



PLANNING DIVISION

411 Main Street (530) 879-6800
 P.O. Box 3420
 Chico, CA 95927-3420
 www.chicoca.gov

Application No. _____

**APPLICATION, CHECKLIST, AND AFFIDAVIT FOR
 SB-9 Urban Lot Split**

Applicant Information

Applicant Name		Phone	
Applicant Street Address		Email	
City	State	Zip	
Property Owner		Phone	
Property Owner Address		Email	
City	State	Zip	
Engineer, Architect, or Historical Consultant		Phone	
Address		Email	
City	State	Zip	

General Project Information

Location/Address	APN	Parcel Size
Description	General Plan Designation	
	Zoning	

Submittal Requirements

This application, checklist, and affidavit is designed to provide property owners with an overview of SB-9 requirements, and to find out if your property potentially qualifies. Prospective applicants are encouraged to meet with Planning staff prior to submittal. Please call (530) 879-6800 with questions or for additional information.

Applicant Authorization and Signature

I certify that the information provided with this application is complete, true and correct to the best of my knowledge and belief, and that if I am not the property owner, I have been authorized by the property owner to submit this application.

Applicant's Signature	Date
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For Office Use Only

Application Received By		Receipt No.
Date		Application Fee \$
Assigned Planner		Total Fees \$ (Check payable to City of Chico)

General Information

WHAT IS TWO-UNIT HOUSING?

California Senate Bill 9 (SB-9) went into effect on January 1, 2022. SB-9 allows duplexes, the conversion of a residence to a duplex (Duplex Conversion) or two detached residential units (two-unit housing) and urban lot splits (creation of two new lots) in areas of the City that are zoned R1 (Low Density Residential) or RS (Suburban Residential). SB-9 projects are exempt from discretionary review if the project is consistent with zoning requirements, design standards, and subdivision standards.

WHERE DOES SB-9 APPLY?

SB-9 applies in areas of the City zoned R1 (Low Density Residential) or RS (Suburban Residential). It does not apply in any other zoning districts including R2, R3, R4, and RMU zones, commercial / office zones, manufacturing / industrial zones, airport, or special purpose zones.

CAN I SELL THE TWO UNITS SEPARATELY?

If an Urban Lot Split is proposed, approved, and a parcel map (Urban Lot Split) subsequently recorded with the Butte County Recorder Division, then each of the units may be sold separately. The parcel map for an Urban Lot Split subdivides an existing parcel to create no more than 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 proposed for the subdivision. In addition, the minimum lot size is 1,200 square feet. Furthermore, the Urban Lot Split must comply with the requirements noted in the property owner's affidavit that is included in this application on page 5 (Owner Occupancy required, vacation rental prohibited, demolition prohibited if rented or previously rented for 3 years).

WHERE IS SB-9 PROHIBITED?¹

Certain properties are not eligible for development pursuant to SB-9 as determined by state law, including locations with the following features:

- A creek, watercourse, wetlands, or habitat for protected species
- Hazardous waste site, unless cleared by the state oversight agency for residential use
- Prime farmland, or land designated for agricultural protection or preservation
- Lands identified for conservation in conservation plan or easement
- High or Very High Fire Hazard Severity Zone, per the Department of Forestry and Fire Protection
- A Historic District or property listed on the City's Historic Inventory
- Demolition or alteration of housing with rents restricted to levels affordable to moderate, low, or very low income
- Demolition or alteration of housing subject to rent or price control
- Properties removed from the rental market pursuant to the Ellis Act within the past 15 years
- Demolition or alteration of housing that has been occupied by a tenant in the last 3 years

CAN ONE OR BOTH UNITS BE RENTED SHORT TERM?

No, state law prohibits rentals less than 30 days for two-unit residential projects developed pursuant to SB-9.

IS OWNER-OCCUPANCY REQUIRED?

In order for an Urban Lot Split to be approved, the property owner must sign a statement indicating that the property owner intends to occupy one of the housing units located on a lot created by the parcel map as their principal residence for a minimum of three years from the date of the recording of the parcel map. However, owner-occupancy is not a requirement for two-unit residential development when an Urban Lot Split is not proposed.

CAN I DEMOLISH AN EXISTING BUILDING?

Yes. However, SB-9 does not allow the demolition or alteration of any of the following types of housing:

- 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
- Housing that has been occupied by a tenant in the last three years

HOW IS TWO-UNIT RESIDENTIAL DIFFERENT FROM ADUS?

SB-9 differs from rules that allow single unit and accessory dwelling units (ADUs) on a lot because ADUs cannot be sold separately from the primary unit. In addition, ADUs that are under 750 square feet are not subject to development impact mitigation fees (i.e., [City facility fees](#)), whereas **development pursuant to SB-9 is subject to development impact mitigation fees and 1 parking space is required per residential unit.**

Application Submittal Checklist

PROJECT DESCRIPTION – Submit a brief project description demonstrating that the proposed project qualifies for a ministerial approval pursuant to California Senate Bill 9 (i.e., SB-9).

SB-9 REQUIREMENTS – The following criteria listed below are state-mandated and the City of Chico has no ability to waive or amend these criteria. Projects must meet all of the prerequisites listed below to potentially qualify for the ministerial approval of up to two dwelling units on a single-family zoned parcel.

- The legal parcel must be completely within the City limits.
- The subject parcel is within the R1 or RS zoning district.
- The subject parcel is not located within:
 - A historic district, or listed on the City's Historic Resources inventory,
 - Is not prime farmland, or farmland of statewide importance,
 - Does not contain wetlands or within a floodway,
 - Within a very high or high fire hazard severity zone, per the Dept. of Forestry and Fire Protection,
 - Within a hazardous waste or hazardous list site, unless cleared by state agency
 - Within a delineated earthquake fault zone,
 - Is not identified for conservation in an adopted natural community conservation plan,
 - Does not contain habitat for protected species or is not lands under a conservation easement.
- The proposed project would not result in the demolition or alteration of:
 - Affordable or rent-controlled housing.
 - Housing that has been occupied by a tenant in the past three years.
- The property owner exercised the right to withdraw accommodations from rent or lease within the last 15 years.
- The proposed project provides legal access to an existing easement, or ROW.
- The proposed project would provide at least one off-street parking space per unit.

¹ Homeowner's Associations (HOAs) may restrict the use of SB-9. The City does not enforce HOA restrictions.

- Owner must sign an affidavit stating to occupy one of the housing units as their principal residence for a minimum of three years. See affidavit on page 5.
- Rental of any unit(s) must be for at least 31 days.
- The subject parcel is limited to a residential use.
- If the project site is on septic, please contact Butte County Environmental Health before you make any major investments in time and money.
- SB-9 **does not require** ADUs and JADUs to be allowed in addition to the two units that may be authorized pursuant to this application.

Requirements for a Complete SB-9 Urban Lot Split Application

The following items are REQUIRED for a complete Application:

- Completed and Signed Application Form.
- Written Authorization from the Property Owner (If Applicant is not the Owner).
- Completed and Signed Property Owner's Affidavit (see page 5).
- Current Title Report.
- 8-½" X 11" location map, at a scale of 1":100' to 1":600' (depending on the subdivision size), depicting the subdivision location, adjacent parcels and area streets.
- Five copies of the Tentative Parcel Map for the Urban Lot Split and one reduced copy (either 8½" x 11" or 11" x 17") to determine map completeness. Large copies must be submitted folded close to 8½" x 11" dimension. The Tentative Parcel Map, and attachments, must show the proposed division clearly and legibly with accurate dimensions and include all information outlined in Attachment "A". Following a determination of application completeness, Planning staff will request additional copies as necessary, including an electronic copy.

Property Owner's Affidavit

PROPERTY OWNER'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

1. The undersigned is the owner of this property.
2. The information presented is true and correct to the best of my knowledge.
3. **Public Record.** I understand that any information provided becomes part of the public record and can be made available to the public for review.
4. **Protected Housing.** I certify that the project does not include the demolition or alteration of any of the following types of housing: (i) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons or families of moderate, low, or very low income; (ii) Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power; (iii) A parcel or parcels on which an owner of residential real property has exercised the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 of the Government Code to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application; (iv) Housing that has been occupied by a tenant in the last three years.
5. **No Prior Urban Lot Split.** If an Urban Lot Split is proposed, I certify that the parcel has not been established through prior exercise of an Urban Lot Split; and that neither the owner of the parcel being subdivided, nor any person acting in concert with the owner, has previously subdivided an adjacent parcel using an Urban Lot Split.
6. **Owner-Occupancy.** If an urban lot split is proposed, I, the property owner, intend to occupy one of the housing units located on a lot created by the parcel map (Urban Lot Split) as my principal residence for a minimum of three years from the date of the recording of the parcel map (Urban Lot Split).
7. **Rental Terms.** I understand that rental terms of any unit created by the project shall not be less than 31 consecutive days, nor shall rental terms allow termination of the tenancy prior to the expiration of at least one 31-day period occupancy by the same tenant.
8. **Residential Uses.** I understand uses allowed on a lot are limited to residential uses only.

Affidavit – I declare under penalty of perjury that the foregoing information is true and correct.

Property owner's Signature: _____ Date: _____

Print Name: _____

Address: _____ APN: _____



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Tentative Parcel Map Application

Attachment "A" – Urban Lot Split
SB-9 Two-Unit Residential Housing

Required Form and Content of a Tentative Parcel Map

This checklist is a processing aid to ensure compliance with the requirements of the Subdivision Map Act and the Chico Municipal Code. An additional object of this review is to ensure that a Tentative Parcel Map contains sufficient information to allow City staff and any reviewing body to readily assimilate salient information and render an accurately informed recommendation or approval.

Preparation: General Information

- Map title: Vesting Tentative Parcel Map; subdivision name, SB-9 Urban Lot Split and description of property being subdivided
- Names and addresses of the Owner(s) and Subdivider of the land
- The Tentative Parcel Map must be prepared by or under the direction of a registered civil engineer or licensed land surveyor. Name and address of the person, firm or organization that prepared the map and the applicable registration or license
- Map preparation date

Form:

- The full map size shall be 18" x 26" with one inch border drawn completely around the sheet
- Minimum map scale: (1":100'). More than one sheet may be used, but the relationship of the sheets shall be clearly shown on each sheet
- The map is clearly and legibly drawn
- Map Scale
- North arrow
- Vicinity map with appropriate scale, showing sufficient adjoining territory so as to clearly indicate nearby street pattern and property lines

Applicant's Overall Intent:

- Statements regarding existing and proposed zoning, existing and proposed uses of the property, approximate area of proposed zones and total subdivision area
- Proposed subdivision modifications (Chapter 18.24) clearly labeled and identified as to the nature and purpose (or statement that no modifications are proposed)
- If subdivision modifications are requested, also complete Attachment "B". Boundaries and sequence of phases if separate Final Maps are to be filed on portions of the property shown
- Proposed and remainder parcels clearly shown
- Clear distinction made between proposed public facilities and proposed private facilities

Existing Property Information:

- Distinctive boundary line with sufficient bearings and distances to locate the property
- Existing lot lines
- Assessor's parcel numbers
- Adjoining property owners and/or recent subdivisions with sufficient property lines indicated to show their relationship to the proposed subdivision
- Locations, widths and names or designations of all existing streets, alleys, pedestrian ways and other rights-of-way, whether public or private, within and adjacent to the subdivision
- Boundaries and acreage of existing public areas in and adjacent to the subdivision with the nature of each indicated
- The location of all existing railroad rights-of-way and grade crossings
- Date of survey (if the map is based upon a survey)

Existing Topography:

- Contour lines shown indicating the following intervals:
 - A. 1' contour interval for ground slope between 0% and 5%.
 - B. 5' contour interval for ground slope between 5% and 15%.
 - C. 10' contour interval for ground slope greater than 15%
- Location, width and direction of flow of all water courses and flood-control areas within and adjacent to the property involved
- Location of all existing wells, abandoned wells and sumps (or statement that none exist)
- Location of all structures which are to be retained within the subdivision with distances between structures to be retained and notations concerning all structures which are to be removed (or statement that none exist)
- Location, description and size of trees with notations as to their retention or destruction (or statement that none exist)
- Physical restrictions or conditions shown which affect the use of the property

Proposed Property Information:

- Total subdivision acreage
- Statement of the total number of lots and the approximate area of the average lot
- Proposed street and lot lines
- Lines and approximate dimensions of each lot indicated with all lots numbered consecutively
- Total area in square footage or acreage of all lots, not proposed for single or two family housing, to nearest 1/10th acre
- Locations, widths and names or designations of all existing or proposed streets, alleys, pedestrian ways and other rights-of-way, whether public or private, within and adjacent to the subdivision (including any planned line for street widening or for any other public project in and adjacent to the subdivision) and centerline curve data for each roadway curve
- Location, widths and purposes of all proposed easements for utilities, shown as dashed lines, within and adjacent to the subdivision

- Boundaries and acreage of existing and proposed public areas in and adjacent to the subdivision with the nature of each indicated
- Land to be offered for dedication of park or recreation purposes or for the purpose of providing public access to any public waterway, river or stream shall be so designated
- Conveyance to City of abutter's rights of access, if any
- Proposed abandonments of existing public rights-of-way or easements

Proposed Improvements:

- Statement included indicating what entity is proposed as a provider of the following services:
 - A. Sewer
 - B. Storm drainage
 - C. Water
 - D. Power
 - E. Telecommunications
 - F. Cable T.V.
- Cross-sections for each street, if Applicant proposes a modification from standard requirements
- Statements and/or methods for providing storm water drainage and erosion control
- Storm Water Management Summary Sheet

Drawings, Statements and Other Data to Accompany Tentative Parcel Map

- A. Preliminary Soil Investigation and Geologic Reconnaissance Report prepared by a registered civil engineer, engineering geologist or geologist specializing and recognized in soil mechanics and foundation engineering; or
 - B. Request for waiver of soils report (Note: If the request for waiver is denied, the soils report will be required and the application will not be considered complete until it is submitted.)
- Preliminary grading plan