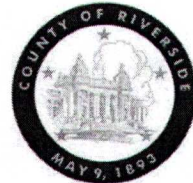


SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM: 3.19  
(ID # 17459)

MEETING DATE:

Tuesday, November 02, 2021

FROM : TLMA-PLANNING:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/PLANNING:  
Workshop on Senate Bill (SB) 9 (Atkins 2021) and Senate Bill 10 (Wiener 2021). All Districts.  
[\$3,000 Total Cost – General Fund / NCC 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. **Receive and file** the information provided in this report and any presentation on Senate Bills 9 and 10; and
2. **Direct** the Planning Director, or designee, and County Counsel to take the necessary steps to comply with these bills, which may include commencement of amendments to Riverside County Ordinance Nos. 348 and 460.

ACTION: Information, Policy

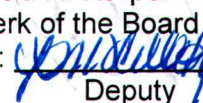
  
John Hildebrand, Planning Director 10/24/2021

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MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Washington, seconded by Supervisor Hewitt and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Spiegel, Washington, Perez and Hewitt  
Nays: Jeffries  
Absent: None  
Date: November 2, 2021  
xc: Planning, Co.Co.

Kecia R. Harper  
Clerk of the Board  
By:   
Deputy

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<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 3,000	N/A	\$ 3,000	N/A
<b>NET COUNTY COST</b>	\$ 3,000	N/A	\$ 3,000	N/A
<b>SOURCE OF FUNDS: NCC / General Fund 100%</b>			<b>Budget Adjustment:</b>	<b>No</b>
			<b>For Fiscal Year:</b>	<b>21/22</b>

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

Senate Bill (SB) 9 and Senate Bill (SB) 10 were signed into law by Governor Newsom on September 16, 2021. Both bills became law and will go into effect on **January 1, 2022**. The goal of these two bills is to increase housing supply by removing barriers for development of more than one unit per lot and creation of additional urban lots.

**SB 9 (Atkins 2021)**

SB 9 allows for the ministerial approval of two dwelling units and ministerial approval of urban subdivisions (maximum 2 lots), on single-family zoned lots that does not require public hearings or discretion. However, the said lot must meet specific criteria:

- ❖ Located in a Single *Family Residential zone*; Riverside County “R-1 Zone (One-Family Dwelling”.
- ❖ Located in an urbanized area (urban clusters/urbanized areas).
- ❖ Not affected by environmental hazards (i.e. high fire areas, waste sites, faults, flood areas, etc.) or does not disrupt important resources (i.e. farmland, wetlands, conservation land and habitats, historic resources, etc.).

The bill also sets forth the following rules:

- ❖ Property owner must live in one (1) of the units for at least three (3) years, except for housing organizations, if the lot is subdivided.
- ❖ New lots have residential use, lot area, infrastructure, and access requirements; and cannot be further split or same owner cannot split adjacent lots.
- ❖ Dwelling units and lot splits are only subject to objective development, subdivision, or design standards, which also must be waived if preclude at least a two-lot split or two units of at least 800 square feet.
  - Setback (max. 4 feet) and parking (1 space/unit) requirements are established by state law, but may also be waived if qualified.



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- Units may be new or existing, detached or attached, and must be on a legal lot.
- Cannot deny lot split, or condition them, on the basis of nonconforming zoning conditions.
- ❖ Cannot demolish rental, affordable, and rent-controlled housing or units where the Ellis Act was used to evict a tenant within the last 15 years.
- ❖ Limited ability to deny the placement of additional units.
  - Percolation test may be required and may preclude approval of unit/split (health/safety).
- ❖ Additional units cannot be rented for 30 days or less (short-term rentals).
- ❖ Placement of ADUs and/or Junior ADUs is limited or may not allowed.
- ❖ Not a project pursuant to CEQA (units, splits and local ordinances adopted to comply with bill).

**SB 10 (Wiener 2021)**

SB 10 creates a permissive process allowing the County to upzone, or increase density for, parcels that are located close to transit or in an urban infill area. The upzoning can be applied through January 1, 2029. However, the bill does not mandate this upzoning, rather the County can decide whether applying the SB 10 allowances is appropriate for unincorporated areas or not.

If the upzoning is pursued under SB 10, general requirements include:

- ❖ Each parcel will be allowed up to 10 dwelling units per parcel, regardless of size.
- ❖ Locational criteria in a transit accessible or urban infill area.
- ❖ Supersedes any existing zoning restrictions which would otherwise disallow such upzoning, except land which is zoned for open space, park, or recreational use.
- ❖ Not a project pursuant to CEQA.
- ❖ Must Affirmatively Further Fair Housing.
- ❖ Requires supermajority adoption if superseding zoning otherwise established by a local initiative.

  
Jason Farin, Principal Management Analyst 10/26/2021