

SB 9— Second Unit Development W/O Lot Split



General Definitions :

Senate Bill 9 (SB 9), the California Housing Opportunity and more efficiency (HOME) Act, overrides existing density limits in single-family zones and allows for ministerial approval of the development of up to two (2) units on a single-family zoned lots and “Urban Lot Splits.”

“**Primary Unit**” (PD) (also called a residential dwelling unit or residential unit) is defined as a single-family residence or a residential unit within which complete independent living facilities are provided. A primary unit is distinct from ADU or a JADU, and must be present on the lot on which a JADU or ADU is proposed. Examples of primary units include a single-family residence, a duplex, a four-plex, etc.

“**Secondary Primary Dwelling Unit**” (SPD) is defined as second primary residential unit developed per SB 9.

“**Accessory Dwelling Unit**” (ADU) An attached or detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with an existing or proposed primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and bathing on the same parcel as the single-family or multifamily dwelling is or will be situated

“**Junior Accessory Dwelling Unit**” (JADU) A dwelling unit contained within an existing or proposed primary residence or accessory dwelling unit. It shall include permanent provisions for living, sleeping, eating, cooking, and bathing, however the unit may share bathing facilities with the attached unit.

Establishment of Units

- Properties zoned for single-family use **ONLY** (AR, E1, RHE, E4, RE, R1, RS)
- Properties shall be located in an [urbanized area or cluster](#), as defined by the Census Bureau.
- Property CANNOT:
 - *Be located in a state/local historic district or landmark, Prime farmland, Wetlands, Habitat for protected species
 - *Identified for conservation easement
- Property CANNOT be located within a (Unless meeting specified requirements as reviewed and determined by applicable agencies):
 - *Very high fire hazard safety zone
 - *Hazardous waste sites
 - *Earthquake fault zone
- Cannot be used for short-term rentals and must be rented for at least 30 days or more.

Development Standards

Secondary Primary Dwelling Unit Without Urban Lot Split

- Project does not remove more than 25% of exterior walls on a building that currently has a tenant or has had a tenant on the last 3 years (even if the rental unit itself isn't altered)

Number of Units

Secondary Primary Dwelling Unit without Urban Lot Split

- **Primary Dwelling Unit:** A maximum of two (2) per property. A primary dwelling unit and a secondary primary dwelling unit.
- **ADU/JADU:** A maximum of one (1) per primary dwelling unit, either ADU or JADU.

Note: Units created by SB 9 cannot yield more than four (4) units per existing lot, including ADUs and JADUs.

Secondary Primary Dwelling Unit without Urban Lot Split

Size: Building Site Area: Up to 50% of the area of the primary dwelling unit, to a maximum of 1,200 square feet for attached or detached.

Side and Rear-Setback: 800 square foot maximum within the setback area for attached or detached units.

Converted Accessory Structure: Unit shall not exceed the square footage of the converted structure, maximum of 1,200 square feet.

Location: Building Site Area: May be sited in accordance with the base zoning regulations.

Front Setback: Not permitted.

Side and Rear-Setback: Shall maintain a minimum setback of four (4) feet from all property lines.

Height: Building Site Area: Same height limitations as the base zoning regulations.

Front Setback: Not permitted.

Side and Rear Setback: Maximum height of 16 feet.

Accessory Dwelling Units/ Junior Accessory Dwelling Units: Development standards for ADUs and JADUs are set forth in zoning code section 7-9-90. (Reference [ADU Handout](#) for additional information)

Off-street Parking Requirements

- One (1) parking space is required for each SB 9 unit unless one (1) or more of the following apply:
 - *The property is located within 1/2 mile walking distance of public transit including bus stops.
 - *The property is located with in 1 block of a carshare vehicle

Newly constructed primary dwelling units that comply with the development standards of the base zoning designation are not subject to the SB 9 development standards listed above.

SB 9-Urban Lot Split



General Definitions:

“Urban Lot Split” is defined as the ministerial subdivision of a property in a single-family residential zone into two lots that can be built with up to two dwelling units on each lot (Primary Dwelling or ADU/JADU).

Establishment of Units

- Properties zoned for single-family use **ONLY** (AR, E1, RHE, E4, RE, R1, RS)
- Properties shall be located in an [urbanized area or cluster](#), as defined by the Census Bureau.
- Property CANNOT:
 - *Be located in a state/local historic district or landmark, Prime farmland, Wetlands, Habitat for protected species
 - *Identified for conservation easement
- Property CANNOT be located within a (Unless meeting specified requirements as reviewed and determined by applicable Departments):
 - *Very high fire hazard safety zone
 - *Hazardous waste sites
 - *Earthquake fault zone
- Cannot be used for short-term rentals and must be rented for at least 30 days or more.

Development Standards - Urban Lot Split

- Neither lot shall be less than 40% of the original lot size
- Each new lot is at least 1,200 square feet (gross lot area)
- Lot to be split is not adjacent to another SB 9 urban lot split by the same owner or any person acting in concert with the owner.
- Project does not remove more than 25% of exterior walls on a building that currently has a tenant or has had a tenant on the last 3 years (even if the rental unit itself isn't altered)
- Lots can only be split once per SB 9
- Newly created lots shall have access to utilities
- Newly created lots shall have access to public or private ROW
- Owner Occupancy required for a minimum of three (3) years from date of approved Urban Lot Split

Number of Units —Urban Lot Splits

The number of primary units and/or ADU/JADU units can vary. However, Urban Lot Splits shall not result in more than four (4) total including ADUs and JADUs.

- **Primary Dwelling Unit:** A maximum of two (2) per property. A primary dwelling unit and a secondary primary dwelling unit.
- **ADU/JADU:** The maximum number of ADU/JADUs may vary per

development. However, a minimum of one (1) primary unit is required for the development of an ADU and/or JADU.

- Development is NOT required for Urban Lot Split .

Urban Lot Split Units

Size: Building Site Area: Up to 50% of the area of the primary dwelling unit, to a maximum of 1,200 square feet for attached or detached.

Side and Rear-Setback: 800 square foot maximum within the setback area for attached or detached units.

Converted Accessory Structure: Unit shall not exceed the square footage of the converted structure, maximum of 1,200 square feet.

Location: Building Site Area: May be sited in accordance with the base zoning regulations.

Front Setback: Not permitted.

Side and Rear-Setback: Shall maintain a minimum setback of four (4) feet from all property lines.

Height: Building Site Area: Same height limitations as the base zoning regulations.

Front Setback: Not permitted.

Side and Rear Setback: Maximum height of 16 feet.

Accessory Dwelling Units/ Junior Accessory Dwelling Units: Development standards for ADUs and JADUs are set forth in zoning code section 7-9-90. (Reference [ADU Handout](#) for additional information)

Off-street Parking Requirements

- One (1) parking space is required for each SB 9 unit unless one (1) or more of the following apply:

*The property is located within 1/2 mile walking distance of public transit including bus stops.

*The property is located with in 1 block of a carshare vehicle

Newly constructed primary dwelling units that comply with the development standards of the base zoning designation are not subject to the SB 9 development standards listed above.



How to Apply

Apply for a permit, track permit status, or access a variety of other County services at any time: