Preliminary Housing Development (SB-330) Pre-Application

P-32

Community Development Dept.
Planning Division
1635 Faraday Avenue
(442) 339-2600
www.carlsbadca.gov
Refer to **IB-132** for information

SUBMITTAL INFORMATION

All forms must be completed, signed, and submitted as a PDF attachment to your submittal. Please refer to info-bulletin IB-132 for additional information.

APPLICATION & PAYMENT

☐ **Application & Materials**

Provide an electronic copy of your application and required documents on a flash drive or a CD. All items, including additional pages, supporting documents, studies, plans, and reports, must be saved as individual PDFs and labeled accordingly.

☐ **Fees**

Payment of fees is required for all pre-applications. Payment via check, electronic check, or credit card is required before project review or processing. Once the application is submitted, city staff will follow up electronically with an invoice for the total fee amount. Fees may be paid online, in-person or dropped off at 1635 Faraday Avenue for processing.

PHOTOGRAPHS

☐ **Aerial Site Photograph**

Provide aerial photographs showing existing site conditions of environmental site features that would be subject to regulations by a public agency, including creeks and wetlands.

LEGAL DESCRIPTION

☐ **Legal Description**

Include a legal description of the specific location. The best place to find a legal description is usually the most recent deed to the property.

PLANS

☐ **Condensed Site Plan**

Provide a site plan showing the location on the property. Show the location of any recorded public easement, such as easements for storm drains, water lines, and other public rights of way. Indicate location of any 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. Please attach a separate site plan and elevations on a digital sheet size of minimum 8 ½ -inches by 11-inches and maximum 11-inches by 17-inches.

☐ **Condensed Elevations**

Provide elevations showing design, color, and material, the building height and massing, and approximate square footage of each building.

1 PRELIMINARY APPLICATION FORM

APPLICATION TYPE (CHOOSE ONE)

☐ Preliminary Housing Development **(SB-330)** ☐ Affordable Housing Streamlined Approval **(SB-35)**

PROPERTY INFORMATION

Property Address:

Assessor Parcel Numbers (APN):

Project Data	# Existing	# to be Demolished	If so, # Occupied
Residential Units – Number:			
Residential Units – Floor Area (Sq. Ft.):			
Nonresidential – Floor Area (Sq. Ft.):			

Existing Uses/Site conditions *(Describe in detail existing uses/physical conditions on the site.)*

PROPOSED PROJECT INFORMATION

Please attach additional pages/supporting documentation that help completely answer the questions listed below.

Proposed Project *(Describe in detail scope of the proposed project and major physical alterations to the property)*

Subdivision *(any approvals under the Subdivision Map Action being requested and if so, describe)* ☐ YES ☐ NO

Housing Units	Market-Rate	Inclusionary	Density Bonus[1]	Below Market[2]	Project Total
Total number:					
Unit size (sf min):					
Unit size (sf max):					
Affordability level:	N/A				**N/A**
TOTAL SQ. FT.					

[1]If Density Bonus being utilized, include completed form P-1(H). Please refer to IB-112 for additional information on requested incentives, concessions, waivers, or parking reductions; [2]Affordbale units in excess of inclusionary standards.

Non-Residential *(does the project include non-residential uses and if so, provide use categories under the city's zoning, floor area and square footage of all structures)* ☐ YES ☐ NO

Standard Parking	Residential	Non-Residential	TOTAL
Stall Count			

Electric Vehicle Parking	Residential	Non-Residential	TOTAL
Stall Count			

Any parking reductions requested pursuant to Section 65915[p] need to be included in Form P-1(H). See Gov. Code § 65941.1(a)(11)

2 SPECIFIC SITE FEATURES

Indicate if any portion of the property includes any of the following environmental, historic, or cultural resources. Submittal must include supporting documentation, reports and/or analysis.

SITE CONSTRAINTS

	Does the site contain any of the following (provide documentation for "yes" responses):	YES	NO	N/A
1.	A very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Gov. Code Section 51178?	☐	☐	☐
2.	Wetlands, as defined in the US Fish and Wildlife Service Manual, Part 660 FW 2?	☐	☐	☐
3.	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?	☐	☐	☐
4.	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?	☐	☐	☐
5.	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 CA Building Standards Commission under the CA 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 (Section 8875) of Div. 1 of Title 2?	☐	☐	☐
6.	A stream or other resource that may be subject to a streambed alteration agreement pursuant to Chapter 6 (Section 1600) of Division 2 of the Fish and Game Code (Attach a biological technical report prepared by a qualified biologist?	☐	☐	☐
7.	Any proposed point sources of air or water pollutants?	☐	☐	☐
8.	Any species of special concern known to occur on the property?	☐	☐	☐
9.	Any historic or cultural resources known to exist on the property (Attach a cultural and historic resources report prepared by a qualified professional (historian and/or archaeologist)	☐	☐	☐

COASTAL ZONE

	If located within the coastal zone, indicate if the site contains any of the following:	YES	NO	N/A
1.	Wetlands, as defined in subdivision (b) of Section 13577 of Title 14 of the California Code of Regulations. A Wetlands Delineation Report my be required following the filing of the application requesting approval of a discretionary action in the Coastal Zone if the site contains a defined wetland.	☐	☐	☐
2.	Environmentally sensitive habitat areas, as defined in Section 30240 of the Public Resources Code	☐	☐	☐
3.	A tsunami run-up zone	☐	☐	☐
4.	Use of the site for public access to or along the coast	☐	☐	☐

3 PROPERTY OWNER/APPLICANT AFFIDAVIT

Under penalty of perjury the following declarations are made:

1. I hereby certify, that all statements contained in this pre-application and any accompanying documents are true and correct, with full knowledge that all statements made in this pre-application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial or subsequent revocation of the deemed complete status.
2. I understand this pre-application is not a development application that authorizes an entitlement and is strictly for the purposes of Senate Bill 330, the Housing Crisis Act of 2019; or Senate Bill 35, the Affordable Housing Streamlined Approval Process of 2017.
3. I understand and agree that any report, study, map or other information submitted to the city in furtherance of this pre-application will be treated by the city as public records which may be reviewed by any personand if requested, that a copy will be provided by the city.
4. I understand that if this pre-application cannot be submitted and deemed complete by staff at the submittal appointment, there is no refund of fees paid.
5. I understand and agree to defend, indemnify, and hold harmless, the City of Carlsbad, its officers, agents, employees, and volunteers (collectively "city"), from any and all legal actions, claims, or proceedings (including administrative or alternative dispute resolution and Public Records Act requests (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 costs (including litigation costs, administrative record preparation, public records act responses) 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 anyother indemnification language agreed to by the applicant.
6. If the applicant is not the Property Owner, both the Property Owner and Applicant must sign this affidavit. By signing this affidavit, the Property Owner authorizes the Applicant listed in this application to act as the Property Owner's agent on all matters in connection with this application.

The city requires original signatures below – the signatures do not need to be notarized.

PROPERTY OWNER

Name: _____ Email: _____

Address: _____ Phone: _____

Signature: _____ Date: _____

APPLICANT ☐ Same as above

Name: _____ Email: _____

Address: _____ Phone: _____

Signature: _____ Date: _____

City Staff Only	Project No.:	Development No.:
App. Vesting Date:		
Staff Name:	Staff Signature:	Date:

4 DISCLOSURE DOCUMENTS

Before the application can be accepted, the owner of each property involved must provide asignature to verify the pre-application is being filed with their consent. Staff will confirm ownership based on the records of the city or 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.** Include current signature authorization for the person or persons signing the application. For a corporation, a chairman, president or vice-president AND a secretary, assistant secretary, CFO or assistant treasurer must sign. Otherwise, the corporation must attach a resolution certified by the secretary or assistant secretary under corporate seal empowering the officer(s) signing to bind the corporation. For an LLC, attach an official paper listing the individual as a Member of the LLC with sole authority to bind the organization. For a partnership, attach an official document identifying the individual as a general partner with sole authority to execute documents on behalf of the limited partnership. 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 partnershipagreement, corporate articles, or trust document as applicable.
- **Letter of Authorization (LOA).** A LOA from a property owner granting someone else permission to sign the pre-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 pre-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 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 or county assessor 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 andMark Jones) signatures are required of all owners.

  a. I hereby certify that I am the owner of record of the herein previously described property located in the City of Carlsbad which is involved in this pre-application or have been empowered to sign as the owneron behalf of a partnership, corporation, LLC or trust as evidenced by the documents attached hereto.

  b. I hereby consent to the filing of this pre-application on my property for processing by the City of Carlsbad Planning Division for the sole purpose of vesting the proposed housing project subject to the zoning ordinances, policies, and standards adopted and in effect on the date that this pre-application is deemed complete. Further, I understand that this pre-application will be terminated and vesting will be forfeited if the housing development project is revised such that the number of residential units or squarefootage of construction increases or decreases by 20 percent or more, exclusive of any increase resulting fromthe 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 Carlsbad Planning Division within 180 days ofthe date that this pre-application is deemed complete.