

SENATE BILL 9 (SB 9) IMPLEMENTATION MEMO SUMMARY

Purpose	Senate Bill (SB) 9 amends the Government Code to incentivize the development of the missing middle housing in single-family areas. There are two types of SB 9 projects: 1) up to two new principal dwelling units on a lot and 2) an urban lot split creating two parcels.
Up to Two New Principal Dwelling Units on one Single-Family Zoned Parcel is <u>Permitted</u> if:	<ul style="list-style-type: none"> • The parcel is within a single-family residence zone (R-1, R-A) or within one of the specific plan single-family residence zones - West Carson Residential 1, Willowbrook Residential 1, or Connect Southwest LA (West Athens-Westmont) Residential 1. • The parcel is vacant or has ONLY one existing principal dwelling unit. • The parcel is a legal parcel located wholly within an urbanized area or urban cluster as defined by the US Census Bureau. A Certificate of Compliance may be required to legalize the parcel. • The parcel does not contain units that have been withdrawn from the rental housing market under the Ellis Act within 15 years before the date of application. • The project does not require alteration or demolition of units that are: <ol style="list-style-type: none"> 1) Rent-stabilized by the County's Rent Stabilization Ordinance (Chapter 8.52 of Title 8 of the County Code) or Statewide Rent Caps (CA Civil Code section 1947.12); 2) Income-restricted with a covenant; or 3) Tenant-occupied in the three years before the date of application.
An Urban Lot Split of one Single-Family Zoned Parcel is <u>Permitted</u> if:	<ul style="list-style-type: none"> • The parcel is within a single-family residence zone (R-1, R-A) or within one of the specific plan single-family residence zones - West Carson Residential 1, Willowbrook Residential 1, or Connect Southwest LA (West Athens-Westmont) Residential 1. • The parcel is vacant or has existing units, and a lot split will not result in more than 2 units (including ADUs and JADUs) per parcel created by the urban lot split. • The parcel is a legal parcel located wholly within an urbanized area or urban cluster as defined by the US Census Bureau. A Certificate of Compliance may be required to legalize the parcel. • The project does not require alteration or demolition of units that are: <ol style="list-style-type: none"> 1) Withdrawn from the rental housing market under the Ellis Act within 15 years before the date of application; 2) Rent-stabilized by the County's Rent Stabilization Ordinance (Chapter 8.52 of Title 8 of the County Code) or Statewide Rent Caps (CA Civil Code section 1947.12); 3) Income-restricted with a covenant; or 4) Tenant-occupied in the three years before the date of application.
SB 9 Project is <u>not Permitted</u> if:	<p>Any portion of the parcel is located in or contains any of the following:</p> <ul style="list-style-type: none"> • Coastal Zone. • A historic district or property included on the State Historic Resources Inventory, or within a site that is designated or listed as a County landmark or historic property or district. • Prime Farmland or Farmland of Statewide Importance. • Wetlands. • A Very High Fire Hazard Severity Zone as identified by the State Department of Forestry and Fire Protection, or within a High or Very High Fire Hazard Severity Zone as indicated on maps adopted by the State Department of Forestry and Fire Protection, <u>unless all new and existing structures on the project site will be in compliance with fire hazard mitigation measures pursuant to current building standards and fire safety regulations.</u> • A hazardous waste site not previously cleared for residential use or residential mixed-use. • Delineated earthquake fault zone, <u>unless project complies with applicable seismic protection building code standards.</u> • FEMA 100-year flood zone, <u>unless parcel is subject to a Letter of Map Revision prepared by FEMA and issued to the County or meets FEMA requirements necessary for minimum flood plain management criteria.</u> • FEMA regulatory floodway, <u>unless site has received a no-rise certification.</u> • Significant Ecologic Area (SEA) or conservation land. • Critical habitat. <p>Review by other departments may be required to determine project eligibility. The applicant shall submit the SB 9 Applicant Acknowledgement Form, acknowledging that review and approval of the proposed project by Regional Planning does not guarantee approval or clearance by other departments.</p>

Development Standards	
The project shall comply with all applicable <i>objective</i> planning, zoning, and subdivision requirements pursuant to Titles 21 and 22 with the following exceptions:	
<ul style="list-style-type: none"> Objective planning, zoning, and subdivision requirements shall not be imposed if such requirements would physically preclude one of the following: <ul style="list-style-type: none"> a. The construction of up to two units per lot (In an urban lot split, this applies to each newly created parcel where “unit” means any principal dwelling unit, ADU, or JADU); or b. Either of the two units from being at least 800 square feet in floor area. 	
Setbacks & Building Separation	<ul style="list-style-type: none"> Existing setbacks shall be deemed conforming, including where a project proposes to demolish and reconstruct an existing structure or building to the same dimensions and in the same footprint. In all other cases, maximum four feet side and rear yards at any given height, unless a narrower width is allowed pursuant to Title 22. Any contrary CSD setback requirements shall not apply. Building separation requirements do not apply as long as units meet building code safety standards and allow for separate conveyance.
Parking	<p>One covered, off-street parking space per principal dwelling unit shall be required. Project is exempt from parking requirements if one of the following apply:</p> <ul style="list-style-type: none"> Parcel is within ½ mile walking distance of a high-quality transit corridor or a major transit stop; or A car share vehicle is located within one block of the subject parcel.
Conditions and Terms	
Short Term Rentals	<ul style="list-style-type: none"> No unit shall be used for short term rental (30 consecutive days or less).
Additional Requirements for All SB 9 Projects	
Parcels Connected to Private Sewer	<ul style="list-style-type: none"> Sites with a private sewer (septic) system are subject to additional requirements pertaining to percolation tests as required by the Department of Public Health.
Additional Requirements for Urban Lot Split	
Pre-existing Site Conditions	<ul style="list-style-type: none"> Parcel being subdivided was not established through a prior urban lot split pursuant to SB 9. Neither the owner of the parcel or anyone acting in concert with the owner has previously subdivided or is proposing to subdivide an adjacent parcel under SB 9.
Lot Area	<ul style="list-style-type: none"> Minimum of 1,200 sq. ft. for each lot. Neither lot shall be less than 40% of the original lot size.
Conditions and Terms	<ul style="list-style-type: none"> Parcels are prohibited from future lot splits under SB 9. Parcels are restricted to residential uses in the future with the exception of home-based occupations and cottage food operations.
Owner Occupancy	<ul style="list-style-type: none"> Applicant must sign Owner Occupancy Affidavit acknowledging intent to live in one of the units created for a minimum of three years from the recordation of an urban lot split.

Accessory Dwelling Units	
One Dwelling Unit (non-lot split) Applications	<ul style="list-style-type: none"> See the ADU Summary for ADU standards and number of ADUs allowed on a lot with a single-family residence only.
Two Dwelling Unit (non-lot split) Applications	<ul style="list-style-type: none"> See the ADU Summary for ADU standards and number of ADUs allowed on a multi-family residential lot.
Urban Lot Split Applications	<ul style="list-style-type: none"> Only one ADU or one JADU is permitted on each parcel created through an urban lot split where a proposed or existing principal dwelling unit is the only principal dwelling unit on the newly created parcel.
Additional Information	<ul style="list-style-type: none"> Applicant may submit for new SB 9 unit(s) and new construction ADU(s) under the same application. An ADU converted from existing space may be proposed after construction of the principal unit(s). For more information about ADU standards, please see the ADU Summary.

Disclaimer: This summary has been prepared in an effort to capture in broad terms the key elements of SB 9. Please refer to the [SB 9 Implementation Memo](#) for a comprehensive guide.