



Community Development Department
 14000 City Center Dr., Chino Hills, CA 91709
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 E: communitydevelopment@chinohills.org

Application No.: _____
 TDA No.: _____
 Submittal Date: _____
 Accepted By: _____

SB 330 PRE-APPLICATION REVIEW

This form serves as the preliminary application for housing development projects seeking vesting rights pursuant to SB 330, the Housing Crisis Act of 2019.

APPLICANT INFORMATION

This application is for a housing development project that includes one of the following; (1) residential units (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 as defined in Chino Hills Municipal Code Section 16.02. A preliminary application submission shall include all information listed in this Preliminary Application form and payment of the permit processing fee from which approval for the project is being sought.

After submitting this Preliminary Application, an applicant has 180 days to submit a full application, such as a Tentative Tract/Parcel Map or Site Plan Review; or the Preliminary Application will expire.

Applicant (Main Contact Person): _____

Address: _____

Phone No.: _____ Email: _____

Property Owner: _____

City, State, Zip: _____

Phone No.: _____ Email: _____

Project Name: _____

Project Address: _____

Assessor Parcel Number: _____ Tract: _____ Lot: _____ Block: _____

Zoning District: _____ General Plan Land Use: _____

DETAILED PROJECT DESCRIPTION:

I certify under penalty of perjury that I am the (check one) and that the foregoing information is true and accurate to the best of my knowledge:

Legal Owner (all individuals must sign their names, names appear on the deed to the land, or)

Owner's Legal Agent

Are you in escrow to purchase the property? Yes No

Print Name: _____ Signature: _____

SEE FOLLOWING PAGES FOR ADDITIONAL INFORMATION & SUBMITTAL REQUIREMENTS

SUBMITTAL REQUIREMENTS

A. APPLICATION FEE: Refer to the Community Development Fee/Deposit Schedule for application fee amounts.

B. SIGNED TRUST DEPOSIT ACCOUNT AGREEMENT

C. GRANT DEED

D. SITE INFORMATION:

1. **PROJECT LOCATION** - The specific location, including parcel numbers, a legal description, and site address, if applicable.

Street Address: _____ Unit/Space Number: _____
Legal Description (Lot, Block, Tract) _____ Attached? Yes No

Assessor Parcel Number (s): _____

2. **EXISTING USES** - The existing uses on the project site and identification of major physical alterations to the property on which the project is to be located.

3. **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.

Attached? Yes No

4. **ELEVATIONS** - Elevations showing design, color, material, and the massing and height of each building that is to be occupied.

Attached? Yes No

5. **PROPOSED USES** – Describe the proposed land uses and include the number of units and square feet of residential and non-residential development using the categories in the applicable zoning ordinance.

a. **RESIDENTIAL DWELLING UNIT COUNT:**

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	

Other notes on 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** – Indicate the proposed number of parking spaces:

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:

10. **POLLUTANTS** – Are there any proposed point sources of air or water pollutants?

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			

12. **ADDITIONAL SITE CONDITIONS**

a. Whether a portion of the property 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 items listed above for 7a i -vi, please provide additional details:

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

Yes No

If "YES," please describe:

c. Does the project site contain any species of special concern?

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:

REQUIRED AT TIME OF SUBMITTAL

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 City Engineer or 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 of 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 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 _____ 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 Department of _____ 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 _____ 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 _____
Printed Name _____
Date _____

Signature _____
Printed Name _____
Date _____

CITY OF CHINO HILLS

PLANNING COMMISSION POLICIES AND PROCEDURES

EX PARTE COMMUNICATIONS

Date Accepted: 11/05/2019

1. PURPOSE

The Planning Commission intends to make transparent its communications with project applicants and residents by establishing a policy for Planning Commission *ex parte* communications regarding adjudicatory and quasi-judicial proceedings.

2. BACKGROUND

An *ex parte* communication is any oral or written communication with a Planning Commissioner that is relevant to the merits of a proceeding, and which takes place outside of a noticed public hearing or similar proceeding open to all parties to the matter. These communications include oral and written information, but can also include any other communication, such as visual or auditory information obtained during a site visit. Casual communications that are non-substantive in manner are not *ex parte* communications.

Adjudicatory or quasi-judicial proceedings are proceedings in which “due process guarantees” apply because there is a property interest (ownership rights) at stake. Typical examples of these types of proceedings include property development applications (Tentative Tract Maps, Site Plan Applications, Specific Plans, Conditional Use Permits, Variances, etc.) or permit revocations.

For the purposes of this policy, *ex parte* communications are a concern only in adjudicatory or quasi-judicial decision-making matters. Planning Commissioners will follow the policy provided below for all such matters that have a proposed or active entitlement application with the City of Chino Hills or for permit revocations or modifications.

3. POLICY FOR ADJUDICATORY AND QUASI-JUDICIAL PROCEEDINGS

- 2.1 If anyone requests contact with a Planning Commissioner, the Planning Commissioner will endeavor to direct that person to use a City “Planning Commission” email address and phone line that staff will monitor and then forward applicable emails and messages to the Planning Commission.
- 2.2 Each Planning Commissioner will be provided business cards with the City “Planning Commission” email and phone contact information.
- 2.3 Any information intended for Planning Commission review on an adjudicatory or quasi-judicial proceeding will be submitted to staff who will distribute it. Should a Planning Commissioner receive information directly, the Commissioner will provide that information to staff as soon as feasible.
- 2.4 To the greatest extent possible, all communications with a Planning Commissioner on an adjudicatory or quasi-judicial proceeding, that occurs outside agendized meetings, will be directed through City staff. When such communication does occur without staff involvement, the Commissioner will notify staff as soon as feasible to ensure the communication is included in the public record for the proceeding.
- 2.5 To the greatest extent possible, all meetings with a Planning Commissioner on an adjudicatory or quasi-judicial proceeding, will be arranged and attended by staff. When a meeting does occur without staff involvement, the Commissioner will notify staff of the meeting and the content of the meeting as soon as feasible to ensure the information is included in the public record for the proceeding.
- 2.6 A Planning Commissioner will announce the details of evidence received in any communication or meeting outside of a Commission meeting, or outside of a staff attended meeting, at the beginning of the Planning Commission meeting at which the item will be considered.
- 2.7 There shall be no communications with a Planning Commissioner during the period between the closing of a public hearing and the final decision on an adjudicatory or quasi-judicial proceeding.
- 2.8 The Planning Commission will review this policy annually at its first regularly agendized meeting of the calendar year and have the opportunity to modify the policy at that meeting.

For the purposes of this policy, City staff shall mean the Planning Commission Secretary and the Community Development Department Director.