



CITY OF CERES
2220 MAGNOLIA ST
CERES, CA 95307
(209) 538-5780
<https://www.ceres.gov>

SENATE BILL 330 / SENATE BILL 35 HOUSING DEVELOPMENT PRELIMINARY APPLICATION FORM

SB 330 establishes a preliminary application process that provides vesting protections for eligible housing development projects and provides an optional vesting opportunity for eligible projects seeking discretionary approval. This process is initiated by filing a Preliminary Application. Under SB 330, a housing development project is subject only to the ordinances, policies, and standards adopted and in effect when an SB 330 Preliminary Application, including all the information required by California Government Code Section 65941.1(a), was submitted and upon payment of the processing fee. The required information and materials are listed in these instructions and checklist. This Preliminary Application may also serve as the Notice of Intent (NOI) required to initiate tribal consultation for projects seeking streamlined ministerial approval pursuant to Government Code Section 65913.4 (SB 35).

Project Processing Pathway:

Please indicate whether this Preliminary Application is also intended to serve as a NOI for streamlined ministerial processing pursuant to Government Code Section 65913.4 (SB 35):

- ☐ SB 330 Preliminary Application only (Standard discretionary review)
- ☐ SB 35 Streamlined Ministerial Processing (This Preliminary Application will also serve as the SB 35 Notice of Intent)

An applicant for a housing development project that includes (1) residential units, (2) a mix of commercial and residential uses with two-thirds of the project's square footage used for residential purposes, or (3) transitional or supportive housing shall be deemed to have submitted a preliminary application upon provision of all of the information listed in this Preliminary Application Form and payment of the permit processing fee to the City of Ceres.

After submitting this Preliminary Application to the City of Ceres, an applicant has 180 days to submit a full application or the Preliminary Application will expire.

Submittal Date Stamp:

¹Submittal of all the information listed and payment of the permit processing fee freezes fees and development standards as of this date, unless exceptions per Government Code Section 65889.5(o) are triggered.

²Record keeping pertaining to which standards and fees apply at date of submittal is imperative, as penalties may apply for imposing incorrect standards.

Notes:

1. California Environmental Quality Act (CEQA) and Coastal Act standards apply.
2. After submittal of all of the information required, if the development proponent revises the project to change the number of residential units or square footage of construction changes by 20 percent or more, excluding any increase resulting from Density Bonus Law, the development proponent must resubmit the required information so that it reflects the revisions.

ELIGIBLE DEVELOPMENT PROJECTS

[California Government Code Section 65589.5(h)(2)(B)]

To be eligible for vesting under SB 330, a housing development project must meet one of the following criteria:

1. The project is residential only (not including hotels or other similar lodging uses) and creates two or more new residential dwelling units on a project site.
2. The project is a mixed-use development consisting of residential and nonresidential uses, with at least two-thirds of the square footage of the project designated for residential use (not including hotels or other similar lodging uses), including residential dwelling units and uses accessory to the residential dwelling units.
3. The project is transitional housing or supportive housing.

VESTING TIMELINE AND THRESHOLDS

An SB 330 Preliminary Application must be deemed complete by the Community Development Department 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 Community Development Department; 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 Community Development Department 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 Community Development Department 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 Community Development Department 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. Square footage of construction means building area, as defined by California Building Standards Code.

COMPLETENESS AND EARLY CONSULTATION

The materials required in these instructions and checklist must be provided by the applicant as part of the SB 330 Preliminary Application. Missing, incomplete, or inconsistent information will delay the vesting date. The SB 330 Preliminary Application must be filed with the Community Development Department.

Early consultation with Community Development Department staff is strongly recommended since land use and housing requirements may apply that could affect the anticipated scope of a project and its ability to remain vested after an SB 330 Preliminary Application is submitted. For additional information regarding this application, to request an appointment for consultation, or to file an SB 330 Preliminary Application, contact Planning Division staff at **(209) 538-5774** or **planning@ci.ceres.ca.us**.

APPLICANT ACKNOWLEDGEMENT

This application is submitted pursuant to Government Code Section 65941.1. By submitting an SB 330 Preliminary Application and signing this acknowledgement, I am electing to have my application processed in accordance with the procedures and requirements contained in SB 330, the Housing Crisis Act of 2019.

PRINT NAME

SIGNATURE

DATE

FOR OFFICE USE ONLY

Case Number:	Site Address/APN(s):
Proposed Number of Dwelling Units:	Proposed Square Footage of Construction:
Date Deemed Complete:	Last Date to File Entitlement Application:
Invoice Number:	Receipt Number:
Planning Staff Name and Title:	Planning Staff Signature:

SITE INFORMATION

1. **PROJECT LOCATION.** Include the specific location, including parcel number, legal description, and site address.

Street address:	
Assessor's parcel numbers (APNs):	
Legal description (lot, block, tract):	

Exhibit attached? ☐ Yes ☐ No

2. **EXISTING USES.** Describe the existing uses on the project site and identify major physical alterations to the property on which the project is to be located.

Exhibit attached? ☐ Yes ☐ No

3. **SITE PLAN.** Provide a site plan showing the location of the building(s) on the property and approximate square footage of each building to be occupied.

Exhibit attached? ☐ Yes ☐ No

4. **ELEVATIONS.** Include building elevations showing design, color, and material, and the massing, height, and approximate square footage of each building that is to be occupied.

Exhibit attached? ☐ Yes ☐ No

5. **PROPOSED USES.** Provide a detailed written description of 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 BREAKDOWN.** 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 Units – Market Rate	
Moderate Income	
Low Income	
Very Low Income	
Extremely Low Income	
TOTAL UNITS	
TOTAL AFFORDABLE UNITS	
TOTAL DENSITY BONUS UNITS	

- b. **AFFORDABILITY RESTRICTIONS.** If the applicant has selected SB 35 streamlining, the following is **required**. For any units identified above as affordable, indicate the proposed method of affordability restriction:

- ☐ Units will be subject to a recorded affordability restriction (e.g. regulatory agreement, deed restriction) consistent with applicable state law.
- ☐ Units are proposed as affordable but no formal affordability restriction is currently identified.
- ☐ Not applicable (no affordable units proposed).

If applicable, provide a written description of the proposed affordability mechanism and duration of restrictions.

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*			

*Per Government Code Section 65589.5(o)(2)(E), square footage of construction means building area, as defined by the California Building Standards Code (Title 24 of the California Code of Regulations)

7. **PARKING.** Provide a written description of the proposed number of parking spaces for the project.

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 pollution? ☐ 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. Identify whether a portion of the property is located within any of the following:

A very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection, pursuant to Government Code Section 51178 ☐ Yes ☐ No

Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 ☐ Yes ☐ No

A hazardous waste site that is listed pursuant to Government Code Section 65962.5, or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Health and Safety Code Section 25356 ☐ Yes ☐ No

A special flood hazard area subject to inundation by the 1 percent annual chance flood as determined by any official maps published by the Federal Emergency Management Agency ☐ Yes ☐ No

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 (Health and Safety Code Section 18901), and by any local building department (Health and Safety Code Section 8875)

☐ Yes ☐ No

A stream or other resource that may be subject to a streambed alteration agreement pursuant to Chapter 6 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 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:

13. **PREVAILING WAGE.** If the applicant has selected SB 35 streamlining, the project proponent certifies that the project will comply with prevailing wage requirements pursuant to Government Code Section 65913.4(a)(8).

☐ Yes ☐ No

☐ Yes ☐ No

14. **SKILLED AND TRAINED WORKFORCE.** If the applicant has selected SB 35 streamlining, the project proponent certifies a skilled and trained workforce will be used to complete the development, if applicable, pursuant to Government Code Section 65913.4 subd. (a)(8)(B)].

15. **PROJECT TEAM INFORMATION.** Provide the following information:

Applicant's Company/Firm_____	Applicant Name_____
Address_____	Unit/Space # _____
City_____ State_____	Zip Code_____
Telephone_____	Email_____

Are you in escrow to purchase the property?

☐ Yes ☐ No

Property Owner of Record

Name (if different from applicant)_____

Address_____	Unit/Space # _____
City_____ State_____	Zip Code_____
Telephone_____	Email_____

Optional: Agent/Representative Name_____

Company/Firm_____

Address_____ Unit/Space # _____

City_____ State_____ Zip Code_____

Telephone_____ Email_____

Optional: Other (specify architect, engineer, CEQA consultant, etc.)_____

Company/Firm_____ Name_____

Address_____ Unit/Space # _____

City_____ State_____ Zip Code_____

Telephone_____ Email_____

Primary contact for project: ☐ Owner ☐ Applicant ☐ Agent/Representative ☐ Other

CERTIFICATION:

I certify and declare under penalty of perjury under the laws of the state of California that the answers furnished above, and in the attached exhibits, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief. I further understand that additional information may be required to be submitted to the City of Ceres to complete review of this application.

Applicant Signature

Date

Property Owner Signature

Date