

REFERRAL FORM



HOUSING CRISIS ACT Vesting Preliminary Application

This form serves as the optional Housing Crisis Act Vesting Preliminary Application for projects creating one or more units seeking vesting rights pursuant to the Housing Crisis Act of 2019 (HCA). This form also serves as a referral to the Los Angeles City Planning (City Planning) Development Services Center (DSC) and to the Los Angeles Department of Building and Safety (LADBS) Plan Check for HCA vesting purposes. The HCA Vesting Preliminary Application (Preliminary Application) allows the applicant to vest to City ordinances, policies, and standards adopted and in effect on the day that a complete Preliminary Application is submitted. Please be advised that these vesting rights do not apply to changes in State law or to changes in building code.

The following project types are eligible to submit a Preliminary Application:

- Housing Development Projects requiring an application to City Planning; or
- Housing Development Projects not requiring a City Planning application and submitting for building permit Plan Check to LADBS on or after January 1, 2022.

For Submittal Instructions, refer to Section E of this form. Section G (“Retention of Vesting Rights”) of this form may be referenced for additional guidance on HCA vesting rights. The [“Housing Development Project Applicability Matrix”](#) may also be used to identify whether the HCA applies to specified development types, and when a Preliminary Application applies.

THIS SECTION TO BE COMPLETED BY PLANNING STAFF ONLY

Case Number PAR- _____

Proposed No. of Dwelling Units¹: _____

Proposed Building Area^{1,2}: _____

Submittal Completion Date³: _____

Last Day to file City Planning Application/Submit to LADBS Plan Check¹: _____

Invoice No.: _____ Payment Date: _____

City Planning Staff Name and Title: _____

City Planning Staff Signature: _____

¹ For information on retention of vesting rights, refer to Section F of this form.

² Building Area, as defined by the California Building Standards Code (Title 24 of the California Code of Regulations) – California Government Code Section 65941.1(c). Refer to Appendix 2 for Building Area calculation instructions.

³ As part of the process to deem complete the submittal of this optional Preliminary Application, City Planning staff have affirmed neither the feasibility nor the entitlement review path of the proposed project.

This form shall be completed by the applicant and reviewed and signed by City Planning staff prior to filing the City Planning application, or the LADBS Plan Check application for projects that do not require a City Planning application. The signed Preliminary Application shall be submitted during the City Planning application filing, or the submission of an application for building permit and Plan Check. Any modifications to the content(s) of this form after its authorization by City Planning staff is prohibited. Further, any change to the proposed number of dwelling units or the proposed building area must be verified by City staff.

THIS SECTION TO BE COMPLETED BY THE APPLICANT

A. SITE INFORMATION

PROJECT LOCATION

Street Address⁴: _____

Legal Description⁵ (Lot, Block, Tract): _____

Assessor Parcel Number(s): _____ Site Area (sf): _____

EXISTING USE(S)

Describe in detail the existing uses on the project site, including any major physical alterations or soil disturbance that may have previously occurred.

B. PROPOSED PROJECT

ED 1 Eligible⁶

PROPOSED USE(S)

Describe in detail the characteristics, scope and/or operation of the proposed project.

⁴ Street Address must include all addresses on the subject/application site (as identified in ZIMAS <http://zimas.lacity.org>).

⁵ Legal Description must include all contiguously owned properties (even if they are not a part of the proposed project site).

⁶ Refer to [Executive Directive 1 Implementation Guidelines](#) for qualifying criteria. If the project is determined to be ineligible for ED 1, a new Referral Form will need to be obtained.

AFFORDABLE HOUSING INCENTIVES, WAIVERS, CONCESSIONS, AND PARKING REDUCTIONS

Will the project proponent seek incentives, waivers, concessions, or parking reductions pursuant to California Government Code Section 65915 (i.e., Density Bonus), the Transit-Oriented Communities (TOC) program, or any other affordable housing incentive program?⁷ YES NO

If “YES”, describe:

RESIDENTIAL DWELLING UNIT COUNT

Indicate the total number of dwelling units proposed as well as a breakdown by levels of affordability.

PER AB2334 GENERAL PLAN ALLOWS RD5 DENSITY.

Affordability Levels	Total
Market Rate	
No. of Affordable Units Proposed	
Extremely Low Income	
Very Low Income	
Low Income	
Moderate Income	
TOTAL No. of Units Proposed	

Total Units	Total
No. of Units Allowed by Right (per LAMC)	
No. of Bonus Units Proposed	
TOTAL No. of Units Proposed	

Other Notes on Units:

⁷ Projects proposing Density Bonus “On-Menu” incentives through a ministerial process or “Off-Menu” incentives, waivers, concessions and parking reductions through a discretionary process must be reviewed by the Los Angeles City Planning Affordable Housing Services Section and obtain a signed Affordable Housing Referral Form (CP13-4043) prior to filing a City Planning application.

FLOOR AREA

Provide the proposed floor area and square footage of residential and non-residential development:

Floor Area⁸ _____

Building Area⁹ _____

PARKING

Provide the proposed number of automobile and bicycle parking spaces:

Automobile Parking	Total
Residential	
Non-Residential	

Bicycle Parking	Total
Residential Long Term	
Residential Short Term	
Non-Residential Long Term	
Non-Residential Short Term	

SUBDIVISION

Will the proposed project include a request for an approval pursuant to the Subdivision Map Act, including a Vesting or Tentative Tract Map, Preliminary Parcel Map, Condominium Map, Lot Line Adjustment, or Certificate of Compliance?

YES NO

ADDITIONAL INFORMATION

Does the project propose any point sources of air or water pollutants¹⁰?

YES NO

If "YES", please describe:

⁸ As defined by the LAMC.

⁹ As defined by the California Building Standards Code (Title 24 of the California Code of Regulations) – California Government Code Section 65941.1(c). Refer to Appendix 1 for Building Area calculation instructions.

¹⁰ A project that proposes point sources of air or water pollutants may trigger review and permitting by, but not limited to, the South Coast Air Quality Management District, the Los Angeles Regional Water Quality Control Board, or the Los Angeles Bureau of Sanitation.

C. EXISTING SITE CONDITIONS

HOUSING¹¹

Provide the number of existing residential units on the project site that will be demolished and whether each existing unit is occupied or unoccupied:

	Existing Residential Units	Demolished or To Be Demolished
Occupied Units		
Unoccupied Units		
TOTAL Units		

ADDITIONAL SITE CONDITIONS

1. Is the project site located wholly or partially within:

- a. A Very High Fire Hazard Severity Zone (VHFHSZ)¹²? YES NO
- b. Wetlands, as defined in United States Fish and Wildlife (USFW) Service Manual, Part 660 FW 2 (June 21, 1993)? YES NO
- c. A special flood hazard area subject to inundation by the one percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency (FEMA) in any official maps published by FEMA? YES NO
- d. Delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist? YES NO
- e. Hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control (DTSC) pursuant to Section 25356 of the Health and Safety Code¹³? YES NO

¹¹ A Housing Development Project, as defined in California Government Code Section 65905.5(b)(3), is subject to the provisions of Government Code Section 66300, as amended by SB 8, and will require an SB 8 Replacement Unit Determination letter from the Los Angeles Housing Department or a No-Net-Loss Property Owner Declaration.

¹² Housing Development Projects located in a VHFHSZ are eligible to seek vesting rights pursuant to the HCA.

¹³ The development shall not be located on a legal parcel that is a hazardous waste site except for sites the DTSC has cleared for residential use or residential mixed use.

2. Does the project site contain a designated or potentially historic and/or cultural resource¹⁴? YES NO

If “YES”, please describe:

a. Does the project site contain any species of special concern such as special status flora or fauna, protected trees, or wildlife¹⁵? YES NO

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

b. Does the project site contain any recorded easement, such as easements for conservation, storm drains, water lines, and other public rights of way? YES NO

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

c. 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 California Fish and Wildlife Code, including creeks and wetlands? YES NO

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

¹⁴ Information regarding historic resources that have been identified by the City or another public agency can be found in SurveyLA, HistoricPlacesLA, or ZIMAS.

¹⁵ An Arborist Report or a Biological Survey and Impact Assessment may be required following the filing of an application requesting approval of a discretionary action if the project site is on or adjacent to open space or previously undisturbed land in order to demonstrate whether the site provides habitat for any special status flora or fauna, including those identified in a Specific Plan or Zoning Overlay.

D. COASTAL

1. Is the project site located wholly or partially within the Coastal Zone, as defined in Division 20 (commencing with Section 3000) of the Public Resources Code (PRC). If marked “NO”, skip to section E. YES NO
2. Does the project site contain a/an:
- a. Wetlands, as defined in subdivision (b) of Section 13577 of Title 14 of the California Code of Regulations¹⁶? YES NO
 - b. Environmentally Sensitive Habitat Area (ESHAs), as defined in Section 30240 or the California PRC¹⁷? YES NO
 - c. Tsunami run-up zone? YES NO
 - d. Area used for public access to or along the coast? YES NO

E. ADDITIONAL REQUIRED MATERIALS

In order to initiate a request for HCA vesting rights, an applicant must submit a Preliminary Application and the following materials and information through [City Planning's Online Application Portal](#). An appointment is not required.

1. HCA Vesting Preliminary Application (CP13-4062)

2. **Plot/Site Plan.** A legible plot plan drawn to scale is required. The plot plan must include all contiguous parcels under the applicants' ownership and any contiguous parcels proposed to be part of the project site. The plot plan should identify which parcels are/are not a part of the proposed project. The plot plan should include a summary of information table indicating the following:

- Building area of each building that is to be occupied
- Proposed land uses
- Proposed number of dwelling units
- Height of buildings
- 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 and Shrubs. Plans must clearly show all existing trees and shrubs on the project site and within the right-of-way adjacent to the property. Identify and label (by name and trunk diameter) the following protected trees and shrubs as identified on the Plot Plan Instructions ([CP-7752](#)).

¹⁶ Wetlands may include a watercourse or a storm drain. A Wetlands Delineation Report may be required following the filing of an application requesting approval of a discretionary action in the Coastal Zone if the site contains a watercourse or a storm drain.

¹⁷ ESHAs are mapped areas in the certified Venice Land Use Plan and the San Pedro Coastal Land Use Plan.

- Watercourses, storm drains, creeks streams, wetlands (as defined in the USFW 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 Wildlife Code.
- 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. It may be provided on any relevant plan sheet, including a project information sheet.

Refer to the Plot Plan Instructions ([CP-7752](#)) for additional guidance.

3. **Elevation Plans.** Elevations must show the design, materials, color, textures, patterns, massing and height of each building under the project scope. Refer to the Housing Crisis Act Vesting Preliminary Application Elevations Instructions (Appendix 1 of this form, page 15) for additional guidance. The elevations plans shall be included as part of the set of plans.
4. **Building Area Analysis.** Refer to the Housing Crisis Act Vesting Preliminary Application Building Area Analysis Instructions (Appendix 2 of this form, page 16) for additional guidance. The building area plans shall be included as part of the set of plans.
5. **Sections** for projects located on multiple levels or subterranean floors (e.g., basements, subterranean parking, etc.) showing depth (linear feet) and amount (cubic yards) of proposed cut, fill, import, and export related to grading, excavation of earthwork. The sections shall be included in the set of plans.
6. **Filing Fee.** Fees must be paid online after the electronic invoice is received.

F. ADDITIONAL RESOURCES

1. **Appendix 1:** Elevations Instructions for Vesting Pursuant to the Housing Crisis Act (page 15).
2. **Appendix 2:** Building Area Analysis for Vesting Pursuant to the Housing Crisis Act (page 16).

G. RETENTION OF VESTING RIGHTS

A Preliminary Application must be deemed complete by City Planning in order to obtain vesting rights. A Preliminary Application is deemed complete at the time that all required forms, documents, and materials are submitted, and the final invoice has been issued and proof of payment is presented to City Planning. A Preliminary Application completed before January 1, 2030 is valid until January 1, 2034, provided that HCA vesting rights are maintained and have not otherwise lapsed or terminated.

To retain HCA vesting rights, the applicant must adhere to certain time limits and limitations on project scope changes. **If the time limits are not met or if the changes in the project scope exceed specified thresholds, the Preliminary Application shall expire and have no further force or effect.** During City Planning application filing or the submission of an application for building permit and Plan Check, as well as through the development process, City staff will verify whether a project has been able to maintain vesting rights. Refer to the “Housing Crisis Act Vesting Log” on page 11 for additional instructions.

TIME LIMITS TO RETAIN VESTING RIGHTS

Once the Preliminary Application is complete, the City Planning application or the application for building permits and Plan Check must be submitted within 180 days of the date on which the Preliminary Application is deemed complete, in order to retain vesting rights.

If a City Planning application is required, the applicant must submit all outstanding information needed in order to deem the City Planning application complete within 90 days of receiving a hold or “deemed incomplete” letter from City Planning staff. The 90-day period does not apply to projects eligible to submit a building permit Plan Check application to LADBS without a City Planning application on or after January 1, 2022.

For all vested projects (ministerial or discretionary), construction of the Housing Development Project must commence within 2.5 years. For vested projects that are 100 percent affordable, the Housing Development Project must commence within 3.5 years.

If the project is discovered to require a City Planning application during the permitting process, the project may still use the Preliminary Application issued as long as the City Planning application is submitted within 180 days of the date a complete Vesting Preliminary Application was submitted. The submittal of the building permit application to LADBS would not be held against the project.

PROJECT SCOPE THRESHOLDS TO RETAIN VESTING RIGHTS

In order to maintain vesting rights, any change in the residential unit count or in the Building Area is limited to *less than* 20 percent of the total proposed on the completed Preliminary Application, exclusive of any increase resulting from the receipt of a density bonus, concession, waiver, or similar provision.

H. PROJECT TEAM INFORMATION (Complete all applicable fields)

Applicant¹⁸ Name: _____

Company/Firm: _____

Address: _____ **Unit/Space Number:** _____

City: _____ **State:** _____ **Zip Code:** _____

Telephone: _____ **E-mail:** _____

Are you in escrow to purchase the subject property? YES NO

(Optional) Agent/Representative Name: _____

Company/Firm: _____

Address: _____ **Unit/Space Number:** _____

City: _____ **State:** _____ **Zip Code:** _____

Telephone: _____ **E-mail:** _____

Primary Contact for Project Information¹⁹ Agent/Representative Applicant
(select only one)

¹⁸ An applicant is a person with a lasting interest in the completed project such as the property owner or a lessee/user of a project. An applicant is not someone filing the case on behalf of a client (i.e., usually not the agent/representative).

¹⁹ As of June 8, 2022, the Primary Contact for Project is required to have an [Angeleno Account](#) and register with the Ethics Commission for Significant Project Entitlements, as defined in LAMC Section [49.7.37\(A\)\(6\)](#). An email address and phone number shall be required on the City Planning Application Form, and the email address provided shall match the email address used to create the Angeleno Account.

**THIS SECTION SHALL BE ADDED ONTO THE FINAL PLAN SET
PERMITTED BY LADBS**

HOUSING CRISIS ACT VESTING LOG

This log is intended to be used by City staff to track compliance with the time limits and project scope changes (unit count), in order to retain vesting rights through the development process. If a vested Housing Development Project is associated with a City Planning application for its development, this page and the log shall be completed by the City Planning Case Processing Unit. Any modifications to the content(s) of this log by anyone other than City staff is prohibited. A copy of this page and the completed log must be included on the final set of plans for construction.

CITY STAFF USE ONLY

Case Number PAR- _____

Date Vested (Date Preliminary Application Submittal Complete): _____

Proposed No. of Dwelling Units²⁰: _____

City Planning Staff Name and Title: _____

²⁰ The proposed number of dwelling units should match the number of proposed dwelling units identified on page 1.

TABLE A - HOUSING CRISIS ACT VESTING LOG
THIS SECTION TO BE COMPLETED BY CITY PLANNING CASE PROCESSING UNIT ONLY

Milestone	Date Due	Date Complete	Dwelling Units ²¹	Determination ²²	Staff Name
<p>City Planning Application Filing</p> <p>Project submitted within 180 days of the HCA Vesting Preliminary Application being deemed complete.²³</p> <p>Project meets the time limits: <input type="checkbox"/> YES <input type="checkbox"/> NO</p>			<input type="checkbox"/> Project meets 20% threshold <input type="checkbox"/> Project exceeds 20% threshold Proposed Units: _____ Plan Sheet No.: _____	<input type="checkbox"/> The project meets the time limits (180 days) and limitations on project scope (unit count). <input type="checkbox"/> The HCA Vesting Preliminary Application is expired and has no further force or effect.	
<p>Applicant Response to Deemed Incomplete Letter</p> <p>If a City Planning Application is Deemed Incomplete, the applicant must submit all information needed within 90 days of receiving the Deemed Incomplete Letter (applies ONLY to projects that are required to file a City Planning application)</p> <p>Project meets the time limits: <input type="checkbox"/> YES <input type="checkbox"/> NO</p>			<input type="checkbox"/> Project meets 20% threshold <input type="checkbox"/> Project exceeds 20% threshold Proposed Units: _____ Plan Sheet No.: _____	<input type="checkbox"/> The project meets the time limits (90 days) and limitations on project scope (unit count). <input type="checkbox"/> The HCA Vesting Preliminary Application is expired and has no further force or effect.	

²¹ Any change in the residential unit count is limited to less than 20 percent of what is indicated on the completed Preliminary Application, exclusive of any increase resulting from the receipt of a density bonus, concession, waiver, or similar provision.

²² If the time limits are not met or if the changes in the project scope exceed specified thresholds, then the Preliminary Application shall expire and have no further force or effect.

²³ Once the Preliminary Application is complete, the City Planning application must be submitted within 180 days of the Preliminary Application completion date.

Milestone	Date Due	Date Complete	Dwelling Units	Determination	Staff Name
Date City Planning Application Deemed Complete	N/A		<input type="checkbox"/> Project meets 20% threshold <input type="checkbox"/> Project exceeds 20% threshold Proposed Units: _____ Plan Sheet No.: _____	<input type="checkbox"/> The project meets the limitations on project scope (unit count). <input type="checkbox"/> The HCA Vesting Preliminary Application is expired and has no further force or effect.	
Date of Hearing	N/A		<input type="checkbox"/> Project meets 20% threshold <input type="checkbox"/> Project exceeds 20% threshold Proposed Units: _____ Plan Sheet No.: _____	<input type="checkbox"/> The project meets the limitations on project scope (unit count). <input type="checkbox"/> The HCA Vesting Preliminary Application is expired and has no further force or effect.	
Date of Final Approval of City Planning Application²⁴	N/A		<input type="checkbox"/> Project meets 20% threshold <input type="checkbox"/> Project exceeds 20% threshold Proposed Units: _____ Plan Sheet No.: _____	<input type="checkbox"/> The project meets the limitations on project scope (unit count). <input type="checkbox"/> The HCA Vesting Preliminary Application is expired and has no further force or effect.	

²⁴ Final approval means that a project has obtained 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 (G.C. Sec. 65589.5(o)(2)(D)(ii)).

Milestone	Date Due	Date Complete	Dwelling Units	Determination	Staff Name
<p>Date Construction Commenced (within 2.5 years or 3.5 years of Final Decision)²⁵</p> <p>Project meets the time limits: <input type="checkbox"/> YES <input type="checkbox"/> NO</p>			<input type="checkbox"/> Project meets 20% threshold <input type="checkbox"/> Project exceeds 20% threshold Proposed Units: _____ Plan Sheet No.: _____	<input type="checkbox"/> The project meets the time limits (2.5 or 3.5 years) and limitations on project scope (unit count). <input type="checkbox"/> The HCA Vesting Preliminary Application is expired and has no further force or effect.	

Notes:

²⁵ Vested Housing Development Projects must commence construction within two and one-half years, or three and one-half years for one hundred percent affordable Housing Development Projects.

Appendix 1

Elevations Instructions for Vesting Pursuant to the Housing Crisis Act

123 Example Blvd, Los Angeles, CA



Materials, Textures and Colors



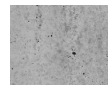
Exterior Cement Plaster, Smooth, Cream



Balcony Door, Vinyl, White



Board Formed Concrete, Wood Grain, Misty Blue



Exterior Cement Plaster, Smooth, Pewter



Aluminum, Brushed Metal, Dark Grey

Elevations shall show the design, materials, color, massing, facade and height of each building under the project scope:

- **Scale:** The scale shall be no less than $\frac{1}{8}'' = 1'-0''$ or a scale that produces a readable illustration.
- **Building Materials and Colors:** Elevations must identify all building materials types and colors. Include any sustainable features of the project as well as the material texture or pattern.
- **Location:** The elevations page must include the site address.
- **Labeling:** All views and major features shall be labeled, including which side of the project is being illustrated.
- **Dimensions:** Elevations shall be dimensioned in a manner that all relevant measurements can be read. Accessory structures shall have the same dimension requirements as the main structure. Include the dimensions for all heights. Required dimensions must include the following items:
 - The lowest elevation within 5 feet of the perimeter of the building;
 - The highest elevation for purposes of determining maximum building height as measured per Department of Building and Safety requirements and as defined by LAMC Section 12.03 of Chapter 1;
 - Height to the highest point of the roof and all roof structures;
 - Wireless facilities and transformers;
 - Projections proposed to be attached to a building facade;
 - Poles or signs including those attached to the facade or roof. Roof signs, pole signs and billboards must show both sides;
 - Facade texture, pattern, color and material changes to determine compliance with building articulation and design standards; and
 - Fences, walls, beams, barriers, including lighting fixtures, pillars, and gates on all sides.

Most City Planning processes involve a review of the project design. Applicants are encouraged to consult with the **LACP Urban Design Studio** regarding the design of the project early in the application process, ideally prior to filing. You may schedule a design review meeting online:

planning.lacity.org/plans-policies/urban-design-studio/schedule-appointment.

Refer to Elevation Instructions ([CP-7817](#)) for additional guidance.

Appendix 2

Building Area Analysis for Vesting Pursuant to the Housing Crisis Act

The purpose of this Building Area analysis sample and instructions is to provide guidance with determining the total Building Area or "square footage of construction" of a Housing Development Project in order to vest pursuant to the Housing Crisis Act. The sample below broadly applies to all types of Housing Development Projects.

Building Area Calculation Table – Example

Level	Proposed
L2–L5	30,704 sf
L1	9,426 sf
Total	40,130 sf

Building Area Definition

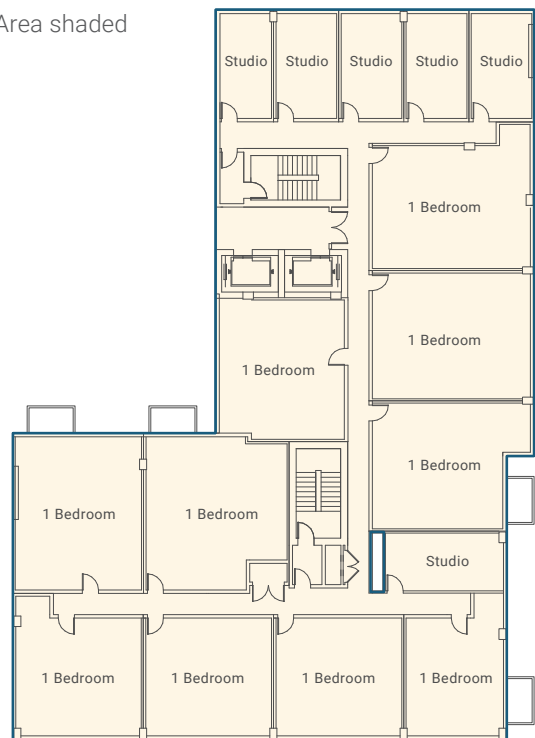
The area included within surrounding exterior walls (or exterior walls and fire walls) exclusive of vent shafts and courts. Areas of the building not provided with surrounding walls shall be included in the building area if such areas are included within the horizontal projection of the roof or floor above.
 – California Government Code Section 65941.1(C)

Building Area Diagram – Example



Level 1 Building Area 9,426 sf

□ Building Area shaded



Levels 2-5 Building Area 7,676 sf (per level)

Instructions

- **Shaded and Dimensioned Diagram:** Set of plans shall include a shaded and dimensioned diagram indicating the total Building Area for each level, including any covered parking areas, elevator shafts and stairwells at each level.
- **Quantities Referenced Diagram:** Each area analysis must include a label or reference to its Building Area, expressed as square-footage.
- **Calculation Table:** The Building Area page should include a corresponding calculation table indicating the Building Area for each level, as well as the grand total.