FINDINGS/SPECIAL REQUIREMENTS

SB 9 URBAN LOT SPLIT

Purpose

The purpose of Senate Bill (SB) 9 is to provide eligible developments a ministerial approval process that is not subject to the California Environmental Quality Act (CEQA). A local agency shall approve an Urban Lot Split only if it conforms to all applicable objective requirements of the Subdivision Map Act (Division 2) (commencing with Section 66410), except as otherwise expressly provided in SB 9.

Related Code Sections

State Law

On September 16, 2021, Governor Gavin Newsom approved Senate Bill 9 (SB 9), effective January 1, 2022, which requires a ministerial review process for a parcel map application for the creation of an Urban Lot Split if a project is consistent with California Government Code Section 66411.7.

Eligibility

Refer to the eligibility criteria provided on the SB 9 Urban Lot Split Application Form (CP-3604). For more information regarding SB 9 requirements and benefits, please visit the SB 9 Landing Page at https://planning.lacity.gov/project-review/senate-bill-9.

General Information

Other Fees

Please be advised that other Departments may have their own processing fees for the review of Parcel Maps, including but not limited to Bureau of Engineering (BOE) fees for both Preliminary and Final Parcel Maps. You may visit each respective Department website for more information.

In addition, SB 9 dwelling units will be subject to any applicable development impact fees such as the Los Angeles Unified School District (LAUSD) Developer Fees, Park Fees, and Affordable Housing Linkage Fees. Projects requiring permit clearances or other procedures will also be subject to fees in addition to typical permit fees.

Please provide the items listed below.

SB 9 Urban Lot Split Application Form

☐ One original, wet-signed SB 9 Urban Lot Split Parcel Map Application Form (CP-3604).

Eligibility Criteria Table

☐ Provide a completed print out of the SB 9 Eligibility Criteria table, which can be found under the Planning and Zoning Tab in ZIMAS.

Habitat Statement Form

☐ To declare whether a development and/or subdivision being proposed under SB 9 is located on a parcel containing any Habitat, a Habitat Statement Form must be completed. If Section B.6 of the Eligibility Criteria Checklist states "No", submit the Owner's Declaration of No Habitat (CP-3608). If it states "Bio Review Needed", submit the Biologist's Statement of Habitat (CP-3610). For assistance regarding which forms are applicable to your request, please consult with staff at one of our Development Service Centers (DSCs).

Preliminary Parcel Map

☐ Four 11" x 17" reduced size copies.

☐ One reduced size copy must be stamped by the Los Angeles Department of Building and Safety (LADBS) - Grading Division, located at 221 North Figueroa Street, 12th Floor, Suite 1200.

See Page 10 for Technical Map Requirements.

Pre-Filing Review

☐ Prior to case filing, a fee will be required for review of the Preliminary Parcel Map by LADBS - Grading Division. For more information, contact ladbs_gradingdivision@lacity.org.

☐ Provide Proof of Payment for the above pre-filing fees.

Certified Tree Report

☐ **Protected Tree and Shrub Report.** A Tree Disclosure Statement (CP-4067) is required for any application that includes changes to the building footprint, including demolition or grading permit applications, and shall be completed and signed by the Property Owner. If the Tree Disclosure Statement indicates that there are any protected trees or protected shrubs on the project site and/or any trees within the adjacent public right-of-way that may be impacted or removed as a result of the project, a Protect Tree and Shrub Report (CP-4068) will be required, and the field visit must be conducted by a qualified Tree Expert (as defined by LAMC Section 17.02 (Definitions) of Chapter 1 or LAMC Division 14.3 (Glossary) of Chapter 1A) and conducted within the last 12 months. If applicable, provide two copies of this Report with maps prepared by a Tree Expert, evaluating the preservation, removal, replacement, or relocation of any protected trees and/or shrubs, as defined in LAMC Chapter 4, Article 6, Section 46.00 (Protected Trees and Shrub Regulations).

☐ **On-Site Trees.** Provide one copy of a Plot Plan prepared by a reputable Tree Expert, as defined by LAMC Section 17.02 (Definitions) of Chapter 1 or LAMC Division 14.3 (Glossary) of Chapter 1A, as applicable, identifying the approximate location of the following:

- All Protected Trees and/or Shrubs, as defined by LAMC Section 46.01 (Preservation of Protected Trees; Definition), measuring four inches or more in cumulative diameter, four and one-half feet above the ground level at the base of the tree or shrub. Pursuant to LAMC Section 46.02 (Requirements For Public Works Permits To Relocate Or Remove Protected Trees And Shrubs), Protected Trees and Shrubs require replacement on a 4:1 basis; additionally, protected trees shall only be replaced by other protected tree varieties, with each replacement at least 15 gallons, one inch or more in diameter one foot above the base, and at least 7 feet in height above the base; and, protected shrubs shall only be replaced by other protected shrub varieties.

- All Significant Trees, as defined by LAMC Section 12.03 (Definitions) of Chapter 1 or LAMC Division 14.3 (Glossary) of Chapter 1A, as applicable, measuring 12 inches or more in diameter at four and one-half feet above the average natural grade at the base of the tree and/or is more than 35 feet in height.

The Plot Plan shall include tree/shrub common name, botanical name, size, and an indication as to their proposed retention or removal. **If no applicable trees or shrubs exist on site, submit a letter by a Tree Expert certifying that there are none.**

Tentative Grading Calculations

☐ When grading is in excess of 2,500 cubic yards/acre, provide one copy of the Tentative Grading Calculations Form (CP-6115).

Demolition Information

Any demolition in the Coastal Zone shall require the following:

☐ **Mailing List.** Four copies of the Tenant Mailing List, of which two sets shall be on gummed labels.

☐ **Tenant Information Chart.** One copy of the Tenant Information Chart (CP-6345), providing all information pertinent to demolition only.

When demolition is required in the Coastal Zone, the Urban Lot Split Parcel Map application will not be considered complete unless the required Tenant Mailing List and Information Chart are submitted at time of case filing.

Physical Preclusion Waiver & Modification Requests (if applicable)

☐ Per California Government Code Section 66411.7(c)(2), SB 9 prohibits local agencies from imposing any objective zoning, subdivision, or design standards that would have the effect of physically precluding the construction of two units on either of the resulting parcels or that would result in a unit size of less than 800 square feet.

Development proponents may include a written request in their application to waive or modify any objective zoning, subdivision, or design standards that would physically preclude a project as described in the previous paragraph. These requests must list each standard to be waived or modified, **including the relevant Code/Overlay section or Ordinance Number**, and clearly demonstrate how application of the objective standard would physically preclude the project.

These requests may be provided in a narrative form on the SB 9 Urban Lot Split Application (CP-3064) and/or as additional sheets in the project plans. The use of visual aids, when appropriate, is encouraged.

Special Requirement Areas

Provide all requirements in this section, as applicable. For instance, if not located in a "Hillside Area", the below "Hillside Area" checklist items are not required.

Hillside Areas

☐ Show existing contours on the Preliminary Parcel Map at intervals of not more than 5 feet.

☐ If located in the Hillside or Seismic or Liquefaction areas, one copy of a Geology and Soils Engineering Report must accompany your application.

☐ **Geology and Soils Report and Parcel Map – Grading Division**. If the Parcel Map is within a designated Hillside area, prior to filing the Preliminary Parcel Map with City Planning, submit the following to LADBS – Grading Division:

- ☐ Three copies of the Preliminary/Final Geology and Soils Report.
- ☐ Three copies of the Parcel Map, which includes:
  - ☐ Contour Lines
  - ☐ Distinguish cut and fill slope in color on two copies of the Parcel Map

☐ **Proof of Payment.** When required, the Geology and Soils Report review by LADBS Grading Division requires a fee. Submit a copy of the fee receipt.

☐ State the average slope density (as defined in LAMC Section 17.02 (Definitions) of Chapter 1) if slope is greater than 15%. Ensure the contour interval utilized in the average slope density calculation does not exceed intervals of five feet.

☐ Check the Community Plan, including Footnotes, as well as applicable Specific Plans, for slope density restrictions.

☐ **Haul Route.** If the project is located within a BOE Special Grading Area and includes the export of 1,000 cubic yards or greater, a ministerial haul route approval is required, and the following shall be provided:

- ☐ One copy of the Haul Route map
- ☐ Notation on the Parcel Map that a Haul Route is being requested

Flood Hazard Management Ordinance

☐ Note on the Parcel Map whether the subdivision lies in a Special Hazard Area, Hillside Area, Floodway, or Mud-prone Area. Ordinance No. 186,952 (Flood Hazard Management Ordinance)

requires City Planning to make a finding as to whether a project is located within a Special Hazard Area, supported by factual evidence supporting the findings to be contained in the record. In addition, all subdivision projects located within the boundaries of a “Hillside Area” shall comply with the regulations contained therein, relative to flood hazards, including mud flows in designated flood hazard areas and in all hillside grading areas.

Coastal Development Permit

☐ **Coastal Development Permit.** A Coastal Development Permit is required for any action pursuant to the Subdivision Map Act within a Coastal Zone. A separate Planning application shall be filed concurrently with the proposed subdivision. See the Specialized Requirements for a Coastal Development Permit (CP13-1605.1) for applicable requirements.

☐ **Mello Act Compliance Review.** This form (CP-3606 or CP-3607) is required if the project is located in a Coastal Zone and demolishing or adding a whole residential unit. In addition to obtaining Mello Act Compliance Review from City Planning, an application for a Mello Act Determination must be filed with the Los Angeles Housing Department (LAHD) for the demolition of any existing dwelling units. For instructions, contact: lahd-landuse@lacity.org.

To determine if a project is located within a Coastal Zone, check ZIMAS at http://zimas.lacity.org/.

Horsekeeping

If the project is located within a Community Plan which provides for horsekeeping either through a plan designation, zoning, and/or an established "K" Supplemental Use District (SUD), the following information and exhibits are required, unless complying with any of these objective standards would physically preclude the development of an Urban Lot Split or two, 800 square-foot dwelling units:

☐ **Plot Plan** showing:

- ☐ Minimum graded pad areas of 11,000 sq. ft., as required by the applicable Community Plan.
- ☐ Minimum designated horsekeeping area within the graded pad area of 2,200 sq. ft.
- ☐ Minimum corral area within the designated horsekeeping area measuring 12' x 24'
- ☐ Minimum storage area within designated horsekeeping area measuring 12' x 12'
- ☐ Distances from horsekeeping areas and horsekeeping structures to the nearest habitable rooms on the site, and to adjoining off-site dwellings and off-site existing horsekeeping areas and structures
- ☐ Minimum 10-foot-wide equestrian access path from horsekeeping area to the street on the same side of lot as the driveway
- ☐ Horse trails and horse trail easements, if required by the Community Plan or “K” SUD. Refer to the Complete Streets Design Guide for additional guidance regarding trail width, vertical clearance, fencing height and materials, and location of signal actuators.

☐ Minimum Lot Size of 17,500 sq. ft., as required by the LAMC to permit equine uses in several zones. However, a minimum lot size of 20,000 sq ft. may be required due to topography, Community Plan policy, or other factors, if the parcel is located within a "K" SUD.

☐ **Grading Plan** showing:

☐ Pad areas

☐ Trails and access paths

☐ Drainage pattern from horsekeeping area

Related Documents & Referrals

Provide the forms listed below, as applicable. For assistance regarding which forms are applicable to your request, please consult Development Service Centers (DSC) staff.

Geographic Project Planning Referral Form

☐ This form (CP13-7812) is required if your project is located within a Specific Plan/Overlay and must be signed by the planner assigned to the respective Specific Plan/Overlay. Please reference the "Planning and Zoning" tab in ZIMAS to determine if a site is located in a Specific Plan/Overlay. Contact information for the assigned planner or unit can be found by clicking on the Specific Plan/Overlay's hyperlink in the "Planning and Zoning" tab or by consulting the City Planning Assignment List. Note that if your project is located in a Specific Plan/Overlay, your project will be reviewed for compliance with any objective standards per the Specific Plan/Overlay.

(Optional) Housing Crisis Act (HCA) Vesting Preliminary Application

☐ This form (CP13-4062) is required if vesting rights are sought for a Housing Development Project. The Applicant shall submit an HCA Preliminary Application through the Department's OAS at http://planning.lacity.org/oas. Once deemed complete, Planning Staff shall provide a signed HCA Preliminary Application Form, to be included with the case filing. The HCA Preliminary Application is only valid when it is deemed complete prior to filing the City Planning Application Form for the project. For assistance, please contact planning.hca@lacity.org.

SB 9 Tenant Declaration

☐ All applicants proposing Two Unit Developments or Urban Lot Splits will be required to sign and submit a declaration certifying that the project will not result in the demolition or alteration of any tenant-occupied housing in the last three years.

No Net Loss Declaration

☐ A No Net Loss Declaration (CP-4069) may be required for a complete application if the project proposes a Housing Development Project subject to the Housing Crisis Act of 2019 (HCA) or the Resident Protections Ordinance (RPO). SB 9 projects that do not qualify for a No Net Loss Declaration may require a Replacement Unit Determination from the Los Angeles Housing

Department. Please email lahd-landuse@lacity.org if you have additional questions concerning their review processes.

Tree Disclosure Statement

☐ This form (CP-4067) is required for any application that includes changes to the building footprint, including demolition or grading permit applications, and shall be completed and signed by the Property Owner.

Expedite Fee Agreement

☐ This form is required if the Expedited Processing Section (EPS) has accepted the application for processing and must be signed and dated within 180 days of the date the application is filed. The Form requires a notarized signature by the Property Owner/Applicant. This form is not available online but can be obtained from EPS Staff. Refer to the Planning website for more information on how to initiate this process at https://planning.lacity.gov/project-review/expedited-processing-section.

Preliminary Zoning Assessment Form

☐ This form (CP-4064 or CP-4064.A, as applicable depending on a property's zoning) is required if the proposed project creates two or more residential units (including Accessory Dwelling Units). **Section VI** shall be completed along with signed project plans byCity Planning's Zoning Review Division staff, along with signed project plans, at the conclusion of an informational Zoning Plan Check. For more information, refer to the Housing Development Project Applicability Matrix or contact the Zoning Review Division at planning.zoningreview@lacity.org.

Urban Forestry Referral Form

☐ This form (CP-4070) is required for if there are any protected trees or protected shrubs on the project site and/or or any trees within the adjacent public right-of-way that may be impacted or removed as a result of the project (e.g., any changes to the building footprint, including construction, demolition, or grading), and the project meets one or more of the following criteria: located within the Mt. Washington / Glassell Park Specific Plan; SB 9 Urban Lot Splits, Parcel Maps, or Tentative Tract Maps located within the Valley geography; projects which qualify for the Executive Directive 1 (ED 1) Ministerial Approval Process or utilize the Transit Oriented Communities (TOC) Affordable Housing Incentive Program; or other projects as determined by City Planning.

Vicinity Map

☐ Provide a map (e.g., Google Maps) depicting an area beyond the Radius Map showing the nearby street system, public facilities, and other significant physical features, with the project site highlighted.

Photographs

Index Map

☐ Provide a map (e.g., Assessor's Map, ZIMAS Map, or District Map) with arrows and numbers keyed to the photographs indicating from where each photo was taken and toward which direction.

Color Photographs

☐ Provide color photographs taken recently and depicting current conditions of the entire project site and surrounding area. Photos of the project site should show existing structures, trees, shrubs, walls/fences, signage, streets, curb and gutters, and parking areas, as applicable. Photos of the surrounding area should clearly represent the context of the proposed project to the neighborhood. Photographs should be printed, no more than two to a page, captioned as to the content, and keyed to number on an accompanying *Index Map* (see above). An aerial view is also recommended.

Records and Documents

One copy each of the following for the project site:

☐ **Grant Deed(s).** If a Grant Deed describes the subject site in metes and bounds, obtain the Grant Deeds, print outs and maps for *adjacent properties*. Grant Deed(s) are available from the Los Angeles County Registrar-Recorder/County Clerk, Real Estate Records Section, Room 2207, 12400 East Imperial Hwy, Norwalk.

☐ **Lot Cut** print outs

☐ **Land Records Map** (Cadastral Map)

Lot Cut print outs and Land Records Map (Cadastral Map) records are available in BOE Land Records Section at 201 North Figueroa Street, Room 1150 or eng.landrecords@lacity.org.

Building Permits and Certificates of Occupancy

☐ Provide copies of building permits and certificate(s) of occupancy if the site is developed with existing buildings or structures. These documents may be obtained from LADBS at www.ladbs.org.

Ordinances – Q Conditions and/or D Limitations

☐ If the project site zoning contains a “Q”, (Q) or [Q] Qualified Classification, or a “D” Development Limitation (e.g., [Q]R4-2D), provide a copy of the Ordinance establishing the Q and/or the D. Most Ordinances can be found in the “Case Numbers” tab of ZIMAS, or by searching the City Clerk’s website at https://clerk.lacity.gov/.

☐ If the Ordinance affects a large geographic area, such as an update to a Community Plan, the Ordinance may be broken down into Subareas (e.g., ORD-164307-**SA280**). In this case, only provide applicable excerpts of the Ordinance, including the cover page, applicable map, the subarea listing identifying the legal description, the subarea listing identifying the Q Conditions and/or D Limitations, and the last page of the Ordinance showing signatures and approval dates.

ZIMAS Parcel Profile Report

☐ Provide one copy of the ZIMAS Parcel Profile Report, selecting all contiguously owned properties, and one copy of ZIMAS aerial view.

Electronic Copy of Application Materials

Provide an electronic copy of the application materials on a USB flash drive. The following items must be saved as individual PDFs and labeled accordingly (e.g., “Project Plans.pdf”, “Photos.pdf”, “Findings.pdf”). No individual file should exceed 70 MB in size.

☐ SB 9 Urban Lot Split Application Form

☐ Completed Eligibility Requirements Table printed from ZIMAS

☐ Vicinity Map

☐ Index Map and Color Photographs

☐ One 11” x 17” reduced size set of plans, if applicable

☐ One 11” x 17” reduced-size copy of the Urban Lot Split Parcel Map

Technical Map Requirements

Map Legend. Date, Scale (1" = 40'), and North Arrow.

☐ **Existing Structures.** Show location, number of stories of existing buildings or structures (including swimming pool, driveways, parking spaces, and access) and dimensions to proposed property lines, noting if buildings or structures are to remain, to be demolished, or to be converted to condominiums. For condominiums, note the number of units, parking spaces and location.

☐ **Lot Dimensions.** Show dimensions of the boundaries and indicate net square footage and acreage of each parcel after dedications. If the property is described in metes and bounds, or a portion of a lot, describe in full.

☐ **Trees and Shrubs.** The approximate location and general description of all protected trees and shrubs 4 inches or more in cumulative diameter, and other trees 8 inches or more in diameter, including common name, size, and an indication as to their retention or destruction shall be shown on the map; or a note that there are no protected trees if none exist onsite.

☐ **Zoning.** Identify the designated Zone for the site.

☐ **Parcel Designations.** Use alpha symbols for each parcel. Show vacant parcels as “VACANT”, and contiguous lots as “Not a Part”.

☐ **Streets.** Identify closest intersecting public streets, location, and width of all existing streets (public and private), alleys, driveways and easements abutting or traversing each parcel. If the map includes a private street, include a proposed street name on the application and the map.

☐ Names, addresses, and telephone numbers of the record owner, Subdivider and Engineer or Surveyor under whose supervision the map is prepared, including registration number or license number of the Civil Engineer or Surveyor. The Preliminary Parcel Map need not be professionally prepared if it is legible and meets all requirements noted herein. However, the Final Parcel Map must be prepared by a registered civil engineer or licensed land surveyor.

☐ **Legal Description.** Boundaries of site must coincide with existing legal description per Grant Deed or other appropriate documents. The legal description and map shall be verified by City Planning Staff.

☐ **Address.** Identify the site address. If the property address is not indicated in ZIMAS, provide a BOE Address Referral Form (even if the site has a postal address).

☐ If there are hazardous conditions make a note on Map. If no hazardous conditions exist on the site, make a note on the plans that no hazardous conditions exist. Hazard information is available on the Parcel Profile Report on the Planning Department ZIMAS website found online at http://zimas.lacity.org/).

☐ **Contour Lines.** Identify the existing contour of the land at intervals of not more than 5 feet, and of not more than two-foot intervals if the slope of land is less than 5 percent. If construction is proposed, provide a preliminary grading design with proposed building pads, top and toe cut and fill slopes (indicated with colored ink on at least one copy).

☐ The Urban Lot Split Parcel Map must be filed as a "Parcel Map for Urban Lot Split Subdivision Purposes" and accompanied by the requirements in this section, as applicable. For instance, if no construction is proposed as part of the project work scope, no "Project Plans" shall be required.

☐ Include the following in the Notes Section of the Map: "Note: Urban Lot Split Subdivision in the ___ Zone, pursuant to SB 9."