



City of Burbank – Planning Division
**SENATE BILL 684 SUPPLEMENTAL APPLICATION:
ELIGIBILITY CHECKLIST**

150 North Third Street
Burbank, California 91502
www.burbankca.gov
T: 818-238-5250
F: 818-238-5150
E: planning@burbankca.gov

PURPOSE: Government Code Section 66499.41, also known as Senate Bill 684 (SB 684), requires the City to review qualifying tentative parcel maps for subdivision projects using a streamlined ministerial review process. Eligible projects must comply with objective planning standards, and meet other specific requirements, as detailed in this checklist.

Applicants intending to invoke Senate Bill 684 (SB 684) must fill out this checklist and provide supporting documentation for each item (*as applicable*) to demonstrate eligibility.

Incomplete checklists that do not include required attachments or supporting documentation will not be processed and the request will be deemed incomplete. If any of the answers to the questions below are “no,” the project is not eligible for SB 684 review and the City’s standard subdivision review process will apply. There is no guarantee, expressed or implied, that any permit or application will be granted. Each project matter must be carefully investigated, and the resulting decision may be contrary to a position taken or implied in any preliminary discussions. The burden of proof regarding this application rests upon the applicant.

NOTE: In the event of any conflict or inconsistency between state law and the City’s requirements, the provisions of state law shall prevail and take precedence.

SB 684 – Eligibility Checklist

The following checklist is intended to help applicants and the City’s Planning Division determine if a subdivision project is eligible for processing under SB 684. To be eligible for SB 684 subdivision, a project must meet **ALL** of the following criteria:

☐ **PROPERTY ELIGIBILITY CRITERIA.** The proposed Project would meet the following:

- The lot is zoned for single-family and multi-family residential development.
- The lot is no larger than five acres and substantially surrounded by qualified urban uses if zoned for multi-family residential development. If zoned for single-family development, the lot must be vacant and no larger than 1.5 acres and surrounded by qualified urban areas.
- The lot is a legal parcel.
- The lot was not established pursuant to Gov. Code Section 66499.41 (subdivision) or an urban lot split pursuant to Gov. Code Section 66411.7 (SB 9).
- The proposed subdivision will result in 10 or fewer parcels.
- The newly created parcels are no smaller than 600 square feet if zoned for multi-family development. If zoned for single-family residential development, no smaller than 1,200 square feet.
- The average total area of floorspace for the proposed housing units on the lot proposed to be subdivided does not exceed 1,750 net habitable square feet.

☐ **DEMOLITION OR ALTERATION OF EXISTING HOUSING.** The proposed 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 rents to levels affordable to persons and families of moderate, low, or very low income.
- Housing that is subject to any form of rent or price control through a public entity’s valid exercise of its police power.
- Housing that has been occupied by a tenant in the last five years, from the date that an application is submitted, including housing that has been demolished or that tenants have vacated prior to the submission of the application for a development permit.



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- ☐ **ELLIS ACT RENTAL OR LEASE TERMINATION.** The Owner(s) of the property on which the Project is proposed has not exercised the owner's rights under Chapter 12.75 of Division 7 of Title 1 of the California Government Code (the Ellis Act) to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.
- ☐ **HISTORIC PROPERTIES.** The Project is not located within a historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city or county landmark or historic property or district pursuant to a city or county ordinance.
- ☐ **PROPOSED HOUSING UNITS.** The housing units on the lot proposed to be subdivided are one of the following (select one):
- ☐ Constructed on fee simple ownership lots;
 - ☐ Part of a common interest development;
 - ☐ Part of a housing cooperative, as defined in Civil Code Section 817; or
 - ☐ Owned by a community land trust meeting the requirements of Gov. Code Section 66499.41
- ☐ **HOUSING ELEMENT CONSISTENCY.** The proposed development must meet one of the following:
- If the parcel is identified in the [Housing Element](#) for the current planning period, the development must result in at least as many units as projected for the parcel in the Housing Element. If the parcel is identified to accommodate low- or very low-income households, the development must result in at least as many low- or very-low-income units as projected in the Housing Element. These units shall be subject to a recorded affordability restriction of at least 45 years.
 - If the parcel is not identified in the Housing Element for the current planning period, the development must result in at least as many units as the maximum allowable residential density for the parcel.
- ☐ **SUBDIVISION MAP ACT.** The proposed subdivision conforms to all applicable objective requirements of the Subdivision Map Act (Gov. Code Section 66410), except as otherwise expressly provided in Gov. Code Section 66499.41.
- ☐ **PUBLIC UTILITY.** The parcels created are served by a public water system and a municipal sewer system.
- ☐ **LOCATION.** The project must be located on a property that is outside each of the following areas:
- A coastal zone, as defined in Division 20 of the Public Resources Code.
 - Either prime farmland or farmland of statewide importance, as defined pursuant to United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the [maps](#) prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by the City's voters.
 - [Wetlands](#), as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).
 - A very [high fire hazard severity zone](#), as determined by the Department of Forestry and Fire Protection pursuant to Section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code. This does not apply to sites excluded from the specified hazard zones by the City, pursuant to subdivision (b) of Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.



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- A hazardous waste site that is [listed](#) pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless the Department of Toxic Substances Control has cleared the site for residential use or residential mixed-uses.
- A delineated [earthquake fault zone](#) as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.
- A flood plain as determined by [maps](#) promulgated by the Federal Emergency Management Agency, unless the development has been issued a flood plain development permit pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.
- A floodway as determined by [maps](#) promulgated by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations.
- Lands [identified](#) for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan.
- Habitat for protected species [identified](#) as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).
- Lands under [conservation easement](#).

Owner and Applicant Signature. *Acknowledgement that the project would comply with all items in the SB 684 eligibility checklist above, and that supporting information has been provided demonstrating compliance.*

Owner Name:	Owner Signature:	Date:
Applicant Name:	Applicant Signature:	Date: