



EL DORADO COUNTY
PLANNING AND BUILDING DEPARTMENT
PLANNING DIVISION
www.edcgov.us/Government/Planning

2850 Fairlane Court, Placerville, CA 95667
Phone (530) 621-5355, Fax (530) 642-0508

State of California
SB 35 Ministerial Housing
Notice of Intent Instructions

(California Government Code section 65913.4)

State law ([California Government Code 65913.4](#)), commonly referred to as SB 35, requires that project applicants submit a “Pre-Application/Notice of Intent” prior to submitting an application for Streamlined Ministerial Approval of Affordable Housing.

Upon receipt of a complete Pre-Application/Notice of Intent, the County of El Dorado (County) will engage in a scoping consultation with any interested California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed development. The timeline for noticing and commencing a scoping consultation will be as follows:

- Within 30 days of receiving a complete Notice of Intent application, the County will invite each tribe to engage in a scoping consultation;
- Within 30 days of receiving the invitation, all tribes must notify the County if they wish to engage in a scoping consultation;

The County will commence a scoping consultation within 30 days of receiving notification from a responsive tribe. If no tribe accepts an invitation for a scoping consultation, or if consultation results in agreement regarding treatment of resources, the County will notify the project applicant that they may proceed with submitting a SB 35 streamlined ministerial housing application. In the event the County is unable to reach such agreement(s), the applicant will be notified that the ministerial process is unavailable.

Application Submittal Requirements

1. Completed and signed “SB 35 Pre-Application/Notice of Intent” application.
2. Pre-Application submittal fees. For current application fees, please refer to the current application fee schedule: [Combined Fees \(edcgov.us\)](#)
3. Signed letter of authorization from current property owner(s) to act as agent, if applicable.

Applications are accepted by advance appointment only. Please call the Planning Division at (530) 621-5355 to schedule a submittal appointment. All questions can be directed to the Planning Division: planning@edcgov.us or by visiting the public counter.

State of California
SB 35 Pre-Application/Notice of Intent

Please complete all sections of this application and provide the required exhibits as described:

Subject Site Information

Assessor's Parcel Number(s):

Site Address(es), if applicable:

Property Owner Information

Contact name:		
Company name:		
Mailing Address:		
City:	State:	Zip:
Phone:	Ext:	Fax:
Email Address:		

Applicant Information

Contact name:		
Company name:		
Mailing Address:		
City:	State:	Zip:
Phone:	Ext:	Fax:
Email Address:		

Staff Use Only

Date Filed: _____ Received By: _____

File Number: _____

I. Letter of Agency

This section of the application is required to be completed **only if** this application is submitted by someone other than the property owner.

I, the undersigned legal owner of record, hereby grant permission to:

Applicant: _____ Phone: _____

to apply for a Preliminary Review application for a proposed project on my property.

Signature of Owner of Record: _____

II. Required Exhibits

I am submitting the following exhibits. One copy of each exhibit is required and may be provided electronically:

(A) A legal description of the parcels subject to this application.	<input type="checkbox"/> YES <input type="checkbox"/> NO
(B) A site plan exhibit that shows the location of development on the property.	<input type="checkbox"/> YES <input type="checkbox"/> NO
(C) Elevation exhibit(s) showing design, color, and material, and the massing, height, and approximate square footage of each building that is to be occupied.	<input type="checkbox"/> YES <input type="checkbox"/> NO
(D) 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. <i>If there are no resources, state "Not Applicable."</i>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Not Applicable
(E) An exhibit demonstrating the location of any recorded public easement, such as easements for storm drains, water lines, and other public rights of way. <i>If there are no public easements, state "Not Applicable."</i>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Not Applicable

III. General Project Information

(A) Describe existing uses on the project site and identify major physical alterations to the property on which the project is to be located:

(B) Proposed number of parking spaces: _____

(C) Are any approvals under the **Subdivision Map Act** being requested, including, but not limited to, a parcel map, a tentative map, or a condominium map? YES NO

IV. Residential Unit Information

(A) Identify the proposed number of units, square feet of residential development, and square feet of non-residential development:

Unit Type:	#	Min. sq. ft.	Max. sq. ft.
# of Single Unit Dwellings:	_____	_____	_____
# of Duplex Units:	_____	_____	_____
# of Condominium/Halfplex Units:	_____	_____	_____
# of Multi-Unit Dwellings/3+ Units:	_____	_____	_____
Total Number of Dwelling Units:	_____		
Total Square Footage of Residential Development:	_____		
Accessory Dwelling Units:	Total sq. ft.		
ADU 1	_____		
ADU 2	_____		
Bedroom Types (For Multi- Unit /3+ Units/Apartments):	#	Min. sq. ft.	Max. sq. ft.
# of Studio Units	_____	_____	_____
# of 1-Bedroom Units	_____	_____	_____
# of 2-Bedroom Units	_____	_____	_____
# of 3-Bedroom Units	_____	_____	_____
# of 4+ Bedroom Units	_____	_____	_____
Total Square Footage of Non-Residential Development:	_____		

(B) Are any of these proposed units to be **below market rate units**?

YES NO

If yes, please state the number of units and their affordability levels:

(C) Identify the number of existing residential units on the project site that will be **demolished** and whether each existing unit is occupied or unoccupied:

(D) List and describe the number of **bonus units and any incentives**, concessions, waivers, or parking reductions requested pursuant to Section 65915 of the California Government Code (Density Bonuses and Other Incentives).

V. Environmental Information

(A) Are there any proposed point sources of **air or water pollutants**?

YES NO

If yes, please describe:

(B) Are there any **species** of special concern known to occur on the property? YES NO
 If yes, please describe:

(C) Are there any **historic or cultural resources** known to exist on the property? YES NO
 If yes, please describe:

Please identify whether a portion of the property is located within any of the following:

(D) A very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178.	<input type="checkbox"/> YES <input type="checkbox"/> NO
(E) Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).	<input type="checkbox"/> YES <input type="checkbox"/> NO
(F) 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.	<input type="checkbox"/> YES <input type="checkbox"/> NO
(G) 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.	<input type="checkbox"/> YES <input type="checkbox"/> NO
(H) 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.	<input type="checkbox"/> YES <input type="checkbox"/> NO
(I) 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.	<input type="checkbox"/> YES <input type="checkbox"/> NO

VI. Certification

I understand that an applicant shall be deemed to have submitted an SB 35 Pre-Application/Notice of Intent only upon providing both of the following:

1. Information about the proposed project as required by California Government Code section 65913.4 using the attached application form; and
2. Payment of the Current County Pre-Application processing fee.

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this Pre-Application/Notice of Intent to the best of my ability and that the facts, statements and information presented are true and correct to the best of my knowledge and belief.

Signature of Applicant

Date

**COUNTY OF EL DORADO
CAMPAIGN CONTRIBUTION DISCLOSURE FORM**

Application or Solicitation Number: _____

Application or Solicitation Title: _____

Was a campaign contribution, regardless of the dollar amount, made to any member of the El Dorado County Board of Supervisors or to any County Agency Officer on or after January 1, 2023, by the applicant, or, if applicable, any of the applicant's proposed subcontractors or the applicant's agent or lobbyist?

Yes _____ No _____

If no, please sign and date below.

If yes, please provide the following information:

Applicant's Name: _____

Contributor or Contributor Firm's Name: _____

Contributor or Contributor Firm's Address: _____

Is the Contributor:

- The Applicant Yes____ No _
- Subcontractor Yes____ No _
- The Applicant's agent/ or lobbyist Yes____ No ____

Note: Under California law as implemented by the Fair Political Practices Commission, campaign contributions made by the Applicant and the Applicant's agent/lobbyist who is representing the Applicant in this application or solicitation must be aggregated together to determine the total campaign contribution made by the Applicant.

Identify the Board of Supervisors Member(s) and County Agency Officer(s) to whom you, your subcontractors, and/or agent/lobbyist made campaign contributions on or after January 1, 2023, the name of the contributor, the dates of contribution(s) and dollar amount of the contribution. Each date must include the exact month, day, and year of the contribution.

Name of Board of Supervisors Member or County Agency Officer: _____

Name of Contributor: _____

Date(s) of Contribution(s): _____

Amount(s): _____

(Please add an additional sheet(s) to identify additional Board Members or County Agency Officer to whom you, your subconsultants, and/or agent/lobbyist made campaign contributions)

By signing below, I certify that the statements made herein are true and correct. I also agree to disclose to the County any future contributions made to Board Members or County Agency Officers by the applicant, or, if applicable, any of the applicant's proposed subcontractors or the applicant's agent or lobbyist after the date of signing this disclosure form, and within 12 months following the approval, renewal, or extension of the requested license, permit, or entitlement to use.

Date

Signature of Applicant

Print Firm Name if applicable

Print Name of Applicant

**EL DORADO COUNTY BOARD OF
SUPERVISORS AND COUNTY AGENCY
OFFICERS**

Board of Supervisors

John Hidahl, District One

George Turnboo, District Two

Wendy Thomas, District Three

Lori Parlin, District Four

Brook Laine, District Five

County Agency Officers

Jon DeVille, Assessor

Joe Harn, Auditor-Controller

Vern Pierson, District Attorney

Janelle K. Horne, Recorder-Clerk

Jeff Leikauf, Sheriff-Coroner-Public Administrator

K.E. Coleman, Treasurer-Tax Collector

Attachment A

GOVERNMENT CODE SECTION 84308

(a) The definitions set forth in this subdivision shall govern the interpretation of this section.

(1) "Party" means any person who files an application for, or is the subject of, a proceeding involving a license, permit, or other entitlement for use.

(2) "Participant" means any person who is not a party but who actively supports or opposes a particular decision in a proceeding involving a license, permit, or other entitlement for use and who has a financial interest in the decision, as described in Article 1 (commencing with Section 87100) of Chapter 7. A person actively supports or opposes a particular decision in a proceeding if that person lobbies in person the officers or employees of the agency, testifies in person before the agency, or otherwise acts to influence officers of the agency.

(3) "Agency" means an agency as defined in Section 82003 except that it does not include the courts or any agency in the judicial branch of government, the Legislature, the Board of Equalization, or constitutional officers. However, this section applies to any person who is a member of an exempted agency but is acting as a voting member of another agency.

(4) "Officer" means any elected or appointed officer of an agency, any alternate to an elected or appointed officer of an agency, and any candidate for elective office in an agency.

(5) "License, permit, or other entitlement for use" means all business, professional, trade, and land use licenses and permits and all other entitlements for use, including all entitlements for land use, all contracts (other than competitively bid, labor, or personal employment contracts), and all franchises.

(6) "Contribution" includes contributions to candidates and committees in federal, state, or local elections.

(b) While a proceeding involving a license, permit, or other entitlement for use is pending, and for 12 months following the date a final decision is rendered in the proceeding, an officer of an agency shall not accept, solicit, or direct a contribution of more than two hundred fifty dollars (\$250) from any party or a party's agent, or from any participant or a participant's agent if the officer knows or has reason to know that the participant has a financial interest, as that term is used in Article 1 (commencing with Section 87100) of Chapter 7. This prohibition shall apply regardless of whether the officer accepts, solicits, or directs the contribution on the officer's own behalf, or on behalf of any other officer, or on behalf of any candidate for office or on behalf of any committee.

(c) Prior to rendering any decision in a proceeding involving a license, permit, or other entitlement for use pending before an agency, each officer of the agency who received a contribution within the preceding 12 months in an amount of more than two hundred fifty dollars (\$250) from a party or from any participant shall disclose that fact on the record of the proceeding. An officer of an agency shall not make, participate in making, or in any way attempt to use the officer's official position to influence the decision in a proceeding involving a license, permit, or other entitlement for use pending before the agency if the officer has willfully or knowingly received a contribution

in an amount of more than two hundred fifty dollars (\$250) within the preceding 12 months from a party or a party's agent, or from any participant or a participant's agent if the officer knows or has reason to know that the participant has a financial interest in the decision, as that term is described with respect to public officials in Article 1 (commencing with Section 87100) of Chapter 7.

(d)(1) If an officer receives a contribution which would otherwise require disqualification under this section, and returns the contribution within 30 days from the time the officer knows, or should have known, about the contribution and the proceeding involving a license, permit, or other entitlement for use, the officer shall be permitted to participate in the proceeding.

(2)(A) Subject to subparagraph (B), if an officer accepts, solicits, or directs a contribution of more than two hundred fifty dollars (\$250) during the 12 months after the date a final decision is rendered in the proceeding in violation of subdivision (b), the officer may cure the violation by returning the contribution, or the portion of the contribution in excess of two hundred fifty dollars (\$250), within 14 days of accepting, soliciting, or directing the contribution, whichever comes latest.

(B) An officer may cure a violation as specified in subparagraph (A) only if the officer did not knowingly and willfully accept, solicit, or direct the prohibited contribution.

(C) An officer's controlled committee, or the officer if no controlled committee exists, shall maintain records of curing any violation pursuant to this paragraph.

(e)(1) A party to a proceeding before an agency involving a license, permit, or other entitlement for use shall disclose on the record of the proceeding any contribution in an amount of more than two hundred fifty dollars (\$250) made within the preceding 12 months by the party or the party's agent.

(2) A party, or agent to a party, to a proceeding involving a license, permit, or other entitlement for use pending before any agency or a participant, or agent to a participant, in the proceeding shall not make a contribution of more than two hundred fifty dollars (\$250) to any officer of that agency during the proceeding and for 12 months following the date a final decision is rendered by the agency in the proceeding.

(3) When a closed corporation is a party to, or a participant in, a proceeding involving a license, permit, or other entitlement for use pending before an agency, the majority shareholder is subject to the disclosure and prohibition requirements specified in this section.

(f) This section shall not be construed to imply that any contribution subject to being reported under this title shall not be so reported.

Attachment B

**COUNTY OF EL DORADO
CAMPAIGN CONTRIBUTION DISCLOSURE INFORMATION**

The attached Campaign Contribution Disclosure Form must be completed by applicants for, or persons who are the subject of, any proceeding involving a license, permit, or other entitlement for use, including most contracts and franchises, pending before the Board of Supervisors (“Board”) of the County of El Dorado or any of its affiliated agencies.

IMPORTANT NOTICE

Government Code section 84308 (also known as the “Levine Act”) contains requirements that are summarized generally as follows:

- A. If you are an applicant for, or the subject of, any proceeding involving a license, permit, or other entitlement for use, you are prohibited from making a campaign contribution of more than \$250 to any member of the Board of Supervisors or other County official who may participate in your proceeding. This prohibition begins on the date your application is filed or the proceeding is otherwise initiated, and the prohibition ends 12 months after a final decision is rendered by the Board of Supervisors or other County officer. In addition, no Board member or other County official who may participate in your proceeding alternate may solicit or accept a campaign contribution of more than \$250 from you during this period.
- B. These prohibitions also apply to your agents, and, if you are a closely held corporation, to your majority shareholder as well. These prohibitions also apply to your subcontractor(s), joint venturer(s), and partner(s) in this proceeding. Also included are parent companies and subsidiary companies directed and controlled by you, and political action committees directed and controlled by you.
- C. You must file the attached disclosure form and disclose whether you or your agent(s) have in the aggregate contributed more than \$250 to any Board member or other County officer who may participate in your proceeding during the 12-month period preceding the filing of the application or the initiation of the proceeding.
- D. If you or your agent have in the aggregate contributed more than \$250 to any individual Board member or other County officer who may participate in your proceeding during the 12 months preceding the decision on the application or proceeding, that Board member or other County officer must disqualify himself or herself from the decision. However, disqualification is not required if the Board member or other County official returns the campaign contribution within 30 days from the time the member or official knows, or should have known, about both the contribution and the fact that you are a party in the proceeding. The Campaign Contribution Disclosure Form should be completed and filed with your application or proposal, or with the first written document you file or submit after the proceeding commences.

1. A proceeding involving “a license, permit, or other entitlement for use” includes all business, professional, trade and land use licenses and permits, and all other entitlements for use, including all entitlements for land use, all contracts (other than competitively bid, labor or personal employment contracts), and all franchises.
2. Your “agent” is someone who represents you in connection with a proceeding involving a license, permit or other entitlement for use. If an individual acting as an agent is also acting in his or her capacity as an employee or member of a law, architectural, engineering, consulting firm, or similar business entity, both the business entity and the individual are “agents.”
3. To determine whether a campaign contribution of more than \$250 has been made by you, campaign contributions made by you within the preceding 12 months must be aggregated with those made by your agent within the preceding 12 months or the period of the agency relationship, whichever is shorter. Contributions made by your majority shareholder (if a closely held corporation), your subcontractor(s), your joint venturer(s), and your partner(s) in this proceeding must also be included as part of the aggregation. Campaign contributions made to different Board of Supervisors members or other County officer who may participate in your proceeding are not aggregated.
4. A list of the Board of Supervisors members and other County officials is attached.

This notice summarizes the major requirements of Government Code section 84308 of the Political Reform Act and California Code of Regulations, Title 2 sections 18438.1-18438.8.