

SENATE BILL 9 – ELIGIBILITY CHECKLIST AND PRE-CLEARANCE FORM

Application Requirements

SB 9 Two-Unit Development 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 Palmdale 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-UNIT DEVELOPMENT – A Zoning Clearance** is required prior to submittal of a building permit application for any two-unit development pursuant to SB 9. Planning clearance does not constitute issuance of a building permit.
- **URBAN LOT SPLIT – A Zoning 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 Department of Economic and Community Development, Planning Division 661/267-5200 or email planningdiv@cityofpalmdale.org.

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

1. APPLICANT INFORMATION (PRIMARY CONTACT)

Firm/Company Name: _____

Contact Name _____

Address: _____ City: _____ State: _____ Zip: _____

Email: _____ Phone: _____

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: _____

Please select if the Property is on: ☐ Sewer ☐ Septic (Please contact LA County Public Health for approval)

Scope of Work: _____

Urban Lot Split Parcel Size Parcel 1: _____ SF Parcel 1: _____ SF (If applicable)

How Many Units Are Proposed? Parcel 1: _____ SF Parcel 1: _____ SF (If applicable)

3. SINGLE-FAMILY ZONE REQUIREMENT

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

YES ☐ NO ☐ Is your property located in a Single-Family Zone (ER, LDR, SFR1, SFR2, SFR3*)?

*Not all properties in this Zone will qualify. See Planning division staff for more information.

4. GENERAL LIMITATIONS

If you answer “Yes” to any of the following, your property is NOT eligible for an SB 9 Two Dwelling Units or Urban Lot Split per SB 9.

YES ☐ NO ☐ Designated as a City Landmark, Historic Property or District?

YES ☐ NO ☐ Located within Farmland Zone?

YES ☐ NO ☐ Located within Wetland Zone?

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 Flood Zone, Wetlands, Floodway or identified as a conservations area (as determined by the Federal Emergency Management Agency, FEMA)?

YES ☐ NO ☐ Located within a Planned for Habitat Conservation?

YES ☐ NO ☐ Located within a Habitat for Protected Species?

YES ☐ NO ☐ Located within a Conservation Easement?

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 percent 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 through an Ellis Act eviction at any time in the last 15 years?

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)?

6. MINIMUM STANDARDS FOR TWO-UNIT DEVELOPMENTS

You must answer “Yes” to the following:

YES ☐ NO ☐ Maximum Dwelling Units: A maximum of four 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 Existing Units: _____ Number of Proposed Units: _____

All applicable Zoning standards are met*, except for:

YES ☐ NO ☐ Minimum four-foot interior side- and rear-yard setbacks; front-yard setbacks per requirements of the Zone.

YES ☐ NO ☐ Minimum one parking space per unit (except within one-half mile of either a high-quality transit corridor, a major transit stop, 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 31 days.

YES ☐ NO ☐ A Deed Restriction will be required prior to final occupancy.

**Zoning standards cannot preclude units at least 800 square feet.*

***A high-quality transit corridor means a corridor with fixed route bus service with intervals no longer than 15 minutes. A major transit stop is defined in Section 21064.3 of the California Public Resources Code.*

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 through an Ellis Act eviction at any time in the last 15 years?

8. MINIMUM STANDARDS FOR URBAN LOT SPLIT

General

- Maximum Dwelling Units: A maximum of two dwellings or units are allowed on each lot resulting from an Urban Lot Split, for a total of four dwellings.
- Standards: Minimum standards (e.g., setbacks, floor area, parking, design, etc.) for Two-Unit Developments apply; see Section Title (Minimum Standards for Two-Unit Development) 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 1,200 square feet.
- YES ☐ NO ☐ Proportion: Not less than 40 percent of original lot.
- YES ☐ NO ☐ Access: Minimum 12-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 Preliminary Title Report showing current property ownership (within the last 6 months).
- ☐ 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 SB 9].
- ☐ Evidence that there will be no environmental impacts to western Joshua trees.

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

- ☐ Fully dimensioned Site Plan, drawn to scale and containing all information required for site plans as described in the Plan Preparation Guidelines handout.
- ☐ For properties with on-site septic systems: A Percolation Test conducted within the last five years or a recertification obtained within the last 10 years.

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

- ☐ The lot split shall conform to all applicable objective requirements of the Subdivision Map Act and PMC Title 16 (Subdivisions).
- ☐ The applicant shall provide easements for the provision of public services and facilities as required. The City shall not require dedications of rights-of-way or the construction of off-site improvements for the parcels being created as a condition of issuing a parcel map.
- ☐ All lots shall have existing access, provide new access, or adjoin the public right-of-way. Access drives shall have a minimum width of 12 feet.

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

PROPERTY OWNER CERTIFICATION

I hereby certify that I am (we are) the record owner(s) [for property tax assessment purposes] of the property encompassed by this application. I further acknowledge and understand on behalf of myself and my representatives and agents that if the project is subject to an Environmental Impact Report, or Tribal Consultation, the timelines prescribed in the Palmdale Municipal Code are stayed until such time as said review and/or consultation is complete. I also understand and agree that the submittal date of my application will be the filing deadline following receipt of my request.

Property Owner Signature

Date

Property Owner of Record (Print Name): _____

Address: _____ City: _____ State: _____ Zip: _____

Email: _____ Phone: _____

I have provided **one** of the following items*:

- ☐ Grant Deed indicating that I am the property owner.

** Please note: For certain projects, a Preliminary Title Report may be required in lieu of a Grant Deed.*

- ☐ Title Report indicating that I am the property owner.

Please Note: The Title Report is **REQUIRED for Urban Lot Split applications.*

STAFF USE ONLY

Site Address: _____ APN: _____ Zoning: _____

Type of Proposal: ☐ TWO-UNIT DEVELOPMENT ☐ URBAN LOT SPLIT ☐ BOTH

Planning Clearance: ☐ APPROVED ☐ DENIED

NOTES: _____

Planner Signature

Date

SENATE BILL 9 AFFIDAVIT OF OWNER

Record No.

Property Owner(s)

Legal Name: _____

Property Address: _____

Number

Street

City

State

Zip

APN: _____

Property Owner(s)

Mailing Address: _____

Number

Street

City

State

Zip

The purpose of this affidavit is for the property owner to affirm compliance with the regulations that pertain to owner occupancy of a property subdivided pursuant to Senate Bill 9 (SB9) and the Palmdale Municipal Code (PMC) §17.39.060.

Under the penalty of perjury, the following declarations are made:

- a) The undersigned is the owner of this property.
- b) The information presented is true and correct to the best of my knowledge.
- c) That the maximum number of units to be allowed on the parcel is two, including but not limited to units otherwise allowed pursuant to density bonus provisions, accessory dwelling units, and junior accessory dwelling units.
- d) **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.
- e) **Owner-Occupancy:** That the applicant intends to occupy one of the housing units as his/her/their principal residence for a minimum of three years from the date of approval. This requirement shall not apply when the applicant is a "community land trust" or a "qualified nonprofit corporation" as the same are defined in the Revenue and Taxation Code.
- f) **Protected Housing:** That the proposed housing development would not require 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 and families of moderate-, low-, or very low-income; or, (ii) Housing that has been occupied by a tenant in the last three years.
- g) If any existing housing is proposed to be altered or demolished, provide a comprehensive history of the occupancy of the units to be altered or demolished for the past three years (five years if an existing unit is to be demolished).
- h) **Rental Terms:** That the rental of any unit created by the Urban Lot Split shall be for a minimum of 31 days.
- i) **Residential Uses:** That the uses shall be limited to residential uses.
- j) **Two-Unit Development:** Where there is no Urban Lot Split, one unit in a Two-Unit Development must be owner-occupied, including a requirement to record a covenant notifying future owners of the owner-occupancy requirements.

Property Owner(s) Signature_____
Property Owner(s) Name (printed)_____
Date_____
Property Owner(s) Signature_____
Property Owner(s) Name (printed)_____
Date