



City of Pomona Planning Division
**SB 330 PRELIMINARY APPLICATION
REQUIREMENTS AND CHECKLIST**

505 S. Garey Avenue, Pomona, CA 91766
Planning Counter Hours: Monday through Thursday 8 AM to 5 PM
City Hall Hours: Monday through Thursday 7:30 AM to 6 PM
(909) 620 – 2191

OFFICE USE ONLY

CASE NO: _____

DATE RECEIVED: _____

RECEIVED BY: _____

PURPOSE

Senate Bill 330 (“SB 330”) provides enhanced streamlining and an optional vesting opportunity to eligible housing development projects seeking discretionary approval. This process is initiated by the filing of a Preliminary Application under SB 330 (“SB 330 Preliminary Application”). A housing development project shall be subject only to the ordinances, policies, and standards adopted and in effect when an SB 330 Preliminary Application, including all of the information required by subdivision (a) of California Government Code Section 65941.1, was submitted (Gov’t Code Sec. 65589.5(o)) and upon payment of the processing fee (Gov’t Code Sec. 65941.1(a)). The required information and materials are listed in these instructions and checklist.

ELIGIBLE HOUSING DEVELOPMENT PROJECTS

To be eligible for vesting under SB 330, a housing development project must meet any of the following criteria per California Government Code Section 65589.5(h)(2)(B):

1. The project is residential only (not including hotels or other similar lodging uses) and creates two or more new residential dwelling units on a project site.
2. The project is a mixed-use development consisting of residential and nonresidential uses, with at least two-thirds of the square footage of the project designated for residential use (not including hotels or other similar lodging uses), including residential dwelling units and any uses accessory to the residential dwelling units.
3. The project is transitional housing or supportive housing.

VESTING TIMELINE AND THRESHOLDS

An SB 330 Preliminary Application must be deemed complete by the Development Services Department (“Department”) in order for an application for a housing development project to be vested for the purpose of subjecting such application to “ordinances, policies, and standards”, as defined by Government Code Section 65589.5(o), except in the circumstances prescribed under Government Code Section 65589.5(o)(2), at the time of filing or the SB 330 Preliminary Application is deemed complete, whichever is later. An SB 330 Preliminary Application is deemed complete at the time that:

- 1) All required forms, documents, and materials listed in these instructions and checklist are received by the Department; and
- 2) The final invoice has been issued and proof of payment is provided along with the required items described above.

In addition, a housing development project must meet the following timelines and project thresholds in order to obtain and maintain vested status:

- 1) The SB 330 Preliminary Application must be filed with the Department prior to filing an application requesting approval of any discretionary action for a housing development project.
- 2) An application for discretionary action filed with the Department within 180 days of the date that the SB 330 Preliminary Application was filed or deemed complete, whichever is later.

- 3) If an application for discretionary action is deemed incomplete after filing, the applicant must submit all missing or incomplete items to the Department within 90 days of being notified in writing by the Department.
- 4) Construction of the project must commence within two and one-half (2½) years following the date that the project receives final approval, as defined in Government Code Section 65589.5(o)(2).
- 5) Any change in the dwelling unit count is limited to less than 20 percent—exclusive of any increase resulting from the receipt of a density bonus, concession, waiver, or similar provision—indicated on the submitted and deemed complete SB 330 Preliminary Application.
- 6) Any change in the square footage of construction is limited to less than 20 percent of the square footage—exclusive of any increase resulting from the receipt of a density bonus, concession, waiver, or similar provision—indicated on the submitted and deemed complete SB 330 Preliminary Application. Note that per government Code Section 65589.5(o)(2)(E), “square footage of construction” means the building area, as defined by the California Building Standards Code (title 24 of the California Code of Regulations).

The materials required in these instructions and checklist must be provided by the applicant as part of the SB 330 Preliminary Application. Missing, incomplete or inconsistent information will delay the vesting date. The SB 330 Preliminary Application must be filed with the Department.

EARLY CONSULTATION

Early consultation with Department staff is strongly recommended since land use and housing requirements may apply that could affect the anticipated scope of a project and its ability to remain vested after an SB 330 Preliminary Application is submitted.

APPOINTMENTS AND QUESTIONS

For additional information regarding the SB 330 Preliminary Application, or to request an appointment to file an SB 330 Preliminary Application, please contact Planning Division staff at (909) 620-2191.

APPLICANT ACKNOWLEDGEMENT

By submitting an SB 330 Preliminary Application and signing this acknowledgement, I am electing to have my application processed in accordance with the procedures and requirements contained in SB 330, the Housing Crisis Act of 2019.

PRINT NAME

SIGNATURE

DATE

All applications require a property owner's affidavit. Please see the Planning Division Application Matrix for Notary requirements.

PROPERTY OWNER'S AFFIDAVIT

STATE OF CALIFORNIA)

)SS

COUNTY OF LOS ANGELES)

I/WE _____ BEING DULY SWORN, DEPOSE AND SAY, THAT I/WE AM/ARE THE OWNER(S) OF PROPERTY INVOLVED IN THIS PETITION, AND THAT THE FOREGOING STATEMENTS AND ANSWERS HEREIN CONTAINED AND THE INFORMATION HEREWITH SUBMITTED, ARE IN ALL RESPECTS TRUE AND CORRECT TO THE BEST OF KNOWLEDGE AND BELIEF.

SWORN TO BEFORE ME THIS _____ DAY

SIGNED: _____

OF _____, _____.

ADDRESS: _____

CITY: _____

NOTARY PUBLIC

TELEPHONE: _____



SB 330 PRELIMINARY APPLICATION CHECKLIST

The following materials and information are required for filing a SB330 Preliminary Application:

- SB 330 Preliminary Application
- Filing Fee
- Electronic Copy of All Application Documents
- Site Plan. A site plan showing the building(s) location on the property and approximate square footage of each building that is to be occupied. See the City of Pomona Application Package Requirements section F.2 for additional guidance.
- Elevations. Elevations showing design, color, material, and the massing and height of each building that is to be occupied. See the City of Pomona Application Package Requirements section F.4 for additional guidance.
- 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 following materials and information are OPTIONAL for filing a SB330 Preliminary Application and may be provided in order to satisfy Government Code Section 65941.1(a) to deem the Preliminary Application complete:

- Any other exhibits or documentation that may be helpful in determining the completeness of the Preliminary Application such as:
 - Historic Resource Assessments
 - Biological Survey and Impact Assessments
 - Phase I or II Environmental Site Assessments
 - Arborist Reports
 - Title Reports
 - Photograph Exhibits
 - Color and Materials Sample Boards
 - Existing Conditions Sheets
 - Floor Plan Sheets
 - Roof Plan Sheets
 - Fencing Plan Sheets
 - Preliminary Grading Sheets
 - Preliminary Landscape Plan Sheets
 - Hardscape Plan Sheets
 - Preliminary Lighting Plan Sheets
 - Accessory Structure Plan Sheets
 - Sign Plan Sheets



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For Staff Use Only

Case Number	Site Address/APN(s)
Proposed No. of Dwelling Units	Proposed Square Footage of Construction
Date Deemed Complete	Last Day to File Entitlement Application
Invoice Number	Receipt Number
Planning Staff Name and Title	Planning Staff Signature

1. PROJECT LOCATION

- Include the specific location, including parcel numbers, legal descriptions, and site addresses, if applicable:

Street Address or Intersection	
Assessor Parcel No(s).	
Legal Description (Lot, Block, Tract)	

Exhibit Attached? YES NO

2. EXISTING USES

- Provide a detailed written description of the existing uses on the project site and identify the location of any major physical alterations to the property on which the project is to be located:

Exhibit Attached? YES NO



3. SITE PLAN

- Include a site plan showing the building(s) location on the property and approximate square footage of each building that is to be occupied.

Exhibit Attached? YES NO

4. ELEVATIONS

- Include elevations showing design, color, and material, and the massing, height, and approximate square footage, of each building that is to be occupied.

Exhibit Attached? YES NO

5. PROPOSED USES

- Provide a detailed written description of proposed land uses by number of units and square feet of residential and nonresidential development using the categories in the applicable zoning ordinance:

Exhibit Attached? YES NO

- **RESIDENTIAL DWELLING UNIT BREAKDOWN:**

- Please indicate the number of dwelling units proposed, including a breakdown of levels by affordability, set by each income category.

	Number of Units
Market Rate	
Managers Unit(s) – Market Rate	
Extremely Low Income	
Very Low Income	
Low Income	
Moderate Income	
Total No. of Units	
Total No. of Affordable Units	
Total No. of Density Bonus Units	



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6. FLOOR AREA

- Provide the proposed floor area and square footage of residential and nonresidential development, by building (attach relevant information by building and totals here):

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

*Per government Code Section 65589.5(o)(2)(E), "square footage" of construction means the building area, as defined by the California Building Standards Code (title 24 of the California Code of Regulations).

Exhibit Attached? YES NO

7. PARKING

- Provide a detailed written description of proposed number of parking spaces for the project:

Proposed Number of Parking Spaces	
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8. AFFORDABLE HOUSING INCENTIVES, WAIVERS, CONCESSIONS and PARKING REDUCTIONS

- Will the project proponent seek Density Bonus incentives, waivers, concessions, or parking reductions pursuant to California Government Code Section 65915?

YES NO

If "YES," please describe:

9. 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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10. POLLUTANTS

- Are there any proposed point sources of air or water pollution?

YES NO

If "YES," please describe:

11. EXISTING SITE CONDITIONS

- Provide the number of existing residential units on the project site that will be demolished and whether each existing unit is occupied or unoccupied. Provide attachment, if needed.

	Occupied Residential Units	Unoccupied Residential Units	Total Residential Units
Existing			
To Be Demolished			

Exhibit Attached? YES NO

12. ADDITIONAL SITE CONDITIONS

- Identify whether a portion of the project 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?

YES NO

- Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993)?

YES NO

- 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



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ADDITIONAL SITE CONDITIONS (CONTINUED)

- 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

- 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

- 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?

YES NO

If "YES" to any, please describe:

- Does the project site contain historic and/or cultural resources?

YES NO

If "YES," please describe:



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ADDITIONAL SITE CONDITIONS (CONTINUED)

- Does the project site contain any species of special concern?

YES NO

If "YES," please describe:

- Does the project site contain any recorded public easement, such as easements for storm drains, water lines, and other public rights of way?

YES NO

If "YES," please describe (an exhibit may also be attached):

Exhibit Attached? YES NO

- Does the project site contain 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? Provide 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.

YES NO

If "YES," please describe and depict in attached site map:

Exhibit Attached? YES NO



13. PROJECT TEAM INFORMATION

- Please provide the following information regarding applicant's contact information and, if the applicant does not own the property, consent from the property owner to submit the application

Applicant's Name _____
 Company/Firm _____
 Address _____ Unit/Space Number _____
 City _____ State _____ Zip Code _____
 Telephone _____ Email _____
 Are you in escrow to purchase the property? YES NO

Property Owner of Record Same as applicant Different from applicant

Name (if different from applicant) _____
 Address _____ Unit/Space Number _____
 City _____ State _____ Zip Code _____
 Telephone _____ Email _____

Optional: Agent/Representative Name _____
 Company/Firm _____
 Address _____ Unit/Space Number _____
 City _____ State _____ Zip Code _____
 Telephone _____ Email _____

Optional: Other (Specify Architect, Engineer, CEQA Consultant, etc.) _____
 Name _____
 Company/Firm _____
 Address _____ Unit/Space Number _____
 City _____ State _____ Zip Code _____
 Telephone _____ Email _____

Primary Contact for Project: Owner Applicant Agent/Representative Other

CERTIFICATION

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation 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.

PRINT NAME

SIGNATURE

DATE