

Disclaimer: This document is intended solely as a template requirements checklist for staff to use for review of subdivision and housing development project proposals for adherence to the provisions of SB 684 (2023), as amended by SB 1123 (2024). It is not legal advice regarding any jurisdiction's specific policies or any proposed housing development project. Local staff should consult with their city attorney or county counsel when determining the applicability of these provisions to any proposed housing development project in their jurisdiction.

DRAFT

[CITY/COUNTY] OF XXX

SB 684 Small Lot Subdivision and Housing Development Application Review Template (Internal/Staff Use)

Government Code Sections 65852.28, 65913.4.5 and 66499.41

SB 684, as amended by SB 1123 (2024), requires a local agency to ministerially consider, without discretionary review or a hearing, a parcel map or a tentative and final map for a housing development project that meets certain requirements as long as the proposed subdivision will result in 10 or fewer parcels and the housing development project on the lot proposed to be subdivided will contain 10 or fewer residential units. SB 684 can be used within an incorporated city, the boundaries of which include some portion of an urbanized area, or in an urbanized area or urban cluster¹ in a county with a population greater than 600,000 based on the most recent United States Census Bureau data. In jurisdictions that have adopted a compliant housing element, SB 684 shall not apply to sites located in a single-family residential horsekeeping zone.

This updated template is for use on or after July 1, 2025, which is when SB 1123 becomes operative.

Project Information:

Development proponent/applicant name:	
Site address(es):	
Assessor's Parcel Number(s) (APN):	
Parcel zoning designation	

¹ An urbanized area or urban cluster as designated by the United States Census Bureau, as published in the Federal Register, Volume 77, Number 59, on March 27, 2012.

Development proponent/applicant name:	
Zoning designation(s) for adjacent uses ²	
Project Proposal (short description):	

Application Review Timeline

Within **sixty days** from the receipt of a complete application, the [Director] shall determine if the housing development project meets all of the following requirements listed in the checklist tables below. If the local agency does not approve or deny a completed application within 60 days, the application shall be deemed approved.

€ [Required materials for complete application]

€ [Required materials for complete application]

Date [City/County] Received Complete Application	
Required Date of Completion for Ministerial Review (60 days from date received)	

² See Appendix A for a list of multi-family residential zones.

Proposal Review Checklists

Table 1: Parcel Map Qualifying Criteria Checklist³

Instructions: For this table, each and every row must be YES to qualify.

Table 1: Parcel/Lot Qualifying Criteria	Must be YES to Qualify Check Yes or No
66499.41 (a)(1) The proposed subdivision will result in 10 or fewer parcels.	<input type="checkbox"/> Yes (Qualifies) <input type="checkbox"/> No (Disqualified)

³ Local agencies may wish to change their use provisions in addition to, or as an alternative to, listing the zoning districts in the text. Counties may also wish to designate the specific areas that are designated as urbanized areas or urban clusters, in addition to designating the applicable zoning districts.

66499.41 (a)(2)

The lot proposed to be subdivided meets all of the following sets of requirements:

- The parcel is zoned to allow multi-family residential development or is vacant⁴ and zoned for single-family residential development.
- The lot is no larger than five acres if zoned to allow multifamily residential development, or no larger than 1.5 acres if zoned for single-family residential development. In either case the lot is substantially surrounded by qualified urban uses.⁵
- The lot is a legal parcel.⁶

Yes (Qualifies)

No (Disqualified)

⁴ “Vacant” is defined as “having no permanent structure, unless the permanent structure is abandoned and uninhabitable.” In addition, the following types of housing do *not* qualify as vacant:

- Housing that is subject to a recorded covenant, ordinance, or law that restricts rent or sales price to levels affordable to persons and families of low, very low, or extremely low income.
- Housing that is subject to any form of rent or sales price control through a local public entity’s valid exercise of its police power.
- Housing occupied by tenants within the five years preceding the date of the application, including housing that has been demolished or that tenants have vacated prior to the submission of the application for a development permit.

⁵ “Substantially surrounded” is defined in Public Resources Code Section 21159.25(a)(2) and means at least 75% of the perimeter of the project site adjoins or is separated only by an improved public right-of-way from parcels that are developed with qualified urban uses. The remainder of the perimeter of the site adjoins or is separated only by an improved public right-of-way from parcels that have been designated for qualified urban uses in a zoning, community plan, or general plan for which an EIR was certified. “Qualified urban use” is defined in Public Resources Code Section 21072 and means any residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses.

Table 1: Parcel/Lot Qualifying Criteria	Must be YES to Qualify Check Yes or No
<ul style="list-style-type: none"> The lot was not established pursuant to Section 66499.41 (small lot subdivision) or an urban lot split pursuant to Government Code Section 66411.7. 	
<p>66499.41 (a)(3) If the parcel allows for multi-family residential development, the newly created parcels are no smaller than [600] square feet. If the parcel is zoned for single-family residential development, the newly-created parcels are no smaller than [1,200] square feet.⁷</p>	<input type="checkbox"/> Yes (Qualifies) <input type="checkbox"/> No (Disqualified)
<p>66499.41 (a)(4) The housing units on the lot proposed to be subdivided are one of the following:</p> <ul style="list-style-type: none"> Constructed on fee simple ownership lots; Part of a common interest development; Part of a housing cooperative, as defined in Civil Code Section 817; Constructed on land owned by a community land trust meeting the requirements of Government Code Section 66499.41; or. Part of a tenancy in common, as described in Civil Code Section 685. 	<input type="checkbox"/> Yes (Qualifies) <input type="checkbox"/> No (Disqualified)

⁶ Note this section only applies if the parcel is located in an incorporated city, the boundaries of which include some portion of an urbanized area, or an urbanized area/urban cluster in a county with a population greater than 600,000 based on the most recent US Census Bureau data. See Government Code Section 66499.41 for definition of Urbanized Area and Urban Cluster.

⁷ Local agencies may adopt an ordinance that allows a minimum parcel size less than 600 square feet for parcels that allow for multi-family residential development and less than 1,200 square feet for parcels zoned for single-family residential development. Note that parcels are not required to comply with minimum requirements on size, width, depth, frontage, or dimensions, other than the minimum parcel size (Government Code Section 66499.41(b)(1)).

Table 1: Parcel/Lot Qualifying Criteria	Must be YES to Qualify Check Yes or No
<p>66499.41 (a)(5)</p> <p>The proposed development must meet one of the following⁸:</p> <ul style="list-style-type: none"> • 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 66 percent of the maximum allowable residential density as specified by local zoning or 66 percent of the applicable default density as specified in Government Code Section 65583.2(c)(3)(B), whichever is greater. If local zoning does not specify a maximum allowable density, then the development must result in at least 66 percent of the applicable default density as specified in Government Code Section 65583.2(c)(3)(B). 	<p><input type="checkbox"/> Yes (Qualifies)</p> <p><input type="checkbox"/> No (Disqualified)</p>
<p>66499.41 (a)(10)</p> <p>The proposed subdivision conforms to all applicable objective requirements of the Subdivision Map Act (commencing with Government Code Section 66410), except as otherwise expressly provided in Government Code Section 66499.41.</p>	<p><input type="checkbox"/> Yes (Qualifies)</p> <p><input type="checkbox"/> No (Disqualified)</p>
<p>66499.41 (a)(11)</p> <p>The proposed subdivision complies with all applicable standards established in Section Government Code Section 65852.28, in below checklist.</p>	<p><input type="checkbox"/> Yes (Qualifies)</p> <p><input type="checkbox"/> No (Disqualified)</p>

⁸ Note that the statute requires the Housing Element to be in substantial compliance with Housing Element law.

Table 1: Parcel/Lot Qualifying Criteria	Must be YES to Qualify Check Yes or No
<p>66499.41 (a)(12) The parcels created pursuant to Government Code Section 66499.41 are served by a public water system and a municipal sewer system.</p>	<p><input type="checkbox"/> Yes (Qualifies) <input type="checkbox"/> No (Disqualified)</p>

Table 2: Project and Parcel Qualifying Criteria Checklist⁹

Instructions: For this table, each and every row must be NO to qualify.

Table 2: Project and Parcel Qualifying Criteria	Must be NO to Qualify (Check Yes or No)
<p>66499.41 (a)(8)(A) Rental Restrictions for Lower Incomes. Requires demolition or alteration of housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of low-, very low-, or extremely low-income.</p>	<p><input type="checkbox"/> Yes (Disqualified) <input type="checkbox"/> No (Qualifies)</p>
<p>66499.41 (a)(8)(B) Subject to Rent Control. Requires demolition or alteration of housing that is subject to any form of rent or price control through a public entity’s valid exercise of its police power.</p>	<p><input type="checkbox"/> Yes (Disqualified) <input type="checkbox"/> No (Qualifies)</p>
<p>66499.41 (a)(8)(C) Occupied by Tenants. Requires demolition or alteration of housing occupied by tenants within the five years preceding the date of the application, including housing that has been demolished or that tenants have vacated prior to the submission of the application for a development permit.</p>	<p><input type="checkbox"/> Yes (Disqualified) <input type="checkbox"/> No (Qualifies)</p>
<p>66499.41 (a)(8)(D) Owner’s Rights. Requires demolition or alteration of a parcel on which an owner of residential real property has exercised the owner’s rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 of the Government Code to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.</p>	<p><input type="checkbox"/> Yes (Disqualified) <input type="checkbox"/> No (Qualifies)</p>

⁹ Local agencies may wish to change their use provisions in addition to, or as an alternative to, listing the zoning districts in the text. Counties may also wish to designate the specific areas that are designated as urbanized areas or urban clusters, in addition to designating the applicable zoning districts.

Table 2: Project and Parcel Qualifying Criteria	Must be NO to Qualify (Check Yes or No)
<p>66499.41 (a)(9)(A) Farmland. The lot is on 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 voters of that jurisdiction.</p>	<input type="checkbox"/> Yes (Disqualified) <input type="checkbox"/> No (Qualifies)
<p>66499.41 (a)(9)(B) Wetlands. The site is in Wetlands as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).</p>	<input type="checkbox"/> Yes (Disqualified) <input type="checkbox"/> No (Qualifies)
<p>66499.41 (a)(9)(C) Fire Hazard. The lot is within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178 of the Government Code, 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.</p>	<input type="checkbox"/> Yes (Disqualified) <input type="checkbox"/> No (Qualifies)
<p>66499.41 (a)(9)(D) Hazardous Waste. The lot is within a hazardous waste site that is listed pursuant to Section 65962.5 of the Government Code or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to former Section 25356 of the Health and Safety Code, and the State Department of Public Health, State Water Resources Control Board, or Department of Toxic Substances Control has not determined the site is suitable for residential use or residential mixed uses.</p>	<input type="checkbox"/> Yes (Disqualified) <input type="checkbox"/> No (Qualifies)

Table 2: Project and Parcel Qualifying Criteria	Must be NO to Qualify (Check Yes or No)
<p>66499.41 (a)(9)(E) Earthquake Zone. The lot is within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, and the development does not comply 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 the building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2 of the Government Code.</p>	<p><input type="checkbox"/> Yes (Disqualified) <input type="checkbox"/> No (Qualifies)</p>
<p>66499.41 (a)(9)(F) Flood Hazard Zone. The lot is within a special flood hazard area subject to inundation by the one percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency (FEMA) in any official maps published by FEMA, and either the site has not been subject to a Letter of Map Revision prepared by FEMA and issued to the local jurisdiction or the site does not meet FEMA requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program 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.</p>	<p><input type="checkbox"/> Yes (Disqualified) <input type="checkbox"/> No (Qualifies)</p>
<p>66499.41 (a)(9)(G) Regulatory Floodway. The lot is within a regulatory floodway as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency, and the development has not received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations.</p>	<p><input type="checkbox"/> Yes (Disqualified) <input type="checkbox"/> No (Qualifies)</p>

Table 2: Project and Parcel Qualifying Criteria	Must be NO to Qualify (Check Yes or No)
<p>66499.41 (a)(9)(H) Natural Community Conservation Plan. The lot is on 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.</p>	<p><input type="checkbox"/> Yes (Disqualified) <input type="checkbox"/> No (Qualifies)</p>
<p>66499.41 (a)(9)(I) Habitat for Protected Species. The lot is located on a site that is 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).</p>	<p><input type="checkbox"/> Yes (Disqualified) <input type="checkbox"/> No (Qualifies)</p>
<p>66499.41 (a)(9)(J) Conservation Easement. The lot is on lands under conservation easement.</p>	<p><input type="checkbox"/> Yes (Disqualified) <input type="checkbox"/> No (Qualifies)</p>
<p>66499.41 (a)(13) Separate Title. The proposed subdivision may result in an existing dwelling unit being sold separately from any other existing dwelling unit on the lot.</p>	<p><input type="checkbox"/> Yes (Disqualified) <input type="checkbox"/> No (Qualifies)</p>

Table 3: Housing Development Qualifying Criteria Checklist

Instructions: For this table, each and every row must be YES to qualify.

Table 3: Housing Development Qualifying Criteria	Must be YES to Qualify (Circle Yes or No)
<p>665852.28 (a) The proposed housing development is on a lot created in accordance with Section [municipal/county code section for small lot subdivision] and Government Code Section 66499.41.</p>	<p><input type="checkbox"/> Yes (Qualifies) <input type="checkbox"/> No (Disqualified)</p>
<p>66499.41 (a)(1) & (g) The housing development project on the lot proposed to be subdivided will contain 10 or fewer residential units [not counting any Accessory Dwelling Units (ADUs) or Junior Accessory Dwelling Units (JADUs) that are permitted].¹⁰</p>	<p><input type="checkbox"/> Yes (Qualifies) <input type="checkbox"/> No (Disqualified)</p>
<p>66499.41 (a) (6) 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.¹¹</p>	<p><input type="checkbox"/> Yes (Qualifies) <input type="checkbox"/> No (Disqualified)</p>
<p>66499.41 (a)(7) The housing development project on the lot proposed to be subdivided complies with Section [municipal/county code section for local inclusionary zoning ordinance. If city/county does not have an inclusionary zoning ordinance, remove this row.]</p>	<p><input type="checkbox"/> Yes (Qualifies) <input type="checkbox"/> No (Disqualified)</p>

¹⁰ Remove language regarding ADUs/JADUs if your city/county decides not to allow them as a part of the housing development. Notwithstanding Section 65852.2 or 65852.22, a local agency is not required to permit an ADU or JADU on these parcels.

¹¹ “Net habitable square feet” means the finished and heated floor area fully enclosed by the inside surface of walls, windows, doors, and partitions, and having a headroom of at least six and one-half feet, including working, living, eating, cooking, sleeping, stair, hall, service, and storage areas, but excluding garages, carports, parking spaces, cellars, half-stories, and unfinished attics and basements.

<p>66499.41 (g) Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) are proposed as part of the housing development project.¹²</p>	<p><input type="checkbox"/> Yes (Qualifies) <input type="checkbox"/> No (Disqualified)</p>
<p>66300.6 (b) [and municipal/county code section if applicable] Replacement Housing. If any existing dwelling unit is proposed to be demolished, the development project complies with the replacement housing provisions of Government Code Section 66300.6(b).</p>	<p><input type="checkbox"/> Yes (Qualifies) <input type="checkbox"/> No (Disqualified)</p>
<p>[municipal/county code section if applicable] Declaration of Prior Tenancies. If any existing housing is proposed to be demolished, the owner of the property proposed for the subdivision shall sign an affidavit, in the form approved by the [city attorney/county counsel], stating that none of the conditions listed in [municipal/county code section] exist and shall provide a comprehensive history of the occupancy of the units to be altered or demolished for the past five years on a form approved by [the Director].</p>	<p><input type="checkbox"/> Yes (Qualifies) <input type="checkbox"/> No (Disqualified)</p>

¹² Remove if your city/county decides to allow ADUs/JADUs as part of the housing development. Notwithstanding Section 65852.2 or 65852.22, a local agency is not required to permit an ADU or JADU on these parcels.

Table 4: Development and Objective Standards Review Checklist

Instructions: For this table, each and every row must be YES to qualify.¹³

Development and Objective Standards	Must be YES to Qualify (Circle Yes or No)
<p>65852.28 (b)(1) and 66499.41 (d) Objective Zoning Standards. The proposed housing development complies with all objective zoning standards, objective subdivision standards, and objective design review standards applicable to the parcel as provided in the zoning district in which the parcel is located¹⁴ that do not conflict with Sections [municipal/county code section]¹⁵ and Government Code Sections 65852.28 and 66499.41.</p>	<p>Yes / No</p>
<p>65852.28 (b)(2)(C), (E) Setbacks.</p> <ul style="list-style-type: none"> ● No setback between the units is required, except as provided in the California Building Code (Title 24 of the California Code of Regulations). ● Required rear and side yard setbacks from the original lot line shall equal four feet, except that no setback shall be required for an existing legally created structure or a structure constructed in the same location and to the same dimensions as an existing legally created structure. 	<p>Yes / No</p>
<p>65852.28 (b)(2)(D), (F) and [municipal/county code section] Parking. One parking space¹⁶, which may be uncovered or not</p>	<p>Yes / No</p>

¹³ Jurisdictions may want to have supplementary materials for reviewing the development and objective standards.

¹⁴ Local agencies may wish to specify which ordinance(s) or code section(s) designate these objective standards.

¹⁵ Unless it would have the effect of physically precluding the construction of the development project at densities provided for in Government Code Section 65583.2(c)(3)(B) or a greater density adopted by a local agency. Note that for vacant lots zoned for single-family residential development, a local agency may only impose a height limit that is greater than or equal to what is allowed pursuant to the lot’s existing zoning designation.

¹⁶ Paragraph (1) of subdivision (c) of Section 65852.21. Agencies may reduce parking standards if desired.

Development and Objective Standards	Must be YES to Qualify (Circle Yes or No)
enclosed, shall be required per unit constructed on a parcel created pursuant to the procedures in this section, except that no parking may be required where the parcel is located within one-half mile walking distance of either a stop located in a high-quality transit corridor, as defined in Public Resources Code Section 21155(b), or a major transit stop, as defined in Public Resources Code Section 21064.3.	
<p>65852.28 (b)(2)(G) and [municipal/county code section]</p> <p>Floor Area Ratio Standards. The following floor area ratios shall apply¹⁷:</p> <ul style="list-style-type: none"> • For a housing development project consisting of three to seven units, inclusive, the floor area ratio is 1.0. • For a housing development project consisting of eight to ten units, inclusive, the floor area ratio is 1.25. 	Yes / No

Table 5: Conditions of Approval of Subdivision Maps

Instructions: Confirm that the applicant provides documentation for the required conditions. [If your jurisdiction does not require these, you can remove this table or rows that do not apply.]

Conditions of Approval	
<p>66499.41 (e)</p> <p>Completion of Residential Structures. A local agency may condition the approval and recordation of a subdivision map upon the completion of a residential structure in compliance with all applicable provisions of the California Building Standards Code that contains at least one dwelling unit on each resulting parcel that does not already contain an existing legally permitted residential structure or is reserved for internal circulation, open space, or common area.</p>	<p>Required</p> <p>Not Required</p>
<p>65913.4.5 (a)(3)(B)</p> <p>Security Bonds or Letter of Credit. If the applicant seeks a building permit prior to final map being recorded, the applicant shall provide security in the form of bonds, an instrument of credit from one or</p>	<p>Provided</p> <p>Not Provided</p>

¹⁷ These FARs are minimums. Local agency may provide greater FARs if desired.

Conditions of Approval	
<p>more financial institutions subject to regulation by the state or federal government and pledging that the sufficient funds necessary to carry out the act or agreement are on deposit and guaranteed for payment, or a letter of credit from such a financial institution. The amount of the security shall be [an amount not more than 300%] of the total estimated cost of improvements or acts to be performed.</p>	Not Needed
<p>65913.4.5 (a)(2) Recorded Covenant. If the applicant seeks a building permit prior to final map being recorded, the applicant must submit proof, to the satisfaction of the [city attorney/county counsel], of a recorded covenant and agreement enforceable by the [city/county] that the applicant agrees the building permit is issued on condition that a certificate of occupancy or equivalent final approval for the building will not be issued unless the final map has been recorded.</p>	<p>Provided</p> <p>Not Provided</p> <p>Not Needed</p>

Disapproval of Subdivision Maps

Instructions: Use this section to confirm if the proposed subdivision and housing development meets all criteria and requirements and should be approved. If it does, [city/county] may disapprove with findings.

Requirements to Disapprove Subdivision Maps	Staff Comments
<p>Does the proposed subdivision and housing development project meet all the criteria and requirements in Tables 1-4 above?</p> <p>If no, [city/county] shall disapprove the proposal.</p>	
<p>If yes, the proposed subdivision and housing development project may be disapproved with written findings.</p> <p>A local agency may disapprove the issuance of a parcel map, tentative map, or a final map for a housing development project that meets the requirements of Government Code Sections 65852.28 and 66499.41 <i>if</i> the local agency makes a written finding, based upon a preponderance of the evidence, that the following conditions are met:</p> <ul style="list-style-type: none"> ● The proposed housing development project would have a specific, adverse impact upon public health and safety; <i>and</i> ● There is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. <p>The definition of a “specific, adverse impact” is provided in Section 65589.5(d)(2). According to that section, a “specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.</p>	

Appendix A: (City/County) Single-Family Zones and Zones that Allow Multi-family Residential Development

[Note: List single-family zones and zones that allow multi-family residential development in your jurisdiction.]