

Senate Bill (SB) 9 – The California Housing Opportunity and More Efficiency (HOME) Act

The California HOME Act streamlines the process for a homeowner to create a duplex or subdivide an existing lot. This legislation enables homeowners to create intergenerational wealth and provide access to more rental and ownership options for working families who would otherwise be priced out of neighborhoods.

SB 9 provides two key changes to state law:

- It requires all local agencies to **permit two residential units** on a lot within a single-family residential zone, with a ministerial review (i.e. without a discretionary review process, environmental analysis or a public hearing), if the development meets specific objective criteria, as outlined in the legislature.
- It also requires that all local agencies permit a **subdivision of a lot into two lots** within a single-family residential zone with a ministerial review, which can accommodate up to two units on each newly created lot.

Please provide all of the application materials in .pdf format and submit digitally via email to vincevelasco@santafesprings.org. File(s) larger than 20 MB must be submitted via email with a downloadable link. EACH ITEM SHALL BE A SEPARATE .PDF FILE.

PLEASE PROVIDE ALL OF THE FOLLOWING:

- ☐ Completed SB 9 Two Unit Development Application. (Signed)
- ☐ Completed SB 9 Two Unit Developments Eligibility Checklist. (Must check all items)
- ☐ Architectural Plans. Provide digital copy (PDF format) of the architectural plans.
Must include the following:
 - Site Plan (existing and proposed)
 - Floor Plan of the proposed dwelling unit.
 - Elevations of the proposed dwelling unit.
- ☐ Evidence of vacancy or owner occupancy (a minimum of 3 years) such as: property tax records, income tax records, utility bills, vehicle registration, or similar documentation.
- ☐ Homeowner's Association Approval Letter (if applicable - Owner/applicant to confirm if the parcel(s) have any recorded Codes, Covenants, & Restrictions (CC&Rs) or Homeowner Association (HOA) rules that violate any proposed development under SB9)
- ☐ SB 9 Restrictive Covenant (Recorded)
See Exhibit B
- ☐ Copy of preliminary title report.



Senate Bill (SB) 9

Two Unit Development Application

APPLICANT INFORMATION:

Name of the applicant(s):	
Address:	
Phone Number:	
Applicant E-mail:	
Owner(s) of Record: <i>(If different from applicant)</i>	
Address of Owner: <i>(If different from applicant)</i>	
Phone Number(s): <i>(If different from applicant)</i>	

PROPERTY INFORMATION:

Project Site/Address:	
Assessor Parcel Number:	
Existing Zoning:	

CERTIFICATION:

Certification: I certify and declare under penalty of perjury under the laws of the State of California that the facts, statements, and information presented above, and in the attached exhibits, are true and correct to the best of my knowledge and belief. I further understand that additional information may be required for submittal to the City of Santa Fe Springs to complete my review.

Owner's Signature:	Date:
Applicant's Signature:	Date:

Application No:

Date Received:

SB 9 TWO UNIT DEVELOPMENTS ELIGIBILITY CHECKLIST

To qualify for the ministerial Two Unit Development approval process under SB 9 (Gov. Code Sec. 65852.21), project applicants must meet the following requirements. All boxes must be checked in order to be eligible.

The project site must be classified as a single-family zoning district. The single-family zone district in the City of Santa Fe Springs includes **R-1, Single-Family Residential, Zone**.

The project **does not** result in more than two primary residential units on the subject parcel. Accessory Dwelling Units and Junior Accessory Dwelling units may be allowed in addition to the two primary residential units, in accordance with Zoning Ordinance Section 155.660 (see Exhibit A).

The proposed housing development is **not** a parcel on which an owner has exercised rights under the Ellis Act (California Government Code Chapter 12.75) within 15 years before the date that an application is submitted.

The project meets **all objective zoning and development standards** in effect at the time the application is submitted, unless the development standards would preclude two primary units that are 800 square feet in size, or if the development of a unit includes the conversion of, or the construction of, a unit within the same location of an existing structure. *(Exhibit A)*

At least **one-off street parking** space provided per unit, **except** no off-street parking is required when:

- The parcel is located within one-half mile walking distance of either a high-quality transit corridor as defined by Public Resources Code section 21155(b) or a major transit stop as defined in Public Resources Code section 21064.3; or
- There is a car share vehicle located within one block of the subject parcel.

The proposed development must be located **outside** of areas defined in subparagraphs Section 155.660 (B), inclusive, of paragraph (6) of subdivision (a) of California Government Code §65913.4, which includes *(Please check with the Planning Department)*:

- A historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city landmark or historic property or district pursuant to a city ordinance.
- A very high fire hazard severity zone as further defined in Government Code section 65913.4(a)(6)(D). This does not apply to sites excluded from the specified hazard

zones by a local agency, pursuant to subdivision (b) of Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.

- A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless the State Department of Public Health, State Water Resources Control Board, or Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.
- A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law and by the city's building department.
- A special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency (FEMA) in any official maps published by FEMA. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site. A development may be located on a site described in this subparagraph if either of the following are met:
 - i. The site has been subject to a Letter of Map Revision prepared by FEMA and issued to the city; or
 - ii. The site meets FEMA requirements necessary to meet minimum flood plain management criteria of the Nation Flood Insurance Program as further spelled out in Government Code section 65913.4(a)(6)(G)(ii);
- A regulatory floodway as determined by FEMA in any of its official maps, published by FEMA unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site.
- Lands identified for conservation in an adopted natural community conservation plan, habitat conservation plan, or other adopted natural resource protection plan as further spelled out in Government Code section 65913.4(a)(6)(I).

- Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with <u>Section 2050</u>) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with <u>Section 1900</u>) of Division 2 of the Fish and Game Code). - Lands under a conservation easement.	
The proposed housing development would not require the demolition, or alteration, of any of the following: - Housing that is subject to a recorded covenant, ordinance or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income; - Housing that is subject to any form of rent or price control by the city; - A parcel or parcels on which an owner of residential real property exercised rights under Government Code section 7060 et seq. to withdraw accommodations from rent or lease within 15 years before the date of the application; or - Housing that has been occupied by a tenant in the last three years	

PLAN SUBMITTAL CHECKLIST

		Provided		
		Yes	No	N/A
	<i>All pages shall include the following information: architect/designer and owner's information, page number, and site address. All drawings shall be drawn to scale or fully dimensioned.</i>			
Site Plan	Owner and architect/designer's information			
	Site area and all property and setback lines			
	Building footprint (existing and proposed)			
	Accessory structure(s) (garage, sheds, etc.)			
	Landscaping (existing, proposed, and being remove)			
	Vicinity map			
	North arrow and scale bar			
	Existing easements			
	Contour lines on area greater than 10% grade (10' intervals)			
	Project information table: • Lot area and building area – existing and proposed • Lot coverage – existing and proposed • Maximum height – required and provided • Parking – required and provided			
	Driveway & impervious surface (existing, proposed, and being remove)			
	Outdoor on-site parking (9' by 20' per stall)			
	Fences and walls			
	Roof lines			
Floor Plan	Dimension and label each room			
	Addition/area of work (existing and proposed)			
	Windows and doors			
	Scale – standard and bar			
Elevations	All sides of dwelling unit (front, rear, and both sides)			
	Colors and Materials – roof, walls, trim, windows (show existing and proposed)			
	Height dimensions			
	Scale – standard and bar			

EXHIBIT A

§ 155.660 Two-unit Housing Development.

Title 15 (Land Use), Chapter 155 (Zoning) of the Santa Fe Springs Municipal Code is hereby amended by adding Section 155.660 as follows:

Section 155.660 Two-unit Housing Development

A. For purposes of this section, the following definition shall apply:

1. “Housing development” shall mean no more than two residential units within a single-family zone that meets the requirements of this section. The two units may consist of two new units or one new unit and one existing unit.

B. The city shall ministerially approve a housing development if it meets the following requirements:

2. The parcel is located within a single-family residential zone.
3. The parcel is not located in any of the following areas and does not fall within any of the following categories:
 - A historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city landmark or historic property or district pursuant to a city ordinance.
 - A very high fire hazard severity zone as further defined in Government Code section 65913.4(a)(6)(D). This does not apply to sites excluded from the specified hazard zones by a local agency, pursuant to subdivision (b) of Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.
 - A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless the State Department of Public Health, State Water Resources Control Board, or Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.
 - A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law and by the city’s building department.

- A special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency (FEMA) in any official maps published by FEMA. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site. A development may be located on a site described in this subparagraph if either of the following are met:
 - i. The site has been subject to a Letter of Map Revision prepared by FEMA and issued to the city; or
 - ii. The site meets FEMA requirements necessary to meet minimum flood plain management criteria of the Nation Flood Insurance Program as further spelled out in Government Code section 65913.4(a)(6)(G)(ii);
 - A regulatory floodway as determined by FEMA in any of its official maps, published by FEMA unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site.
 - Lands identified for conservation in an adopted natural community conservation plan, habitat conservation plan, or other adopted natural resource protection plan as further spelled out in Government Code section 65913.4(a)(6)(I).
 - Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).
 - Lands under a conservation easement.
4. The proposed housing development would not require demolition or alteration of any of the following types of housing:
- Housing that is subject to a recorded covenant, ordinance or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income;

- Housing that is subject to any form of rent or price control by the city;
 - A parcel or parcels on which an owner of residential real property exercised rights under Government Code section 7060 et seq. to withdraw accommodations from rent or lease within 15 years before the date of the application; or
 - Housing that has been occupied by a tenant in the last three years.
5. Demolition of an existing unit shall not exceed more than 25 percent of the existing exterior structural walls unless the site has not been occupied by a tenant in the last three years.

C. Standards and Requirements. The following requirements shall apply in addition to all other objective standards pertaining to the single-family residential zone:

1. No setback shall be required for an existing structure or a structure constructed in the same location and to the same dimensions as an existing structure.
2. Except for those circumstances described in section C.1 above, the setback for side and rear lot lines shall be a minimum of four feet. The front setback shall be as set forth in the single-family residential zone.
3. The applicant shall provide easements for the provision of public services and facilities as required.
4. All lots shall have a minimum street frontage of ten feet to provide for vehicular access and shall comply with the driveway requirement of Chapter 155 of this Code.
5. A minimum of one off-street parking space per unit and follow the standards in Chapter 155, unless they conflict, in which case state law shall prevail. Notwithstanding the above, no parking requirements shall be imposed in either of the following circumstances:
 - The parcel is located within one-half mile walking distance of either a high-quality transit corridor as defined by Public Resources Code section 21155(b) or a major transit stop as defined in Public Resources Code section 21064.3; or
 - There is a car share vehicle located within one block of the parcel.
6. For residential units connected to an onsite wastewater treatment system (septic tank), the applicant shall provide a percolation test completed within the last 5 years, or if the percolation test has been recertified, within the last 10 years, which shows that the system meets acceptable infiltration rates.

7. The maximum height of the structures shall be the same as set forth in the single-family zone.
 8. Maximum lot coverage shall be the same as set forth in the single-family residential zone, so long as it does not prevent the construction of two 800 square foot units.
 9. The maximum number of units on a lot pursuant to this section is two plus any ADU and/or JADU that must be allowed under State law. Notwithstanding, if this section is used in conjunction with section 154.20, Urban Lot Split, the total number of units on the parcel shall be limited to two, including any ADU or JADU.
 10. Driveway locations are subject to Public Works standards and requirements in place at the time of the application. All driveways shall comply with the driveway development standards set forth in section 155 of this Code.
 11. Developments must have an approved route for firefighter access and hose pull to all existing or potential structures within 150 feet of the fire apparatus. All developments shall comply with all fire protection requirements set forth in the California Fire Code and Chapter 93 of this Code.
 12. Each unit must have dedicated wet (water, sewer, storm drain) and dry (gas and electric) utilities which shall meet the following standards:
 - a. Location and size shall be determined in accordance with city standards.
 - b. Water shall include domestic, irrigation, and fire water systems.
 - c. Property shall be responsible to install new or upsized connections to city facilities in accordance with city standards.
 - d. Unused connections shall be abandoned per city standard.
 13. Water heaters (including tank less) and laundry facilities (washer and dryer), when installed on the exterior of structure must not be installed on any street facing elevation.
 14. HVAC units must not be installed on any street facing elevation.
 15. All developments shall comply with the single-family residential zone landscape provisions of this Code.
 16. All developments shall comply with the single-family residential zone open space provisions of this Code, to the extent that it does not prevent two primary dwelling units on the subject property of 800 sq. ft. each.
- D. The city shall not require or deny an application based on any of the following:

1. The city shall not impose any objective zoning, subdivision, or design review standards that would have the effect of physically precluding the construction of two units on either of the resulting parcels or that would result in a unit size of less than 800 square feet.
 2. The city shall not deny an application solely because it proposes adjacent or connected structure provided that that all building code safety standards are met and they are sufficient to allow a separate conveyance.
- E. An applicant for a two—unit housing development shall be required to sign an affidavit in a form approved by the City Attorney to be recorded against the property stating the following:
1. That the uses shall be limited to residential uses.
 2. That the rental of any unit created pursuant to this section shall be for a minimum of thirty-one days.
- F. The city may deny the housing development if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in Government Code section 65589.5(d)(2), upon the 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.
- G. The provisions of this section supersede any contrary provisions in the chapter 155 of this code to the contrary.