

City of Pacifica Planning Department Preliminary Application Residential Projects Pursuant to SB 330

City of Pacifica Planning Division
1800 Francisco Boulevard
Pacifica, CA 94044
(650) 738-7441

Planning Department
www.cityofpacificca.org

Revised: December 26, 2019

Pursuant to SB330, effective January 1, 2020 this *optional* preliminary application may be utilized by applicants for housing developments with at least two-thirds of its square footage designated for residential use.

A complete (full) development application must be submitted to the Planning Department no less than 180 days after the preliminary application. The (full) development application is provided as a separate document and should be requested after submitting the preliminary application.

The Process

SUBMIT PRELIMINARY PLANNING APPLICATION MATERIALS LISTED BELOW TO THE PACIFICA PLANNING DIVISION. WITHIN 180 CALENDAR DAYS AFTER SUBMITTING THE ITEMS ON THIS CHECKLIST, *YOU MUST SUBMIT THE MATERIALS REQUIRED TO FULLY PROCESS THE*

APPLICATION. The following items must be submitted to the City of Pacifica Planning Division for the preliminary planning application to be processed. Submitting technical documents or studies at this phase will assist with processing the preliminary review, but not required.

- The Preliminary Planning Department Development Application form. **This application must be signed by all current property owner(s).** The applicant's contact information and, if the applicant does not own the property, consent from the property owner to submit the application.
- The planning application deposit, which is determined at the time of the submittal.
- Agreement of reimbursement of City costs.
- The specific location, including parcel numbers, a legal description, and site address, if applicable.
- The existing uses on the project site and identification of major physical alterations to the property on which the project is to be located.
- 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.
- The proposed land uses by number of units and square feet of residential and nonresidential development using the categories in the applicable zoning ordinance.
- The proposed number of parking spaces.
- Any proposed point sources of air or water pollutants.
- Any species of special concern known to occur on the property.
- 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.
 - 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 Government Code 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.

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- 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.
 - Any historic or cultural resources known to exist on the property.
 - The number of proposed below market rate units and their affordability levels.
 - The number of bonus units and any incentives, concessions, waivers, or parking reductions requested pursuant to Government Code Section 65915.
 - 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.
 - For a housing development project proposed to be located within the coastal zone, whether any portion of the property contains any of the following:
 - Wetlands, as defined in subdivision (b) of Section 13577 of Title 14 of the California Code of Regulations.
 - Environmentally sensitive habitat areas, as defined in Section 30240 of the Public Resources Code.
 - A tsunami run-up zone.
 - Use of the site for public access to or along the coast.
 - The number of existing residential units on the project site that will be demolished and whether each existing unit is occupied or unoccupied.
 - 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.
 - The location of any recorded public easement, such as easements for storm drains, water lines, and other public rights of way.

NEXT STEP: FORMAL PLANNING APPLICATION SUBMITTAL

After the completion of the optional preliminary application review process, a formal planning application must be submitted. Please request a complete Planning Department Development Permit Application to see what materials are required for a complete submittal. The Planning Department will have 30 days to determine whether or not the development application is complete. Applicants must resubmit a complete application within 90 days after the initial 180-day period. An info-graphic flowchart regarding SB330 is on the last page of this packet. For more information, read provisions of Government Code Section 65941.1.

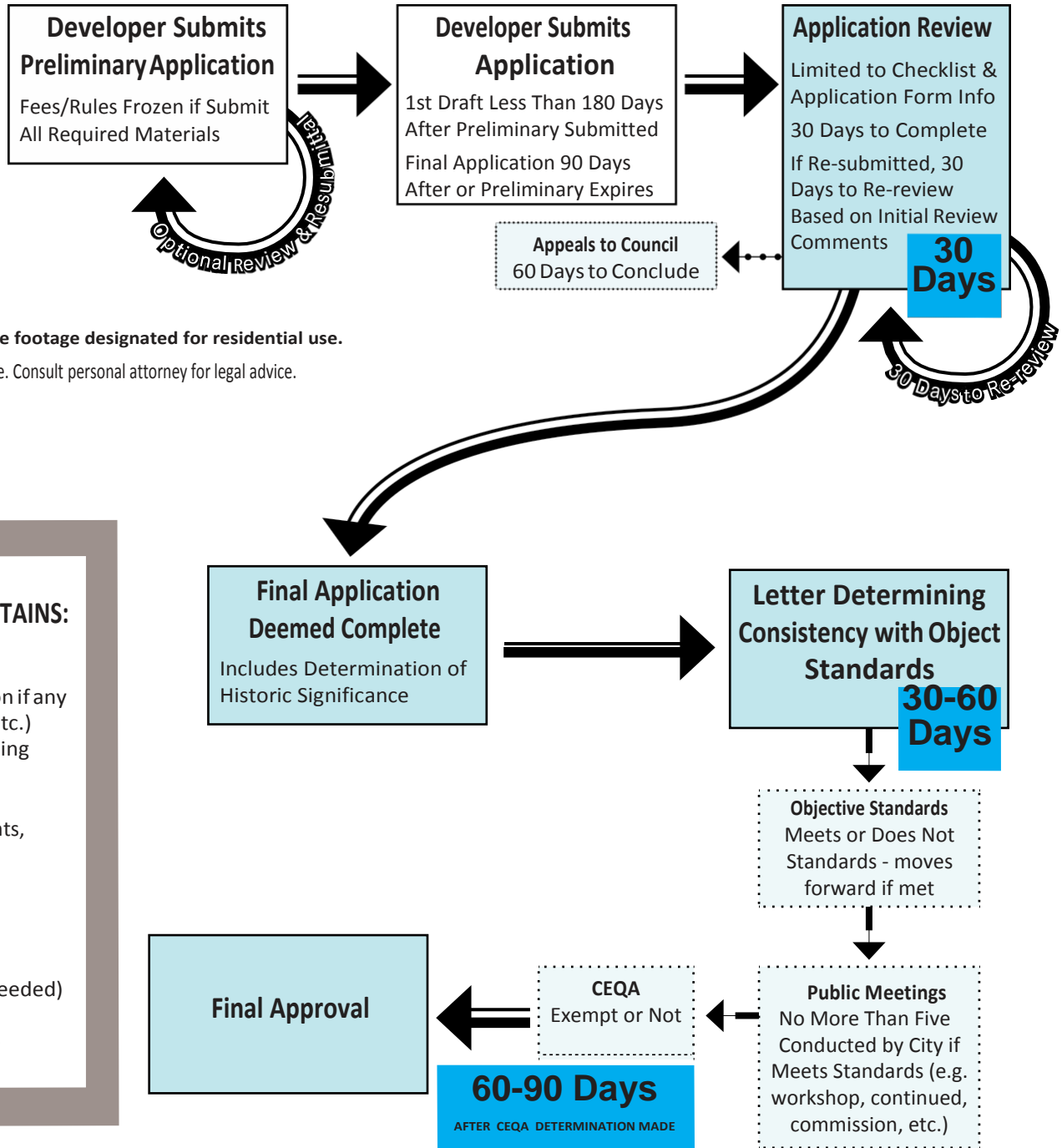
SB 330

Effective January 1, 2020

2-Step Application & Approval Process

Applies to projects with at least two-thirds of square footage designated for residential use.

Disclaimer: For informational purposes only and subject to change. Consult personal attorney for legal advice.



PRELIMINARY APPLICATION CONTAINS:

1. Location
2. Existing uses, units and demolition if any
3. Site plan (design details, height, etc.) and square footage of each building
4. Uses and square footage
5. Parking
6. Environmental (air/water pollutants, species of concern and streams)
7. Hazard zones
8. Historic resources
9. Units by income
10. Density bonus requests
11. Subdivision requests (map not needed)
12. Public easements
13. Additional rules if in coastal zone

**CITY OF PACIFICA
PLANNING DEPARTMENT
OPTIONAL PRELIMINARY DEVELOPMENT PERMIT APPLICATION**

(Please type or print clearly)

I. APPLICANT INFORMATION: ALL ADDRESSES MUST INCLUDE A PHYSICAL STREET ADDRESS

<u>A. Applicant</u>	<u>Property Owner</u>	<u>Agent/Architect/Designer</u>
Name _____	Name _____	Name _____
Street Address _____	Street Address _____	Street Address _____
P.O. Box _____	P.O. Box _____	P.O. Box _____
City _____	City _____	City _____
State/Zip _____	State/Zip _____	State/Zip _____
Phone # _____	Phone # _____	Phone # _____
home business	home business	home business
cell # _____	cell # _____	cell # _____
fax # _____	fax # _____	fax # _____
E-mail: _____	E-mail: _____	E-mail: _____

B. Authorization for Agent

I hereby authorize _____ to act as my Agent and to bind me in all matters concerning this development application and to act as my agent for service of process.

Property Owner's Signature

Date

Property Owner's Name (print)

II. PROJECT INFORMATION

Project Street Address _____ Assessor's Parcel Number _____
Project Description: (briefly summarize the proposed project) _____

Existing Use _____

III. ACKNOWLEDGEMENT AND AGREEMENT BY APPLICANT AND OWNER

NOTICE TO APPLICANT AND OWNER: FAILURE TO SIGN THIS PART OF THE APPLICATION SHALL RESULT IN THE APPLICATION BEING WITHHELD FROM FURTHER PROCESSING.

A. I, the undersigned, hereby agree to defend (with counsel approved by the City), indemnify, and hold harmless the City, its officials, officers, employees, volunteers, and agents (collectively, the "City Parties") from and against any claims, liability, loss, damage, costs (including reasonable attorney fees), or expenses, suits, and damages of every kind, nature, and description, directly or indirectly arising from, or relating to this application or the project (collectively, the "Claims"). I shall have no right to seek reimbursement from the City Parties for the Claims. These obligations shall survive the termination or expiration of this Acknowledgement and Agreement.

B. I, the undersigned, hereby agree to pay any and all City costs incurred in connection with the application or the project ("Fees"), and will enter into a reimbursement agreement with the City for the payment of such Fees. The Fees may include, but are not limited to, costs associated with City staff time, processing costs, consultant costs, and legal fees associated with processing the application, implementing any project approvals, or defending any project approvals. Consultant costs may include, but are not limited to, environmental consultants, biologists, wetlands specialists, traffic consultants, geotechnical consultants, and legal consultants, as may be determined to be necessary in the sole discretion of City

STAFF USE ONLY

Date Submitted: _____	Fee Deposit: _____	General Plan: _____	Notice Recipients (#): _____
Date Complete: _____	Receipt No.: _____	Zoning: _____	

staff. I hereby acknowledge and agree that I shall deposit funds to cover the Fees as determined by City staff, that such deposit may not be adequate to fully reimburse the City for all Fees, and that periodically, as the need arises, I may be called upon to make further deposit of funds to cover the Fees. In the event, for any reason, a City request for further deposit of funds is not fully satisfied within thirty (30) calendar days, the City may cease processing this application and the related project, and shall treat the failure to make the requested deposit of funds as my request to cease processing the application. The advance of Fees shall not be dependent upon the City's approval or disapproval of my application, or upon the result of any action, and shall in no way influence the project. Neither myself, nor any other person providing funding for the project shall, as a result of such funding, have any expectation as to the results of the application process or the selection of an alternative favorable to or benefiting me.

- C. I, the undersigned, hereby acknowledge, consent, and agree that project application forms, plans, and any other documents and materials submitted to the City are public records under the California Public Records Act (CA Gov. section Code 6250, et seq.). All project application forms, plans, and any other documents and materials submitted to the City are a public record and are subject to public inspection.
- D. I, the undersigned, hereby acknowledge and agree that the comments of staff regarding the project are for guidance purposes but the final decision on the project rests with the Planning Commission and/or Pacifica City Council.
- E. I, the undersigned, hereby acknowledge and agree that my failure to provide complete, truthful, and accurate information necessary to process the application, or to provide public notice as required, may result in a delay in processing the application, or may constitute grounds for denial or revocation of the permit requested herein, and may result in the City ceasing processing this application and the related project, and treating the failure as my request to cease processing the application.
- F. I, the undersigned, hereby acknowledge and agree that any documents approving the project and/or conditions of approval may be recorded with the San Mateo County Recorder's Office. If requested, I agree to sign a document to allow such documents to be recorded.
- G. I, the undersigned, hereby acknowledge and agree that any permit issued pursuant to this application will not grant any right or privilege to use any building or land contrary to the provisions of federal, state or local law. All provisions of law applicable to the project shall be in force whether specified or not.
- H. I, the undersigned, hereby acknowledge and agree that all projects are subject to all applicable fees authorized or required by law.
- I. I, the undersigned, hereby declare under penalty of perjury pursuant to laws of the State of California that all of the information contained in this application is true and correct of my own personal knowledge.

Applicant/Agent Signature

Date

Applicant/Agent Name (print)

Property Owner Signature

Date

Property Owner Name (print)

GENERAL NOTES

- A. The applicant may make a written request, by separate letter, to receive notice from the City of a proposal to adopt or amend any of the following plans or ordinances: a general plan; a specific plan; a zoning ordinance; an ordinance affecting building permits or grading permits. You must specify, in the written request, the types of proposed action for which notice is requested.
- B. The applicant should be aware of the provisions of Government Code Section 65961.
- C. Upon receipt of the required application materials, the City shall determine in writing within 30 days whether the application is complete. Once complete, the City will review and consider the application consistent with applicable law, including Government Code Section 65920 et seq. (Permit Streamlining Act), and Government Code Section 65943 (Applications for Development Projects).
- D. Effective January 1, 2020, in accordance with Government Code Section 66300 et seq. (Housing Crisis Act 2019), the City shall not approve a housing development project that will require the demolition of residential dwelling units unless the project will create at least as many residential dwelling units as will be demolished. Replacement housing must be provided by the developer at a one-to-one ratio.
- E. To preserve housing for persons and families with low and moderate incomes in California's Coastal Zone, projects seeking approval for demolition must comply with Government Code Section 65590 and 65590.1 (1982 Mello Act).

CITY OF PACIFICA

Agreement for Reimbursement of City Costs

Project Name: _____

Project Location: _____

Initial Deposit Receipt No.: _____ **Date:** _____ **Amount:** _____

I, _____, as the applicant for the above-referenced application, hereby authorize the City of Pacifica to process the above-described application in accordance with the City fee schedule in effect at the time fees are charged. I understand and agree that the City operates on a deposit system. The initial deposit required for this application is \$ _____ based on the estimated staff, consultant and City Attorney time and expenses required to process this application. I further understand that the initial deposit may not be sufficient to cover the time and expenses associated with processing the application, and I agree to make one or more additional deposits as required if the initial deposit is not sufficient to cover costs.

Application processing includes all aspects of project review including review for completeness and conformity with City codes and policies, review by the City arborist, traffic engineer, surveyor, attorney, and other experts and consultants, as needed, including outside legal counsel. Processing costs also include preparation of staff reports, environmental review documents, and public notices, participation in public meetings related to the project, responding to inquiries from applicants and the public, review of any appeals, review of construction drawings for compliance with planning conditions of approval, final planning inspection and all other activities that staff determines are necessary to ensure compliance with applicable law, and City codes and policies.

I understand that the City has the sole discretion to determine which persons it hires as employees and contractors for the review and processing of the above-referenced application, to select which of its employees and contractors are assigned to work on the application, and to direct their work, evaluate their performance, and terminate their employment, at any time. I further understand that the City has the sole discretion to determine the amount and manner of compensation to be paid to its employees and contractors.

I will be notified if staff determines that additional funds will be required to continue processing the application. I agree to provide the additional funds within 30 days of the date of the notice. I hereby request the City to withdraw my project from application review and further consideration or, in the City's sole discretion, to deny this application if I fail to provide the additional required funds within 30 days of the date of the notice. I understand and agree that such withdrawal is irrevocable and any withdrawal or denial is final and that any further consideration of a proposed development project on the property that is the subject of the application referenced above will require filing a new application. I further

understand that at no time will the City be responsible for carrying any costs incurred in the review and processing of the above-referenced application.

Any funds not used will be returned to me by the City within 60 days of a final building inspection approval, which occurs at the end of construction. If the application is denied, unused funds will be returned within 60 days of a final decision. If no construction is involved in the application, funds will be returned within 60 days of a final decision on this application. The final decision typically occurs at the end of the appeal period after application denial or a determination by the approving authority that final plans are in conformance with all applicable City regulations and earlier project approvals. I understand and agree that the deposit will be maintained in a non-interest bearing deposit fund and no interest will be earned or paid on unused funds.

I agree to send all requests to the City, in writing, to the following address:

Planning Director
City of Pacifica
Planning Department
1800 Francisco Boulevard
Pacifica, CA 94044

All reports and notices concerning this deposit should be sent to me at the following address:

Telephone: _____

E-mail: _____

I hereby agree to the terms of this reimbursement agreement. If I am not the owner of the property referenced in this application I have included documentation from the owner that I am authorized to agree on my own behalf and on behalf of the owner to the terms of this agreement.

Date: _____ Signature: _____

Printed Name: _____