



PRELIMINARY HOUSING APPLICATION

INTRODUCTION

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, the City of Fountain Valley Planning Department 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.

EARLY CONSULTATION

Early consultation with Planning, Building, Public Works and Fire Department staff is strongly recommended since certain requirements may apply that could affect the anticipated scope of a project and its ability to remain vested after a Preliminary Application is submitted.

VESTING TIMELINE AND THRESHOLDS

A Preliminary Application must be deemed complete by City of Fountain Valley Planning staff in order to obtain vesting rights subject to zoning, development rules, regulations, ordinances and adopted policies within the City of Fountain Valley at the time of filing. A Preliminary Application is deemed complete at the time that all required forms, documents and materials are submitted, and preliminary application filing fee has been paid. 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 the City of Fountain Valley Planning Department prior to filing an application requesting approval of any discretionary action.
- 2) An application filed with the City 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 Preliminary Application is deemed incomplete after filing, the applicant must submit all missing or incomplete items to the Planning Department within 90 days of being notified in writing by the 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.



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- 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 construction 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 of Fountain Valley Planning Department located at 10200 Slater Avenue, Fountain Valley, CA 92708. All forms are available at the Public Counter and City's website at <https://www.fountainvalley.org/981/Applications-Fees>

WHAT TO FILE

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

- (1) The specific location, including parcel numbers, a legal description, and site address, if applicable.
 - Vicinity Map
 - Name, address, phone number and email address of plan preparer and applicant.
- (2) The existing uses on the project site and identification of major physical alterations to the property on which the project is to be located.
 - Zoning district
 - Conceptual Landscape Plan in compliance with Chapter 21.20: Square footage of landscaping, existing and proposed with dimensions and percent of landscaping.
 - Lot coverage (%)
 - Parking required, parking provided (covered and uncovered) in compliance with Chapter 21.22.
 - Preliminary grading plan and method of draining the site in compliance with Chapter 18.06.
 - Water Quality Management Plan (WQMP) in compliance with Chapter 21.18.120
 - Location, height and composition of walls and fences.
 - Location of storage/refuse/recycling areas & enclosures with wall height and type of materials in compliance with Chapter 21.18.100
 - Location and method of lighting (including proposed screening) in compliance with Chapter 21.18.060.
 - Location of fire hydrants.
 - Location of water/sewer mains.
- (3) A fully dimensioned and labeled site plan showing the location on the property, elevations showing design, color, and material, and the massing, height, and approximate square footage, of each building that is to be occupied.
 - Property lines and dimensions.
 - Building and structure footprints.
 - Square footage or gross and net acreage of property.
 - Square footage of building or additions.
 - Type of building construction.



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- Automatic sprinklers in building (yes or no).
 - Building occupancy.
 - Driveways: (a) show all points of ingress and egress; (b) show conflict points such as other driveways, streets or alleys within 300 feet of proposed driveway (can be on a separate plan); (c) must show path of travel across driveway.
 - Handicapped parking, ramps, signs and pavement markings.
 - Parking layout showing sizes and location of each stall, back out areas and driving aisles and loading zones in compliance with Chapter 21.22
 - Dimensions and nature of all easements.
 - Frontage streets: name, centerline, curb line, right-of-way, improvements and utility poles.
 - Sidewalk and interior walks including ramps and curb ramps.
 - Concrete header separating all paved vehicular areas from landscaping.
 - North arrow.
- (4) The proposed land uses by number of units and square feet of residential and nonresidential development using the categories in the applicable zoning ordinance.
- (5) The proposed number and dimensions of parking spaces.
- Driveways: (a) show all points of ingress and egress; (b) show conflict points such as other driveways, streets or alleys within 300 feet of proposed driveway (can be on a separate plan); (c) must show path of travel across driveway.
 - Handicapped parking, ramps, signs and pavement markings.
 - Parking layout showing sizes and location of each stall, back out areas and driving aisles and loading zones.
- (6) Any proposed point sources of air or water pollutants as identified in a WQMP.
- (7) Any species of special concern known to occur on the property as identified by a certified biologist.
- (8) Whether a portion of the property is located within any of the following:
- (A) A very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178.
 - (B) Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).
 - (C) 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.
 - (D) 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.
 - (E) 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



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(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.

- (F) 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.
- (9) Any historic or cultural resources known to exist on the property.
- (10) The number of and location of proposed below market rate units and their affordability levels.
- (11) The number of bonus units and any incentives, concessions, waivers, or parking reductions requested pursuant to Section 65915. Any adjustment of the development standards in Title 21 shall be subject to the requirements provided in Chapter 21.50 (Variances) and a draft affordable housing agreement specifying the affordability levels, terms, monitoring, and reporting responsibilities consistent with State Law.
- (12) Whether any approvals under the Subdivision Map Act, including, but not limited to, a parcel map, a tentative map, or a condominium map, are being requested. Subject to the requirements in FVMC Chapter 21.66 – 21.80
- (13) The applicant's contact information and, if the applicant does not own the property, consent from the property owner to submit the application.
- (14) The number of existing residential units on the project site that will be demolished and whether each existing unit is occupied or unoccupied.
- (16) A site map showing 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 and 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, as identified on an ALTA Survey.
- (17) The location of any recorded public easement, such as easements for storm drains, water lines, and other public rights of way, as identified on an ALTA Survey.

APPLICABLE CODE SECTIONS

All projects are subject to the Fountain Valley Municipal Code; specifically including, but not limited to the following Chapters:

- Title 21 – Development Code
- Title 18 – Building Codes and Regulations
- Title 17 – Fire Prevention
- Title 13 – Public Works

The Fountain Valley Municipal Code can be accessed at [www. http://gcode.us/codes/fountainvalley/](http://gcode.us/codes/fountainvalley/)



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APPLICATION FORM

PLEASE PRINT

ADDRESS/LOCATION	ASSESSOR'S PARCEL NUMBER (APN)	ZONING DISTRICT
GENERAL PLAN DESIGNATION	LEGAL DESCRIPTION	

PROJECT NAME

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PROJECT DESCRIPTION

APPLICANT INFORMATION

APPLICANT NAME:			
APPLICANT ADDRESS:	CITY	STATE	ZIP CODE
PHONE:	EMAIL:		

PROPERTY OWNER INFORMATION

PROPERTY OWNER NAME:	CONTACT PERSON:		
PROPERTY OWNER ADDRESS:	CITY	STATE	ZIP CODE
PHONE:	EMAIL:		

PROPERTY OWNER AUTHORIZATION

I, _____ am the property owner of the subject property and have read and understand all statements including the filing requirements on the reverse side of this application. I hereby authorize _____ to act as my representative and to bind me in all matters concerning this application. I hereby affirm under penalty of perjury that the foregoing statements, facts and attachments are true and correct. I understand that this application for entitlement or variance may be denied, modified or approved with conditions and that such conditions or modifications must be satisfied prior to issuance of building permits. I understand that by filing the application, information on the application including, but not limited to, the name and address with by included on public records that are posted on the internet.

PROPERTY OWNER NAME (PLEASE PRINT)

PROPERTY OWNER SIGNATURE

DATE

APPLICANT NAME (PLEASE PRINT)

APPLICANT SIGNATURE

DATE