

New Code Section:

18.99 SENATE BILL 9 IMPLEMENTATION

18.99.07 - Purpose and Applicability.

- A. This implements California Government Code sections 68582.21 and 66411.7, herein referred to as Senate Bill 9. The purpose is to apply objective local development standards for projects covered by Senate Bill 9. This Part is applicable only so long as Senate Bill 9 is operative.

18.99.08 - Urban Lot Split Standards.

A. Lot design requirements:

1. Lot frontage:

- A. Where 55-feet of frontage on a public right-of-way is not proposed for both lots created by an Urban Lot Split, pursuant to Government Code Section 66411.7, each lot shall have a minimum of 30 feet of frontage on a public right-of-way and an average width of 30 feet, or
- B. Where 30-feet of frontage on a public right-of-way is not proposed for both lots created by an Urban Lot Split, one of the lots shall be provided with access by a corridor with at least 12 feet but no more than 15-feet of frontage on a public street.
- C. Said access corridor shall maintain a width of at least 12-feet but no more than 15-feet for the entire length of the corridor.
- D. The length of said access corridor shall be at minimum the required front setback of the zoning district in which the lot is situated.
- E. The access corridor shall be kept free and clear of building or structures of any kind except for lawful fences and underground or overhead utilities.
- F. Where one of the lots created by an Urban Lot Split does not propose frontage on a public right-of-way, direct access to the public right-of-way must be provided through an easement for ingress and egress and emergency access.
- G. Said easement shall be a minimum 12-feet but no more than 15-feet in width for the entire length of the easement.
- H. The length of said easement shall be at minimum the length of the required front setback of the zoning district in which the lot is situated.
- I. Said easement shall be recorded as a Covenant of Easement on the Parcel Map for the Urban Lot Split.

Maximum lot depth, as required by [Section 18](#) of this Code, shall be waived for lots created by an Urban Lot Split.

Property line and setbacks:

- 1. For lots accessed by a corridor of 12-feet to 15-feet in width:

- A. Front property line is the property line that abuts the public street.
- B. The front setback area is the entire length of the 12-foot to 15-foot-wide access corridor.
- C. The rear property line is any property line that is generally parallel to the public right-of-way from which the lot gains access, and that abuts properties that are not a part of the Urban Lot Split.
- D. The remaining property lines shall be considered side property lines.

2. For lots that do not abut a public street that are accessed by an easement:

- A. There shall be no front property line.
- B. The rear property line is any property line that is generally parallel to the public right-of-way from which the lot gains access, and that abuts properties that are not a part of the Urban Lot Split.
- C. The remaining property lines shall be considered side property lines.
- D. All required utility connections shall be placed on the same parcel as the unit or units the utilities are serving or shall be located within a utility easement.
- E. A minimum of one dwelling unit shall exist on a lot being subdivided at time of recordation of a Parcel Map for an Urban Lot Split.
- F. Lots created through an Urban Lot Split shall not contain more than two dwelling units, inclusive of Accessory Dwelling Units and Junior Accessory Dwelling Units. In no case shall the city permit more than two units per lot created by an Urban Lot Split.
- G. Lots that contain a two-family dwelling created pursuant to Senate Bill 9 without an Urban Lot Split, shall be limited to one attached accessory dwelling unit or two detached accessory dwelling units per lots.
- H. For purposes of Government Code 66411.7(a)(3)(G), "acting in concert with" means knowing participation in a joint activity or parallel action towards a common goal whether or not pursuant to an express agreement. Examples include, but are not limited to, an adjacent parcel previously subdivided by a person acting on behalf of, acting for the predominant benefit of, acting on the instruction of, or actively cooperating with, the owner of the parcel that is being subdivided.

18.99.09 - Dwelling Unit Standards.

- A. The cumulative Floor Area Ratio of units that are constructed pursuant to Senate Bill 9, excluding Accessory Dwelling Units and Junior Accessory Dwelling Units, shall be limited to .45 per lot or 800 sf per unit, whichever is greater. For purposes of this Part, Floor Area Ratio and unit square footage shall be calculated per [Section 18](#) of this Code.
- B. Height and stories. Units created pursuant to Senate Bill 9 shall be limited to a maximum height of no greater than thirty feet and no more than two stories. A maximum height of no greater than twenty feet and one story shall be applied to units situated within twenty feet of the rearmost property line.

- C. Additional standards for dwelling units permitted under Senate Bill 9.
 - 1. Garage frontage limit. The cumulative linear feet of the vehicular doors to a garage or garages that are oriented to face the front property line or side corner property line shall be no wider than one half of the width of the dwelling structure to which the garage or garages are attached.
 - 2. Encroachments into setback areas are allowed per [Chapter 18](#), however, in no case shall an encroachment be closer than three feet from a side property line. Eaves are the only encroachment allowed into a rear property line and must maintain a setback of three feet in any case.

18.99.10- Additional Requirements.

- A. For projects covered by Senate Bill 9, the Applicant shall submit a statement under penalty of perjury that within the last three years there has been no tenant in a dwelling unit that is proposed to be altered or demolished.
- B. Prior to approval of a Parcel Map for an Urban Lot Split or Ministerial Approval for a Senate Bill 9 project, the applicant shall record a deed restriction identifying that the units on the parcel or parcels may not be rented for a term of 30 days or less.

18.998.11 Waiver.

In the event these standards physically preclude the creation of a second unit pursuant to Senate Bill 9, applicants may seek a waiver through a process to be defined in administrative guidelines promulgated by the Director of Community Development.