



Community & Economic Development Department
Town of Mammoth Lakes
P.O. Box 1609, Mammoth Lakes, CA, 93546
www.townofmammothlakes.ca.gov

SENATE BILL (SB) 9 APPLICATION

Introduction

This application **must be completed** for SB 9 applications and is separate from the Town's Building Permit submittal and any other permits that are required prior to commencement of construction.

What is SB 9?

Government Code Section 66411.7 ("Urban Lot Splits") and Government Code Section 65852.21 ("Two-Unit Development Projects"), known as Senate Bill (SB) 9, took effect on January 1, 2022, with the primary goal of increasing the State's housing inventory. SB 9 requires jurisdictions to use a streamlined ministerial review process to facilitate urban lot splits and/or two-unit development projects located within single-family residential zones (i.e., Residential Single-Family (RSF) Zoning District and Rural Residential (RR) Zoning District) for the potential of up to four (4) dwelling units.

What is a streamlined ministerial review process?

Under SB 9, the Town is required to review qualifying projects using a streamlined ministerial review process, meaning that 'no hearing or discretionary review process' may be mandated, and the Town is required to process all applications within the timeframes described within Government Code Section 65943.

How do I determine if my project complies with SB 9 requirements?

The project must be compliant with the requirements described within Government Code Section 66411.7 and Government Code Section 65852.21 and the Town's objective standards. The following eligibility checklist on Pages 3, 4, and 5 is intended to assist the applicant, as well as the Town's Planning Division, in determining whether all obligations can be met.

If my project qualifies for SB 9, what standards are applicable to my project?

Qualifying projects must be consistent with all of the Town's objective standards in effect at the time of submittal. Objective standards are standards consisting of no subjective or personal judgement by a public official and are uniformly verifiable by reference to an external and uniform criterion or benchmark available and knowable by the applicant or the development proponent and the public official prior to submittal.

How do I apply for streamlined review and what is the process for streamlined approval?

SB 9 Application.

The applicant will be required to submit the application, along with the applicable required attachments and fee(s), to the Town's Planning Division. The application, including the applicable required attachments and fee(s), must be submitted for the application to be accepted for processing. A tentative parcel map, a narrative, a recent grant deed or title report, and fee of \$1,096.00 will be required with submittal of an urban lot split application. Architectural plans consisting of an existing site plan, a proposed site plan, floor plans, and elevations, a narrative, a recent grant deed or title report, and fee of \$1,096.00 will be required with submittal of a two-unit development project application. In addition, for urban lot split applications, an affidavit signed by the applicant attesting that the applicant intends to occupy one (1) of the proposed dwelling units located on one of the two lots as their principal residence for a minimum three (3) years from the date of approval of the urban lot split will be required.



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Application Review.

Upon submittal of the application, the Town has thirty (30) days to review the application for compliance with SB 9 requirements. If the application is incomplete or if there are inconsistencies with SB 9 requirements, then written documentation requesting all of the information required to complete the application will be provided by the Town within thirty (30) days from date of submittal of the application. An application will be considered and approved or denied within sixty (60) days from the date that the Town receives the completed application. If the Town has not approved or denied the completed application within sixty (60) days, the application shall be deemed approved. Please note, the applicant is allowed to submit for other ministerial permits concurrently with their SB 9 application, but at their own risk, as the Town makes no guarantees of approval of the project or that changes will not be required to be made resulting from the review. In addition, please note, if pursuing an urban lot split and a two-unit development project simultaneously, the final parcel map for the urban lot split must be legally recorded prior to building permit issuance for the two-unit development project.



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ELIGIBILITY CHECKLIST

Government Code Section 66411.7 ("Urban Lot Splits") and Government Code Section 65852.21 ("Two-Unit Development Projects"), known as Senate Bill (SB) 9, require the Town to review qualifying projects using a streamlined ministerial review process. Eligible projects must be compliant with objective standards and meet other specific requirements, as detailed below.

The following eligibility checklist is intended to assist the applicant and the Town's Planning Division in determining if a project is eligible for streamlined processing under SB 9. To qualify to use SB 9, a project must meet **ALL** of the following criteria.

- 1) ☐ **Applicant.** Only individual property owners may apply for an urban lot split and/or two-unit development; "individual property owner" means a natural person holding fee title individually or jointly in the person's name or a beneficiary of a trust that holds fee title. "Individual property owner" does not include any corporation or corporate person of any kind (partnership, LP, LLC, C corp, S corp, etc.), except for a community land trust (as defined by CA Revenue and Taxation Code [RTC] Section 402.1(a)(11)(C)(ii)), or a qualified nonprofit corporation (as defined by RTC Section 214.15).
- 2) ☐ **Consistent with Objective Standards.** The project must meet all Town objective standards in effect at the time of submittal.
 - ☐ Objective standards are standards consisting of no personal or subjective judgement by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by the applicant or proponent and the public official prior to submittal. Sources of objective standards include, without limitation:
 - *Town of Mammoth Lakes Municipal Code Chapter 17.20 - Residential Zoning Districts*
 - *Town of Mammoth Lakes Municipal Code Section 17.52.270 - Single-Family Residential Urban Lot Splits and Two-Unit Development Projects.*
- 3) ☐ **Zone.** The project must be located within the Town boundaries and located within a zone where single-family dwelling units are the primary residential uses pursuant to *Table 17.20.020 - Allowed Uses and Permit Requirements for Residential Zoning Districts*, which includes the Town's Residential Single-Family Zoning District and the Town's Rural Residential Zoning District.
- 4) ☐ **Location.** The project must be located on a property that is not located within each of the following sensitive areas pursuant to [Government Code Section 65913.4\(6\)\(C\)-\(K\)](#):
 - ☐ Wetlands as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).
 - ☐ Located within a designated very high fire hazard severity zone as determined by the Department of Forestry and Fire Protection pursuant to Government Code Section 51178 or located within the state responsibility area as defined in Public Resources Code Section 4202. This restriction does not apply to sites that consist of adopted fire hazard mitigation measures pursuant to existing building standards or state fire hazard mitigation measures applicable to the development.
 - ☐ A hazardous waste site that is listed pursuant to Government Code Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless either of the following apply:
 - (i) The site is an underground storage tank site that received a uniform closure letter issued pursuant to Subdivision (g) of Section 25296.10 of the Health and Safety Code based on closure criteria established by the State Water Resources Control Board for residential use or residential mixed-use. This section does not alter or change the conditions to remove a site from the list of hazardous waste sites pursuant to Section 65962.5.
 - (ii) Department of Public Health, Water Resources Control Board, Department of Toxic Substances Control, or agency making a determination pursuant to Subdivision (c) of Section 25296.10 of the Health and Safety Code has otherwise determined that the site is suitable for residential use or residential mixed-use.



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☐ Located within a delineated earthquake fault zone as determined by the State's geologist in any official maps published by the State's geologist, unless the development complies with the applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Health and Safety Code Division 13), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.

☐ Located within a special flood hazard area subject to inundation by the 1 percent annual chance flood as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency. If a development proponent is able to satisfy all applicable Federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, a local government shall not deny the application on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by that local government that is applicable to that site. A development may be located on a site described in this subparagraph if either of the following are met:

(i) The site has been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the local jurisdiction.

(ii) The site meets the Federal Emergency Management Agency requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.

☐ Located within a regulatory floodway as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency, unless the development received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If a development proponent is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, a local government shall not deny the application on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by that local government that is applicable to that site.

☐ Lands identified for conservation within an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the Federal Endangered Species Act of 1973 (16 U.S.C. Section 1531 et seq.), or other adopted natural resource protection plan.

☐ 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. Section 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 3 of the Fish and Game Code).

☐ Lands under conservation easement.

☐ A site that is either designated as historic or located within a designated historic district that is included on the State Historic Resources Inventory.

☐ A site that requires alteration or demolition of 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.
- Subject to any form of price or rent control.
- Occupied by tenants within the past ten (10) years for an urban lot split application.
- Occupied by tenants within the past three (3) years for a two-unit development project application.

5) ☐ **Number of Dwelling Units.** Maximum of two (2) dwelling units allowed per resulting parcel with an urban lot split, which may consist of up to two (2) primary dwelling units or up to one (1) primary dwelling unit and one (1) type of ADU. Maximum of four (4) dwelling units allowed without an urban lot split, which may consist of up to two (2) primary dwelling units and up to two (2) types of ADUs.



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- 6) ☐ **Parking Space Requirement.** The project must provide up to one (1) off-street parking space for each primary dwelling unit proposed; however, if the site of the project is located within ½ mile walking distance of either an existing high-quality public transit corridor as defined within Public Resources Code Section 21155 Subsection (b) or a major transit stop as defined within Public Resources Code Section 21064.3 or if there is a car share vehicle located within one (1) block of the parcel, no parking spaces are required. The off-street parking space(s) shall comply with Town of Mammoth Lakes Public Works and Engineering Department standards.



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INFORMATION CHECKLIST

- 1) Type of Project Proposed:
(Select All That Apply)
☐ Lot Split
☐ Two-Unit Development Project
- 2) Only individual property owners may apply for urban lot splits and/or two-unit development projects.
☐ Agree ☐ Authorized Agent/Representative as Applicant
- 3) Is the parcel located within the Town limits and zoned for single-family (one-family) residential uses, which includes the Town's Residential Single Family Zoning District and the Town's Rural Residential Zoning District?
Yes ☐ No ☐
- 4) Is the urban lot split and/or two-unit development project located on a parcel within a sensitive area described within [Government Code Section 65913.4\(a\)\(6\)\(C\)-\(K\)](#) (e.g., wetlands, very high fire hazard severity zone, protected species habitat, etc.)?
Yes ☐ No ☐
If so, please describe: _____

- 5) Is the location designated as historic or located within a designated historic district that is included within the State Historic Resources Inventory?
Yes ☐ No ☐
- 6) Does the project require alteration or demolition of housing that is: (a) 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; (b) subject to any form of price or rent control; (c) occupied by tenants within the past ten (10) years for an urban lot split application; or (d) occupied by tenants within the past three (3) years for a two-unit development project application?
Yes ☐ No ☐
- 7) Does the project comply with all applicable Building and Fire Code requirements?
Yes ☐ No ☐
- 8) Does the project comply with all applicable objective standards?
Yes ☐ No ☐
- 9) Will the project be used for residential purposes only?
Yes ☐ No ☐
- 10) Will the project be rented for more than thirty (30) consecutive days?
Yes ☐ No ☐
- 11) Does the urban lot split result in any parcel either less than 1200 square feet or less than 40% of the original parcel?
Yes ☐ No ☐ N/A ☐
- 12) Does the applicant intend to use one of the primary dwelling units for a minimum of three (3) years from date of approval of the urban lot split? Yes ☐ No ☐ N/A ☐
- 13) Is the total number of primary dwelling units per parcel equivalent to two (2) dwelling units or less?
Yes ☐ No ☐ N/A ☐
- 14) Is the gross floor area of each new primary dwelling unit at least eight hundred square feet?
Yes ☐ No ☐ N/A ☐
- 15) Are there any ADUs proposed?
Yes ☐ No ☐ N/A ☐
- 16) Number of Parking Spaces Proposed: _____
☐ Exempt as the site is located within ½ mile walking distance of either an existing high-quality public transit corridor or a major transit stop or there is a car share vehicle located within one (1) block of the parcel.



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Project Information

Project Type

(Select All That Apply)

- ☐ Lot Split
☐ Two-Unit Development Project

Project Name

Project Address

Assessor's Parcel Number (APN)

Land Use Designation

Zoning District

Parcel Size (Acres)

Number of Dwelling Units Proposed

Lot Split Parcel Size (if applicable)

Parcel #1 (Acres)

Parcel #2 (Acres)

**Number of Dwelling Units Proposed
Per Parcel (if applicable)**

Parcel #1

Parcel #2

Existing and Proposed Use(s)

Attachments

- ☐ Owner-Occupancy Affidavit for Urban Lot Split Applications
☐ Narrative

The narrative should: (1) describe proposal and purpose; (2) provide description of the site, including existing uses, if any, are located adjacent to and located on the site; and (3) describe how the project complies with all of the applicable objective standards

- ☐ Parcel Map for Urban Lot Split Applications
☐ Professionally-Prepared Architectural Plans (Existing Site Plan, Proposed Site Plan with Tree Preservation and Removal Plan, Floor Plans, and Elevations) for Two-Unit Development Project Applications
☐ Grant Deed
☐ Title Report



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Applicant Information

First and Last Name (Printed)

Mailing Address

Phone Number

Email Address

Property Owner Information

First and Last Name (Printed)

Mailing Address

Phone Number

Email Address

Signatures and Certifications

I certify and declare under penalty of perjury of the laws of the State of California that the statements, facts, and information presented above and within the attachments, are true and correct to the best of my knowledge. I understand additional information may be required for submittal to complete the review.

Applicant Signature

Date

I certify and declare under penalty of perjury of the laws of the State of California that I am the legal property owner of the property that is the subject matter of this application, and I authorize and consent to the filing of this application and acknowledge that the final approval by the Town of Mammoth Lakes may result in limitations, restrictions, and construction obligations being imposed on this subject real property.

Authorized Agent/Representative Signature (if applicable)

Date

Property Owner Signature

Date

PLEASE NOTE

For applications signed by an authorized agent/representative of the legal property owner, written authorization from the legal property owner will be required. An authorized agent/representative of the legal property owner will be required to attach a notarized letter of authorization from the legal property owner.



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PROPERTY OWNER SIGNATURE(S):

Property Owner Signature
(Notary Required)

Print Name

Property Owner Signature
(Notary Required)

Print Name

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached and not the truthfulness, accuracy, or validity of that document.

State of California
County of _____

On _____, before me, _____, Notary Public,
personally appeared _____
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(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.

Notary Public Signature

Seal



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TOWN USE ONLY

Date Received: _____

Received By: _____

ACTION TAKEN (1st Submittal)

Review Date: _____

Reviewer: _____

Complete application submitted? Yes ☐ No ☐ Notes: _____

Does the project meet all of the eligibility requirements? Yes ☐ No ☐

Notes: _____

Area(s) of Noncompliance w/ Objective Standards (list all that apply) n/a ☐

☐ Approval Date: _____

☐ Return Date: _____
(requires detailed letter explaining reason(s) for return)

ACTION TAKEN (2nd Submittal)

Review Date: _____

Reviewer: _____

Complete application submitted? Yes ☐ No ☐ Notes: _____

Does the project meet all of the eligibility requirements? Yes ☐ No ☐

Notes: _____

Area(s) of Noncompliance w/ Objective Standards (list all that apply) n/a ☐

☐ Approval Date: _____

☐ Denial Date: _____
(requires detailed letter explaining reason(s) for denials)