



SENATE BILL 9 (SB 9) CHECKLIST - DWELLING UNIT

The following materials are required at minimum in order to submit an application for an SB 9 Dwelling-Unit development (up to two primary units). Additional materials may be required by the Community Development Director depending on the complexity of the project.

Required Project Information

SB 9 Application Form

Planning Fees

Title Report

Provide a Preliminary or Final Title Report Prepared by a Title Company Within the Last Three Months.

Single-Family Residential Projects Checklist

Applicant must follow the City's Design Review Application Submittal Checklist

Dwelling Unit Deed Restriction Agreement

Applicant will complete and sign a deed restriction agreement.

Accessory Dwelling Unit (ADU) Application

Applicable only to projects without a Lot Split application.

Single-Family Residential Zoning

The project site must be classified as a single-family zoning district. Single-family zoning districts in the City of Richmond include RH, RL1, and RL2. To find the parcel's zoning district please visit: <http://www.ci.richmond.ca.us/3344/Mapping-Services> and click on Zoning Information.

Number of Units

The project cannot result in more than two primary residential units on the parcel. Accessory Dwelling Units and Junior Accessory Dwelling units may be allowed in addition to the two primary residential units.

If Units will be Demolished, Affidavit that states:

The proposed housing development would not require demolition or alteration of any of the following types of housing:

A. *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.*

B. *Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.*

C. *Housing that has been occupied by a tenant in the last three years.*

Housing Removed from Rental Market

An owner affidavit that states that the proposed housing development is not a parcel on which an owner has exercised rights under the Ellis Act (California Government Code Chapter 12.75) within 15 years before the date that an application is submitted.

Affidavit Regarding Occupancy of Units

Required if there are existing units on the site of the project, and if the owner states that no tenants occupied any units in the past three years.

Consistent with Objective Design Standards

The project must meet all objective zoning and development standards in effect at the time the application is submitted, unless the development standards would preclude two primary units that are 800 square feet in size, or if the development of a unit includes the conversion of, or the construction of a unit within the same location of, an existing structure.

Deed Restriction - Short Term Rentals

The rental of any unit created pursuant to this process shall be for a term longer than 30 days. The applicant will provide a signed deed restriction.

Parking

At least one-off street parking space provided per unit, except no off-street parking is required when:

- The parcel is located within one-half mile walking distance of either a high-quality transit corridor, defined as a bus route with 15-minute headways, within a block of car share vehicle, or an existing BART Station. The applicant will provide evidence that the site is in at least one of these locations, if they want to waive the parking requirement.*
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Historic Designation

Evidence that the site is not located in a historic district or property included on the State Historic Resources Inventory, or within a site that is designated or list as a city or county landmark or historic property or district per city or county ordinance.

Percolation Test

If the unit is connected to an onsite wastewater treatment system, proof of a percolation test has been completed within the last 5 years, or within the last 10 years for a recertified percolation test.

Location

The applicant will provide evidence about the site meets the requirements below. Resources are publicly available in the City's General Plan EIR or through various state and regional websites.

- The project site must be in an urbanized area or urban cluster as defined by the U.S. Census Bureau; and*
- The project must be located on a property that is outside the following areas:*
 - Either prime farmland or farmland of statewide importance*
 - Wetlands, as defined by the U.S. Army Corps of Engineers (Corps) and the U.S. Environmental Protection Agency (EPA).*
 - A very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to the California Code 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 does not apply to sites excluded from the specified hazard zones by the City, pursuant to subdivision (b) of the California Code 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.*
 - A hazardous waste site that is listed pursuant to the California Code 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 Department of Toxic Substances Control has cleared the site for residential use or residential mixed-uses.*
 - 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 (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.*

- A flood plain as determined by maps promulgated by the Federal Emergency Management Agency, unless the development has been issued a flood plain development permit pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.
 - A floodway as determined by maps promulgated 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.
 - Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan.
 - 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 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).
 - Lands under conservation easement
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