



**City of Cotati
Community Development
Department**
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Cotati, CA 94931
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permits@cotaticity.gov

DEPARTMENT USE ONLY
PA #:
Filing Date:
Receipt No.:
Received by:
Associated PA #s:
Environmental Review: <input type="checkbox"/> Required <input type="checkbox"/> Exempt

SB 330 / SB 35 Preliminary Application Form

PURPOSE

Consistent with Senate Bill (SB) 330, SB 35, Assembly Bill (AB) 168, and Sections 65913.4 and 65941.1 of California Government Code, the City of Cotati has created a Preliminary Application process for eligible housing development projects. This form serves as the Preliminary Application for projects seeking vesting rights pursuant to SB 330. This form also serves as the Notice of Intent for housing development projects seeking to apply for SB 35 streamlined approval so that the City may initiate the required California Native American Tribal Scoping Consultation process under AB 168.

GENERAL INFORMATION

An applicant for a housing development project shall be deemed to have submitted a preliminary application upon providing all of the information listed in this Preliminary Application form and payment of the required fees to the City of Cotati. Please contact the Community Development Department to determine the required application fees for the project. This form shall be completed by the applicant and reviewed and signed by Cotati Community Development Department staff prior to being deemed complete.

If, after you submit this application, you revise your project so that the number of residential units or square footage of construction increases or decreases by 20 percent or more (exclusive of any increase pursuant to Government Code Section 65915 - Density Bonus Law), you will need to submit a new preliminary application. Any change to the proposed number of dwelling units or the proposed square footage of construction must be verified by Community Development Department staff. For an SB 330 application, your preliminary application will be deemed abandoned if you do not submit a development entitlement application within 180 days of submitting this application, or, if your development application is found to be incomplete, you do not provide any additional information required within 90 days of notice that the application is deemed to be incomplete.

CITY STAFF ONLY (SB 330)

Address	APN(s)
Date Deemed Complete	Last Day to File Entitlement Application
Staff – Name & Title	Staff Signature

PROJECT CONTACT INFORMATION

Applicant Information¹:

Contact Name/Organization: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email Address: _____

Property Owner Information²:

Contact Name/Organization: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email Address: _____

Property Owner Information²:

Contact Name/Organization: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email Address: _____

Property Owner Information²:

Contact Name/Organization: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email Address: _____

¹ Applicant must sign the "Applicant Declaration" on page 4.

² All property owners and their contact information must be listed. A separate sheet is attached listing the names and contact information of additional property owners. All property owners must sign the "Property Owner Affidavit" on page 5.

COPYRIGHT MATERIAL RELEASE

To the extent that your application submittal packet includes plans or drawings prepared by a licensed, registered or certified professional, as defined pursuant to the California Health and Safety Code Section 19851 or Business and Professions Code Section 5536.25, such as a licensed engineer, architect or other design professional, the City must first obtain the signature release and permission of said professional prior to publication or reproduction of any such plans or drawings. Such drawings and plans may also be protected by copyright laws. The City of Cotati hereby requests permission to reproduce and publish plans and drawings submitted with your application packet for purposes of more effectively and efficiently facilitating the entitlement review process, including making plans and drawings available on the City's website for public review and providing electronic reproductions to the City's review authorities. The purpose of this request is limited solely to the purpose of facilitating the timely review of this application, and the plans and drawings will not be utilized by the City for other purposes. To assist the City in this process, please provide below the signatures of all of those who have prepared plans and drawings to be submitted with this application.

Engineer/Surveyor Name: _____

Email Address: _____ Phone: _____

ENGINEER/SURVEYOR'S SIGNATURE _____

Architect/Designer Name: _____

Email Address: _____ Phone: _____

ARCHITECT/DESIGNER'S SIGNATURE _____

Landscape Architect/Designer Name: _____

Email Address: _____ Phone: _____

LANDSCAPE ARCHITECT/DESIGNER SIGNATURE _____

APPLICANT DECLARATION

Declaration. A separate signature from the applicant, whether they are the property owner or not, attesting to the following, is required before the Preliminary Application can be accepted.

1. I hereby certify that the information provided in this Preliminary Application, including plans and other attachments, is accurate and correct to the best of my knowledge.
2. I understand and agree that any report, study, map, or other information submitted to the City in furtherance of this Preliminary Application will be treated by the City as public records which may be reviewed by any person and if requested, that a copy will be provided by the City to any person upon the payment of its direct costs of duplication.
3. I understand that there is no guarantee, expressed or implied, that any permit or application will be granted. I understand that each matter must be carefully evaluated, and that the resulting recommendation or decision may be contrary to a position taken or implied in any preliminary discussions.
4. I understand that, *if I am applying for an SB 35 streamlined ministerial approval process:*
 - a. **DEPOSIT AGREEMENT** To comply with Ordinance No. 692 the Community Development Department utilizes a cost recovery system for staff time and the costs of any City Consultants performing work on my project, as well as all other costs associated with processing applications received by the City. To implement this system, the City collects a deposit to cover these estimated costs. The amount of the deposit varies based on the type of applications received. Applicant agrees to be responsible for the payment of all costs (including staff costs at fully burdened hourly rates and City consultant costs) and fees, direct and indirect, associated with the processing of this application even if the application is withdrawn, deemed ineligible, deemed incomplete,

and/or not approved. Any remaining portion will be refunded to the applicant upon written request to the Administrative Services Department and confirmation from the City's project manager that all outstanding charges have been processed.

b. INTEREST ACCRUAL In addition to the initial deposit made at the time of the application submittal, I may be required to make further deposits for anticipated work. Invoices are due and payable within fifteen (15) days after the invoice date. Any account with an overdrawn balance for more than 30 days following the invoice date will be assessed a 3% interest charge for the first 30 days. Interest rates will then increase by 1% for every subsequent 30-day period of delinquency, up to a maximum rate of 5%.

c. MINIMUM BALANCE My deposit account will be required to always maintain a minimum balance equal to 25% of my original deposit amount. Should the amount on deposit fall below that 25% minimum, I will be asked to remit the amount due for services rendered plus the additional amount needed to maintain the 25% balance. Should my account become delinquent or fall below a zero balance, work will stop on my application processing. No work shall proceed until deposits or deposit replenishments are received.

5. I understand that if this Preliminary Application cannot be deemed complete, or if the project is deemed ineligible, there is no refund of fees paid.
6. I understand and agree to defend, indemnify, and hold harmless, the City, its officers, agents, employees, and volunteers (collectively "City"), from any and all legal actions, claims, or proceedings (including administrative or alternative dispute resolution (collectively "actions"), arising out of any City process or approval prompted by this Action, either in whole or in part. Such actions include but are not limited to: actions to attack, set aside, void, or otherwise modify, an entitlement approval, environmental review, or subsequent permit decision; actions for personal or property damage; actions based on an allegation of an unlawful pattern and practice; inverse condemnation actions; and civil rights or an action based on the protected status of the petitioner or claimant under state or federal law (e.g. ADA or Unruh Act). I understand and agree to reimburse the City for any and all costs incurred in defense of such actions. This includes, but it not limited to, the payment of all court costs and attorneys' fees, all judgments or awards, damages, and settlement costs. The indemnity language in this paragraph is intended to be interpreted to the broadest extent permitted by law and shall be in addition to any other indemnification language agreed to by the applicant.
7. I understand and agree that (i) electronically signing and submitting any document(s) to the City of Cotati legally binds me in the same manner as if I had signed in a non-electronic or non-digital form, and (ii) the electronically stored copy of my signature, any written instruction or authorization and any other document provided to me by the City of Cotati, is considered to be the true, accurate and legally enforceable record in any proceeding to the same extent as if such documents were originally generated and maintained in printed form. I agree not to contest the admissibility or enforceability of the City of Cotati's electronically stored copy of any other documents. By using the system to electronically sign and submit any document, I agree to the terms and conditions of this Electronic/Digital Signature Disclosure.
8. By my signature below, I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this Preliminary Application and any accompanying documents are true and correct, with full knowledge that all statements made in this Preliminary Application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial or subsequent revocation of license or permit.

Signature _____
Printed Name _____
Date _____

Signature _____
Printed Name _____
Date _____

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 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. A copy of the current partnership agreement, corporate articles, or trust document shall be provided 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 Cotati 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 Cotati Community Development Department 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 deemed complete.
3. I understand and agree that (i) electronically signing and submitting any document(s) to the City of Cotati legally binds me in the same manner as if I had signed in a non-electronic or non-digital form, and (ii) the electronically stored copy of my signature, any written instruction or authorization and any other document provided to me by the City of Cotati, is considered to be the true, accurate and legally enforceable record in any proceeding to the same extent as if such documents were originally generated and maintained in printed form. I agree not to contest the admissibility or enforceability of the City of Cotati's electronically stored copy of any other documents. By using the system to electronically sign and submit any document, I agree to the terms and conditions of this Electronic/Digital Signature Disclosure.
4. 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 Cotati within 180 days of the date that the Preliminary Application is deemed complete.
5. By my signature below, I certify that the foregoing statements are true and correct.

Signature _____
Printed Name _____
Date _____

Signature _____
Printed Name _____
Date _____

PROJECT INFORMATION

Please provide the information identified in each section below; attach additional sheets if necessary.

- 1. PROJECT LOCATION:** Provide the specific location, including parcel number(s) and site address, if applicable.

Site Address: _____

Assessor Parcel Number(s): _____

Note that a Legal Description of the property is a required checklist item for this application.

- 2. EXISTING USES:** Describe the existing uses on the project site and identify any major physical alterations to the property on which the project is to be located.

- 3. EXISTING HOUSING:** Provide the number of existing residential units on the project site that will be demolished and whether each existing unit is occupied or unoccupied. Provide attachments, if needed.

	Occupied Residential Units	Unoccupied Residential Units	Total Residential Units
Existing			
To be demolished			
To be preserved			

- 4. PROJECT DESCRIPTION:** Describe in detail the proposed land uses, characteristics, scope, and/or operation of the proposed project, including numbers of units and their proposed affordability levels, and square feet of residential and nonresidential development.

5. **RESIDENTIAL DWELLING UNIT COUNT:** Indicate the number of dwelling units proposed, including a breakdown of levels by affordability, set by each income category.

Unit Type	Number of Units Overall	Number of Density Bonus Units (if applicable)
Market Rate		
Managers Unit(s)		
Extremely Low Income		
Very Low Income		
Low Income		
Moderate Income		
Total No. of Market Rate Units		
Total No. of Affordable Units		
Total No. of Units in project		

6. **PARKING:** Provide the proposed number of automobile and bicycle parking spaces:

Automobile	Residential	Nonresidential
Standard		
Disabled/Accessible		
Electric		
Total		

Bicycle	Residential	Nonresidential
Secured (enclosed)		
Outdoor		
Total		

7. **DENSITY BONUS INCENTIVES, CONCESSIONS, WAIVERS and PARKING REDUCTIONS:** Will the project proponent seek Density Bonus incentives, concession, waivers, or parking reductions pursuant to Government Code Section 65915?

YES NO

If "YES," please describe:

8. SITE PLAN: Provide a site plan showing the building(s) location on the property and approximate square footage of each building that is to be occupied (see attached checklist for more information).

Attached? YES NO

9. BUILDING ELEVATIONS: Provide building elevations showing design, color, material, and the massing and height of each building (see attached checklist for more information).

Attached? YES NO

10. SUBDIVISION: Will the project proponent seek any approvals under the Subdivision Map Act, including but not limited to, a parcel map, a vesting or tentative map, or a condominium map?

YES NO

If "YES," please describe:

11. POINT SOURCE POLLUTANTS: Are there any proposed point sources of air or water pollutants?

YES NO

If "YES," please describe:

12. ADDITIONAL SITE CONDITIONS:

A. Indicate whether the project site or a portion of the site is located within any of the following:

- i. A very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection, pursuant to Section 51178?
YES NO
- ii. Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993)?
YES NO
- iii. 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?
YES NO
- iv. A special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by any official maps published by the Federal Emergency Management Agency?
YES NO

v. 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?
YES NO

vi. 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

Describe basis for determination:

B. Does the project site contain **historic and/or cultural resources**? Indicate the basis for determination and attached any relevant documentation.

YES NO

Describe basis for determination:

C. Does the project site contain any **species of concern**, such as special status flora or fauna, protected trees, or wildlife?

YES NO

Describe basis for determination:

D. Does the project site contain any **recorded public or private easements**, such as easements for storm drains, water lines, and rights of way?

YES NO

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

E. 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? Provide 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.

YES NO

If "YES," please describe and depict on the site plan and site map:

SB 330/SB 35 – Preliminary Application Checklist

The materials and information below are required for filing an SB 330/SB 35 Preliminary Application. Plans must be dimensioned and drawn to scale. One full size plan set (24" x 36" minimum size), one 11"x17" plan set, and a digital .pdf copy of all submitted materials are required.

- SB 330/SB 35 Preliminary Application Form (this form).** Provide all information requested on the form. The Property Owner Affidavit and Applicant Declaration included in the form must be signed for the application to be accepted.
- Preliminary Title Report(s).** A current title report (within the last 90 days). Detailed ownership must be provided, including a full listing of all "et al" owners.
- Site Plan.** A legible site plan that is dimensioned and drawn to scale is required. The site plan must include all contiguous parcels under the applicants' ownership and any contiguous parcels proposed to be part of the project site. The site plan should identify which parcels are/are not a part of the proposed project, and the location of any recorded public or private easements, such as easements for storm drains, water lines, and other public rights-of-way. The site plan must include property lines, adjacent streets, sidewalks, curbs, public and private rights-of-way, easements, existing and proposed structures, existing and proposed setbacks, paved areas and parking spaces, emergency vehicle access, and location of fire hydrants. The site plan shall include a summary of information table indicating the following:
 - Lot size, slope, and proposed floor area ratio (FAR)**
 - Building and hardscape coverage**
 - Square footage** of each building that is to be occupied
 - Floor area** of each floor of all buildings
 - Proposed land uses**
 - Proposed number of dwelling units** (with calculation of Density Bonus, if applicable)
 - Height** of buildings
 - Square footage** of residential and nonresidential uses including proposed floor area
 - Usable **shared and private open space** for residents' use
 - All **measurements that establish the proposed location of the proposed buildings and structures**, including property lines, yards, setbacks, space between buildings and structures, and building footprint dimensions.
 - Trees.** Site plan must clearly show all existing trees on the project site and within the right-of-way adjacent to the property. Identify and label all trees (provide name/species and trunk diameter at 54" above grade). Clearly indicate any trees proposed for removal.
 - Watercourses, storm drains, creeks streams, wetlands** (as defined in the Unites States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993) or as defined in subdivision (b) of Section 13577 of Title 14 of the California Code of Regulations), or other resources 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.
- Building Elevations.** Building elevations are required showing the design, color, and massing of each proposed building. All proposed exterior materials shall be clearly labeled. The elevations shall show the height of the structure(s) measured as the vertical distance from the natural grade to the uppermost portion of the roof, and the height and location of any rooftop equipment and equipment screens. The plate height of each building story shall also be delineated. Exterior architectural features shall be indicated, including dimensioned window and door sizes, window and door materials, and roofing materials. Building wall projections and recesses, decks, balconies, awnings, and ornamental features shall be dimensioned.

- Site Map & Aerial Photograph.** Provide a site map if the site contains 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.
- Electronic Copy of Application Documents.** Provide an electronic copy of your application forms, plans, reports, and materials. All plans shall be provided in PDF format.
- Filing fee.** The fee for SB 330/SB 35 preliminary application review is the “Pre-Application Review” fee in the current City of Cotati [Fee Schedule](#). The fee is due at the time of application submittal.

Optional Related Items

The following items are **not** required for the submittal of a complete SB 330/SB 35 Preliminary Application; however, these items may assist City staff to provide a more comprehensive response and better direction to applicants for preparing a subsequent formal application.

- Floor Plans.** Show floor plans for all floors within the building(s), providing exterior wall dimensions. Label all proposed uses within the building.
- Parking & Circulation Plan.** Show location and types of parking spaces, dimensions of spaces and aisles, and proposed circulation patterns.
- Reports** (as applicable). Traffic Impact Analysis, Historic & Cultural Resource Assessments, Biological Survey, Phase I or II Environmental Site Assessment, Arborist’s Report, Title Report, Geotechnical Investigation, Health Risk Assessment and Air Quality Analysis, Hydrology Analysis, Water demand Analysis, Sanitary Sewer Demand Analysis, and Noise and Vibration Assessment.
- Justifications & Pro Forma.** Provide a justification and pro forma, as applicable, if project will seek a density bonus, incentives, waivers, concessions, or parking reductions.
- Off-Site Improvements.** Show all proposed off-site improvements (i.e., sidewalk, travel way, bike lanes, street furniture, landscaping, and public plaza areas).
- Trash & Recycling.** Review trash, recycling, and organic waste requirements and ensure that the circulation plan is adequate for removal services by contacting Recology Sonoma Marin.
- Fire Access & Protection Plan.** Show width of driveways, turning radii, any applicable turnaround areas, and the location of existing and proposed fire hydrants and standpipes. Indicate if an Alternative Means and Measures Request (AMMR) will be submitted as part of the formal application.
- Exceptions.** Indicate if the project will seek Variances, Use Permits, or other exceptions. Provide a rationale or a response to the required findings for all requested exceptions.