



Senate Bill 9 is a 2021 California state law that allows up to 4 homes in most single-family zones, regardless of local zoning. You can use SB9 to split your lot, add a 2nd home to a lot, or both (split lot and have 2 homes on each lot for a total of 4 homes). SB9 takes effect on January 1, 2022.

## SB9 - Senate Bill 9 Summary

- SB9 makes it possible for homeowners in CA to divide their property into two lots. It allows two homes to be built on each of those lots, with the effect of legalizing fourplexes in areas that previously only allowed one home (SFR) - There is no requirement as to whether the two residential units on each lot be a “duplex,” or attached to each other, or free-standing.
- Requires the City to approve either or both:
  - A housing development of no more than two units (duplex) in a single-family zone.
  - Allows for a lot split to take place (a single-family lot becoming two lots).
- Prohibits the City from requiring more than one parking space per unit.
- The new law will mark a shift from current policies that allow only two large units — a stand-alone house and an accessory dwelling unit — on single-family lots, as well as an attached junior unit no larger than 500 square feet.
- Requirements:
  - The parcel is within a single-family residential zone.
  - Property owners have signed an affidavit stating they will occupy 1 of the housing units as a primary residence for at least 3 years after splitting the property or the addition of units.
  - Lot splits create two parcels of similar size that are at least 1200 square feet.
  - Proposals must adhere to local objective zoning and design standards unless those standards would have the effect of physically precluding the construction of up to 2 units on each lot.

*Further info:* [www.natlawreview.com/article/california-enacts-new-legislation-to-combat-growing-housing-crisis-not-without](https://www.natlawreview.com/article/california-enacts-new-legislation-to-combat-growing-housing-crisis-not-without)[https://leginfo.ca.gov/faces/billNavClient.xhtml?bill\\_id=202120220SB9](https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB9)

Information deemed reliable, accuracy is not guaranteed. Check with your local city jurisdictions for more detailed information.

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Senate Bill 10 makes it easier for cities to zone for smaller, lower-cost housing developments of up to 10 units to address California's housing crisis.

SB 10 provides tools for local governments to zone for up to ten homes per parcel in transit-rich areas, or urban infill sites. SB 10 maintains local control, as a local legislative body must pass a resolution to adopt the plan. By creating a pathway for streamlined upzoning in transit-rich areas.

**Significant provisions of SB 10 include the following:**

- In adopting an ordinance pursuant to SB 10, a local agency must declare that the zoning ordinance is adopted pursuant to SB 10, clearly demarcate the areas that are zoned pursuant to this section and make findings that the increased density supports the agency's duty to affirmatively further fair housing.
- A local agency that approves a zoning ordinance pursuant to SB 10 shall not subsequently reduce the density of any parcel subject to the ordinance.
- Up to two accessory dwelling units (ADUs) or junior ADUs (JADUs) would be permitted on each parcel, and these would not count toward the 10-unit threshold.
- An ordinance enacted pursuant to this legislation may override a local initiative restricting zoning, if the ordinance is adopted by two-thirds of the legislative body approving the ordinance.

**Significant limitations of SB 10 include the following:**

- It does not apply to parcels in a very high fire severity zone, nor would it apply to parcels in open space, park or recreational lands approved by the voters.
- A project may not be divided into smaller projects to avoid limitations in SB 10.
- The authorization extends until Jan. 1, 2029.

SB 10 is a part of the Senate's Building Opportunities for All housing package. Learn more about this package of legislation here: [focus.senate.ca.gov/housing](https://focus.senate.ca.gov/housing)

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Source: [www.hklaw.com](http://www.hklaw.com) | <https://leginfo.legislature.ca.gov/> | <https://focus.senate.ca.gov/housing>