



NOTICE OF INTENT TO SUBMIT SB35 APPLICATION

PURPOSE: Government Code Section [65913.4](#), also known as Senate Bill 35 (SB 35), requires the City to review qualifying housing development projects using a ministerial review process. An SB35 Notice of Intent (NOI) Application is required to determine eligibility of a project for SB35 streamlined ministerial review process. A project must comply with objective planning standards, provide specified levels of affordable housing, and meet other specific requirements, as detailed in this application.

Applicants intending to invoke the SB 35 Streamlined Ministerial Review approval process must fill out this application and checklist and provide supporting documentation for each item (*as applicable*) to demonstrate eligibility. This NOI to Submit an SB35 Application shall be submitted along with the identified Required Submittal Items. Incomplete checklists that do not include required attachments or supporting documentation will be deemed incomplete for processing. **Due to the reduced processing times for eligible SB 35 development applications, submittal of an incomplete entitlement application is grounds for deeming an application incomplete.** Determination that an application is incomplete for processing does not preclude the applicant from correcting any deficiencies and resubmitting an application for streamlined review, or from applying for the project under standard processes procedures. If the application is deemed incomplete and the applicant elects to resubmit an application for streamlined review, the timeframes specified in Section 301(b) below shall commence on the date of resubmittal.

The NOI process includes Tribal Consultation with the California Native American tribes that are traditionally and culturally affiliated with the geographic area of the Project site. The City will initiate the tribal consultation process within 30 days of receipt of NOI. The NOI process is deemed complete once Tribal Consultation process is concluded pursuant Government Code Section 65913.4(b).

Project Information. *Must complete with project submittal.*

Project Address: _____

APNs: _____

Current Use of Site: _____

Project Description: *(example – “Construction of a proposed 6-story mixed use project with 89 rental residential units and 3,000 SF of commercial on the ground floor, includes the demolition of existing structures on the site.”)*

Required Submittal Items. *Check boxes to acknowledge the item is included in the submittal package.*

Application fee – The application requires an NOI processing fee and a Tribal Consultation fee. See the current [fee schedule](#) for applicable fees. Payment of both NOI & Tribal Consultation fees are required at the time of submittal by credit card or check. *Please make all checks payable to “City of Burbank”*

Project Plans – electronic set of plans. All plans shall include: **site plan, floor plan, demolition plan, elevations, building cross-sections, and conceptual landscape and civil plans**, drawn to scale and with adequate dimensions (for more information see [Standard Plan Details](#) handout)

SB35 Supplemental Application: Eligibility Checklist – completed with original owner & applicant signature

Applicant Signature. *Acknowledgement that all Required Submittal Items are included in the submittal package.*

Owner Name:	Owner Signature:	Date:
Applicant Name:	Applicant Signature:	Date:



City of Burbank
Planning Division

Indemnification Agreement

150 North Third Street
Burbank, CA 91502
www.burbankca.gov
T: 818-238-5250
E: Planning@burbankca.gov

TO ALL APPLICANTS: This must be submitted with your application.

Indemnification Agreement:

I, the Applicant, including my successors and assignees, hereby agree to defend, indemnify, and hold harmless the City of Burbank (the City) and its agents, officers, employees, agencies, boards, commissions, and City Council from any claim, action or proceeding brought against the City, its agents, officers, employees, agencies, boards, commissions, or City Council to attack, set aside, void or annul an approval of the subject application or related decision, including, but not limited to, the processing or adoption of any environmental documents or determinations under the California Environmental Quality Act or National Environmental Policy Act. The indemnification shall include damages awarded against the City, if any, cost of suit, attorney's fees, administrative expenses, and any other costs and expenses incurred in connection with such action, including, but not limited to, all such City costs and expenses incurred by enforcing this indemnification provision. In the event of a legal challenge, the provisions under BMC Section 10-1-19402 shall be applied.

Property Owner Signature
(must be original wet signature):

Applicant Signature
(must be original wet signature):

Date:

Date:

Note: Pursuant to Burbank Municipal Code (BMC) 10-1-19401 this duty to defend, indemnify, and hold harmless the City and its agents, officials, employees, agencies, commissions, or City Council shall apply even if the applicant fails or refuses to enter into the indemnification agreement.