

California Senate Bill 9
Ministerial Approval of Two Dwellings & Urban Lot Splits
City Code Chapter [17.864](#) (Planning-Approval Only)

Application Instructions

The purpose of this application is to implement [California Government Code 65852.21 and 66411.7](#), commonly referred to as SB 9, through a ministerial application review process.

To receive Planning approval with this application, a project must comply with all applicable objective standards outlined in the [City Code Chapter 17.864](#). This application must be approved prior to building permit application submittal.

Approval of this application is subject to a seven-day reconsideration period pursuant to [City Code Section 17.860.050](#). If the application is denied for failure to meet any of the criteria, a new application may be submitted at any time. A new application fee will be required with each subsequent application.

How to submit this application:

This application is only submitted through an online process. For more information about the online application submittal process please visit the [E-Planning Submittal Service](#) webpage. That webpage [includes a guide](#) that explains the entire submittal process. You may also go directly to the [Citizen Permit Portal](#), located online at aca.accela.com/sacramento. Applications may be digitally signed. All responses from the Citizen Permit Portal will be emailed to you from the email address noreply@accela.com. Please check your email's junk mailbox or spam filter regularly to make sure you are receiving the communications. How to pay fees: Once the application is accepted, Planning Staff will send the applicant an invoice and link to pay the necessary application fees online.

How to pay fees:

Fees are paid online. Deposit Fees: Some application fees required to submit this application may be an initial deposit and based on full cost recovery. If the time to review the project exceeds the amount of deposit that is collected, additional payment will be required.

How to ask questions:

All questions can be directed to the Planning Helpdesk: planning@cityofsacramento.org, or by visiting the public counter in-person through a scheduled appointment. To schedule an in-person appointment at the public counter, please visit [Appointment Scheduling](#) website.

Advisory: All-Electric Requirements for Newly Constructed Buildings

Beginning on January 1, 2023, all newly constructed buildings that are 1-3 stories are required to be all-electric. All-electric requirements do not apply to renovations to existing buildings, additions to existing buildings, and tenant improvements.

An all-electric building is a building that does not have fuel gas piping installed on the lot or within the building; and that uses electricity as the sole source of energy except for emergency power systems that are required to serve essential facilities or are otherwise required by law or regulation.

For more information, see this [link](#).

Advisory: Sacramento Municipal Utility District (SMUD) Consultation Meeting

A Sacramento Municipal Utility District (SMUD) Consultation Meeting strongly recommended. Infill development can be difficult to serve and may require complex solutions that ensure service to the proposed project, the surrounding properties, as well as access to onsite equipment. SMUD offers a free consultation that can outline potential issues and provide service solutions. Electing to pass over this step could require changes to project design or project delays. For more information, see [this link](#).

Advisory: City Tree Permit

A City Tree Permit may be required by another department if “regulated work” concerning a Private Protected Tree or a City Tree is part of the project. See City Code Section [17.864.020](#) and [Chapter 12.56](#). For more information, see [this link](#).

Application Submittal Requirements

1. _____ Complete and signed application form (i.e., this application).

Application fees. Fees are to be paid to the City of Sacramento at the time of application submittal. Once the application is accepted, Planning Staff will send the applicant an invoice and link to pay the necessary application fees. Fees are paid online through the

2. _____ [Citizen Permit Portal](#).

One full size set of plans, drawn to scale. Set of plans must include a site plan, elevations of all sides of all proposed structures, a roof plan, and floor plans. Tentative Parcel Maps must be provided with urban lot split applications. Plans must show information consistent with the plan requirements (pages 3-5) and of sufficient detail to allow staff to discern compliance with City Code standards. All plans must be prepared by a licensed

3. _____ design professional.

Color photographs of the project site. Photos of the properties on either side of the project site and directly across the street from the project site. See photograph guidelines below.

4. _____

5. _____ Signed Letter of Agency, if applicable. See below.

Plan Exhibit Requirements

NEW DWELLING UNITS (E.G., SINGLE-UNIT DWELLING(S), DUPLEX)

ALL PLANS shall include the following:

Date(s) of plans
Labeled Dimensions
Scale ratio and bar scale. Engineer or Architectural scale required, not less than $\frac{1}{16}$ -inch. Larger scale may be needed to provide clear understanding of the project.
North arrow pointing to the top of the page or to the right margin of a horizontally formatted sheet.
Identify all items as: existing (E), new (N), or relocated.
Name, telephone number, and E-mail address of the contact person for architectural, engineering, and landscape <u>if</u> different from the applicant.

Site Plan(s) must show:

A Vicinity Map, north arrow, the map scale, the site area in square feet, etc.
The entire property under consideration, including property lines and adjoining public rights-of-way up to the centerlines. For large acreage properties, staff recommends that two (2) site plans be submitted. The first site plan would show the entire property with detail indicating the area proposed for development. The second site plan would focus on the specific areas of the proposed development.
Site Plans must show location and distance from closest adjacent structures on neighboring properties and accurate dimensions of front setbacks for buildings on adjacent parcels, where required to determine required front setback.
The location and nature of all existing and proposed easements.
Dimensions of the parcel, existing and proposed buildings, parking spaces, and other features, as well as the width of walkways, driveways, planters, etc. Dimensioning is important in order to determine if the site meets development standard requirements.
Footprints of all existing and proposed buildings, structures, or signs, drawn to scale showing the proposed location of structures to be constructed, modified, relocated, or demolished. Indicate the type of use and include all dimensions.
Square footage for all existing and proposed buildings and proposed additions.

Setbacks of buildings from property lines, other onsite buildings and structures, septic systems, water wells, etc. (dimensioned).
Location of existing and proposed walls/fences, height, and materials of construction.
Location of all off street parking and loading facilities (if applicable).
Location of all off street parking and loading facilities. Show parking spaces with dimensions for each type of vehicle (truck, car, motorcycle, bicycle), and either number parking spaces individually or show subtotals for groups of parking spaces. In addition, show a tabulation of the required and proposed parking.
Location and identification of drainage courses, creeks, City drainage facilities, etc.
Location of water source(s), supply and storage facilities.
Location of proposed trash, recycling, or storage areas.
Location of proposed electrical vaults/transformers and backflow preventors, if required.

Building Elevations must show:

The building elevations must show the exterior appearance of all sides of project structures, building modifications, and additions proposed for construction.
Elevations must be drawn to scale with an indication of height. <i>Please note:</i> Renderings that are not true elevations may be included, however they do not replace the requirement for true elevation drawings.
Provide building elevations for all affected views, and identify them as North, South, East, and West, <u>not</u> front, rear, right side, etc.
Identify exterior building features (doors, windows, building walls, etc.) as existing (E), new (N), or proposed to be repaired or to be replaced.
Identify all areas of walls and roof that are proposed to be demolished.
Indicate with dashed lines any window or door openings, or any other features that are proposed to be eliminated or modified.
Indicate with dashed lines any window or door openings, or any other features that are proposed to be eliminated or modified.

Indicate the height from grade to the top of plate line, and to the top of the roof, and also depict and/or reference any anticipated roof mounted equipment and equipment screening.
Roof plans should indicate all roof slopes. Indicate equipment and other features as well as slope. Identify all areas of the roof proposed for demolition. Where the project proposes additions to existing structures, clearly identify the portions of roof that are existing (E) and proposed to be changed/new (N).
Identify any existing or proposed encroachment by the building onto the right of way. This includes, but is not limited to, canopies, balconies, bay windows, etc.

Floor Plans must show:

All buildings under consideration. The floor plans are necessary for a full understanding of the project, the functioning of the interior spaces, and ultimately to verify the intended land use.
A dimensioned floor plan for each level of the structure.
Identification of all exterior features (doors, windows, etc.) as existing, new, to be repaired, or to be replaced.
Identification of all rooms.
Identification of all exterior landings at doors.
Indicate all walls, windows, doors, and ancillary structures proposed to be demolished.

URBAN LOT SPLITS

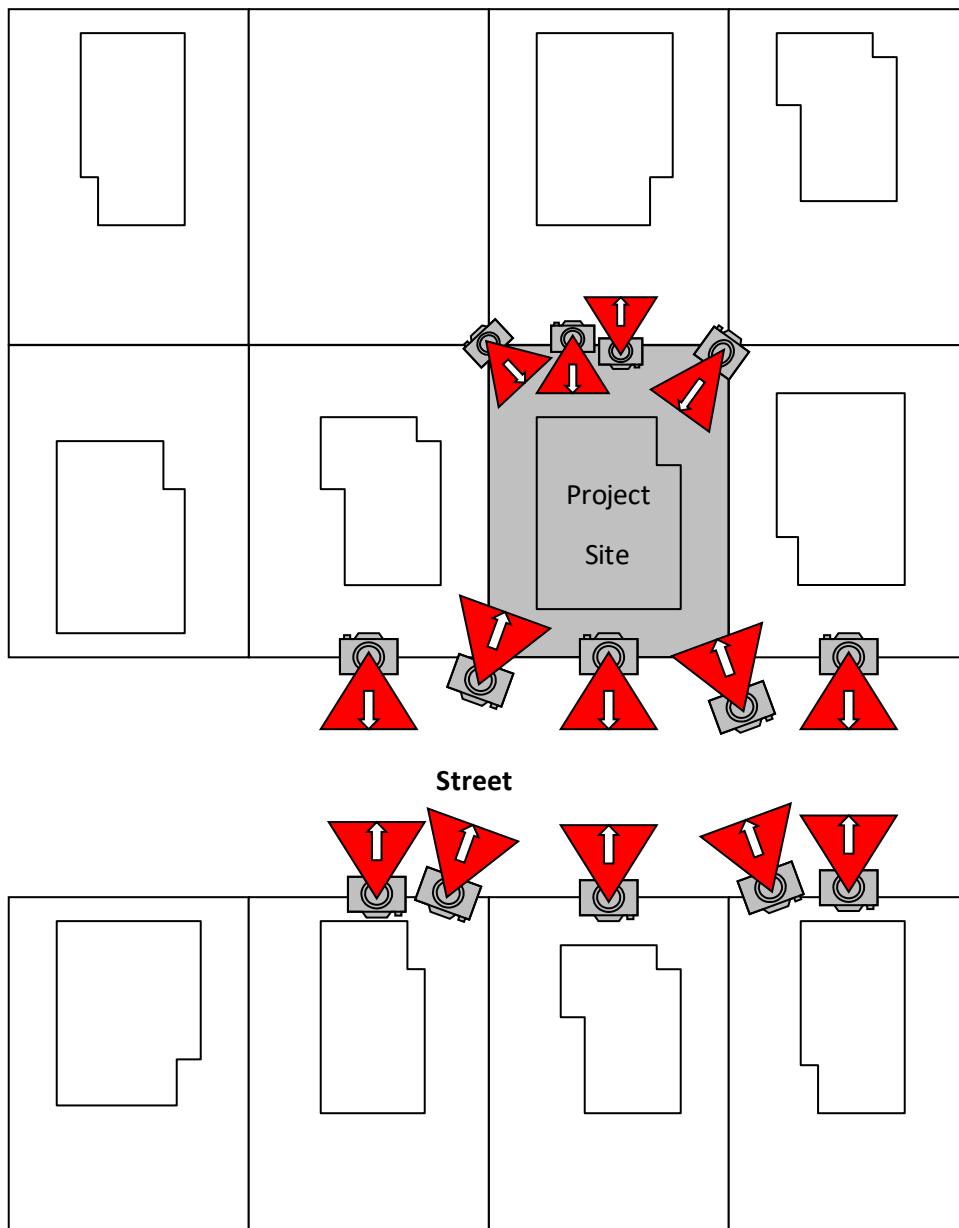
Tentative Parcel Maps:

Tentative Parcel Maps submittals shall be consistent with the requirements set forth in the Tentative Map and Final Map Information Checklists prepared by Public Works.
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If the lot split is proposed by a “community land trust,” as defined in clause (ii) of subparagraph (c) of paragraph (11) of subdivision (a) of Section 402.1 of the Revenue and Taxation Code, or a “qualified nonprofit corporation” as described in Section 214.15 of the Revenue and Taxation Code, please provide evidence substantiating such status. This may include, but is not limited to, a written determination from the Internal Revenue Service.

Photo Instructions

Guidelines for photographing a project site



Take pictures of all sides of the building/site to be reviewed and each of the adjacent properties. If access to the rear of the project is limited, take photos on the corner of the lot within actual property lines.

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Application Form

Please complete all sections, providing as much detail as possible regarding the scope of your proposal.

Subject Site Information

Project Name: _____
Site address or location of property: _____
Assessor's Parcel Number(s): _____
Total property size in acres (Gross/Net): _____
Square feet if less than one (1) acre: _____

Property Owner Information

Contact name: _____
Company name: _____
Mailing Address: _____
City: _____ State: _____ Zip: _____
Phone: _____ Ext: _____ Fax: _____
Email Address: _____

Applicant Information

Contact name: _____
Company name: _____
Mailing Address: _____
City: _____ State: _____ Zip: _____
Phone: _____ Ext: _____ Fax: _____
Email Address: _____

Staff Use Only (New Applications / Original Application for Modifications)

Date Filed: _____ Received By: _____
File Number: _____

Staff Use Only (Modification of Approved Application)

Date Filed: _____

Received By: _____

File Number: _____

Letter of Agency from Property Owner

This section of the application is required to be completed if this application is submitted by someone other than the property owner.

I, the undersigned legal owner of record, hereby grant permission to:

Name of Applicant

to apply for a ministerial housing project proposed for my property.

Signature of Property Owner

Date

Project Narrative

Please describe the scope of work being proposed for review. Include additional pages, if necessary.

Objective Requirements

The proposed development will be evaluated against the eligibility requirements and objective development standards. If the project meets these requirements and standards, the planning application will be approved. If it does not, the application will be denied and the applicant may resubmit at any time, subject to the application requirements including new fees for staff review.

Please answer “yes”, “no”, or “N/A” (not applicable) to the items below and provide the requested information. In order to be eligible to use the ministerial approval of this application, the proposed project must meet all eligibility requirements below (as indicated by the shaded box).

Eligibility Requirements		Yes	No	N/A	Staff
1.	Is the project a residential development with a of maximum two units per parcel, including accessory dwelling units and junior accessory dwelling units? <i>Number of units: _____</i>				
2.	Is the project 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? Please use the Land Information Lookup App to identify historic resources.				
3.	<u>For Urban Lot Split applications only:</u>				
	○ Does the property owner own any land directly adjacent to the project’s parcel?				
	○ Has the site been previously subdivided using SB9?				
	○ Does the property owner agree to occupy a dwelling unit on the property as their principal residence for a minimum of three years from the date of the approval of the urban lot split? (Note: Does not apply to “community land trust” or “qualified nonprofit corporation”)				
	○ The subdivision is proposed by a “community land trust” conforming to the criteria at Government Code Section 66411.7(g)(2), or a “qualified nonprofit corporation” as described in Section 214.15 of the Revenue and Taxation Code.				
4.	The proposed project does not require demolition or alteration of any of the following: ○ 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 any form of rent or price control through a public entity’s valid exercise of its police power. ○ Housing that has been occupied by a tenant in the last three years.				

Eligibility Requirements		Yes	No	N/A	Staff
	<ul style="list-style-type: none"> ○ 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. ○ The proposed housing development does not allow the demolition of more than 25 percent of the existing exterior structural walls, unless the housing development meets at least one of the following conditions: ○ The site has not been occupied by a tenant in the last three years. 				
5.	Does the applicant agree that a rental of any units created under this SB9 application shall be for a term longer than 30 days?				
6.	<p>Is the site located in any of the following areas or does the site include any of the following? <i>Please note:</i> By checking “yes” or “no” the applicant is stating that they have verified the information and will provide documentation upon request. The following resources have been provided for informational purposes only. Staff exercises the right to accept documentation from other sources if deemed to be more authoritative. [401.(b)]</p> <ul style="list-style-type: none"> ○ Prime farmland (see https://maps.conservation.ca.gov/agriculture) ○ Designation as a hazardous waste site (see https://geotracker.waterboards.ca.gov/ and https://www.envirostor.dtsc.ca.gov/public/) ○ An existing mobile home park (see State Housing & Community Development Map Query) ○ Conservation areas/easements or protected species (see https://www.conservation.ca.gov/dlrp/fmmp and https://wildlife.ca.gov/conservation/cesa) ○ Land identified for conservation (see https://www.fws.gov/sacramento/es/Habitat-Conservation-Plans/) ○ Wetlands (see U.S Fish & Wildlife Service National Wetland Inventory) ○ A floodplain or floodway (see https://msc.fema.gov/portal/home) 				

Please answer “yes”, “no”, or “N/A” (not applicable) to the items below and provide the requested information. To be approved, the project must meet all the applicable objective standards below:

	Objective Design & Development Standards	Yes	No	N/A	Staff
General Standards					
1.	Is the project site in the Rural Estate (RE) or the Single-Unit Dwelling (R-1) zoning designation ? <i>Project Site Zoning designation:</i> _____				
2.	How many units are proposed? <i>Number of units (total)</i> <i>Parcel 1:</i> _____ <i>Parcel 2 (if applicable):</i> _____				
3.	Does the proposed development meet the Citywide Infill Housing Design Standards for single-unit and duplex dwellings?				
4.	Do all proposed single-unit dwellings meet the architectural design standards in City Code Section 17.600.105 ?				
	Do all proposed duplex dwellings meet the architectural design standards in City Code Section 17.600.110 ?				
5.	Does the development meet the lot coverage requirements of City Code Section 17.864.020 ? <i>Maximum lot coverage: Parcel 1 _____%; Parcel 2 _____%</i> <i>Proposed lot coverage: Parcel 1 _____%; Parcel 2 _____%</i>				
6.	Are all new structures at or below the maximum height ? <i>Maximum allowed height: 35 feet</i> <i>Proposed height to plate line:</i> _____				
7.	Do all roof structures comply with the requirements in City Code Section 17.600.145 ? <i>Roof structures/height:</i> _____				
8.	Do all new additions and structures comply with the bulk control standards ? (City Code Section 17.864.020.A.2)				
9.	Do all new structures meet the required front, rear, interior side, and street side setbacks of City Code Section 17.864.020 ?				
10.	Is all development setback a minimum of 20-feet from the landside toe of any flood control levee ? If five acres in size or greater, is all development setback a minimum of 50-feet?				
11.	Is all mechanical equipment screened from view from adjacent streets and public areas? (City Code Section 17.600.165)				
12.	Urban Lot Splits Original parcel size: _____ square feet Proposed parcel size: Parcel 1 _____ square feet ¹ ; Parcel 2 _____ square feet ¹ ¹ Minimum lot size allowed is 1,200 square feet, or new parcels shall not be smaller than 40% of the lot size of the original parcel, whichever is greater.				

Objective Design & Development Standards		Yes	No	N/A	Staff
	Does each parcel have at least 20 feet of developed public street frontage or public alley frontage; or an easement ² for access and the provision of public services and facilities? <i>²In the absence of such an easement, the applicant must enter into an agreement for conveyance of easements.</i>				
	Does the tentative parcel map comply with all applicable objective standards in City Code Section 17.832 ?				
	Does each new parcel have separate water and sewer services?				
Parking					
16.	Does the project comply with the vehicle parking standard at City Code Section 17.864.020(A)(4)(d)? At least one of the following applies:				
	One space per dwelling unit is provided; or				
	The lot is located within one-half mile of a high-quality transit corridor or major transit stop; or Please use the Land Information Lookup App to determine whether the subject lot is located within these areas. If the site is not located near transit, the webpage will include (on the lefthand side) "SB 9 Parking Required."				
	A car share is located within one block of the lot. The care share (e.g., Zipcar) must be a fixed location (i.e., not parked on the street). Address of care share location _____ _____				
17.	When required, are all parking spaces at least 10 feet by 20 feet and comply with the paving requirements of City Code Section 17.612.020 ?				
18.	Do all driveways comply with the objective standards in City Code Section 17.508 , including minimum width and location?				
Landscaping					
19.	Do all single-unit and duplex dwellings meet the objective landscaping requirements in City Code Section 17.612.010(A) ?				
Recycling and Solid Waste					
20.	Does the site plan depict a concealed and adequate area to meet the required recycling and solid waste volume requirements ? (Section 17.616.030 & 17.864.020.A.3).				
Wall, Fence, and Gate					
21.	Does the project meet the wall and fence requirements for single-unit and duplex developments in City Code Section 17.620.110 ?				
22.	If gates are proposed, does the site plan demonstrate compliance with design and operations requirements in City Code Article II. Gated Developments ?				
23.	If provided, do sound walls comply with the development standards in City Code Section 17.620.320 ?				

	Objective Design & Development Standards	Yes	No	N/A	Staff
24.	If provided, do all accessory structures , such as carports, garages, patios, and other enclosed structures meet the development standards in City Code Section 17.624 ?				
Other (answering “no” does not disqualify the project)					
25.	Does the project include abandoning easements or rights-of-way ? If so, please note that this requires approval by the City Council as a discretionary action (not ministerial).				

Applicant Certification

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial elevation to the best of my ability and that the facts, statements and information presented are true and correct to the best of my knowledge and belief.

I hereby give permission to City Staff and other authorized personnel to post public notification signs on my property during the processing of this application.

I understand that some application fees required to submit this application may be an initial deposit and based on full cost recovery. If the time to review the project exceeds the amount of deposit that is collected, additional payment will be required.

I understand that in the event of a dispute over the project, I am required to defend, indemnify, and hold harmless the City of Sacramento as follows:

1. Except as provided in paragraph 2, immediately below, I agree that in connection with any claim, action, or proceeding (collectively "claim") brought against the City of Sacramento and its City Council, agencies, commissions, boards, departments, officers, employees, and agents (collectively the "City") to attack, set aside, void, or annul any City action arising out of or in any way connected to the project, including any determination made pursuant to the California Environmental Quality Act, I will defend, indemnify, and hold harmless the City from and against all damages, costs, and attorneys' fees, excluding the City's staff attorneys' fees. I understand that the City, in its sole discretion, may decide to use outside counsel or its staff attorneys (or both) to defend the claim.

2. As a condition of a tentative, parcel, or final map application or approval, I agree to defend, indemnify, and hold harmless the City of Sacramento and its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul an approval of a tentative, parcel, or final map by the City, advisory agency, appeal board, or legislative body concerning a subdivision, which is brought within the time period provided for in Government Code section 66499.37, from and against all damages, costs, and attorneys' fees. The City will promptly notify me of any such claim and will cooperate fully in the defense. The City, in its sole discretion, may elect to defend any such action with attorneys of its own choice and, in such case, shall bear its own attorneys' fees and costs and will defend the action in good faith.

Signature of Applicant

Date

Please note that once this document is submitted to the City of Sacramento, your information will be posted online and is part of the public record; however, the City will not sell your data or information for any purposes.

FOR STAFF USE ONLY:

The proposed project meets all objective Planning development standards and objective Planning design standards; therefore, this Planning application is **approved**. This approval is subject to a seven-day reconsideration period, consistent with City Code Section [17.812.020](#). Please note that subsequent Building permits are required for construction. The project may require additional permits from other agencies or departments.

The proposed project does not meet all objective Planning development standards and objective Planning design standards; therefore, this application is hereby **denied**. The unmet Planning standards are as noted on the checklist above. A new application can be submitted at any time, subject to the standard submittal requirements and fees.

Signature of Staff

Date of Decision

Planning approval is valid for up to three years from the date of decision.