



SB 9 ELIGIBILITY REQUIREMENTS

ELIGIBILITY QUESTIONNAIRE		YES	NO
Respond to all questions placing a checkmark in the Yes or No column as appropriate and read the outcome for a "yes" or "no" answer to understand if your project can proceed, or whether an additional action will be required of you.			
1) SINGLE-FAMILY RESIDENTIAL ZONING. Parcel has a zoning designation of R-1 (single-family zoned parcel) – check the City’s Zoning Map here: https://www.albanyca.gov/Our-City/City-Maps <i>If yes, you can proceed. If no, an SB 9 application is not allowed.</i>		☐	☐
2) HOUSING WITHDRAWN FROM RENTING OR LEASING. The project is located on a parcel on which the owner has withdrawn it from renting or leasing under the Ellis Act within 15 years preceding the development application <i>If no, you can proceed but need to fill out an Affidavit Form.</i> <i>If yes, an SB 9 application is not allowed.</i>		☐	☐
3) DEMOLITION OR ALTERATION OF “PROTECTED HOUSING.” Will the project require 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 is subject to rent control through valid local rent control provisions. • Housing that has been occupied by a tenant in the last 3 years. <i>If no, you can proceed but need to fill out a Demolition Affidavit Form.</i> <i>If yes, an SB 9 application is not allowed.</i>		☐	☐
Is the project site located on any of the following?		YES	NO
3) Wetlands https://www.conservation.gov/maps/aeddc1ce7474ecdab4a317e3b1c26a0/explore?location=28.507501%2C-12.507477%2C2 <i>If no, you can proceed. If yes, an SB 9 application is not allowed.</i> Action: submit a screenshot of relevant map page and submit with application.		☐	☐
4) A very high fire hazard severity zone (https://calfire-forestry.maps.arcgis.com/apps/webappviewer/index.html?id=988d431a42b242b29d89597ab693d008) <i>If no, you can proceed. If yes, an SB 9 application is not allowed.</i> Action: submit a screenshot of relevant map page and submit with application.		☐	☐
5) A hazardous waste or hazardous list site https://calepa.ca.gov/SiteCleanup/CorteseList/ <i>If no, you can proceed. If yes, the site may still be eligible if the State Department of Public Health, State Water Resources Control Board, or Department of Toxic Substances Control has cleared the site for residential or residential mixed uses. If this is the case, you must show proof of site eligibility.</i>		☐	☐

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6) A delineated earthquake fault zone (https://maps.conservation.ca.gov/cgs/EQZApp/app/) <i>If no, you can proceed. If yes</i>, the site may still be eligible if the development complies with 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 Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2. Action: submit a screenshot of relevant map page and submit with application.	☐	☐
7) A 100-year floodplain or a floodway. Look up your property flood zone designation in the (https://msc.fema.gov/portal/home); print out a copy of the map and submit along with the application. <i>If no, you can proceed. If yes</i>, the site may still be eligible if the project satisfies either of the applicable federal qualifying criteria set forth in subparagraphs (G)(i)(ii) of paragraph (6) of subdivision (a) of Section 65913.4 of the California Government Code: (i) The site has been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency (FEMA) and issued to the local jurisdiction. (ii) The site meets FEMA 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. Action: submit a screenshot of relevant map page or proof of site eligibility and submit with application.	☐	☐
8) Habitat for protected species. Sign up for an account with IPAC, select all layers, look up property on https://ipac.ecosphere.fws.gov/location/index print out and submit query results ("What's here?") with application. <i>If no, you can proceed. If yes, an SB 9 application is not allowed.</i> Action: submit a screenshot of relevant map page or proof of site eligibility and submit with application.	☐	☐