



CALIFORNIA SB 9



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California State Senate Bill SB 9 was approved by legislature on August 31st, 2021 and signed into law on September 16th, 2021. It is intended to help alleviate the affordable housing crisis here in California, but has some very specific details and restrictions.

SB 9, also known as the **California Housing Opportunity and More Efficiency (HOME) Act**, provides for real property owners to build a duplex on land that is currently zoned for a single family residence. It bypasses the California Environmental Quality Act (CEQA) to create a more streamlined process to develop multi-family residential properties. It also allows owners to split a parcel into two separate parcels with a duplex on each, for a total of four units. The bill requires cities to approve any participating development ministerially as long as it doesn't conflict with zoning standards. Restrictions are as follows:

- A unit that a tenant has occupied in the last three years is ineligible for demolition. Local governments may not impose any other occupancy requirements.
- Proposed housing development does not allow for the demolition of more than 25% of the existing exterior structural walls.
- Proposed housing development cannot require demolition or alteration of 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.
- Areas that are exempt from SB 9 include earthquake fault zones, historic or landmark districts, and anything in a very high fire hazard zone.
- If an owner splits their lot to create 4 total units, they must occupy one of the units for at least 3 years.
- If splitting a lot, the newly formed lots must be at least 1,200 square feet and no parcel may be smaller than 40% of the original lot size.
- Local jurisdictions may deny projects deemed to have a "specific, adverse impact upon health and safety or the physical environment" and the impact could not otherwise be mitigated.

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