



# APPLICATION FOR HOUSING DEVELOPMENT STREAMLINED APPROVAL (SENATE BILL 9)

## INFORMATIONAL AND SUPPLEMENTAL APPLICATION PACKET

California Senate Bill 9 (SB-9) was signed by Governor Gavin Newsom on September 16, 2021 and became effective January 1, 2022. SB-9 allows duplexes and lot splits for certain parcels in single-family (RH-1, RH-1-(D), and RH-1-(S)) zoning.

For questions, you can call the Planning counter at 628.652.7300 or email [pic@sfgov.org](mailto:pic@sfgov.org) where planners are able to assist you.

**Español:** Si desea ayuda sobre cómo llenar esta solicitud en español, por favor llame al 628.652.7550. Tenga en cuenta que el Departamento de Planificación requerirá al menos un día hábil para responder.

中文：如果您希望獲得使用中文填寫這份申請表的幫助，請致電628.652.7550。請注意，規劃部門需要至少一個工作日來回應。

**Filipino:** Kung gusto mo ng tulong sa pagkumpleto ng application na ito sa Filipino, paki tawagan ang 628.652.7550. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.

## WHAT IS A HOUSING DEVELOPMENT STREAMLINED APPROVAL USING SENATE BILL 9?

Senate Bill 9 (2021 Atkins) (SB-9) amends Government Code Sections 65852.21 and 66411.7 to require local entities to streamline the approval of certain housing projects by providing a ministerial approval process, removing the requirement for analysis under the California Environmental Quality Act (CEQA) Public Resources Code sections 21000 et seq, and removing the requirement for conditional use authorization or other similar discretionary entitlements granted by the Planning Commission or Historic Preservation Commission. This is a voluntary program that a project sponsor may elect to pursue, provided that certain eligibility criteria are met.

SB-9 requires ministerial approval of a housing development of two units in a single-family zone (in San Francisco, RH-1, RH-1-(D), and RH-1-(S)), the subdivision of a single-family parcel into two parcels, or both. A ministerial decision involves only the use of fixed standards or objective measurements, and the public official cannot use personal, subjective judgment in deciding whether or how the project should be carried out. An SB-9 project is a project that proposes no more than two new units, or that proposes to add one new unit to one existing unit.

## IS MY PROJECT ELIGIBLE FOR HOUSING DEVELOPMENT STREAMLINED APPROVAL USING SB-9?

In order to be eligible for streamlining, the project must meet all of the following criteria:

- **Zoning:** The subject parcel and development must be located on a parcel zoned for single-family residential uses. This includes Residential House-One-Family, Residential House-One-Family (Detached Dwellings), and Residential House-One-Family with Minor Second Unit (RH-1, RH-1-(D), and RH-1-(S),) zoning districts.
- **Location:** The development must be located on a property that is not classified as prime farmland, wetlands, a high fire hazard severity zone, hazardous waste site, a delineated earthquake fault zone, a flood plain, a floodway, a community conservation plan area, a habitat for protected species, or under a conservation easement.

- **Vacancy/Owner-Occupancy:** The site has been either vacant or only owner-occupied for three (3) years prior to application submittal. Please be prepared to provide evidence of owner-occupancy including but not limited to: property tax records, income tax records, utility bills, vehicle registration, or similar documentation.
- **Tenant Occupancy:** Any application for the demolition or alteration of existing housing units that have been occupied by rental tenants in the three (3) years prior to submittal of the application are not eligible. The Planning Department will request comprehensive records from the San Francisco Rent Board regarding tenancy.
- **Rent Control:** If the existing units on the property are subject to rent control, the property is ineligible.
- **Ellis Act:** Properties are ineligible if there has been an Ellis Act eviction(s) (California Government Code section 7060 et seq) for any existing housing on site in the fifteen (15) years prior to submittal of the application. This information can be obtained from the Rent Board.
- **Historic Buildings/Districts:** The development is not located within a historic district, is not included on the State Historic Resources Inventory, or is not within a site that is legally designated or listed as a San Francisco landmark or historic property or district. The project must not demolish a historic structure that has been placed on a national, state, or local historic register. A local historic register includes those properties listed within Article 10 or 11 of the San Francisco Planning Code.
- **Consistent with Objective Standards:** The project must meet all objective standards of the Planning Code at the time of SB-9 application submittal. Such objective standards are those that require no personal or subjective (discretionary) judgment, such as objective dimensional requirements. The City cannot impose objective standards that would physically prevent the construction of up to two units or that would physically prevent either of the two units from being at least 800 square feet in floor area.

If pursuing a lot split, the project must all of the following criteria, in addition to the criteria listed above:

- **Lot Size/Lot Split:** The parcel must be at least 2,400 square feet. The new resulting lot cannot be less than 40% or more than 60% of the original lot size, and both newly created parcels must be at least 1,200 square feet.
- **SB-9 Lot Split:** Any parcel established through the prior exercise of an urban lot split under SB 9 is not eligible. SB 9 may not be used to subdivide a parcel more than once.
- **SB-9 Lot Split Adjacency:** Parcels where either the owner of the parcel, or any person acting in concert with the owner, has previously subdivided an adjacent parcel using an urban lot split under SB 9 are also not eligible.
- **Subdivisions:** If pursuing a lot split, the development must submit a subdivision application pursuant to the California Subdivision Map Act with the San Francisco Department of Public Works.
- **Post-Project Owner Occupancy:** An applicant for a lot split under SB 9 must sign an affidavit stating that the applicant intends to occupy one of the housing units as their principal residence for a minimum of three years from the date of the approved lot split, unless the applicant is a community land trust or a qualified nonprofit corporation.

The City may deny an application for a housing development under SB-9 if, based on a preponderance of the evidence, the City finds that the housing development project would have a specific, adverse impact upon health and safety or the physical environment and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.

## WHAT IS THE PROCESS FOR HOUSING DEVELOPMENT STREAMLINED APPROVAL USING SB-9?

To apply for SB-9 approval, please submit a SB-9 Application Supplemental, and a site or building permit. If pursuing a lot split, please submit a subdivision application to the San Francisco Department of Public Works and reference the subdivision application on the site permit. A SB 9 Application Supplemental and building or site permit can be submitted at the Department of Building Inspection (DBI), under the same procedure as site and building permit submittals. Please indicate on the building or site permit description of work that the permit is part of an SB-9 application.

CEQA review is not required for SB-9 eligible projects. The site or building permit will not be subject to any applicable Planning Code neighborhood notice requirements. The Department will not accept Discretionary Review applications for these projects.



# HOUSING DEVELOPMENT STREAMLINED APPROVAL (SB-9)

## SUPPLEMENTAL APPLICATION

### Property Information

Existing Project Address(es):

Existing Block/Lot(s):

Proposed Project Address(es):

Proposed Block/Lot(s):

### Project Description

#### PROJECT INFORMATION

- Duplex (complete supplemental page 6)
- Lot Split and Duplex (complete supplemental page 7)
- Lot Split (complete supplemental page 8)

**Project Description:** Please provide a narrative project description that summarizes the project and its purpose.

# PROJECT AND LAND USE TABLES

All fields relevant to the project **must be completed** in order for this application to be accepted.

	Existing	Proposed
<b>General Land Use</b>	Parking GSF	
	Residential GSF	
	Retail/Commercial GSF	
	Office GSF	
	Industrial-PDR	
	Medical GSF	
	Visitor GSF	
	CIE (Cultural, Institutional, Educational)	

<b>Project Features</b>	Dwelling Units - Affordable	
	Dwelling Units - Market Rate	
	Dwelling Units - Total	
	Hotel Rooms	
	Number of Building(s)	
	Number of Stories	
	Parking Spaces	
	Loading Spaces	
	Bicycle Spaces	
	Car Share Spaces	
	Useable Open Space GSF	
	Public Open Space GSF	
	Roof Area GSF - Total	
	Living Roof GSF	
	Solar Ready Zone GSF	
Other: _____		

<b>Land Use - Residential</b>	Studio Units	
	One Bedroom Units	
	Two Bedroom Units	
	Three Bedroom (or +) Units	
	Group Housing - Rooms	
	Group Housing - Beds	
	SRO Units	
	Micro Units	
	Accessory Dwelling Units For ADUs, list all ADUs and include unit type (e.g. studio, 1 bedroom, 2 bedroom, etc.) and the square footage area for each unit.	

**ZONING CONTROLS:**

Is this Project requesting relief from any objective standards of the Planning Code?      Yes      No

If yes, please list the objective standard and provide a narrative rationale outlining how said objective standard would physically preclude the construction of two 800 square foot residential units.

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## DUPLEX ONLY SUPPLEMENTAL

	QUESTION	YES	NO
1.	Are the existing and new lot(s) located in a single-family residential zoning district RH-1, RH-1-(D), and/or RH-1-(S))?:		
2.	Is the development located on a property that is not classified as prime farmland, wetlands, a high fire hazard severity zone, hazardous waste site, a delineated earthquake fault zone, a flood plain, a floodway, a community conservation plan area, a habitat for protected species, or under a conservation easement?:		
3.	Is the Project proposing residential demolition and new construction?:		
4.	Is the Project proposing to retain an existing structure?  If yes, please describe any proposed additions or conversions in the project description above.		
5.	Has the site either been vacant or owner-occupied for three (3) years prior to application submittal? Please provide evidence such as: property tax records, income tax records, utility bills, vehicle registration, or similar documentation.		
6.	Has any existing housing been occupied by rental tenants in the three (3) years prior to application submittal?		
7.	Is the housing development subject to rent control?:		
8.	Have any Ellis Act eviction(s) occurred for any existing housing in the fifteen (15) years prior to submittal of the application? (This information can be obtained from the Rent Board).		
9.	Is the development located within a historic or landmark district under State law or designated or listed as a landmark or historic property or district under local law (Planning Code Article 10 or 11).		
10.	Will the Project use SB-9 in conjunction with a San Francisco ADU Program(s)?  If yes, please specify how many ADU(s) in the project description.		

## LOT SPLIT AND DUPLEX SUPPLEMENTAL

	QUESTION	YES	NO
1.	Are the existing and new lot(s) located in a single-family residential zoning district RH-1, RH-1-(D), and/or RH-1-(S))?:		
2.	Is the development located on a property that is not classified as prime farmland, wetlands, a high fire hazard severity zone, hazardous waste site, a delineated earthquake fault zone, a flood plain, a floodway, a community conservation plan area, a habitat for protected species, or under a conservation easement?:		
3.	Has the project submitted a subdivision application pursuant to the California Subdivision Map Act with the San Francisco Department of Public Works?  If yes, please provide the DPW referral case record number:		
4.	Is the existing lot greater than 2,400 square feet?		
5.	Are both lots no less than 40% and no more than 60% of the original lot area (square feet)?		
6.	Have any existing lot(s) been created by a previous lot split pursuant to SB-9?		
7.	Have lot splits using SB-9 been pursued on adjacent lots?		
8.	Are new lot(s) that are retaining the original structure pursuing addition or duplex conversion?		
9.	Has an affidavit signed by the owner stating their intent to live at the subject property for three (3) years following the approval of application been submitted? This affidavit may be found on page 9.		
10.	Has the site either been vacant or owner-occupied for three (3) years prior to application submittal? Please provide evidence such as: property tax records, income tax records, utility bills, vehicle registration, or similar documentation		
11.	Has any existing housing been occupied by rental tenants in the three (3) years prior to application submittal?		
12.	The housing development is not subject to rent control?		
13.	Have any Ellis Act eviction(s) occurred for any existing housing in the fifteen (15) years prior to submittal of the application? (This information can be obtained from the Rent Board).		
14.	Is the development located within a historic or landmark district under State law or designated or listed as a landmark or historic property or district under local law (Article 10 or 11).		
15.	Will the Project use SB-9 in conjunction with a San Francisco ADU Program(s)?  If yes, please specify how many ADU(s) in the project description.		

## LOT SPLIT ONLY SUPPLEMENTAL

	QUESTION	YES	NO
1.	Are the existing and new lot(s) located in a single-family residential zoning district RH-1, RH-1-(D), and/or RH-1-(S)?		
2.	Is the development located on a property that is not classified as prime farmland, wetlands, a high fire hazard severity zone, hazardous waste site, a delineated earthquake fault zone, a flood plain, a floodway, a community conservation plan area, a habitat for protected species, or under a conservation easement?:		
3.	Has the project submitted a subdivision application pursuant to the California Subdivision Map Act with the San Francisco Department of Public Works?  If yes, please provide the DPW referral case record number:		
4.	Is the existing lot greater than 2,400 square feet?		
5.	Are both lots no less than 40% and no more than 60% of the original lot area (square feet)?		
6.	Have any existing lot(s) been created by a previous lot split pursuant to SB-9?		
7.	Have lot splits using SB-9 been pursued on adjacent lots?		
8.	Has the site either been vacant or owner-occupied for three (3) years prior to application submittal? Please provide evidence such as: property tax records, income tax records, utility bills, vehicle registration, or similar documentation.		
9.	Has any existing housing been occupied by rental tenants in the three (3) years prior to application submittal?		
10.	Has an affidavit signed by the owner stating their intent to live at the subject property for three (3) years following the approval of application been submitted? This affidavit may be found on page 9.		
11.	The housing development is not subject to rent control?		
12.	Have any Ellis Act eviction(s) occurred for any existing housing in the fifteen (15) years prior to submittal of the application? (This information can be obtained from the Rent Board).		
13.	Is the development located within a historic or landmark district under State law or designated or listed as a landmark or historic property or district under local law (Article 10 or 11).		
14.	Will the Project use SB-9 in conjunction with a San Francisco ADU Program(s)?  If yes, please specify how many ADU(s) in the project description.		
15.	Is the applicant a community land trust or qualified nonprofit corporation?		





# APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

- a) The undersigned is the owner or authorized agent of the owner of this property.
- b) The information presented is true and correct to the best of my knowledge.
- c) Other information or applications may be required.
- d) I hereby authorize City and County of San Francisco Planning staff to conduct a site visit of this property as part of the City's review of this application, making all portions of the interior and exterior accessible through completion of construction and in response to the monitoring of any condition of approval.
- e) I attest that personally identifiable information (PII) - i.e. social security numbers, driver's license numbers, bank accounts have not been provided as part of this application. Furthermore, where supplemental information is required by this application, PII has been redacted prior to submittal to the Planning Department. I understand that any information provided to the Planning Department becomes part of the public record and can be made available to the public for review and/or posted to Department websites.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name (Printed)

\_\_\_\_\_  
Relationship to Project  
(i.e. Owner, Architect, etc.)

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Email

**For Department Use Only**  
Application received by Planning Department:

By: \_\_\_\_\_

Date: \_\_\_\_\_