ENSURE ALL INFORMATION IS ACCURATE.

Applicants for eligible housing development projects shall be deemed to have submitted a complete **SB 330 Preliminary Application and/or SB 35 Notice of Intent** upon provision of all the information required in this form and payment of the permit processing fee. Incomplete applications will not be accepted, and a revised Preliminary Application may be required if the original application includes inaccurate information. Failing to satisfy these requirements will result in delays to the vesting date, tribal consultation, or public meeting process.

SECTION 1 – FORM CERTIFICATION

PART A: FORM TYPE *(Select one)*

- OPTION 1: THIS FORM SERVES AS THE SB 330 PRELIMINARY APPLICATION** to secure vesting rights on the proposed housing development project detailed on this form.
- OPTION 2: THIS FORM SERVES AS THE SB 35 NOTICE OF INTENT** to submit a SB 35/SB 423 Streamlined Multifamily Review Application for the proposed multifamily project detailed on this form.
- OPTION 3: THIS FORM SERVES AS BOTH THE SB 330 PRELIMINARY APPLICATION AND THE SB 35 NOTICE OF INTENT**
- OPTION 4: THIS FORM SERVES AS THE AB 2011/SB 4 TRIBAL NOTIFICATION FORM** for a housing development project proposed on a vacant site pursuant to AB 2011 or SB 4.

PART B: SELF-CERTIFICATION *(Complete all items below to ensure application is accepted)*

- I HEREBY CERTIFY** that this application is complete pursuant to Gov. Code [§65941.1](#) and includes the following items:
 - All required attachments
 - \$2,000 deposit for application processing fee.
Note: Should the cost of staff time exceed the initial deposit paid, an additional fee for time and materials may be billed upon completion of the hearing process or permit approval.

Owner Name: _____ Signature: _____ Date _____

Applicant Name: _____ Signature: _____ Date _____

AGENCY USE ONLY

<p><i>Submittal Date Stamp*:</i></p>	<p>Note to Staff:</p> <ul style="list-style-type: none"> ° Record keeping pertaining to which standards and fees apply at date of submittal is imperative, as penalties may apply for imposing incorrect standards. ° If this form serves as a SB 35 Notice of Intent, please notify the CDI Policy Division to begin the tribal consultation process. <p><i>*Submittal of all information listed and payment of permit processing fee freezes development standards and fees as of this date, unless exceptions per Gov. Code §65889.5(o) are triggered.</i></p>
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SECTION 2 – SITE INFORMATION

1. **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) _____

2. **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.

3. **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

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

Attached? YES NO

5. **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.

a. 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:

6. 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			

7. PARKING - The proposed number of parking spaces:

8. 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:

9. 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:

10. POLLUTANTS – Are there any proposed point sources of air or water pollutants?

YES NO

If “YES,” please describe:

11. 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			

12. 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

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:

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:

13. 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

14. 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

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

SECTION 3 – 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 Santa Cruz County, 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 Santa Cruz County 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 Santa Cruz County within 180 days of the date that the Preliminary Application is submitted.
 4. By my signature below, I certify that the foregoing statements are true and correct.

Printed Name: _____ Signature: _____
Date

Printed Name: _____ Signature: _____
Date