



INSTRUCTIONS:

HOUSING CRISIS ACT of 2019 – SB 330 PRELIMINARY APPLICATION FILING INSTRUCTIONS

RELATED CODE SECTIONS

On October 9, 2019, the Governor signed into law the Housing Crisis Act of 2019 (Senate Bill 330). The bill is in effect as of January 1, 2020. Consistent with Section 8 of SB 330 and Section 65941.1 of California Government Code, Los Angeles City Planning (City Planning) has created a Preliminary Application process for eligible housing development projects.

PURPOSE

SB 330 provides eligible housing development projects seeking discretionary approval enhanced streamlining and an optional vesting opportunity through a process initiated by the filing of a Preliminary Application. A housing development project shall be subject only to the ordinances, policies, and standards adopted and in effect when a 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 on the Preliminary Application form (CP - 4062).

EARLY CONSULTATION

Early consultation with City Planning, Building & Safety and Housing & Community Investment staff is strongly recommended since zoning and housing requirements may apply that could affect the anticipated scope of a project and its ability to remain vested after a Preliminary Application is submitted.

ELIGIBLE HOUSING DEVELOPMENT PROJECTS

A Project must meet *any* of the following criteria per California Government Code Section 65589.5(h)(2)(B) in order to be vested through a Preliminary Application submittal:

- 1) The project is residential only (not including hotels) and creates two or more new 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), including dwelling units and any uses accessory to the residential units.
- 3) The project is transitional housing or supportive housing.

VESTING TIMELINE AND THRESHOLDS

A Preliminary Application must be deemed complete by City Planning staff in order to obtain vesting rights subject to zoning, development rules, regulations, ordinances and adopted policies within the City of Los Angeles at the time of filing. A Preliminary Application is deemed complete at the time that all required forms, documents and materials are submitted, and the final invoice has been issued and proof of payment is presented to City Planning staff. In addition, a project must meet the following timelines and project thresholds in order to retain vesting rights granted through the Preliminary Application process:

- 1) The Preliminary Application must be filed with City Planning prior to filing an application requesting approval of any discretionary action.
- 2) An application filed with City Planning requesting approval of a discretionary action (not including ministerial administrative reviews) must be filed within 180 days of the date that the Preliminary Application is deemed complete.

- 3) If the City Planning application is deemed incomplete after filing, the applicant must submit all missing or incomplete items to City Planning within 90 days of being notified in writing by City Planning staff.
- 4) Construction of the project must commence within two and one-half years following the date that the project receives final approval, including all necessary approvals to be eligible to apply for, and obtain a building permit or permits and all appeal periods or statutes of limitations have been exhausted or resolved in favor of the housing development project.
- 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 Preliminary Application.
- 6) Any change in the square footage of construction¹ 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 Preliminary Application.

The materials required in this form must be provided by the applicant as part of the Preliminary Application. The Preliminary Application must be filed with City Planning at 201 N. Figueroa Street, 5th Floor, Los Angeles. All forms are available at the Public Counters and Los Angeles City Planning’s website at www.planning.lacity.org.

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

- 1. **Department of City Planning SB330 Preliminary Application** ([CP – 4062](#)).
- 2. **Plot/Site Plan.** A legible plot plan or site plan drawn to scale is required. The plot plan must include all contiguous parcels under the applicants’ ownership and any contiguous parcels proposed to be part of the project site. The plot plan should identify which parcels are/are not a part of the proposed project. The plot plan should include a summary of information table indicating the following:
 - square footage of each building that is to be occupied²
 - proposed land uses
 - proposed number of dwelling units
 - square footage of residential and nonresidential uses
 - height of buildings
 - all measurements that establish the proposed location of the proposed buildings and structures, including property lines, yards, setbacks, space between buildings and structures, and building footprint dimensions.
 - **Trees.** Plans must clearly show all existing trees on the project site and within the right-of-way adjacent to the property. Identify and label (by name and trunk diameter) the following protected and Southern California native tree species: Oaks (excluding Scrub Oak trees), Southern California Black Walnut, Western Sycamore, and California Bay.
 - **Watercourses,** storm drains, creeks streams, wetlands (as defined in the Unites States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993) or as defined in subdivision (b) of Section 13577 of Title 14 of the California Code of Regulations), or other resources 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

Refer to the Plot Plan Instructions (CP – 7752) for additional guidance.

- 3. **Elevations.** Elevations are required showing the design, color, design, massing, and height of each building that is to be occupied. Refer to the Elevation Instructions (CP-7817) for additional guidance.
- 4. **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.**
- 5. **Electronic Copy of Application Documents.** Provide an electronic copy of your application on a flash

¹ Per California 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).

² “Square Footage of Construction,” when used in this form, means the building area, as defined by the California Building Standards Code (Title 24 of the California Code of Regulations) – California Government Code Section 65941.1(c)

drive or a CD. All items should be saved as individual PDFs and labeled accordingly. No file may exceed 9.8 MB in size.

- 6. Filing Fee.** Fees must be paid at the time of filing the preliminary application per Article 9 of the LAMC. A Fee Estimator tool can be found on Los Angeles City Planning's website: <http://planning4la.org>. You may also visit one of the Development Service Center (DSC) public counters.

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:

- 1. Color Photographs.** In order to identify existing uses on the project site and identify major alterations to the property on which the project is to be located, color photographs shall be provided. The color photographs should be recent, depicting current conditions of the entire project site including existing structures, trees, walls/fences, signage, streets, curb & gutters, and parking areas as applicable. Photographs should be printed, no more than two to a page, captioned, and keyed to a number on an accompanying Index Map.
- 2. ZIMAS Parcel Profile Report.** In order to identify whether any portion of the project site is within a specially mapped area or contains any specifically mapped features as a requirement of California Government Code Section 65941.1(a), a copy of the ZIMAS Parcel Profile Report may be provided. Use the "Select Parcels" tool to select all contiguously owned parcels, if applicable.
- 3.** Any other documentation that may be helpful in determining the completeness of the Preliminary Application such as a Historic Resource Assessment, Biological Survey and Impact Assessment, Phase I or II Environmental Site Assessment, Tree Report, or Title Report.

If the information provided is insufficient to deem complete the Preliminary Application, the applicant will be required to provide the information prior to deeming complete the Preliminary Application and establishing the date to which the project's development rights are vested.

APPOINTMENTS AND QUESTIONS

A request for an appointment to file an SB 330 Preliminary Application may be made online. Visit <https://planning.lacity.org/development-services/appointment/form>.

For additional information regarding the SB 330 Preliminary Application, visit <https://planning.lacity.org/development-services/preliminary-application-review-program>, or contact planning.PARP@lacity.org.