CITY OF RIVERSIDE

Senate Bill (SB) 9 FAQs

What is Senate Bill 9?

Senate Bill (SB) 9 provides new opportunities to create lots and add homes within existing neighborhoods. Cities must allow up to two lots (and up to four homes total) within single-family residential zones without any discretionary review (such as a Conditional Use Permit) or public hearing.

This means that if the development meets specific, defined criteria, the City of Riverside must approve through a *ministerial review process*:

- Two attached or detached homes on a parcel within a single-family residential zone; and/or
- Subdividing one lot into two lots within a single-family residential zone and permitting up to two homes on each of these two lots (four total homes on what was a lot with only one home).

The ministerial review process does not require a public hearing and only involves the application of objective standards on a "pass/fail" basis. There is no discretion allowed in the review of these projects, meaning that if the project "passes" the City may not deny it, except in very limited circumstances where there is a direct and provable threat to public health and safety.

When did the Law go into effect?

This law is effective as of January 1, 2022. The City is required to follow the requirements of the State law, regardless of what local rules state.

What is the purpose of SB 9?

The State passed this law to address our housing and homelessness crisis, provide more housing opportunities and increase housing supply by requiring jurisdictions to ministerially approve additional homes on lots within lower-density residential areas.

Does the State Law Require the City to Comply with SB 9?

The law is state-mandated and applies to all jurisdictions in California, including the City of Riverside. It overrides local regulations related to land use and density in the Riverside Municipal Code in certain residential zones.

With this law, the City can no longer prohibit the construction of two homes of at least 800 square feet on any lot zoned for single-family homes, provided the proposal meets other limited location criteria, as described further below.

What was previously allowed in my single-family residential neighborhood?

Prior to the effective date of SB 9, the single-family residential zones allowed a maximum of three homes on any one lot: one primary residence; a second residence, called an accessory dwelling unit (ADU); and a third residence, called a junior accessory dwelling unit (JADU), provided that one of the three residences was owner occupied.

Where will SB 9 apply in the City of Riverside?

SB 9 only applies to zones that were previously limited to single-family residences only. In the City of Riverside, the types of residential zones that are affected include: the Rural Residential Zone (RR); Residential Estate Zone (RE); and all Single-Family Zones (R-1-½ Acre, R-1-13000, R-1-10500, R-1-8500 and R-1-7000). In certain circumstances, the law also applies to the Residential Conservation Zone (RC). The Residential Agricultural Zone (RA-5) is exempt.

How many homes are permitted on a lot now that the law has taken effect?

Under SB 9, all lots in the single-family residential zones may be developed with two homes if there is no requested lot split.

If a lot split is also approved, the maximum number of homes is four (no more than two per each new lot) resulting from the original parcel.

Per the City's existing ADU Ordinance, ADUs and JADUs will continue to be allowed in connection with an SB 9 request, provided that the number of homes created on any existing (if not split) does not exceed three or previous lot (if split) does not exceed four.

What location criteria must be met?

In addition to only being applicable in the single-family residential zones, the location criteria that must be met to be eligible for an SB 9 development includes:

- The site cannot be located on farmland, wetlands, high fire zones, hazardous waste sites, earthquake faults, flood areas, or conservation land and sensitive species habitat.

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- The site cannot be located in a historic district, neighborhood conservation area or on a property designated as an historic resource.

What site standards must be met?

The site standards that must be met to be eligible for an SB 9 development include:

- The project cannot include demolition or alteration of existing housing (an affidavit will be required by the owner) that:
  - Is rent-restricted for moderate-, low-, or very low-income households, or are subject to rent control.
  - Includes demolition of existing housing that has been occupied by a tenant in the last three years.
- The site cannot include existing housing where any Ellis Act eviction(s) occurred in the fifteen years prior to application submittal.
- For lot splits:
  - Each new lot must be at least 1,200 square feet.
  - The split results in new lots of approximately equal size (60/40 minimum proportionality).
  - The original lot was not established with a prior SB 9 lot split.
  - The applicant must sign an affidavit stating they intend to occupy one of the homes as their primary residence for a minimum of three years.
  - The City may require easements for public services and utilities and a requirement for access to the public right-of-way, but not right-of-way dedication or offsite improvements.
- For two-home developments:
  - A maximum of four feet is required for setbacks of new structures from the interior side or rear property lines.
  - No setbacks are required for existing structures or structures rebuilt in the same location and to the same dimensions as a previously existing structure.
  - Other Zoning standards such as height limits and lot coverage requirements will apply as long as they do not prevent the development of two homes of at least 800 square feet each.

Are there other restrictions that apply?

- Short Term Rentals - Any rental created under SB 9 cannot be used as a short-term rental, or any use other than residential, and must be rented for a term longer than 30 days.
- Parking - One on-site parking space is required per home, unless the parcel is located within ½-mile walking distance of high quality transit or located within one block of a car share vehicle.

How do I get more information on SB 9 Implementation in Riverside?

You can contact our One Stop Shop at (951) 826-5371 or email us at CDDINFO@riversideca.gov.

How do I apply?

Two-home developments require a Building Permit issued by the Building & Safety Division. Applications for lot splits are processed by the Public Works Department Land Development Division. For information on required materials and applicable fees for Plan Check submission, contact the One Stop Shop. All SB 9 applications require a pre-clearance form from the Planning Division. The pre-clearance form must be reviewed and signed by the Planner on Duty at the Planning Division counter in the One Stop Shop prior to submitting to Building & Safety and/or Public Works. This form is available at the Planning Division Counter or by visiting www.riversideca.gov/cedd/planning/forms.