

SB 9 URBAN LOT SPLIT (SUBDIVISION) CHECKLIST, INSTRUCTIONS, AND APPLICATION

IMPORTANT: Please follow the application submittal instructions detailed below. Failure to complete the application material as required may result in your package being rejected at time of submittal.

NOTE An Urban Lot Split lot application may also be required. See “Concurrent Submittal” requirement, below.

This application package is to be **submitted via the** Community Development Department (CDD) [virtual counter](#). Please email related questions to planningapplications@toaks.org. The application package shall include:

1. **Application:** The application (enclosed) shall be typed or printed legibly, in blue or black ink, with all requested information completed. The application must be completed, signed, scanned and uploaded with an original signature before your application will be deemed complete for processing.
2. **Filing Fee:** The Thousand Oaks Municipal Code requires that a fee be paid at the time of filing to cover costs incurred by staff in the processing of the application. Following virtual submittal, you will be provided directions on how to pay.

Please Note:

- a. **Public Works Department Fees:** Newly subdivided parcels are separate parcels and therefore shall pay all applicable fees (Public Works Impact & Connection Fees (e.g.: Traffic, Water, Wastewater, Map, Encroachment, Improvements, etc) for impacts and connections, same as every other residential unit/home, during the building plan check stage.
 - b. **Parkland Dedication (“Quimby”) Fee:** As a condition of residential development, you are subject to the dedication of land, payment of fees, or both, for park and recreational purposes as set forth in the Thousand Oaks Municipal Code Sections 9-4.2601 et. Seq, during the building plan check stage.
3. **Concurrent Submittal:** An Urban Lot Split lot application may not be accepted except in conjunction with a concurrently submitted application for residential development on the newly created parcel (if the property has an existing residence) or on both parcels (if the property is vacant) unless a Two-Unit Housing Development project has already been approved on the subject property.
 4. **Title Report:** One digital copy (with live hyperlinks) of the Title Report, prepared within the last 6 months. *The existing property must be a legal lot at the time of filing the application.*
 5. **Grant Deed:** Additionally, if the owner of the property is a business organization, corporation, partnership, trust, or other entity, then please list any person who owns an interest in the entity.
 6. **Assessor’s Map:** One copy of the Assessor’s Map showing the subject property.

7. **Plans:** Submit the Parcel Map plan as a digital PDF, set to 36" x 48" size, with components and details described below. All plans must demonstrate compliance with [Title 9, Chapter 4, Article 37 of the TOMC](#). **BE SURE TO REVIEW THE ENTIRE ARTICLE FOR DETAILED DEVELOPMENT STANDARDS.**
8. **Proof of HOA Notification, if applicable:** If the lot is within the boundaries of a homeowners' association, the applicant must provide evidence that the homeowners' association has been notified of the proposed project.
9. **Protected Tree Report:** If there are no protected trees within the vicinity of the project property, a memorandum stating such shall be prepared by a landscape architect or certified arborist. If there are protected trees on or within the vicinity of the project property, a site plan and memorandum prepared by a certified arborist must be provided.
 - The site plan shall include the location of all protected trees on or within 15 feet of the property including the common name, size, and an indication as to the protected tree(s) retention or removal, the location of all existing and proposed structures and/or other improvements, distances of structures/improvements to the protected zone of any protected tree (as defined by Sec. 9-4.4202 "Landmark Tree Preservation and Protection Definitions" and 9-4.4302 "Oak Tree Preservation and Protection Definitions").
 - The memo must include a project description, table of any trees proposed to be encroached upon or removed, as well as any measures recommended by the arborist for the preservation of as many trees as possible. If replacement trees are required for pursuant to Sec. 9-4.3708(h), a planting plan must also be included in the site plan.

NOTE: No dwelling unit created under this application type shall be constructed, or require grading at the time of construction, within the protected zone (as defined by Sec. 9-4.4202 and 9-4.4302) of a protected tree unless the construction of the minimum allowed two units of 800 square feet or less is precluded, in which case the protected tree may be encroached upon or removed if replaced onsite per the recommendations of a City Arborist, on a 1:1 basis, with a thirty-six (36') inch box Quercus agrifolia Live Oak or Quercus lobata Valley Oak. If the replacement tree(s) is unable to be successfully sited onsite, an in-lieu fee will be required per Resolution 2010-014.
10. **Biologist Statement of No Protected Habitat:** A written statement prepared by a qualified biologist, or resource expert affirming that there is no 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 [Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code], or the Native Plant Protection Act [Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code] within the vicinity of the project. If the presence of any species or habitat for protected species described above is detected on site, the property is not eligible for an Urban Lot Split, pursuant to Sec. 9-4.3704(d)(10).
11. **Affidavit of Compliance:** The owner of a lot approved to be split as specified herein shall sign an affidavit in a form approved by the City Attorney to be recorded against the property prior to the issuance of a Final Building Inspection Approval, Temporary Certificate of Occupancy, or Certificate of Occupancy (*Attached*).

***Supplemental Information may be requested during processing in order to adequately process your application.**



URBAN LOT SPLIT PARCEL MAP CHECK LIST

All tentative maps submitted to this office must include the following information at the time of submittal and must have been prepared within 12 months of submittal date **under the direction of a registered civil engineer or a licensed land surveyor**.

I. Map Format

- A. All plans shall be based on a professional survey (per Gov't Code 66434).
- B. All plans shall display the Title Block in the lower right-hand corner as well as a North Arrow.
- C. Title Block in the bottom right hand corner as follows:
 - 1. Tract Number (obtain from Ventura County Surveyor's Office). If revised map, indicated "Revision No. 1, 2, etc."
 - 2. Name, address, and phone number of subdivider.
 - 3. Name, address, and phone number of owner.
- B. Name, address, and phone number of person or firm who prepared the map, and date of preparation.
- C. North arrow and scale (map shall be orientated to the north and shall not be less in scale than 1"=100', unless approval has been granted by the Community Development Department to reduce the scale for maps over 42" in length in any direction).
- D. Lot Summary. This summary shall include the total acreage and the total lots in the proposed subdivision (including an individual summary of single-family, multiple-family, commercial, industrial, school sites, park sites, church sites, and open space lots).
- E. Utility Services Summary. This shall include all public or private utilities companies that will serve the subdivision (including water, sewers, gas, electricity, telephone, cable TV, etc.).

II. LOCATION MAP

A vicinity or area map at scale of 1"=500' showing the major existing circulation pattern, and all proposed major streets, existing major water courses, and existing flood control channels within one-mile of the exterior boundaries of the subdivision.

III. MAP SPECIFICATIONS

- A. All boundary lines of the subdivision (Blue Border) with approximate bearings and distances.
- B. Individual lot lines, dimensions, pad elevations, and number of each lot. Each lot and its dimensions shall be shown on one sheet of the map. Pad elevations for lots contiguous to the tract boundary.
- C. The proposed use and classification of each lot. The individual lot sizes excluding areas as defined in Section 9-3.602 and 9-3.603 of the Thousand Oaks Municipal Code.
- D. All existing land use structures, fences, tree rows, oak trees, wells, trails and prominent features within the subdivision, including those on contiguous or immediately adjoining land.
- E. Dedication described, dimension given, tract number of adjacent tracts, and adjoining property uses.

- F. Proposed walls, including perimeter, garden walls and retaining walls.
- G. Existing contour lines, extension 100 feet beyond the tract boundary and sufficient additional topography to define adjacent drainage channels and justify feasibility of extending streets that dead end at tract boundaries. The contour intervals shall be as follows:
 - 1. One foot when the slope of ground is less than five percent.
 - 2. Two feet when the slope of ground is between five and ten percent.
 - 3. Five feet when the slope of ground is between ten and twenty-five percent.
 - 4. Ten feet when the slope greater than twenty-five percent. (Every fifth contour shall be clearly labeled and indicated to be distinctive.)
- H. Top and toe of all proposed slopes or embankments shall be shown as dotted lines, and proposed slopes or embankments shall be shaded lightly so as not to obscure other data. All contemplated grading shall be so indicated. Delineate natural slope categories as follows:
 - 0 – 10% 10.1 – 15% 15.1 – 24.9% 25% or greater
- I. Daylight line between “cut and fill” slopes shall be shown.
- J. Type of grading to be performed on all “cut and fill” slopes shall be shown and labeled.
- K. Water courses estimated ultimate quantity of water in cubic feet per second in each water course at various locations, stormwater drainage easements, irrigation lines, drainage structures, wells, and tile drains. The extension of off-site drainage system, cross-section, and slope of drainage.
- L. Stormwater Quality & Quantity Mitigation features and devices
- M. Existing and proposed easements. The applicant shall provide easements for the provision of public services and facilities as required. Each easement must be shown on the tentative parcel map.
- N. Existing and proposed public utilities.
- O. Water supply – show all existing adjacent and onsite mains, plus all proposed public mains and easements.
- P. Wastewater – show all existing adjacent and onsite mains, plus all proposed public wastewater mains and easements.
- Q. Groundwater – show location of all well sites which have not been destroyed (are operative or capped).
- R. Refuse/Recycling – show location and dimensions of proposed enclosure structures.

IV. STREET DATA

- A. Street location, length, width, names (names shall be submitted on tentative tract map – North-South traffic way to be called Avenues; East-West to be called Streets; and cul-de-sacs to be called Circle, Court, or Place).
- B. Adjacent and connecting streets with width of right-of-way and street name.
- C. Proposed tree planting.
- D. Proposed street grades with proposed centerline of elevations shown at intersections and at least every 150 feet along alignment.
- E. Centerline radius of street curves.
- F. Beginning and ending of vertical curves on streets.



G. Finish grade at street intersections.

V. DESIGN AND IMPROVEMENTS

- A. A grading plan which accurately delineates the manufactured slope areas that encroach into twenty-five percent (25%) or higher slope terrain.
- B. The plotting of all dwelling units and accessory buildings on each pad, with all setback dimensions and useable open space clearly delineated on the site plan.
- C. Identification of recreation vehicle storage areas on the plan set aside as a common facility or as private storage space on individual lots.
- D. Preparation of a certified archaeological survey of all areas that may be directly or indirectly affected by development of the site.
- E. Preparation of a comprehensive flora report, identifying all native and non-native vegetation existing on the property. This report shall also address all potential impacts associated with the project. The fuel modification zone shall also be identified on the site plan. Information shall also be submitted identifying a landscape replacement program for affected areas.
- F. A depiction of all cut and fill slopes that are over five feet in vertical height showing elevation for the base and top of slopes as well as all proposed key ways to stabilize slopes.
- G. Delineation of off-site grading and written authorization from the affected owners, granting a grading easement, as well as other necessary easements to record the final map.
- H. Identification on the map, showing the quantity of cut and fill material, as well as the amount to be imported and exported and final destination.
- I. Written verification from all service utility companies that there is adequate capacity to allow connections during the life of the tentative map.
- J. The submittal of a traffic report, containing information as required by the City Transportation Planner and Traffic Engineer.
- K. A soils/geotechnical report (2 copies) shall be prepared by a registered geotechnical consultant.



SB 9 URBAN LOT SPLIT MAP (SUBDIVISION) APPLICATION

I. DESCRIPTION OF REQUEST

Please provide a detailed description of your request:

	<u>Total</u>
Gross Square Footage of Existing Property:	
Gross Square Footage of Proposed New Lot 1*:	
Gross Square Footage of Proposed New Lot 2*:	

* The size of each lot must be at least 40% of the existing property size, and no less than 1,200 square feet.

II. OWNER & PROPERTY INFORMATION

Name: _____

Address: _____

City/State/Zip: _____

Phone: (_____) _____ Email: _____

III. PROPERTY INFORMATION

Location of Property (street address): _____

Assessor's Parcel NO.(S): _____

Tract No.: _____ Lot No.: _____ Property Zoned? _____

Are there structures currently existing on the site? Y/N (circle one)

Gated community? Yes / No

Homeowners Association Name and Address (if applicable): _____

IV. PROJECT COORDINATOR/APPLICANT'S REPRESENTATIVE INFORMATION

Name (person and title if applicable): _____

Company/Organization (if applicable): _____

Relationship of Project Coordinator to Applicant: _____

Address: _____ Phone: (_____) _____

City/State/Zip: _____ Fax: (_____) _____

Email: _____

Project is being done for Company/Organization: _____



OWNER AUTHORIZATION:

The above-named person is authorized by me/us, as the owner(s) of the property located at _____, to submit an application to and obtain permits from the City of Thousand Oaks and to act on my/our behalf to process that application. This authorization will be valid until revoked by me/us in writing.

(Signature of Property Owner)

(Date)

V. INDEMNIFICATION

I, (Print Name) _____, the property owners, and their successors in interest, shall indemnify and defend the City of Thousand Oaks and its officers, employees and agents from and against all liability and costs relating to the City's actions concerning this project, including (without limitation) any award of litigation expenses in favor of any person or entity who seeks to challenge the validity of any of the City's actions or decisions in connection with this project. The City shall have the sole right to choose its counsel and property owners shall reimburse the City's expenses incurred in its defense of any lawsuit challenging the City's actions concerning this project.

VI. AFFIDAVIT*

I declare under penalty of perjury, that I/we, _____, am/are the (circle one) property owner, attorney of the property owner, or person with power of attorney from the property owner for the property listed above, and that the foregoing is true and correct, and that I am legally authorized to submit this application on behalf of the property owner.

Executed at (city) _____, California, this _____ day of _____, 20_____.

Printed Name and Title

Signature

***IF THE PROPERTY OWNER** is a Corporation, the names, addresses and titles of all officers of the Corporation shall accompany this application. If the property owner/applicant is a General Partner, the name and address of all General Partners shall accompany this application.



RECORDING REQUESTED BY:
City of Thousand Oaks

AND WHEN RECORDED MAIL TO:
City Clerk Department
City of Thousand Oaks
2100 E. Thousand Oaks Blvd.
Thousand Oaks, CA 91362

(FOR RECORDER'S USE ONLY)

(Exempt from Recording fees per Govt. Code 27383)

COVENANT AND DEED RESTRICTION

This Covenant and Deed Restriction is made and executed on this _____ day of _____, 2022, by _____ (owner name and legal entity, if applicable).

The undersigned hereby certifies that it is the owner of fee title to the real property located _____, also known as Assessor's Parcel No. ____-____-____ and more particularly described in Exhibit "A", which is attached hereto and incorporated herein as set forth in full.

California Government Code Section 66411.7(g) and the Thousand Oaks Municipal Code requires the undersigned to execute this Covenant and Deed Restriction. In consideration of the City of Thousand Oaks approving entitlement number ____-____, the undersigned hereby covenants, acknowledges and agrees that:

- (1) That the property is eligible for the Urban Lot Split pursuant to California Government Code Section 66411.7(g) and Thousand Oaks Municipal Code Section 9-4.3704-Eligibility.
- (2) That the individual property owner (or the beneficiary of a trust that is an individual property owner) intends to occupy one of the housing units on either of the lots created by the Urban Lot Split as their principal residence and legal domicile for a minimum of three (3) years from the date of approval. This requirement shall not apply when the owner is a "community land trust" or a "qualified nonprofit corporation" as the same are defined in the Revenue and Taxation Code.
- (3) That the primary use of the real property described herein shall be limited to residential uses.
- (4) That the rental of any unit created by the lot split shall be for a minimum of thirty-one (31) days.
- (5) That the maximum number of units to be allowed on the lots is two (2), including ADUs and JADUs.
- (6) That the property is formed by an Urban Lot Split and is therefore subject to the City's Urban Lot Split and zoning regulations, including all applicable limits on development found in Title 9, Chapter 4, Article 37 of the Thousand Oaks Municipal Code.
- (7) That neither resulting lot may be further subdivided using the Urban Lot Split process, per Sec. 9-4.3706(a)(1).
- (8) That any property adjacent to the subject lot may not be subdivided by the owner of the subject lot or any person acting in concert with the owner of the subject lot using the Urban Lot Split process.
- (9) That the restrictions shall be binding upon any successor in ownership of the property and this Covenant and Deed Restriction and the applicable provisions of the Thousand Oaks Municipal Code may be enforced by the City of Thousand Oaks.

The purpose of this Covenant and Deed Restriction is to provide notice and disclosure to subsequent purchasers or transferees of limitations associated with the real property.

This covenant shall run with the land and shall be binding upon ourselves, our tenants and any future owners and tenants, their successors, heirs or assigns and shall continue in effect unless otherwise released by the authority of the City of Thousand Oaks in writing. Any lease of said specified parcel shall be subject to this restriction, which is made for the general benefit of the entire community.

The covenant shall be enforceable by remedy of injunctive relief in addition to any other remedy in law or equity.

This covenant and the provisions hereof are irrevocable and cannot be modified except by the express written consent of the City of Thousand Oaks, a municipal corporation. The City of Thousand Oaks shall have the right, but not the responsibility, to enforce each and every provision hereof.

In the event that the owners, their heirs, assigns or successors in interest shall fail to abide by any of the covenants hereunder, they hereby agree to pay all costs and expenses incurred by the City in securing performance of such obligation, including reasonable attorney's fees and costs.

I am (We are) the owner(s) of the above-described property and do hereby agree to this the Covenant and Deed Restriction.

Owner's Name(s) _____
(Please type or print) (Please type or print)

Signature of Owner's Name(s) _____

Required for Corporations _____ (sign)

Name of Corporation _____

Dated this _____ day of _____ 20 _____

SIGNATURES MUST BE NOTARIZED
(Notary acknowledgement must be attached)

EXHIBIT "A"

All that certain land situated in the City of Thousand Oaks, County of Ventura, State of California, described as follows:

[LEGAL DESCRIPTION]