



SB 9 TWO-UNIT HOUSING DEVELOPMENT 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.

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 the following:

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 the virtual submittal, you will be provided directions on how to pay.
3. **Plans:** Submit the plan sets as a single, combined digital PDF, set to 36" x 48" size, with components and details described, below.
 - Site Plans, Plot Plans, and Grading Plans (plans drawn to a scale not less than 1" = 20')
 - Elevation Plans and Floor Plans (rolled plans drawn to a scale not less than 1/8" = 1')
 - 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.**
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 also provide an operating agreement.
6. **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.
7. **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 and provided at the time of submittal. 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 at the time of submittal.
 - 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.

8. **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 property shall be provided at the time of submittal. If the presence of any species or habitat for protected species described above is detected on site, the property is not eligible for a Two-Unit Housing Development, pursuant to Sec. 9-4.3704(d)(10)..
9. **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 case.**



SB 9 T-WO-UNIT HOUSING DEVELOPMENT PLAN CHECK LIST

All plans shall display the Title Block in the lower right-hand corner as well as a North Arrow.

MAP LEGEND

- A. Brief description of the nature of request.
- B. Name, address and phone number of applicant, and project contact person if different from applicant.
- C. Job site location.
- D. North arrow and scale.

PLOT PLAN

- A. Fully dimensioned subject parcel boundaries.
- B. Name of adjacent streets.
- C. Setbacks between existing and proposed structures and all affected property lines.
- D. Location of all structures on the property and on adjacent properties within 50' of property line.
- E. Location of existing residence and proposed new construction, with dimensions.
- F. Distances between buildings (eave to eave), if applicable.
- G. Proposed and existing garden and retaining walls and/or fences, when applicable.
- H. Location of oak trees and landmark trees, if applicable.
- I. Proposed grading concept, if applicable, to include slope and contour lines with top(s) and toe(s) of slopes clearly identified, and vertical height of proposed manufactured slopes clearly shown. (Contact the Department of Public Works to determine if grading permit is required).
- J. Location and extent of all easements in relationship to area of construction (check title report).
- K. Location of proposed and existing driveways, curb cuts, sidewalks and other public improvements.
- L. Location and extent of restricted use area, if applicable (check title report).
- M. Location and details of all proposed mechanical equipment (including A/C) and utility connections.**
 - (1) Each principal dwelling unit on the resulting lots must have its own direct utility connection to all utility service providers.
 - (2) Private underground utility services, including municipally supplied water, sewer, gas, electricity, cable TV and telephone, shall be available for extension to and connection with all units in a Two-Unit Housing Development. All dwelling units in a Two-Unit Housing Development must be able to connect and shall connect to water, sewer, gas, or electricity services, as needed.
 - (3) All existing and proposed utility distribution facilities (including electric, telecommunications and cable television lines) installed in and for the purpose of supplying service to any dwelling unit(s) proposed as part of a Two-Unit Housing Development project shall be installed underground.

ROOF PLAN

- A. Identify ridgelines, roof elements, hips, valleys and other applicable components of the roof system.
- B. Indicate type and color of roof materials.

ELEVATION PLAN

- A. All elevations affected by the proposed addition and demonstrate how the addition(s) relates to the existing residence or structure.
- B. Full exterior dimensions, including building height(s).
- C. Existing and proposed building/roof materials, including color and any special treatment or cosmetic finishes. Product call-outs (manufacturer and product number) are strongly encouraged.



FLOOR PLAN

- A. Floor plan of the entire residence or structure, including proposed addition or alteration, clearly demarking new construction area, demolition area, and existing construction to remain.
- B. Identify all interior rooms.
- C. Interior garage dimensions.
- D. Removal and/or addition of any interior/exterior walls, doors, windows, etc.
- E. Gross floor area of addition.
- F. Gross floor of residence.





Community Development Department

2100 Thousand Oaks Boulevard • Thousand Oaks, CA 91362
Planning Division • Phone 805/449.2323 • Fax 805/449.2350 • www.toaks.org
Building Division • Phone 805/449.2500 • Fax 805/449.2575 • www.toaks.org

SB 9 TWO-UNIT HOUSING DEVELOPMENT APPLICATION

NOTE: This application process involves review of the project for conformance with applicable design and development standards pertaining to your property. After approval, construction permit applications shall be submitted to the Building Division.

I. DESCRIPTION OF REQUEST

Please provide a detailed description of your request: _____

	<u>First Floor</u>	<u>Second Floor</u>	<u>Garage</u>	<u>Total</u>
Gross Floor Area of Existing Dwelling (leave blank if none):				
Gross Floor Area of Proposed New Unit(s):				
Gross Floor Area of Proposed New Unit(s):				

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? _____ Gated community? Yes / No

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

Homeowners Association Name and Address (if applicable): _____

IV. PROJECT COORDINATOR INFORMATION/APPLICANT'S REPRESENTATIVE INFORMATION

Name (person): _____

Company/Organization (if applicable): _____

Relationship of Project Coordinator to Applicant: _____

Address: _____

City/State/Zip: _____

Phone: (_____) _____ Email: _____

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.

(Signature of Property Owner)

(Date)

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 Two-Unit Housing Development pursuant to California Government Code 65852.21 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 the property subject to development of a Two-Unit Housing Development 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 California Government Code 65852.21 and Thousand Oaks Municipal Code Section 9-4.3704-Eligibility shall be for a minimum of thirty-one (31) days.
- (5) That, in the event that potentially important cultural resources are found in the course of geologic testing or during construction, the event shall be immediately reported to the Community Development Director, and work shall immediately cease until a qualified archaeologist can provide an evaluation of the nature and significance of the resources and until the Community Development Department can review this information.

- (6) That, if human bone is discovered during geologic testing or during construction, the event shall be immediately reported to the Community Development Director, work shall immediately cease, and the procedures described in Section 7050.5 of the California Health and Safety Code shall be followed. Section 7050.5 requires notification of the coroner. If the coroner determines that the remains are those of a Native American, the applicant shall notify the Native American Heritage Commission by telephone within 24 hours. Following notification of the Native American Heritage Commission, the procedures described in Section 5097.94 and Section 5097.98 of the California Public Resources Code shall be followed.
- (7) 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 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]