



*City of Foster City*

**ESTERO MUNICIPAL IMPROVEMENT DISTRICT**

610 FOSTER CITY BOULEVARD  
FOSTER CITY, CA 94404-2222

**SB 9 PLANNING APPLICATION FORM**

**PROJECT INFORMATION** *(Mandatory)*

**Project Address(es):** \_\_\_\_\_  
Foster City, CA 94404

**Assessor Parcel Number(s):** \_\_\_\_\_

**Application Type(s):**

- SB 9 Two-Unit Development** (Development of no more than two (2) new primary residential units or add one (1) new primary residential unit)
- SB 9 Urban Lot Split** (Subdivision into no more than two (2) separate parcels)

**Brief Project Description:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PROJECT CONTACT** *(Mandatory)*

**Property Owner's Name(s):** \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Email Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Property Management/Tenant Name: \_\_\_\_\_

**Owner Signature:** \_\_\_\_\_

**Applicant/ Authorized Agent's Name:** \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Email Address: \_\_\_\_\_ Phone: \_\_\_\_\_



**CITY OF FOSTER CITY – Community Development Department**

610 FOSTER CITY BLVD

FOSTER CITY, CA 94404-2222

Phone: (650) 286-3227

Email: [cddpermit@fostercity.org](mailto:cddpermit@fostercity.org)

**PROPERTY OWNER AUTHORIZATION**

**(MANDATORY: please print clearly and fill in all as required)**

**PROJECT LOCATION:** \_\_\_\_\_  
FOSTER CITY, CA 94404.

**PROJECT SCOPE:** \_\_\_\_\_

**PERMIT APPLICATION # :** \_\_\_\_\_ **DATE # :** \_\_\_\_\_

**PROPERTY OWNER DECLARATION:** I certify that as the property owner, I authorize the filing of this planning application. I understand that pursuant to the City of Foster City Municipal Code, the Notice of Decision approval requirements are binding upon both the applicant and the property owner(s). I agree to implement the Notice of Decision approval requirements.

**PROPERTY OWNER STATEMENT:** I hereby certify that I am the owner of record of the property described in the above Project Location and that I approve of the requested action herein. The applicant understands that project reviews are billed on a time and materials basis, using the staff's hourly rates, which means that all staff time spent reviewing the project and any extraordinary materials required to process the project are charged to the applicant. If staff time spent on a project exceeds the deposit (the initial application fee/deposit), the applicant will be billed accordingly, and payment will be due within 15 days. \_\_\_\_\_ (Owner Initials)

**Property Owner's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Property Owner's Name (Printed):** \_\_\_\_\_ **Date:** \_\_\_\_\_

**AGENT AUTHORIZATION:** I certify that as the property owner, I am hereby authorizing \_\_\_\_\_ to serve as my authorized agent for the purposes of this Planning Application. I understand that this authorization shall be valid unless and until I or my successor/assign(s) withdraw this authorization by submitting a writing to City staff. I understand that pursuant to the City of Foster City Municipal Code, the Notice of Decision approval requirements are binding upon both the applicant and the property owner(s). I agree to implement the Notice of Decision approval requirements.

**Property Owner's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Authorized Agent's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Authorized Agent Contact Information:** \_\_\_\_\_ **(ADDRESS)**

\_\_\_\_\_  
**(PHONE NUMBER)**

\_\_\_\_\_  
**(E-MAIL)**



**AFFIDAVIT OF INTENT TO OWNER-OCCUPY  
(URBAN LOT SPLIT APPLICATIONS, ONLY)**

1. On \_\_\_\_\_ [DATE], I (or my authorized agent) submitted an application to the City of Foster City for an urban lot split to subdivide the real property located at \_\_\_\_\_ [ADDRESS], Foster City, California, which is also identified as San Mateo County Assessor's Parcel Number \_\_\_\_\_, and further described in Exhibit "A" attached hereto and incorporated by reference (hereinafter "the Property"), as provided for in Government Code Section 66411.7 and Foster City Municipal Code Chapter 17.79.
2. I certify that I intend to occupy, as my principal residence and for a period of no less than three (3) years from the date of approval of the urban lot split, one of the dwelling units located on the Property.
3. I understand, consent and agree that the Community Development Department of the City of Foster City may take such action as it deems necessary to verify both the accuracy and veracity of this declaration. I further understand, consent and agree that any person or entity contacted by the Community Development Department, or its contractors, employees, agents, grantees, or designees, in the course of such verification, may release such pertinent information to the Community Development Department, or its contractors, employees, agents, grantees, or designees.

I declare under penalty of perjury of the laws of the State of California that the foregoing is true and correct and that this affidavit was executed on the \_\_\_\_ of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_, California.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

*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 veracity, accuracy, or validity of that document.*

State of California

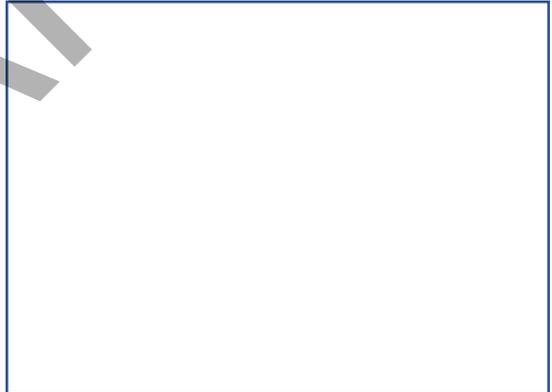
County of \_\_\_\_\_

On \_\_\_\_\_ [DATE], before me, \_\_\_\_\_ [NOTARY NAME], Notary Public, personally appeared \_\_\_\_\_ [APPLICANT NAME], who provide to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subjected 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) 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 \_\_\_\_\_





## AFFIDAVIT REGARDING SB 9 PARCEL HISTORY AND USES

### (ALL SB 9 APPLICATIONS)

1. I am the owner of the real property located at \_\_\_\_\_ [ADDRESS], Foster City, California, which is also identified as Assessor's Parcel Number \_\_\_\_\_, and further described in Exhibit "A" attached hereto and incorporated by reference (hereinafter "the Property").
2. On \_\_\_\_\_ [DATE], I, or my authorized agent, submitted an application to the City of Foster City for:
  - An urban lot split subdividing the Property as provided for in California Government Code Section 66411.7 and Foster City Municipal Code Chapter 17.79.
  - A two-unit development on the Property as provided for in California Government Code Section 65852.21 and Foster City Municipal Code Chapter 17.79.
3. To my knowledge and belief, the Property is not a parcel on which I, or my predecessor(s), have exercised an owner's rights, under Government Code Sections 7060, *et seq.*, to withdraw accommodations from rent or lease within the last 15 years from the date of submittal of the application.
4. Additionally, to my knowledge and belief, any housing units proposed to be demolished or altered on the Property pursuant to this application have not been occupied by a tenant at any time within the last three (3) years.
5. Additionally, to my knowledge and belief, if my application includes an urban lot split, the Property is not a parcel that has been established through prior exercise of an urban lot split.
6. Additionally, I certify that, if my application includes an urban lot split, I have not previously subdivided nor acted in concert with any person to previously subdivide a parcel adjacent to the Property using an urban lot split.
7. I understand that all uses on site are limited to residential uses only.

8. I acknowledge that short-term rentals of less than 30 consecutive days is a prohibited use of the subject property and that all rentals must be terms of 30 or more consecutive days.
9. I understand, consent and agree that the Community Development Department of the City of Foster City may take such action as it deems necessary to verify both the accuracy and veracity of this declaration. I further understand, consent and agree that that any person or entity contacted by the Community Development Department, or its contractors, agents, employees, grantees, or designees, in the course of such verification, may release such pertinent information to the Community Development Department, or its contractors, employees, agents, grantees, or designees.

I declare under penalty of perjury of the laws of the State of California that the foregoing is true and correct, and that this affidavit was executed on the \_\_\_\_ of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_, California.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

*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 veracity, accuracy, or validity of that document.*

State of California

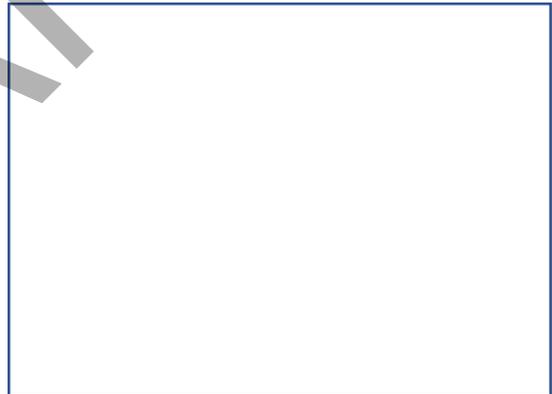
County of \_\_\_\_\_

On \_\_\_\_\_ [DATE], before me, \_\_\_\_\_ [NOTARY NAME], Notary Public, personally appeared \_\_\_\_\_ [APPLICANT NAME], who provide to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subjected 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) 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 \_\_\_\_\_





## SENATE BILL 9 (SB 9) TWO-UNIT DEVELOPMENT ELIGIBILITY CHECKLIST

CITY OF FOSTER CITY ▪ COMMUNITY DEVELOPMENT ▪ PLANNING/CODE ENFORCEMENT

This Checklist is Not Exhaustive and All SB 9 Projects are Required to Comply with the Foster City Municipal Code and State Law

- The parcel is located within:
  - Single Family Residence District R-1; or
  - Single Family Residence/Planned Development District R-1/PDInteractive Zoning Map: <https://www.fostercity.org/community/page/arcgis-maps>.
- Project includes residential uses only.
- The parcel is NOT located in any of the specified designated areas except where it may be allowed if certain criteria are met:
  - a. [Prime farmland or farmland of statewide importance](#),
  - b. [Wetlands](#) as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2,
  - c. A [hazardous waste site](#) that is listed pursuant to Section 65962.5,
  - d. A [very high fire hazard severity zone](#),
  - e. A [delineated earthquake fault zone](#),
  - f. A [100-year floodplain or a floodway](#),
  - g. Lands identified for conservation,
  - h. [Habitat for protected species](#);
- The parcel is NOT located on a parcel on which the owner has withdrawn it from renting or leasing under [Section 7060](#) of the Government Code within 15 years preceding the development application.
- The parcel is NOT located within a historic district, included on the State Historic Resources Inventory, or within a site that is legally designated or listed as a city or county landmark or historic property or district.
- The project would NOT require demolition or alteration of any of the following types of housing:
  - Housing that is subject to a recorded covenant, ordinance or law that restricts rent to levels affordable to persons and families of moderate, low, or very low income.
  - Housing that is subject to rent control through valid local rent control provisions.
  - Housing that has been occupied by a tenant in the last 3 years.
- Proposed rental units will not be used for short-term rentals of less than 30 days.
- Parking. Off-street parking of up to one space per unit, except that no parking requirements shall be imposed in either of the following:
  - The parcel is located within one-half mile walking distance of either a high-quality transit corridor (PRC Section 21155) or a major transit stop (PRC Section 21064.3); or
  - There is a car share located within one block of the parcel.
- Each primary unit in the SB 9 Two Unit Development will be served by separate water, sewer and electrical utility connections.
- Objective Development standards per the underlying zoning district.



## SENATE BILL 9 (SB 9) TWO-UNIT DEVELOPMENT SUBMITTAL CHECKLIST

CITY OF FOSTER CITY ▪ COMMUNITY DEVELOPMENT ▪ PLANNING/CODE ENFORCEMENT

This Checklist is Not Exhaustive and All SB 9 Projects are Required to Comply with the Foster City Municipal Code and State Law

- A COMPLETED APPLICATION FORM & APPLICABLE FEE ([SEE MASTER FEE SCHEDULE](#))**  
One copy of a signed SB 9 Planning Application Form and Property Owner Authorization Form. Refer to the Master Fee Schedule for the most up-to-date fees.
  - BUILDING PERMIT ACKNOWLEDGMENT FORM ([SEE LINK](#))**
  - PROPERTY OWNERSHIP**  
Verification of property ownership in the form of a preliminary title report that is no more than a year old, showing the current owners of the property, the names of record owners of the land, and all existing easements and other reservations, restrictions, or covenants.
  - WRITTEN PROJECT DESCRIPTION**  
A written description of the proposed project, which may be included on the cover sheet of the plan set.
  - LEGAL DESCRIPTION.**  
An accurate legal description of the property.
  - PLANS**  
Digital PDF submittal is preferred. If a hard copy submittal is made, provide 3 copies of 11" x 17" and 1 copy of 24" x 36" fully scaled and dimensioned plans.
- A. COVER SHEET
- Project Information, including site address, APN, zoning classification, and existing and proposed number of units.
  - Project Summary Table (see attached).
  - Floor Area and Coverage Calculation Diagram (see attached).
- B. SITE PLAN (scaled: 1/4" = 1', 1/8" = 1', or 1" = 10')
- North arrow and scale.
  - All dimensioned property lines consistent with the Site Survey, street names and significant easements. (Note: property line dimensions must match those shown on the County Assessor's Map for the parcel).
  - Location of existing and proposed buildings, additions or structures with dimensions to property lines, and dimensions of proposed structure or addition. (Note that the dimensions should match those shown on the floor plan and elevations.) Shade the areas of additions, including a differentiation between first and second floor additions. Indicate direction of roof slope and eave overhangs
  - Location and identification of items of all utilities (PG&E, water, sewer lateral, and sewer cleanout) and any obstructions on sidewalks and curbs, such as fire hydrants, utility meters, utility poles, and streetlights.
  - Location of all walks, driveways, vehicle storage areas, stairs, fences, gates, retaining walls and lagoon bulkhead.
  - Footprint and overhangs or projections (eaves/bay windows/chimneys/balconies/decks) for all structures located on the site. Include all accessory structures, covered patios, covered porches, carports, outdoor mechanical equipment, and any structures with walls and/or a roof on the property.
  - All required garage and uncovered parking stalls.
  - All landscaping on the site plan (or landscape plan, if one is necessary). Locate and identify all existing major

trees and shrubs and areas of ground cover, lawn, concrete and wood decking. Identify landscaping proposed be removed and added with the proposal.

C. FLOOR PLAN (scaled: ¼" = 1')

- Overall exterior dimensions and individual room dimensions for all levels and stories.
- Location of all doors and windows, including window sizes.
- Label or shade all walls and structures proposed to be demolished. Provide the calculation of the percentage of exterior walls to be demolished or converted. Provide the calculation of the total lineal feet of existing exterior walls and the total lineal feet proposed for demolition. Existing exterior walls that are converted to interior walls shall be counted as walls to be demolished. Doors, including garage doors, entry doors, and sliding glass doors, shall not be included in the percentage calculation of an existing structure's exterior walls.)

D. FLOOR AREA AND COVERAGE CALCULATIONS (SEE ATTACHED)

E. ELEVATIONS (scaled: ¼" = 1')

- Separate elevations are labeled north, south, east, and west for the new SB 9 unit(s).
- Height and width of all exterior walls or elevations, including ceiling/plate heights and finished floor.
- Height, configuration, slope, and overhang of roof.
- All rooftop equipment and roofing materials/color (existing and proposed).
- Type of exterior treatment, materials and colors for siding, windows, trim, detailing, etc.
- Size and location of doors and windows (if not shown on floor plan). (Note that the window and door locations and sizes must match those shown on the floor plan.)
- Stairs, decks, chimneys, balconies, etc.

F. ROOF PLAN (scaled: ¼" = 1')

- Show the roof slope and the direction of the slope.
- Show roof pitches and dimension overhang depths.
- Show and shade any areas of an existing roof proposed for demolition. Provide the calculation of the % of the existing roof structure to be demolished.

**ADDITIONAL AFFIDAVIT (SEE ATTACHED)**

**RECORDED COVENANT**

The applicant shall record a restrictive covenant and agreement in the form prescribed by the Department, which shall run with the land and provide for the following:

- A limitation restricting the property to residential uses only; and
- A requirement that any dwelling units on the property may be rented or leased only for a period longer than thirty (30) days.

**PHOTOGRAPHS OF THE PROPERTY (IN COLOR)**

Provide digital photographs of the project site(s) along with photos of the adjacent properties.

**OUTDOOR WATER EFFICIENCY CHECKLIST**

**MATERIALS AND COLOR SAMPLES (IF REQUESTED BY STAFF)**

**LETTER FROM HOMEOWNERS' ASSOCIATION (HOA) (IF APPLICABLE)**

For properties located within Planned Developments, a letter demonstrating written action by the HOA on the proposal shall be obtained prior to submitting plans to the City.



## SENATE BILL 9 (SB 9) URBAN LOT SPLIT ELIGIBILITY CHECKLIST

CITY OF FOSTER CITY ▪ COMMUNITY DEVELOPMENT ▪ PLANNING/CODE ENFORCEMENT

This Checklist is Not Exhaustive and All SB 9 Projects are Required to Comply with the Foster City Municipal Code and State Law

- The parcel is located in:
  - Single Family Residence District R-1; or
  - Single Family Residence/Planned Development District R-1/PDInteractive Zoning Map: <https://www.fostercity.org/community/page/arcgis-maps>.
- Project includes residential uses only.
- The parcel is NOT located in any of the specified designated areas except where it may be allowed if certain criteria are met:
  - a. [Prime farmland or farmland of statewide importance](#),
  - b. [Wetlands](#) as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2,
  - c. A [hazardous waste site](#) that is listed pursuant to Section 65962.5,
  - d. A [very high fire hazard severity zone](#),
  - e. A [delineated earthquake fault zone](#),
  - f. A [100-year floodplain or a floodway](#),
  - g. Lands identified for conservation,
  - h. [Habitat for protected species](#);
- The parcel is NOT located on a parcel on which the owner has withdrawn it from renting or leasing under [Section 7060](#) of the Government Code within 15 years preceding the development application.
- The parcel is NOT located within a historic district, included on the State Historic Resources Inventory, or within a site that is legally designated or listed as a city or county landmark or historic property or district.
- The project would NOT require demolition or alteration of any of the following types of housing:
  - Housing that is subject to a recorded covenant, ordinance or law that restricts rent to levels affordable to persons and families of moderate, low, or very low income.
  - Housing that is subject to rent control through valid local rent control provisions.
  - Housing that has been occupied by a tenant in the last 3 years.
- Proposed rental units will not be used for short-term rentals of less than 30 days.
- Parking. Off-street parking of up to one space per unit, except that no parking requirements shall be imposed in either of the following:
  - The parcel is located within one-half mile walking distance of either a high-quality transit corridor (PRC Section 21155) or a major transit stop (PRC Section 21064.3); or
  - There is a car share located within one block of the parcel.
- Any proposed primary unit will be served by separate water, sewer and electrical utility connections.
- Objective design and zoning standards shall be met except if it 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.
- Proposed urban lot split results in two parcels of approximately equal lot area (60/40 split at most), with each new parcel containing at least 1,200 square feet.
- Each newly-created parcel has access to or adjoins the public right-of-way, sufficient to allow development on the parcel to comply with any property access requirements under the California Fire Code Section 503 and Title 14, California Code Regulations section 1273.00 et seq., when applicable to the parcel.
- The parcel was not established through a prior Urban Lot Split.

- The Urban Lot Split conforms to all applicable objective requirements of the Subdivision Map Act (Government Code Section 66410 et seq.), except as otherwise provided.
- Neither the owner of the parcel being subdivided nor any person acting in concert with the owner has previously subdivided an adjacent parcel using an Urban Lot Split.
- The proposed new parcels are intended for exclusively residential use.
- The property owner intends to occupy one of the units constructed as a result of the Urban Lot Split as their primary residence for a minimum of three years.
- The Urban Lot Split will not result in a structure being split over the two (2) parcels.

DRAFT



## SENATE BILL 9 (SB 9) URBAN LOT SPLIT SUBMITTAL CHECKLIST

CITY OF FOSTER CITY ▪ COMMUNITY DEVELOPMENT ▪ PLANNING/CODE ENFORCEMENT

This Checklist is Not Exhaustive and All SB 9 Projects are Required to Comply with the Foster City Municipal Code and State Law

- A COMPLETED APPLICATION FORM & APPLICABLE FEE ([SEE MASTER FEE SCHEDULE](#))**

One copy of a signed SB 9 Planning Application Form and Property Owner Authorization Form. Refer to the Master Fee Schedule for the most up-to-date fees.
- URBAN LOT SPLIT QUALIFYING CRITERIA CHECKLIST**
- PROPERTY OWNERSHIP**

Verification of property ownership in the form of a preliminary title report that is no more than a year old, showing the current owners of the property, the names of record owners of the land, and all existing easements and other reservations, restrictions, or covenants.
- WRITTEN PROJECT DESCRIPTION**

A written description of the proposed project, which may be included on the cover sheet of the plan set
- SITE SURVEY**

A full site boundary survey is required for all subdivisions and is required to be stamped and signed by a Land Surveyor licensed by the State of California

  - Shall illustrate the legal boundaries, dimensions of all property lines, easements, right-of-way, creeks, public utilities and utility poles, location of all existing improvements/structures, setback of existing improvements/structures, tree trunks, tree species (if possible) and accurate depiction of tree canopies/drip line along with spot elevations across the site
  - If located within a Special Flood Hazard Area, the survey must show the Base Flood Elevation (BFE) and the elevation of the lowest floor of the proposed structure
- PLANS**

Digital PDF submittal is preferred. If a hard copy submittal is made, provide 3 copies of 11" x 17" and 1 copy of 24" x 36" fully scaled and dimensioned plans.

  - Residential Data Information (Cover Sheet)
    - Project Information, including site address, APN, zoning classification, and existing and proposed number of units.
    - Setbacks to existing or proposed dwelling unit(s), if applicable.
  - Residential Data Information (Plans)
    - Location of proposed Urban Lot Split.
    - Parcel Map number (if assigned).
    - Date of preparation.
    - North arrow and scale
    - Names, addresses and telephone numbers of: the record owner, subdividers; and the person who prepared the map (registration or license numbers shall be provided).
    - Lot lines, approximate dimensions of all lots and their area to the nearest square foot.

- Lot or parcel numbers in consecutive sequence.
- Location, name, and present improved width(s) of the adjacent street(s) (if applicable).
- Lot, block and parcel numbers of adjacent lots and the name of the owner of record.
- Location, width and outline to scale of all existing and proposed:
  - Pedestrian paths; public areas; conservation easements; and public utilities easements
  - Size of storm drains, sanitary sewers, gas and water lines and source of water supply and sewage disposal
  - Fire hydrants, power, and telephone or communications lines and other public utilities
  - Provisions for drainage, flood and erosion control
  - Building sites; driveways; fences; retaining walls; swimming pools; including whether they are to remain or be removed, and the distances between buildings and between buildings and proposed or existing property lines and other structures
  - Centerline, existing ground and finished grade elevations of all streets, including the radii of all curves, sanitary sewer and storm drains
  - Typical cross sections of all streets, and when required by the City engineer, detail of curbs, gutters, walks, trails and other improvements drawn to scale and clearly showing all details
  - Location, species, and size of all street trees
- Any proposed conditions, restrictions, and covenants
- Preliminary soils report and the report of an engineering geologist, provided that the latter may be waived by the City engineer.
- Approval letter from private utilities or public agencies regarding adequacy of utility installations and the rights-of-way or easements.

**ADDITIONAL AFFIDAVIT (SEE ATTACHED)**

**RECORDED COVENANT**

Prior to the approval and recordation of the parcel map, the applicant shall record a restrictive covenant and agreement in the form prescribed by the Department, which shall run with the land and provide:

1. a prohibition against further subdivision of the parcel using the Urban Lot Split procedures,
2. a limitation restricting the property to residential uses only; and
3. a requirement that any dwelling units on the property may be rented or leased only for a period longer than thirty (30) days.

**PHOTOGRAPHS OF THE PROPERTY (IN COLOR)**

Provide digital photographs of the project site(s) along with photos of the adjacent properties

**LETTER FROM HOMEOWNERS' ASSOCIATION (HOA) (IF APPLICABLE)**

For properties located within Planned Developments, a letter demonstrating written action by the HOA on the proposal shall be obtained prior to submitting plans to the City.