

Presentation will begin at 6:35 pm



Senate Bill 9

Zoning Ordinance

Amendments

STAFF: ROBERT CAIN, JOANNA WILK, & BHARAT SINGH

COUNTY OF SANTA CLARA COUNTY

DEPARTMENT OF PLANNING AND DEVELOPMENT

PUBLIC OUTREACH MEETING APRIL 19, 2022

Overview

Senate Bill 9 (SB 9) is one of eight new laws aimed at addressing the California Housing Crisis.

Urban Two-Unit Development. Qualifying parcels in urban, single-family residential zones can ministerially develop two (2) primary units (plus one (1) ADU and one (1) junior ADU).



Up to 2 units
+1 ADU & +1 JADUs

Urban Lot Splits (Subdivisions). Qualifying parcels in urban, single-family residential zones can ministerially subdivide into two (2) lots of roughly equal size (two (2) total dwelling units per lot).



Up to 4 total units

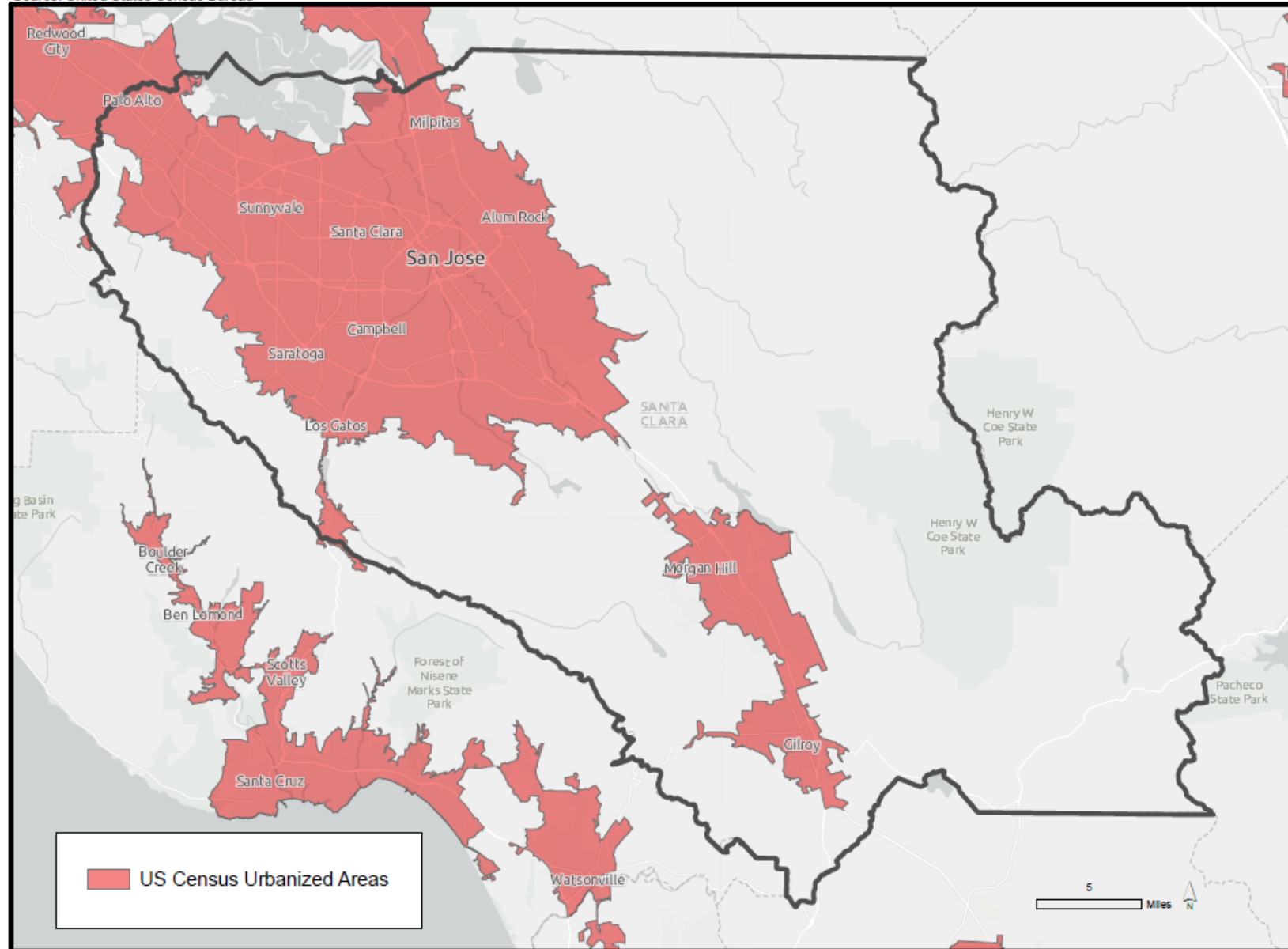
Applicability

SB 9 applies to “Urban” areas

Defined in the bill as “located within a city.... or, for unincorporated areas, ***a legal parcel wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.***”

Santa Clara County Urbanized Areas

Source: United States Census Bureau



Applicability

SB9 has additional requirements for qualifying parcels

- Located within a single-family residential zone.
- Not be historic.
- Not be located within areas of significance:
 - Prime farmland;
 - Wetlands;
 - Habitat for protected species;
 - Lands identified for conservation; or
 - Hazard zones.

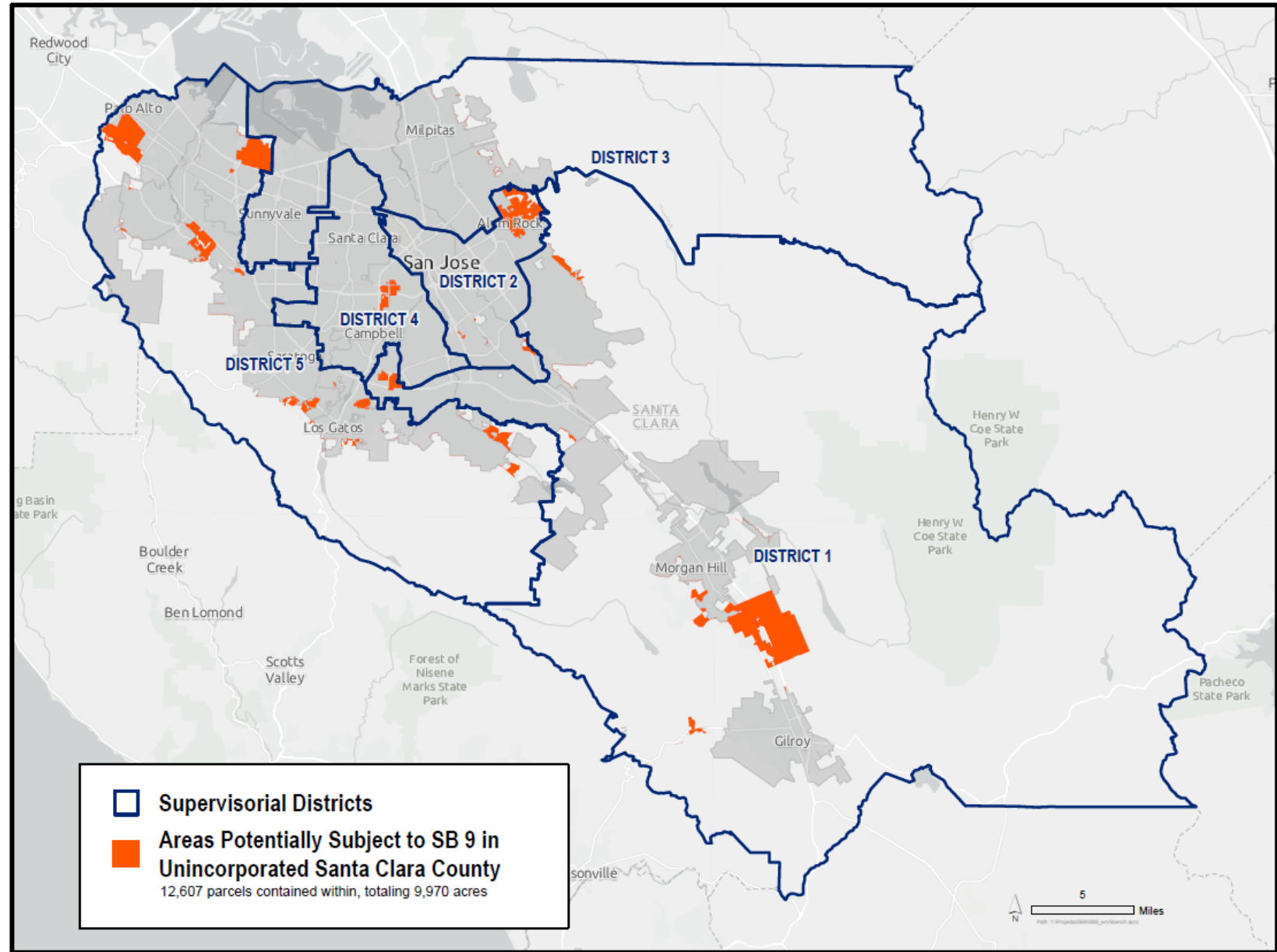


* NOTE: Projects located within fire, flood, earthquake or hazardous waste areas may be approved if the risks or hazards are adequately mitigated

Applicability

This map shows potentially subject parcels

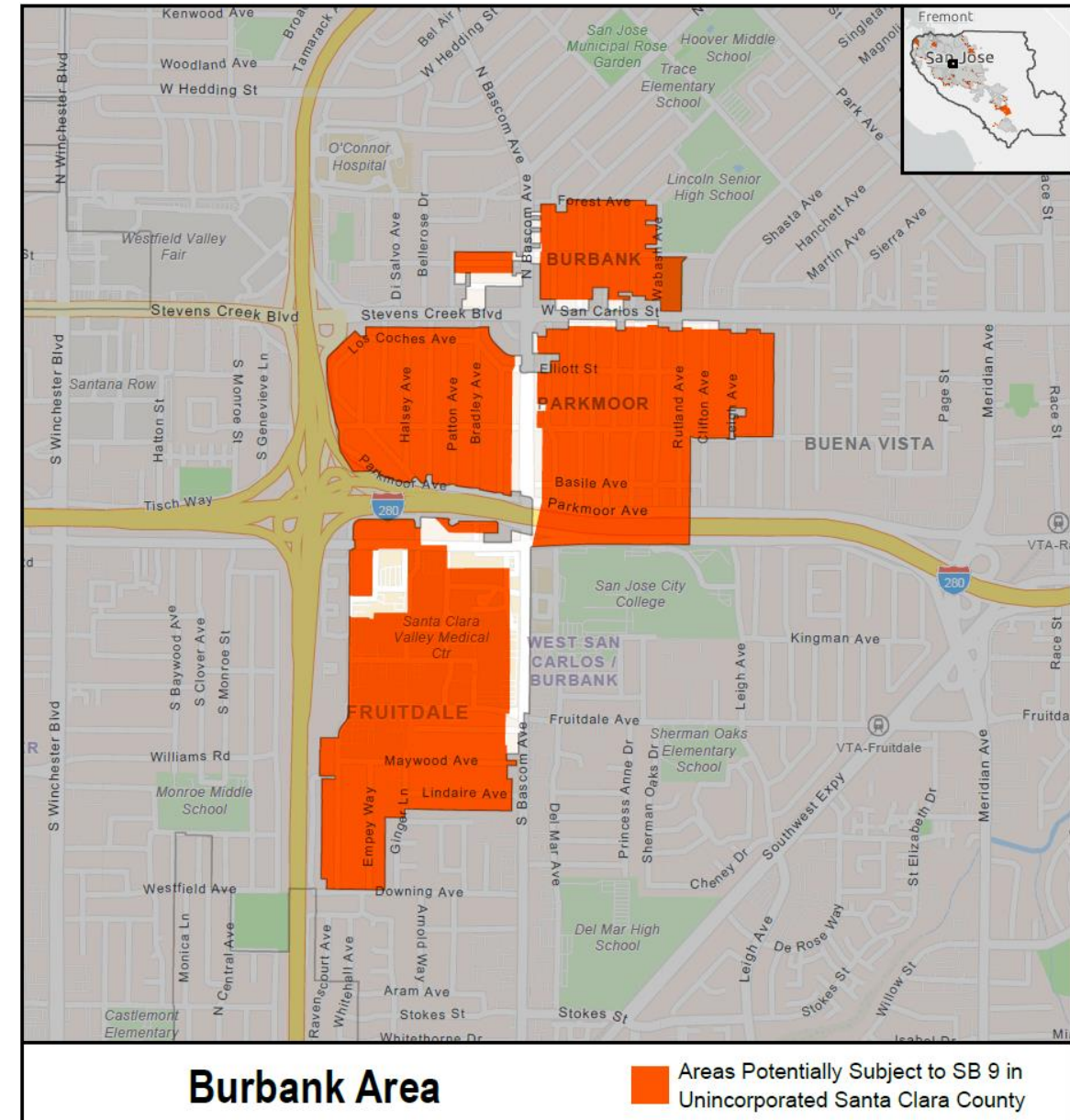
- **R1, R1E, RHS, R1S, and RR** are single-family residential (SFR) zones.
- -d, -sr, and -n zones may be subject to additional restrictions.
- -h zones are not included.



Applicability

This map shows potentially subject parcels in the Burbank Area

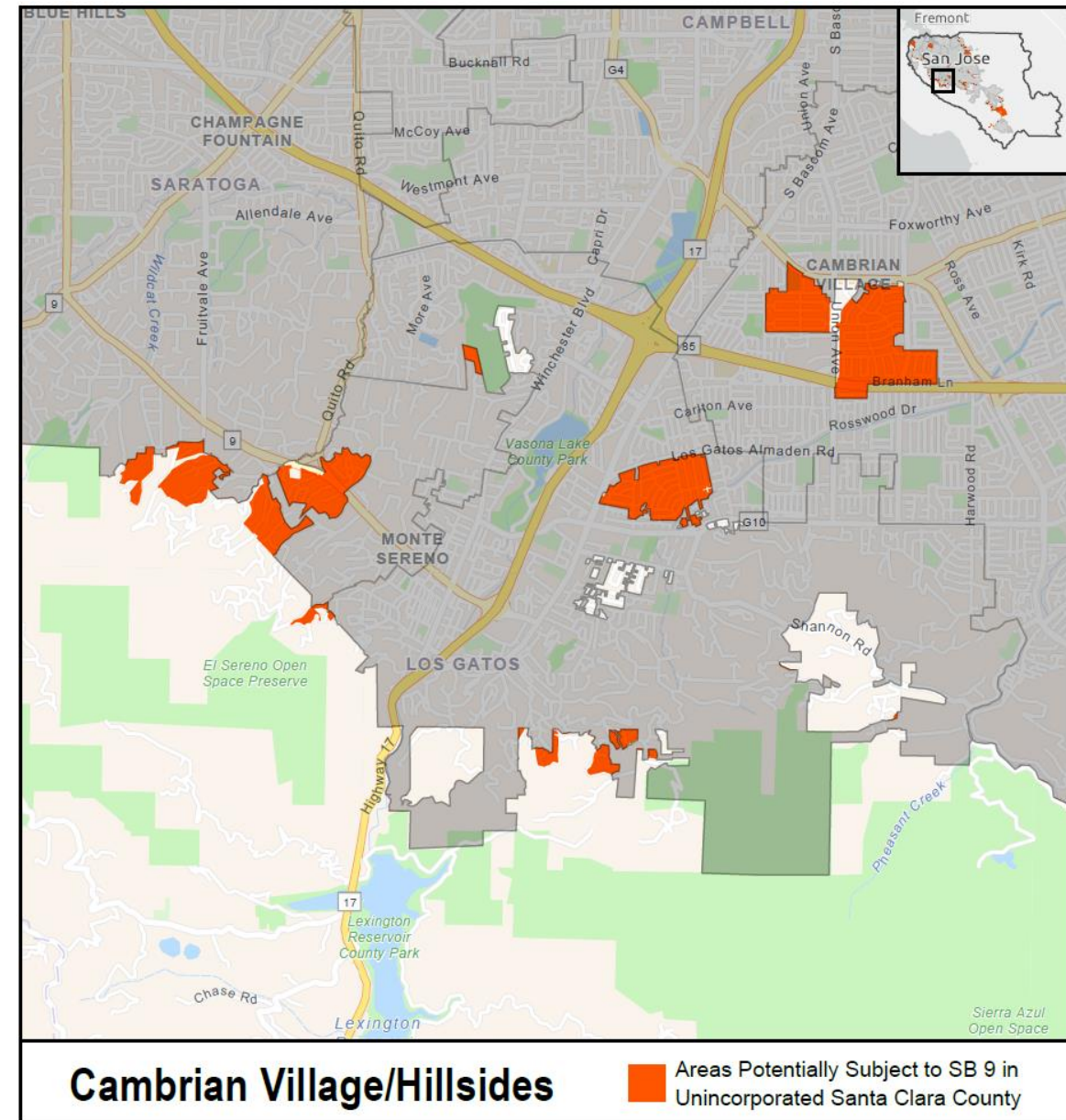
- R1, R1E, RHS, R1S, and RR are single-family residential (SFR) zones.
- -n zones may be subject to additional restrictions.
- Commercial zones along Bascom and San Carlos are not included.



Applicability

This map shows potentially subject parcels in Cambrian Village and nearby areas

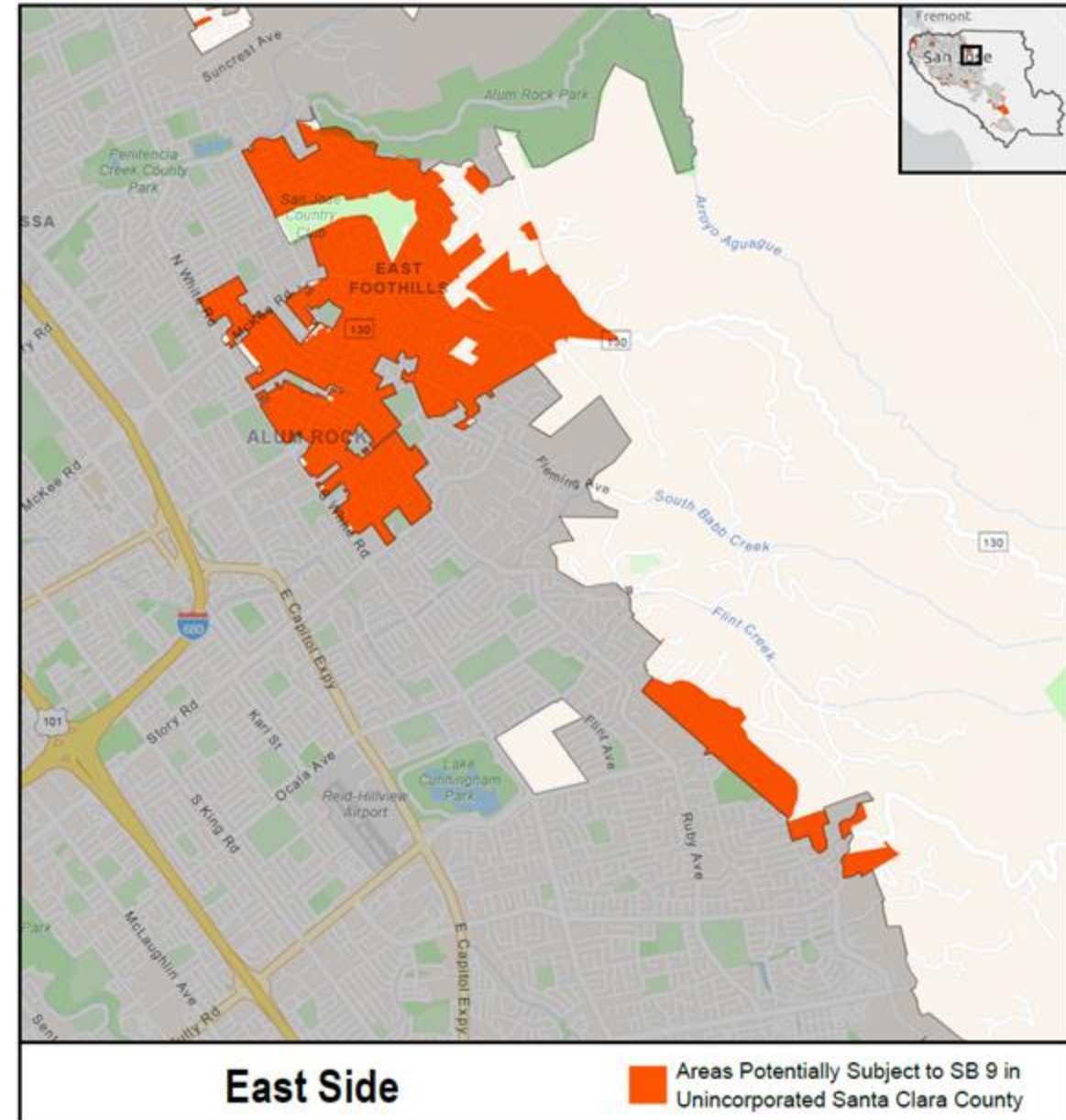
- **R1, R1E, RHS, R1S, and RR** are single-family residential (SFR) zones.
- -d, -sr, and -n zones may be subject to additional restrictions.
- Commercial and multi-family districts along Union Ave are not included.



Applicability

This map shows potentially subject parcels in Alum Rock and East Foothills areas

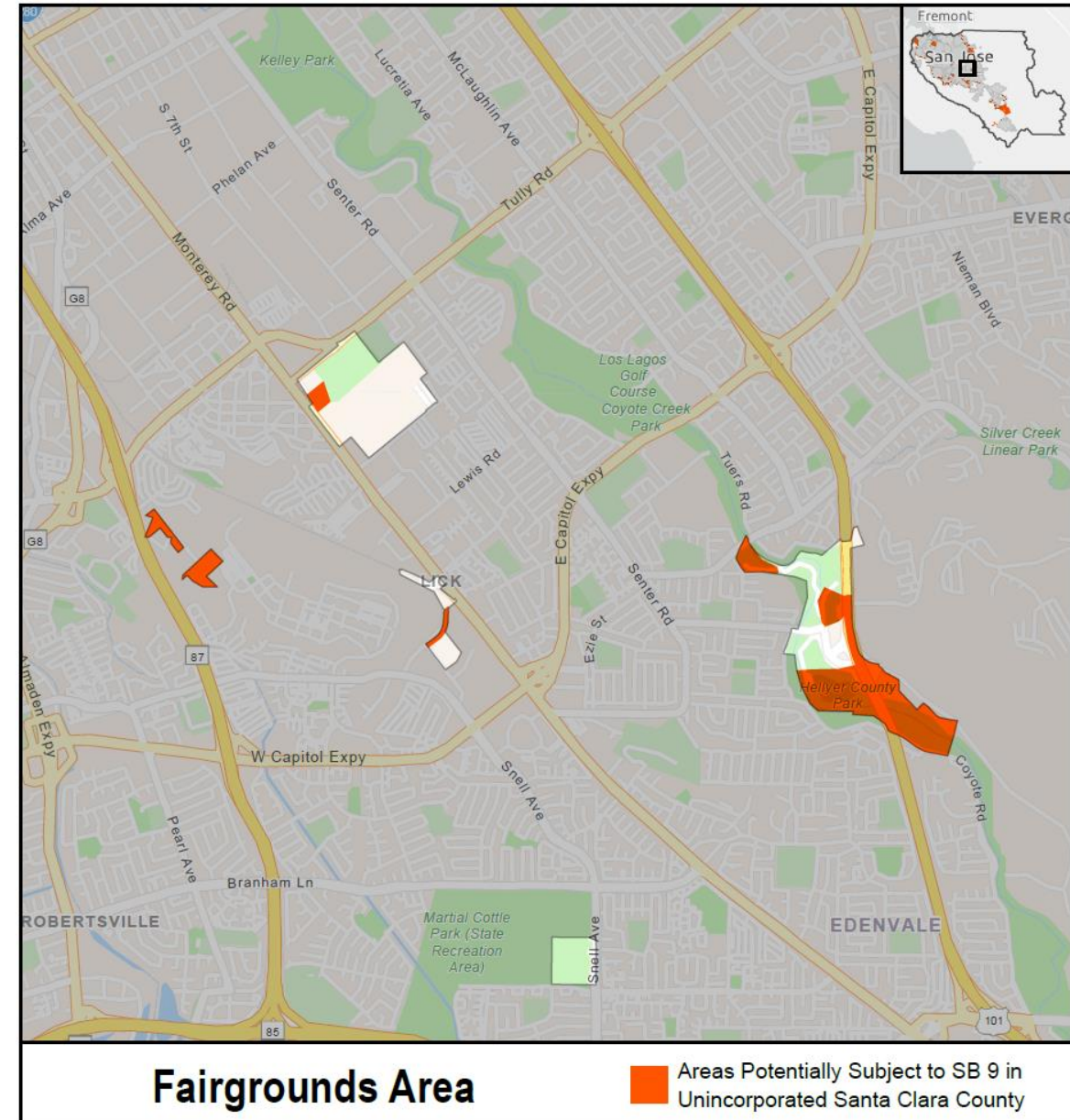
- R1, R1E, RHS, R1S, and RR are single-family residential (SFR) zones.
- -d, -sr, and -n zones may be subject to additional restrictions.
- HS zones are not included.



Applicability

This map shows potentially subject parcels in the Fairgrounds area

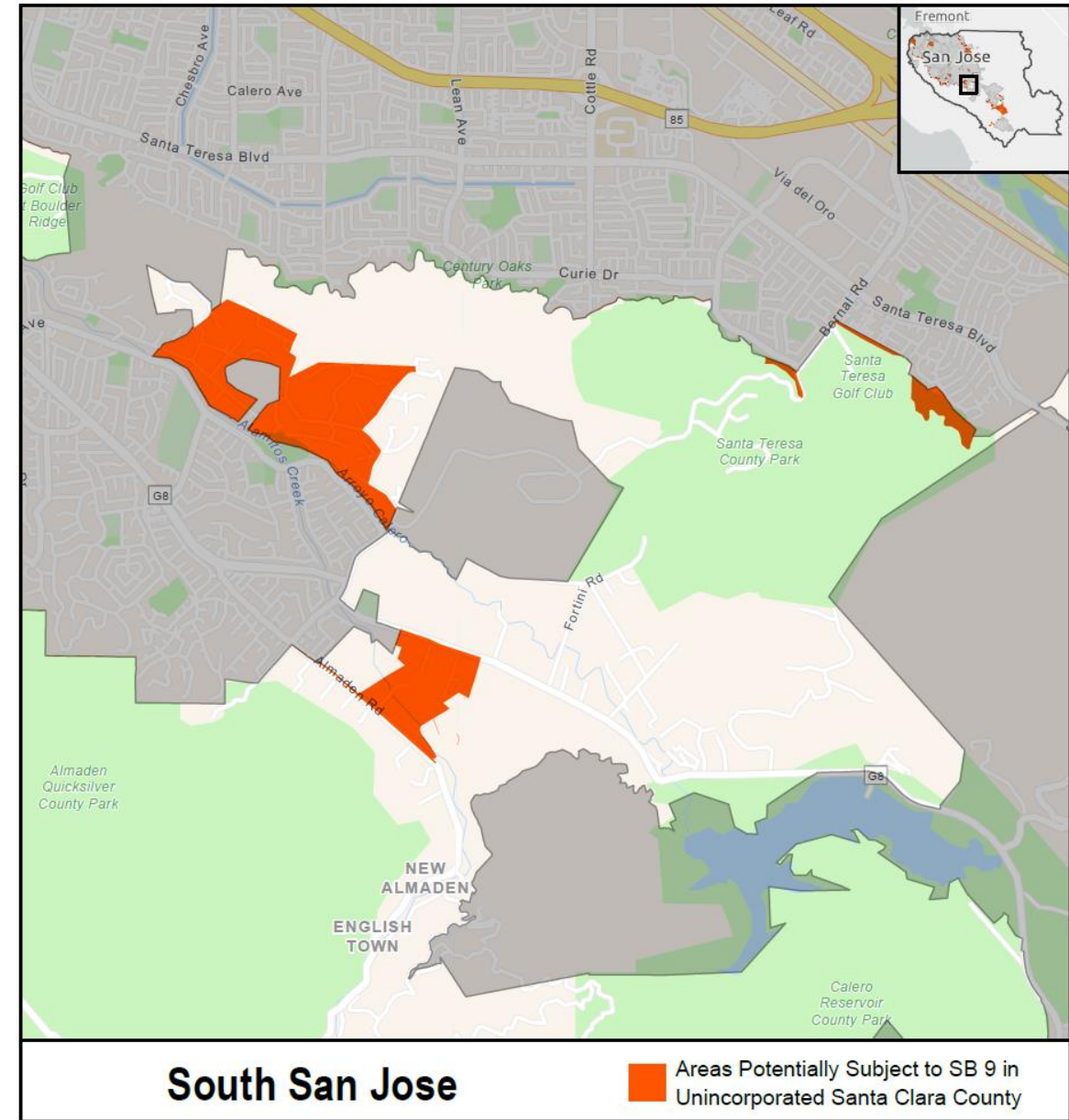
- **R1**, **R1E**, **RHS**, **R1S**, and **RR** are single-family residential (SFR) zones.
- -d, -sr, and -n zones may be subject to additional restrictions.
- Some County properties are not included.



Applicability

This map shows potentially subject parcels in the South San Jose area

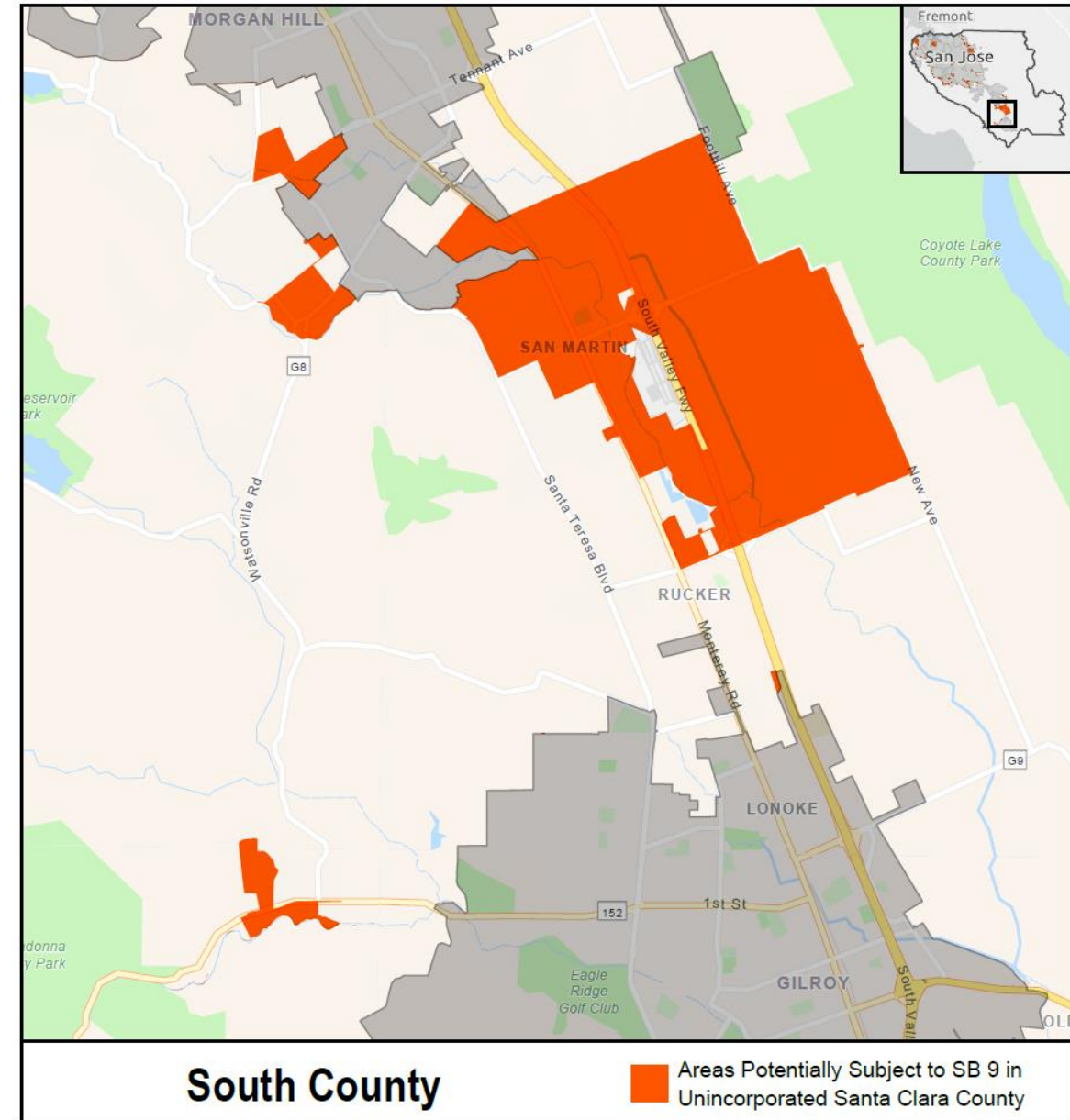
- **R1**, **R1E**, **RHS**, **R1S**, and **RR** are single-family residential (SFR) zones.
- -d, -sr, and -n zones may be subject to additional restrictions.
- County Parks, A, HS, and -h zones are not included.



Applicability

This map shows potentially subject parcels in the South County

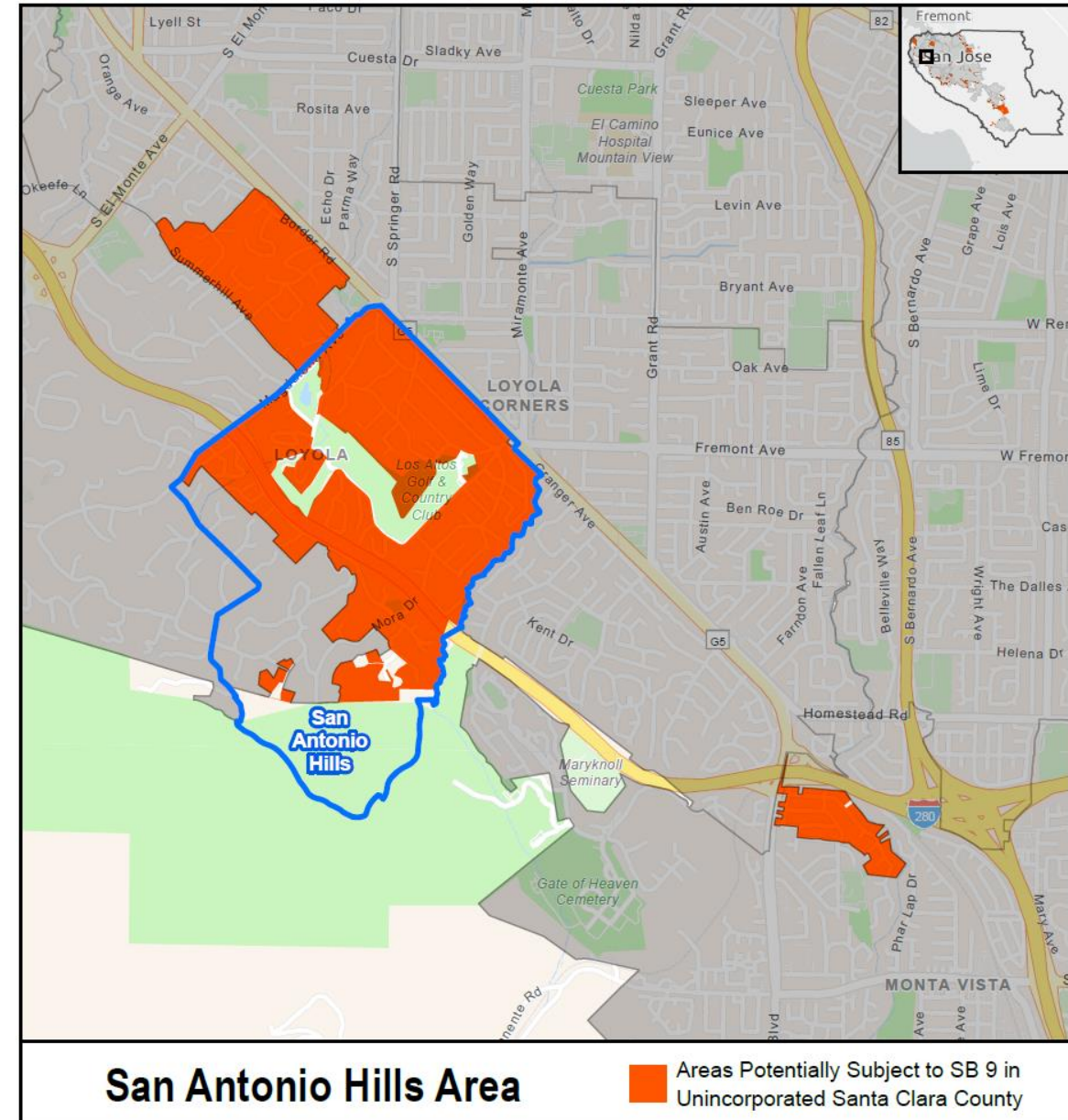
- R1, R1E, RHS, R1S, and RR are single-family residential (SFR) zones.
- -d, -sr, and -n zones may be subject to additional restrictions.
- A zones, the Airport, and lower density areas are not included.



Applicability

This map shows potentially subject parcels in the San Antonio Hills area

- R1, R1E, RHS, R1S, and RR are single-family residential (SFR) zones.
- -d, -sr, and -n zones may be subject to additional restrictions.
- The County Club and County Parks are not included.



Applicability

See Department website for more information

<https://plandev.sccgov.org/senate-bill-9>

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Senate Bill 9

Learn if you can add dwelling units to your property under Senate Bill 9?

Read More



Applicability

SB9 requirements for qualifying parcels across the state

- Must have adequate **septic**/sewer.
- Cannot demolish **affordable housing** or housing that has been **occupied by a renter** in the past three (3) years.
- Applicants for an 'Urban Lot Split' must **reside on the property** for no less than three (3) years.
- SB 9 units cannot be rented for less than 30 days.
- 'Urban Lot Split' can **only be used once** on a property.

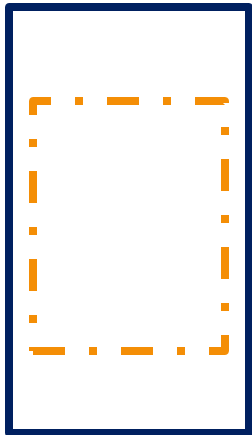
NOTE: **The Building Official can deny any project on a case-by-case basis if they make a written finding that there would be a specific, adverse impact upon public health and safety or the physical environment for which there is no mitigation or way to avoid.*

Development Standards

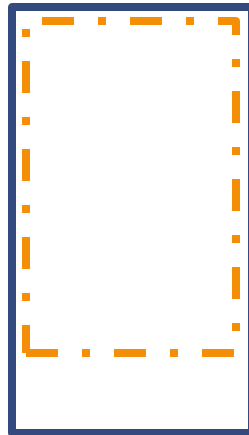
SB9 imposes development standards

- Projects under SB 9 have a side and rear **setback of four (4) feet**.

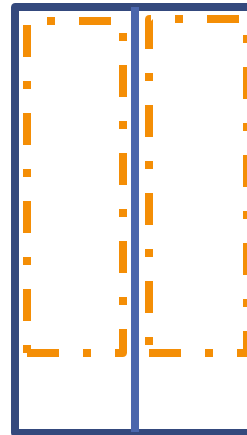
No SB 9



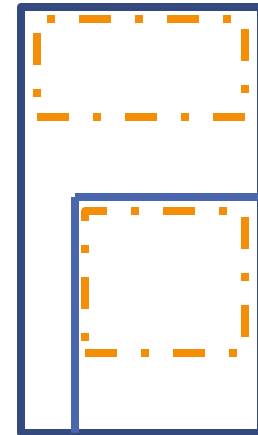
SB 9, No
Lot Split



SB 9
Lot Split



SB 9
Lot Split



Main Road

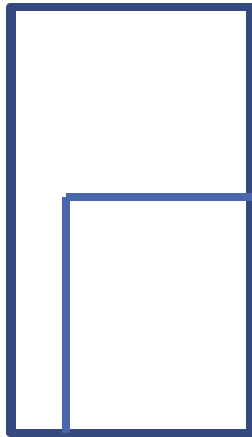
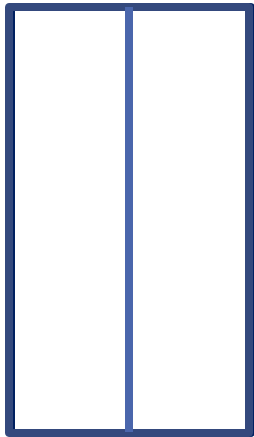


Development Standards

SB9 imposes development standards

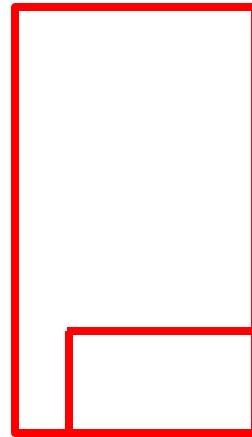
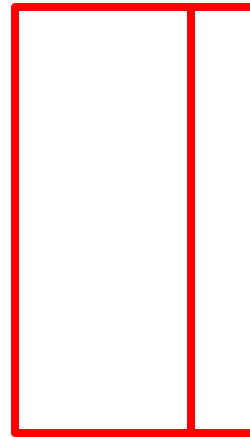
- Lots created using an **'Urban Lot Split'** must be at least **1,200 square feet** in area, must be roughly equal in size.
- Lots can only be split using SB 9 once.

Allowed



Main Road

Not Allowed



Development Standards

SB9 imposes development standards

- Existing local standards which do not allow for the development of **two (2) 800 square foot** dwelling units on SB 9 lots will be adjusted on a case-by-case basis.
- Parking requirements reduced or eliminated.



*NOTE: SB 9 only requires jurisdictions to approve two (2) total dwelling units on lots subdivided using the 'Urban Lot Split' provision.

Development Standards

SB9 imposes development standards

- Staff is considering additional objective development standards for SB 9 projects:
 - Privacy
 - Lot Configuration
 - Design Review
 - In -d and -sr districts only
 - Square Footage

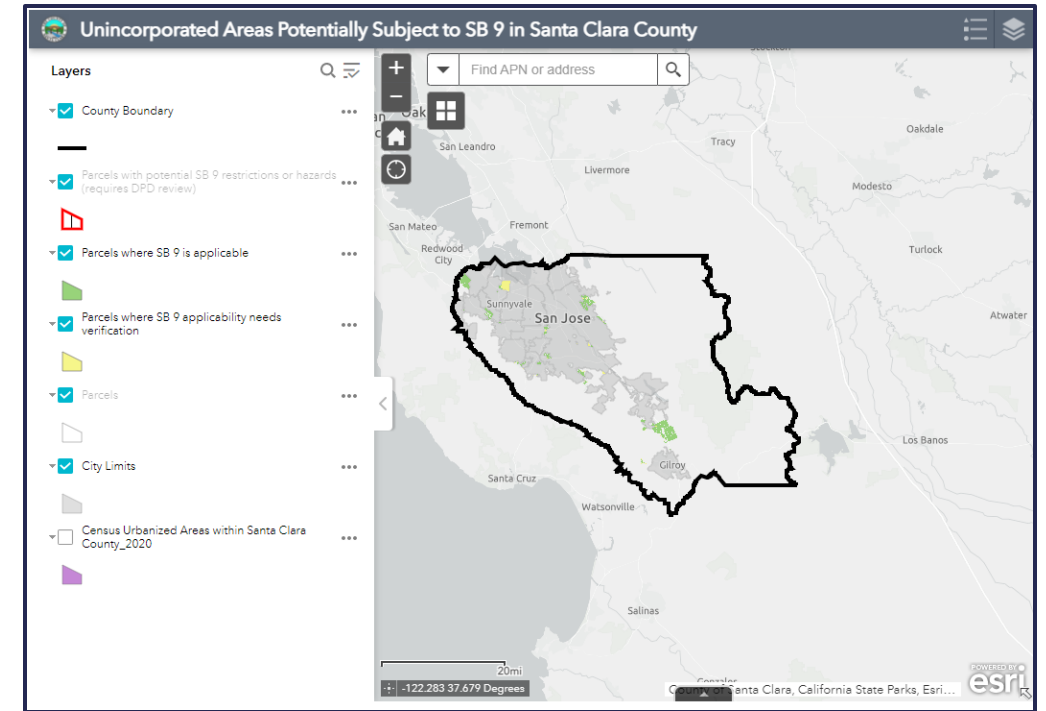


How to Apply

SB 9 projects undergo a staff-level review

Review your parcels eligibility on the County SB 9 webpage:

<https://plandev.sccgov.org/senate-bill-9>



**Urban Two-
Unit
Development**

**Meet with
planner**

**Submit for
building permit
in public portal**

**Urban Lot
Split**

**Meet with
planner**

**Submit
tentative map
& documents in
public portal**

**Obtain issued
tentative map**

**Submit final
map &
documents in
public portal**

**Obtain issued
final map and
record w. clerk
recorders office**

Next Steps

1. Draft Amendments **(Ongoing)**
2. Public Outreach **(April)**
 - County Wide - April 19
 - San Martin - April 20
 - San Antonio Hills - April 21
 - West County - April 28
3. San Martin Planning Advisory Committee **(June-tentative)**
4. Planning Commission **(June-tentative)**
5. Board of Supervisors **(August-tentative)**



Questions?

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Bharat Singh, Principal Planner

<https://plandev.sccgov.org/senate-bill-9>