



## SENATE BILL 9 – APPLICATION CHECKLIST AND PRE-CLEARANCE FORM

### Application Requirements

### SB 9 Two Dwelling Units and Urban Lot Splits

This form is intended for use with the State of California’s Senate Bill 9 (SB 9) ministerial permitting procedures, which the City of Wildomar is required to implement ([California Government Code 65852.21 and 66411.7](#)). This form is for approval of a Two-Unit Development and/or a Parcel Map for an Urban Lot Split as allowed by State law. Before an application for a Two-Unit Development and/or a Parcel Map for an Urban Lot Split may be submitted for processing, the proposal must be consistent with the criteria identified in this form.

- **TWO DWELLING UNITS - Planning Clearance** is required prior to submittal of a building permit application for any two dwelling units pursuant to SB 9. Planning clearance does not constitute issuance of a building permit.
- **URBAN LOT SPLIT – Planning Clearance** is required before submitting a parcel map application to Public Works for any lot split. The project must meet all applicable requirements of the Subdivision Map Act (California Government Code §66410 et seq.).

If the **Planning Clearance** is denied for failure to meet any of the criteria identified in this application, a revised application may be submitted at any time.

All questions can be directed to the City Hall (Suite 110, First Floor) at **(951) 677-7751 x203** or email at **alachgar@cityofwildomar.org**

For assistance with answering any of the questions on the Planning Clearance Form, please see Planning Department Staff for assistance.

## 1. APPLICANT INFORMATION (PRIMARY CONTACT)

Firm/Company Name: \_\_\_\_\_  
Contact Name: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Daytime Phone: \_\_\_\_\_ Mobile: \_\_\_\_\_  
Email: \_\_\_\_\_

## 2. SITE INFORMATION

Site Address of Location of Property: \_\_\_\_\_  
Assessor’s Parcel Number(s): \_\_\_\_\_ Zone: \_\_\_\_\_  
Total Property Size in Acres (Gross/Net): \_\_\_\_\_ Square Feet if Less Than One (1) Acre: \_\_\_\_\_  
Scope of Work: \_\_\_\_\_

Urban Lot Split Parcel Size	Parcel 1: _____	SF	Parcel 2: _____	SF (if applicable)
How Many Units are Proposed?	Parcel 1: _____		Parcel 2: _____	

### 3. SINGLE-FAMILY ZONE REQUIREMENT

If you answer “No” to the following, your property is NOT eligible for a Two Dwelling Units or Urban Lot Split per SB 9.

YES  NO  Is your property located in a Single-Family Zone (R-1, R-R, R-A, R-T or R-T-R)?

### 4. GENERAL LIMITATIONS

If you answer “Yes” to any of the following, your property may not be eligible for an SB 9 Two Dwelling Units or Urban Lot Split per SB 9. See Planning Department Staff for more information.

Is your property:

YES  NO  Located within a Historic District?

YES  NO  Designated as a City Landmark, Structure of Merit, or Contributor to a Historic District or Neighborhood Conservation Area?

YES  NO  Located within a Very High Fire Hazard Severity Zone?

YES  NO  Located within a Designated Hazardous Waste Site?

YES  NO  Located within a mapped 100-year floodplain, wetland or identified as a conservation area (as defined in the Western Riverside Multiple Species Habitat Conservation Plan)?

YES  NO  Subject to a Deed Restriction or other recorded instrument that limits the sale or rental of the property to income-qualified households (i.e., affordable housing)?

### 5. ADDITIONAL LIMITATIONS FOR TWO-UNIT DEVELOPMENTS

If you answer “Yes” to any of the following, your property is NOT eligible for an SB 9 Two-unit Development.

Does the proposed project:

YES  NO  Involve demolition or alteration of a unit that is subject to rent control?

YES  NO  Involve demolition or alteration of a unit that is subject to a Deed Restriction or other recorded instrument that limits the sale or rental of the property to income-qualified households (i.e., affordable housing)?

YES  NO  Involve demolition of a unit occupied by a tenant, or has been occupied by a tenant any time in the last three years?

YES  NO  Involve alteration of more than 25% of the exterior walls of a building that is occupied by a tenant, or has been occupied by a tenant any time in the last three years?

YES  NO  Involve a parcel with a unit that was withdrawn from the rental market pursuant to the Ellis Act at any time in the last 15 years?

## 6. MINIMUM STANDARDS FOR TWO-UNIT DEVELOPMENTS

You must answer “Yes” to the following:

YES  NO  Maximum Dwelling Units: A maximum of three (3) dwellings or units are allowed on a lot that is not proposed for an Urban Lot Split, inclusive of detached or attached dwelling units, ADUs and JADUs.

Number of Units: \_\_\_\_\_ Number of Proposed Units: \_\_\_\_\_

All applicable Zoning standards are met\*, except for:

YES  NO  Minimum 4-foot interior side- and rear-yard setbacks; front and street side yard setbacks per requirements of the Zone

YES  NO  Minimum 1 parking space per unit (except within one-half mile of a transit corridor or within one block of a car share vehicle)

YES  NO  Applicant agrees that rental of any units created under this application shall be for a term longer than 30 days. A deed restriction will be required prior to final occupancy

*\*Zoning standards cannot preclude the construction of two units at least 800 square feet in size.*

## 7. ADDITIONAL LIMITATIONS FOR URBAN LOT SPLIT

If you answer “Yes” to any of the following, your property is NOT eligible for an Urban Lot Split

YES  NO  Is the property formed through a previous SB 9 Urban Lot Split?

YES  NO  Is the property adjacent to a property that was subdivided through an SB 9 Urban Lot Split by yourself or another person or entity with which you are affiliated (such as an LLC)?

YES  NO  Does the lot split require demolition or alteration of a unit that is subject to a Deed Restriction or other recorded instrument that limits the sale or rental of the property to income-qualified households (i.e., affordable housing)?

YES  NO  Does the lot split require demolition or alteration of a unit that is subject to rent control?

YES  NO  Does the lot split require demolition or alteration of a unit occupied by a tenant, or has been occupied by a tenant any time in the last three years?

YES  NO  Does the lot split require demolition or alteration of a unit that was withdrawn from the rental market pursuant to the Ellis Act at any time in the last 15 years?

## 8. MINIMUM STANDARDS FOR URBAN LOT SPLIT

### General

- Maximum Dwelling Units: A maximum of two (2) dwellings or units are allowed on each lot resulting from an Urban Lot Split, for a total of four (4) dwellings.
- Standards: Minimum standards (e.g., setbacks, floor area, parking, design, etc.) for two-unit developments apply; see Section 6 above.
- Dedications and Easements: Easements may be required to convey public utilities, access, and other services. Right-of-way dedication and offsite improvements will not be required, except in connection with a Building Permit.

You must answer “Yes” to the following:

YES  NO  New Lot Sizes: Minimum 1,200sf

YES  NO  Proportion: Not less than 40% of parent parcel

YES  NO  Access: Minimum 10-foot-wide direct access easement or corridor to public right-of-way

YES  NO  Utilities: Separate Water and Sewer Services provided to each lot (contact the appropriate purveyor for details)

## 9. SUBMITTAL REQUIREMENTS

**All Projects:**

- Completed and signed Planning Clearance checklist (this form)
- Most recent Grant Deed showing current property ownership
- Evidence of vacancy or owner occupancy such as: property tax records, income tax records, utility bills, vehicle registration, or similar documentation.
- Signed and notarized Affidavit guaranteeing that the property has not been used as a rental for at least three years and has not been the site of an Ellis Act eviction for at least 15 years
- Homeowner’s Association Approval Letter (if applicable – Owner/applicant to confirm if the parcel(s) have any recorded Codes, Covenants, & Restrictions (CC&Rs) or Homeowner Association (HOA) rules that violate any proposed development under SB9)

**In addition, the following items are required for TWO-UNIT DEVELOPMENT applications:**

- Fully dimensioned Site Plan, floor plan, and elevations, drawn to scale and containing all information required.

**In addition, the following are items required for URBAN LOT SPLITS**

- Chain of title for the last 3 years, including the latest vesting deed or title report
- Numbered Parcel Map, prepared to the specifications of the Subdivision Code (Title 18) and the California Subdivision Map Act
- Signed and notarized Affidavit guaranteeing Owner Occupancy for a minimum of three years from time of map recordation
- Filing fee (\$8,500 + \$102 per parcel)

## 10. INDEMNIFICATION AGREEMENT (PROPERTY OWNER & APPLICANT)

Applicant and legal owner of the property, hereby agree to defend, indemnify and hold harmless the City and its agents, officers, attorneys and employees from any claim, action, or proceeding (collectively referred to as “proceeding”) brought against the City or its agents, officers, attorneys or employees to attack, set aside, void, or annul the City’s decision to approve any tentative map (tract or parcel) development, land use permit, license, master plans, precise plans, preliminary plans, design review, variances, use permits, general and specific plan amendments, zoning amendments, and approvals and certifications under CEQA. This indemnification shall include, but not limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney’s fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by applicant, the City, and/or the parties initiating or bringing such proceeding.

\_\_\_\_\_  
Property Owner Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date



# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA

COUNTY OF \_\_\_\_\_

On \_\_\_\_\_, \_\_\_\_\_ before me, \_\_\_\_\_, personally appeared \_\_\_\_\_, proved to me on the basis of satisfactory evidence to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: \_\_\_\_\_

## OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form

CAPACITY CLAIMED BY SIGNER		DESCRIPTION OF ATTACHED DOCUMENT
<input type="checkbox"/> INDIVIDUAL		_____
<input type="checkbox"/> CORPORATE OFFICER		TITLE OR TYPE OF DOCUMENT
_____	TITLE(S)	
<input type="checkbox"/> PARTNER(S) <input type="checkbox"/> LIMITED		_____
<input type="checkbox"/> ATTORNEY-IN-FACT <input type="checkbox"/> GENERAL		NUMBER OF PAGES
<input type="checkbox"/> TRUSTEE(S)		_____
<input type="checkbox"/> GUARDIAN/CONSERVATOR		DATE OF DOCUMENT
<input type="checkbox"/> OTHER _____		_____
_____		SIGNER(S) OTHER THAN NAMED ABOVE

**SIGNER IS REPRESENTING:**  
(NAME OF PERSON(S) OR ENTITY(IES))

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_