



CITY OF ENCINITAS
Development Services Department
505 S. Vulcan Ave
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SB 9 SUPPLEMENT APPLICATION

SB 9 requires Cities and Counties in an urbanized area or urban cluster to ministerially approve (no public hearing) a subdivision parcel map for an urban lot split and/or a proposed housing development containing a maximum of two residential units within a single-family residential zone, if the two-unit development or subdivision project meets certain statutory criteria. Early consultation with the City is strongly recommended since codes, standards, and other requirements may apply to your project that could affect the anticipated scope. Please note that SB 9 is complex, and applicants should also review the adopted Urgency Ordinance and the specific provisions of Government Code Sections 65852.21, 66411.7, and 66452.6 before making an application which is available at: [SB 9 Implementation](#).

All applications for SB 9 must complete and sign this SB 9 Supplement with the following information regarding the proposed project. Applications submitted without this supplement will not be considered complete. The property owner will be responsible for ensuring compliance with a SB 9 project approval.

Property (If multiple sites, list all below):

Address(es) (required unless a vacant site): _____

APN(S) (list all): _____

Applicant Contact Information

Name: _____ Phone Number: _____

Firm/Title: _____ Email: _____

Project Questions:

1. Is this also a SB 330 project: 1. Residential Units, 2. Mixed Use Residential, 3. Transitional Housing, or 4. Affordable Housing?
 Yes
 No
2. Is this a SB 9 Two Unit Residential Development project?
 Yes – If yes, does the property currently have a legally permitted ADU or proposed ADU's; provide number of units and number of ADUs: _____
 No
3. Is this a SB 9 Urban Lot Split project?
 Yes – If yes, provide lot size: _____ square feet. Square feet of existing homes: _____
 No
4. If this site previously had a SB 9 Urban Lot Split approved, provide the application number:

5. Does this site have any legal nonconformities?
 Yes – If yes, identify all and provide Residential Building Record or Commercial Record

 No

- 6. Are there or were there rental units on the property in the last three years?
 - Yes (See Housing Supplement)
 - No
- 7. Does the project site currently have any historical uses onsite?
 - Yes
 - No
- 8. Is the project site currently vacant?
 - Yes
 - No
- 9. Is this project located within the Coastal Commission’s Appeal Jurisdiction?
 - Yes
 - No
- 10. Are there any wetlands present onsite or within 100 feet of the project site?
 - Yes
 - No
- 11. Is the project site located within a very high fire severity zone?
 - Yes
 - No
- 12. Is the project site located within an earthquake fault zone?
 - Yes
 - No
- 13. Is the project site located within a special flood hazard zone?
 - Yes
 - No
- 14. Is the project located in the Cultural/Natural Resources Overlay Zone?
 - Yes – If yes, provide a Phase I Cultural Assessment
 - No
- 15. Does the project site contain prime farmland or farmland of state importance?
 - Yes
 - No
- 16. Is the project site under any investigative order or has otherwise been determined to contain hazardous or regulated waste of other substances that are detrimental to the environment?
 - Yes
 - No
- 17. Does the project site contain any habitat for protect species?
 - Yes
 - No
- 18. Is there currently a tenant occupying the site or a tenant who has occupied the project site over the past three years?
 - Yes
 - No

Documentation:
Aerial Photographs _____

Biological Reports _____

Comments:

OWNERS CERTIFICATE

1. I understand that prior to issuance of a parcel map approval for an Urban Lot Split, I, the property owner, shall provide a signed affidavit stating that I intend to occupy one of the housing units as my principal residence for a minimum of three years from the date of approval of the lot split, the form and content of which is satisfactory to the City Attorney.
2. I understand that two-residential unit developments shall comply with all objective applicable state and local building codes and shall require approval of a building permit.
3. If this application is approved, I hereby certify prior to the issuance of a building permit for a two-unit residential development dwelling unit, I, as the property owner, shall record a covenant with the County Recorder’s Office, the form and content of which is satisfactory to the City and its City attorney. The covenant shall notify future owners of the approved size and attributes of the units, and minimum rental period restrictions. The covenant shall also reflect the number of units approved and provide that no more than two primary residential units and two accessory dwelling units, for a total of four units, may be created on any required for the Urban Lot Split. If an Urban Lot Split subdivision was approved, the covenant shall also provide that the parcels may not be further subdivided using the urban lot split provisions, and no variances shall be permitted other than those code deviations expressly allowed by this Chapter. This covenant shall remain in effect so long as a two-unit residential development exists on the parcel.
4. I understand any unit constructed as part of two-unit development or on a parcel created by an urban lot split may be rented separately; however, rental terms shall be for 30 consecutive days or more and rental terms shall not allow termination of the tenancy prior to the expiration of at least one 31-day period occupancy by the same tenant.

I am the record owner of the property described in the application, I read and understand the content contained in this certificate, and I hereby consent to the filing of the SB 9 application.

Signature of Owner

Date