



**SB 9 APPLICATION REQUIREMENTS**

Provided	Not Provided	N/A	Description & Comment
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<a href="#">SB 9 Application Requirements, Eligibility, &amp; Objective Standards Checklist</a> (completed & signed by the preparer)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<a href="#">Standard Application Form</a>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<a href="#">Agreement to Pay for City Services Form</a>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<a href="#">Narrative of the proposal and brief description of existing/proposed conditions</a>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<a href="#">SB 9 Housing Development / Urban Lot Split Application Instructions</a> (completed & signed by the preparer)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<a href="#">Plan Set Submittal Requirements</a> <b>(Applicable to housing development projects)</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Plans (existing/proposed site plan, floor plan, elevations, grading/drainage)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Noncomplying structures: Provide evidence of legal construction
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<a href="#">SB 9 Lot Split Form &amp; Content Requirements for Tentative Parcel Map</a> <b>(Applicable to Urban Lot Splits)</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Tentative Parcel Map: Electronic copy
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Form & Content Requirements for Tentative Parcel Map (checklist and signed acknowledgment)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<a href="#">State Map Act §66474 findings (1-7)</a> <b>(Applicable to Urban lot splits)</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<a href="#">Applicant's Response Letter to State Map Act §66474 Findings</a>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<a href="#">Property Owners' Affidavit</a> (completed & signed by the Property Owner(s))
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<a href="#">Address Assignment / Change of Address Instructions</a> and <a href="#">Address Assignment Application Form</a> (completed & signed by the preparer)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<a href="#">Application Fee</a>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Approval Letter (for Staff use only)</b>

## ELIGIBILITY

**Directions:** Check the appropriate box and respond additional requested information, if noted. Staff has provided links to determine preliminary eligibility against the SB 9 criteria. However, final determination on eligibility will be conducted and verified by staff.

Description	Applicant Response
<b>6-3803 (a) Urban Lot Split &amp; Housing Development Eligibility Criteria: The parcel is...</b>	
Zoned Single-Family Residential per <a href="#">LMC Ch. 6-7 (Community View Map)</a>	<input type="checkbox"/> True <input type="checkbox"/> False <i>Zoning District:</i>
Not located on prime farmland or farmland of statewide importance pursuant to USDA or zoned/designated for agricultural protection/preservation ( <a href="#">CA Important Farmland Finder Map</a> )	<input type="checkbox"/> True <input type="checkbox"/> False
Not located on wetlands ( <a href="#">National Wetlands Mapper</a> )	<input type="checkbox"/> True <input type="checkbox"/> False
Not located within a <a href="#">Very High Fire Hazard Severity Zone (VHFHSZ)</a> adopted pursuant to CA Public Resource Code (PRC) §4202 ( <a href="#">Community View Map</a> ); Exception: Sites excluded pursuant to Gov't Code §51179 or those that have adopted fire hazard or state fire mitigation measures	<input type="checkbox"/> True <input type="checkbox"/> False <i>If false <u>and</u> proposing development, provide evidence that the site is eligible with site exclusion or approved mitigation measures. If false <u>and</u> only proposing urban lot split, fire district sign-off is not required.</i>
Not located within a hazardous waste site ( <a href="#">DTSC EnviroStor Map</a> )	<input type="checkbox"/> True <input type="checkbox"/> False
Not located within a delineated earthquake fault zone ( <a href="#">CGS Earthquake Zones Map</a> )	<input type="checkbox"/> True <input type="checkbox"/> False
Not located within a special flood hazard area ( <a href="#">FEMA Flood Map</a> )	<input type="checkbox"/> True <input type="checkbox"/> False <i>If false, provide verification that the site satisfies all applicable federal qualifying criteria.</i>
Not located within a regulatory floodway ( <a href="#">FEMA Flood Map</a> )	<input type="checkbox"/> True <input type="checkbox"/> False <i>If false, provide verification that the site satisfies all applicable federal qualifying criteria.</i>
Not located within lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act ( <a href="#">NCCP Conservation Plan List and Map</a> )	<input type="checkbox"/> True <input type="checkbox"/> False
Not subject to a conservation easement, scenic deed easements, or open-space easements on any portion of the parcel.	<input type="checkbox"/> True <input type="checkbox"/> False

Description	Applicant Response
<b>6-3803 (a) Urban Lot Split &amp; Housing Development Eligibility Criteria: The parcel is...</b>	
Not included on the State Historic Resources Inventory (Provide <a href="#">State Historical Resources Commission</a> property records research.)	<input type="checkbox"/> True <input type="checkbox"/> False <i>Attach response from the State.</i>
Not located on lands with habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the Federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (CA Fish and Game Code (FGC), Div. 3, Ch. 1.5, commencing with §2050), or the Native Plant Protection Act (CA FGC, Div. 2, Ch. 10, commencing with §1900). ( <a href="#">Flood Risk and Endangered Species Habitat (FRESH) Map</a> )	<input type="checkbox"/> True <input type="checkbox"/> False <i>If located within 100' of wetland/non-channeled creek or ½ mile of critical habitat, provide biological assessment.</i>
Lot split does not require demolition or alteration of housing that: (1) 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. (2) Is subject to any form of rent or price control through a public entity's valid exercise of its police power. (3) Has been occupied by a tenant in the last three years	<input type="checkbox"/> True <input type="checkbox"/> False <i>Attach initialed/signed affidavit</i>
Owner of residential real property has not exercised the owner's rights under Ch. 12.75 (CA Gov't Code, Title 1, Div. 7, commencing with §7060) to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application	<input type="checkbox"/> True <input type="checkbox"/> False <i>Attach initialed/signed affidavit</i>
<b>6-3803 (b) Housing Development – Additional Eligibility Criteria</b>	
Development is intended to create one or two new dwelling units.	<input type="checkbox"/> True <input type="checkbox"/> False Total Units: Existing ___/Proposed ___
Housing development will not demolish more than 25 percent of the exterior structural walls, unless the site has not been occupied by a tenant in the last three years.	<input type="checkbox"/> True <input type="checkbox"/> False <i>Provide drawings calculating area and linear ft. if demolition is proposed.</i>
<b>6-3803 (c) Urban Lot Split – Additional Eligibility Criteria</b>	
New created parcels are no smaller than 1,200 sq. ft.	<input type="checkbox"/> True <input type="checkbox"/> False <i>Parcel Area: _____ sq. ft. and _____ sq.ft.</i>
Tentative parcel map shows a subdivision of the existing parcel, creating no more than two new parcels of approximately equal lot area provided that one parcel shall not be small than 40% of the original parcel proposed for subdivision	<input type="checkbox"/> True <input type="checkbox"/> False <i>Parcel split: _____% and _____%</i>
Current parcel was not previously established through prior exercise of an urban lot split, as provided for in Ch. 6-38	<input type="checkbox"/> True <input type="checkbox"/> False
Owner of the parcel to be subdivided or any person acting in concert with the owner, did not previously subdivide an <i>adjacent</i> parcel using an SB 9 urban lot split	<input type="checkbox"/> True <input type="checkbox"/> False

## OBJECTIVE STANDARDS

**Directions:**

**(First Row)** Check the N/A box if the subsection standards do not apply (e.g., no development proposed).

**(First Column)** Check the box if the proposal complies with the described standards.

**(Second Column)** Provide a brief response on what is proposed and reference appropriate plan sheet(s). If the subject standard is not met/box cannot be checked, explain why. Use additional sheets if necessary.

Description	Applicant Response
<b>§6-3811 (1) Housing Development</b>	<input type="checkbox"/> This section is N/A <b>No development proposed at this time</b>
<input type="checkbox"/> Complies with zoning setbacks <input type="checkbox"/> Setbacks may be relaxed (but no less than 4' side and rear yard) to allow for new construction of two units of at least 800 sq. ft. each <input type="checkbox"/> Nonconforming setbacks for existing structure(s) or structures constructed in the same location and to the same dimensions as an existing structure shall be permitted to be maintained; increased non-conforming setbacks are not permitted	
<input type="checkbox"/> Building height shall not exceed 35' and 2- ½ stories per LMC §6-313 <input type="checkbox"/> Building height for Accessory Dwelling Units where permitted shall not exceed 17'	
<input type="checkbox"/> Minimum one off-street parking space per unit (10'x20' covered/open, outside of required setback or side yard) <input type="checkbox"/> No parking is required if the parcel is located within ½ mile walking distance of either a high-quality transit corridor (PRC §21155, subdivision (b)) or a major transit stop (PRC §21064.3) or there is a car share vehicle located within one block of the parcel	
<input type="checkbox"/> Import and off-haul shall be limited to a maximum of 200 cu. yds. combined for grading outside the building footprint	
<input type="checkbox"/> Retaining walls outside the building footprint shall not exceed 4' in height; multiple 4' walls are permissible if separated by a minimum of 4' <input type="checkbox"/> Walls shall be constructed of natural stone or concrete and/or masonry with a cultured stone or stucco finish with a light reflectance value not to exceed 50%. <input type="checkbox"/> Cut and fills shall be balanced so that off-hauling is maintained under 200 cu. yds	
<input type="checkbox"/> Grade changes outside a building footprint within the dripline of protected trees are prohibited <input type="checkbox"/> If required to comply with state law, building footprints within the dripline of protected trees shall be drilled pier construction	
<input type="checkbox"/> Building footprints shall not encroach in creek setbacks as calculated using the formula in <a href="#">LMC § 6-1841</a> (See also <a href="#">Creek Setback FAQs</a> )	

Description	Applicant Response
<input type="checkbox"/> No protected tree shall be removed (See <a href="#">LMC Ch. 6-17 Tree Protection</a> , §6-1702(q)) <input type="checkbox"/> If a protected tree must be removed in order to comply with state law, the applicant shall replace the removed tree pursuant to the tree mitigation calculations in <a href="#">LMC Ch. 6-17 Tree Protection</a> . Submit a <a href="#">Tree Permit application</a> .	
<input type="checkbox"/> Driveways shall be constructed with permeable pavers where slope is under 5% <input type="checkbox"/> Impermeable paving is permissible where the driveway is over 5% slope	
<input type="checkbox"/> Patios and walkways shall be constructed with permeable pavers, decomposed granite or other permeable materials and applicant shall provide a permeability certificate <input type="checkbox"/> Impermeable surfaces adjacent to pools shall be limited to a 10' radius outboard	
<input type="checkbox"/> A <a href="#">stormwater control plan</a> on a form established by the Contra Costa Clean Water Program shall be completed for each project demonstrating compliance by the Municipal Regional Water Quality Permit 3.0 established by the CA Clean Water Act and the National Pollutant Discharge Elimination System (NPDES).	
<input type="checkbox"/> Detention basins for regulating stormwater shall not be constructed within 10' of downhill adjoining properties	
<input type="checkbox"/> Windows facing side property lines shall have a 5' minimum sill height, except as otherwise required by fire code (does not apply to ground floor windows)	
<input type="checkbox"/> Compressors, pumps and HVAC equipment shall not be located between the front of residence and the front property line or secondary frontage and shall not be located within 10' of a side or rear property line	
<input type="checkbox"/> Submit a water budget consistent with the Model Water Efficient Landscape Ordinance (MWELO) demonstrating water use of no more than 500 gallons per 10,000 sq. ft. of lot area per day. The landscape area of single-family residence, or duplexes shall be designed with no more than 20% of the landscaped area planted in turf or plants that are not water-wise as defined as needing "low" or "very low" water per Water Use Classifications of Landscape Species (WUCOLS) established by the Water Use Efficiency Office of the California Department of Water Resources (DWR) or other sources as verified by a licensed landscape architect.	
<input type="checkbox"/> Each dwelling unit must demonstrate legal access meeting current fire district standards which shall be demonstrated by a sign off from the Fire District prior to application submittal	
<input type="checkbox"/> Utilities shall be installed underground in accordance with applicable underground utility ordinances and with the rules and regulations of the state Public Utilities Commission (6-2053)	
<input type="checkbox"/> Electric, gas and water utilities shall be separately metered for energy conservation purposes except for ADUs under 800 sq. ft. and shall be subject to grading requirements of this section unless superseded by State standards	
<input type="checkbox"/> The property owner(s) will occupy one of the housing units on the lot as the property owner(s)' principal residence.	

<b>§6-3811 (2) Hillside Development</b>	<input type="checkbox"/> This section is N/A <b>Not within the Hillside Overlay District</b>
<input type="checkbox"/> No portion of a structure may be erected within a mapped ridgeline setback as shown on the <a href="#">Lafayette Area Ridge Map (LARM)</a> .	
<input type="checkbox"/> Specifically, no development may take place within 400' (measured in plan view) of a Class 1 ridgeline; no development may take place within 250' (measured in plan view) of a Class II ridgeline and no portion of a structure may be erected within 250' of a class III ridge that is higher than a horizontal plane that intercepts the ridgeline. The horizontal plane shall be at the nearest point of the structure to the ridgeline and perpendicular to the ridgeline or have an arc of 90 degrees from the endpoint of the ridgeline.	
<input type="checkbox"/> Each structure in the hillside overlay district shall not be visible when viewed from lower elevations using the adopted <a href="#">Viewing Evaluation Map</a> showing the streets/locations from which views are considered. If a structure permitted under state law is visible, the applicant shall plant and maintain a minimum of one 15-gallon tree along each five (5) linear feet of visible structure to screen the structure. The trees shall be of a species listed in Chapter 6-17 Tree Protection. Trees for this purpose shall be planted on the side of the residence that is visible and the exterior colors of the residence must have a light reflectance value below 50.	
<input type="checkbox"/> Buildings shall be designed to have their longest dimensions parallel the natural contours	
<input type="checkbox"/> Beyond 30' from a house any new tree species planted shall be one of the species listed in <a href="#">Chapter 6-17 Tree Protection</a>	
<input type="checkbox"/> Grading located outside a building footprint shall be limited to an aggregate maximum of cut and fill of 200 CY	
<input type="checkbox"/> No portion of a lot which has a ground slope in excess of 35 percent may be altered by grading	
<b>§6-3811 (3) Urban Lot Split</b>	<input type="checkbox"/> This section is N/A <b>No lot split proposed at this time</b>
<input type="checkbox"/> Size. Each new parcel shall be a minimum of 1,200 sq. ft. in area	<i>Parcel Area: _____ sq. ft. and _____ sq.ft.</i>
<input type="checkbox"/> Number. Each parcel shall not be split into more than two parcels.	<i>Parcel total:</i>
<input type="checkbox"/> Fire Safety. Each new parcel must demonstrate legal access meeting current fire district standards. -Note: Sign off from the Fire District will be required for housing development application submittal.	
<input type="checkbox"/> Depth. Minimum lot depth requirements shall be that established by zoning district in which the parcel is located.	<i>Proposed lot depths: _____' and _____'</i>
<input type="checkbox"/> Width. Average lot width requirements shall be that established by zoning district in which the parcel is located.	<i>Proposed lot widths: _____' and _____'</i>

<input type="checkbox"/> Slope. Each lot in the <a href="#">hillside overlay district</a> will have a naturally contoured (not manmade) building site of thirty percent slope or less. All construction on each building site shall take place within the designated 30 percent slope area with the exception of: <ul style="list-style-type: none"> <li>i. An access road or driveway (not parking area) that does not require grading;</li> <li>ii. An ancillary structure, such as a deck supported by posts or cantilevered, and where the natural grade is undisturbed.</li> </ul>	
<input type="checkbox"/> The applicant intends to occupy one of the housing units associated with the submitted application as their principal residence for a minimum of 3 years from the date of approval.	

**PLEASE NOTE:** There may be additional requirements after initial review by the city landscape consultant, city staff or the hearing authority (if applicable).

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SIGNATURE OF PREPARER: \_\_\_\_\_ DATE: \_\_\_\_\_

PRINT FULL NAME: \_\_\_\_\_