



SB 9 Zoning Clearance Application Instructions

County of Ventura • Resources Management Agency • Planning Division

800S. Victoria Avenue, Ventura, CA 93009 • (805) 654-2488 • www.vcrma.org/divisions/planning

1. No application request shall be accepted unless it includes the required information and plans detailed below and is accompanied by the appropriate fee.
2. An application may be filed by the owner of the property or his/her authorized agent, or by a lessee who holds a lease with terms that permit the uses/structures applied for. Regardless of who is submitting the application, the property owner and the applicant shall sign the application.
3. Agents working on behalf of a property owner shall submit a signed Agent Authorization form with the application. This form can be accessed through the link at: https://docs.vcrma.org/images/pdf/planning/permits/AUTHORIZATION_OF_AGENT_FORM-OWNER.pdf
4. No application request shall be accepted if a violation of Chapter 1 (Non-Coastal Zoning Ordinance or Coastal Zoning Ordinance) or Chapter 2 (Subdivision Ordinance) of the Ventura County Ordinance Code exists on the lot. This includes, but is not limited to, being in compliance with the terms of any underlying land use entitlement that runs with the subject property. An issued Zoning Clearance shall become null and void if a pre-existing violation is discovered on the lot which is the subject of the Zoning Clearance. A full, true, and correct account of the proposed project must be provided, or the Zoning Clearance will be subsequently nullified. No person obtains any right or privilege to use land or structures for any purpose or in any manner described in the application request merely by virtue of the County's acceptance of an application or approval of the subject request.
5. Zoning Clearances will only be issued on legal lots; if there are no violations on the property unless the Zoning Clearance is requested to abate the violations; if the property owner has no outstanding bills with the Resource Management Agency; and, all other applicable standards are met.
6. Site plans, floor plans, and elevation plans are required to be prepared in compliance with the minimum required plans standards attached to this application. When over 500 square feet of landscape area is proposed, a full set of landscape plans shall also be submitted with the application, and the plans shall be prepared in compliance with the Model Water Efficiency Landscape Ordinance. See handout at: <https://vcrma.org/permit-application-information-and-handouts>. A full digital set of plans must be submitted as part of the application unless otherwise specified by the Planning Division.
7. A Tree Permit Application must also be submitted if the project involves the pruning (beyond specific limits), removal, trenching, excavation, or other encroachment into the protected zone (5 feet outside the canopy's edge and a minimum of 15 feet from the trunk) of protected trees. More information is available at: <https://vcrma.org/tree-permits-and-the-tree-protection-ordinance>.
8. For your convenience, a checklist of required application materials is attached to this Zoning Clearance Application.
9. Applications that are deemed incomplete or include plans that do not meet the applicable standards attached to this application will be returned to the applicant and not accepted for processing.
10. Refunds are not provided after an application has been accepted for processing.
11. Issuance of a Zoning Clearance does not guarantee issuance of a Building Permit from the Building and Safety Division, or related permits and/or licenses from other local and state agencies, such as the County Executive Office, Public Works Agency, Air Pollution Control District, Cal GEM, and Environmental Health.
12. Property owners are encouraged to seek approval for the proposed project from the Homeowner's Association (HOA) or Property Owner's Association (POA) that may have jurisdiction over the subject property. Some HOA/POA standards may be stricter than zoning regulations. In some areas of the County, a Zoning Clearance will not be issued until written HOA/POA approval is provided. Check with the applicable HOA/POA prior to submitting a Zoning Clearance application.
13. Additional information regarding SB 9 can be found on the site <https://vcrma.org/senate-bill-9>.



SB 9 Eligibility Checklist

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To qualify for the ministerial Two Unit Development and/or Lot Split approval process under SB 9 (Gov. Code Sec. 65852.21), project applicants must meet the following requirements:

A. Site Location

The location of the development must meet all the following criteria (Gov. Code section 65852.21(a)):

Yes

- The site is a legal lot located wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.

The site is zoned:

Yes

- Single-Family Residential (R1)
- Residential (RES)
- Single-Family Estate (RO)
- Coastal One-Family Residential (CR1)
- Coastal Rural Exclusive (CRE)

The site is not in any of the following locations:

No

- Prime farmland or farmland of statewide importance,
- Wetlands,
- A High or Very High Fire Hazard Severity Zone per the State Responsibility Area, or a Very High Fire Hazard Severity Zone per the Local Responsibility Area,
- Land identified for conservation,
- Habitat for protected species,
- Land under conservation easement, or
- In a historic district or property included on the State Historic Resources Inventory¹ as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a County Landmark or historic property or district.

The site may be located in the following locations:

No

- A hazardous waste site, if the site has been cleared for residential uses by the State Department of Public Health, State Water Resources Control Board, or Department of Toxic Substances Control
- A delineated earthquake fault zone, if the development complies with applicable seismic protection building code standards,
- A FEMA 100-year flood hazard area, if the site is subject to a FEMA Letter of Map Revision, or if the minimum flood plain management criteria of the National Flood Insurance Program can be met²,
- A regulatory floodway, if the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations².

¹ https://ohp.parks.ca.gov/?page_id=30710

² <https://www.fema.gov/flood-maps/national-flood-hazard-layer>

The site is not subject to any of the following criteria:

No

- Development would require the demolition or alteration of: housing designated as affordable, housing with rent or price control, or housing that has been occupied by a tenant within the previous three years,
- The Owner of residential real property on the site has exercised the owner's rights to withdraw units from the rental market within the last 15 years pursuant to the Ellis Act (Gov. Code, §7060 et seq.) within 15 years before, or
- New units created through the process cannot be rented for terms shorter than 30 days.

B. Additional Criteria for New Unit Construction

If a site meets all the above criteria, new unit construction must meet the following standards:

- Rear and side setbacks must be a minimum 4 feet. (Setback may only be less than 4 feet if the unit is an existing permitted structure or reconstruction of existing permitted structure)
- The unit must meet the objective development standards of underlying zone.
- At least 1 off-street parking space must be provided per unit, unless the site is it within ½ mile of a major transit stop or high-quality transit corridor.
- Prior to the issuance of a building permit, the applicant must obtain a will-serve letter from water purveyor or certification of water quality from Environmental Health Division for individual or shared wells.
- If the property on septic or on-site wastewater treatment, prior to the issuance of a building permit, applicant must demonstrate adequate septic feasibility and capacity approved by the Environmental Health Division.
- Construction of a proposed unit cannot include the demolition of deed-restrictive affordable housing or rent controlled housing that has been occupied within the previous three years.
- Construction of a proposed unit cannot include the demolishment of housing with an Ellis act eviction in the previous 15 years.
- Construction of a proposed unit cannot include the demolishment of more than 25% of exterior walls on existing housing that has been occupied within the last three years.
- If structures are connected, the units must be sufficient to allow separate conveyance.
- The applicant must provide a signed affidavit restricting rental of units to more than 30 days.

C. Eligibility for Lot Split

In addition to the Site Location requirement listed above, if the project is proposing a lot split, the following criteria must be met (Government Code section 66411.7(a)):

Yes

- The newly created parcels shall not be smaller than 40 percent of the lot area of the original parcel and be no smaller than 1,200 square feet.
- The parcel being subdivided has not been established through prior exercise of a lot split utilizing SB 9.
- Neither the owner of the parcel being subdivided nor any person acting in concert with the owner, has previously subdivided an adjacent parcel utilizing SB 9.
- The property owner intends to occupy one of the housing units as their principal residence for a minimum of three years from the date of the approval of the lot split. (an affidavit affirming owner occupancy is required prior to the issuance of a Certificate of Compliance)
- Both lots provide access to right of way through direct access or easements.
- Both lots have access, or easements for access, to public services and facilities.
- Lot splits must conform with the County's Subdivision Ordinance and the Subdivision Map Act. Please refer to the County Subdivision Ordinance section 8205-3 through section 8205-5.



SB 9 Zoning Clearance Application

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Applicant Contact Information

Applicant Name: _____
Applicant Address: _____
Applicant Phone No. _____ e-mail: _____

Property Owner Contact Information

Property Owner Name: _____
Property Owner Address: _____
Property Owner Phone No. _____ e-mail: _____

Agent Contact Information

Agent Name (if different than Applicant): _____
Agent Address: _____
Agent Phone No. _____ e-mail: _____

Property Information

Property Address: _____
Assessor Parcel Number(s): _____ Cross Streets: _____
Zoning Designation: _____ General Plan Land Use Designation: _____

Proof of Legal Lot Status (Check one that applies):

Certificate of Compliance # _____ Parcel Map or Tract Map # _____ Conditional Certificate of Compliance # _____ Voluntary Merger/Lot Line Adj Other (provide explanation): _____

Present use of property: _____

Is the property part of a Homeowner's Association? YES NO If yes, submit a Homeowner's Association or Property Owner's Association approval

Is there an active Planned Development Permit (PD) or Conditional Use Permit (CUP) on the property?

YES NO If yes, what is the permit number: _____ A copy of the conditions of approval of the land use entitlement must be submitted with this application. Contact the Planning Division at 805-654-2478 for a copy of the conditions of approval. Is the property and current uses on the property compliant with the applicable terms and conditions of that land use entitlement? YES NO

Is there an active violation case associated with the subject property? YES NO If yes, what is the violation case number: _____ Describe the violation? _____

Please be advised that no applications for a new entitlement will be accepted if a violation of the Zoning Ordinances or the Subdivision Ordinance exists on the subject property unless acceptance of the application is necessary to abate the existing violation.

Has the project site been subject to any archaeological, historical, and/or paleontological resource surveys?

YES NO unknown

Will any Protected Trees³ be potentially impacted by this project?

(This includes trees growing on adjacent parcels)

YES NO If yes, submit an arborist report and documentation required for a tree permit application.

³ see Non-Coastal Zoning Ordinance § 8107-25 and Coastal Zoning Ordinance § 8178-7

Project Information

Does the project meet SB 9 Eligibility Requirements? YES NO

Are you applying for a lot split? YES NO

Number of existing covered parking spaces (i.e., carport, garage): ____ **Number of existing uncovered marked parking spaces:** ____

Total landscape area (sq. ft.): _____ **Is the landscape area entirely new?** YES NO N/A **Is the landscape area a retrofit?** YES NO N/A **Include all proposed surface area of water features, including pools and spas.**

Provide a full description of the proposed project:

Detail any improvements to the premises and/or buildings/structures necessary to complete the proposed project. These improvements may include, but are not limited to, new electrical/electrical upgrades or plumbing, installation of outdoor lighting, installation of fencing, installation of landscaping or removal of trees:

What is the source of water at the project site?

- Water purveyor (submit water will serve letter)
- Individual Water Well (submit approval from Environmental Health Division)
- Shared Water Well (submit approval from Environmental Health Division)

What is the size of the water tank/reservoir that serves the project site? _____ gallons

Please provide the fire flow that is available to the project site: _____ GPM @ 20 PSI Residual

What is the method of sewage disposal?

- Public Sewer (submit sewer will serve letter)
- On-site wastewater treatment system (submit soils report with percolation study and system design)
 - Septic system
 - Treatment plant

Does this project involve creating 10,000 sq. ft. or more of impervious surface area?

YES NO **If yes, submit identify post-construction stormwater control on your site/grading plan and provide additional documents needed pursuant to the Ventura Countywide Technical Guidance Manual for Stormwater Quality Control Measures.**

Is this project located within the Ojai Valley Dark Sky Overlay Zone?

YES NO **If yes, submit a lighting plan indicating all outdoor lights shall comply with standards identified in Sec. 8109-4.7 of the Non-Coastal Zoning Ordinance.**

Continue to Development Data Table on the next page.

DEVELOPMENT DATA TABLE (Required)

Applicant completes the table below and provides it with the Zoning Clearance application.

Existing Structures (e.g. existing principal residence, ADU/JADU, shed, garage, etc.)	Footprint in Sq. Ft.	Gross Floor Area all floors & Levels
TOTALS		

Existing and/or Proposed Structures (Lot #1)	Footprint in Sq. Ft.	Gross Floor Area all floors & Levels
TOTALS		

Existing and/or Proposed Structures (Lot #2, if doing a lot split)	Footprint in Sq. Ft.	Gross Floor Area all floors & Levels
TOTALS		

Acknowledgement and Signature of Applicant and Property owner

AFFIDAVIT OF APPLICANT

I hereby certify, under penalty of perjury, that I have personal knowledge of the information stated in this application and that the information provided in this application and all required documentation to this application is true and correct. I further certify that this application has been prepared in compliance with the Ventura County Ordinance Code. I also understand and acknowledge that the information provided in this application may be public information and subject to disclosure under the California Public Records Act.

Applicant Signature: _____ Date: _____

AFFIDAVIT OF PROPERTY OWNER

I hereby certify, under penalty of perjury, that I am the property owner or am authorized by the property owner(s) to submit this application (by submitting a signed Agent Authorization Form). I further certify that this application has been prepared in compliance of the Ventura County Ordinance Code, that the application materials are being submitted as a formal application for the request noted on this application and that the statements and information above and on other application documents referred to are, to the best of my knowledge and belief, in all respects true and correct. I hereby understand and acknowledge that I will be responsible for paying all applicable fees, and I understand that the payment of such fees does not entitle me to approval of this application and that no refunds will be made. I further certify that this application has been prepared in compliance of the Ventura County Ordinance Code.

Property Owner Signature: _____ Date: _____

Add more pages as necessary to accommodate signatures of all property owners.

AUTHORIZATION OF APPLICANT AND/OR AGENT

I hereby authorize the person(s) identified below to apply for, sign, and file the documents necessary to obtain the permits required for my project. My authorized applicant and/or agent should receive copies of all notices and communications related to my project unless I have otherwise notified the County. Check all that apply.

- APPLICANT
- AGENT

Property Owner Signature: _____ Date: _____

Note: A copy of the owner's driver's license, notarization, or other verification acceptable to the agency must be submitted with this form to verify property owner's signature. The owner must be as shown on the latest Assessor records.

For Planning Staff Use Only

Date Received/Paid: _____ Legal Lot Status: _____ Lot Size: _____ (sq. ft.) _____ (acres)

Zoning: _____ Overlay Zone: _____ General Plan Land Use Designation: _____

Area Plan Land Use Designation: _____ Sq. ft. of Gross Floor Area Ministerially Allowed for Structure: _____



Applicant Checklist

SB 9 Zoning Clearance Application Materials

The below checklist attests that you provided the following materials in your application.

Materials Provided		Required Application Materials and Additional Information
YES	NO	Description of Materials and Information to Be Provided
GENERAL INFORMATION		
<input type="checkbox"/>	<input type="checkbox"/>	SB 9 Zoning Clearance Application filled out completely with required signatures?
<input type="checkbox"/>	<input type="checkbox"/>	SB 9 Eligibility Checklist
<input type="checkbox"/>	<input type="checkbox"/>	Tree Permit Application (if applicable) also submitted if the project involves the pruning (beyond specified limits), removal, trenching, excavation, or other encroachment into the protected zone (5 feet outside the canopy's edge and a minimum of 15 feet from the trunk) of protected trees?
Does this application include:		
<input type="checkbox"/>	<input type="checkbox"/>	Applicant name and contact information? Applicant signed application?
<input type="checkbox"/>	<input type="checkbox"/>	Property owner name and contact information? Property owner signed application?
		Lease agreement, power of attorney, or owner authorization document?
<input type="checkbox"/>	<input type="checkbox"/>	Assessor's Parcel Number(s) for the proposed site?
<input type="checkbox"/>	<input type="checkbox"/>	Property address for the proposed site?
<input type="checkbox"/>	<input type="checkbox"/>	Zone and General Plan land use designation?
<input type="checkbox"/>	<input type="checkbox"/>	Demonstration of legal lot?
Water/Sewer Will Serve Letter		
<input type="checkbox"/>	<input type="checkbox"/>	Development Data Table filled out?
<input type="checkbox"/>	<input type="checkbox"/>	Copy of Conditions of Approval for any approved, active land use permit that runs with the subject property? (if applicable)
<input type="checkbox"/>	<input type="checkbox"/>	Full description of proposed project?
<input type="checkbox"/>	<input type="checkbox"/>	Zoning Clearance fees have been paid in full?
<input type="checkbox"/>	<input type="checkbox"/>	Agent Authorization form (if applicable)
<input type="checkbox"/>	<input type="checkbox"/>	JADU or ADU Affidavit (if applicable)
<input type="checkbox"/>	<input type="checkbox"/>	SB 9 Owner Affidavit
<input type="checkbox"/>	<input type="checkbox"/>	Digital Copies of Site Plan, Floor Plans of all levels and floors, and Elevations of any new structures. Plan must include the information listed on the accompanying "Standards for Required Site Plans, Floor Plans and Elevations."
<input type="checkbox"/>	<input type="checkbox"/>	Digital Copies of Landscape Plans. When over 500 square feet of landscape area is proposed, it must be identified on the site plan. "Landscape area" means the total horizontal surface area dedicated to plant installation (including adjacent ground that provides space for the plants' establishment), plus the horizontal surface of any water features, that includes surface area of pool and spa. For more information, please see the Model Water Efficient Landscape Ordinance handout at https://vcrma.org/permit-application-information-and-handouts .
<input type="checkbox"/>	<input type="checkbox"/>	Digital photos of structure(s) where exterior remodeling is proposed is helpful, but not required.
If proposing a lot split pursuant to SB 9, does this application include the following:		
<input type="checkbox"/>	<input type="checkbox"/>	Parcel Map must be created by a licensed surveyor and comply with County Subdivision Ordinance section 8205-3 through section 8205-5.
<input type="checkbox"/>	<input type="checkbox"/>	Public Easement Certification
<input type="checkbox"/>	<input type="checkbox"/>	Preliminary Title Report and title policy
Supplemental Materials (if applicable)		
The following documents may be required.		
<input type="checkbox"/>	<input type="checkbox"/>	Quantity Data of Past and Proposed Groundwater Use
<input type="checkbox"/>	<input type="checkbox"/>	Water Availability Letter
<input type="checkbox"/>	<input type="checkbox"/>	Well Water Quality Report

Materials Provided

Required Application Materials and Additional Information

YES	NO	Description of Materials and Information to Be Provided
<input type="checkbox"/>	<input type="checkbox"/>	Water Well Pump and Recovery Test
<input type="checkbox"/>	<input type="checkbox"/>	Sewer Availability Letter
<input type="checkbox"/>	<input type="checkbox"/>	Septic Tank Pumping Report
<input type="checkbox"/>	<input type="checkbox"/>	Soils Report
<input type="checkbox"/>	<input type="checkbox"/>	Percolation Plan & Calculations
<input type="checkbox"/>	<input type="checkbox"/>	Stormwater Quality Impact Mitigation Plan (SQUIMP) Worksheet
<input type="checkbox"/>	<input type="checkbox"/>	Geology Report
<input type="checkbox"/>	<input type="checkbox"/>	Drainage Study
<input type="checkbox"/>	<input type="checkbox"/>	Documentation of existence of land use prior to 1985
<input type="checkbox"/>	<input type="checkbox"/>	New Legal Description
<input type="checkbox"/>	<input type="checkbox"/>	Unsigned, draft documents to modify deeds of trust
<input type="checkbox"/>	<input type="checkbox"/>	Unsigned, draft grant deeds
<input type="checkbox"/>	<input type="checkbox"/>	Owner's Certificate
<input type="checkbox"/>	<input type="checkbox"/>	Copy of Agreement (RE: Owner's Certificate)
<input type="checkbox"/>	<input type="checkbox"/>	Articles of Incorporation (Re: Owner's Certificate)
<input type="checkbox"/>	<input type="checkbox"/>	Lender's Acknowledgement form
<input type="checkbox"/>	<input type="checkbox"/>	Archaeological, historical, and or paleontological resource survey report
<input type="checkbox"/>	<input type="checkbox"/>	Digital copies of all application materials? A digital copy of the application, plans, agent authorization form, and any supplemental materials shall be uploaded into Citizen's Access at the time of application submittal.
<input type="checkbox"/>	<input type="checkbox"/>	Have you provided supplemental materials? If so, list the supplemental materials provided in the space below.
List of Additional Materials		



**Senate Bill 9
Owner-Occupant and Rental Term Affidavit
County of Ventura • Resource Management Agency • Planning Division**

800 S. Victoria Avenue, Ventura, CA 93009-1740 • (805) 654-2478 • vcrma.org/divisions/planning

At the time of application for a residential development and/or lot split pursuant to Senate Bill 9 (SB 9), the owner of the property must agree that if any of the dwelling units are to be rented out at any time, they shall be on rental terms longer than 30 consecutive days, pursuant to California Government Code Section 65852.21(e). Additionally, if the project is proposing a lot split pursuant to SB 9, the property owner must agree to reside in one of the dwellings on the project site for at least three years, pursuant to California Government Code Section 65852.21(a)(4).

The owner of the property must sign this affidavit and show valid California identification (and other supporting documents, if requested) to a Ventura County Planning Division staff member, confirming that they are the property owner. If there are multiple owners of the property, all property owners must sign the affidavit or provide a document (e.g., Power of Attorney, Articles of Incorporation, Trustee, etc.) which gives the applicant the authority to sign on behalf of all the owners of the property. If an agent other than the property owner(s) submits the affidavit, the affidavit must be signed by the owner(s) and notarized. The notarized affidavit must include the current legal notary language, as well as the signature and seal of the Notary Public.

Owner-Occupant Name(s)¹: _____

Property Address(es): _____

Assessor’s Parcel Number(s) (APN): _____

I affirm under penalty of perjury that the foregoing is true and correct regarding the dwelling unit(s) as referenced by the zoning clearance number below:

If rented out at any time, the unit(s) will be rented out for terms longer than 30 consecutive days.

If rented out at any time, the unit(s) will be rented out at the following monthly rate: _____

I affirm under penalty of perjury that the foregoing is true and correct regarding the lot split as referenced by the zoning clearance number below:

I am the owner the property and will personally occupy one of the units (once construction is completed) for at least 3 years after the lot split is approved.

I am not proposing a lot split. This is not applicable.

Print Name(s):

Date:

Owner-Occupant Signature(s)

TO BE COMPLETED BY STAFF:

Additional Principal Dwelling Unit Zoning Clearance No.: _____

¹ If there are multiple owners of the property, please submit multiple signed copies of the affidavit or a document which gives the applicant the authority to sign on behalf of all the owners of the property (e.g. Power of Attorney, Articles of Incorporation, Trustee, etc.).