

## SB 330: THE HOUSING CRISIS ACT OF 2019

### What is Senate Bill 330 (SB 330)?

In October 2019, Governor Newsome signed into law Senate Bill 330, which establishes the Housing Crisis Act of 2019 and declares a statewide housing emergency in effect until 2025. The bill makes temporary changes to the Housing Accountability Act (HAA) and Permit Streamlining Act intended to expedite the permitting process for housing development projects and is in effect until January 1, 2025.

### What does SB 330 change about the development review process?

SB 330 changes certain aspects of the development review process, including, but not limited to, the following:

- Provides an optional vesting opportunity for housing development projects through the Preliminary Application process.
- Historic site determination at the time the preliminary application is deemed complete.
- Limits public hearings to a maximum of five (5) once an application is deemed complete.
- Establishes housing replacement and tenant relocation requirements.

### Is my project eligible for SB 330 expedited permitting?

SB 330 expedites permitting for all housing development projects that require discretionary review, including any residential development, mixed use projects with a minimum of two-thirds of square footage designated for residential use, and transitional or supportive housing projects.

### What is an SB 330 Preliminary Application?

The law provides an *optional* vesting opportunity for housing development projects, which freeze the policies, standards and fees in effect when the Preliminary Application is submitted and requires the formal application to be submitted within 180 days of submittal of the Preliminary Application.

### How do I apply for the SB 330 Preliminary Application process?

Applicants must submit a completed *Application for Development Review* and include the required application materials on the *SB 330 Submittal Requirements* checklist to obtain vesting rights for the proposed housing development project.

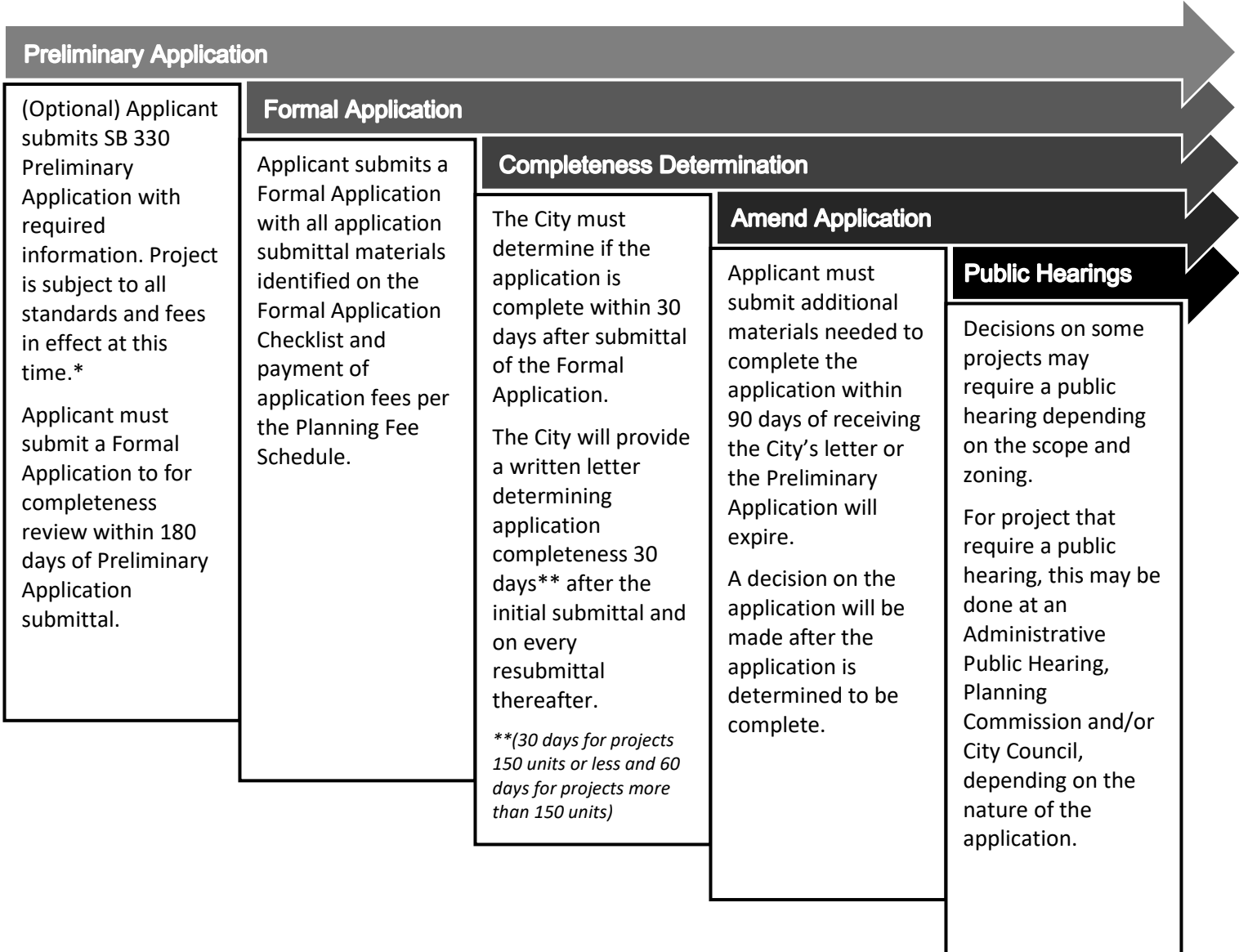
### What fees apply to projects permitted under the SB 330 expedited process?

Under SB 330, housing development projects are subject only to the ordinances, policies, and standards in effect when the Preliminary Application Form is submitted, including development impact fees, capacity or connection fees or charges, permit or processing fees, and any other required payments.

### Are SB 330 projects exempt from CEQA review?

No, California Environmental Quality Act (CEQA) review may be required for SB 330 application. However, other provisions of CEQA or State law may exempt projects for other reasons.

## SB 330 EXPEDITED PERMITTING TIMELINES



\*Per Government Code Section 65589.5(o)(2), projects may be subject to standards adopted after the Preliminary Application was submitted under the following circumstances:

- Any fee changes related to annual fee adjustments per cost index.
- Changes are necessary to mitigate or avoid specific, adverse impact upon public health or safety or under CEQA.
- Project has not started construction within 2.5 years after final approval.
- Revisions to the project result in 20% or more changes to total residential units or building area compared to the Preliminary Application figures. The Preliminary Application must then be resubmitted.
- Any payments required after the building permit has received final inspection, including inspections, rent control, vacation rental bans, etc.

## SB 330 PRELIMINARY APPLICATION SUBMITTAL REQUIREMENTS

Below is a list of submittal items required for a SB 330 Preliminary Application. There are no application fees due with a preliminary review application. All submittal items must be provided in electronic PDF format consistent with the [Electronic Format Requirements](#) on the City's website.

- Application:** An Application for Development Review form can be obtained online at [www.pleasantonpermits.com](http://www.pleasantonpermits.com) or from the Planning Division at 200 Old Bernal Avenue.
- Legal Property Description:** as can be found in a preliminary title report.
- Written Project Description:** A written project description which includes a summary of:
  - a. Proposed alterations to the project site.
  - b. Existing land uses and the number of existing residential units on the project site (if applicable) that will be demolished and whether each existing unit is occupied or unoccupied.
  - c. Proposed subdivision per the Subdivision Map Act.
- Project Plans:** Provide a plan set following the Electronic Format Requirements:
  - a. Project Information:
    - i. Project site address(es).
    - ii. Assessor's Parcel Number(s).
    - iii. Total number of proposed units, including a breakdown of levels by affordability, set by each income category.
    - iv. Total square footage (per unit/tenant space/floor/building, and combined total). Separately list residential and nonresidential development.
    - v. Proposed parking with total number of vehicle spaces per unit, tenant space, or land use; total number of accessible spaces per Building Code; and total number of bike parking spaces (long-term and short-term).
  - b. Site Plan
    - i. Footprint of all structures on-site.
    - ii. Location and configuration of all proposed buildings (include intended use for each building) and any existing building(s) to remain.
    - iii. Location of any easements or encumbrances across the property, such as storm drains, water lines, or rights-of-way.
  - c. Elevations
    - i. Sketches to convey proposed architectural character and massing.
    - ii. Proposed elevations of all sides of the building(s) showing exterior finish design, color, and material.
    - iii. Massing and height of each building.
- Affordable Housing Incentives, Waivers, Concessions and Parking Reductions:** Will the project applicant seek Density Bonus incentives, waivers, concessions, or parking reductions pursuant to California Government Code Section 65915? If yes, please provide a detailed written description.
- Historic or Cultural Resource Assessment:** A report prepared by a qualified historic professional, if the project site contains a designated or eligible historic or cultural resource.
- Environmental Information** and documentation of any conditions on, or which may affect, the project site as listed below:
  - a. Any proposed point sources of air or water pollutants.

- b. Any species of special concern known to occur on the project site.
- c. Whether the project site is located wholly or partially within any of the following:
  - i. A very high fire hazard severity zone as determined by the Department of Forestry and Fire Protection.
  - ii. Wetlands as defined by U.S. Fish and Wildlife.
  - iii. A hazardous waste site designated by the Department of Toxic Substances Control.
  - iv. A special flood hazard area subject to inundation by the one percent (1%) annual chance of flood (100-year flood) as determined in official maps published by FEMA.
  - v. A delineated earthquake fault zone as determined and published by the State Geologist, unless the development complies with the applicable seismic protection building code standards adopted by the California Building Standards Commission and by any local building department.
  - vi. A stream or other resource which may be subject to a streambed alteration agreement per the Fish and Game Code; and a site map and an aerial site photograph showing existing site conditions of environmental site features subject to regulations by a public agency, including creeks and wetlands.

## ADDITIONAL MATERIALS AND INFORMATION

The items and information requested below are optional to provide with a SB 330 Preliminary Application. The additional information will allow staff to provide early feedback on compliance with other City requirements in preparation for a formal application.

- Photographs:** Submit photographs of the existing site conditions and neighboring properties.
- Additional Written Project Description items:** A written summary included in the written project description:
  - a. Sustainable aspects of the project.
  - b. The proposed design concept.
- Preliminary Title Report:** Provide two copies of a current (dated within six months of application date) preliminary title report for projects that involve the construction of a new building or expansion of an existing building footprint and/or new site improvements such as landscaping, special paving, utilities and accessory structures. Provide all recorded easements and restrictions.
- Neighborhood Context:** Show project in the context to its surroundings by providing:
  - a. Streetscape elevations, photographs, and/or sections showing the proposed project and adjacent properties on each side of the property, including street trees.
  - b. Photo-simulations from a bird's eye view and street-level view perspective showing existing neighborhood context.
- Green Building and Climate Measures:** A [Greenhouse Gas \(GHG\) Emission Compliance Checklist](#) is required for all additions and new construction to indicate compliance with the City's CAP 2.0.
- Conceptual Grading and Drainage Plan:** A plan showing the existing and proposed grades from existing City benchmark, and the depths of all cuts and fills; estimated cut and fill quantities and whether the site will balance; drainage information; any retaining wall information (including height and materials), building pad elevations and finished floor elevations. Contour lines should be carried a minimum of 50-feet beyond the project

boundaries on both the grading plan and the topographic map. Grading cross-sections may be needed for certain projects (e.g., hillside development).

- Stormwater Documents:** Projects creating or replacing 2,500 square feet or more of impervious surface will need to comply with the Impervious Surface/Stormwater Submittal Requirements from the Engineering Department. The required forms, submittal requirements and additional information can be obtained on the City's webpage at: [www.cityofpleasantonca.gov/gov/depts/engineering/stormwater.asp](http://www.cityofpleasantonca.gov/gov/depts/engineering/stormwater.asp)
- Conceptual Utility Plan:** Show underground utilities (sewer, gas, electric, water); location of backflow preventers, aboveground electrical utilities, boxes, transformers, meter mains, fire standpipes, etc.; overhead utilities, location of existing joint poles. Plans should indicate any utilities to be removed and/or services placed underground.
- Arborist Report and Tree Survey:** Provide two copies of the survey and arborist report. A survey of the existing trees on the site with a trunk diameter of six inches or greater, including size, species, and indication of which trees are to be removed, note all "heritage" trees, with accurate trunk and drip lines noted. The survey must be accompanied by a tree report prepared by a City-approved Arborist. A list of City-approved Arborists can be obtained on the City's webpage at: <http://www.cityofpleasantonca.gov/resident/trees.asp>. All trees need to be labeled by number and tagged on-site per ISA standards. More information can be found via the City's website under the Landscape Architect Division webpage.
- Conceptual Landscape Plan:** A conceptual plan of the project's existing and proposed landscaping. Include the location and species (botanical and common names) of all proposed trees, shrubs, and groundcover. Plans should clearly indicate all existing trees and vegetation to be preserved and/or removed, including trunk diameter and species, and be keyed to an arborist report if provided.
  - a. Provide concept sections and elevations drawings of all landscape architectural features such as walls, fences, lighting, paving types (and patterns), arbors, benches, and other like features showing scale, form, materials, and colors. Include trash enclosures, bicycle enclosures, etc. (must be screened with landscaping).
  - b. Show the location of backflow preventers, electrical utilities, and ground-mounted HVAC units.
  - c. New construction projects with a total landscape area greater than 500 square feet or rehabilitations of existing landscape with a total landscape area greater than 2,500 square will need to comply with the City's Water Efficient Landscape Ordinance (WELo) and Bay Friendly Basics Landscape Checklist. More information can be obtained on the City's webpage at: [www.cityofpleasantonca.gov/resident/trees.asp](http://www.cityofpleasantonca.gov/resident/trees.asp).