



## City of Victorville Department of Development

Planning ♦ Building ♦ Code Enforcement ♦ Business License ♦ Animal Control

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# SB 330 & SB 35 Preliminary Housing Development Pre-Application Form

## GENERAL INFORMATION

### WHAT IS A PRELIMINARY APPLICATION?

Senate Bill 330 (2019), the Housing Crisis Act of 2019, allows housing developments seeking vesting rights to submit a "preliminary application" for a housing development project. A housing development project includes: (1) two or more residential units; (2) a mix of commercial and residential uses with at least two-thirds of the project's square footage designated for residential use; or (3) transitional or supportive housing. This Preliminary Application serves as the required application for projects utilizing Senate Bill 330 review.

Senate Bill 35 (2017), mandates the City of Victorville ("the City") provide a streamlined ministerial approval process for a housing development that includes: (1) two or more residential units; (2) at least 10% of the proposed units as affordable; and (3) affordability periods of at least 45-years for owned units and 55-years for rental units. This Preliminary Application serves as the required Notice of Intent for projects utilizing Senate Bill 35 streamlining.

### WHAT DOES IT DO?

**Senate Bill 330** - Upon submittal of this Preliminary Application, a housing development project "freezes" the applicable fees and development standards that apply to the project while additional material necessary for a full application submittal is assembled.

**Senate Bill 35** - Upon submittal of this Preliminary Application, this form serves as the Notice of Intent for applicants requesting a streamlined ministerial approval process of affordable housing projects to initiate the mandatory Native American scoping consultation process.

### WHAT HAPPENS AFTER I SUBMIT?

**Senate Bill 330** - After submitting this Preliminary Application to the City, an applicant has 180 days to submit a complete Application for Planning Commission Action, or the preliminary application will expire. If the number of residential units or the square footage of the construction project is revised by 20% or more, a new preliminary application and fee must be submitted. The City shall deem any submittal complete or incomplete within 30-days of submittal.

**Senate Bill 35** - Prior to accepting an application for Senate Bill (SB 35) approval, the City must notify applicable California Native American tribes ("tribes") about the proposed development. A Notice of Intent to submit a SB 35 application shall be in the form of this Preliminary Application. Within 30-days of receipt of a Notice of Intent, the City shall transmit the notice to applicable tribes. If there is no response to the Notice of Intent by noticed "tribes" within 30-days of receipt the notice or if the City engages in tribal scoping consultation and an enforceable agreement is made between the California Native American tribe and the City to protect potential tribal resources, the project application is deemed complete and eligible for SB 35 review. If no enforceable agreement reached, a project is not eligible for SB 35 review. SB 35 timelines shall not commence until an SB 35 application is submitted in accordance with the City's SB 35 Supplemental Application.

## SUBMITTAL REQUIREMENTS

The following items must be included when submitting the necessary [Pre-Submittal Application](#) via the City's [Customer Self-Service Portal](#).

- All required “PRE-SUBMITTAL APPLICATION CHECKLIST” items outlined in the “Pre-Submittal Application”, excluding the “Plans” and “Site Plan” requirements which shall be replaced with:
  - Elevations - Provide elevations showing design, color, and material, and the massing, height, and approximate square footage of each building; and
  - Site Plan - Provide a site plan showing the location on the property and proposed structures. 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.
- A completed “PRELIMINARY HOUSING APPLICATION FORM”, including the project description, site features, and property owner affidavit sheets.

*The noted items/information must be provided prior to submitting the necessary formal Application for Planning Commission Action.*

# PRELIMINARY HOUSING APPLICATION FORM

## APPLICATION TYPE (CHOOSE ONE)

Preliminary Housing Application (SB-330)     Streamlined Ministerial Affordable Housing Approval (SB-35)

## RECORD INFORMATION (CITY USE ONLY)

Submittal Date:

## OWNER'S INFORMATION

Name: \_\_\_\_\_ Contact: \_\_\_\_\_  
Address: \_\_\_\_\_ ZIP: \_\_\_\_\_  
Email: \_\_\_\_\_ Phone: \_\_\_\_\_

## APPLICANT'S INFORMATION SAME AS ABOVE

Name: \_\_\_\_\_ Company: \_\_\_\_\_  
Address: \_\_\_\_\_ ZIP: \_\_\_\_\_  
Email: \_\_\_\_\_ Phone: \_\_\_\_\_

## PROPERTY INFORMATION

Project Address: \_\_\_\_\_  
Assessor Parcel Number (APN): \_\_\_\_\_

PROJECT DATA	EXISTING	PROPOSED	DEMOLISHED
Residential Units – Number			
Residential Units – Floor Area (Sq. Ft.)			
Nonresidential – Land Uses			
Nonresidential – Floor Area (Sq. Ft.)			
Parking Spaces			

## UNIT INFORMATION

If units are being demolished, indicate total number: \_\_\_\_\_ Number Occupied: \_\_\_\_\_ Number Not Occupied: \_\_\_\_\_  
Are any approvals under the Subdivision Map Act requested?     YES     NO  
New below-market rate units?     YES     NO    If yes, affordability level: \_\_\_\_\_  
New density bonus units?     YES     NO    If yes, describe any incentives, concessions, waivers, or parking reductions per Government Code 65915:

# PRELIMINARY HOUSING APPLICATION FORM

## PROJECT DESCRIPTION

Describe the existing development on the site including all existing uses, parking, and size of buildings:

Explain the proposed project including size of additions and any new buildings, units, or uses:

# PRELIMINARY HOUSING APPLICATION FORM

## SITE FEATURES

Indicate if any portion of the property includes any of the following environmental, historic or cultural resources.

Environmental, Historic, or Cultural Resources			
Does the site contain any of the following:	YES	NO	N/A
1. A very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Wetlands, as defined in the US Fish and Wildlife Service Manual, Part 660 FW.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Any proposed point sources of air or water pollutants.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Any species of special concern known to occur on the property.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Any historic or cultural resources known to exist on the property.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

# PRELIMINARY HOUSING APPLICATION FORM

## PROPERTY OWNER AFFIDAVIT

Before the application can be accepted, the owner of each property involved must provide a signature to verify the Preliminary Housing Application is being filed with their knowledge. City of Victorville staff will confirm ownership based on the records of the San Bernardino 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 Housing 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 Housing 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 \_\_\_\_\_ which is involved in this Preliminary Housing 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 Housing Application on my property for processing by the City of Victorville 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 Housing 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 Victorville 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.

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_