AGENDA ITEM 6B

PL 26-5318

Code Amendments
SB-9 Ordinance

May 12, 2026

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Background

- **2021:** SB 9 signed into law, allows subdivision of single-family parcels with up to 4 units
- **2022:** City adopted its SB 9 ordinance
- **2022:** HCD required a constraints analysis
- **2023:** Consultant hired for constraints analysis
- **2025:** Constraints analysis completed and sent to HCD
- **Feb 2026:** Comment letter received from HCD

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Summary

- HCD letter directed City to amend ordinance
- Remove constraints identified by consultant
- Make consistent with underlying R-1 zoning

Remove Demolition Limits

- Removes 25% cap on demolition of exterior walls
- Must align with SB 450
- Owners can fully or partially demolish structures



Standards Consistent With R-1 Zone

- Remove all SB-9 requirements that go beyond R-1 standards
  - Height limits
  - Setbacks
  - Architectural style, etc.

- Can only apply objective R-1 standards to SB-9 units

Exceptions to Objective Standards

- Any standard that would preclude construction of two, 800 SF SB-9 Units must be waived or modified

Allow ADUs in Urban Lot Splits

- **Current**: Only “urban dwellings” allowed on urban lot splits
- Modify ordinance to allow ADUs as permitted under state law
- Ensure homeowners can add ADUs within SB 9 limitations (two units per lot)



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Clarify Unit Count Rules

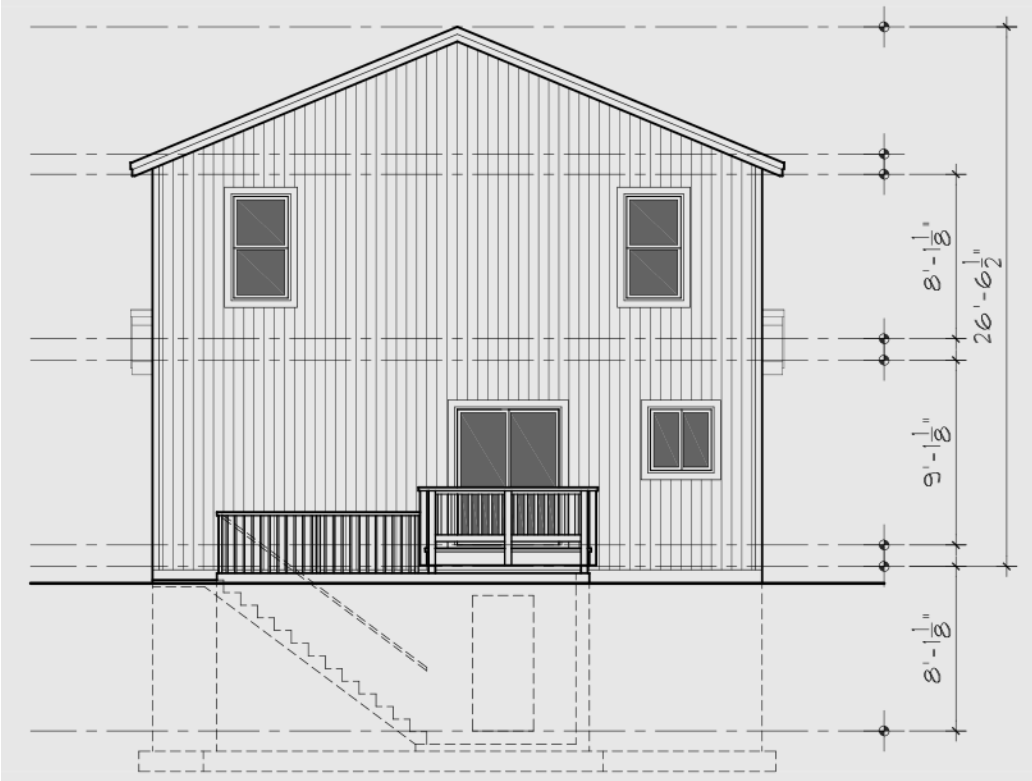
- **Urban Lot Split**: 2 primary units per lot; no ADUs
- **Urban Lot Split**: 1 primary unit per lot; ADUs allowed per state ADU rules
- **No Urban Lot Split**: Up to 2 primary units; ADUs allowed per state ADU rules



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Eliminate Subterranean Requirement

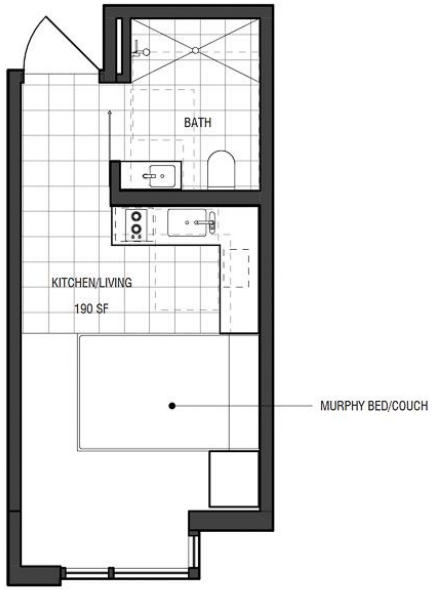
- Remove requirement that third floor be fully subterranean
- Align height regulations with state law



Remove Minimum Unit Size

- Eliminate the 500 sq. ft. minimum size requirement

- Allow units to be permitted by the building code (190 sq. ft.)



A24 ENLARGED - TYPICAL UNIT
1/4" = 1'-0"



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Allow On-Site Parking

- On-site parking is currently prohibited
- Existing parking must be removed
- Not eligible for overnight parking

- Remove requirement to eliminate driveways and overnight parking restrictions
- Parking may be provided consistent with R-1 code

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Remove Affordability Mandate

- Urban dwellings must be occupied by low or very low-income households
- Eliminate 30-year affordability requirement
- Consider incentives rather than mandates for affordable housing

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Remove LEED Platinum Certification

- Eliminate requirement for LEED Platinum certification
- Rely on CALGreen Code for sustainable building standards

Bi-Annual Inspections

- Remove bi-annual inspections to verify owner occupancy

- Eliminates inspection and fee requirements



Restrict Appeals to Denied Applications

- Current code says decisions can be appealed
- SB-9 projects are ministerial
- Limit appeals to cases where application is denied
- Prevent unnecessary delays due to third-party appeals

Recommendation

Adopt Resolution recommending that City Council Adopt the proposed Ordinance.

DISCUSSION