



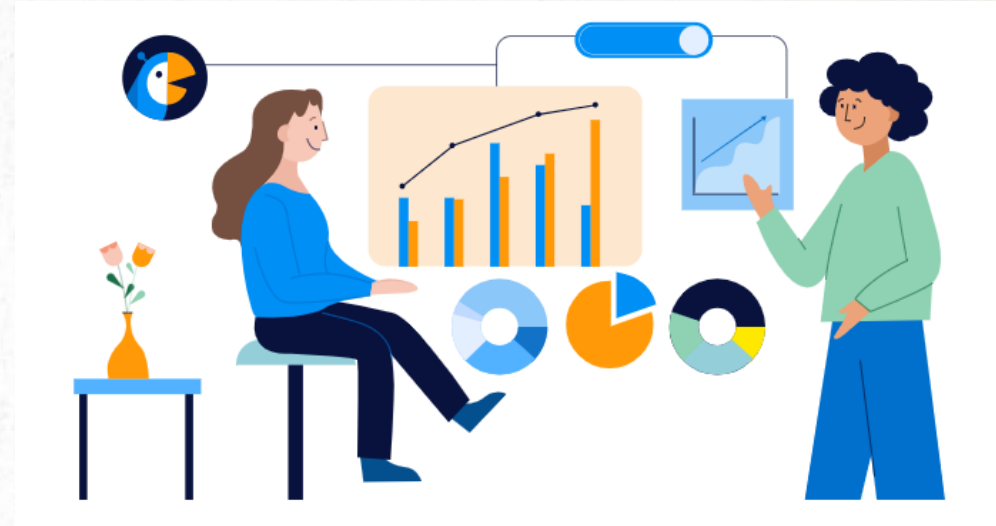
SENATE BILL 9 ORDINANCE STUDY SESSION

Planning Commission

TOWN OF LOS ALTOS HILLS

AGENDA

- **WHAT IS SB 9?**
- **TOWN'S URGENCY ORDINANCE**
- **OTHER JURISDICTIONS' SB 9 ORDINANCES**
- **Q & A/DISCUSSION**



Poll Questions

POLL QUESTIONS

How are you associated with the Town?

1. Own
2. Rent
3. Work
4. Other

WHAT IS SENATE BILL 9 (SB 9)?

- Also known as the California Housing Opportunity and More Efficiency (HOME) Act.
 - The law was passed in September 2021, went into effect across California on January 1, 2022
 - **Qualifying** Projects may only be denied if: The building official “makes a written finding, based upon a preponderance of the evidence, that the proposed housing development would have a specific adverse impact[s]... upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.”
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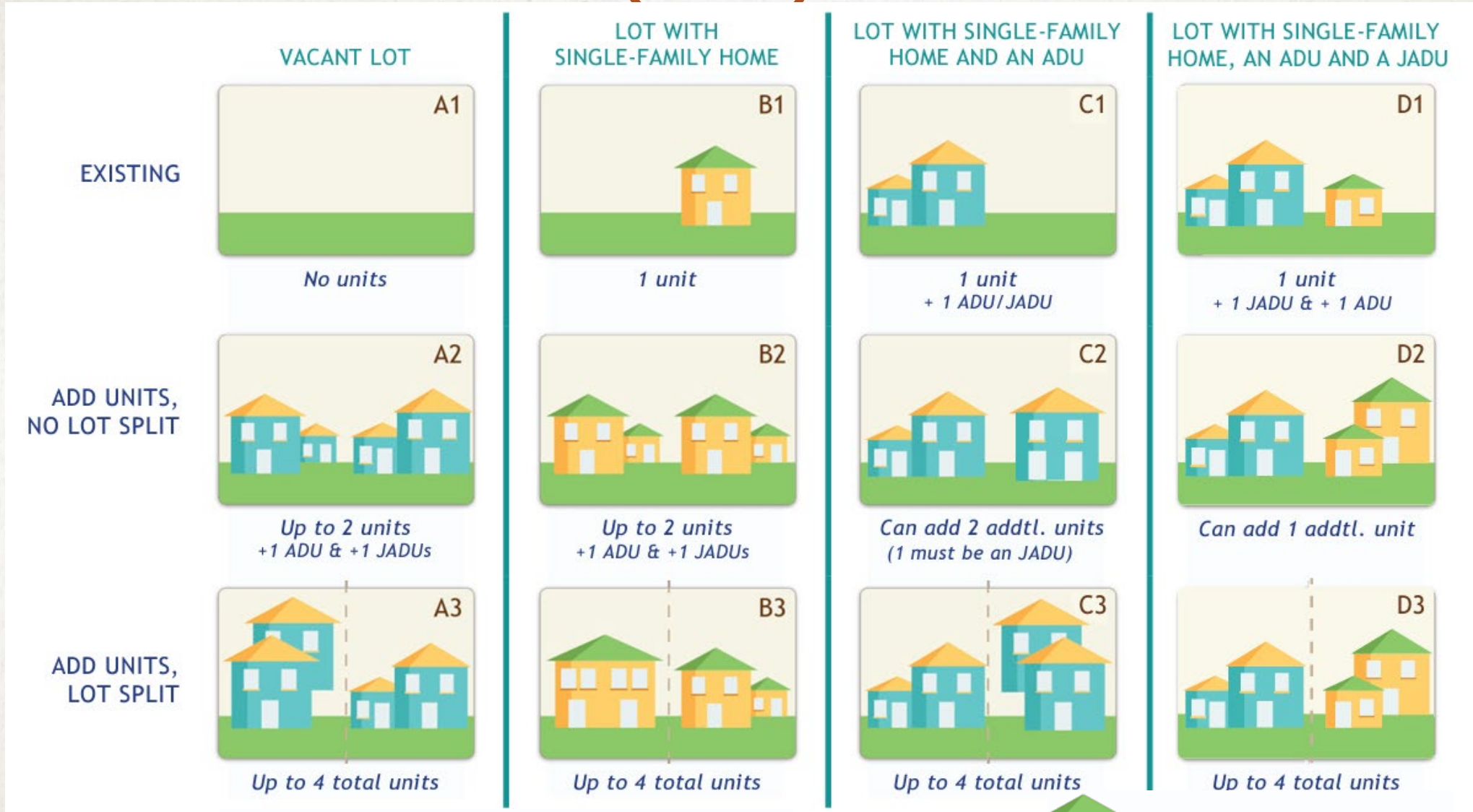
SB 9 – QUALIFYING CRITERIA

- **Location:**
 - Single-family residential zones
 - **Restrictions:**
 - No demolition of affordable or rent controlled housing
 - Not tenant occupancy within the last 3 years
 - 25 percent exterior wall demolition limit
 - Ellis Act
 - **Site Constraints: Examples of conditions that may disqualify a project from using SB 9**
 - Prime farmland or farmland of statewide importance
 - Wetlands
 - Within a very high fire hazard severity zone
 - A hazardous waste site
 - Within a delineated earthquake fault zone
 - Within a FEMA special flood hazard area
 - Within a regulatory floodway
 - Historic district or designated/listed historic property
 - The property is within a conservation easement (the property is restricted in its entirety by the easement)
-

SENATE BILL 9 (SB 9) – DUPLEX BILL

- **Urban Lot Split** - A one-time subdivision of an existing single-family residential parcel into two parcels. The resulting lots must meet certain requirements to qualify for SB 9 ministerial approval.
 - **Two-unit Housing Development** – The development of up to two homes on an eligible single-family residential parcel (This includes adding two new housing units on a vacant lot or adding one new housing unit to a lot with an existing housing unit).
-

SENATE BILL 9 (SB 9) – DUPLEX BILL



USING SB 9 WITHOUT A LOT SPLIT:

- Without a lot split, two primary units and up to 2 new ADUs/JADUs can be built.



SINGLE-UNIT DEVELOPMENTS

SB 9 can be used to develop single units - but projects must comply with all SB 9 requirements.

SENATE BILL 9 (SB 9) – DUPLEX BILL

Properties not
Eligible for SB 9
Projects

Ministerial
Review

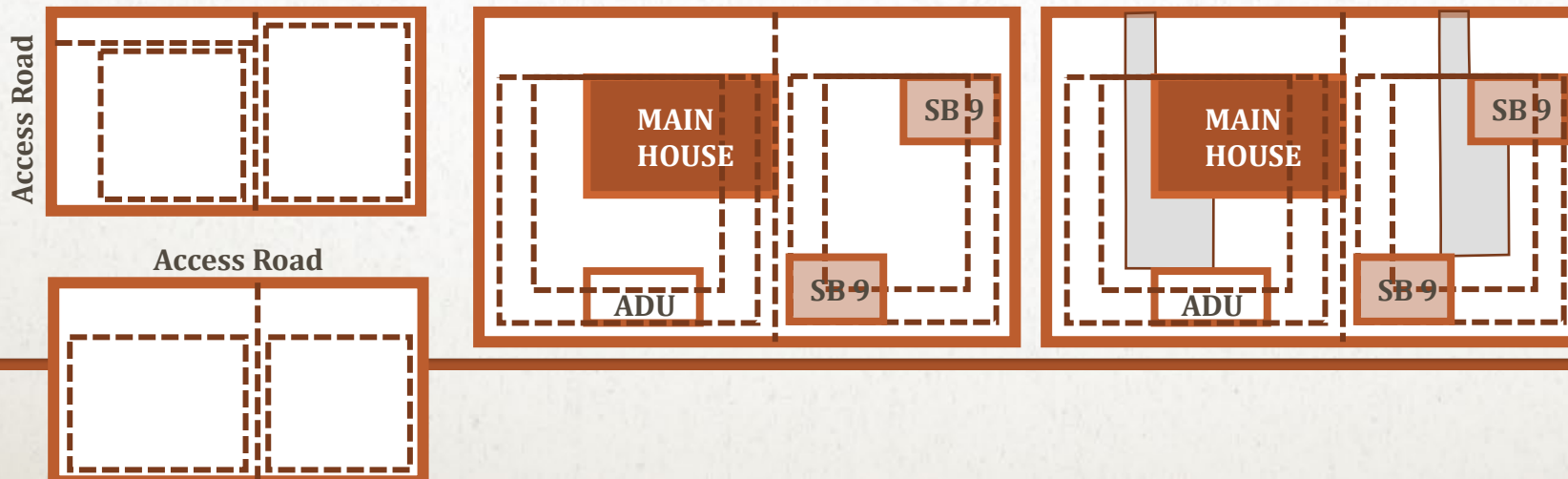
Objective Zoning
Standards

Lot Size,
Setbacks, Floor
Area, Height, and
Parking

Lot Split Vs
Additional Units
Development

TOWN'S URGENCY ORDINANCE – URBAN LOT SPLIT

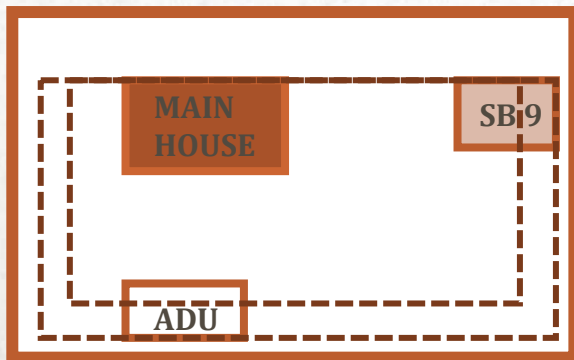
Lot Split	MDA/MFA	Parking and Development Areas	Deed Restrictions
<ul style="list-style-type: none"> perpendicular to the longest property lines Front property line parallel to the street 25-foot panhandle /easement 	<ul style="list-style-type: none"> MFA=1,600 sq. ft., except for an existing residence MDA=1,600 +2,100 square feet 	<ul style="list-style-type: none"> One uncovered space/unit Pools , patios, decks, and other hardscape meet the standard setbacks 	<ul style="list-style-type: none"> New units developed on newly subdivided parcels are income restricted to be -low and very-low income



TOWN'S URGENCY ORDINANCE – UNSUBDIVIDED

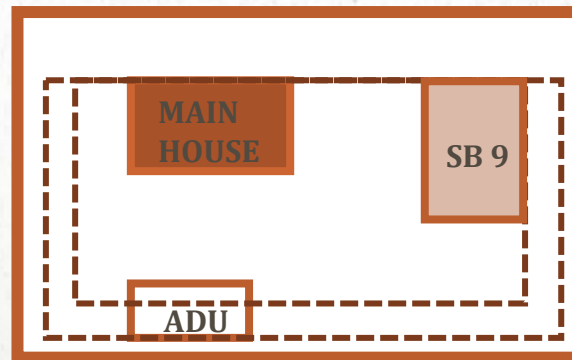
MDA/MFA

- MFA and MDA calculation is based on the worksheet calculation
- 800 square feet of additional area is exempted for a new SB 9 unit or standard ADU.



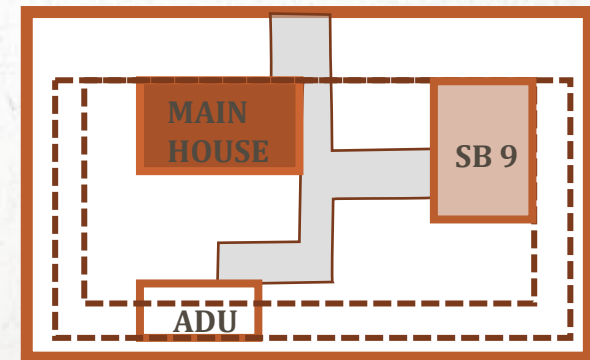
Incentive

- Incentive: SB 9 unit exempted floor area and development can go up to 1,600 sq. ft. if the structure meets the standard setbacks.



Parking and Development Areas

- One uncovered space/unit that meets the standard setbacks
- Pools, patios, decks, and other hardscape meet the standard setbacks



TOWN'S URGENCY ORDINANCE

Exterior Colors and Landscape Screening

- Wall LRV ≤ 50
- Roof LRV ≤ 40
- Evergreen hedge along the property lines

Roof Decks and Basements

- Not allowed for all SB 9 units

Prohibited Structure Location

- Recorded easement
- 25-foot creek setbacks
- Heritage oak root zone
- Pathway
- Slope $>40\%$

WHY ADOPT A PERMANENT SB 9 ORDINANCE?

- Urgency ordinance expires in October 2023
 - HCD has provided additional guidance on SB 9 Ordinance
 - Other jurisdictions have adopted permanent regulations for SB 9
 - Review of SB 9 applications- additional refinements
-

OTHER JURISDICTIONS

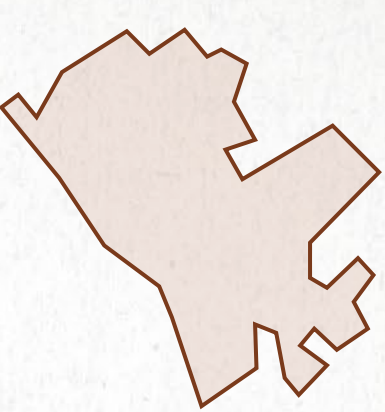


Atherton

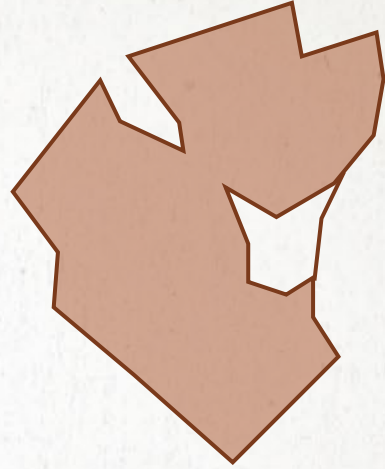
Woodside

Saratoga

Permanent Ordinance



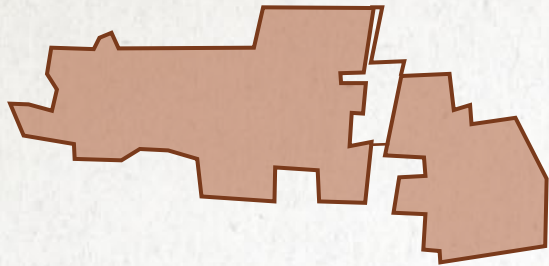
Hillsborough



Portola Valley

Urgency Ordinance

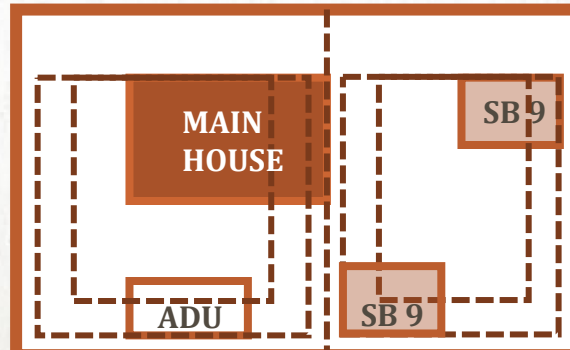
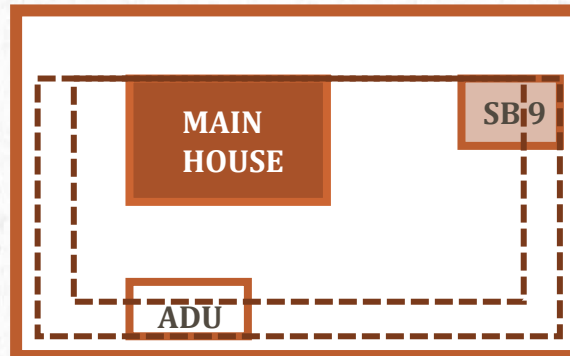
ATHERTON PERMANENT SB 9 ORDINANCE



Two Sets of Standards

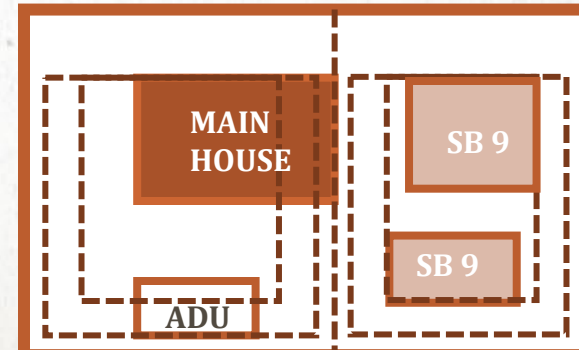
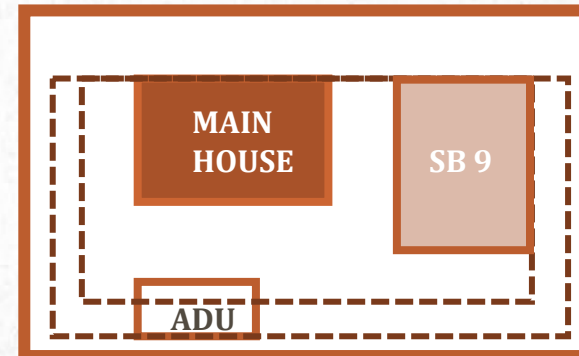
REAR AND SIDE SETBACKS: 4-FEET

Floor Area: **State Minimum**
Height: **State Minimum**



REAR AND SIDE SETBACKS: BASE ZONING

Floor Area and Height: **Maximum per Base Zoning District Requirement**

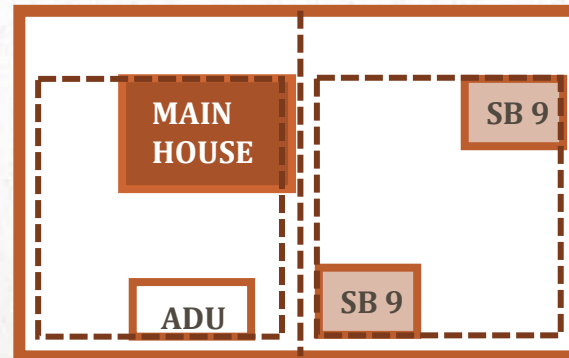
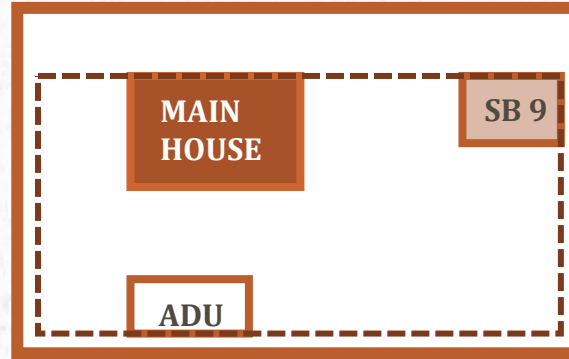
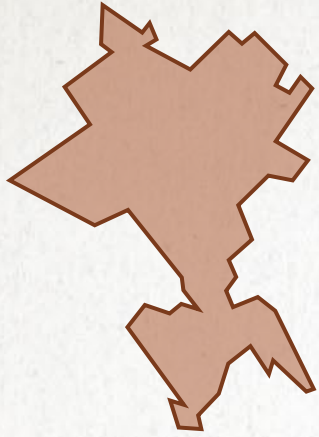


WOODSIDE PERMANENT SB 9 ORDINANCE

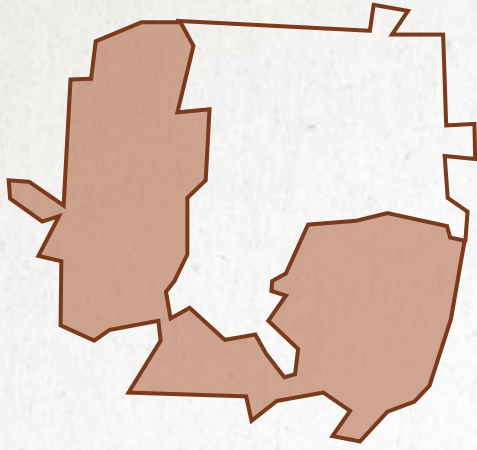
REAR AND SIDE SETBACKS: 4-FEET

Floor Area: 800 sq.ft

Height: State Minimum



SARATOGA PERMANENT SB 9 ORDINANCE

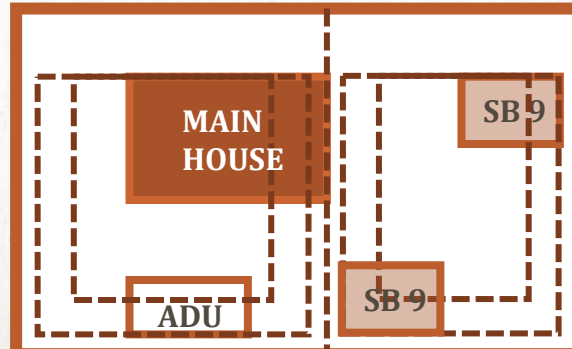
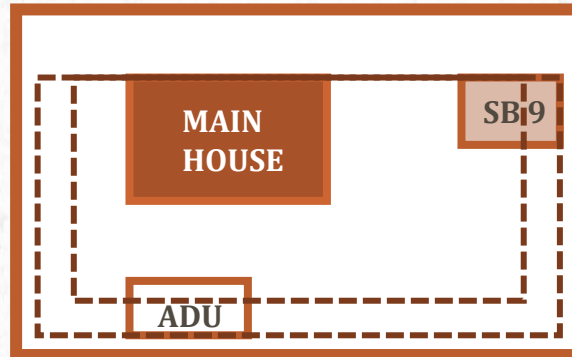


Two Sets of Standards

REAR AND SIDE SETBACKS: 4-FEET

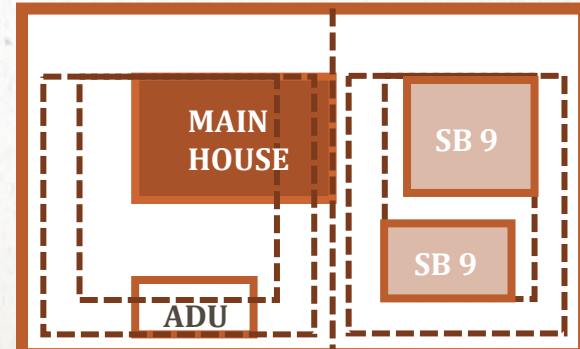
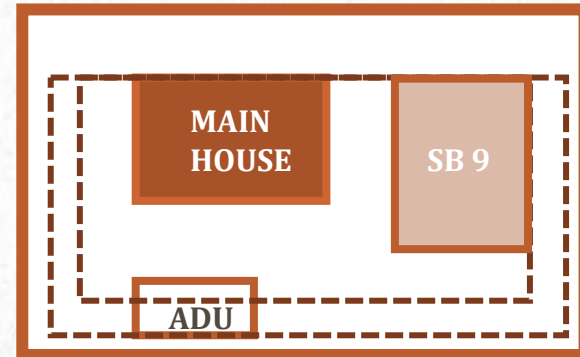
Floor Area: 1000 sq.ft

Height: 16 feet

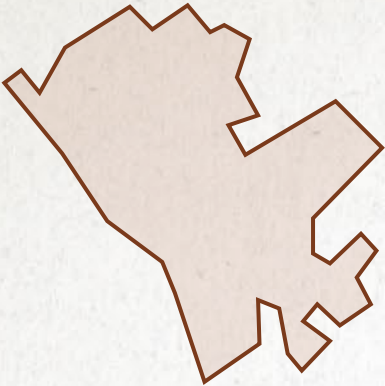


REAR AND SIDE SETBACKS: BASE ZONING

Floor Area and Height:
Maximum per Base Zoning
District Requirement



HILLSBOROUGH URGENCY SB 9 ORDINANCE

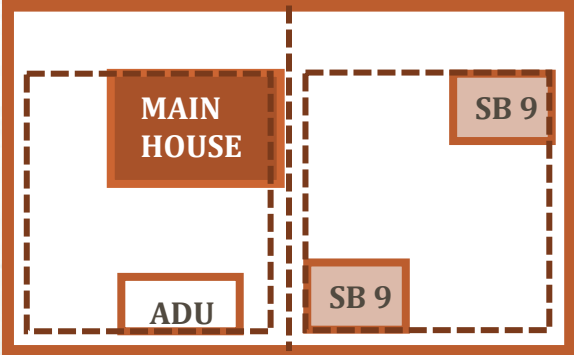
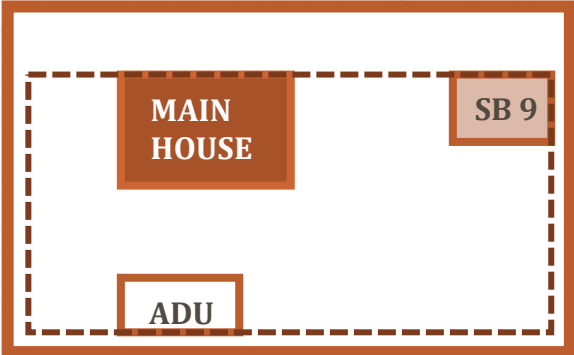


REAR AND SIDE SETBACKS: 4-FEET

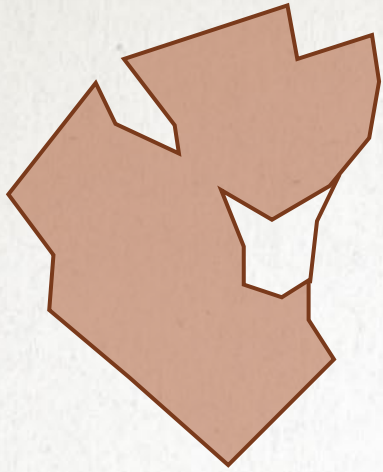
Floor Area: >500 and <800 sq.ft

Height: If Lot Size >2,000 sq.ft, Maximum Height = 16 feet

If Lot Size <2,000 sq.ft, Maximum Height = 22 feet



PORTOLA VALLEY URGENCY SB 9 ORDINANCE



Two Sets of Standards

REAR AND SIDE SETBACKS: 4-FEET

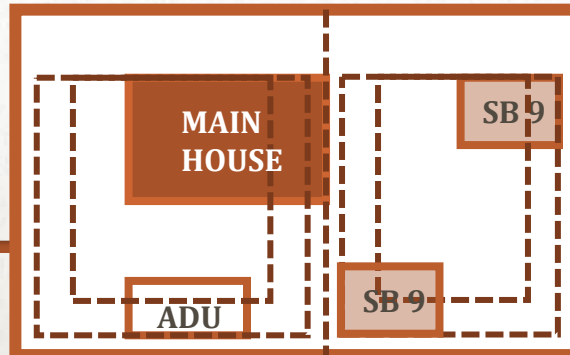
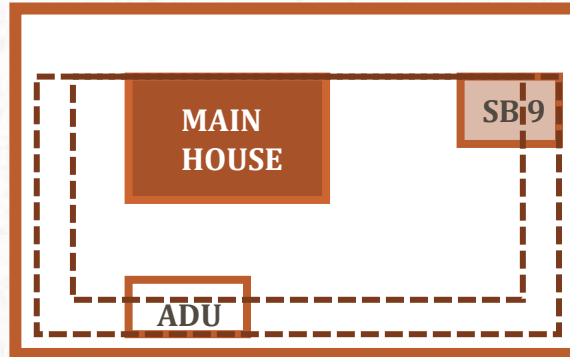
Floor Area:

800 sq.ft (One-bedroom)

1,000 sq.ft (> One-bedroom)

Height:

16 feet vrt and max height



REAR AND SIDE SETBACKS: BASE ZONING

Floor Area:

Parcel <3.5 acres, Max. 1,200 sq.ft

Parcel >3.5 acres, Max. 1,500 sq.ft

More floor area is allowed through a discretionary design review process with hearing and public noticing

Height:

18 feet vertical height

24 feet maximum height

POLL QUESTIONS

Which aspects of the town's existing single family zoning standards do you think are most important to preserving the character of Los Altos Hills?

1. Deep property-line setbacks, 40 FT front and 30 FT rear and side
2. Building Height, under 27 FT
3. Maximum development and floor area size, MDA and MFA rules
4. Easements required for open space and hillside preservation
5. Easements required for approved pathways

How important is it that Affordable Housing features be incorporated into the SB 9 requirements?

1. Low
2. Medium
3. High

Should the Town provide incentives to encourage developments that adhere to existing single family zoning standards?

1. Yes
 2. No
-

Q & A/DISCUSSION/FEEDBACK
