



SB 9 Draft Ordinance Discussion Calabasas City Council April 27, 2022

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SB 9 Overview

SB 9 Urban Lot Splits

- Adds Government Code § 66411.7 to the Subdivision Map Act
- Ministerially approves splitting a single parcel into two in single-family residential zones

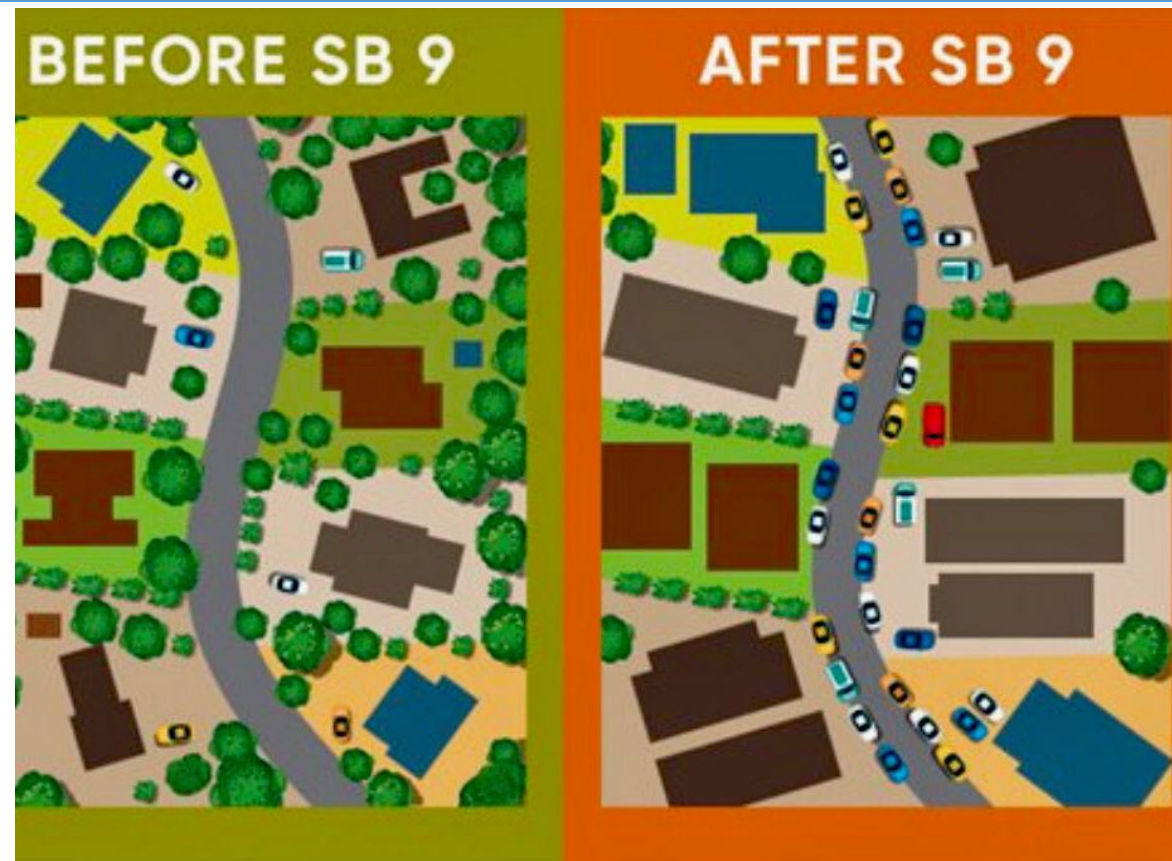
SB 9 Ministerial Design Review

- Adds Government Code § 65852.21 to the Planning & Zoning Law
- Ministerially approves development of up to two new units meeting certain standards in single-family residential zones (includes adding one SB 9-compliant unit to existing SFR)

Eligible Sites (SB 9)

Urban Lot Splits & Ministerial Design Review

- Applies to only single-family residential zones
 - RS (Residential, Single-Family)
 - RR (Rural Residential)
 - RC (Rural Community)
- Does not apply to Commercial or Multi-Family Residential
- Lot cannot have been previously split under SB 9 – once only
- Can build SB 9 units w/o lot split
 - Ministerial Design Review either route



Anti-Displacement Rules



- SB 9 blocked if project requires demolition or alteration of a housing unit:
 - Subject to a recorded covenant, ordinance, or law that restricts rent to affordable housing levels;
 - Subject to rent or price controls;
 - Occupied by a tenant (not owner) in the last 3 years; or
 - Removed from the rental market under the Ellis Act within the last 15 years.

Development Standards (SB 9) Urban Lot Splits

Floor Area

- Max 800 square feet per unit

Density

- Max two units per two new parcels
- Max four units total on original parcel

Lot Size

- The resulting lots must be at least 1,200 square feet, which means the lot to be split must be at least 2,400 square feet
- New parcel may not be smaller than 40% of the lot area of the original parcel

Development Standards: (SB 9)

Urban Lot Splits

Design Standards

- Must comply with standards for underlying zone (height, slope, lot coverage etc.)

Setbacks

- City cannot impose new/more extensive setbacks for existing structure in same location with same dimensions
- Otherwise setbacks of up to four feet from side and rear lot lines

Fire Safety Standards

- Must comply with Fire Code and have one-hour fire wall/automatic fire sprinkler system
- 10 feet of separation between buildings to prevent spread of fire

Development Standards: SB 9 Units (Non Lot-Split)

Floor Area

- Max 800 square feet per unit

Density

- Max two units per parcel

Lot Size

- Governed by underlying zoning

Development Standards: SB 9 Units (Non-Lot Split)

Height

- SB 9 is silent as to height – proposed ordinance ties back to existing zone

Parking

- City can require off-street parking of up to one space per unit, unless located within ½ mile of
 - a high-quality transit corridor,
 - within one block of a car share location

SB 9 HOA Exemption

- SB 9 does not address mandatory HOAs
- HOAs can exempt themselves from SB 9 through CC&Rs
- HOAs will need to confirm/add language to CC&Rs to prohibit lot split
- City has provided notice to HOAs regarding their authority



SB 10 Overview

SB 10 “Light Touch Density Act”

- Allows, but does not require, a City to up-zone a transit rich or urban infill site for up to 10 residential units and bypass CEQA

SB 10 Protection of Open Space

- Any open space, resource protected area cannot be upzoned (Measures D and O)

Proposed SB 10 Policy Declaration

- Ordinance would expressly declare that City is declining to exercise the up-zoning authority provided by SB 10

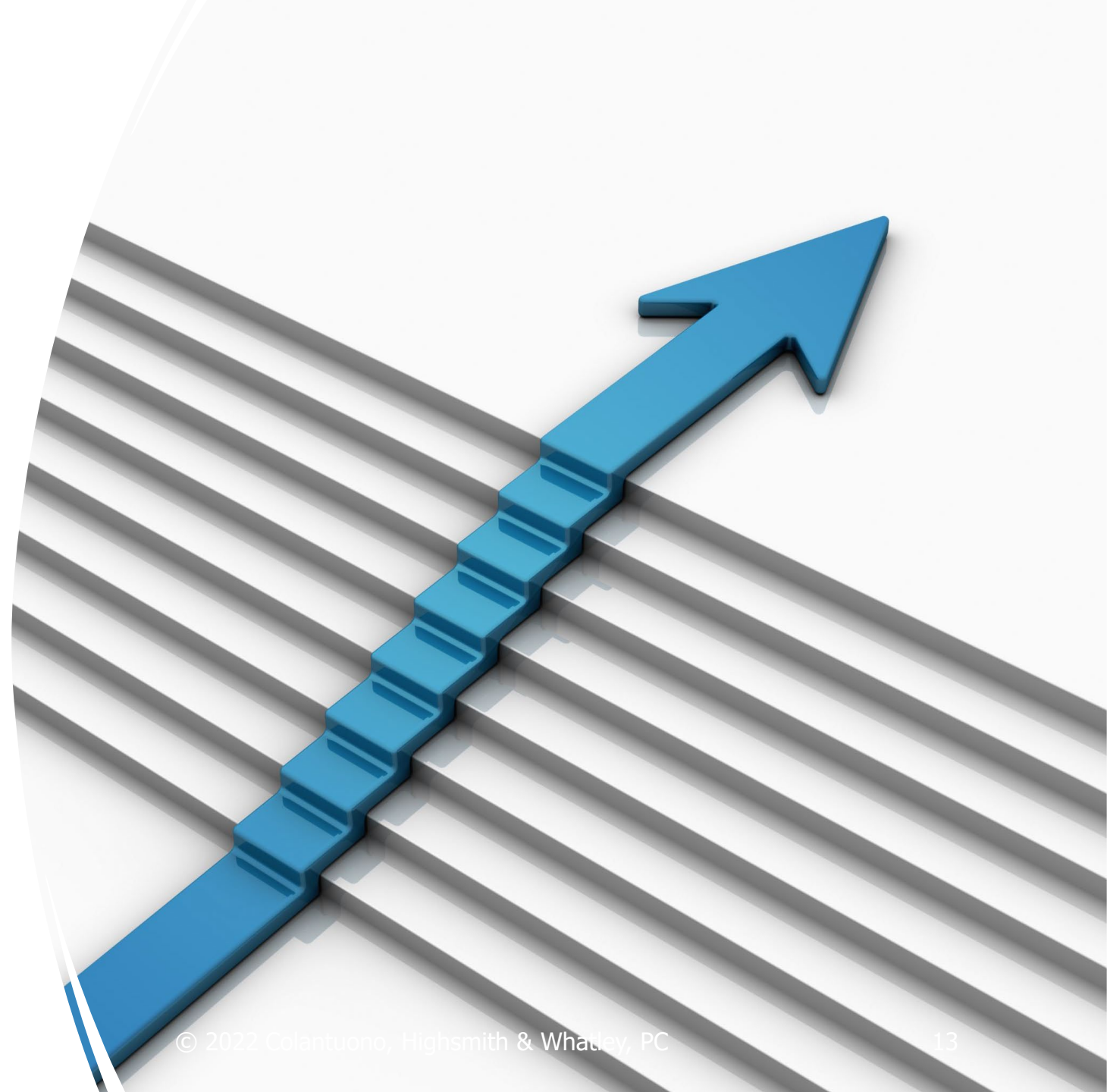
Charter City Lawsuit

- Redondo Beach, Torrance, Carson, and Whittier have sued the State challenging SB 9
- Calabasas is not a charter City, so City Attorney's Office anticipates limited impact of lawsuit on City
- City Attorney's Office continues to monitor lawsuit & other potential challenges



Next Steps

- Provide Direction to Staff
 - Any suggested changes to ordinance?
- If directed, ordinance will have to go through public hearings at Planning Commission, then back to City Council
 - Exempt from CEQA by SB 9



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