

## SB 9 Unit Development and Lot Split Checklist

Senate Bill 9 (SB 9) is a streamlined, ministerial (administrative) approval process established for certain housing and lot split projects on single-family zoned lots under California Government Code [Section 65852.21](#) and [Section 66411.7](#). The City of Pinole has incorporated SB 9 into [Pinole Municipal Code Chapter 17.71](#). Applicants may submit a Planning Application for SB 9 unit development and urban lot split projects online. For more information, please see [https://www.pinoles.gov/planning\\_permit\\_information/](https://www.pinoles.gov/planning_permit_information/). This checklist summarizes eligibility criteria and submittal requirements for SB 9 proposals. Please refer to [Pinole Municipal Code Chapter 17.71](#) for the full text of standards and requirements.

### SB 9 Overview

SB 9 Project Review Process					
<b>Types of SB 9 Projects</b>					
<b>SB 9 Unit Development</b>	SB 9 allows for a housing development containing no more than two primary dwelling units per lot within a single-family residential zone. - <b>See SB 9 Development Project (checklist pages 2-4)</b>				
<b>SB 9 Lot Split</b>	SB 9 allows for splitting one lot into two in a single-family residential zone. - <b>See SB 9 Lot Split Project (checklist pages 5-7)</b>				
<b>Application and Review Process</b>					
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.					
<b>Step 1. Planning Review</b>	A Planning Permit Application needs to be submitted to the Planning Division for evaluation of SB 9 eligibility. Planning approval will be provided if it meets the requirements. Please see <a href="https://www.pinoles.gov/planning_permit_information/">https://www.pinoles.gov/planning_permit_information/</a>				
<b>Step 2. Prepare Final Plans</b>	If Planning approval is received, the applicant will prepare the construction plans or final parcel map to be submitted for building permits or final parcel map approval.				
<b>Step 3. Submit Final Plans</b>	<table border="1"> <tr> <td><b>SB 9 Unit Development</b></td> <td> <p><b>Obtain a Building Permit to Construct.</b> A building permit application can be submitted through the online permitting system (See Building Permits): <a href="https://www.pinoles.gov/online-permitting-licensing-center/">https://www.pinoles.gov/online-permitting-licensing-center/</a></p> <p><b>Obtain an Address for the Unit.</b> An address assignment application can be submitted through the online permitting system (See Planning Permits): <a href="https://www.pinoles.gov/online-permitting-licensing-center/">https://www.pinoles.gov/online-permitting-licensing-center/</a></p> </td> </tr> <tr> <td><b>SB 9 Lot Split</b></td> <td> <p><b>Submit and Record a Final Parcel Map.</b> Submit a final parcel map along with associated documents (e.g. title report, closure calculations, proposed easements) to the Planning Division. Documents will be routed to the City Engineer/Public Works Department for approval and signatures. The applicant will record the signed final parcel map and documents with the Contra Costa County Clerk-Recorder's Office.</p> </td> </tr> </table>	<b>SB 9 Unit Development</b>	<p><b>Obtain a Building Permit to Construct.</b> A building permit application can be submitted through the online permitting system (See Building Permits): <a href="https://www.pinoles.gov/online-permitting-licensing-center/">https://www.pinoles.gov/online-permitting-licensing-center/</a></p> <p><b>Obtain an Address for the Unit.</b> An address assignment application can be submitted through the online permitting system (See Planning Permits): <a href="https://www.pinoles.gov/online-permitting-licensing-center/">https://www.pinoles.gov/online-permitting-licensing-center/</a></p>	<b>SB 9 Lot Split</b>	<p><b>Submit and Record a Final Parcel Map.</b> Submit a final parcel map along with associated documents (e.g. title report, closure calculations, proposed easements) to the Planning Division. Documents will be routed to the City Engineer/Public Works Department for approval and signatures. The applicant will record the signed final parcel map and documents with the Contra Costa County Clerk-Recorder's Office.</p>
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# SB 9 Development Project

## 1. SB9 Development – Eligibility Checklist

Criteria	Eligibility Description	Check
<b>Zoning</b>		
Zoning	Located within a single-family residential zoning district (R-1 and LDR). The Zoning Map is available at <a href="http://www.pinole.gov/zoning/">www.pinole.gov/zoning/</a>	
<b>General Development Standards</b>		
Total Units	A project may propose up to two primary dwelling units on a parcel. The total resulting primary units on a lot (existing and proposed) may not exceed two.	
Objective Standards	Development meets all applicable objective City development standards, including but not limited to <a href="#">PMC Section 17.24.040</a> and <a href="#">PMC Section 17.71.070</a> . Several frequently asked standards are listed below: <ul style="list-style-type: none"> <li>• Front setback – 20 feet, unless this precludes the unit</li> <li>• Side and rear setbacks – 4 feet</li> <li>• Setback between structures – 6 feet, unless this precludes the unit</li> <li>• Height – 35 feet</li> <li>• Objective Design Standards in <a href="#">PMC Section 17.24.040</a></li> </ul>	
Parking Requirement	One off-street parking space per unit. <ul style="list-style-type: none"> <li>• 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).</li> <li>• Except, where there is a car share vehicle within one block.</li> </ul> Parking dimensions are detailed in <a href="#">PMC Section 17.48.040(B)</a> . Common standards include 9'x18' open unobstructed spaces and 10'x20' covered spaces.	
<b>Locational Criteria</b> (See <a href="#">PMC Section 17.71.040(D)</a> to refer to the full text)		
Farmland	Not located on prime farmland or farmland of statewide importance. <ul style="list-style-type: none"> <li>• See CA Dept. of Conservation <a href="#">FMMP-Farmland Finder</a>.</li> </ul>	
Wetlands	Does not contain wetlands, as defined by <a href="#">USFW Service Manual, Part 660 FW 2</a> .	
Fire Hazard Severity	Not located in a high/very high fire hazard severity zone, or can incorporate fire hazard mitigation measures through building standards. <ul style="list-style-type: none"> <li>• See CAL FIRE <a href="#">Fire Hazard Severity Zone Maps</a>.</li> </ul>	
Hazardous Materials	Not a hazardous waste site, or case is closed/determined to be safe for residential. <ul style="list-style-type: none"> <li>• See CalEPA <a href="#">Cortese List Data Resources</a>.</li> </ul>	
Earthquake Fault Zone	Not located within an earthquake fault zone, or will comply with seismic standards. <ul style="list-style-type: none"> <li>• See CA Dept. of Conservation <a href="#">Earthquake Hazards Zone</a>.</li> </ul>	
Flood Hazard	Not located in a FEMA 100-year flood hazard area (1% annual chance flood) or regulatory floodway, or can meet all federal regulatory criteria and requirements. <ul style="list-style-type: none"> <li>• See FEMA <a href="#">Flood Hazard Layer Viewer</a>.</li> </ul>	
Natural Resource	Does not contain land in <a href="#">natural community conservation plan</a> , <a href="#">habitat conservation plan</a> , 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. <ul style="list-style-type: none"> <li>• See the California Protected Areas Database and Conservation Easement Database <a href="#">CPAD/CCED</a>.</li> </ul>	

Criteria	Eligibility Description	Check
<b>Site and Demolition Limitations</b>		
Limit on Demo/ Alteration	Limitations on demolition or alteration of certain existing housing: <ul style="list-style-type: none"> <li>No demo or alteration of units with recorded affordability restrictions.</li> <li>No demo or alteration of housing under rent or price control.</li> <li>No demo or alteration of housing occupied by a tenant in the last 3 years.</li> </ul>	
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	Development is not located in either a contributing structure within a historic district or a parcel listed as a historical resource.	
Rentals	Rental of any units created through SB 9 must be for terms longer than 30 days.	

## 2. SB 9 Development – Submittal Requirements Checklist

Submittal	Submittal Requirements	Check
Information	<ul style="list-style-type: none"> <li>A. Identify parcel size.</li> <li>B. Identify existing/proposed number and types of units.</li> <li>C. Identify any units that were renter occupied in the last 3 years.</li> </ul>	
Site Plan	<ul style="list-style-type: none"> <li>A. North arrow and scale bar.</li> <li>B. All lot lines.</li> <li>C. Footprints and eaves of all existing and proposed structures.</li> <li>D. Label type of structure (residence, SB 9 unit, ADU, JADU)</li> <li>E. Setback distances other structures from other structures and lot lines.</li> <li>F. Fences and retaining walls, including heights and materials.</li> <li>G. Site access (driveways, curb cuts, sidewalks, etc).</li> <li>H. Adjacent fixtures &amp; infrastructure in the right of way.</li> <li>I. Infrastructure lines on site (water, sewer, etc).</li> <li>J. Tree location, trunk (diameter at 4.5 feet above grade), dripline, species.</li> <li>K. Decks, patios, stairs, awnings, pergolas, other outdoor amenities, and accessory structures.</li> <li>L. New/existing impervious surfaces (such as concrete paving).</li> <li>M. New/existing pervious surfaces (such as planting areas, mulch/soil, etc).</li> <li>N. Creeks, drainage facilities, riparian areas, flood hazard areas.</li> <li>O. Easement areas.</li> </ul>	
Grading & Drainage Plan	<ul style="list-style-type: none"> <li>A. Existing and proposed topography/grading. Amount of cut and fill.</li> <li>B. Stormwater management plan, e.g., location of surface and subsurface drainage facilities, bioretention, and direction of runoff/drainage.</li> </ul>	

Submittal	Submittal Requirements	Check
Floor Plan	<ul style="list-style-type: none"> <li>A. Scale bar.</li> <li>B. Building layout with measurements of exterior walls and interior spaces.</li> <li>C. Locations and sizes of windows and doors.</li> <li>D. Wall widths graphically shown.</li> <li>E. Use of rooms identified.</li> <li>F. Fixtures shown (sinks, stoves/ovens, toilets, showers/tubs, etc).</li> <li>G. Interior dimensions of proposed garages.</li> <li>H. Wall legend identifying walls as existing, new, and to be demolished.</li> </ul>	
Roof Plan	<ul style="list-style-type: none"> <li>A. North arrow and scale bar.</li> <li>B. Roof pitches.</li> <li>C. Roofing materials and rooftop equipment.</li> </ul>	
Elevations	<ul style="list-style-type: none"> <li>A. Scale bar.</li> <li>B. Direction of elevation views.</li> <li>C. Height measurements, including existing/finished grade, floor heights, ceiling heights, and roof ridge.</li> <li>D. All architectural features, doors, windows, trim, gutters, down spouts, exterior walls, roofing, lighting fixtures.</li> <li>E. Identify materials and colors.</li> </ul>	
Landscape Plan	<ul style="list-style-type: none"> <li>A. Total square footage of new or rehabilitated landscaping areas.</li> <li>B. Planting areas, pervious non-planting area, and hardscape surfaces.</li> <li>C. Irrigation fixtures and lines. Clarify irrigated/non-irrigated areas.</li> <li>D. For new plantings, identify the species, number, and method of irrigation.</li> </ul>	
Additional Information	<ul style="list-style-type: none"> <li>A. Title Report (for development on vacant lots).</li> <li>B. Lot survey (vacant lots/construction near lot line).</li> <li>C. Geotechnical report (grading and development on slopes/hillsides).</li> </ul>	
Deed Restriction	<p>The 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.</p>	

# SB 9 Lot Split Project

## 1. SB 9 Lot Split – Eligibility Checklist

Criteria	Eligibility Description	Check
<b>Zoning</b>		
Zoning	Located within a single-family residential zoning district (R-1 and LDR). The Zoning Map is available at <a href="http://www.pinole.gov/zoning/">www.pinole.gov/zoning/</a>	
<b>Lot Split Standards</b>		
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"> <li>• A new parcel may be no smaller than 40% of the original parcel size (and no larger than 60% of the original).</li> <li>• New parcels must be at least 1,200 square feet.</li> <li>• 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"> <li>• Except, no setback required for an existing structure or a structure constructed in the same location with the same dimensions.</li> </ul> </li> <li>• Parcels have access to, provide access to, or adjoin public right-of-way.</li> <li>• One off-street parking space per unit.               <ul style="list-style-type: none"> <li>• 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).</li> <li>• Except, where there is a car share vehicle within one block.</li> </ul> </li> </ul>	
<b>Locational Criteria</b> (See <a href="#">PMC Section 17.71.040(D)</a> to refer to the full text)		
Farmland	Not located on prime farmland or farmland of statewide importance. <ul style="list-style-type: none"> <li>• See CA Dept. of Conservation <a href="#">FMMP-Farmland Finder</a>.</li> </ul>	
Wetlands	Does not contain wetlands, as defined by <a href="#">USFW Service Manual, Part 660 FW 2</a> .	
Fire Hazard Severity	Not located in a high/very high fire hazard severity zone, or can incorporate fire hazard mitigation measures through building standards. <ul style="list-style-type: none"> <li>• See CAL FIRE <a href="#">Fire Hazard Severity Zone Maps</a>.</li> </ul>	
Hazardous Materials	Not a hazardous waste site, or case is closed/determined to be safe for residential. <ul style="list-style-type: none"> <li>• See CalEPA <a href="#">Cortese List Data Resources</a>.</li> </ul>	
Earthquake Fault Zone	Not located within an earthquake fault zone, or will comply with seismic standards. <ul style="list-style-type: none"> <li>• See CA Dept. of Conservation <a href="#">Earthquake Hazards Zone</a>.</li> </ul>	
Flood Hazard	Not located in a FEMA 100-year flood hazard area (1% annual chance flood) or regulatory floodway, or can meet all federal regulatory criteria and requirements. <ul style="list-style-type: none"> <li>• See FEMA <a href="#">Flood Hazard Layer Viewer</a>.</li> </ul>	
Natural Resource	Does not contain land in <a href="#">natural community conservation plan</a> , <a href="#">habitat conservation plan</a> , 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. <ul style="list-style-type: none"> <li>• See the California Protected Areas Database and Conservation Easement Database <a href="#">CPAD/CCED</a>.</li> </ul>	

Criteria	Eligibility Description	Check
<b>Site and Demolition Limitations</b>		
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. Except, community land trusts or qualified nonprofit corporations.	
Rental	Rental of any unit created through SB 9 must be for longer than 30 days.	
Limit on Demo/ Alteration	Limitations on demolition or alteration of certain existing housing: <ul style="list-style-type: none"> <li>No demo or alteration of units with recorded affordability restrictions.</li> <li>No demo or alteration of housing under rent or price control.</li> <li>No demo or alteration of housing occupied by a tenant in the last 3 years.</li> </ul>	
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	Lot is not located within a historic landmark property, by State or local lists. Lot split does not require demolition or alteration of either of the following: <ul style="list-style-type: none"> <li>A contributing structure within a listed historic district.</li> <li>An existing structural wall of a structure located in a listed historic district.</li> </ul>	
Limitations Related to Prior SB9 Splits	A lot split through SB 9 may be conducted only where: <ul style="list-style-type: none"> <li>The parcel has not been established through a prior SB9 urban lot split.</li> <li>Neither the owner nor any person acting in concert with the owner has subdivided an adjacent parcel through a prior SB9 urban lot split.</li> </ul>	

## 2. SB 9 Lot Split – Submittal Requirements Checklist

Submittal	Submittal Requirements	Check
Information	<ul style="list-style-type: none"> <li>A. Identify existing parcel size.</li> <li>B. Identify proposed parcel sizes.</li> <li>C. Identify existing numbers and types of units on the original parcel.</li> <li>D. Identify proposed number and types of units on each proposed parcel.</li> </ul>	
Existing Site Plan and Lot Survey	<ul style="list-style-type: none"> <li>A. Stamped and signed by the Licensed Lot Surveyor/Civil Engineer qualified to prepare the map.</li> <li>B. North arrow and scale bar</li> <li>C. All existing lot lines, including measurements and locations.</li> <li>D. Topography. One foot contour intervals preferred; no greater than 5 feet.</li> <li>E. Footprints and eaves of all existing structures.</li> <li>F. Label type of structure (residence, SB 9 unit, ADU, JADU).</li> <li>G. Setback distances of structures from other structures and lot lines.</li> <li>H. Fences and retaining walls.</li> <li>I. Site access (driveways, curb cuts, sidewalks, etc).</li> <li>J. Adjacent fixtures &amp; infrastructure in the right-of-way.</li> <li>K. Infrastructure lines on site (water, sewer, etc).</li> <li>L. Tree location, trunk (diameter at 4.5 feet above grade), species.</li> <li>M. Decks, stairs, and accessory structures.</li> <li>N. Creeks, drainage facilities, flood hazard areas.</li> <li>O. Easement areas and easement descriptions.</li> </ul>	

Submittal	Submittal Requirements	Check
Proposed Site Plan and Tentative Parcel Map	<ul style="list-style-type: none"> <li>A. Stamped and signed by the Licensed Lot Surveyor/Civil Engineer qualified to prepare the map.</li> <li>B. North arrow and scale bar.</li> <li>C. All existing and proposed lot lines, including measurements and locations.</li> <li>D. Topography. One foot contour intervals preferred; no greater than 5 feet.</li> <li>E. Footprints and eaves of all existing and proposed structures.</li> <li>F. Label type of structure (residence, SB 9 unit, ADU, JADU).</li> <li>G. Setback distances of structures from other structures and lot lines.</li> <li>H. Fences and retaining walls.</li> <li>I. Site access (driveways, curb cuts, sidewalks, etc).</li> <li>J. Adjacent fixtures &amp; infrastructure in the right-of-way.</li> <li>K. Infrastructure lines on site (water, sewer, etc).</li> <li>L. Tree location, trunk (diameter at 4.5 feet above grade), species.</li> <li>M. Decks, stairs, and accessory structures.</li> <li>N. Creeks, drainage facilities, flood hazard areas.</li> <li>O. Easement areas and easement descriptions.</li> </ul>	
Grading & Drainage Plan (if applicable)	<ul style="list-style-type: none"> <li>A. Existing and proposed topography/grading.</li> <li>B. Surface and subsurface drainage facilities and direction of drainage.</li> <li>C. Amount of cut and fill for grading.</li> <li>D. Erosion control plan and stormwater management.</li> </ul>	
Documents and Calculations	<ul style="list-style-type: none"> <li>A. Closure calculations for the proposed parcels.</li> <li>B. Title Report</li> <li>C. Legal descriptions</li> <li>D. Existing and proposed easement text (if any).</li> <li>E. Geotechnical report (grading and development on slopes/hillsides)</li> </ul>	
Deed Restriction	<p>The 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.</p>	
Signed Affidavit	<p>The 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.</p>	