

SENATE BILL 9 (SB 9): AN OVERVIEW

WHAT IT IS AND HOW IT IMPACTS RESIDENTIAL LAND USE



Senate Bill 9 (SB 9) is a new California State Law taking effect January 01, 2022

Similar to previous state legislation on Accessory Dwelling Units (ADUs), SB 9 overrides existing local density limits in single-family residential zones. SB 9 is intended to support increased supply of starter and modestly priced homes by encouraging building of smaller houses on existing or subdivided small lots.

SENATE BILL 9 ALLOWS FOR:

BUILDING TWO HOMES

&

SUBDIVIDING ONE LOT INTO TWO

ON ONE LOT IN A SINGLE-FAMILY RESIDENTIAL ZONE

IN A SINGLE-FAMILY RESIDENTIAL ZONE

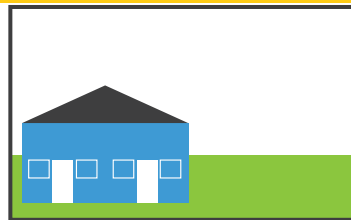
WHAT IT CAN MEAN FOR DEVELOPMENT OF NEW HOMES?

Illustrations are based on a preliminary analysis of the law. Details are subject to change and are for informational purposes only.

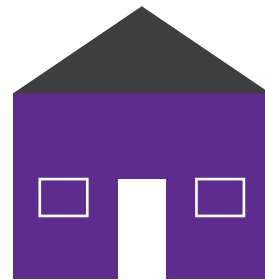
WITHOUT A SUBDIVISION (LOT SPLIT)



Two Detached Single-Family Units



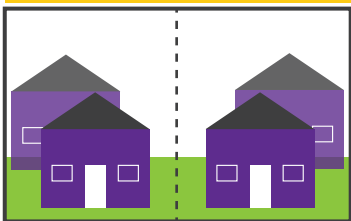
One Two-Family Unit



Single-Family Unit:

A building designed or used exclusively for occupancy by one family and containing one principal dwelling unit.

WITH A SUBDIVISION (LOT SPLIT)



Two Detached Single-Family Units On Each Lot

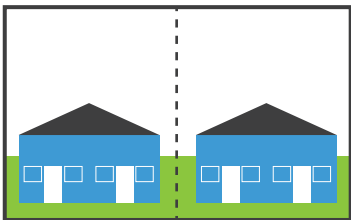


One Single-Family Unit, One Two-Family Unit

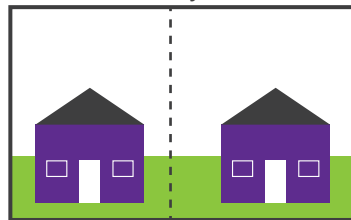


Two-Family Unit

A building containing two principal dwelling units.



Two of Two-Family Units



Two Single-Family Units

WHAT ABOUT ACCESSORY DWELLING UNITS (ADUS) AND JUNIOR ACCESSORY DWELLING UNITS (JADUS)

USING SB 9 WITHOUT A SUBDIVISION (LOT SPLIT)

Current ADU and JADU regulations will continue to apply pursuant to Government Code sections 65852.2 and 65852.22.

USING SB 9 WITH A SUBDIVISION (LOT SPLIT)

A maximum of two units will be allowed, in any combination, inclusive of ADUs and JADUs pursuant to Government Code sections 65852.2 and 65852.22, on any lot created by an SB 9 lot split.

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APPLICATION IN SELMA, CA



LOT SPLIT & TWO-UNITS

A mix of the above: Divide your parcel, and add up to 4 units total.

LOT SPLIT

Divide your lot into two parcels; Building on the new lot is allowed
Your lot must be at least 2,400 sqft and can be divided 50/50 or 60/40.

TWO-UNITS

Keep your parcel as is, and add up to 2 units total.

WHERE CAN I BUILD?

- Single-family residential zones: R-1, R-1-9, and R-1-12.

WHERE CAN I NOT BUILD?

- Prime farmland or farmland of Statewide Importance.
- Hazardous waste sites.
- High & very high fire severity zones per the State Responsibility Area or Local Responsibility Area.
- Lands identified for conservation of protected species' habitat and wetlands.
- Historical zones or 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 County Landmark or historic property or district.

MAY REQUIRE ADDITIONAL PERMITS

- Earthquake fault lines
- Areas of highlandslides and liquefaction risk
- FEMA 1% annual chance flood (100-year flood) zones and floodways

BUILDINGS THAT CAN'T BE DEMOLISHED

- Officially recognized low-income housing
- Rent-controlled housing
- Housing that has been occupied by a tenant in the last three years

RENTING AND SELLING

- For all development options, resulting units must be residential use only

RENTING REQUIREMENTS

- Minimum rental period is 30 days
- *There is no income requirement for tenants*
- *For Lot Splits*, one unit must be owner occupied for three years
- *For Two-Unit Projects*, all units can be rented

SELLING REQUIREMENTS

- *For Lot Splits*, one unit must be owner occupied for three years
- *For Two-Unit Projects*, units can not be sold separately