

# Ordinances 21-1058 U and 21-1059 SB-9 (Atkins) Urban Dwellings & Lot Splits



City Council

December 21, 2021

# Background

- September 16: SB-9 was signed into law
- October 5: Joint City Council-Planning Commission study session
- November 9: Planning Commission recommends approval of Ordinance
- December 7: Public Hearing continued

# 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



# SB-9 Implementation Ordinances

1. Diminish impacts on infrastructure
2. Ensure the affordability of new urban dwellings
3. Reduce greenhouse gasses, air pollution and congestion
4. Reduce environmental impacts
5. Improve neighborhood compatibility

# SB-9 Implementation Ordinances

## **Diminish Impacts on Infrastructure:**

- Most of the City's infrastructure:
  - Is aging
  - Was not design for higher densities
- State law allows cities to adopt and charge impact fees
- Impact fees reduce the impact of new development
- Ensure that new development pays its fair share of impact
- This will need to be included in a future year's work program

# SB-9 Implementation Ordinances

## **Ensure the Affordability of New Urban Dwellings:**

- Builds on State efforts to provide affordable units
- Requires residents to be low- or very low-income
- Disperses affordable housing
- Original applicant exempt
- Family of four would need to have an income less than \$94,600

# SB-9 Implementation Ordinances

## **Reduce GHGs, Air Pollution, and Congestion:**

- Eliminating parking:
  - Reduces vehicle trips
  - Reduces GHGs, pollution, and congestion
  - Support walking, bicycling, and transit use
- SB-9 does not allow cities to require parking in some instances
- Proposal would go further to prohibiting parking on- or off-site



# SB-9 Implementation Ordinances

## **Reduce Environmental Impacts:**

- Environmental impact of SB-9 is unknown
- Require LEED Platinum to mitigate the risk to the environment
- Reduces impact on utilities – water and power
- LEED is an international certification organization
- LEED provides flexibility in selecting how to minimize environmental impact

# SB-9 Implementation Ordinances

## **Improve Neighborhood Compatibility:**

- City can set standards, but these standards must:
  - Allow for an 800-square foot unit
  - Be objective
- Ordinances include 16 development standards and 15 design standards

# SB-9 Implementation Ordinances

## Improve Neighborhood Compatibility (Cont'd):

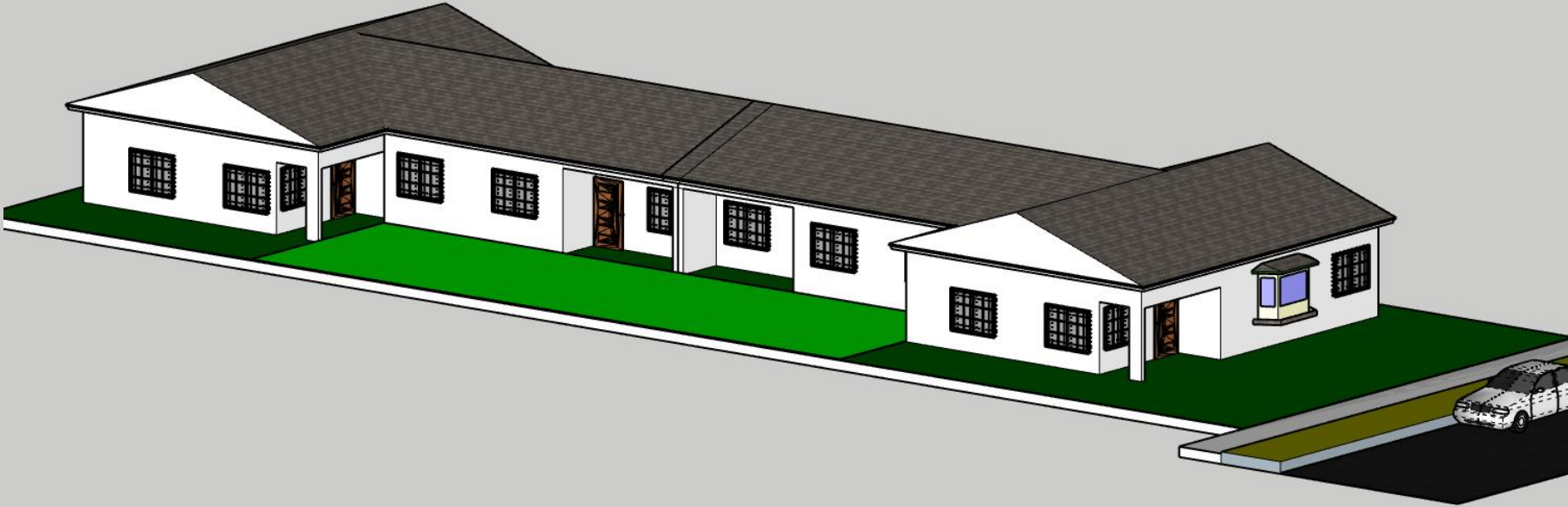
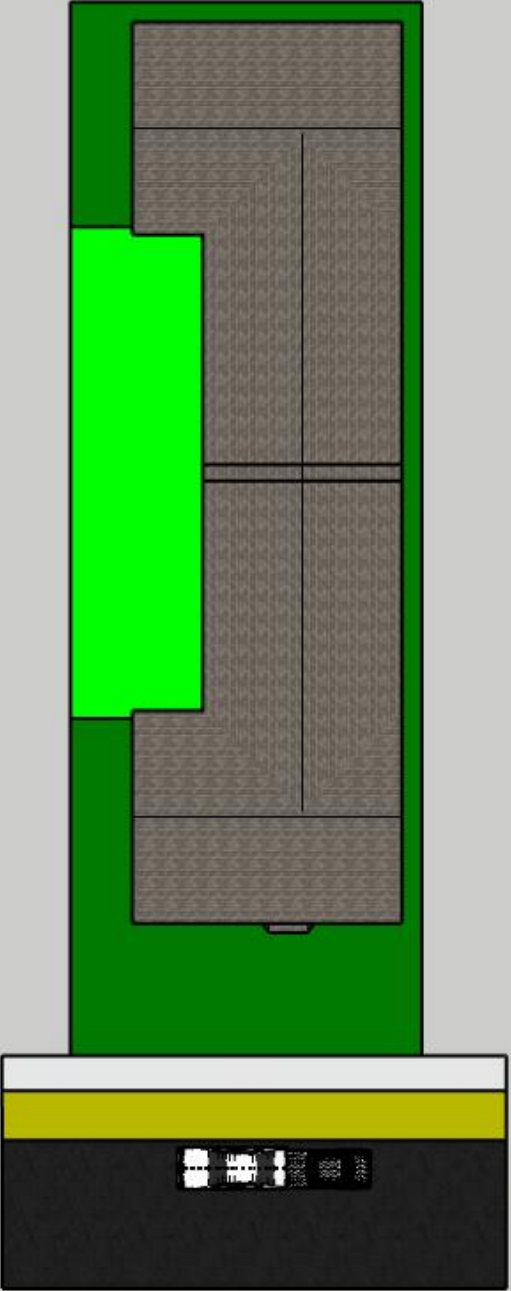
- Standards Include:
  - Maximum unit size of 800 sq ft
  - Minimum unit size of 500 sq ft
  - Building height of 18' for 1-story and 25' for 2-stories
  - Second floor step backs of 4'
  - Preservation of mature trees
  - Disclosure of regulations to future owners
  - Design standards focused on specific architectural styles
  - Courtyard equal to 10% of lot area, min. of 1,000 sq ft

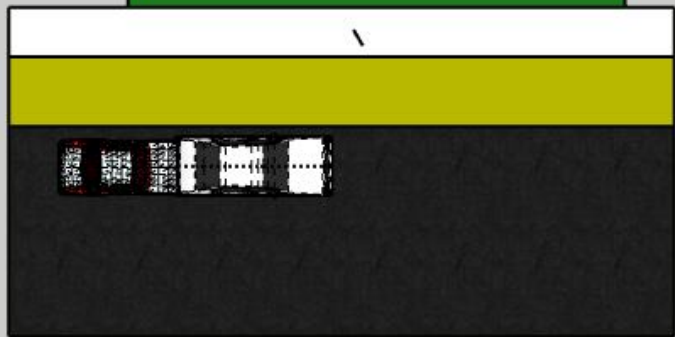
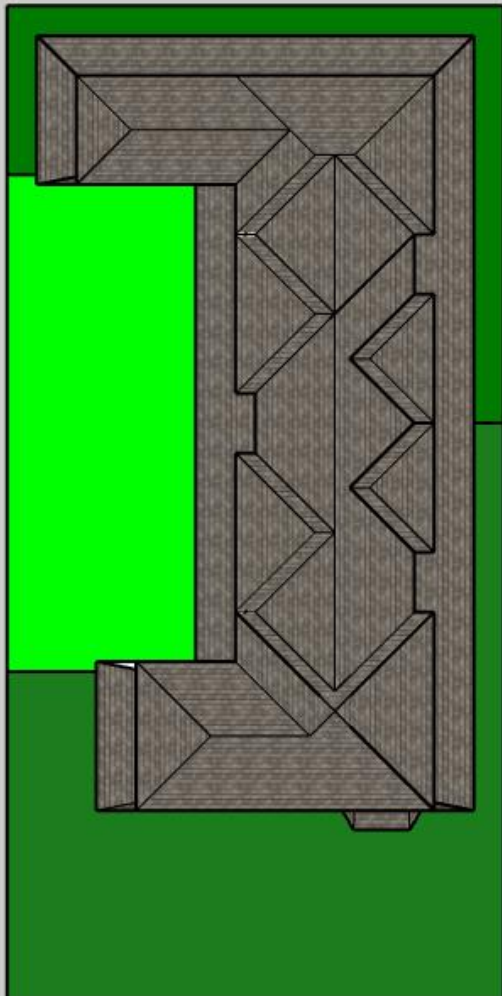
# SB-9 Implementation Ordinances

## **Improve Neighborhood Compatibility (Cont'd):**

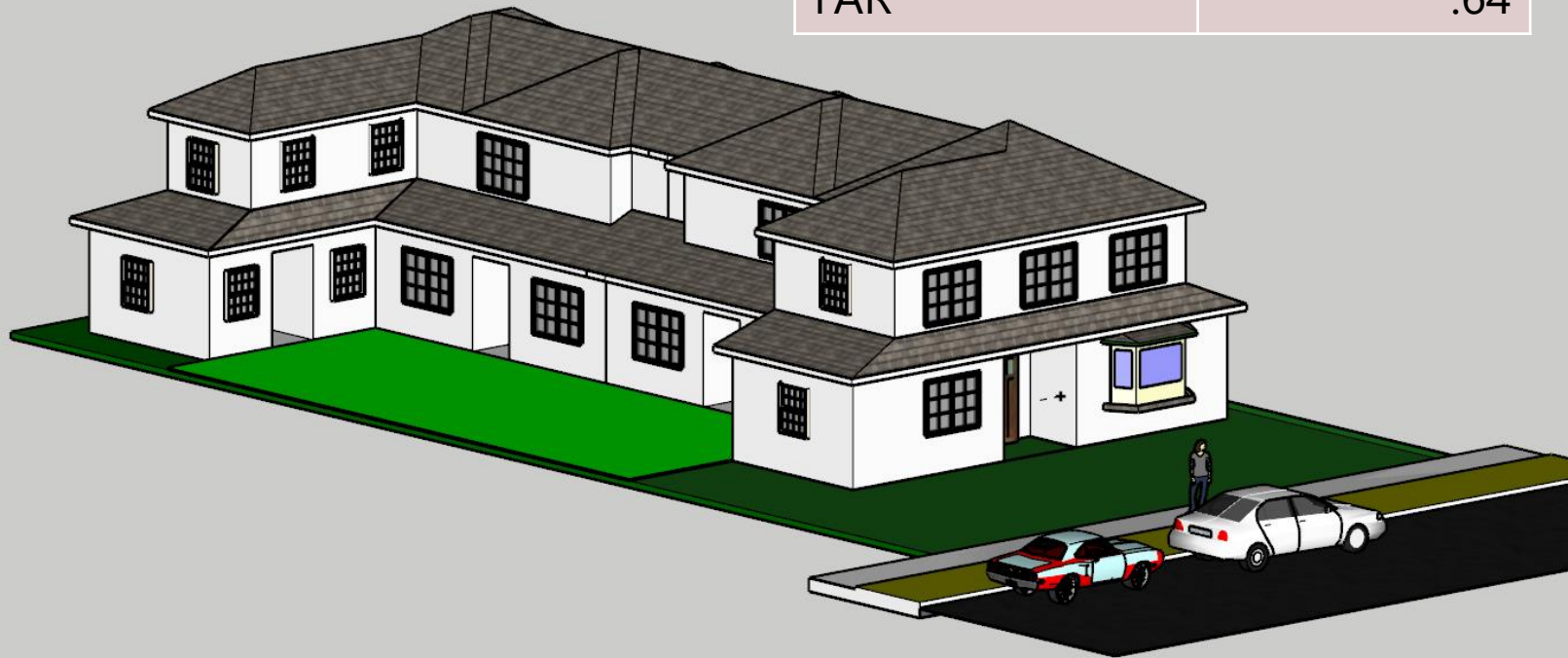
- Prohibiting on-site parking:
  - Provides more open space on-site and reduces demand for public open space
  - Reduces the need to provide 2-3 stories

Site Plan	1
Lot Dimensions	50' x 150'
Lot Size	7,500 sq ft
Courtyard	1,400 sq ft
Size of Units	≈ 800 sq ft
Density	23 units/acre
Lot Coverage	48%





Site Plan	2
Lot Dimensions	50' x 100'
Lot Size	5,000 sq ft
Courtyard	1,000 sq ft
Size of Units	≈ 800 sq ft
Density	35 units/acre
Lot Coverage	46%
FAR	.64



# Next Steps

- January 1 – State law and City Ordinances would go into effect
- January 4– Second reading of Ordinance 21-1059

# Recommendation

The City Council is requested to:

1. Introduce, read by title, waive further reading, and adopt Urgency Ordinance No. 21-1058 U;
2. Introduce Ordinance No. 21-1059 for first reading by title only, amending Title 3, Chapter 3, and Title 9, Chapters 1 and 2, of the Municipal Code;
3. Waive further reading of Ordinance No. 21-1059; and
4. Schedule the second reading of Ordinance No. 21-1059 for January 4, 2022.



# Ordinances 21-1058 U and 21-1059 SB-9 (Atkins) Urban Dwellings & Lot Splits



City Council

December 21, 2021