



City of Oakley
 Planning Division
 3231 Main Street
 Oakley, CA 94561
 (925) 625-7000

Eligibility Checklist
Two Unit Residential Development and Urban Lot Split (SB 9)
 (To Be Completed By Applicant)

Senate Bill 9 (“SB 9”), also known as the California Housing Opportunity and More Efficiency Act (“HOME Act”), requires that a local agency approve Two Unit Residential Developments and Urban Lot Splits, ministerially, without discretionary review or public hearing, if certain statutory requirements are satisfied. To apply for ministerial review pursuant to SB 9, the Applicant must complete this Eligibility Checklist to ensure compliance with the HOME Act (Government Code Sections 65852.21 and 66411.7).

This Eligibility Checklist must be submitted with \$162 (review fee), architectural plans, a tentative parcel map, and any other documents listed herein (together “Application Package”). Once the Application Package has been submitted, the City has thirty (30) days to review the project for compliance.

PROJECT TYPE			
1.	This application is being submitted for which of the following projects? <i>(Check one or both as applicable.)</i>		<input type="checkbox"/> Two Unit Residential Development <input type="checkbox"/> Urban Lot Split
GENERAL REQUIREMENTS			
2.	The property is zoned: <input type="checkbox"/> R-6 <input type="checkbox"/> R-7 <input type="checkbox"/> R-10 <input type="checkbox"/> R-12 <input type="checkbox"/> R-15 <input type="checkbox"/> R-20 <input type="checkbox"/> R-40 <input type="checkbox"/> Other _____		
3.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Is the property is located within an urbanized area or urban cluster area, as designated by the United States Census Bureau?
4.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Will the property be used for residential purposes only?
5.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Does the project comply with the design standards and conditions of approval in Attachment 1?
6.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Is the property in a historic district and/or is it included on the State Historic Resources Inventory?
7.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Is the property located on prime farmland or farmland of statewide importance, as determined by the United States Department of Agriculture and California Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure?
8.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Is the property located on wetlands, as defined by the United States Fish and Wildlife Service Manual?
9.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Is the property located in a high or very high fire hazard severity zones, as determined by the California Department of Forestry and Fire Protection, Government Code § 51178, and Public Resources Code § 4202?
10.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Is the property located on a hazardous waste site, defined pursuant to Government Code §65962.5, or as otherwise designated by the California Department of Toxic Substance Control, pursuant to Health & Safety Code §25356?

11.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Is the property located in an earthquake fault zone, as determined by the State Geologist or Building Official?*	
	<i>(if applicable)</i>		<input type="checkbox"/> Yes	<input type="checkbox"/> No If you answered "yes," does the development comply with applicable seismic protection building code standards from the California Building Code Standards Commission?
12.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Is the property located in a flood hazard area subject to 1 percent annual chance flood, as determined by the Federal Emergency Management Agency (FEMA)?*	
	<i>(if applicable)</i>		<input type="checkbox"/> Yes	<input type="checkbox"/> No If you answered "yes," has the Property been subject to a map revision prepared by FEMA or otherwise meet the minimum flood plan management criteria of the National Flood Insurance Program or FEMA?
13.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Is the property located on a Regulatory floodway as determined by FEMA?*	
	<i>(if applicable)</i>		<input type="checkbox"/> Yes	<input type="checkbox"/> No If you answered "yes," has the project received a no-rise certification?
14.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Is the property located on lands identified for conservation in an adopted natural community conservation plan, habitat conservation plan, or other adopted natural resources protection plan?	
15.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Is the property located on lands with a habitat for protected species identified as candidate, sensitive, or species of special status by state and federal agencies, fully-protected species, or species protected by the federal Endangered Species Act, California Endangered Species Act, or Native Plant Protection Act?	
16.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Is the property located on land under conservation easement?	
17.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Will the project demolish any affordable or rent-restricted housing units or any housing units that have been occupied by a tenant in the past three years?	
18.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Will the project involve the demolition of more than 25% of the existing structural walls?*	
	<i>(if applicable)</i>		<input type="checkbox"/> Yes	<input type="checkbox"/> No If you answered "yes," have the existing unit(s) been occupied by a tenant in the last three years?
TWO UNIT RESIDENTIAL DEVELOPMENT (if applicable)				
19.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Does the project propose no more than two (2) housing units on a parcel?	
20.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Does the project have a minimum rear side yard, and corner side yard setback of 4 feet?	
21.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Does the project provide off-street parking of one space per unit?*	
			<input type="checkbox"/> Yes	<input type="checkbox"/> No If you answered "no," is the property within one-half mile walking distance of a high-quality transit corridor, as defined in Public Resources Code Section 21155, or a major transit stop, as defined in Public Resources Code Section 21064.3, or within one block of a car share vehicle?
22.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Will the property owner occupy one of the units as his/her/their principal place of residence and record a covenant restricting occupancy?*	
	<i>(if applicable)</i>		<input type="checkbox"/> Yes	<input type="checkbox"/> No If you answered "no," is the property owner a community land trust, as defined in Section 402.1 of the Revenue and Taxation Code, or qualified nonprofit corporations, as described in Section 214.15 of the Revenue and Taxation Code?
URBAN LOT SPLIT (if applicable)				
23.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Will the subdivision create two parcels?	
24.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Will the newly created parcels be at least 1,200 square feet each?	
25.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Will the newly created parcels each be at least 40% of the original parcel?	
26.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Has a parcel map been submitted to the County of Contra Costa?	
27.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Is this the first time the original parcel has been subject to an Urban Lot Split under SB 9?	

28.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Has the property submitted a signed affidavit stating that he/she/they intend to occupy one of the housing units as his/her/their principal residence for a minimum of three (3) years from the date of the approval of the Application Package?
29.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Has the "owner" of the Property, as defined by Section 9.1.1133(e)(4), subdivided a parcel adjacent to the property?
PROJECT INFORMATION			
30.	Project Address:		
31.	APN:		
32.	Number of Proposed Units:		
33.	Square Footage of Each Proposed Unit:		
PRIMARY CONTACT INFORMATION			
34.	Name:		
35.	Contact Type (property owner, architect, etc.):		
36.	Mailing Address:		
37.	City, State, Zip Code:		
38.	Phone No.:		
39.	E-mail:		
PROPERTY OWNER CONTACT INFORMATION (if different than Primary Contact)			
40.	Name:		
41.	Mailing Address:		
42.	City, State, Zip Code:		
43.	Phone No.:		
44.	E-mail:		
ADDITIONAL DOCUMENTS			
<input type="checkbox"/> Sewer Capacity Review	<input type="checkbox"/> Preliminary Water Quality Management Plan		
<input type="checkbox"/> Payment for Review Fee	<input type="checkbox"/> Architectural Plans (Residential Submittal Guideline)		
<input type="checkbox"/> Tentative Parcel Map	<input type="checkbox"/> Preliminary Title Report (less than 3 months old)		
<input type="checkbox"/> Owner-Occupancy Affidavit	<input type="checkbox"/> Owner-Occupancy Covenant		

CERTIFICATION:

I certify and declare under penalty of perjury under the laws of the State of California that the answers furnished above, and in the attached exhibits, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief. I further understand that additional information may be required to be submitted to the City of Oakley to complete my review.

Applicant Signature Date

Property Owner Signature Date

FOR OFFICE USE ONLY	
Date Received:	Received By:
Review Completed Date:	Determination: