



SB 330 Application Information and Process

California Senate Bill 330 (SB 330), “The Housing Crisis Act of 2019,” was signed into law by Governor Newsom on October 9, 2019, and became effective January 1, 2020. The bill is intended to streamline housing projects that are subject to discretionary review under local zoning laws.

Vesting

Eligible housing development projects may seek an optional vesting opportunity through a process initiated by the filing of an SB 330 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 CA Government Code §65941.1, was submitted and deemed complete by City staff and upon payment of the processing fee (CA Government Code §65589.5(o)). The required information and materials are listed on the City of Cotati’s SB 330 Preliminary Application form.

Early Consultation

Early consultation with City staff is strongly recommended; zoning and housing requirements may apply that could affect the anticipated scope of a project and its ability to remain vested after a Preliminary Application is submitted.

Eligible Housing Development Projects

A Project must meet *any* of the following criteria per California Government Code Section 65589.5(h)(2) to be vested through a Preliminary Application:

- The project is residential only (not including hotels) and creates two or more new dwelling units on a project site;
- The project is a mixed-use development consisting of residential and nonresidential uses with at least two-thirds of the square footage of the project designated for residential use (not including hotels), including dwelling units and any uses accessory to the residential units; or
- The project is transitional housing or supportive housing.

Vesting Timeline & Thresholds

A Preliminary Application must be deemed complete by Community Development Department staff in order to obtain vesting rights related to zoning, development rules, fees, regulations, ordinances and adopted policies within the City of Cotati at the time of filing. A Preliminary Application is deemed complete at the time that all required forms, documents and materials, and filing fees are submitted. 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 filed with the Community Development Department prior to filing an application requesting approval of any discretionary action.
2. Within 180 calendar days of submitting a preliminary application, the development proponent shall submit an application for the development project that includes all the information required to process that application.
3. If the development application is deemed incomplete after filing, the applicant must submit all missing or incomplete items to the Community Development Department within 90 days of being notified in writing by Department staff.
4. Project construction must commence within 2 ½ years (3 ½ years for an affordable housing project as defined by CA Government Code Section 65589.5(o)(2)(D)(i)) following the date that the project receives final approval, including all necessary approvals to be eligible to apply for and obtain a building permit(s) and all appeal periods or statutes of limitations have been exhausted or resolved in favor of the housing development project.
5. 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.

The Preliminary Application, including all required materials, must be filed with the Community Development Department. Incomplete applications will not be accepted. All forms are available on the City’s website at:

https://www.cotaticity.org/city_hall/departments/community_development/forms_and_applications