



Senate Bill 9 Application (SB9)

Building and Safety Division
1 Town Square, Murrieta, CA 92562
951-461-6062 www.murrietaca.gov

DS-158

May 2024

For Building and Safety Office Use Only

Project Number: _____ Date Submitted: _____ Received by: _____

- ☐ Affidavit Form DS-159 Included
- ☐ Affidavit Form DS-160 Included
- ☐ Affidavit Form DS-161 Included
- ☐ Fire Service Availability
- ☐ Sewer Service Availability
- ☐ Water Service Availability

PROJECT INFORMATION

IMPORTANT - BEFORE SUBMITTING APPLICATION: Verify if SB 9 provisions would not be in conflict with your property's Conditions, Covenants, and Restrictions (CC&R's). If you have a Homeowner's Association (HOA), they can assist you further with this. In addition, some properties may have recorded CC&R's without establishment of an HOA. You will want to consult with your purchase records to verify if there are any limitations with respect to SB 9 provisions.

Select Proposed Application Type (**Select all that Apply**):

- ☐ Two-Unit Proposal ☐ Lot Split Proposal

Project Name: _____

Project Description/Use: _____

PROPERTY INFORMATION

Assessor's Parcel Number(s): _____

Legal Description (Tract, Lot Number): _____

Property Address/Location: _____

Approximate Gross Acreage/Net Acreage: _____

Current Zoning & General Plan Designation: _____

APPLICANT/REPRESENTATIVE

Contact Name: _____ E-Mail: _____

Company Name: _____ E-Mail: _____

Mailing Address: _____

Street

City

State

ZIP

Daytime Phone No: () Fax No.: ()

☐ I certify that all filing requirements have been satisfied for my application. I further understand that an incomplete application cannot be accepted for processing.

SIGNATURE OF OWNER

DATE

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SB 9 Application Review

The following criteria as described below was developed by the State in order to qualify for use of the SB 9 provisions. Please note that the Development Services does not have the ability to modify criteria.

Planning will need to complete **addressing prior to second plan check submittal** (For Construction or Lot Split Proposals). Addressing will not be assigned to a new parcel until the new units are identified.

PLEASE NOTE: For most of the information to be referenced, it can be located/referenced with the City of Murrieta's Geographic Info. System (GIS) Interface and selecting the applicable layer at:

<https://comgeopub.murrietaca.gov/gvh/Index.html?viewer=MurrietaPublic>

Please contact staff if you require assistance with using this GIS interface.

IMPORTANT – PLEASE NOTE: Depending on the project proposal/scope, existing project conditions, and limitations with respect to SB 9, review of this application by staff will assist in determining if further SB 9 processing is applicable.

FOR BOTH APPLICATION TYPES

1. Is the project site is located within the Single-Family (SF-1), (SF-2), Rural-Residential (RR), Estate Residential (ER-1), (ER-2), (ER-3) Zone, or within a Specific Plan Area with an underlying single-family land use designation?

Yes ☐ No ☐

Link to City's Zoning Map to check your zoning:

<https://www.murrietaca.gov/DocumentCenter/View/4374/Murrieta-Zoning-Mappdf>

Please identify the zone here: _____

2. Is the project site located within an urbanized area or urban cluster?

Yes ☐ No ☐

Please Note: The majority of the City of Murrieta is within the following U.S. Census Area - UA 60799 Murrieta--Temecula--Menifee, CA from the 2010 U.S. Census. This may be potentially updated further with the 2020 Census data - once available. Please contact staff for further assistance if needed.

Links to U.S. Census Maps for the City of Murrieta Urbanized Area:

https://www2.census.gov/geo/maps/dc10map/UAUC_RefMap/ua/ua60799_murrieta--temecula--menifee_ca/DC10UA60799.pdf

https://www2.census.gov/geo/maps/dc10map/UAUC_RefMap/ua/ua60799_murrieta--temecula--menifee_ca/DC10UA60799_001.pdf

3. Is the building and/or site located within a historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city or county landmark or historic property or district pursuant to a city or county ordinance?

Yes ☐ No ☐

Link to Section 5020.1 of the Public Resources Code and link to the California Historical Resources Information System (CHRIS) database:

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PRC§ionNum=5020.1

https://ohp.parks.ca.gov/?page_id=1068

Documentation to be provided **(Check and attach Documentation):**

Historic Status Report for existing Building(s) and/or Site ☐

Please Note: Depending on project site circumstances, it may not qualify for further SB 9 processing if the site is listed. This will need to be evaluated further by staff.

Staff Verification:

Historic Status Report Included? ☐ **Not Applicable?** ☐

4. Is the subject parcel located on a site identified as prime farmlands, or farmland of statewide importance?

Yes ☐ No ☐

See **Murrieta General Plan - Exhibit 8-4** at the below link:

<https://www.murrietaca.gov/DocumentCenter/View/4362/08---Conservation-Elementpdf>

5. Does the subject parcel contain wetlands (Per the City General Plan Conservation Element, these are typically riparian environments within the vicinity of Warm Springs Creek and Murrieta Creek – See General Plan Safety Element Maps 12-6), or is within a 100-year flood zone, or within a floodway, (*"Floodway" - means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot. Also referred to as "regulatory floodway."*), or within a dam inundation area?

Yes ☐ No ☐

Please identify property FEMA designation here: _____

Is the property located within a dam inundation area?:

To determine applicability, start at the below link, first, search by your address or Assessor Parcel Number; Second, select the "plus" and under the "Hazard Layers" at the bottom of the page select the "FEMA Flood Zones" and use the "Identify" tool to query your property:

<https://comgeopub.murrietaca.gov/gvh/Index.html?viewer=MurrietaPublic>

6. Is the subject parcel within a hazardous waste or hazardous list site location?

Yes ☐ No ☐

See the following links for additional information:

<https://dtsc.ca.gov/dtscs-cortese-list/>

<https://geotracker.waterboards.ca.gov/>

<https://www.envirostor.dtsc.ca.gov/public/>

7. Is the subject parcel within a *delineated* earthquake fault zone? A delineated earthquake fault zone is also known as an Alquist-Priolo earthquake fault zone: *..These are regulatory zones surrounding the surface traces of active faults in California. (A trace is a line on the earth's surface defining a fault.) Wherever an active fault exists, if it has the potential for surface rupture, a structure for human occupancy cannot be placed over the fault and must be a minimum distance from the fault (generally fifty feet).* (California Dept. of Conservation <https://www.conservation.ca.gov/cgs/alquist-priolo>)

Yes ☐ No ☐

To determine applicability, start at the below link, first, search by your address or Assessor Parcel Number; second, select the "plus" and under the "Hazard Layers" at the bottom of the page; third, select the "Fault Zones County" and use the "Identify" tool to query your property:

<https://comgeopub.murrietaca.gov/gvh/Index.html?viewer=MurrietaPublic>

8. Is the subject parcel identified for conservation within an adopted natural community conservation plan?

Yes ☐ No ☐

To determine applicability, start at the below link, first, search by your address or Assessor Parcel Number; Second, see if your parcel is located within a conservation “blue cell”?:

<https://wrcra.maps.arcgis.com/apps/webappviewer/index.html?id=a73e69d2a64d41c29ebd3acd67467abd>

9. Does the subject parcel contain habitat for protected species or are lands under a conservation easement?

Yes ☐ No ☐

To determine applicability, start at the below link, first, search by your address or Assessor Parcel Number, second, select under “Layers”, “Environmental Layers”, click on the “plus” symbol and select “PQP Conserved” and “RCA Conserved” and see if either layer overlaps the subject property:

https://gis1.countyofriverside.us/Html5Viewer/index.html?viewer=MMC_Public

10. As proposed, will the project in the demolition or alteration of designated affordable or rent-controlled housing? **Please Note:** Some properties within the City are deed restricted with affordable housing covenants. Please check your Title Report for additional details.

Yes ☐ No ☐

11. As proposed, will the project result in the demolition of more than 25 percent of the existing exterior structural walls of market-rate housing that has been occupied by a tenant in the past three years? **Directions** - please attached **Affidavit Form (DS-159)** to this Application.

Yes ☐ No ☐

12. The parcel subject to the proposed housing development is not a parcel on which an owner of residential real property has exercised the owner’s rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application? **Directions** - please attach **Affidavit Form (DS-160)** to this Application.

https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=GOV&division=7.&title=1.&part=&chapter=12.75.&article=

This type action would be typically recorded against the parcel, so confirm with your Title Report to determine applicability.

Yes ☐ No ☐

13. Is the subject parcel within a mapped very high or high fire severity zone?

Yes ☐ No ☐

To determine applicability, start at the below link, **Start at the below link**, first, search by your address or Assessor Parcel Number; second, select the “plus” and under the “Hazard Layers” at the bottom of the page; third, select the “CAL FIRE-Fire Hazard Severity” and use the “Identify” tool to query your property:

<https://comgeopub.murrietaca.gov/gvh/Index.html?viewer=MurrietaPublic>

If Yes, described: _____

14. Is there a fire hydrant within distance as determined by the California Fire Code (CFC), (with respect to the proposed project, and does it meet fire flow requirements (See Section C-103 of the adopted CFC for additional details)?

Yes ☐ No ☐

If Yes, describe: _____

15. Does the proposed project meet fire access requirements? Fire access must be provided within 150 feet of all portions of the exterior walls measured along an approved route and meet the width requirements adopted in the California Fire Code and amended locally through Ordinance 555-20. The fire access roadway must be paved or concrete and sustain the imposed load of fire apparatus at 75,000 pounds.

Yes ☐ No ☐

If Yes, describe: _____

16. Is the lot is located within an environmentally sensitive area and/or contain biological resources?

Yes ☐ No ☐

As a starting point to determine applicability, start at the below link, Start at the below link, first, search by your address or Assessor Parcel Number; second, select the layers drop down menu at the top right of page and select "Vegetation 2012" and use the pointer to query your property:

<https://wrcra.maps.arcgis.com/apps/webappviewer/index.html?id=a73e69d2a64d41c29ebd3acd67467abd>

Identify Vegetation Type(s) here:

Documentation to be provided **(Check All that Apply and Attach Documentation)**:

Aerial Photographs ☐ Biological Surveys/Reports ☐

Comments:

Please Note: Depending on project site circumstances, it may not qualify for further SB 9 processing if there are potential impacts to environmentally sensitive areas/biological resources. This will need to be evaluated further by staff.

Staff Verification:

Aerial Photographs Included? ☐ Biological Surveys/Reports Included? ☐

17. If available, please provide evidence of approval from the City's Engineering Department for Grading, Improvement Plans, Dedications, Easements, with respect to the subject site:

Documentation to be provided: **(Check All that Apply and Attach Documentation)**:

Grading Plans ☐ Improvement Plans ☐ Easements ☐ Other (Describe) ☐

Comments:

18. Please provide the Service Availability Forms, completed and signed by the respective districts, for Fire Service, Sewer and Water Service.

See the following links for additional information:

<https://www.murrietaca.gov/DocumentCenter/View/665/Project-Facility-Availability---Fire-PDF>

<https://www.murrietaca.gov/DocumentCenter/View/650/Project-Facility-Availability---Sewer-PDF>

<https://www.murrietaca.gov/DocumentCenter/View/651/Project-Facility-Availability---Water-PDF>

Documentation to be provided: **(Please Attach All Service Availability Documentation)**:

Fire Service Availability ☐ Sewer Service Availability ☐ Water Service Availability ☐

19. Does the project site rely upon a septic system and/or water wells?

<https://www.rivcoeh.org/OurServices/LandDevelopment/SepticSystems>

<https://www.rivcoeh.org/OurServices/Wells>

Yes ☐ No ☐ N/A ☐

If Yes, Please provide approval from the Riverside County Department of Environmental Health and describe existing system(s):

Riverside County Department of Environmental Health Documentation ☐

Comments:

20. For residential units connected to an onsite wastewater treatment system, has a percolation test been completed within the last 5 years, or has a percolation test been recertified within the last 10 years?

<https://www.rivcoeh.org/OurServices/LandDevelopment/SepticSystems>

Yes ☐ No ☐ N/A ☐

Please Attach As Applicable: Percolation Test ☐ Recertification of Percolation Testing ☐

Comments:

21. The subject parcel has legal access to an existing easement(s) or right(s)-of-way?

Identified: Yes ☐ No ☐

Comments:

22. As an option, SB 9 provides for the approval of a lot split for certain single-family residential lots which would allow an owner to subdivide their lot and then can utilize existing Accessory Dwelling Unit (ADU) / Junior Accessory Dwelling Unit (JADU) law in concert with an existing or proposed principal main residence to build an ADU on each of the two newly created lots. There is a cap of a total of four units overall inclusive of both properties. Please see Murrieta Municipal Code (MMC) Section 16.44.160 for further additional details:

https://codelibrary.amlegal.com/codes/murrieta/latest/murrieta_ca/0-0-0-27810#JD_16.44.160

Applicable to Project Scope? Yes ☐ No ☐

Location of ADU 1 or JADU 1 in conjunction with proposal? _____

Attached (This is required for a JADU in conjunction with a single-family residence) ☐ Detached ☐

Proposed Square Footage? _____ Sq. Ft.

Applicable to Project Scope? Yes ☐ No ☐

Location of ADU 2 or JADU 2 in conjunction with proposal? _____

Attached (This is required for a JADU in conjunction with a single-family residence) ☐ Detached ☐

Proposed Square Footage? _____ Sq. Ft.

23. Per SB 9, please be aware, if the project proposes to construct units with the intent to rent to others, rental terms shall for 30 days or greater consistent with State law. This would exclude any units associated with this application from the City's **Short-Term Vacation Rental** permitting program.

☐ I as owner(s) of the subject property understand that SB 9 projects/properties are subject to rental terms for 30 days or greater and cannot potentially participate in the City's short-term vacation rental permitting program.

SIGNATURE OF OWNER

DATE

SIGNATURE OF OWNER

DATE

TWO-DWELLING UNITS ON A SINGLE-FAMILY LOT QUESTIONS/INFO. REQUIRED

Projects shall meet all of the criteria listed below to potentially qualify for the ministerial approval of a lot split with potentially two dwellings per single-family parcel. Applicable to project scope? Yes ☐ No ☐

24. Provide evidence on the site plan that each new unit is a **minimum of 800 square feet**.

Identified on Site Plan: Yes ☐ No ☐

25. Provide evidence on the site plan that for each new unit that **minimum of four feet from the side and rear lot line (Unless established under existing building footprint)**. Please identify existing building setbacks on adjacent properties. **Please be aware that the current California Building and Fire Code(s) may have separation requirements that affect this measurement outside of zoning criteria. A five-foot setback from property line is typical for ingress/egress with windows and doorways.**

Identified on Site Plan: Yes ☐ No ☐

26. Provide evidence on the site plan demonstrating that at a minimum of **one parking space per unit will be provided** (Exempt only if parcel is located within ½ mile walking distance of high-quality transit corridor, or major transit stop, or parcel is located within one block of a car share vehicle lot). **Please Note: Existing transit services and car sharing does not qualify under the SB9 definitions for Murrieta; therefore, any proposed two-unit project or lot split granted under SB9 regulations will be subject to parking requirements.**

Identified on Site Plan? Yes ☐ No ☐

27. Identify which unit(s) for which the parking spaces allocated to:

Identified on Site Plan? Yes ☐ No ☐ Exempt from Standard? Yes ☐ No ☐

TWO-LOT SUBDIVISION QUESTIONS/INFO. REQUIRED

Projects shall meet all of the criteria listed below to potentially qualify for the ministerial approval of a two-lot subdivision. Applicable to Project Scope? Yes ☐ No ☐ (**Please Note: A Parcel Map will be required once location is determined eligible for SB 9 Processing – See Information Bulletin 160 for Workflow Review**)

28. With the subdivision of the existing parcel, it would create no more than two new parcels of **approximately equal lot area, provided that one parcel shall not be smaller than 40 percent of the lot area** of the original parcel proposed?

Yes ☐ No ☐

Please describe and identify information on applicable subdivision exhibit(s):

Existing Lot Area = _____ Sq. Ft.

Proposed Lot 1 Area = _____ Sq. Ft.

Proposed Lot 2 Area = _____ Sq. Ft.

Proposed Lot 1 Percentage of Original Parcel = _____ %

Proposed Lot 2 Percentage of Original Parcel = _____ %

Please note: Combined percentage shall equal 100%

29. Is each proposed lot at a minimum of 1,200 square feet? Please identify information on applicable subdivision exhibit(s).

Yes ☐ No ☐

30. Has the owner of the parcel being subdivided, or any person acting in concert with the owner previously subdivided an adjacent parcel using an urban lot split as provided for in this section?

Yes ☐ No ☐

31. Does the lot split conform to all applicable objective requirements of the Subdivision Map Act (Division 2 (commencing with Section 66410))

Yes ☐ No ☐

32. The Owner shall sign an affidavit stating that the owner intends to occupy one of the housing units as the owner's principal residence for at least 3 years following the lot split. Community land trusts and qualified nonprofit corporations are exempt. No other owner-occupancy requirement is allowed.

Affidavit Attached? Yes ☐ No ☐ Exempt from Standard? Yes ☐ No ☐ Directions - Please attached **Affidavit Form (DS-161)** to this Application.

DIRECTIONS

Please submit eight (8) copies of 18" x 24" in size folded to 8 ½" x 11" and three (3) 11" x 17" reduced copies of your plans to the Building & Safety Division with the completed SB 9 application form. If you have any questions, please call the Building & Safety Division at (951) 461-6062.

MINIMUM REQUIRED INFORMATION ON PLANS:

1. Proposed site plan and/or parcel map layout
2. Location map
3. North arrow
4. Engineering scale
5. Streets, Existing Improvements, Right-of-Way Width, and Dimensioned Setbacks
6. Parking requirements
7. Square Footage Allocation, Percentage of Existing
8. Intended Occupancy Use
9. Assessor's Parcel Number, street and hundred block
10. Existing Zoning
11. Land Use type
12. Property lines
13. Conceptual sewer design
14. Photos of the site
15. Location of any watercourses, trees and rock out croppings
16. Drive access locations
17. Existing/Proposed Easements

18. Existing and Proposed Structures
19. Existing Topographical Lines and Proposed Slopes
20. Lot Drainage Patterns
21. Landscaped Areas
22. Proposed Elevations (all four sides)
23. Number of Stories (building height)