



SB 9 Development and Lot Split Checklist

Senate Bill 9 (SB 9) is a streamlined, ministerial (administrative) approval process established for certain housing unit development and lot split projects under [Government Code §65852.21](#) and [Government Code §66411.7](#). The City of Pinole Planning Division conducts the initial review to determine eligibility and compliance with State and local standards; Building Permit applications (for construction) and Public Works applications (for final lot split maps) are separate submittals. This checklist summarizes eligibility criteria and submittal requirements for SB 9 proposals. Please submit this checklist, along with the standard Development Application form (for unit development) or SB 9 Lot Split Application Form (for lot splits). Forms can be obtained from the City of Pinole Planning Division.

SB 9 Overview

SB 9 Project Review Process	
Types of SB 9 Projects	
SB 9 Unit Development	SB 9 allows for a housing development containing no more than two units within a single family zone, meeting requirements under Government Code §65852.21 . - See SB 9 Development Project (checklist pages 2-4)
SB 9 Lot Split	SB 9 allows for splitting one lot into two in a single family zone, meeting requirements under Government Code §66411.7 . - See SB 9 Lot Split Project (checklist pages 5-7)
SB 9 Unit Development and Lot Split	Both a unit development and a lot split can be proposed simultaneously under SB 9. The resulting number of units cannot exceed four total for the site (two per lot).
Application and Review Process	
SB 9 projects are conducted under ministerial review by City Staff. Discretionary review and public hearings are not required for approval of projects meeting all standards, requirements, and criteria.	
Unit Development Applications	<ol style="list-style-type: none"> Planning Division: A Development Application needs to be submitted to the Planning Division for evaluation of SB 9 requirements. Submittal information can be found online (Planning Division> Planning Permit Information) Building Division: After receiving Planning Division approval, the applicant will prepare and submit a Building Permit application package for Building Code compliance review of construction plans. Submittal information can be found online (Building Division> Building Permit Requirements)
Lot Split Applications	<ol style="list-style-type: none"> Planning Division: An SB9 Lot Split application needs to be submitted to the Planning Division for evaluation of SB 9 requirements. Submittal information can be found online (Planning Division> Planning Permit Information) Public Works Department: After receiving Planning Division approval, the applicant will prepare and submit a final parcel map application to the Public Works Department for approval prior to the applicant recording the final parcel map with the Contra Costa County Clerk-Recorder's Office. Submittal information can be found online on the Public Works Department homepage.

SB 9 Development Project

1. SB9 Development – Eligibility Checklist

Criteria	Eligibility Description	Check
Zoning		
The Zoning Map is available online (Planning Division> Zoning)		
Zoning	Located within a single-family residential zoning district (R-1 and LDR).	
Proposed Development		
General development standards below.		
Total Units	<p>The resulting total number of residential units (existing residence, SB 9 units, ADUs, and JADUs) is limited to:</p> <ul style="list-style-type: none"> Up to four units where no lot split is proposed. <ul style="list-style-type: none"> No more than two units may be primary units. ADUs/JADUs are limited to numbers per PMC 17.70 / State Law. Up to two units per lot where a lot split is proposed. 	
Objective Standards	Development meets all applicable objective City development standards. Common standards include a minimum 20-foot front setback, minimum 4-foot side and rear setbacks, and a maximum 35 foot height limit.	
Parking	<p>One off-street parking space per unit.</p> <ul style="list-style-type: none"> Except, within a ½ mile of a high-quality transit corridor or major transit stop (i.e., line frequency of 15 minutes or less during peaks). Except, where there is a car share vehicle within one block. <p>Parking dimensions detailed in PMC Section 17.48.040(B). Common standards: 9'x18' open unobstructed spaces, 10'x20' covered spaces.</p>	
Building Permit	Please be aware that a separate Building Permit application needs to be submitted for construction of the proposed unit(s).	
Locational Criteria		
See Government Code § 65913.4(a)(6) to refer to the full text.		
Farmland	Not located on prime farmland or farmland of statewide importance.	
Wetlands	Does not contain wetlands.	
Fire Hazard Severity	<p>Not located in a high/very high fire hazard severity zone. See CAL FIRE Fire Hazard Severity Zone Maps.</p> <ul style="list-style-type: none"> Or, development can incorporate fire hazard mitigation measures through existing building standards. 	
Hazardous Materials	<p>Not a site with hazardous materials management:</p> <ul style="list-style-type: none"> See Department of Toxic Substances Control list: EnviroStor. See State Water Resources Control Board list: GeoTracker. 	
Earthquake Fault Zone	<p>Not located within an earthquake fault zone. See CA Dept. of Conservation.</p> <ul style="list-style-type: none"> Or, will comply with seismic protection building code standards. 	
Flood Hazard	<p>Not located in a FEMA 100-year flood hazard area (1% annual chance flood) or regulatory floodway. See FEMA Flood Hazard Layer Viewer.</p> <ul style="list-style-type: none"> Or, can meet all federal regulatory criteria and requirements. 	
Natural Resource	Does not contain land in natural community conservation plan, habitat conservation plan, or other adopted natural resource protection plan.	
Habitat	Does not contain habitat for protected or endangered species.	
Conserve	Does not contain land under a conservation easement.	

Criteria	Eligibility Description	Check
Site and Demolition Limitations		
See Government Code §65852.21 to refer to the full text.		
Limit on Demo/ Alteration	Limitations on demolition or alteration of certain existing housing: <ul style="list-style-type: none"> No demolition or alteration of affordable housing. No demolition or alteration of housing under rent or price control. No demolition of more than 25% of the exterior structural walls if occupied by a tenant in the last 3 years. 	
Not Withdrawn from Rent	Property is not a parcel where the owner had withdrawn accommodations from rent or lease (as a residential hotel), under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1, within the last 15 years.	
Not Historic	Property is not listed as a historic property or in a historic district under local or State lists.	
Future Rentals	Rental of any units created through SB 9 are required to be for terms longer than 30 days.	

2. SB 9 Development – Submittal Requirements Checklist

Submittal	Submittal Requirements	Check
Information	A. Identify parcel size. B. Identify existing/proposed number and types of units. C. Identify any units that were renter occupied in the last 3 years.	
Site Plan	A. North arrow and scale bar. B. All lot lines. C. Footprints and eaves of all existing and proposed structures. D. Label type of structure (residence, SB 9 unit, ADU, JADU) E. Setback distances other structures from other structures and lot lines. F. Fences and retaining walls, including heights and materials. G. Site access (driveways, curb cuts, sidewalks, etc). H. Adjacent fixtures & infrastructure in the right of way. I. Infrastructure lines on site (water, sewer, etc). J. Tree location, trunk (diameter at 4.5 feet above grade), dripline, species. K. Decks, patios, stairs, awnings, pergolas, other outdoor amenities, and accessory structures. L. New/existing impervious surfaces (such as concrete paving). M. New/existing pervious surfaces (such as planting areas, mulch/soil, etc). N. Creeks, drainage facilities, riparian areas, flood hazard areas. O. Easement areas.	
Grading & Drainage Plan	A. Existing and proposed topography/grading. Amount of cut and fill. B. Stormwater management plan, e.g., location of surface and subsurface drainage facilities, bioretention, and direction of runoff/drainage.	

Submittal	Submittal Requirements	Check
Floor Plan	<ul style="list-style-type: none"> A. Scale bar. B. Building layout with measurements of exterior walls and interior spaces. C. Locations and sizes of windows and doors. D. Wall widths graphically shown. E. Use of rooms identified. F. Fixtures shown (sinks, stoves/ovens, toilets, showers/tubs, etc). G. Interior dimensions of proposed garages. H. Wall legend identifying walls as existing, new, and to be demolished. 	
Roof Plan	<ul style="list-style-type: none"> A. North arrow and scale bar. B. Roof pitches. C. Roofing materials and rooftop equipment. 	
Elevations	<ul style="list-style-type: none"> A. Scale bar. B. Direction of elevation views. C. Height measurements, including existing/finished grade, floor heights, ceiling heights, and roof ridge. D. All architectural features, doors, windows, trim, gutters, down spouts, exterior walls, roofing, lighting fixtures. E. Identify materials and colors. 	
Landscape Plan	<ul style="list-style-type: none"> A. Total square footage of new or rehabilitated landscaping areas. B. Planting areas, pervious non-planting area, and hardscape surfaces. C. Irrigation fixtures and lines. Clarify irrigated/non-irrigated areas. D. For new plantings, identify the species, number, and method of irrigation. 	
Additional Information	<ul style="list-style-type: none"> A. Title Report (for development on vacant lots). B. Lot survey (vacant lots/construction near lot line). C. Geotechnical report (grading and development on slopes/hillsides). 	
Deed Restriction	Owner shall submit a notarized deed restriction affirming use of the subdivided lots would be in compliance with SB 9 requirements, including a restriction requiring any rental of units created through SB 9 to be for terms of more than 30 days. The deed restriction can be obtained from the Planning Division and does not need to be submitted until Building Permit application submittal.	

SB 9 Lot Split Project

1. SB 9 Lot Split – Eligibility Checklist

Criteria	Eligibility Description	Check
Zoning		
The Zoning Map is available online (Planning Division> Zoning)		
Zoning	Located within a single-family residential zoning district (R-1 and LDR).	
Proposed Lot Split		
General development standards below		
Total Lots	The lot split results in no more than two lots.	
Total Units	No more than two units are allowed per lot.	
Lot Standards	Standards for resulting parcels: <ul style="list-style-type: none"> • A new parcel may be no smaller than 40% of the original parcel size. • New parcels must be at least 1,200 square feet. • New parcels must meet applicable objective zoning and subdivision standards, as well as side and rear setbacks that are at least four feet. <ul style="list-style-type: none"> • Except, no setback required for an existing structure or a structure constructed in the same location with the same dimensions. • Parcels have access to, provide access to, or adjoin public right-of-way. • One off-street parking space per unit. <ul style="list-style-type: none"> • Except, within a ½ mile of a high-quality transit corridor or major transit stop (i.e., line frequency of 15 minutes or less during peaks). • Except, where there is a car share vehicle within one block. 	
Public Works Application	Please be aware that a separate Public Works application needs to be submitted for review of the final parcel map, following review of the tentative map in the SB 9 application.	
Locational Criteria		
See Government Code § 65913.4(a)(6) to refer to the full text.		
Farmland	Not located on prime farmland or farmland of statewide importance.	
Wetlands	Does not contain wetlands.	
Fire Hazard Severity	Not located in a high/very high fire hazard severity zone. See CAL FIRE Fire Hazard Severity Zone Maps . <ul style="list-style-type: none"> • Or, development can incorporate fire hazard mitigation measures through existing building standards. 	
Hazardous Materials	Not a hazardous waste site: <ul style="list-style-type: none"> • See Department of Toxic Substances Control list: EnviroStor. • See State Water Resources Control Board list: GeoTracker. 	
Earthquake Fault Zone	Not located within an earthquake fault zone. See CA Dept. of Conservation . <ul style="list-style-type: none"> • Or, will comply with seismic protection building code standards. 	
Flood Hazard	Not located in a FEMA 100-year flood hazard area (1% annual chance flood) or regulatory floodway. See FEMA Flood Hazard Layer Viewer . <ul style="list-style-type: none"> • Or, can meet all federal regulatory criteria and requirements. 	
Natural Resource	Does not contain land in natural community conservation plan, habitat conservation plan, or other adopted natural resource protection plan.	
Habitat	Does not contain habitat for protected or endangered species.	
Conserve	Does not contain land under a conservation easement.	

Criteria	Eligibility Description	Check
Site and Demolition Limitations		
See Government Code §66411.7 to refer to the full text.		
Uses	Uses on lots created through SB 9 lot splits are limited to residential uses.	
Occupancy	Owner must intend to occupy one of the units as their principal residence for a minimum of three years from the date of lot split approval. <ul style="list-style-type: none"> Except, community land trusts or qualified nonprofit corporations. 	
Rental	Rental of any unit created through SB 9 must be for terms longer than 30 days.	
Limit on Demo/ Alteration	Limitations on demolition or alteration of certain existing housing: <ul style="list-style-type: none"> No demolition or alteration of unit with recorded affordability restriction. No demolition or alteration of housing under rent or price control. No demolition or alteration of housing occupied by a tenant in 3 years. 	
Not Withdrawn from Rent	Not a parcel where the owner had withdrawn accommodations from rent or lease (as a residential hotel), under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1, within the last 15 years.	
Not Historic	Not listed as a historic property or in a historic district under local or State lists.	
Limitations Related to Prior SB9 Splits	A lot split through SB 9 may be conducted only where: <ul style="list-style-type: none"> The parcel has not been established through a prior SB9 urban lot split. Neither the owner nor any person acting in concert with the owner has subdivided an adjacent parcel through a prior SB9 urban lot split. 	

2. SB 9 Lot Split – Submittal Requirements Checklist

Submittal	Submittal Requirements	Check
Information	A. Identify existing parcel size. B. Identify proposed parcel sizes. C. Identify existing number and types of units on the original parcel. D. Identify proposed number and types of units on each proposed parcel. E. Identify any units that were renter occupied in the last 3 years.	
Existing Site Plan and Lot Survey	A. Stamped and signed by the Licensed Lot Surveyor/Civil Engineer qualified to prepare the map. B. North arrow and scale bar C. All existing lot lines, including measurements and locations. D. Topography. One foot contour intervals preferred; no greater than 5 feet. E. Footprints and eaves of all existing structures. F. Label type of structure (residence, SB 9 unit, ADU, JADU). G. Setback distances of structures from other structures and lot lines. H. Fences and retaining walls. I. Site access (driveways, curb cuts, sidewalks, etc). J. Adjacent fixtures & infrastructure in the right of way. K. Infrastructure lines on site (water, sewer, etc). L. Tree location, trunk (diameter at 4.5 feet above grade), species. M. Decks, stairs, and accessory structures. N. Creeks, drainage facilities, flood hazard areas. O. Easement areas and easement descriptions.	

Submittal	Submittal Requirements	Check
Proposed Site Plan and Tentative Parcel Map	A. Stamped and signed by the Licensed Lot Surveyor/Civil Engineer qualified to prepare the map. B. North arrow and scale bar. C. All existing and proposed lot lines, including measurements and locations. D. Topography. One foot contour intervals preferred; no greater than 5 feet. E. Footprints and eaves of all existing and proposed structures. F. Label type of structure (residence, SB 9 unit, ADU, JADU). G. Setback distances of structures from other structures and lot lines. H. Fences and retaining walls. I. Site access (driveways, curb cuts, sidewalks, etc). J. Adjacent fixtures & infrastructure in the right of way. K. Infrastructure lines on site (water, sewer, etc). L. Tree location, trunk (diameter at 4.5 feet above grade), species. M. Decks, stairs, and accessory structures. N. Creeks, drainage facilities, flood hazard areas. O. Easement areas and easement descriptions.	
Grading & Drainage Plan (if applicable)	A. Existing and proposed topography/grading. B. Surface and subsurface drainage facilities and direction of drainage. C. Amount of cut and fill for grading. D. Erosion control plan and stormwater management.	
Documents and Calculations	A. Closure calculations for the proposed parcels. B. Title Report C. Legal descriptions D. Existing and proposed easement text (if any). E. Geotechnical report (grading and development on slopes/hillsides)	
Deed Restriction	Owner shall submit a notarized deed restriction affirming use of the subdivided lots would be in compliance with SB 9 requirements, including restriction on further subdivision through SB 9 and restriction requiring any rental of units created through SB 9 to be for terms of more than 30 days. The deed restriction can be obtained from the Planning Division and does not need to be submitted until Building Permit application submittal.	
Signed Affidavit	Owner shall submit a signed affidavit stating that they intend to occupy one of the housing units on the site as their principal residence for a minimum of three years from the date of the approval of the urban lot split.	