



SB 330 – Housing Crisis Act

Preliminary Application Form

PURPOSE

Consistent with Section 8 of SB 330 and Section 65941.1 of California Government Code, the City of Burlingame has created a Preliminary Application process for eligible housing development projects. This form serves as the Preliminary Application for projects seeking vesting rights pursuant to SB 330, the Housing Crisis Act of 2019.

A "housing development project" means a project consisting of 1) residential units only, 2) a mix of commercial and residential uses, with two-thirds of the project's square footage used for residential purposes, or 3) transitional or supportive housing.

GENERAL INFORMATION

An applicant for a housing development project shall be deemed to have submitted a preliminary application upon providing all of the information listed in this Preliminary Application Form and payment of the required fee to the City of Burlingame. Please contact the Planning Division to determine the required application fees for the project.

If after you submit this application, you revise your project so that the number of residential units or square footage of construction increases or decreases by 20 percent or more (exclusive of any increase pursuant to Government Code Section 65915 - Density Bonus Law), you will need to submit a new preliminary application.

Your preliminary application will be deemed abandoned if you do not submit a development application within 180 days of submitting this application, or, if your development application is found to be incomplete, you do not provide any additional information required within 90 days of notice that the application is incomplete.

This form shall be completed by the applicant and reviewed and signed by Burlingame Planning staff prior to being deemed complete. Any change to the proposed number of dwelling units or the proposed square footage of construction must be verified by Planning Division staff.

CITY STAFF USE ONLY

Address	Assessor's Parcel Number (APN)
Proposed No. of Units	Proposed Square Footage of Construction
Date Deemed Complete	Last Day to File Entitlement Application
Planning Staff – Name & Title	Planning Staff Signature

PROJECT TEAM INFORMATION: Provide contact information for the applicant and property owner.

Applicant Name ¹ _____

Company/Firm _____

Address _____ Unit/Space Number _____

City _____ State _____ Zip Code _____

Telephone _____ Email _____

Property Owner Name ² _____

Company/Firm _____

Address _____ Unit/Space Number _____

City _____ State _____ Zip Code _____

Telephone _____ Email _____

¹ Applicant must sign the "Applicant Declaration" on page 3.

² Property owner must sign the "Property Owner Affidavit" on page 4.

APPLICANT DECLARATION

Declaration. A separate signature from the applicant, whether they are the property owner or not, attesting to the following, is required before the Preliminary Application can be accepted.

1. I hereby certify that the information provided in this Preliminary Application, including plans and other attachments, is accurate and correct to the best of my knowledge.
2. I understand and agree that any report, study, map or other information submitted to the City in furtherance of this Preliminary Application will be treated by the City as public records which may be reviewed by any person and if requested, that a copy will be provided by the City to any person upon the payment of its direct costs of duplication.
3. I understand that there is no guarantee, expressed or implied, that any permit or application will be granted. I understand that each matter must be carefully evaluated and that the resulting recommendation or decision may be contrary to a position taken or implied in any preliminary discussions.
4. I understand that if this Preliminary Application cannot be deemed complete, there is no refund of fees paid.
5. I understand and agree to defend, indemnify, and hold harmless, the City, its officers, agents, employees, and volunteers (collectively "City), from any and all legal actions, claims, or proceedings (including administrative or alternative dispute resolution (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 court costs 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 any other indemnification language agreed to by the applicant.
6. By my signature below, I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this Preliminary Application and any accompanying documents are true and correct, with full knowledge that all statements made in this Preliminary Application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial or subsequent revocation of license or permit.

Signature	_____	Signature	_____
Printed Name	_____	Printed Name	_____
Date	_____	Date	_____

PROPERTY OWNER AFFIDAVIT

Before the application can be accepted, 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. A copy of the current partnership agreement, corporate articles, or trust document shall be provided 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 Burlingame 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 Burlingame 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 Burlingame 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.

Signature	_____	Signature	_____
Printed Name	_____	Printed Name	_____
Date	_____	Date	_____

PROJECT INFORMATION

Please provide the information identified in each section below; attach additional sheets if necessary.

1. **PROJECT LOCATION:** Provide the specific location, including parcel numbers, a legal description, and site address, if applicable.

Site Address _____

Assessor Parcel Number(s) _____

Legal Description: Attached? YES NO

2. **EXISTING USES:** Describe the existing uses on the project site and identify any major physical alterations to the property on which the project is to be located.

3. **EXISTING HOUSING:** 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			

4. **PROPOSED USES:** Describe in detail the proposed land uses, characteristics, scope and/or operation of the proposed project.

5. **RESIDENTIAL DWELLING UNIT COUNT:** Indicate the number of dwelling units proposed, including a breakdown of levels by affordability, set by each income category.

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

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			

7. **PARKING:** Provide the proposed number of automobile and bicycle parking spaces:

Automobile	Residential	Nonresidential
Standard		
Compact		
Disabled-Accessible		
Electric		
Total		

Bicycle	Residential	Nonresidential
Secured (enclosed)		
Outdoor		
Total		

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. SITE PLAN: Provide a site plan showing the building(s) location on the property and approximate square footage of each building that is to be occupied (see attached checklist for more information).

Attached? YES NO

10. BUILDING ELEVATIONS: Provide building elevations showing design, color, material, and the massing and height of each building that is to be occupied (see attached checklist for more information).

Attached? YES NO

11. 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:

12. POINT SOURCE POLLUTANTS: Are there any proposed point sources of air or water pollutants?

YES NO

If "YES," please describe:

13. ADDITIONAL SITE CONDITIONS:

a. Indicate whether the project (or portion) 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

vi. 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:

- b. Does the project site contain **historic and/or cultural resources**? Indicate the basis for determination and attach any relevant documentation.

YES NO

Describe basis for determination:

- c. Does the project site contain any **species of special concern**, such as special status flora or fauna, protect trees, or wildlife?

YES NO

If "YES," please describe:

- d. 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:

- e. 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: