



Preliminary Application for Residential Development

Community Development Department
Planning Division

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General Information

The following checklist and application form shall be used for the purpose of satisfying the requirements of California Government Code Section 65941.1, which shall apply for the following types of housing development projects:

- 1) Projects that consist of only residential units;
- 2) Mixed-use projects with a combination of residential and commercial uses where at least 2/3 of the of the project square footage us designated for the residential uses; or
- 3) Transitional and supportive housing projects.

An applicant for a housing development project shall be deemed to have submitted a complete preliminary application upon providing all of the following information about the proposed project and upon payment of the processing fee. The intent of this process is to make the development review process faster and provide certainty to an applicant by locking in the development requirements, standards, and fees at the time a complete application is submitted. By doing so, the City is prohibited from applying new ordinances, policies, standards, and fee increases to a development with a complete preliminary application.

Within 180 days of submitting a complete preliminary application, the applicant shall submit a Planning Permit Application for a Site Development Review, Tentative Map, or any other required land use entitlement required for the project. If the City determines that the Planning Permit Application is not complete pursuant to Government Code Section 65943, the applicant shall submit the specific information needed to complete the application within 90 days of receiving the City's written incomplete notice. If the applicant does not submit this information within the 90-day period, then the preliminary application shall expire and have no further force or effect.

After submittal of all of the required information, 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 required information 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).

Application Requirements

- A completed Planning Permit Application, which shall include the applicant's and property owner's signatures.
- The specific location, including parcel numbers, a legal description, and site address.
- All 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. Plans shall be dimensioned to show compliance with the applicable code provisions.

- The proposed land uses, including the number of units and square feet of residential and nonresidential development, as permitted by the zone.
- 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.
 - The Coastal Land Use Plan of the Local Coastal Program of the City of Newport Beach, prepared in accordance with the California Coastal Act of 1976.
- 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, including if any are below market rate units and their affordability levels. Include whether each existing unit on the project site 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
- An electronic copy of all the above submittal items are required to be submitted in electronic format (i.e., USB flash drive or CD-ROM) as determined by the Planning Division prior to application submittal.