



SB 330 – PRELIMINARY APPLICATION SUBMITAL REQUIREMENTS

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

1960 TATE STREET, CITY OF EAST PALO ALTO, CA 94303

TEL: 650. 853. 3189 E-MAIL: planning@cityofepa.org

The purpose of this handout is to inform potential applicants of the process and requirements for submittal of the Preliminary Application as defined in Senate Bill 330, otherwise known as the Housing Crisis Act of 2019, and to detail steps for submittal of a complete project application. The subsequent checklist will serve as a comprehensive set of required materials for an SB 330 preliminary application to be considered complete.

General Information

Senate Bill 330 (Housing Crisis Act), which went into effect on January 1, 2020, is intended to streamline housing projects that are subject to discretionary review under local zoning laws. The bill establishes a two-step process by which an applicant can “lock in” applicable fees and development regulations by submitting an SB 330 Preliminary Application. The SB 330 Preliminary Application does not require as much detail as a typical project application package and ensures a project is only subject to the applicable development regulations and fees in effect at the time the Preliminary Application is accepted as complete by the local jurisdiction. Submittal of a Preliminary Application begins a timeline in which the project must be reviewed and acted upon by the decision-making body.

The SB 330 Preliminary Application process only applies to projects that are considered to be housing projects as defined by SB 330. The Statute defines a housing project as any of the following:

- Residential units only.
- Mixed-use developments consisting of residential and nonresidential uses with at least two-thirds of the square footage designated for residential use.
- Transitional housing or supportive housing.

If a proposed project meets any of the above criteria, the applicant may submit an SB 330 Preliminary Application. The applicant must submit a complete development permit application, including all required materials necessary to process the permit, **within 180 days of submittal** of a Preliminary Application. If no subsequent development permit application is submitted within the allotted time frame, the Preliminary Application shall expire.

The density and floor area of a proposed project may be revised between the submittal of a Preliminary Application and submittal of a complete development permit application. However, if the number of units or floor area is revised by more than 20 percent, exclusive of any increase resulting from the receipt of a density bonus, incentive, concession, waiver, or similar provision, the proposed development project shall not be deemed to have submitted a Preliminary Application that satisfies these requirements until the applicant resubmits the information in the checklist so that it reflects the revisions.