

HOUSING DEVELOPMENT PROJECT PRELIMINARY APPLICATION FORM



Community Development Department
Planning Division
1088 College Ave.
St. Helena, CA 94574
(707) 968-2659

FILE NUMBER _____

For additional information, zoning, forms & documents please visit us on the web at: <https://www.cityofstheleena.gov/209/Planning-Division>

PURPOSE

This form serves as the Preliminary Application for projects seeking vesting rights pursuant to SB 330, the Housing Crisis Act of 2019.

GENERAL INFORMATION

When submitting a Preliminary Application, this form shall be accompanied by the required documentation listed on the form. This form shall be completed by the applicant and reviewed and signed by Planning staff prior to being deemed complete. Any modifications to the content(s) of this form after its authorization by Planning staff is prohibited. Further, any change to the proposed number of dwelling units or the proposed square footage of construction must be verified by Planning staff prior to formal application submittal.

SUMMARY OF REQUEST (attach a detailed written description):	
ADDRESS:	ASSESSORS PARCEL NO(S):
PROPERTY OWNER OF RECORD	APPLICANT (if different than property owner)
NAME:	NAME:
COMPANY NAME:	COMPANY NAME:
ADDRESS:	ADDRESS:
TELEPHONE #:	TELEPHONE #:
EMAIL:	EMAIL:

Per the requirements of SB 330, the Housing Crisis Act of 2019, an applicant for a housing development project (as defined in paragraph (2) of subdivision (h) of Government Code Section 65589.5) that is consistent with the underlying General Plan designation shall be deemed to have submitted a preliminary application upon providing all of the following information about the proposed project to the City of St. Helena.

APPLICATION SUBMITTAL CHECKLIST

	1) The specific location, including parcel numbers, a legal description, and site address (as Applicable).
	2) 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) A site plan showing the location on the property, elevations showing design, color, and material, and the massing, height, and approximate square footage, of each building that is to be occupied.
	4) The proposed land uses by number of units and square feet of residential and nonresidential development using the categories in the applicable zoning ordinance.
	5) The proposed number of parking spaces.
	6) Any proposed point sources of air or water pollutants.
	7) Any species of special concern known to occur on the property.
	8) 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 Section 51178.
	○ Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).
	○ 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.
	○ 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.
	○ 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.
	○ 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.

	9) Any historic or cultural resources known to exist on the property.
	10) The number of proposed below market rate units and their affordability levels.
	11) The number of bonus units and any incentives, concessions, waivers, or parking reductions requested pursuant to Section 65915.
	12) Whether any approvals under the Subdivision Map Act, including, but not limited to, a parcel map, a tentative map, or a condominium map, are being requested.
	13) The applicant's contact information and, if the applicant does not own the property, consent from the property owner to submit the application (Signature form on the following page).
	14) The number of existing residential units on the project site that will be demolished and whether each existing unit is occupied or unoccupied.
	15) 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.
	16) The location of any recorded public easement, such as easements for storm drains, water lines, and other public rights of way.

PROPERTY OWNER

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. 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% 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 the 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 a-c 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 a Copy of the Grant Deed if the ownership of the property does not match City 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 the City of St. Helena 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 City of St. Helena 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.

Signature _____

Date _____

Print Name _____

Signature _____

Date _____

Print Name _____

APPLICANT

APPLICANT 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.

1. 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. Furthermore, should the stated information be found false or insufficient to fulfill the requirements of the Planning Department, I agree to revise the information as appropriate.

2. 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.

3. 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.

4. I understand that if this Preliminary Application cannot be deemed complete, there is no refund of fees paid.

5. 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.

6. 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.

The City requires an original signature from the applicant. The applicant's signature below does not need to be notarized.

Signature _____

Date _____

Print Name _____

CITY STAFF USE ONLY	
<i>Date Deemed Complete:</i>	<i>Last Day to File Entitlement Application:</i>
<i>City Planning Staff Name and Title:</i>	<i>City Planning Staff Signature:</i>