

**HOUSING CRISIS ACT OF 2019 – SB 330  
PRELIMINARY APPLICATION GUIDELINES  
COMMUNITY DEVELOPMENT DEPARTMENT  
CITY OF WALNUT CREEK**

**CODE**

The City of Walnut Creek has created a Preliminary Application for eligible housing development projects and will process the application in accordance to SB 330, the Housing Crisis Act of 2020.

**PURPOSE**

SB 330 a 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 was submitted. When submitting a Preliminary Application, provide all necessary information.

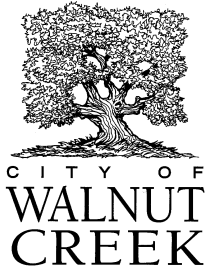
**ELIGIBLE HOUSING DEVELOPMENT PROJECTS**

An applicant for a housing development project that includes (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.

**VESTING TIMELINE**

A Preliminary Application must be deemed complete by planning staff in order to obtain vesting rights subject to zoning, development rules, regulations, ordinances and adopted policies within the City of Walnut Creek at the time of filing. A Preliminary Application is deemed complete at the time that all required forms, documents and materials are submitted, and payment is provided to planning staff. In addition, a project must meet the following timelines and project thresholds in order to retain vesting rights granted through the Preliminary Application process:

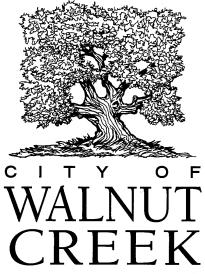
1. The Preliminary Application must be processed prior to filing a Planning Application requesting approval of any discretionary action. A Planning Application may be filed concurrently.
2. A Planning Application and Statement of Understanding requesting approval of a discretionary action (not including ministerial administrative reviews) must be filed within 180 days of the date that the Preliminary Application is deemed complete.
3. If the Planning Application is deemed incomplete after filing, the applicant must submit all missing or incomplete items to planning within 90 days of being notified in writing by City 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.
5. Any change in the dwelling unit count or square footage of construction 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.



HOUSING CRISIS ACT OF 2019 – SB 330  
PRELIMINARY APPLICATION CHECKLIST  
COMMUNITY DEVELOPMENT DEPARTMENT  
CITY OF WALNUT CREEK

**SUBMITTAL CHECKLIST**

1.  Completed SB 330 Preliminary Application
2.  A site plan showing the location of the property, and the approximate square footage of each building that is to be occupied
3.  Elevations showing design, massing, height, color and material of each building that is to be occupied
4.  If applicable, a site map showing a stream or other resource that may be subject to a streambed alteration agreement pursuant to Chapter 6 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.
5.  A site map showing the location of any recorded public easement, such as easements for storm drains, water lines, and vehicular access and other public rights-of-way.
6.  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.
7.  \$432.86 Filing fee



**PRELIMINARY APPLICATION**  
 Supplement to Planning Application  
 Community Development Department, Planning Division  
 1666 North Main Street  
 Walnut Creek, CA 94596  
 (925) 256-3558 information (925) 256-3500 fax  
[www.walnut-creek.org](http://www.walnut-creek.org) website

<b>Staff</b>	<i>For Staff Use Only (Date Stamp)</i>
Received By: _____	

**APPLICANT: PLEASE PRINT CLEARLY AND FILL IN ALL APPLICABLE SECTIONS**

**PROJECT NAME:** \_\_\_\_\_

**PROJECT SITE ADDRESS:** \_\_\_\_\_ **APN:** \_\_\_\_\_

**LEGAL DESCRIPTION (LOT, BLOCK, TRACT):** \_\_\_\_\_

**CURRENT ZONING:** \_\_\_\_\_ **CURRENT GENERAL PLAN DESIGNATION:** \_\_\_\_\_

**EXISTING USE(S):**  
 Describe in detail the existing uses on the project site \_\_\_\_\_  
 \_\_\_\_\_

**APPLICANT CONTACT INFORMATION:**

NAME: \_\_\_\_\_

COMPANY: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY, STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

PHONE #: \_\_\_\_\_ FAX #: \_\_\_\_\_

CELL #: \_\_\_\_\_ EMAIL: \_\_\_\_\_

OWNER     ARCHITECT

ENGINEER     OTHER:

**PROPERTY OWNER OR AGENT AUTHORIZATION  
(if different):**

NAME: \_\_\_\_\_

COMPANY: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY, STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

PHONE #: \_\_\_\_\_ FAX #: \_\_\_\_\_

EMAIL: \_\_\_\_\_

**A. PROPOSED PROJECT**

1. **PROPOSED USE(S).** Please describe the proposed land uses including any major physical alterations to the property.

\_\_\_\_\_

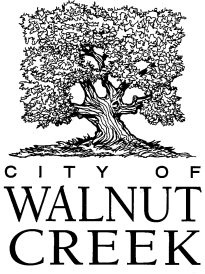
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2. Please indicate the proposed square feet of residential and nonresidential development using the categories in the applicable zoning ordinance.

	Residential	Nonresidential	Total
Square Footage of Construction			

3. **PARKING.** Provide the proposed number of total parking spaces: \_\_\_\_\_



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4. Please indicate the number of dwelling units proposed, including a breakdown of levels of affordability, set by each income category.

	<b>Number of Units</b>
Market Rate	
Managers Unit(s) – Market Rate	
Extremely Low Income	
Very Low Income	
Low Income	
Moderate Income	
Total # of Units	
Total # of Affordable Units	
Total # of Density Bonus Units	

5. **SUBDIVISION.** Will the proposed project include a parcel map, tentative map or a condominium map pursuant to the Subdivision Map Act? Yes No

If YES, please describe:

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6. **POLLUTANTS.** Does the project propose any point sources of air or water pollutants? Yes No

If YES, please describe:

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7. **DENSITY BONUS.** Will the project seek density bonus incentives, waivers, or concessions, or parking reductions to California Government Code Section 65916? Yes No

If YES, please describe:

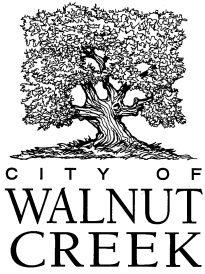
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**B. EXISTING SITE CONDITIONS**

1. **DEMOLITION REPLACEMENT REQUIREMENT.** Provide the number of existing residential units on the project site that will be demolished and whether each existing unit is occupied or unoccupied:

	Total Residential Units	Occupied Residential Units	Unoccupied Residential Units
Existing			
To be Demolished			

2. Does the project site contain a designated or potentially historic or cultural resource?  Yes  No

If YES, please describe:

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3. Does the project site contain any species of special concern such as protected trees or wildlife?  Yes  No

If YES, please describe and/or depict on the site plan:

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4. Does the project site contain any recorded public easement, such easements for storm drains, water lines, vehicular access and other public rights of way?  Yes  No

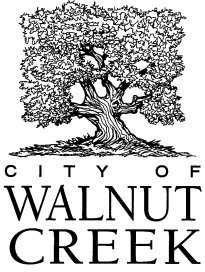
If YES, please describe:

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5. Is the project site located wholly or partially within:
- A. A Very High Fire Hazard Severity Zone (VHFHSZ), as determined by the Department of Forestry and Fire Protection pursuant to Section 51178?  Yes  No
  - B. A Wetlands, as defined in United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993)?  Yes  No
  - C. A hazardous waste site 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



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- 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? Yes No
  
- 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 CA Building Standards Commission under the CA Building State 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
  
- 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? Yes No

If YES to any, please describe:

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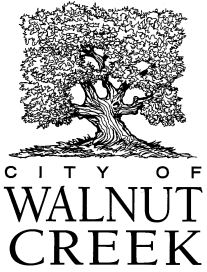
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**C. COASTAL**

- 1. Is the project site located wholly or partially within the coastal zone? Yes No
- 2. Does the project site contain:
  - A. A wetlands, as defined in subdivision (b) of Section 14577 of Title 12 of the California Code of Regulations? Yes No
  - B. Environmentally sensitive habitat areas, as defined in section 30240 of the public resource code? Yes No
  - C. A tsunami run-up zone? Yes No
  - D. An area used for public access or to along the coast? Yes No



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### **CERTIFICATE AND AFFIDAVIT OF APPLICANT:**

I/We certify that all statements made on this application are true and complete to the best of my knowledge. I/We understand that any false statements may result in a delay of vesting rights and/or denial of the requested permit or revocation of any issued permit. I/We further certify that I am, or have permission by, the property owner to conduct the proposed development applied for herein.

- I am the property owner and hereby authorize the filing of this application.
- I am the applicant and authorized by the owner to file this application.

**READ AND SIGN BY PERSON AUTHORIZED TO GUARANTEE PAYMENT  
PLEASE PRINT AND COMPLETE SIGNATURE SECTIONS BELOW:**

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_ PRINT NAME: \_\_\_\_\_

Applicant     Owner     Other: \_\_\_\_\_