



CITY OF FILLMORE
CENTRAL PARK PLAZA
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Fillmore, California 93015-1907
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PRELIMINARY APPLICATION FOR HOUSING DEVELOPMENT

This form (along with the Preliminary Application Checklist) serves as the Preliminary Application for projects seeking vesting rights pursuant to SB 330, the Housing Crisis Act of 2019. SB 330 provides eligible housing development projects seeking discretionary approval 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)).

A. PRELIMINARY REVIEW PROCESS

The Preliminary Application (Pre-Application) process is an optional process designed to provide project applicants with initial review and feedback of conceptual development plans.

The City's Staff will meet with the applicant and provide initial feedback as to whether the development concept generally meets the City's design standards, policies, and regulations. Staff will work to identify major problems or constraints the development proposal may encounter, as well as preliminary conditions of approval that may apply. Staff may offer suggestions on ways to make the proposal more acceptable to the community.

City's review staff may include Planning Department (zoning, design review, environmental review, and entitlement process), Building Department (building construction and codes), Public Works (civil design, traffic, storm water, utilities), Fire Department (fire code, access), and Sheriff's Department (safety, access).

A Case Planner is assigned to a pre-application and will coordinate the review and meeting(s).

The minimum information required listed below. Any additional information or details that may assist with the City staff's review is encouraged. A Preliminary Application must be deemed complete by the City of Fillmore Community Development Director in order to be considered for vesting rights and streamlined processing. However, the development is subject to all zoning, development rules, regulations, ordinances and adopted policies within the City at the time of filing and a formal permit application will be required after completing this Preliminary Application process.

B. REQUIRED INFORMATION

- Planning Application Form with contact information and signatures
- If the applicant does not own the property, consent from the property owner to submit the application.
- The specific location, including parcel numbers, a legal description, and site address, if applicable.
- The existing uses on the project site and identification of major physical alterations to the property on which the project is to be located.
- A 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.
- The proposed land uses by number of units and square feet of residential and nonresidential development using the categories in the applicable zoning ordinance.
- The proposed number of parking spaces.
- Any proposed point sources of air or water pollutants.
- Any species of special concern known to occur on the property.
- Whether a portion of the property is located within any of the following:
 - A very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178.
 - Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).
 - 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.
 - 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.
 - 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.
 - 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.

- Any historic or cultural resources known to exist on the property.
- The number of proposed below market rate units and their affordability levels.
- The number of bonus units and any incentives, concessions, waivers, or parking reductions requested pursuant to Section 65915.
- 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.
- The number of existing residential units on the project site that will be demolished and whether each existing unit is occupied or unoccupied.
- 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.
- The location of any recorded public easement, such as easements for storm drains, water lines, and other public rights of way.

C. REVISIONS AND TIMELINES

After submittal of all of the information required above, if the development proponent revises the project such that the number of residential units or square footage of construction changes by 20 percent or more, exclusive of any increase resulting from the receipt of a density bonus, incentive, concession, waiver, or similar provision, the housing development project shall not be deemed to have submitted a preliminary application until the development proponent resubmits the information required above so that it reflects the revisions. For purposes of this form, “square footage of construction” means the building area, as defined by the California Building Standards Code (Title 24 of the California Code of Regulations).

Within 180 calendar days after submitting a preliminary application with all of the information required above to the City of Fillmore, the development proponent shall submit an application for a development project that includes all of the information required to process the development application consistent with California Government Code Sections 65940, 65941, and 65941.5.

If the City of Fillmore staff determines that the application for the development project is not complete pursuant to Government Code Section 65943, the development proponent shall submit the specific information needed to complete the application within 90 days of receiving the City’s written identification of the necessary information. If the development proponent does not submit this information within the 90-day period, then the preliminary application shall expire and have no further force or effect.