



SB330 – HOUSING CRISIS ACT (Preliminary Application Form & Checklist)

Purpose

Consistent with Section 8 of SB 330 and Section 65941.1 of California Government Code, the City of Belmont has created a Preliminary Application process for eligible housing development projects. This form serves as the Preliminary Application for projects seeking vesting rights pursuant to SB 330, the Housing Crisis Act of 2019.

CITY STAFF USE ONLY

Project & Receipt Numbers	Address & APN
Proposed No. of Units ¹	Proposed Square Footage of Construction ^{1, 2}
Date Deemed Complete	Last Day to File Entitlement Application
Expiration Date (If applicable)	Type of Expiration
Planning Staff – Name & Title	Planning Staff Signature

General Information

This form must be accompanied by the required documentation listed on this form and checklist. In addition, all required preliminary application fees must be paid in full. This form shall be completed by the applicant and reviewed and signed by Belmont Planning staff prior to being deemed complete. Any change to the proposed number of dwelling units or the proposed square footage of construction must be verified by Planning staff.

¹ Vesting rights through the SB 330 Preliminary Application process will be forfeited if the Housing Development Project is revised following the submittal of a Preliminary Application pursuant to Section 65941.1 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.

² “Square Footage of Construction,” when used in this form, means the building area, as defined by the California Building Standards Code (Title 24 of the California Code of Regulations) – California Government Code Section 65941.1(c)

Applicant & Owner Information:

Owner name:	Telephone No.: ()	Email Address
Owner Mailing Address, <i>if different from Site Address</i> :		
Applicant Name, <i>if different from Property Owner</i> :	Telephone No.: ()	Email Address
Applicant Mailing Address:		

Project Information

Please provide the information identified below; attach additional sheets when necessary.

1) Location

Provide specific project location(s), including addresses and assessor's parcel numbers

2) Existing Use(s)

Describe the existing uses on the project site, including any major physical alterations

3) Proposed Use(s)

Describe in detail the characteristics, scope and/or operation of the proposed project

4) Floor Area

Provide the proposed floor area and square footage of residential and nonresidential development:

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

5) Residential Dwelling Unit Count:

Indicate the total number of dwelling units proposed as well as a breakdown by levels of affordability set by each category (HCD or HUD).

	Total	HCD (State)	HUD
Market Rate		N/A	N/A
Manger's Unit(s) – Market Rate		N/A	N/A
Extremely Low Income			
Very low Income			
Low Income			
Moderate Income			
TOTAL No. of Units			
TOTAL No. of Affordable Units			
TOTAL No. of Bonus Units			

6) Parking

Provide the proposed number of automobile and bicycle parking spaces:

Automobile Parking		
	Residential	Nonresidential
Standard		
Compact		
Accessible		
Electronic Vehicle		
Total		

Bicycle Parking		
	Residential	Nonresidential
Long Term		
Short Term		
Total		

7) Affordable Housing

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:

8) Subdivision

Will the proposed project include a request for an approval pursuant to the Subdivision Map Act, including a vesting or tentative tract map, a preliminary parcel map, condominium map, a lot line adjustment, or a certificate of compliance?

Yes	No

If “YES”, please describe:

9) Existing Housing ³

Provide the number of existing residential units on the project site that will be demolished and whether each existing unit is occupied or unoccupied:

	Residential Units	Occupied Units	Unoccupied Units
Existing			
To be Demolished			

If any existing residential units are proposed for demolition, please describe why they are and how the project will ensure there is no resulting net decrease in density:

10) Point Source Pollutants

Does the project propose any point sources of air or water pollutants?

Yes	No

³ A Housing Development Project, as defined in Government Code Section 65589.5(h)(2), associated with a City Planning application requesting approval of a discretionary action is subject to the provisions of Government Code Section 66300(d) and will require an SB330 Determination as a component of the City Planning application.

If “YES”, please describe:

11) Environmental Information ⁴

Please indicate whether the project is located within any of the following:

Location	Yes	No
<p>A very high or high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection.</p> <p>Belmont Fire Hazard Map</p>		
<p>Wetlands, as defined in the United States Fish and Wildlife Service Manual.</p> <p>https://www.fws.gov/policy/660fw2.html</p>		
<p>A hazardous waste site designated by the Department of Toxic Substances Control.</p> <p>https://dtsc.ca.gov/dtscs-cortesc-list/</p>		
<p>A special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency.</p> <p>https://msc.fema.gov/portal/home</p>		
<p>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, and by any local building department.</p> <p>https://www.conservation.ca.gov/cgs/alquist-priolo</p>		
<p>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 California Fish and Game Code, including creeks and wetlands? ⁴</p> <p>https://www.wildlife.ca.gov/conservation/lisa</p>		

⁴ Please include documentation supporting your answers. This form and any submitted attachments and reports do not replace environmental analysis that may be required under the California Environmental Quality Act (CEQA). A site map and aerial photograph is required for streams or other resources subject to a streambed alteration permit.

12) Sensitive Species⁵

Does the project site include any known species of special concern, such as special status flora or fauna, protected trees, or wildlife?

Yes	No

If “YES”, please describe:

13) Easements⁶

Does the project site contain any recorded easement, such as easements for storm drains, water lines, and other public rights of way?

Yes	No

If “YES”, please describe:

14) Cultural Resources

Do any known Cultural Resources exist on the property? Indicate the basis for your determination in the table below. Attach any relevant documentation.

Yes	No

Basis for Determination	Yes	No
The project site is not in an area where prehistoric habitation would have been to occur, such as near creeks, wetlands, and the foothill of valley ecological transition areas.		
Preparation of a Cultural Resource Evaluation		

If “YES”, please describe:

⁵ An Arborist Report or a Biological Survey and Impact Assessment may be required following the filing of an application requesting approval of a discretionary action if the project site is on or adjacent to open space or previously undisturbed land in order to demonstrate whether the site provides habitat for any special status flora or fauna, including those identified in a Specific Plan. Protected trees require a permit for removal in accordance with the [Belmont Tree Protection Ordinance](#).

⁶ All easements shall be delineated on the project site plan submitted for the Preliminary Application; a Preliminary Title Report shall also be required for the Preliminary Application.

15) Historic Resources ⁷

Do any known Historic Resources or Landmarks exist on the property?
 Indicate the basis for your Historic Resources determination in the table below. Attach any relevant documentation.

Yes	No

Basis for Determination	Yes	No
Existing building(s) less than 50 years old		
Preparation of a site specific Historic Resource Evaluation (HRE)		
Review of local, state and federal lists and inventories: <ul style="list-style-type: none"> • National Register of Historic Places • California Historical Resources Information System (CHRIS). • California Historical Landmarks • California Points of Historical Interest • California Register of Historical Resources • San Mateo County Historical Museum • Belmont General Plan – Chapter 4.4: Cultural Resources • Belmont - Cultural Resources Inventory 		

If “YES”, please describe:

⁷ Please note that the 50-year age reference is a discretionary guideline, and not all historic resources are identified on a list or inventory; there are circumstances where a property less than 50 years old and property that is not on a list or inventory may be potentially significant. In such cases, applicants may be required to submit supplemental documentation.

SB330 Preliminary Application

(Checklist)

The materials and information below are required for filing a SB330 Preliminary Application. Full size plans are required (24" x 36"). All information on the plans must be dimensioned and drawn to scale. Plans must be collated, stapled and folded to approximately 10 x 14 inches.

- ❑ **1. SB330 Preliminary Application (this form).** The property owner affidavit, and the applicant declaration on this form must be signed for the application to be accepted.

- ❑ **2. Site Plan.** A legible site plan that is dimensioned and drawn to scale is required. The site plan must include all contiguous parcels under the applicants' ownership and any contiguous parcels proposed to be part of the project site. The site plan should identify which parcels are/are not a part of the proposed project, and the location of any recorded public easements, such as easements for storm drains, water lines, and other public right-of-way. The site plan will show property lines, adjacent streets, sidewalks, curbs, public and private rights-of-way, easements, existing and proposed structures, existing and proposed setbacks, paved areas and parking spaces, emergency vehicle access and location of fire hydrants. The plan shall include a summary of information table indicating the following:
 - Lot size, slope & floor area ratio (FAR)
 - Building and hardscape coverage
 - Square footage of each building that is to be occupied
 - Floor area of each floor of all buildings
 - Proposed land uses
 - Proposed number of dwelling units
 - Square footage of residential and nonresidential uses
 - Height of buildings
 - All measurements that establish the proposed location of the proposed buildings and structures, including property lines, yards, setbacks, space between buildings and structures, and building footprint dimensions.

- **Trees.** Plans must clearly show all existing trees on the project site and within the right-of-way adjacent to the property. Identify and label (by name and trunk diameter) protected trees as defined in the [Belmont Tree Protection Ordinance](#).

- **Watercourses,** storm drains, creeks streams, wetlands (as defined in the Unites States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993) or as defined in subdivision (b) of Section 13577 of Title 14 of the California Code of Regulations), or other resources 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.

- ❑ **3. Elevations.** Elevations are required showing the design, color, massing, and height of each building that is to be occupied. The elevations will show the height from finished grade to the uppermost portion of the roof, and the height and location of any rooftop equipment and equipment screens. The plate height of each building story shall also be delineated. Exterior architectural features shall be indicated, including dimensioned window and door sizes and roofing materials. Building wall projections and recessions, decks, balconies, awnings, and ornamental features shall be dimensioned. All proposed exterior materials shall be labeled.
- ❑ **4. Site Map & Aerial Photograph.** A site map showing 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, and 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.
- ❑ **5. Electronic Copy of Application Documents.** Provide an electronic copy of your application forms, plans, reports, and materials on a flash drive. All plans shall be provided in PDF format.

Optional Related Items

The following items are **not** required for the submittal of a complete SB330 Preliminary Application; however, these items may assist City Staff to provide a more comprehensive response and better direction to applicants for preparing a subsequent formal application.

- ❑ **1. A Parking & Circulation Plan.** The plan will show location and types of parking spaces, dimensions of spaces and aisles, and proposed circulation patterns. The plans shall be consistent with [Section 8](#) and [Section 8A](#) of the Belmont Zoning Ordinance, as applicable.
- ❑ **2. Reports (as applicable).** Historic & Cultural Resource Assessments, Biological Survey and Impact Assessment, Phase I or II Environmental Site Assessment, Arborist's Report, Title Report, Geotechnical Investigation, Archaeological Report, Health Risk Assessment and Air Quality Analysis, and Noise and Vibration Assessment.
- ❑ **3. Fire Access & Protection Plan.** Show width of driveways, turning radii, any applicable turnaround areas, and the location of existing and proposed fire hydrants and stand pipes. Indicate if an Alternative Means and Measures Request (AMMR) will be submitted as part of the formal application.
- ❑ **4. Off-site Improvements.** Show all proposed off-site improvements (i.e., sidewalk, travel way, bike lanes, street furniture, landscaping, and public plaza areas).
- ❑ **5. Justifications & Pro Forma.** Provide a justification and pro forma, as applicable, if the

project will seek a density bonus, incentives, waivers, concessions, or parking reductions.

- ❑ **6. Exceptions & Benefits.** Indicate if the project will seek Exceptions, Alternatives, or Exemptions and/or request additional floor area, height or density in exchange for Public Benefits as outlined in [Section 31 \(Village Districts\)](#) of the Belmont Zoning Ordinance. Provide a rationale or a response to the required findings for all requested exception.
- ❑ **7. Traffic – Storm - Sewer Scope.** Provide a scope of work for evaluation of traffic, storm water and sewer impacts. Once approved by the Department of Public Works, the scope will be used to prepare the traffic impact analysis and the storm and sewer evaluations; these evaluations are required to be submitted with the formal project application.
- ❑ **8. Preliminary Outside Review.** Obtain an “Intent to Serve” letter, and review project for consistency with the water efficiency in landscaping (WELO) requirements by contacting the [Mid-Peninsula Water District \(MPWD\)](#); Review trash and recycling requirements, and ensure that the circulation plan is adequate for removal services by contacting Recology San Mateo County at **650-595-3900**. Additional information may be obtained on line by visiting the Recology website for [New Development Projects](#)

Property Owner Affidavit

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 County Assessor. If the ownership of the property does not match County Records, a copy of a grant deed for each affected property will be required as part of the application. The Deed must correspond exactly with the ownership listed on the application.
 - If the property is owned by more than one individual, signatures are required of all owners.
 - 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 in the attached Signature Requirements for the City of Belmont, subject to review by the City Attorney.
1. I hereby certify that I am the owner of record of the herein previously described property located in the City of Belmont 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 Department of City Planning 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. 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 or 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 City Planning within 180 days of the date that the Preliminary Application is deemed complete.
 3. By my signature below, I declare under penalty of perjury under the laws of the State of California that the foregoing statements are true and correct.

<i>Submittal Authorization:</i>	
Signature of Owner:	Date:
Name of Owner:	Title

Applicant Declaration

Declaration. A separate signature from the applicant, whether they are the property owner or not, attesting to the following, is required before the Preliminary Application can be accepted.

4. I hereby certify that the information provided in this Preliminary Application, including plans and other attachments, is accurate and correct to the best of my knowledge.
5. I understand and agree that any report, study, map or other information submitted to the City in furtherance of this Preliminary Application will be treated by the City as public records which may be reviewed by any person and if requested, that a copy will be provided by the City to any person upon the payment of its direct costs of duplication.
6. I understand that there is no guarantee, expressed or implied, that any permit or application will be granted. I understand that each matter must be carefully evaluated and that the resulting recommendation or decision may be contrary to a position taken or implied in any preliminary discussions.
7. I understand that if this Preliminary Application cannot be deemed complete, there is no refund of fees paid.
8. I understand and agree to defend, indemnify, and hold harmless, the City, its officers, agents, employees, and volunteers (collectively “City), from any and all legal actions, claims, or proceedings (including administrative or alternative dispute resolution (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 court costs and attorneys’ fees, all judgments or awards, damages, and settlement costs. The indemnity language in this paragraph is intended to be interpreted to the broadest extent permitted by law and shall be in addition to any other indemnification language agreed to by the applicant.
9. By my signature below, I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this Preliminary Application and any accompanying documents are true and correct, with full knowledge that all statements made in this Preliminary Application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial or subsequent revocation of license or permit.

<i>Submittal Authorization:</i>	
Signature of Applicant:	Date:
Name of Applicant:	Title: