



ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY

PLANNING DEPARTMENT

Sandra Rivera
Agency Director

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www.acgov.org/cda

SB9 PRE-SCREEN APPLICATION

Senate Bill 9 (SB9) allows the development of two housing units and/or lot split on eligible single-family zoned properties. A project may be eligible for the SB 9 application process if it meets all of the eligibility criteria per [Government Code Section 65852.21](#) and/or [Section 66411.7](#) (as shown in the checklists below).

This Pre-Screen will evaluate whether your project is eligible for streamlined processing under SB9 and meets the County's Zoning Objective Standards.

Instructions

STEP ONE: Fill out the required application fields, including the Owner – Occupant and Rental Term Affidavit Attestation on the last page (required for lot split applications only).

STEP TWO: Prepare your preliminary project plans. The more detailed the project plans, the more detailed will be the feedback you receive. At a minimum, submit a site plan drawn to scale, showing all dimensions, proposed setbacks, existing and proposed structures, and access information.

STEP THREE: Submit your application by or using the online permitting portal at <https://acpermit.acgov.org/permit/portal/#/>

STEP FOUR: A planner will review the application materials. If additional information is required to determine eligibility, the planner will request it. Once a final determination is made, the planner will email you the results of the Pre-Screen Application. You will submit this final determination with your SB9 Application.

SB 9 Pre-screen approval for eligibility of SB 9 only and does not provide approval for any plans submitted for the Pre-screen review.

- THIS SECTION FOR PLANNING DEPARTMENT USE ONLY -			
SB 9 Pre-Screening Completed by Planner: <input type="checkbox"/> Yes <input type="checkbox"/> No			
SB 9 Pre-Screening Submittal Date:			
Planner Name/Signature:			
Submittal Date:	Project Preliminarily Eligible to Submit SB9 Development: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Project Preliminarily Eligible to Submit SB9 Urban Lot Split: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Preliminary Eligibility Determination Date:
SB9 Building Application # (BLD):		SB9 Lot Split Application # (PLN):	



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Senate Bill 9 – Declaration of Conformance with State Legislation

At the time of application for a residential development and/or lot subdivision (lot split) pursuant to Senate Bill 9 (SB 9), the project proponent must complete the following checklist to demonstrate eligibility for SB 9 consideration per State legislation as per amended Government Code Section 66452.6 and added Government Code Sections 65852.21 and 66411.7.

PROJECT INFORMATION

Site Address _____ APN: _____

Parcel Size: _____

The proposed project will use SB9 for one of the following purposes:

- ☐ ONLY development of two primary housing units on one parcel.
- ☐ ONLY an urban lot split of one existing parcel.
- ☐ BOTH an urban lot split AND development of up to two units on each new lot.

PRIMARY CONTACT INFORMATION

Name: _____

Email: _____ Phone: _____

ATTACHMENTS FOR SB9 PRE-SCREEN APPLICATION

- ☐ Project Plans in PDF format. Project Plans are **required**.
- ☐ Any additional supporting documents confirming SB9 Eligibility (optional)

Owner Name: _____ Signature: _____

Date: _____

Applicant Name: _____ Signature: _____

Date: _____



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SB 9 Eligibility Checklist

Determination of Property Qualification for SB 9 Development, including any existing structures, whether the primary home or accessory dwelling unit (ADU), that are on the site. Applicants answering “Yes” to the following statements may be eligible for SB-9 processing. This checklist is applicable only to Residential Developments and Lot Subdivisions (Lot Splits).

	Property Eligibility	YES	NO
1.	The site is a legal parcel wholly within the boundaries of an Urbanized Area or Urban Cluster ¹	<input type="checkbox"/>	<input type="checkbox"/>
2.	The property is a single-family residential zone (R-1 Zoning and related single-family residential zoning districts).	<input type="checkbox"/>	<input type="checkbox"/>
3.	The property is not included on the State Historic Resources Inventory, or is not within a site that is legally designated or listed as a county landmark or historic property or district.	<input type="checkbox"/>	<input type="checkbox"/>
4.	The property meets requirements of SB 35 (Section 65913.4) subparagraphs (a)(6)(B) -(K) ² <ul style="list-style-type: none"> The Property cannot be: <ul style="list-style-type: none"> Prime farmland or farmland of statewide importance (B) Wetlands (C) Identified for conservation or under conservation easement (I + K) Habitat for Protected Species (J) The Property cannot be (unless meeting specified requirements): <ul style="list-style-type: none"> Within a very high fire hazard safety zone (D) A hazardous waste site (E) Within a delineated earthquake fault zone (F) Within a 100-year floodplain or floodway (G+H) 	<input type="checkbox"/>	<input type="checkbox"/>
5.	The project would not alter or demolish: <ul style="list-style-type: none"> Housing occupied by a tenant currently or in last 3 years³ Deed-restricted affordable housing Rent-controlled housing Housing on parcels with an Ellis Act eviction in last 15 years. 	<input type="checkbox"/>	<input type="checkbox"/>

1. Defined by the United States Census Bureau

2. See Section 65913.4(a)(6) Exclusions for full details and definitions

3. Lot can be subdivided, and then new units can be added to the lot without the Ellis Act-affected building



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Urban Lot Split

	QUESTION	YES	NO	N/A
1.	Is this the first time the subject property will be subdivided under an SB-9 Urban Lot Split application?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.	Does the ownership entity own or share interest in properties immediately contiguous to the subject property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.	Has the owner of the parcel being subdivided or any person acting in concert with the owner previously conducted an urban lot split of a contiguous parcel using SB 9? (based on GC 66411.7(a)(3)(G))			
4.	Questions below pertain to new parcels that will be created as a result of the Urban Lot Split application. <ul style="list-style-type: none">○ Are only two new parcels of approximately equal lot size proposed?○ Are both lots no less than 40% and no more than 60% of the original lot area (square feet)?○ Will each parcel be at least 1,200 square feet in size?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

The undersigned is the applicant / owner of the property that is the subject of this application.

- 1) The information presented is true and correct to the best of my knowledge.
- 2) I acknowledge that additional information or applications may be required prior to a decision on this application.
- 3) I understand this application is not a development application that authorizes an entitlement and is strictly for the purposes of Senate Bill 9.
- 4) I understand that any information provided to the Planning Department becomes part of the public record and can be made available to the public for review and/or posted to the Department websites.

Print Name(s): **Applicant / Owner / Occupant Signature(s):** **Date:**



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Owner – Occupant and Rental Term Affidavit

At the time of application for a residential development and/or lot split pursuant to Senate Bill 9 (SB 9), the project applicant / owner of the property must agree that if any of the dwelling units are to be rented out at any time, they shall be on rental terms longer than 30 consecutive days, pursuant to California Government Code Section 65852.21(e) and 66411.7(h). Additionally, if the project is proposing a lot split pursuant to SB 9, the applicant must submit an affidavit stating the applicant's intent to reside in one of the dwellings on the project site as a principal residence for at least three years from the date of approval of the lot split, pursuant to California Government Code Section 66411.7(g)(1).

The applicant / owner of the property must sign this affidavit and show valid California identification (and other supporting documents, if requested) to the Alameda County Planning Department, confirming that they are the property owner. If there are multiple owners of the property, property owners must complete separate signed affidavits to be submitted along with applicant's affidavit, or provide a document (e.g., Power of Attorney, Articles of Incorporation, Trustee, etc.) which gives the applicant the authority to sign on behalf of all the owners of the property. All signatures must be notarized. The notarized affidavit must include the current legal notary language, as well as the signature and seal of the Notary Public. As part of approval of the application this affidavit must be recorded with the Alameda County Recorder.

Property Address(es):

Assessor's Parcel Number(s) (APNs):

For Development and/or Lot Split Applications: (Must be completed by all owners using separate forms)

I affirm under penalty of perjury that the foregoing is true and correct regarding the dwelling unit(s):

- ☐ If rented out at any time, the unit(s) shall be rented out for terms longer than 30 consecutive days.

For Lot Split Applications only: (To be completed only by the applicant)

I affirm under penalty of perjury that the foregoing is true and correct regarding the lot split:

- ☐ I am the owner the property and intend to occupy one of the units on one of the resulting properties for at least 3 years after the lot split is approved through approval and recording of the Final Map.

(continued on next page)



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- 2) I acknowledge that additional information may be required prior to a decision on this application.
- 3) I understand that any information provided to the Planning Department becomes part of the public record and can be made available to the public for review and/or posted to the Department websites.

Print Name(s): Applicant / Owner / Occupant Signature(s)

Date:
