



City of Burbank – Planning Division
SB 9 URBAN LOT SPLIT ELIGIBILITY APPLICATION
Submittal Checklist and Project Information

150 North Third Street
Burbank, California 91502
www.burbankca.gov
T: 818-238-5250
F: 818-238-5150
E: planning@burbankca.gov

California Senate Bill 9 (SB 9) requires all cities and counties to ministerially review and approve certain housing developments containing no more than two residential units within a single-family residentially zoned lot (“Second Single Family Dwelling”), as well as certain subdivisions in which one existing single-family residential zoned lot is subdivided to create two single-family zoned lots (“Urban Lot Splits”), under Government Code §66452.6, 65852.21, and 66411.7.

Invocation of an SB 9 Urban Lot Split project must be initiated by the project applicant and is subject to the site eligibility requirements listed in the checklist below. Applicants intending to invoke an SB 9 Urban Lot Split ministerial approval process must fill out this checklist completely and provide a full set of project plans (i.e., site plan, floor plan, demolition plan, elevations, and building cross-sections), and supporting documentation for each question, as applicable, to demonstrate eligibility, along with the required application fee. Incomplete checklists that do not include required attachments or supporting documentation will not be processed and the request will be denied. If any of the answers to the questions below are “no,” then the project is not eligible for SB 9 review.

TO ALL APPLICANTS: There is no guarantee, expressed or implied, that any permit or application will be granted. Each project matter must be carefully investigated, and the resulting decision may be contrary to a position taken or implied in any preliminary discussions. The burden of proof regarding this application rests upon the applicant.

SB 9 Site Eligibility Checklist

The following information and checklist are intended as a guide to help applicants and the City's Planning Division determine if a project site is eligible for review under SB 9. To be eligible for SB 9, a project must meet **ALL** the following criteria, as outlined:

IF AN URBAN LOT SPLIT IS PROPOSED. Eligibility criteria:

- Existing lot must be at least 2,400 square feet in size.
- Existing lot was not created through an Urban Lot Split.

DEMOLITION OR ALTERATION OF EXISTING HOUSING. The proposed Project would not 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 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, from the date that an application is submitted.

ELLIS ACT RENTAL OR LEASE TERMINATION. The Owner(s) of the property on which the Project is proposed has not exercised the owner's rights under Chapter 12.75 of Division 7 of Title 1 of the California Government Code (the Ellis Act) to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.

HISTORIC PROPERTIES. The Project is not 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.



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LOCATION OF DEVELOPMENT SITE. The Project is not located on a site that is any of the following:

- A coastal zone, as defined in Division 20 of the Public Resources Code.
- Either prime farmland or farmland of statewide importance, as defined pursuant to United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by the voters of that jurisdiction.
<https://maps.conservation.ca.gov/dlrp/ciff/>
- Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2.
<https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>
- Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code. This subparagraph does not apply to sites excluded from the specified hazard zones by the City of Burbank, pursuant to subdivision (b) of Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.
<https://egis.fire.ca.gov/fhsz/>
- A hazardous waste site that is listed pursuant to 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 the State Department of Public Health, State Water Resources Control Board, or Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.
<https://www.envirostor.dtsc.ca.gov/public/>
- Within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law, and any additional requirements from the City of Burbank, as allowed under Chapter 12.2 of Division 1 of Title 2.
<https://maps.conservation.ca.gov/cgs/fam/>
- Within a special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency. A development may be located on a site described in this subparagraph if either of the following are met:
 - The site has been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the City of Burbank.
 - The site meets Federal Emergency Management Agency requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program.

<https://msc.fema.gov/portal/home>



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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 has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations

<https://msc.fema.gov/portal/home>

Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act, habitat conservation plan pursuant to the federal Endangered Species Act of 1973, or other adopted natural resource protection plan.

<https://databasin.org/datasets/c116dd0d32df408cb44ece185d98731c/>

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, the California Endangered Species Act, or the Native Plant Protection Act.

<https://fws.maps.arcgis.com/home/webmap/viewer.html?webmap=9d8de5e265ad4fe09893cf75b8dbfb77>

Lands under a conservation easement.

www.conservationeasement.us/adv-search/

Applicant Signature. *Acknowledgement that the project would comply with all items in the SB 9 eligibility checklist above, and that supporting information has been provided demonstrating compliance.*

Applicants Name:	Applicants Signature:	Date:
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