

SB 330 HOUSING PROJECT PRELIMINARY APPLICATION

IMPORTANT: For the SB 330 process to work, you must submit this application in advance of submitting a formal development application.

This form enables a preliminary application for a Housing Development project pursuant to SB 330, the Housing Crisis Act of 2019. The project must be comprised of:

- 1) Residential units;
- 2) A mix of commercial and residential uses where two-thirds of total square footage is residential; OR
- 3) Transitional or supportive housing.

The applicant shall be deemed to have submitted a preliminary application upon provision of all of the information listed in this form and payment of the fee to the City. The applicant then has 180 days to submit a full application or the preliminary application will expire. Please note:

- Submittal of all information requested in this form and payment of the fee freezes fees and development standards as of the submittal date unless exceptions are triggered per Government Code § 65889.5(o).
- California Environmental Quality Act (CEQA) standards apply.
- After submittal of the required information, if the applicant revises the project to change a) the number of residential units or b) the square footage changes by 20 percent or more, excluding any increase resulting from Density Bonus Law, then the applicant must resubmit the required information so that it reflects the revisions.

For questions: Speak with a Planner at 408-535-3555 during phone service hours; see www.sanjoseca.gov/Planning.

Español: Para información en español, comuníquese con un Planificador de la ciudad al **408-793-4100**.

Tiếng Việt: Để được hỗ trợ, nói chuyện với Người lập kế hoạch thành phố tại **408-793-4305**.

INSTRUCTIONS

Complete this application form and submit it with all items outlined in the application package below.

FEES

The fee amount outlined for the SB 330 application at www.sanjoseca.gov/PlanningApplications (see chart) is due at time of the application submittal.

APPLICATION PACKAGE

HOW TO SUBMIT. Please email the application package to: SB330preapp@sanjoseca.gov

WHAT TO SUBMIT. Please include the following in your application package:

- SB 330 HOUSING PROJECT PRELIMINARY APPLICATION - This form, completed.
- SITE PLAN. See an example Site Plan at our [Illustrative Diagrams webpage](#). Draw to scale and show building footprints/location of the proposed building/s and approximate square footage of each building that is to be occupied.
- ELEVATIONS. For each building that is to be occupied, provide elevations showing design, color, material, and the massing and height of each building.

This is a computer-fillable PDF form and signatures, if required, must be a Digital ID Signature.
See instructions for [Digital Forms & Signatures](#).

Staff will assign FILE #	
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1. PROJECT LOCATION

APN/S SEE WWW.SCCASSESSOR.ORG USE A COMMA BETWEEN MULTIPLE NUMBERS:

PROPERTY ADDRESS:

2. EXISTING USES

2.a. Briefly describe the existing uses on the site. Identify any planned major physical alterations to the site:

2.b. **EXISTING RESIDENTIAL UNITS.** Enter the number of existing residential units that will be demolished and the existing units that are occupied or unoccupied. Provide an attachment to further describe, if needed.

	# of Occupied Residential Units	# of Unoccupied Residential Units	# of Total Residential Units
Existing:			
To be Demolished:			

3. PROPOSED USES

3.a. **DESCRIPTION.** Describe the square footage of all proposed residential and nonresidential land uses using the categories in the applicable zoning ordinance:

3.b. **PROPOSED DWELLING UNIT COUNT.** Enter the proposed number of dwelling units by levels by affordability:

	# of Units	<i>Enter any notes about the units:</i>
Market Rate		
Managers Unit/s - Market Rate		
Extremely Low Income		
Very Low Income		
Low Income		
Moderate Income		
Total Units		
Total Affordable Units		
Total Density Bonus Units		

3.c. **FLOOR AREA.** Enter the square footage for the proposed floor area uses. Attach any relevant information.

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

3.d. **PARKING.** Number of proposed parking spaces:

4. PROJECT QUESTIONS

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- a. **AFFORDABLE HOUSING INCENTIVES, WAIVERS, CONCESSIONS and PARKING REDUCTIONS** - Yes No
Will the project proponent seek Density Bonus incentives, waivers, concessions, or parking reductions pursuant to California Government Code Section 65915?

If yes, please describe:

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- b. **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:

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- c. **POLLUTANTS** - Are there any proposed point sources of air or water pollutants? Yes No

If yes, please describe:

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- d. **HISTORIC/CULTURAL RESOURCES** - Are there any historic and/or cultural resources at the site? Yes No

If yes, please describe:

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- e. **SPECIES** - Does the project site contain any species of special concern? Yes No

If yes, please describe:

4. PROJECT QUESTIONS - CONTINUED

f. **EASEMENTS** - Does the project site contain any recorded public easement, such as easements for storm drains, water lines, and other public rights of way? If yes, please describe: Yes No

g. **STREAMS** - Does the project site contain a stream, creek or wetlands 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? If yes, describe below and attach an aerial photograph showing existing conditions of environmental site features that would be subject to regulations by a public agency: Yes No

h. **ADDITIONAL SITE CONDITIONS** - Please indicate 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

If "YES" to any, please describe:

5. CONTACT INFORMATION

Who is the primary project contact? Applicant Owner Agent/Representative Other

APPLICANT NAME:

TITLE IF APPLICABLE:

FIRM NAME IF APPLICABLE:

EMAIL:

PHONE:

MAILING ADDRESS:

Are you in escrow to purchase the property? Yes No

PROPERTY OWNER OF RECORD - NAME *only if different from applicant:*

EMAIL:

PHONE:

MAILING ADDRESS:

OPTIONAL: AGENT/REPRESENTATIVE NAME

EMAIL:

PHONE:

MAILING ADDRESS:

OPTIONAL: OTHER - Specify Architect, Engineer, CEQA Consultant, etc.:

NAME:

EMAIL:

PHONE:

MAILING ADDRESS:

6. PROPERTY OWNER AFFIDAVIT

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 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 THE CITY OF SAN JOSE 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 SAN JOSE PLANNING DIVISION 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 THE CITY OF SAN JOSE PLANNING DIVISION within 180 days of the date that the Preliminary Application is deemed complete.
4. By my signature below, I certify that the foregoing statements are true and correct.

• PROPERTY OWNER SIGNATURE

DATE [MM/DD/YYYY]

PRINT NAME

• PROPERTY OWNER SIGNATURE

DATE [MM/DD/YYYY]

PRINT NAME

A [Digital ID Signature](#) is required of the property owner/s or legally authorized agent of the property owner/s. By signing this application, you acknowledge that you are the property owner/s or a legally authorized agent of the property owner/s.

For additional property owner signatures, use the [Affidavit of Ownership-Multiple Property Owner Form](#).