

Ordinance 21-1059 SB-9 (Atkins) Urban Dwellings & Lot Splits



Planning Commission

November 9, 2021

Background

- September 16: SB-9 was signed into law
- October 5: Joint City Council-Planning Commission study session

Summary

- 1 single family house can be subdivided into 2 units
- 1 lot can be divided into a max. of 2 lots
- ADUs and JADUs are counted toward the maximum
- Each unit can be at least 800 sq ft
- New lots must be at least 40% the size of the original lot
- Min. size of new lot is 1,200 sq ft



Summary

- Rear and side setbacks can be as little as 4 feet
- No additional setbacks for existing structures
- 0-1 parking spaces required
- No subjective standards or process
- Owner must sign affidavit agreeing to live on-site for 3 years
- No short-term rentals
- Can't subdivide adjacent site or the same site twice



Proposed Ordinance



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Follow-Up from Study Session

1. Historic preservation
2. Impact fees
3. Affordability requirements
4. Parking and traffic
5. Environmental impacts
6. New development & designs standards
7. Adjust existing regulations



Ordinance 21-1059: Urban Dwellings

- Overnight street parking
- Minimum size of 500 square feet
- Height
 - 1 story – 18 feet
 - 2 story – 25 feet
 - 3 story – 1 floor must be underground
- Second floor stepback of 4 feet
- No parking onsite

Ordinance 21-1059: Urban Dwellings

- Affordability covenant – 30 years at low- or very low-income
- Sub-leasing only 1 bedroom
- Mature trees must be preserved
- LEED Platinum certification
- Real estate disclosures:
 - No overnight parking permits
 - No short-term rentals
 - Must provide information for annual housing report
 - Must remain affordable housing

Ordinance 21-1059: Urban Dwellings

- Design standards
 - Additions must match existing buildings onsite
 - New construction
 - Front façade articulation
 - Entrances
 - Side and rear articulation
 - Exterior materials: stone, brick, foam
 - Colors
 - Exterior stairways
 - Open space
 - Courtyards
 - Architectural style: Craftsman or Spanish colonial revival

Ordinance 21-1059: Urban Dwellings

- Exceptions to development standards
 - a. Lot coverage
 - b. Floor area ratio
 - c. Tree Preservation
 - d. Open space
 - e. Courtyard
 - f. Second floor step backs
 - g. Front of the lot floor area ratio
 - h. Articulation
 - i. Maximum number of stories

Ordinance 21-1059: Urban Lots

- Easement for utility and fire safety to development standards
- Bi-annual inspection for ownership and affordability
- Onsite parking prohibited
- Urban dwelling required on urban lots
- Real estate disclosures

Next Steps

- December 7 – City Council hearing on urgency ordinance
- December 8 – City ordinance comes into effect
- January 1 – State law goes into effect
- Urgency & regular ordinance

Recommendation

Approve the attached resolution, recommending that the City Council find that this project is exempt from CEQA and approve Ordinance 21-1059.

Summary of SB-9 (Atkins) Urban Lot Splits



City Council & Planning Commission Special
Meeting

November 9, 2021