

# SB9 Duplex/Urban Lot Split Applications

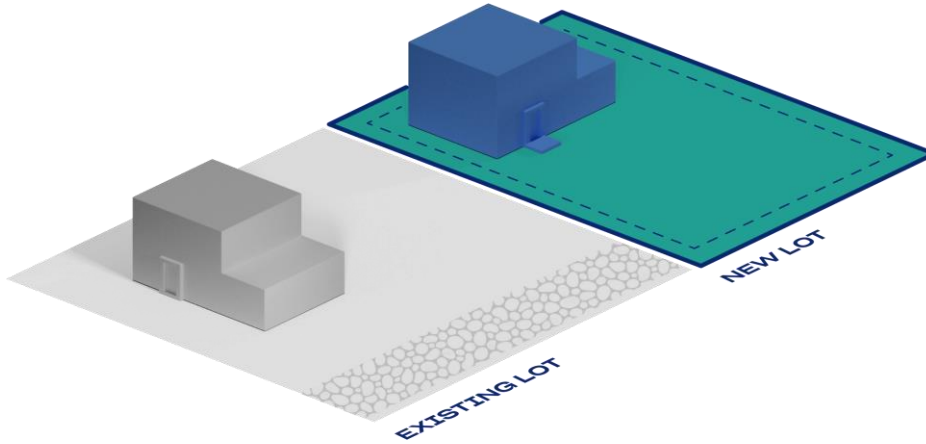


**Background:** SB9 went into effect January 1, 2022. This law establishes a streamlined process to 1) develop two residential dwellings units on one eligible single-family zoned parcel, and 2) split one eligible single-family zoned parcel into two separate parcels of approximately equal size. SB9 also provides more flexible property setbacks and parking standards and extends subdivision approval expirations for eligible parcels.

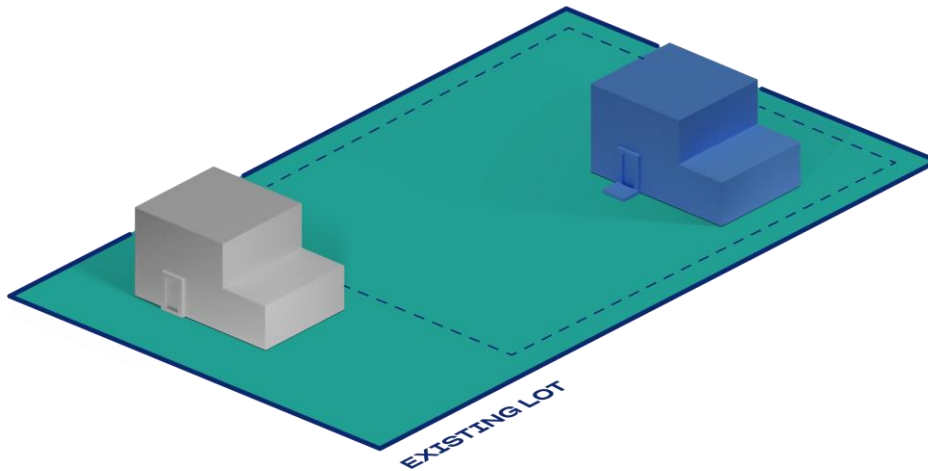
**Eligibility:** In order to be eligible for the streamlining provided by SB9, a parcel must meet specific criteria. The SB9 Eligibility Checklist outlined specifies criteria in further detail. Prior to submitting an SB9 Application, an Eligibility and Objective Standards Pre-Screen with City Planning staff is recommended to confirm that your project is consistent with the eligibility criteria required by State law. If eligible, the City will also review the proposed project (land division or new construction) to ensure the preliminary design is consistent with objective standards. Additional information and/or revisions to your project may be required to ensure it is consistent with objective standards.

<b>SB9 Duplex/Urban Lot Split Eligible Projects</b>	
Single-Family Zone	The parcel must be zoned for single-family residential use, which includes the following zone districts: RE and R-1 Zones.
Not within Protected Resource Area	The project site cannot be in a conservation area or hazardous waste site, and cannot contain protected species habitat, designated historic resources, wetlands, etc.
Consistent with Objective Standards	The project must be consistent with objective zoning standards, subdivision, and design review standards. Objective Zoning Standards are standards that involve no personal or subjective judgement by a public official such as height, setback, lot coverage, etc.
Demolition Restrictions	The project cannot involve demolition of affordable housing or rental housing, and no more than 25% of exterior structural walls can be demolished if the site has had rental housing units in the last three years.
Rental Requirement	If the project creates a rental unit, it must be a long-term rental unit (>30 days).
SB9 Land Divisions and Owner Occupancy	Parcels created shall not exceed two new parcels of approximately equal lot area provided that one parcel shall not be smaller than 40 percent of the lot area of the original parcel and both parcels shall not be smaller than 1,200 sq. ft. Parcels are not eligible for an SB9 land division if they were created by an SB9 urban lot split. Property owners are also required to occupy one of the lots as their primary residence for a minimum of three years.
City of Grass Valley 1872 Historic Townsite	SB9 Projects are not permitted in the City's 1872 Historic Townsite.

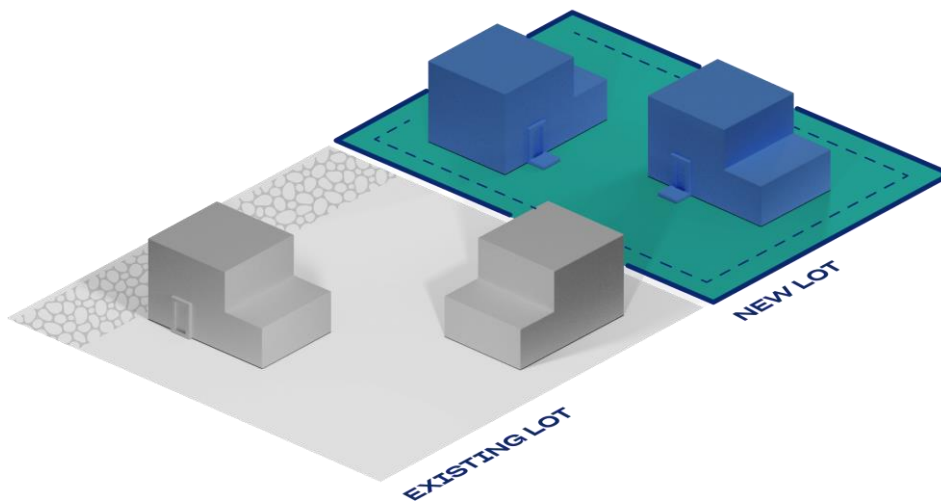
**SB9 Option 1:** Your lot must be at least 2,400 square feet and can be divided 50/50 or 60/40.



**SB9 Option 2:** Keep parcel as is and add up to 2 units.



**SB9 Option 3:** A mix of the above: divide your parcel and add up to 4 units total.



## SB9 SUPPLEMENTAL APPLICATION INFORMATION

SB9 allows the development of two housing units and/or an urban lot split on eligible single family zoned properties. A project may be eligible for the SB9 application process if it meets all the eligibility criteria noted below and contained in Government Code Section 65852.21 and 66411.7 as outlined in the checklist.

**PLEASE PRINT CLEARLY OR TYPE  
USE A SEPARATE SHEET, IF NECESSARY, TO EXPLAIN THE FOLLOWING:**

- I. The proposed project will use SB9 for one of the following purposes:
- Development of two housing units on one parcel solely.
  - An Urban Lot Split of one existing parcel.
  - An Urban Lot Split AND development of up to two units on each new lot.
- II. Eligibility Checklist
- The project is in the Residential Estate (RE) or Single-Family (R-1) Zone.
  - The project is located outside of the City's Historic 1872 Townsite, or property included on the State Historic Resources Inventory, AND the site is not designated or listed as a County Historic Resource in accordance with the City's Historic Resources Inventory prepared in 2009.
  - The project will not require demolition or alteration of the following types of housing:
    - a. Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.
    - b. Housing that is subject to any form of rent or price control.
    - c. Housing that has been occupied by a tenant in the last three years. (Provide documentation of vacancy or owner occupancy such as: , utility bill, vehicle registration or similar documentation)
  - The parcel does not include one or more of the following protected areas:
    - a. Wetlands, as defined by the United States Fish and Wildlife Service
    - b. Lands identified for conservation in an adopted natural resource protection plan.
    - c. Habitat for state and federally protected species.
  - The parcel is not located in a hazard area. Note: If the parcel is in a hazard area, the project will need to meet City of Grass Valley safety standards, and/or meet all CA Building Code Wildland Urban Interface requirements. Check the applicable sections:

- Very high or high fire hazard severity zone
- Hazardous waste site
- Earthquake fault zone
- FEMA-designated 100-year flood hazard zone

AND meets the following requirements as applicable:

- Adopts applicable fire hazard mitigation measures
  - State has cleared the site for residential use
  - Complies with seismic protection standards
  - Meets minimum floodplain management criteria
- If the site has been occupied by a renter in the last three years, no more than 25% of the existing structure wall will be demolished.

Has the site been occupied by a tenant in the last three years: YES NO

If no, please provide evidence of vacancy or owner occupancy (Provide documentation of vacancy or owner occupancy such as: utility bill, vehicle registration or similar documentation)

If yes, does the project propose demolition of more than 25% of the existing structural walls?

YES (if yes, your project is not eligible for SB9) NO

The project proposes development of no more than two units per parcel and no more than four units per project.

Total Number of Units: \_\_\_\_\_

Number and type of Existing Units: \_\_\_\_\_

Number and type of Proposed Units: \_\_\_\_\_

All new rental units will be rented long term (>30 days).

Concurrent to filing of the Final Map, the applicant must record a Deed Restriction identifying that the units on the properties may not be rented for a term of 30 days or less.

The project provides one off-street parking space (9 by 18) per unit, or the project is exempt from parking requirements.

The project proposes one off street parking per unit. YES NO

OR the project does not require parking due to:

- Parcel located on-half mile walking distance from high-quality transit corridor or major transit stop.
- Car share vehicle located within one block of parcel.
- Building setbacks from the rear and side property lines are at least 4 feet.
- The project is consistent with all applicable City of Grass Valley objective standards that do not conflict with SB9.

“Objective standards.” Including “objective zoning standards”, “objective subdivision standards,” and “objective design review standards” mean standards that involve no personal or subjective judgement by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official before submittal.

### **APPLICATION CHECKLIST**

The following list includes all the items you must submit for a complete application. Some specific types of information may not apply to your project. If you are not sure, ask Planning Division Staff. Planning Staff will use a copy of this list to check your application for completeness after it is submitted. If your application is not complete, a copy of the list will be returned to you marked according to the legend.

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#### **A. Application Checklist:**

- One completed copy of Universal Application form.
- Preliminary Title Report dated no later than 6 months prior to the application filing date.
- The appropriate non-refundable filing fee.

#### **B. Tentative Map:**

- Electronic .pdf file showing the following:
  - The map number, name if any, date of preparation, north arrow scale, and if based on a survey, the date of the survey.
  - Name and address of the person or entity which prepared the map and the applicable registration or license number.
  - Names and addresses of the subdivider and all parties having a record title interest in the property being subdivided.

- The boundaries of the subdivision, defined by legal description with sufficient information to locate the property and to determine its position with respect to adjacent named or numbered subdivision, if any.
- Topographic information with a reference to the source of the information. Contour lines shall have the following intervals:
  - Two-foot contour interval for ground slope between level and five percent.
  - Five-foot contour interval for ground slope exceeding five percent. Contours of adjacent land shall also be shown whenever the surface features of such land, affects the design or development of the proposed subdivision.
- Approximate location and general description, of any trees over eight inches in diameter at the trunk, with notations as to their proposed retention or removal.
- Location and outline to scale of all structures which are to be retained within the subdivision and all structures outside the subdivision and within 10 feet of the boundary lines; notations concerning all structures which are to be removed.
- Locations, widths, and purposes of all existing and proposed easements for utilities, drainage, and other public purposes, shown by dashed lines, within and adjacent to the subdivision (including proposed building setback lines, if known).
- Location of all existing and proposed utilities including size of water lines and the size and grade of sewer lines, locations of manholes, fire hydrants, street trees and streetlights.
- Location, width, and directions of flow of all watercourses and flood-control areas within and adjacent to the property involved; the proposed method of providing storm water drainage.
- Location of all potentially hazardous areas, including areas subject to inundation, landslide, settlement, soil contamination of mining sites or excessive noise, and the means of mitigating the hazards.
- Locations, widths, and names of designations of all existing or proposed streets, alleys, paths, and other right-of-way, whether public or private; private easements within and adjacent to the subdivision; the radius of each centerline curve; a cross-section of each street; any planned line for street widening or for any other public project in and adjacent to the subdivision; private streets shall be clearly indicated.
- Show location of proposed home(s) to confirm setbacks in the applicable zone.

**Owner's Occupancy Affidavit**

Under penalty of perjury, the following declarations are made:

- 1) I the undersigned am the owner of the property that is subject to this application.
- 2) The information presented is true and correct to the best of my knowledge.
- 3) I acknowledge that additional information or applications may be required prior to a decision on this application.
- 4) I intend to occupy one of the housing units as my principal residence for a minimum of three years from the date of the approved land division.
- 5) I understand that any information provided to the Planning Department becomes part of the public record and can be made available to the public for review and/or posted to the Department website.

Owner Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_