



SENATE BILL 9 – APPLICATION CHECKLIST AND PRE-CLEARANCE FORM

Application Requirements

SB 9 Two Dwelling Units and Urban Lot Splits

This form is intended for use with the State of California's Senate Bill 9 (SB 9) ministerial permitting procedures, which the City of Wildomar is required to implement ([California Government Code 65852.21 and 66411.7](#)). This form is for approval of a Two-Unit Development and/or a Parcel Map for an Urban Lot Split as allowed by State law. Before an application for a Two-Unit Development and/or a Parcel Map for an Urban Lot Split may be submitted for processing, the proposal must be consistent with the criteria identified in this form.

- **TWO DWELLING UNITS - Planning Clearance** is required prior to submittal of a building permit application for any two dwelling units pursuant to SB 9. Planning clearance does not constitute issuance of a building permit.
- **URBAN LOT SPLIT – Planning Clearance** is required before submitting a parcel map application to Public Works for any lot split. The project must meet all applicable requirements of the Subdivision Map Act (California Government Code §66410 et seq.).

If the **Planning Clearance** is denied for failure to meet any of the criteria identified in this application, a revised application may be submitted at any time.

All questions can be directed to the City Hall (Suite 110, First Floor) at **(951) 677-7751** or email at mkramer@wildomar.gov

For assistance with answering any of the questions on the Planning Clearance Form, please see Planning Department Staff for assistance.

1. APPLICANT INFORMATION (PRIMARY CONTACT)

Firm/Company Name: _____

Contact Name: _____

Address: _____ City: _____ State: _____ Zip: _____

Daytime Phone: _____ Mobile: _____

Email: _____

2. SITE INFORMATION

Site Address of Location of Property: _____

Assessor's Parcel Number(s): _____ Zone: _____

Total Property Size in Acres (Gross/Net): _____ Square Feet if Less Than One (1) Acre: _____

Scope of Work: _____

Urban Lot Split Parcel Size Parcel 1: _____ SF Parcel 2: _____ SF *(if applicable)*

How Many Units are Proposed? Parcel 1: _____ Parcel 2: _____

3. SINGLE-FAMILY ZONE REQUIREMENT

If you answer “No” to the following, your property is NOT eligible for a Two Dwelling Units or Urban Lot Split per SB 9.

YES NO Is your property located in a Single-Family Zone (R-1, R-R, R-A, or R-T)?

4. GENERAL LIMITATIONS

If you answer “Yes” to any of the following, your property may not be eligible for an SB 9 Two Dwelling Units or Urban Lot Split per SB 9. See Planning Department Staff for more information.

Is your property:

YES NO Located within a Historic District?

YES NO Designated as a City Landmark, Structure of Merit, or Contributor to a Historic District or Neighborhood Conservation Area?

YES NO Located within a Very High Fire Hazard Severity Zone?

YES NO Located within a Designated Hazardous Waste Site?

YES NO Located within a mapped 100-year floodplain, wetland or identified as a conservation area (as defined in the Western Riverside Multiple Species Habitat Conservation Plan)?

YES NO Subject to a Deed Restriction or other recorded instrument that limits the sale or rental of the property to income-qualified households (i.e., affordable housing)?

5. ADDITIONAL LIMITATIONS FOR TWO-UNIT DEVELOPMENTS

If you answer “Yes” to any of the following, your property is NOT eligible for an SB 9 Two-unit Development.

Does the proposed project:

YES NO Involve demolition or alteration of a unit that is subject to rent control?

YES NO Involve demolition or alteration of a unit that is subject to a Deed Restriction or other recorded instrument that limits the sale or rental of the property to income-qualified households (i.e., affordable housing)?

YES NO Involve demolition of a unit occupied by a tenant, or has been occupied by a tenant any time in the last three years?

YES NO Involve alteration of more than 25% of the exterior walls of a building that is occupied by a tenant, or has been occupied by a tenant any time in the last three years?

YES NO Involve a parcel with a unit that was withdrawn from the rental market pursuant to the Ellis Act at any time in the last 15 years?

6. MINIMUM STANDARDS FOR TWO-UNIT DEVELOPMENTS

You must answer "Yes" to the following:

YES NO Maximum Dwelling Units: A maximum of three (3) dwellings or units are allowed on a lot that is not proposed for an Urban Lot Split, inclusive of detached or attached dwelling units, ADUs and JADUs.

Number of Units: _____

Number of Proposed Units: _____

All applicable Zoning standards are met*, except for:

YES NO Minimum 4-foot interior side- and rear-yard setbacks; front and street side yard setbacks per requirements of the Zone

YES NO Minimum 1 parking space per unit (except within one-half mile of a transit corridor or within one block of a car share vehicle)

YES NO Applicant agrees that rental of any units created under this application shall be for a term longer than 30 days. A deed restriction will be required prior to final occupancy

**Zoning standards cannot preclude the construction of two units at least 800 square feet in size.*

7. ADDITIONAL LIMITATIONS FOR URBAN LOT SPLIT

If you answer "Yes" to any of the following, your property is NOT eligible for an Urban Lot Split

YES NO Is the property formed through a previous SB 9 Urban Lot Split?

YES NO Is the property adjacent to a property that was subdivided through an SB 9 Urban Lot Split by yourself or another person or entity with which you are affiliated (such as an LLC)?

YES NO Does the lot split require demolition or alteration of a unit that is subject to a Deed Restriction or other recorded instrument that limits the sale or rental of the property to income-qualified households (i.e., affordable housing)?

YES NO Does the lot split require demolition or alteration of a unit that is subject to rent control?

YES NO Does the lot split require demolition or alteration of a unit occupied by a tenant, or has been occupied by a tenant any time in the last three years?

YES NO Does the lot split require demolition or alteration of a unit that was withdrawn from the rental market pursuant to the Ellis Act at any time in the last 15 years?

8. MINIMUM STANDARDS FOR URBAN LOT SPLIT

General

- Maximum Dwelling Units: A maximum of two (2) dwellings or units are allowed on each lot resulting from an Urban Lot Split, for a total of four (4) dwellings.
- Standards: Minimum standards (e.g., setbacks, floor area, parking, design, etc.) for two-unit developments apply; see Section 6 above.
- Dedications and Easements: Easements may be required to convey public utilities, access, and other services. Right-of-way dedication and offsite improvements will not be required, except in connection with a Building Permit.

You must answer "Yes" to the following:

YES NO New Lot Sizes: Minimum 1,200sf

YES NO Proportion: Not less than 40% of parent parcel

YES NO Access: Minimum 10-foot-wide direct access easement or corridor to public right-of-way

YES NO Utilities: Separate Water and Sewer Services provided to each lot (contact the appropriate purveyor for details)

9. SUBMITTAL REQUIREMENTS

All Projects:

- Completed and signed Planning Clearance checklist (this form)
- Most recent Grant Deed showing current property ownership
- Evidence of vacancy or owner occupancy such as: property tax records, income tax records, utility bills, vehicle registration, or similar documentation.
- Signed and notarized Affidavit guaranteeing that the property has not been used as a rental for at least three years and has not been the site of an Ellis Act eviction for at least 15 years.
- Homeowner's Association Approval Letter (if applicable – Owner/applicant to confirm if the parcel(s) have any recorded Codes, Covenants, & Restrictions (CC&Rs) or Homeowner Association (HOA) rules that violate any proposed development under SB9)

In addition, the following items are required for TWO-UNIT DEVELOPMENT applications:

- Fully dimensioned Site Plan, floor plan, and elevations, drawn to scale and containing all information required.

In addition, the following are items required for URBAN LOT SPLITS

- Chain of title for the last 3 years, including the latest vesting deed or title report
- Numbered Parcel Map, prepared to the specifications of the Subdivision Code (Title 18) and the California Subdivision Map Act
- Signed and notarized Affidavit guaranteeing Owner Occupancy for a minimum of three years from time of map recordation
- Filing fee for Tentative Parcel Map (\$20,388.00 + Professional Development Fee \$7.18 + Technology Fee \$11.29)

10. INDEMNIFICATION AGREEMENT (PROPERTY OWNER & APPLICANT)

Applicant and legal owner of the property, hereby agree to defend, indemnify and hold harmless the City and its agents, officers, attorneys and employees from any claim, action, or proceeding (collectively referred to as "proceeding") brought against the City or its agents, officers, attorneys or employees to attack, set aside, void, or annul the City's decision to approve any tentative map (tract or parcel) development, land use permit, license, master plans, precise plans, preliminary plans, design review, variances, use permits, general and specific plan amendments, zoning amendments, and approvals and certifications under CEQA. This indemnification shall include, but not limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney's fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by applicant, the City, and/or the parties initiating or bringing such proceeding.

Property Owner Signature

Date

Applicant Signature

Date

11. PROPERTY OWNER CERTIFICATION

I hereby certify that I am (we are) the record owner(s) [for property tax assessment purposes] of the property encompassed by this application. I further acknowledge and understand on behalf of myself and my representatives and agents that if the project is subject to an Environmental Impact Report, ALUC Review and approval, Military Consultation or Tribal Consultation, the timelines prescribed in the Wildomar Municipal Code are stayed until such time as said review and/or consultation is complete. I also understand and agree that the submittal date of my application will be the filing deadline following receipt of my request.

Property Owner Signature

Date

Property Owner of Record (PRINT NAME): _____

Mailing Address: _____ City: _____ State: _____ Zip: _____

Daytime Phone: _____ Mobile: _____

Email: _____

I have provided one of the following items*:

Grant Deed indicating that I am the property owner.

** Please note: for certain projects, a Preliminary Title Report may be required in lieu of a Grant Deed.*

Title Report indicating that I am the property owner. (REQUIRED for Urban Lot Split applications).

STAFF USE ONLY

Site Address: _____ APN: _____ Zoning: _____

Type of Proposal: TWO DWELLING UNITS URBAN LOT SPLIT BOTHPlanning Clearance: APPROVED DENIEDNOTES: _____

Planner Signature: _____ Date: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA

COUNTY OF

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

Signature: _____

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form

CAPACITY CLAIMED BY SIGNER

DESCRIPTION OF ATTACHED DOCUMENT

INDIVIDUAL
 CORPORATE OFFICER

TITLE OR TYPE OF DOCUMENT

PARTNER(S) LIMITED
 GENERAL

NUMBER OF PAGES

ATTORNEY-IN-FACT
 TRUSTEE(S)
 GUARDIAN/CONSERVATOR

DATE OF DOCUMENT

OTHER _____

SIGNER IS REPRESENTING:

(NAME OF PERSON(S) OR ENTITY(IES))

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SIGNER(S) OTHER THAN NAMED ABOVE