



CURRENT PLANNING DIVISION

9770 CULVER BOULEVARD, CULVER CITY, CALIFORNIA 90232-0507

(310) 253-5710

planning@culvercity.gov

APPLICATION PACKET SB 9 TWO-UNIT PROJECT

What is SB 9?

Senate Bill 9 (“SB 9”) is a new piece of State housing legislation that went into effect on January 1, 2022. SB 9 requires the City to both: (1) allow any lot in a single-family residential zone to be split, roughly into halves, with resulting lots as small as 1,200 sf; and (2) allow any lot in a single-family residential zone to be developed with up to two single-family primary dwellings. SB 9 requires the City to approve eligible lot splits and two-unit projects without discretionary review, conditions, or a hearing. Property owners may also utilize both of SB 9’s provisions. Thus, an SB 9 lot split may be followed with an SB 9 two-unit project on each of the two new lots—resulting in four total dwellings on what was formerly one single-family residential lot.

How is the City Implementing SB 9?

Culver City has adopted a Subdivision Ordinance Update, including provisions pertaining to SB 9, which are found in Culver City Municipal Code Section 15.10.940.

How Do I apply for an SB 9 Two-Unit Project?

Please contact the Current Planning Division, planning@culvercity.gov or 310-253-5710, to verify your property qualifies for a SB 9 Two-Unit prior to submitting an application.

A complete application can be submitted to the Culver City Building Safety Division via the online portal or providing a hardcopy, including four sets of plans, to the Building Safety Division Counter at Culver City Hall 9770 Culver Blvd. 2nd Floor Culver City, 90232. An application will not be considered complete unless it includes all of the following:

1. Completed “Two-Unit Project Application.”
2. A title report for the subject property commissioned no later than 30 days from when the Two-Unit Project Application is submitted (attach as Attachment “A”)
3. Copies of each property owner’s driver’s license or government issued identification (attach as Attachment “B”)
4. If applicable, an executed Letter of Agency (attach as Attachment “C”)
5. If applicable, executed Mortgage Holder Consent(s) (attach as Attachment “D”)
6. Executed Owner Affidavit (attach as Attachment “E”)
7. All required Lot Location Certifications (attach as Attachment “F”)
8. A site plan showing the location of the property, elevations showing design, color, and material, and the massing, height, and approximate square footage of each building that is to be occupied. Plans shall be dimensioned and labeled to show compliance with all applicable code provisions, including, but not limited

to Culver City Municipal Code Chapter 15.10 and Section 17.210.020 so long as they do not prohibit two (2) 800 square foot residential dwellings.

9. Application Fees (see latest adopted fee schedule)

10. Development Impact Fees apply (In-lieu Parkland Fee & Mobility Fee)

TWO-UNIT PROJECT APPLICATION

1. APPLICANT INFORMATION

Only individual property owners may apply for a two-unit project. If fee title to the lot is held jointly, please provide the information required by this section for *each* owner. Attach additional sheets as necessary.

1.1. Property owner's legal name:		
1.2. Property owner's address:		
1.3. Property owner's phone number:		
1.4. Property owner's email:		
1.5. Is this application being submitted by a third-party on behalf of the property owner?	<input type="checkbox"/> Yes ¹	<input type="checkbox"/> No
1.6. Does any person or entity hold a mortgage or security interest in the lot subject to this application?	<input type="checkbox"/> Yes ²	<input type="checkbox"/> No

2. PROJECT INFORMATION

The lot subject to the proposed two-unit project is referred to as the "Lot."

Lot address:

2.1. Lot Location

This Section 2.1 will determine whether the Lot is located in an area that may be lawfully subject to a two-unit project. Where an answer requires additional documentation to demonstrate that the Lot is or is not in a certain type of area (marked with an asterisk *), that documentation must be attached hereto in Attachment "F."

2.1.1. Is the Lot located in a single-family residential zone?	<input type="checkbox"/> Yes*	<input type="checkbox"/> No
2.1.2. Is the Lot located on prime farmland, farmland of statewide importance, or land that is zoned or designated for agricultural protection or preservation by the voters?	<input type="checkbox"/> Yes	<input type="checkbox"/> No*
2.1.3. Is the Lot located within a wetland?	<input type="checkbox"/> Yes	<input type="checkbox"/> No*
2.1.4. Is the Lot located within a very high fire hazard severity zone?	<input type="checkbox"/> Yes	<input type="checkbox"/> No*
2.1.5. Is the Lot located within a hazardous waste site that has not been cleared for residential use?	<input type="checkbox"/> Yes	<input type="checkbox"/> No*

¹ If you answered "yes" to question 1.5, you must also complete the Letter of Agency attached as Attachment [C].

² If you answered "yes" to question 1.6, you must also complete the Mortgage Holder Consent form attached as Attachment [D].

2.1.6. Is the Lot located within a delineated earthquake fault zone?	<input type="checkbox"/> Yes	<input type="checkbox"/> No*
2.1.7. Is the Lot located within a 100-year flood-hazard area?	<input type="checkbox"/> Yes	<input type="checkbox"/> No*
2.1.8. Is the Lot located within a regulatory floodway?	<input type="checkbox"/> Yes	<input type="checkbox"/> No*
2.1.9. Is the Lot located within an area identified for conservation in an adopted natural community conservation plan, habitat conservation plan, or other adopted natural resource protection plan?	<input type="checkbox"/> Yes	<input type="checkbox"/> No*
2.1.10. Is the Lot located within a habitat for protected species?	<input type="checkbox"/> Yes	<input type="checkbox"/> No*
2.1.11. Is the Lot subject to a conservation easement?	<input type="checkbox"/> Yes	<input type="checkbox"/> No*
2.1.12. Is the Lot a historic property or within a historic district that is included on the State Historic Resources Inventory?	<input type="checkbox"/> Yes	<input type="checkbox"/> No*
2.1.13. Is the Lot located within a site designated by ordinance as a city or county landmark or as a historic property or district?	<input type="checkbox"/> Yes	<input type="checkbox"/> No*
2.2. Impact on Protected Housing		
2.2.1. Will the proposed two-unit project require or include the demolition or alteration of housing that is income restricted for households of moderate, low, or very low income?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.2.2. Will the proposed two-unit project require or include the demolition or alteration of housing that is subject to any form of rent or price control imposed by or through a public entity?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.2.3. Will the proposed two-unit project require or include the demolition or alteration of housing, or a lot that used to have housing, that has been withdrawn from rental or lease under the Ellis Act (Gov. Code §§ 7060–7060.7) at any time in the 15 years prior to submission of this application?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.2.4. Will the proposed two-unit project require or include the demolition or alteration of housing that	<input type="checkbox"/> Yes	<input type="checkbox"/> No

has been occupied by a tenant in the last three years?		
2.2.5. Will the proposed two-unit project involve the demolition of more than 25% of the exterior walls of any existing dwelling that has been occupied by a tenant in the last three years?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.3. Unit and Lot Standards		
2.3.1. Was the Lot created by an urban lot split?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.3.2. Will more than two dwelling units of any kind be built on the Lot?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.3.3. Will the floor area of <i>each</i> primary dwelling unit constructed on the Lot be less than or equal to 800 square feet?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.3.4. Are there any existing dwelling units on the Lot?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.3.5. If yes to question 2.3.4, please list <i>each</i> existing dwelling unit on the Lot. For each dwelling unit listed, please also indicate the unit's current square footage.		
2.3.6. Will the two-unit project involve expanding the square footage of any existing dwelling unit on the Lot to <i>greater</i> than 800 square feet?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.3.7. If yes to question 2.3.6 above, please explain.		
2.3.8. Will any dwelling unit thereon exceed 2 stories and 27 feet in height for a flat roof or 30 feet for a sloped roof?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.3.9. Is the Lot is a minimum of 12,000 square feet?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.3.10. Will each dwelling constructed on the Lot satisfy the Culver City's Municipal Code's front, rear, and side-yard setback requirements?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.3.11. If you answered no to question 2.3.10 above, please identify each setback requirement that will not be satisfied.		
2.3.12. Will either dwelling constructed or remodeled on the Lot [have a rooftop deck]?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

2.3.13. To the best of your knowledge, are there any nonconforming zoning conditions that exist on the Lot?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.3.14. If you answered yes to question 2.3.13 above, please explain.		
2.4. Utilities		
2.4.1. Will each primary dwelling unit constructed on the Lot have its own direct utility connection to the utility service provider?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.4.2. Will any of the primary dwelling units constructed on the Lot be connected to an onsite wastewater treatment system?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.5. Regulation of Uses		
2.5.1. Have you reviewed the Deed Restriction and Covenant attached as Attachment [G]?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.5.2. In accordance with Culver City Municipal Code Section 17.110.020, will you record the Deed Restriction and Covenant against Lot if the City approves your two-unit project application?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3. <u>REQUIRED ATTACHMENTS</u>		
3.1. Included with my submittal is a title report for the Lot commissioned within the preceding 30 days. (Attachment "A")	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3.2. Included with my submittal are copies of the driver's license or government-issued identification for each owner of the Lot. (Attachment "B")	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3.3. Regarding the Letter of Agency (Attachment "C"):	<input type="checkbox"/> This requirement <i>does</i> apply and the submittal includes an executed Letter of Agency.	<input type="checkbox"/> This requirement <i>does not</i> apply to this submittal.
3.4. Regarding the Mortgage Holder Consent (Attachment "D"):	<input type="checkbox"/> This requirement <i>does</i> apply and the submittal includes an executed Mortgage Holder Consent.	<input type="checkbox"/> This requirement <i>does not</i> apply to this submittal.

3.5. Included with my submittal is an executed Owner Affidavit (Attachment “E”).	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3.6. Included with my submittal are all required Lot Location Certifications (attached as Attachment “F”).	<input type="checkbox"/> Yes	<input type="checkbox"/> No

4. PROPERTY OWNER CERTIFICATION

Under penalty of perjury under the laws of the State of California, I hereby state that the information provided in this Two-Unit Project Application is accurate and correct to the best of my knowledge. (If fee title to the Lot is held jointly, attach additional signatures for *each* owner).

Signature of Property Owner

Date

ATTACHMENT “A”
(TITLE REPORT FOR THE LOT)

ATTACHMENT “B”
(OWNER’S DRIVER’S LICENSE/IDENTIFICATION)

ATTACHMENT “C”
(LETTER OF AGENCY)

Complete the following only if you answered “yes” to question 1.5 above. If fee title to the property is held jointly, attach additional sheets as necessary for *each* owner.

—
LETTER OF AGENCY

I, the undersigned, am the legal owner of: _____ (the “Lot”). I hereby grant permission to: _____ (“Agent”) to submit an application on my behalf for a two-unit project on the Lot (the “Project”). I further authorize the City of Culver City (the “City”) to communicate with Agent regarding the Project.

Signature of Property Owner

Date

Under penalty of perjury under the laws of the State of California, I hereby state that the information provided in this application is accurate and correct to the best of my knowledge.

Signature of Agent

Date

ATTACHMENT “D”
(MORTGAGE HOLDER CONSENT)

Complete the following only if you answered “yes” to question 1.6 above. Applicants must submit an executed Mortgage Holder Consent for *each* person or entity that holds a mortgage or security interest in the property. For example, if Bank A and Bank B hold mortgages secured by the property, then both Bank A and Bank B must complete this Mortgage Holder Consent.

MORTGAGE HOLDER CONSENT

Date: _____

Mortgage Holder:

BANK NAME

BANK ADDRESS

BANK CITY, STATE, ZIP

PHONE NUMBER

Loan Number(s): (_____)

Property Owner and Mailing Address:

OWNER NAME

OWNER ADDRESS

OWNER CITY, STATE, ZIP

Property (as more particularly described in the attached Exhibit A):

PROPERTY ADDRESS

PROPERTY CITY, STATE, ZIP

Recording Information: [Date] and [Book] and [Page] or [Document No.]

This is a Mortgage Holder Consent (this “Consent”) by the undersigned entity (the “Mortgage Holder”) with respect to the above-referenced loan(s) (the “Loan”) secured by the Property.

In accordance with Senate Bill 9, the Property Owner intends to construct one or more dwellings on the Property (the “Project”). By signing below, Mortgage Holder hereby: (i) acknowledges receipt of timely prior notice of the Project, (ii) consents to the Project, (iii) agrees that the Project will not constitute an event of default or trigger the exercise of any remedies under the loan documents between Mortgage Holder and Property Owner, and (iv) acknowledges that this Consent is being relied on by all parties participating in, lending in or administering the Project.

(Continues on Next Page)

The undersigned hereby represents that he/she is authorized to execute and deliver this Consent on behalf of Mortgage Holder.

MORTGAGE HOLDER:

[_____]

By _____(SEAL)

Name _____

Title _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

)

County of _____)

On _____ before me, _____
(insert name)

personally appeared _____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

(Seal)

ATTACHMENT “E”
(OWNER AFFIDAVIT)

Every two-unit project application must be accompanied with a completed affidavit as set forth below. If fee title to the property is held jointly, attach additional sheets as necessary for *each* owner.

OWNER AFFIDAVIT

I, the undersigned, am the legal owner of: _____ (the “Lot”). In accordance with Senate Bill 9 and the Subdivision Map Act, I have submitted an application with the City of Culver City to construct one or more dwellings on the Lot (the “Project”). To that end, I hereby represent and warrant as follows:

1. Impact on Protected Housing. The Project will not require or include the demolition or alteration of any of the following:
 - a) Housing that is income restricted for households of moderate, low, or very low income;
 - b) Housing that is subject to any form of rent or price control through a public entity’s valid exercise of its police power;
 - c) Housing, or a lot that used to have housing, that has been withdrawn from rental or lease under the Ellis Act (Gov. Code §§ 7060–7060.7) at any time in the 15 years prior to submission of this application; or
 - d) Housing that has been occupied by a tenant in the last three years.
2. Nonconforming Zoning Conditions. I understand, acknowledge, and agree that my application for a two-unit project will not be approved unless I correct all nonconforming zoning conditions that exist on the Lot.
3. Fire Hazard Mitigation Measures. If the Original Lot is located within a severe fire hazard severity zone, I understand, acknowledge, and agree that my application for a two-unit project will not be approved unless I comply with all fire-hazard mitigation measures required by California Department of Forestry and Fire Protection.
4. Indemnification/Hold Harmless. I agree to forever indemnify and hold harmless the City of Culver City, its agents, employees, officials, and volunteers, from any and all claims and damages related to the approval of Project.

Under penalty of perjury under the laws of the State of California, I hereby state that the information provided in this Owner Affidavit is accurate and correct to the best of my knowledge.

Signature of Property Owner

Date

ATTACHMENT “F”
(LOT LOCATION CERTIFICATIONS)

Two-unit projects are only authorized for certain types of lots zoned for single-family residential use and not in certain sensitive or otherwise protected areas. Based on your answers to Section 2.4, “Lot Location,” you may need to include supporting documentation of the location and characteristics of the Lot. Attach all such documentation here. More than one type of document or evidence may suffice— if a document provides adequate assurance to Culver City Current Planning Division of the truth and accuracy of one or more of your answers to Section 2.4, it should be included. For your reference, examples of the sort of documentation and other evidence that can be included are listed below. *These examples are provided solely as a courtesy of the Culver City Current Planning Division and makes no representations or warranties as to the security, accuracy, adequacy, or sufficiency of any suggested source. Applicant uses all provided links at his or her own risk.* While State law requires Culver City Current Planning Division to grant ministerial approval of a complete application for a two-unit project application, if the type(s) of documents provided offer insufficient evidence of the suitability of the Lot for a two-unit project, your application may be deemed incomplete and not subject to ministerial approval.

Question Number and Lot Characteristic	Type(s) of Supporting Documentation
2.1.1– Single-Family Residential Zone	<ul style="list-style-type: none"> • Current zoning ordinances and maps of the City, clearly identifying the Original Lot as being within a single-family residential zone. • A title report for the Original Lot clearly identifying it as being within a single-family residential zone.
2.1.2– Prime Farmland, Farmland of Statewide Importance, Land Zoned or Designated for Agricultural Protection or Preservation	<ul style="list-style-type: none"> • The status of the Original Lot as reported in the California Department of Conservation’s Farmland Mapping & Monitoring Program (FMMP). • Printouts and screenshots from FMMP’s “California DLRP Important Farmland Finder” indicating the Farmland Type and Farmland Type Description of the area(s) encompassing the Original Lot.
2.1.3– Wetlands	<ul style="list-style-type: none"> • The status of the Original Lot as reported in the U.S. Fish & Wildlife Service’s National Wetlands Inventory. • Printouts and screenshots from the U.S. Fish & Wildlife Service’s “Wetlands Mapper” page.
2.1.4– Very High Fire Hazard Severity Zone	<ul style="list-style-type: none"> • The status of the Original Lot as reported by the Office of the State Fire Marshal. • Printouts and screenshots from the Office of the State Fire Marshal’s “Fire Hazard Severity Zones” page.
2.1.5– Hazardous Waste Site	<ul style="list-style-type: none"> • The status of the Original Lot as reported by the California Environmental Protection Agency (EPA). • Printouts and screenshots from databases meeting the requirements of the California EPA’s “Cortese List,” compiled pursuant to Government Code Section 65962.5. For a preliminary list of such databases, visit Cortese List Data Resources CalEPA.

[Continued on next page]

2.1.6– Delineated Earthquake Fault Zone	<ul style="list-style-type: none"> • The status of the Original Lot as reported by the California Department of Conservation. • Printouts and screenshots from a resource approved by the California Department of Conservation as a method to properly determine if a property is within or affected by an earthquake fault zone under the Alquist-Priolo Act. For a preliminary list of such databases, visit Alquist-Priolo Earthquake Fault Zones.
2.1.7– One Hundred Year Flood-Hazard Area	<ul style="list-style-type: none"> • The status of the Original Lot as reported by the Federal Emergency Management Agency’s (FEMA) flood maps and by the California Department of Water Resources. • For a preliminary list of such databases, visit Flood Maps FEMA.gov or CA Dept of Water Resources – Best Available Map (BAM).
2.1.8– Regulatory Floodway	<ul style="list-style-type: none"> • The status of the Original Lot as reported by the FEMA’s flood maps and by the California Department of Water Resources. • Printouts and screenshots from the California Department of Water Resources page clearly showing the status of the property. An example of such databases is accessible at CA Dept of Water Resources – Best Available Map (BAM).
2.1.9– Conservation Area	<ul style="list-style-type: none"> • The status of the Original Lot as reported by the California Department of Fish and Wildlife. • Printouts and screenshots clearly showing the status of the property from a California Department of Fish and Wildlife-approved conservation plan map, summary, or list. For a preliminary resource, visit Natural Community Conservation Planning (NCCP).
2.1.10– Protected Species Habitat	<ul style="list-style-type: none"> • Federal and state databases are complex and may require a subscription. For more information, visit Natural Community Conservation Planning (NCCP) and Endangered Species U.S. Fish & Wildlife Service.
2.1.11– Conservation Easement	<ul style="list-style-type: none"> • A title report clearly demonstrating that the Lot is not subject to a conservation easement (i.e. any limitation imposed on the Lot by deed, will, or other instrument in the form of an easement, restriction, covenant, or condition that applies to the Lot and is binding upon successive owners).
2.1.12– State Historic District	<ul style="list-style-type: none"> • The status of the Original Lot as reported by the California State Parks Office of Historic Preservation. • For preliminary information, visit “California Historical Resources Information System” and “National Register of Historic Places,” hosted at California Historical Resources Information System and National Register of Historic Places, respectively.
2.1.13– City or County Landmark, Historic Property, or Historic District	<ul style="list-style-type: none"> • Review the Culver City Municipal Code and the Code of Ordinances of Los Angeles to determine if the Original Lot or any subdivision in which it exists has been designated a landmark, historic property, or historic district. • For more information, visit “Frequently Asked Questions” of the California State Parks Office of Historic Preservation.

ATTACHMENT "G"
(DEED RESTRICTION)

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

City Clerk
City of Culver City
9770 Culver Blvd.
Culver City, CA 90232

DEED RESTRICTION AND COVENANT

Cal. Gov. Code § 27383
Recorded for the Benefit of the City of Culver City

State of California
County of Los Angeles

This Covenant and Deed Restriction is made and executed on this ____ day of _____, 20____ by _____ and _____. The undersigned hereby certify that I/we are the owner(s) of the hereinafter legally described property located in the City of Culver City (the "City"), State of California. Said property is located at _____ as is legally described in Exhibit "A" hereto (the "Property").

Please be advised that the Property contains or will contain two primary dwelling units created in accordance with Senate Bill 9 (Government Code, § 66411.7). In consideration of the City approving the two-unit project, the undersigned hereby covenants, acknowledges, and agrees that:

1. Dwelling units on the Property may only be rented for a term longer than 30 days.
2. The Property will only be used for residential uses.
3. No dwelling unit may be sold separately or otherwise conveyed separately from any other dwelling unit on the Property.
4. The creation of a Common Interest Development within the Property under California Civil Code Section 4000 *et seq.* is prohibited.
5. If the Property does not undergo an urban lot split, the owners thereof must occupy one of the dwelling units on the Property as the owners' primary residence and legal domicile.
6. Development on the Property is limited to residential units that comply with the requirements of Culver City Municipal Code chapter 17.210 (Residential Zoning Districts, except as otherwise required by State law.

The purpose of this deed restriction is to provide notice and disclosure to the current owner and to any

This deed restriction and covenant runs with the land and binds all current owners, all future owners, and their successors, heirs or assigns, and continues in effect perpetually unless released by the City in writing. Any lease of any portion of the Property is subject to the restrictions in this deed restriction and covenant, which are established for the general benefit of the entire community and which run with the land. The covenant is enforceable by remedy of injunctive relief in addition to any other remedy in law or equity.

If the owners, their heirs, assigns, or successors in interest fail to abide by the deed restriction and covenants hereunder, all owners are bound to pay all costs and expenses incurred by the City in securing performance of such obligation, including reasonable attorney's fees and costs.

Property Owner _____ Date _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
)
County of _____)

personally appeared _____
 who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s)
 subscribed to the within instrument and acknowledged to me that he/she/they executed the same
 authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), on
 behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

(Seal)

Exhibit “A” to Deed Restriction
(Legal Description of the Property)