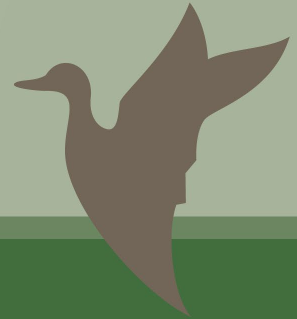




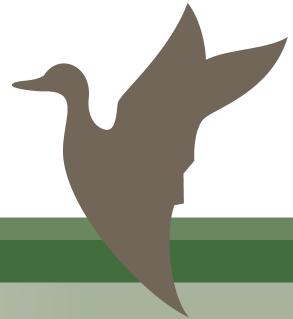
# Senate Bill 9 and Accessory Dwelling Unit Ordinance Adoption & Establishing Urban Lot Split Fee



Ben Moody, Public Works and Development Services Director  
March 15, 2022

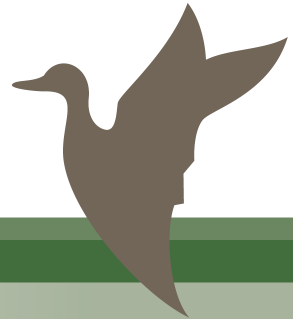
# Purpose

To update the Yuba City Municipal Code to establish regulations for Urban Lot Splits and two-unit developments in accordance with Senate Bill 9, and Accessory Dwelling Units, and establish a fee for Urban Lot Splits.



# Background

- Senate Bill 9 (SB 9) became effective January 1, 2022 and requires the approval of up to two primary dwelling units per parcel in single-family residential zones (R-1)
- State law also requires cities to allow the development of accessory dwelling units (ADU) and junior ADUs that do not conflict with state law, and City's regulations need to be updated.
- Ordinance was introduced at the regular held City Council meeting on March 1, 2022

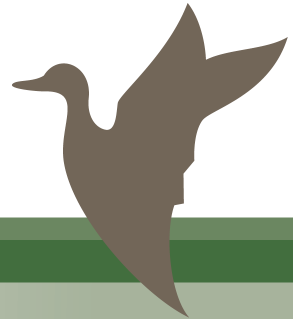




# **SB 9 Proposed Ordinance**

Senate Bill 9 has two primary effects

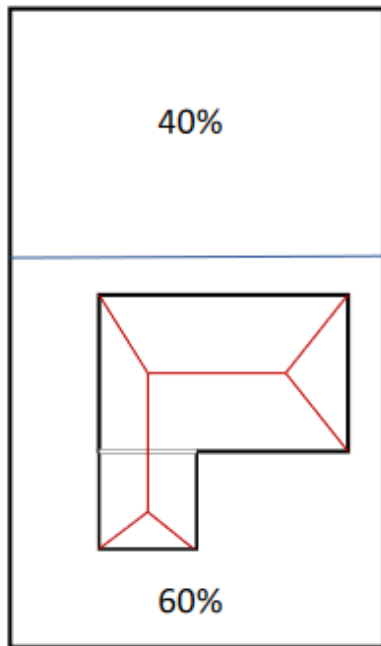
- Requires cities to permit up to two primary residences on each parcel in R-1 zone, where previously one primary residence was allowed
- Requires cities to permit owners of R-1 lots to split their lots and create two separate smaller parcels
- When combined with ADUs and JADUs, a parcel in the R-1 zone could have up to four dwelling units





**SB 9 will allow:**

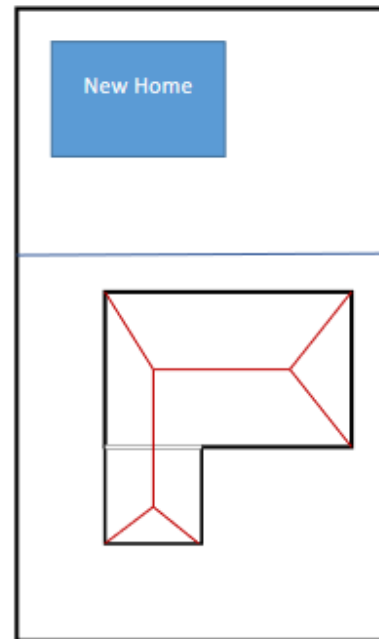
- A Lot Split  
- 40% min. of the original lot w/no setback required to the original home



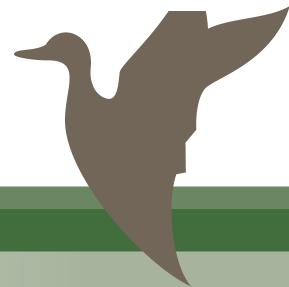
Public Street

**SB 9 will allow:**

- A Lot Split
- A New Home  
- 4 ft side and rear yard setback



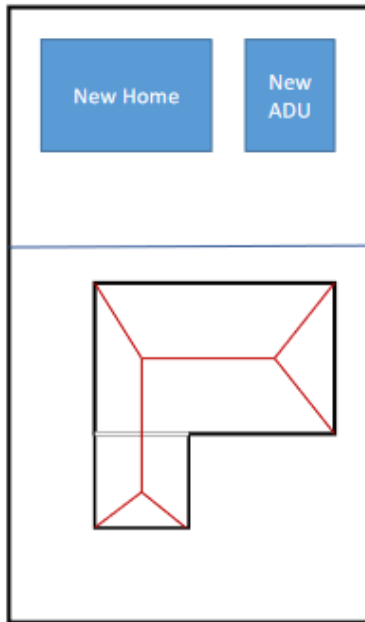
Public Street





**SB 9 will allow:**

- A Lot Split
- A New Home - 4 ft side and rear yard setback
- A new ADU

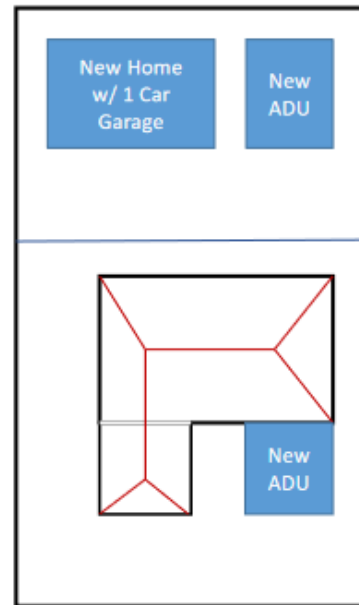


Public Street

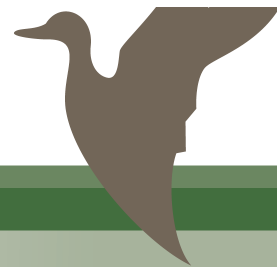
**SB 9 will allow:**

- A Lot Split
- A New Home - 4 ft side and rear yard setback
- A new ADU
- A new ADU or Jr. ADU to the original home

***A Total Of 4 Units***

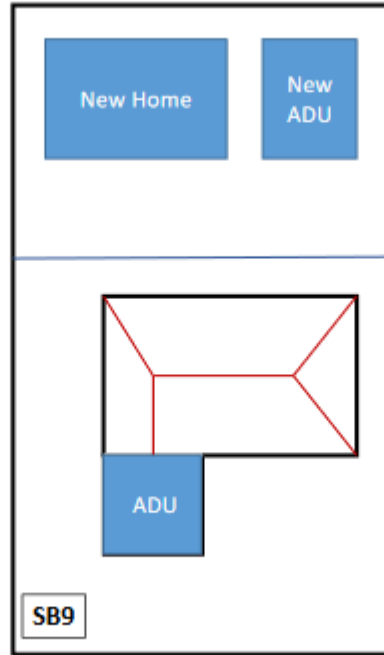


Public Street

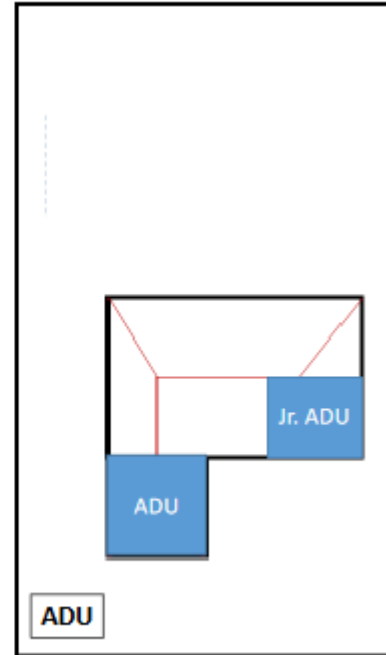


SB 9 will allow:  
***A Total Of 4 Units***

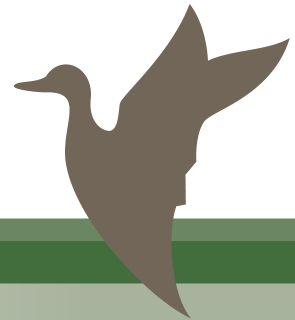
Current ADU Law allows:  
***A Total Of 3 Units***



Public Street



Public Street



# Fire Requirements

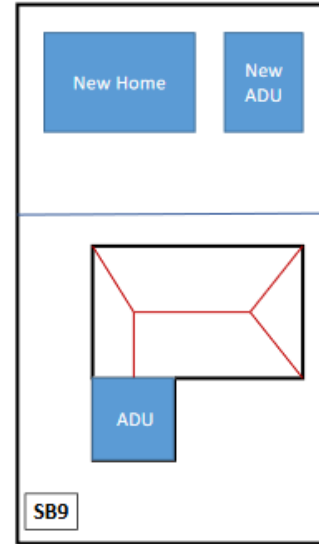
Per the Ordinance, Sec. 8-5.5004.  
*Accessory dwelling units.*

(D) Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary dwelling unit.

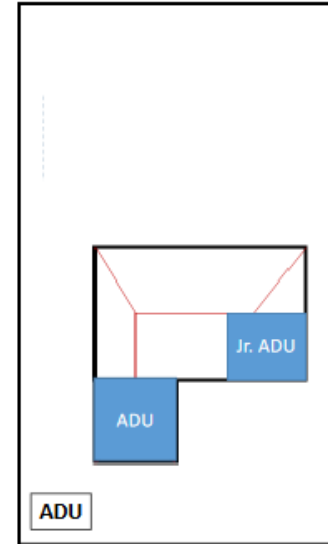
(F) Accessory dwelling units and junior accessory dwelling units must comply with the building code, fire code, health and safety codes, and noise insulation standards applicable at the time the building permit for the accessory dwelling unit or junior accessory dwelling unit is issued.

SB 9 will allow:  
**A Total Of 4 Units**

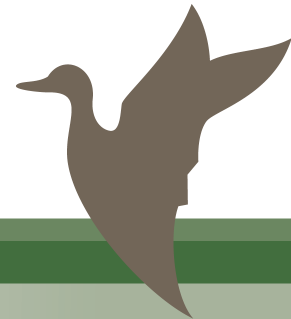
Current ADU Law allows:  
**A Total Of 3 Units**



Public Street



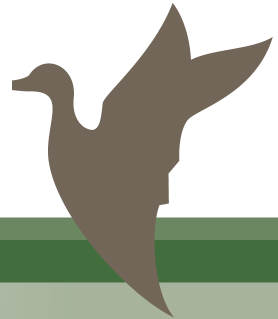
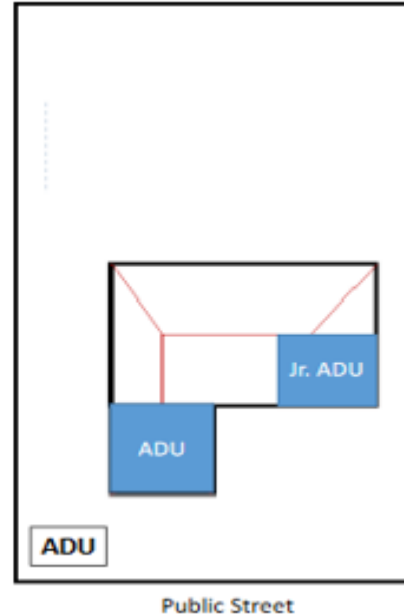
Public Street





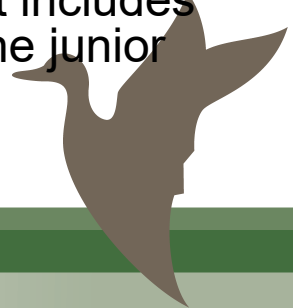
# Accessory Dwelling Unit/Junior Accessory Dwelling Unit Regulations

- ADUs and JADUs are allowed in all zones that allow multifamily and/or single-family residences.
- JADUs may only be up to 500 square feet and must be located within a single-family residence.
- Size limit for ADUs:
  - (i) 1,200 square feet for detached ADUs;
  - (ii) 1,200 square feet or 50% of the primary dwelling structure, whichever is less, for attached ADUs; and
  - (iii) no size limit for ADUs located completely with an existing permitted structure.
- ADUs must include complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation, including a kitchen and bathroom.



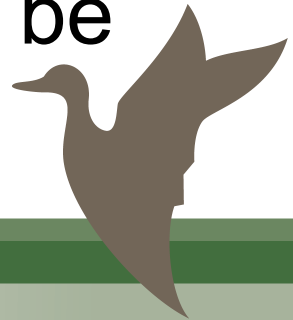
# Accessory Dwelling Unit/Junior Accessory Dwelling Unit Regulations

- JADUs must include living facilities for one or more persons, including permanent provisions for living, sleeping, eating, and cooking, including an efficiency kitchen (as defined). JADUs may include separate sanitation facilities or may share sanitation facilities with the primary residence.
- JADUs and ADUs must have their own separate entrances.
- In general, one parking space is required for each ADU; however, there are many significant exceptions to this requirement. The City cannot require parking spaces for JADUs.
- ADUs and JADUs cannot be used for short-term rentals (less than 31 days).
- The property owner must reside in any single-family residence that includes a junior accessory dwelling unit. The owner may reside in either the junior accessory dwelling unit or the remaining portion of the structure.



# Urban Lot Split Fee

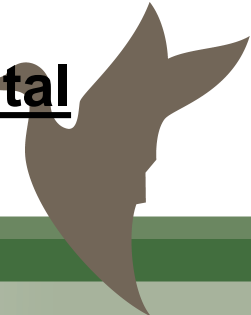

- Staff is proposing the Urban Lot Split fee to be equivalent to the existing Lot Line Adjustment fee due to the process and level of review being similar.
- The current fee is \$877.82, which will be adjusted annually for inflation.





# Environmental Determination

City staff has performed a preliminary environmental assessment and has determined that the adoption of SB 9 regulations is not a “project” for purposes of the California Environmental Quality Act (CEQA) pursuant to Government Code Sections 65852.21(j) and 66411.7(n). Additionally, the adoption of an Ordinance regarding second units (ADUs) in a single-family or multifamily residential zone to implement the provisions of Government Code Sections 65852.2 and 65852.22 is exempt from CEQA review pursuant to Public Resources Code Section 21080.17. **Therefore, the proposed Ordinance does not require any environmental review under CEQA.**

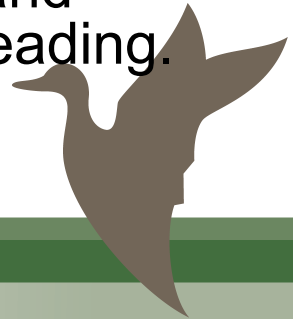


# Recommendation

A. Conduct a Public Hearing for the consideration of establishing an Urban Lot Split fee; and

B. Adopt a Resolution establishing an Urban Lot Split Fee; then

C. Adopt an Ordinance to update the Yuba City Municipal Code to establish regulations for Urban Lot Splits and two-unit developments in accordance with Senate Bill 9, and adopt amendments to regulations of Accessory Dwelling Units and Junior Accessory Dwelling Units, and waive the second reading.



# Questions?

