



Senate Bill 9 (SB 9)

Study Session No. 2

June 6, 2022

Laura Richstone

Associate Planner, Community Development

Agenda

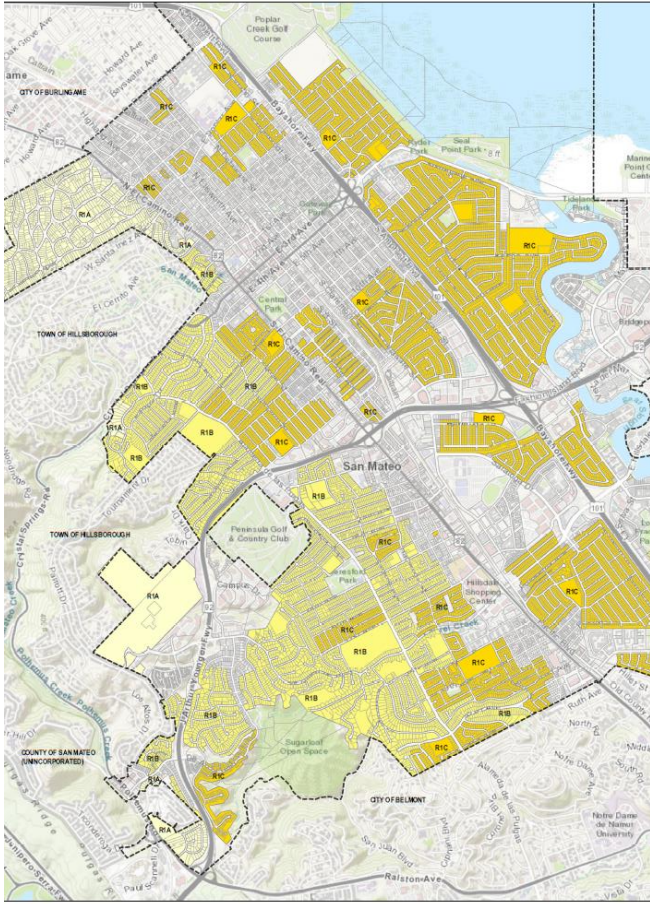
- SB 9 Overview
- Previous Study Session & Community Outreach
- Council Input – Potential Development Standards
- Next Steps





SB 9 Overview

- Purpose
 - Increase housing
- Permitted Development
 - Two-Unit (Duplex) Development
 - Urban Lot Splits
- Ministerial Approval Process
- Written Findings of Denial
 - Specific adverse impact[s]... upon public health and safety or the physical environment where there is no feasible method of mitigation.



Qualifying Criteria

Location:

- Zoned single-family (R1)
- Not located in a historic district nor designated/listed historic property

Restrictions:

- No demolition of affordable or rent controlled housing
- No tenant occupancy within the last 3 years
- 25% exterior wall demolition limit

What Can Be Built?

Two Unit (Duplex) Development



What Can Be Built?

- 2 primary units per property (4 units total)
- Includes: 2 primary units, 1 ADU and 1 JADU



Parcel Size and Setbacks

- 4 ft. side and rear yard setbacks
- Units restricted to residential use only
- Short-term rentals prohibited

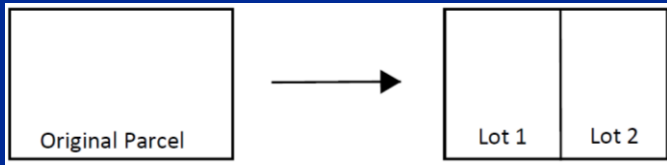


Parking Requirements

- 1 space per main unit
- Cannot require parking if located within 1/2 mile walking distance of a major transit stop / major transit corridor

What Can Be Built?

Urban Lot Splits



What Can Be Built?

- 2 units per property (4 units total-minimum allowed by State)
- City may choose to allow additional ADUs and/or JADUs (up to 8 units total)



Parcel Size and Setbacks

- Minimum 60/40 split
- Minimum 1,200 sq. ft. lot size
- Minimum 4 ft. side and rear yard setbacks

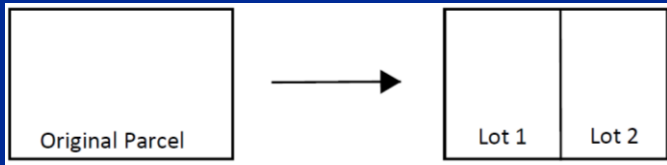


Parking Requirements

- Same as Two Unit (Duplex) Development

What Can Be Built?

Urban Lot Splits



Prohibited Actions

- Sequential lot splitting using SB 9 prohibited
- Short-term rentals prohibited
- City cannot require corrections of legal non-conforming zoning situations as a condition of project approval



Additional Requirements

- Residential use only
- Intent to occupy affidavit required from property owner

City Council Study Session No. 1

- **February 22, 2022**
 - **5 Policy Guidance Areas**
 - **Additional Requests:**
 - **R2 Comparison**
 - **SB 9 in Other Jurisdictions**
1. **Demolition Limits**
 - Increase to 50%
 2. **Public Noticing**
 - Recommended
 3. **Subdivision Map Extension**
 - Not recommended
 4. **Urban Lot Splits – Unit Maximums**
 - Continued
 5. **Unit Size / FAR Limits**
 - Continued



Community Workshop

- May 17, 2022
- 11 Attendees
- Targeted questions:
 1. Urban Lot Split – Max. Number of Units
 - Majority favored 3-4 units
 2. Maximum Unit Size
 - Majority favored allowing units in excess of 800 sq. ft.
 3. Open Space Requirements
 - Not supported by majority

SB 9 In Other Jurisdictions

- Urban lot Split
 - Limited to 2 units per lot
- Unit Size
 - Majority defer to underlying zoning
 - Some have 800 sq. ft. limit
- Other Standards
 - Additional height restrictions for units in rear yards
 - Different FAR standards depending on type of development



Requested Feedback

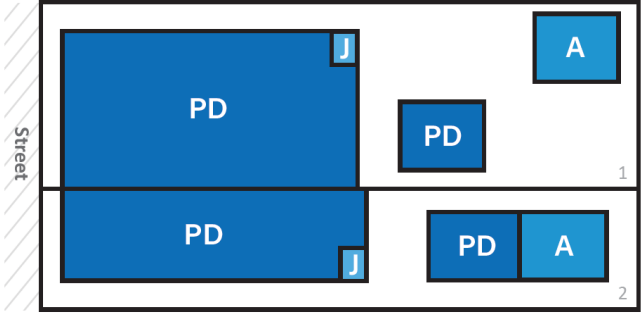
1. Urban Lot Splits – Allowable Unit Maximum
2. Unit Size / FAR Limits
3. Open Space Standards

Discussion Item 1: Unit Maximum - Urban Lot Splits

SB 9 Regulation:

- Cities must allow at least 2 units per lot
- Cities may choose to allow up to 4 units per lot

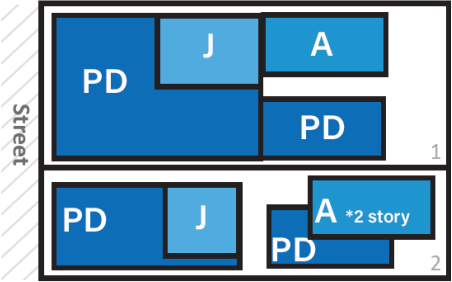
Lot Split - Maximum Unit Potential (4 units)



Lot 1: 12,000 sq. ft.
Maximum development potential 6,000 sq. ft.

Lot 2: 8,000 sq. ft.
Maximum development potential 4,800 sq. ft.

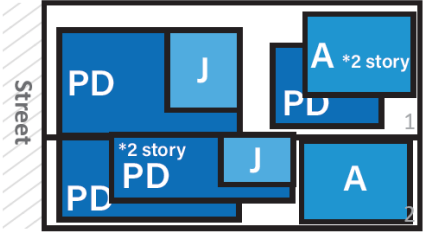
R1-A Zoning District



Lot 1: 5,400 sq. ft.
Maximum development potential 4,300 sq. ft.

Lot 2: 3,600 sq. ft.
Maximum development potential 3,400 sq. ft.

R1-B Zoning District



Lot 1: 3,600 sq. ft.
Maximum development potential 3,400 sq. ft.

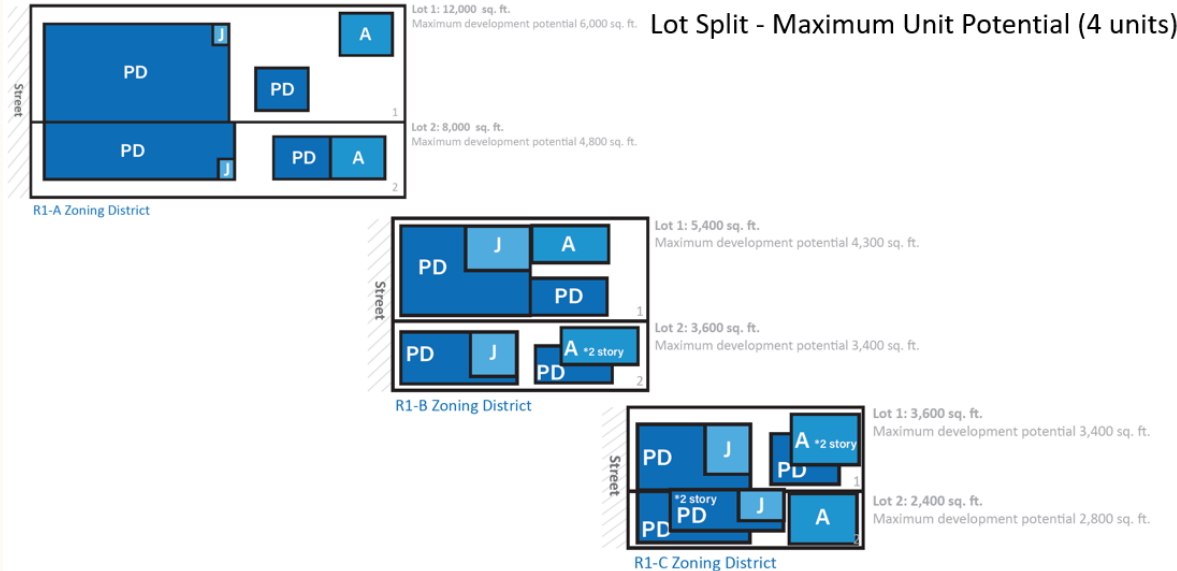
Lot 2: 2,400 sq. ft.
Maximum development potential 2,800 sq. ft.

R1-C Zoning District

Discussion Item 1: Unit Maximum - Urban Lot Splits

Questions:

- Should development be limited to 2 units per lot as required by state law or increased to 3 or 4 units?
- Should a tiered approach be explored where smaller lots may be limited to 2 units, while larger lots be allowed 3 or even 4 units depending on lot size?
- What type of units are recommended in addition to a duplex? ADUs, JADUs, both?



Discussion Item 2: Size Limits

SB 9 Regulations:

- Cities must allow and cannot preclude a unit of at least 800 sq. ft. regardless of objective zoning standards (i.e. FAR limitations).

Questions:

- Should unit size be limited 800 sq. ft. (min. required by state law?)
- Should larger units be allowed?
- Should 1 unit be limited to 800 sq. ft. while the other could be larger?
- Should FAR limits different from the underlying zoning district be established for SB 9 projects?

Potential Outcomes:

- Smaller Units: more affordable, reduce development intensity, preserve more open space on lot
- Larger Units: increased economic returns, housing for families, reduction of usable open space on site.

Discussion Item 3: Open Space Standards

SB 9:

- Does not require minimum usable open space on properties.
- Note that any standard enacted cannot preclude an 800 sq. ft. unit.

Question:

- Should staff explore the possibility of requiring onsite open space standards for SB 9 projects?



Next Steps

1. 2nd City Council Study Session (June 2022)
2. Staff prepares draft SB 9 ordinance and code amendments
3. Additional community outreach (Summer 2022)
4. 3rd City Council Study Session (Fall/Winter 2022)
5. Planning Commission and City Council public hearing (2022/2023)

Thank You

Staff Contacts:

Laura Richstone, Associate Planner, 650-522-7205, LRichstone@cityofsanmateo.org;

Linda Ly, Associate Planner, 650-522-7217, LLy@cityofsanmateo.org;

Manira Sandhir, Planning Manager, 650-522-7203, MSandhir@cityofsanmateo.org

City's SB 9 Website: <https://www.cityofsanmateo.org/sb9>

Requested Feedback – Summary

1. Urban Lot Splits – Allowable Unit Maximum

- Limit to 2? OR Increase to 3 or 4?
- Explore tiered approach based on lot size?
- ADUs/JADUs or both?

2. Unit Size / FAR Limits

- Limit to 800 sq. ft.?
- Allow larger unit size dictated by underlying zoning?
- Mixed approach?
- Or create new FAR standards for SB 9 projects different from underlying zoning?

3. Open Space Standards

- Establish onsite open space standards?

Comparison Table SB 9 Duplex vs. R2 District

	SB 9 Duplex	R2 District
Minimum Parcel Size	1,200 sq. ft. (60/40 split)	5,000 sq. ft.
Setbacks		
Interior Side	4 ft.	5 ft.
Corner Side	4 ft.	Ground (7.5 - 15 ft.) / Upper Floor (10 ft.)
Rear	4 ft.	Ground (15 ft.) / Upper Floor (25 ft.)
Height	16 ft.	24 ft. Plate / 32 ft. Peak
Maximum FAR	Max FAR plus 800 sq. ft. for SB 9 unit and 800 sq. ft. for ADU	0.50 – 0.60
Parking	0 – 1 space/unit	Studio: 1.3 Resident; 0.2 Visitor 1 Bedroom: 1.6 Resident; 0.2 Visitor 2 Bedroom: 1.8 Resident; 0.2 Visitor 3+Bedroom (or over 1,400 sq. ft.): 2.0 Resident; 0.2 Visitor