



# CITY OF PETALUMA

## SB 9 Urban Lot Split Checklist and Submittal Requirement

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Senate Bill 9 (SB 9), effective January 1, 2022, creates a streamlined ministerial review process for certain housing and/or lot split projects under [Government Code §65852.21](#) and [Government Code §66411.7](#). In addition to permitting up to two units on a single-family lot, the legislation allows qualifying lot splits through a ministerial review process if specific SB 9 Checklist criteria are met. [A lot will not qualify for an SB 9 lot split if it was established through the prior exercise of an urban lot split as provided for in Government Code 66411.7/SB 9 (2021)].

Urban lot split means a ministerial application for a parcel map to subdivide an existing parcel located within a single-family residential zone into two parcels, as authorized by Section 66411.7 of the Government Code.

During the application process, Planning staff may confirm the accuracy of the answers to these questions based on the complete application materials.

If the answers to all the “ELIGIBILITY REQUIREMENTS” questions below are “yes” or “N/A”, then the project qualifies for SB 9 streamlining (**check with a Planner if unsure**). If the answer to any question is “no”, then the project may be ineligible. *Please Note: State law requires that some local objective standards be waived in order to allow at least two 800 sf SB 9 units.*

**Project Address:**

ELIGIBILITY REQUIREMENTS		YES	NO	N/A
1	Is the subject parcel zoned for single-family residential use RR, R1, R2 or any planned unit development (PUD) that permits single-family dwellings only? (Verify the zoning of a parcel in Petaluma <a href="#">here.</a> )	<input type="checkbox"/>	<input type="checkbox"/>	—
2	The proposed project is <b>outside</b> any Historic District. (Verify Historic Districts <a href="#">here.</a> )	<input type="checkbox"/>	<input type="checkbox"/>	—
3	Does the project propose no more than two parcels, one being a minimum of 40 percent of the original lot’s size and both being at least 1,200 square feet?	<input type="checkbox"/>	<input type="checkbox"/>	—
4	Does the lot split conform to all applicable objective requirements of the Subdivision Map Act?	<input type="checkbox"/>	<input type="checkbox"/>	—
5	The urban lot split does not propose the demolition or alteration of the following types of housing: <ul style="list-style-type: none"> <li>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;</li> <li>Housing that is subject to any form of rent or price control through a public entity’s valid exercise of its police power;</li> <li>Housing that has been occupied by a tenant in the last three years.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	—
6	Does the property owner intend to occupy one of the housing units as their principal residence for a minimum of 3 years? (Does not apply to community land trusts or qualified nonprofit corporation)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	If the parcel is located within the Very High Fire Severity Zone (VHFSZ), does the project comply with applicable building standards and state fire mitigation measures? (Verify if your property is in the VHFSZ <a href="#">here.</a> )	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

8	If the parcel is located within an earthquake fault zone, does the project comply with applicable seismic protection building code standards?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9	If the parcel is located in a special flood hazard area subject to induction by the 1 percent annual chance flood (100-year flood) or regulatory floodway as determined by FEMA, does the project meet applicable federal criteria? (Verify <a href="#">here</a> )	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10	Is the project located on a property <b>outside</b> each of the following areas (Check with a Planner if unsure)? <ul style="list-style-type: none"> <li>▪ Prime farmland</li> <li>▪ Wetlands as defined under federal law</li> <li>▪ Hazardous waste site</li> <li>▪ Protected species habitat</li> <li>▪ Lands under a conservation easement</li> <li>▪ Lands identified for conservation in an adopted natural community conservation plan, habitat conservation plan or other adopted natural resource protection plan</li> <li>▪ A site containing a historic landmark (Verify local landmarks <a href="#">here</a>)</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	—
11	The existing parcel was not established through a prior SB 9 urban lot split?	<input type="checkbox"/>	<input type="checkbox"/>	—
12	Will each new parcel have no more than two primary dwelling units?	<input type="checkbox"/>	<input type="checkbox"/>	—
13	Are all structures located across new property lines constructed to comply with applicable building codes and sufficient to allow separate conveyance as defined in Civil Code Section 1351 (including a residential condominium, planned development, stock cooperative, or community apartment project) or into any other ownership type in which the dwelling units may be sold individually?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14	Will the proposed lot split conform to all applicable objective zoning and subdivision standards, provided that each lot size is a minimum of 1,200 sf, a minimum of 40% of the original lot, and development on each lot contains no more than two primary dwelling units of at least 800 sf each, with setbacks of at least four feet from the rear and side property lines (or none if in an existing structure or new structure built to the same dimensions)?	<input type="checkbox"/>	<input type="checkbox"/>	—

<b>OBJECTIVE SUBDIVISION STANDARDS</b>		<b>YES</b>	<b>NO</b>	<b>N/A</b>
1	Both of the resulting parcels will either have access to, provide access to, or adjoin the public right-of-way?	<input type="checkbox"/>	<input type="checkbox"/>	—
2	Does the project propose a flag lot? If yes, does the proposed flag lot provide a paved access corridor of at least 30 feet wide?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Does the project propose a private access easement? If yes, is the access and utility easement at least 20 feet wide?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Does each parcel provide for separate utilities?	<input type="checkbox"/>	<input type="checkbox"/>	—

**OPTIONAL:** To facilitate staff review, you may optionally submit a cover letter explaining some or all responses to the eligibility requirements.

## Submittal Requirements

[General Application Form](#)

**All applicable fees to be paid:**

- Read and sign the [Cost Recovery Form](#)
- Provide deposit for Tentative Parcel Map ([see fee schedule](#))
- Additional Studies Deposit (if applicable)

**Letter or narrative explaining details of application request.**

**Plans and Exhibits**

• **Basic Information:**

- For Parcel Maps: Scales of 1":10', 1":20', 1":30' or 1":40'. For Subdivision Maps: no less than 1":100'.
- Vicinity Sketch (1":1000' or more), showing neighboring streets, tract lines, names and numbers of existing subdivisions, and outline of adjacent acreage parcels of land.
- Graphic scale, date, and north arrows.
- Certification of accuracy by a registered Civil Engineer or licensed surveyor.
- Conformity with the Petaluma Subdivision and Zoning Ordinance requirements.
- Name, address and telephone number of record owner or owners.
- Statement indicating record owners' permission to file map. If subdivider is different from record owners, submit certified authorization by owner for subdivider to act.
- Name, address, and telephone number of the person, firm, or organization preparing the map.
- Record information or a sufficient description to define the location and boundaries of the proposed subdivision.
- Existing zoning and proposed zoning changes.

• **Site Measurements:**

- The distance from existing structures to the boundary lines of the new parcel on which structures are located. Setbacks must meet the zoning requirements of the area.
- Approximate width and location of all existing easements.
- Layout and dimensions of all proposed and existing lots, radii of all curves, and central angles. Include the numbering of each lot.
- Location of existing and proposed building setback line(s) from the top-of-bank of each stream or river on the site.

• **Existing geographical features:**

- Topography map with the following information: Contours maximum of 5 ft. intervals. The closest City benchmark shall be used and its elevation called out on the map.
- Location, width and species of isolated trees with trunk diameter of four (4) inches or greater (4 feet above grade) and outline of groves or orchards.
- Location, direction of flow and names if available, of both natural and artificial water courses and ponding areas, or areas of periodic inundation on the parcel being divided and on adjacent properties which might affect the design of the applicant's proposal; provisions for proposed drainage and flood control measures.
- Existing uses.
- Outline and identification of existing surface and subsurface structures on the subject site and adjacent properties.

- Location of existing overhead utility lines and poles on-site and on peripheral streets, and underground utilities and drainpipes.
  - Location and size of existing sewer, fire hydrants, water mains, and storm drains, and related easements.
  - Locations, names, widths, approximate grades of all existing public or private streets in or adjacent to the site.
- **Proposed features:**
    - The location and size of proposed fire hydrants and fire protection systems, sanitary sewers, water mains and storm drains. Slopes and elevations of proposed sewers and storm drains shall be indicated.
    - Location, names, width, center line radii, pavement type, and approximate grades of all streets and rights-of-way on the site, including identification of which streets are proposed to be offered for dedication and which are proposed to be privately maintained. Typical sections of all streets shall be shown.
    - The proposed use of each lot, lot layout and dimensions, and area of each lot. Engineering data shall show the approximate finished grading of each lot, the preliminary design of all grading, the elevation of proposed building pads, maximum building elevations, building setback lines, the top and toe of cut and fill slopes to scale and number of each lot. In hillside areas, potential building sites shall be indicated.
    - Location and size of proposed easements for drainage, sewer, and public utilities.
    - Proposed recreation sites, trails and parks for public or private use.
    - Proposed common or open space areas for public use.
    - Instruments (CC&R's, Articles of Incorporation, By-Laws, etc., as deemed necessary) to legally empower owners' or tenants' organization to own maintain and pay taxes on private lands held in common for community use.
    - Location(s) of proposed off-site improvements.
- **Utilities:**
    - Statement of water sources
    - Statement of provisions for sewerage and sewage disposal.
    - Preliminary indication of needed major storm drain facilities.
- **Related Plans:**
    - Grading Plan. Transitions at property lines shall be shown.
    - A preliminary landscaping plan, including any necessary improvements for irrigation and maintenance.
    - Unless waived by the City Engineer, a conceptual plan for erosion control.
    - Unless waived by the Community Development Director, a conceptual plan for fencing.
- **Additional Information:**
    - Delineation of phased units, if applicable to the project.
    - Additional information necessary to evaluate the application- Preliminary Title Report, Preliminary Geotechnical Report, etc.
    - Any additional deed restrictions.

**Report and Guarantee of Clear Title** – a current (not more than six months old) title report by a duly authorized title company naming the persons whose consent is necessary for the preparation or recordation of such map and for dedications of streets, public places, etc., showing all interests in property, existing easements, lease interests, etc. Said title report shall include a clear, concise metes and bounds description of the property.

- A statement on **soil conditions** prepared by a Civil Engineer, indicating the presence of any critically expansive soils and other soil problems and stating whether a preliminary soils report or soils investigation will be necessary prior to filing the final map or a soils report prepared by a qualified professional.
- If easements are necessary**, either the easement exhibit or letter of intent to grant such an easement from the responsible party.
- Site Photos** (showing existing vegetation and structures, with views of and from the site).
- Any **additional information** required by the Planning Department following tentative completeness review and prior to final certification of completeness or incompleteness.