

SB 9 Main Points

SB 9 authorizes more housing units in two different ways in single-family residential areas, outside of high fire hazard severity zones, other environmentally sensitive areas, historic districts and a long list of other inappropriate areas, as a use by right.

The bill allows a housing development of 2 units (attached – duplex or detached) and also a lot split into 2 equal parcels; 2 units could then be built on each parcel. If 2 units are placed on 1 lot (attached - duplex or detached) SB 9 allows 1 ADU and 1 JADU on this lot. If a lot is split and 2 units are built on each newly created lot, SB 9 does not mandate that a local jurisdiction allow either an ADU or a JADU in addition. Thus, per SB 9 a maximum of 4 total units must be approved ministerially by the local jurisdiction.

No CEQA analysis is required.

Local height limits, setbacks, floor area ratio (FAR), objective design standards, etc. still apply generally unless they conflict with the ability to build 2 units that are at least 800 square feet, except the city can require 4-foot setbacks on the side and rear. This means, for example, that if 2 units are built instead of 1, the size of the 2 could be no greater in total to what would have been allowed for 1 single family home per the zoning code.

A maximum of one parking space per unit can be required, with some exceptions for units located near transit, etc.

Some tenant protections are included and short-term rentals are prohibited for these developments.