



CITY OF DANA POINT

COMMUNITY DEVELOPMENT DEPARTMENT
33282 Golden Lantern, Suite 209
Dana Point, CA 92629
(949) 248-3564 | www.danapoint.org

Preliminary Application Housing Projects

PLANNING DIVISION

Preliminary Application-Housing Development Projects (2+ units) (Govt. Code 65941.1)

Purpose: This form serves as the Preliminary Application for projects seeking vesting rights pursuant to SB330, the Housing Crisis Act of 2019. The form also serves as a referral to the Dana Point Planning Division for SB 330 vesting and streamlining purposes.

General Information: When submitting a Preliminary Application, this form shall be accompanied by the required documentation listed below. This form shall be completed by the applicant, fees paid, reviewed and signed by the Planning Division staff prior to acceptance by the City—the Preliminary Application will not be accepted unless all items are answered and provided. Any modification to the content(s) of this form and submitted documentation after its authorization by Planning Division staff is prohibited. Further, any change to the proposed number of dwelling units or the proposed square footage of construction must be verified by the City Planning Division.

A “housing development project” for the purposes of SB330, consists of: (1) residential units only, (2) a mix of commercial and residential uses, with 2/3 of the project’s square footage used for residential purposes, or (3) transitional or supportive housing.

PRELIMINARY APPLICATION SUBMITTAL: An appointment with a Planner is required to submit Preliminary Applications. Applications may not be submitted over the counter. Please call (949) 248-3572 or email knelson@danapoint.org to schedule an appointment.

City Staff Use Only

Planning Activity Number: PA _____ - _____	
Proposed No. of Dwelling Units¹:	Total Proposed Square Footage:
Date Accepted:	Last Day to File Entitlement Application²:
Fee: \$2,500	Date Fees Paid:
Staff Planner:	Staff Signature (At acceptance):

Provide all information requested including required supplemental information. Missing, incomplete, or inconsistent information will delay the vesting date.

¹ Vesting rights through the SB330 Preliminary Application process are forfeited if the Project is revised 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 following acceptance of a Preliminary Application (Government Code § 65941.1).

² Within 180 calendar days after the date the Preliminary Application is accepted.



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APPLICANT / AGENT: (Print) Name: _____ Mailing Address: _____ City, State, ZIP: _____ Phone: () _____ Fax: () _____ Email: _____	CONTACT PERSON: (if different) Name: _____ Mailing Address: _____ City, State, ZIP: _____ Phone: () _____ Fax: () _____ Email: _____
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PROPERTY OWNER OF RECORD (see statement at right): Name: _____ Mailing Address: _____ City, State, ZIP: _____ Phone: () _____ Fax: () _____ Email: _____	IF PROPERTY OWNER DIFFERENT FROM APPLICANT/AGENT, IDENTIFY AT LEFT AND SEE PAGE 9 FOR SIGNATURE(S) AND ADDITIONAL OWNERSHIP VERIFICATION AND SIGNATURES
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PROJECT DESCRIPTION: _____

PROJECT ADDRESS: _____

LEGAL DESCRIPTION:	APN(s):
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COASTAL ZONE: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Appeal Zone	PREVIOUS APPROVALS:
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CERTIFICATION

As the Property Owner or Applicant/Agent in the request made by this filing, I hereby certify that I acknowledge, understand and concur with the following statements:

- (a) That there are no assurances at any time, implicitly or otherwise, regarding final staff recommendations to the decision making body regarding this application.
- (b) That major changes to the proposed project may require a new application and payment of new fees.
- (c) That to the best of my knowledge the information I have presented in this form and the accompanying materials is true and correct. I also understand that additional data and information may be required prior to final action on this application.

Signature: _____ Date: _____
Property Owner or Agent



PRELIMINARY APPLICATION HOUSING PROJECT FACT SHEET

List Land Use(s) (See DPZC §9.75.270 or applicable DPZC Appendix/LCP)	Number of Units	Total Square Feet	Residential/ Non-residential

Residential Dwelling Unit Count: Please indicate the total number of dwelling units by affordability.

<i>Type of unit</i>	<i>Total Number of Units</i>		
<i>Market Rate</i>			
<i>Managers Unit(s)-Market Rate</i>			
<i>Extremely Low Income</i>			
<i>Very Low Income</i>			
<i>Low Income</i>			
<i>Moderate Income</i>			
Total Number of Affordable Units Proposed			
Total Number of Bonus Units Proposed			

Other Notes on Units

Total Existing Dwelling Units: _____ • Existing Dwelling Units Occupied: _____ • Existing Dwelling Units Unoccupied: _____	Number of Dwelling Units to be Demolished: _____
Total Number of Parking Spaces: _____ • Residential Parking Spaces: _____ • Non-residential Parking Spaces: _____	Parking reductions requested pursuant to § 65915 _____



PRELIMINARY APPLICATION HOUSING PROJECT INFORMATION

1. Describe the existing conditions and uses of the site, including the existing number of residential units, existing uses, and any major physical alterations to the property:

2. Describe in detail the characteristics, scope, and/or operation of the proposed project. (A separate project narrative can be attached, and if so note below where it can be found in your Preliminary Application submittal)

3. Describe any affordable housing incentives, waivers, concessions, and/or parking reductions being requested, including whether a Density Bonus is being requested pursuant to CA Government Code Section 65915.



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4. Please indicate if the project site contain a designated or potentially historic and/or cultural resources. If "YES", please describe below.

5. Please indicate if the project site contains any species of special concern such as special status flora or fauna, protected trees, environmentally sensitive habitat area (ESHA), or wildlife. If "YES", please describe below.

6. Please indicate if the project site contains any recorded easements such as: utility easements, storm drain easements, drainage easements, and other public rights-of-way easements. If "YES", please describe below.

7. 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 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. If "YES," please describe and depict in attached site plan.

Area Intentionally Left Blank



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YES	NO
	8. Does the proposed project include a request for approval of a subdivision under the provisions of the Subdivision Map Act, including, but not limited to, a parcel map, a tentative map, or a condominium map.?
	9. Does the proposed project propose any point sources of air or water pollutants?
	10. Is the proposed project site located within a Very High Fire Hazard Severity Zone (VHFHSZ) as determined by the Department of Forestry and Fire Protection pursuant to Section 51178?
	11. Does the project site have a wetland(s), as defined in United States Fish and Wildlife Service Manual, Part 660 FW2 (June 21, 1993)?
	12. Is the project in a special flood hazard area subject to inundation by the one (1) percent annual chance flood (100-year flood) as determined by FEMA in any official published FEMA maps?
	13. Does a portion of the site have 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?
	14. Is the site a hazardous waste site that is listed pursuant to Government Code Section 65962.5, or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Article 5 (commencing with Section 78760) of Chapter 4 of Part 2 of Division 45 of the Health and Safety Code?
	15. Is the project site located wholly or partially within the Coastal Zone? If yes, does any portion of the property contains any of the following:
	A. Wetlands, as defined in subdivision (b) of Section 13577 of Title 14 of the California Code of Regulations.
	B. Environmentally sensitive habitat areas, as defined in Section 30240 of the Public Resources Code.
	C. A tsunami run-up zone.
	D. Use of the site for public access to or along the coast.

If "YES" to any of the above please describe further below. Additional sheets can be attached, but please indicate below where the information can be found within the Preliminary Application:



Required Plan Information

All plans shall be submitted in 11"x17" format, and must include an electronic copy of all plans by CD, DVD, or thumb drive in a PDF format. Additional information and studies may be required during the entitlement application phase of the project.

- 1) Legal description of the property, including a recent (within the last six (6) months) preliminary title report.
- 2) A Site Plan, including the following information:
 - Vicinity map which clearly shows the location of the site
 - Title Block (name and address or property owner of record)
 - If located in a floodzone
 - Scale, north arrow and date prepared
 - Property lines of each building site and their dimensions
 - Streets: location, name, and width, and existing improvements including sidewalks and bike facilities
 - Location of any recorded public easements (i.e. storm drain easements, drainage easements, and other public rights-of-way easements): state purpose, and illustrate easement boundaries on site plan
 - Buildings to be occupied: existing and proposed, location and square footage, showing distances from property lines
 - Topography, showing existing and proposed grades
 - Proposed land uses by number of units and square feet of residential and nonresidential development (*as applicable*)
 - Proposed number of parking spaces
 - Any area identified with identified wetlands, very high fire zone, or hazardous waste
 - Identify any historic and/or cultural resources on-site
 - Illustrate 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
- 3) Elevation drawings including the following information for each building to be occupied:
 - Elevation drawings for each side of each building showing design including windows and doors, and all colors and materials
 - Height dimensioned from lowest point of structure in accordance with DPZC [Section 9.05.110](#)
 - Indicate height limit and proposed height on elevation drawings
 - Roof pitches
 - All roof mounted equipment and screening locations impacting building mass



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 or 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 the City of Dana Point 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 City of Dana Point 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 accepted.
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 the City of Dana Point within 180 days of the date that the Preliminary Application is accepted.
4. By my signature below, I certify that the foregoing statements are true and correct.

Signature _____
 Printed Name _____
 Date _____

Signature _____
 Printed Name _____
 Date _____