



CITY OF PLEASANT HILL
SB35
PRELIMINARY APPLICATION FORM &
NOTICE OF INTENT

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**State of California SB 35 Ministerial Housing
Preliminary Application & Notice of Intent**

(California Government Code section 65913.4)

State law (California Government Code 65913.4), commonly referred to as SB 35, requires that project applicants submit a “Notice of Intent” prior to submitting an application for Ministerial Approval of Infill Housing. SB-35 amends Government Code Section 65913.4 to require local entities to streamline the approval of certain housing projects by providing a ministerial approval process, removing the requirement for CEQA analysis, and discretionary entitlements granted by the Architectural Review and Planning Commissions or City Council. This is a voluntary program that a project sponsor may elect to pursue, provided that certain eligibility criteria are met.

Upon receipt of a complete Notice of Intent application, the City of Pleasant Hill will engage in a scoping consultation with any interested California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed development. The timeline for noticing and commencing a scoping consultation will be as follows:

- Within 30 days of receiving a complete Notice of Intent application, the City of Pleasant Hill will invite each tribe to engage in a scoping consultation;
- Within 30 days of receiving the invitation, all tribes must notify the City if they wish to engage in a scoping consultation;

The City of Pleasant Hill will commence a scoping consultation within 30 days of receiving notification from a responsive tribe. If no tribe accepts an invitation for a scoping consultation, or if consultation results in agreement regarding treatment of resources, the City of Pleasant Hill will notify the project applicant that they may proceed with submitting a ministerial housing application. In the event the City is unable to reach agreement(s), the applicant will be notified that the ministerial process is unavailable.

Application Submittal Requirements

1. Completed and signed “SB 35 Ministerial Housing Notice of Intent” application.
2. Application deposit of \$1,000 and completed, signed and notarized Pleasant Hill Cost Recovery Agreement.
3. Signed Letter of Agency, if applicable.

State of California SB 35 Ministerial Housing
Notice of Intent Application

Please complete all sections of this application and provide the required exhibits as described:

Subject Site Information

Assessor's Parcel Number(s): _____

Site Address(es), if applicable: _____

Property Owner Information

Contact Name: _____

Company Name: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Ext: _____ Fax: _____

Email Address: _____

Applicant Information

Contact Name: _____

Company Name: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Ext: _____ Fax: _____

Email Address: _____

Staff Use Only

Date Filed: _____ Received By: _____

File Number: _____

Required Submittals

Please submit one hard copy and one electronic copy of the following:

- Legal Description:
 - A legal description of the parcels subject to this application.
- Site Plan:
 - A site plan exhibit that shows the location of development on the property.
- Building Elevation:
 - Elevation exhibit(s) showing design, color, and material, and the massing, height, and approximate square footage of each building that is to be occupied
- Site Map (if applicable):
 - 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
- Easements (if applicable):
 - An exhibit demonstrating the location of any recorded public easement, such as easements for storm drains, water lines, and other public rights of way.

1. Describe existing uses on the project site and identify major physical alterations to the property on which the project is to be located:

2. **PARKING.** The project must provide at least one parking space per unit; however, no parking is required if the project meets any of the following criteria:
 - a. The project is located within one-half mile of public transit as defined by Section 102(r) of the HCD Guidelines.
 - b. The project is located within an architecturally and historically significant historic district.
 - c. On-street parking permits are required but not offered to the occupants of the project.
 - d. There is a car share vehicle (as defined by Section 102(d) of the HCD Guidelines) within one block of the development. A block can be up to 1,000 linear feet of pedestrian travel along a public street from the development.

Proposed number of **parking spaces**: _____

3. **SUBDIVISIONS.** The project does not involve an application to create separately transferable parcels under the Subdivision Map Act. However, a subdivision is permitted if either of the following apply:
- a. The project is financed with low-income housing tax credits (LIHTC) and satisfies the prevailing wage requirements identified in item 9 of this Eligibility Checklist.
 - b. The project satisfies the prevailing wage and skilled and trained workforce requirements identified in items 9 and 10 of this Eligibility Checklist.

Are any approvals under the **Subdivision Map Act** being requested, including, but not limited to, a parcel map, a tentative map, or a condominium map? Do any of the above exceptions apply?

4. **ZONED OR PLANNED RESIDENTIAL USES.** The project must be located on a site that is either zoned or has a General Plan designation for residential or residential mixed-use development, including sites where residential uses are permitted as a conditional use. If the multifamily housing development is a mixed-use development, at least two-thirds of the project's square footage (not including underground space, such as basements or underground parking garages) must be designated for residential use. Please identify the zoning and general plan designation for the property.

Residential Project Information

1. **NUMBER AND TYPE OF UNITS.** The project must be a multifamily housing development that contains at least two residential units and complies with the minimum and maximum residential density range permitted for the site, plus any applicable density bonus. Identify the proposed number of units, square feet of residential development, and square feet of non-residential development:

Unit Type:	#	Min. sq. ft.	Max. sq. ft.
# of Single Unit Dwellings:	_____	_____	_____
# of Duplex Units:	_____	_____	_____
# of Condominium Units:	_____	_____	_____
# of Multi-Unit Dwellings/3+ Units:	_____	_____	_____
Total Number of Dwelling Units:	_____		
Total Square Footage of Residential Development:	_____		
Accessory Dwelling Units:	Total sq. ft.		
ADU 1	_____		
ADU 2	_____		
Bedroom Types (For Multi- Unit /3+ Units/Apartments):	#	Min. sq. ft.	Max. sq. ft.
# of Studio Units	_____	_____	_____
# of 1-Bedroom Units	_____	_____	_____
# of 2-Bedroom Units	_____	_____	_____
# of 3-Bedroom Units	_____	_____	_____
# of 4+ Bedroom Units	_____	_____	_____
Total Square Footage of Non-Residential Development:	_____		

2. At least 50 percent of the project's total units must be dedicated as affordable to households making below 80 percent of the area's median income. If the project will contain subsidized units, the applicant has recorded or is required by law to record, a land use restriction for the following minimum durations, as applicable:

- 55 years for rental units.
- 45 years for homeownership units

Are any of these proposed units to be below market rate (affordable) units?

Yes _____

No _____

If yes, please state the number of units and their affordability levels:

3. **URBAN INFILL.** The project must be located on a legal parcel or parcels within the incorporated City limits. At least 75 percent of the perimeter of the site must adjoin parcels that are developed with urban uses. For purposes of SB 35, "urban uses" means any current or former residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses. Parcels that are only separated by a street or highway shall be considered adjoined. Explain how the project qualifies as urban infill.

4. Identify the number of existing residential units on the project site that will be demolished and whether each existing unit is occupied or unoccupied.
5. **CONSISTENT WITH OBJECTIVE STANDARDS.** The project must meet all objective zoning and design review standards in effect at the time the application is submitted.
 - a. If the project is consistent with the minimum and maximum density range allowed within the General Plan land use designation, it is deemed consistent with housing density standards. List and describe how the project density will be consistent with the minimum and maximum density range allowed within the General Plan.
 - b. Any density bonus or any concessions, incentives, or waivers of development standards or reduction of parking standards requested under the Density Bonus in Government Code section 65915 are deemed consistent with objective standards. List and describe the number of bonus units and any incentives, concessions, waivers, or parking reductions requested pursuant to Section 65915 of the California Government Code (Density Bonuses and Other Incentives)
 - c. Objective standards are those that require no personal or subjective judgment and must be verifiable by reference to an external and uniform source available prior to submittal. Sources of objective standards include, without limitation:
 - i. General Plan.
 - ii. Pleasant Hill Municipal Code.
 - iii. Citywide Design Guidelines and Residential Objective Design Standards
 - iv. Downtown Specific Plan
 - v. Crossroads Specific PlanList and describe how the project will be consistent with the objective standards.

Prevailing Wage and Skilled and Trained Workforce

1. **PREVAILING WAGE.** The project proponent must certify that at least one of the following is true:
 - a. The entirety of the project is a public work as defined in Government Code section 65913.4(8)(A)(i).
YES _____ NO _____
 - b. The project is not in its entirety a public work and all construction workers employed in the execution of the development will be paid at least the general prevailing rate of per diem wages for the type of work and geographic area.
YES _____ NO _____
 - c. The project includes 10 or fewer units AND is not a public work AND does not require subdivision.
YES _____ NO _____
2. **SKILLED AND TRAINED WORKFORCE.** If the project consists of 75 or more units that are not 100 percent subsidized affordable housing, the project proponent must certify that it will use a skilled and trained workforce, as defined in Government Code section 65913.4(8)(B)(ii)

Does the project consist of 75 or more units? YES _____ NO _____

If yes, will the project use a skilled and trained workforce, as defined in Government Code section 65913.4(8)(B)(ii)?

Environmental Information

1. Are there any proposed point sources of air or water pollutants?

Yes _____

No _____

If yes, please describe:

2. Are there any species of special concern known to occur on the property?

Yes _____

No _____

If yes, please describe:

3. Are there any historic or cultural resources known to exist on the property?

Yes _____

No _____

If yes, please describe:

Please identify whether a portion of the property is located within any of the following (answer YES or NO)	YES	NO
Either prime farmland or farmland of statewide importance, as defined pursuant to United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by the City's voters.		
Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).		
A very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Government Code section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Public Resources Code section 4202. This does not apply to sites excluded from the specified hazard zones by the City, pursuant to Government Code section 51179(b), or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.		
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, unless the Department of Toxic Substances Control has cleared the site for residential use or residential mixed-uses.		
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 flood plain as determined by maps promulgated by the Federal Emergency Management Agency, unless the development has been issued a flood plain development permit pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.		

A floodway as determined by maps promulgated by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations.		
Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan.		
Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).		
Lands under conservation easement.		
A site that would require demolition of housing that is subject to recorded restrictions or law that limits rent to levels affordable to moderate, low, or very-low income households.		
A site that would require demolition of housing that is subject to rent control.		
A site that would require demolition of housing that is currently occupied by tenants or that was occupied by tenants within the past 10 years.		
A site that previously contained housing occupied by tenants that was demolished within the past 10 years.		
A site that would require demolition of a historic structure that is on a local, state, or federal register.		
A parcel of land or site governed by the Mobilehome Residency Law, the Recreational Vehicle Park Occupancy Law, the Mobilehome Parks Act, or the Special Occupancy Parks Act.		

Attestation In-Lieu of Property Owner Authorization

This section of the application is required to be completed **only if** this application is submitted by someone other than the property owner.

I, the undersigned legal owner of record, hereby grant permission to:

Applicant:_____Phone:_____

to apply for a Preliminary Review application for a proposed project on my
property.

Signature of Owner of Record:_____

Certification

I understand that an applicant shall be deemed to have submitted a Notice of Intent application only upon providing both of the following:

1. Information about the proposed project as required by California Government Code section 65913.4 using the attached application form; and
2. Application deposit of \$1,000 and completed, signed and notarized Pleasant Hill Cost Recovery Agreement.

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this Notice of Intent Application to the best of my ability and that the facts, statements and information presented are true and correct to the best of my knowledge and belief.

Signature of Applicant

Date