



**CITY OF EAST PALO ALTO**  
**COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT**  
**Planning Division**  
1960 Tate Street, East Palo Alto, CA 94303  
Tel: (650) 853-3189 · Fax: (650) 853-3179

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**Senate Bill (SB) 9 Compliance Analysis Form and Checklist**

**SB 9 is applicable ONLY to parcels within the Single-Family Residential Zone (R-LD).** This document **DOES NOT** grant project approval, the form needs to be filled in order for a project to potentially qualify for ministerial approval under SB 9.

**Project Information:**

Address:

APN(s):

Zoning Designation:

Number/Type of Unit(s) Currently on Parcel (*Indicate whether owner-occupied or rented*):

Square Footage of Existing Parcel:

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**Owner Information:**

Name:

Owner Signature:

Address (*if mailing address is different, please fill below*):

Mailing Address:

Phone:

Email:

**Architect [Applicant] Contact Information:**

Name:

Applicant Signature:

Address (*if mailing address is different, please fill below*):

Mailing Address:

Phone:

Email:

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**PLANNING DIVISION – FOR STAFF USE ONLY**

PERMIT #: \_\_\_\_\_

REVIEWER: \_\_\_\_\_

DATE: \_\_\_\_\_

**APPROVED**

**DENIED**



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**Project Description (include the size of parcels, number and types of dwellings, and any proposed demolition):**

**Which type of SB 9 Project is being applied for (Select all that apply)?**

- One Unit**
                         
  **Two Unit**
                         
  **Urban Lot Split**

**SB 9 General Requirements [please provide supporting documentation for the requirements]**

|  |   |          |
|--|---|----------|
| Is the subject property entirely zoned Single-Family Residential (R-LD)?   | <input type="checkbox"/> Yes<br><input type="checkbox"/> No | Remarks: |
| Is the property owned solely by an individual property owner(s)?   | <input type="checkbox"/> Yes<br><input type="checkbox"/> No |          |
| Will the proposed project be used for residential purposes only?   | <input type="checkbox"/> Yes<br><input type="checkbox"/> No |          |
| Will at least one (1) off-street parking space per unit be provided? If the property is within ½ mile of a Major Transit Stop or within one (1) block of a carshare vehicle.   | <input type="checkbox"/> Yes<br><input type="checkbox"/> No |          |
| Is the proposed property located outside of <ul style="list-style-type: none"> <li>○ Very High Fire Hazard Severity Zone</li> <li>○ Hazardous Waste Zone</li> <li>○ Earthquake Fault Zone</li> <li>○ 100-year floodplain or floodway* (see pg. 7)</li> <li>○ Habitat-sensitive area</li> </ul> | <input type="checkbox"/> Yes<br><input type="checkbox"/> No |          |



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|  |   |  |
|--|---|--|
| (See California Government Code §65913.4 (a)(6)(B) through (K)).   |   |  |
| Is the property located in a historic district, identified in the State Historic Resources Inventory, or designated by the City as a historic resource?  | <input type="checkbox"/> Yes<br><input type="checkbox"/> No |  |
| Will the proposed project require the demolition, or alteration, of any of the following: <ul style="list-style-type: none"> <li>○ Housing restricted for moderate, low, or very-low income</li> <li>○ Housing subject to rent or price control</li> <li>○ Housing with Ellis Act eviction in the last fifteen (15) years</li> <li>○ Housing occupied by a tenant in the last three (3) years</li> </ul> | <input type="checkbox"/> Yes<br><input type="checkbox"/> No |  |
| If the property contains a rental unit within the last three (3) years, will the project demolish 25% or more of the existing exterior structural walls?   | <input type="checkbox"/> Yes<br><input type="checkbox"/> No |  |
| Will the proposed property be rented for periods of more than thirty (30) consecutive days at a time?  | <input type="checkbox"/> Yes<br><input type="checkbox"/> No |  |
| Are all existing improvements on the property properly permitted?  | <input type="checkbox"/> Yes<br><input type="checkbox"/> No |  |
| Are there any active code enforcement cases related to the property?   | <input type="checkbox"/> Yes<br><input type="checkbox"/> No |  |
| Does the project comply with or will meet all relevant   | <input type="checkbox"/> Yes                                |  |



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|--|---|--|
| provisions of the City of East Palo Alto Municipal Code?               | <input type="checkbox"/> No                                 |  |
| Are there any easements on the property that might impact development? | <input type="checkbox"/> Yes<br><input type="checkbox"/> No |  |

**Two-Unit Housing Project Requirements**

|  |   |          |
|--|---|----------|
| Does the project propose a maximum of two (2) housing units on a single parcel, excluding ADUs or JADUs? | <input type="checkbox"/> Yes<br><input type="checkbox"/> No | Remarks: |
| Square footage for each proposed unit(s):  |   |          |

**Urban Lot Split Requirements**

|   |   |          |
|---|---|----------|
| Will the lot split result in two (2) lots?<br>Provide lot sizes.  | <input type="checkbox"/> Yes<br><input type="checkbox"/> No | Remarks: |
| Will the resulting lots be at least 40% the size of the existing lot?   | <input type="checkbox"/> Yes<br><input type="checkbox"/> No |          |
| Will the resulting lots be at least 1,200 sq. ft. in size?  | <input type="checkbox"/> Yes<br><input type="checkbox"/> No |          |
| Has the property previously been divided through an SB 9 Urban Lot Split?   | <input type="checkbox"/> Yes<br><input type="checkbox"/> No |          |
| Will the resulting lot split contain two (2) housing units, or less, on each property?  | <input type="checkbox"/> Yes<br><input type="checkbox"/> No |          |
| Will the individual property owner occupy any of the housing units as a result of the lot split for a minimum of three (3) years after the approval date? | <input type="checkbox"/> Yes<br><input type="checkbox"/> No |          |



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|   |   |  |
|---|---|--|
| Is the lot adjacent to another SB 9 Urban Lot Split by the same owner or "any person acting in concert with the owner"?   | <input type="checkbox"/> Yes<br><input type="checkbox"/> No |  |
| Does the urban lot split conform to all objective standards of the Subdivision Map Act? <b>The project will require a tentative parcel map upon submittal and final map recordation prior to building permit submittal.</b> | <input type="checkbox"/> Yes<br><input type="checkbox"/> No |  |



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**OWNER / APPLICANT CERTIFICATION AND INDEMNIFICATION AGREEMENT**

By signing below, the property owner attests that all information is true and accurate and consents to the processing of the application and authorizes any third applicant to comply with the requirements placed on the project by the City. (A letter of authorization from the owner may be submitted in lieu of the property owner's signature.)

In conjunction with the application, the applicant and/or property owner agree to defend, indemnify, and hold harmless the City of East Palo Alto, its agents, officers, council members, employees, boards, commissions, and City Council from any and all claims, actions or proceedings brought against any of the foregoing individuals or entities, seeking to attack, set aside, void or annul any approval of the application or related decision, or the processing or adoption of any environmental documents or negative declarations which relate to the project approval. This indemnification shall include but is not limited to, all damages, costs, expenses, attorney fees, or expert witness fees that may be awarded to the prevailing party arising out of or in connection with the approval of the project or related decision, whether or not there is concurrent, passive or active negligence on the part of the City, its agents, officers, council members, employees, boards, commissions, or City Council. If for any reason any portion of this indemnification provision is held to be void or unenforceable by a court of competent jurisdiction, the remainder of the provision shall remain in full force and effect.

The City of East Palo Alto has the right to appear and defend its interest in any litigation arising from the approval of the project or any related decision through its City Attorney or outside counsel selected by the City Attorney. The applicant shall be required to reimburse the City for attorney's fees incurred by the City in connection with the litigation.

Proponents of the project shall be responsible for all project-related costs incurred by the City.

**I have read and agree with all the above:**

\_\_\_\_\_

Date

\_\_\_\_\_

Owner's Signature



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**Additional Requirements for the Owner/Applicant:**

**Planning Division:**

1. Prior to the issuance of the first building permit, applicable development impact fees shall be paid in full on the fee schedule in effect at the time of building permit issuance. Where construction of a project is phased, fees can be paid for each residential unit or building when the applicable building permit is issued.
2. The applicant is responsible for obtaining a new address for the proposed property with the Building Division.
3. **If the property is located within the High-Risk Flood Zone**, the project must meet the requirements of Chapter 15.52 of the East Palo Alto Municipal Code relating to floodplain management. The elevation of the proposed unit must be 18" above base flood elevation (BFE) and properly floodproofed and anchored according to the code. An elevation certificate prepared by a licensed land surveyor will be required for the new construction. An appraisal report and a detailed cost estimate shall be submitted of 50% or more of the value of the structure for ADU conversion or additions. The appraisal report shall clearly show the **value of the main structure** (not including the value of the land). The detailed cost estimate shall include the **total value of the work** (materials and labor).
4. Please include the approved Senate Bill (SB) 9 Compliance Analysis Form and Checklist and signed and notarized SB 9 Owner Affidavit at the Building Division submittal. A copy of the signed Senate Bill (SB) 9 Compliance Analysis Form and Checklist and the signed/notarized SB 9 Owner Affidavit shall be provided to the Planning Division once completed.

**Building Division:**

5. Plans submitted for building review must be designed to the 2021 California Building Codes. Projects submitted after January 1, 2021, will have to be designed to the 2022 California Building Codes.
6. Properly complete and submit the EPA Special Inspection form for any proposed work requiring special inspections as per CBC 1705. Link to access form: [https://www.cityofepa.org/sites/default/files/fileattachments/building/page/3771/special\\_insp\\_lection\\_testing\\_agency\\_fillabl\\_rn1632.pdf](https://www.cityofepa.org/sites/default/files/fileattachments/building/page/3771/special_insp_lection_testing_agency_fillabl_rn1632.pdf)
7. Please imprint the Construction Best Management Practices on the submitted plans. To access the standard plan, please visit: <http://www.flowstobay.org/construction>.
8. Please note on the plan: The City of East Palo Alto Municipal Code Section 15.04.125 limits construction activity to the following hours:  
Monday through Friday: 7:00 AM to 6:00 PM  
Saturday: 9:00 AM to 5:00 PM  
Sundays and national holidays: No activity allowed



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9. Approval of this Project does not relieve the Applicant from the applicable requirements of subsequent permits and approvals, including but not limited to the following as may be applicable:
  - a. Grading permit and improvement plan
  - b. Fire permit
  - c. School district development impact fee requirements and other applicable impact fees
10. Prior to the issuance of building permits, the applicant/developer shall submit a Construction and Demolition Application to the Building and Safety Division. The link to access application: [https://www.cityofepa.org/sites/default/files/fileattachments/building/page/3771/construction\\_waste\\_diversion\\_packet\\_fillabl\\_rn1635.pdf](https://www.cityofepa.org/sites/default/files/fileattachments/building/page/3771/construction_waste_diversion_packet_fillabl_rn1635.pdf)

**Public Works:**

10. ENCROACHMENT PERMIT: The developer shall obtain an encroachment permit from the Engineering Division prior to performing any work in the public right-of-way. See the link below for an application. (EPAMC 13.06.200 and 13.06.280)  
<https://www.cityofepa.org/publicworks/page/encroachment-permit>
11. TRAFFIC CONTROL: Activities that require temporary closures of sidewalks, vehicle and/or bike lanes, or other public paths shall require review and approval by the Engineering Division through an encroachment permit.
12. CONSTRUCTION VEHICLES, EQUIPMENT, AND MATERIALS: All construction-related vehicles, equipment, and materials shall be managed on-site. At no time shall such items be parked or stored in the public right-of-way without an encroachment permit or written approval by the City Engineer.
13. GRADING PERMIT: Any grading over 150 cubic yards (cut + fill), or when the height of the site is increased or decreased by more than 2 feet will require a grading permit. (EPAMC 15.48.030).
14. STORMWATER DRAINAGE: The project shall not create any negative impacts on adjacent properties such as cross-lot drainage. The project shall also mitigate any impacts to the public stormwater system through the installation of rain gardens, bubblers or other infiltration devices, swales, increasing of pervious areas, or other methods. (EPAMC 12.12.150 and 12.12.160).
15. FENCES/WALLS: No new or existing fence and/or wall shall be permitted outside of the property boundary lines. No new or existing concrete (or similar) wall and/or fence is permitted where there is a public easement. The removal of such existing structures shall be required prior to the issuance of any permits.
16. WATER METER: This project shall use the existing public water meter. Any additional water meters shall be purchased by the developer, maintained privately, and stored onsite.
17. SEWER CLEANOUT: If one does not already exist, the developer shall install a sanitary sewer cleanout at the front property line based on the standards of the sewer service provider for the property.