

San Anselmo Municipal Code Sections 10-2.711 and 10-4.101 et. seq. Urban Lot Splits and Housing Developments Pursuant to Government Code 66411.7 (2021 SB 9)

HOUSING DEVELOPMENT ALLOWED IN SINGLE FAMILY ZONING DISTRICTS

**BUILD UP TO 4 HOMES
ON A PARCEL IN A SINGLE-FAMILY ZONE**

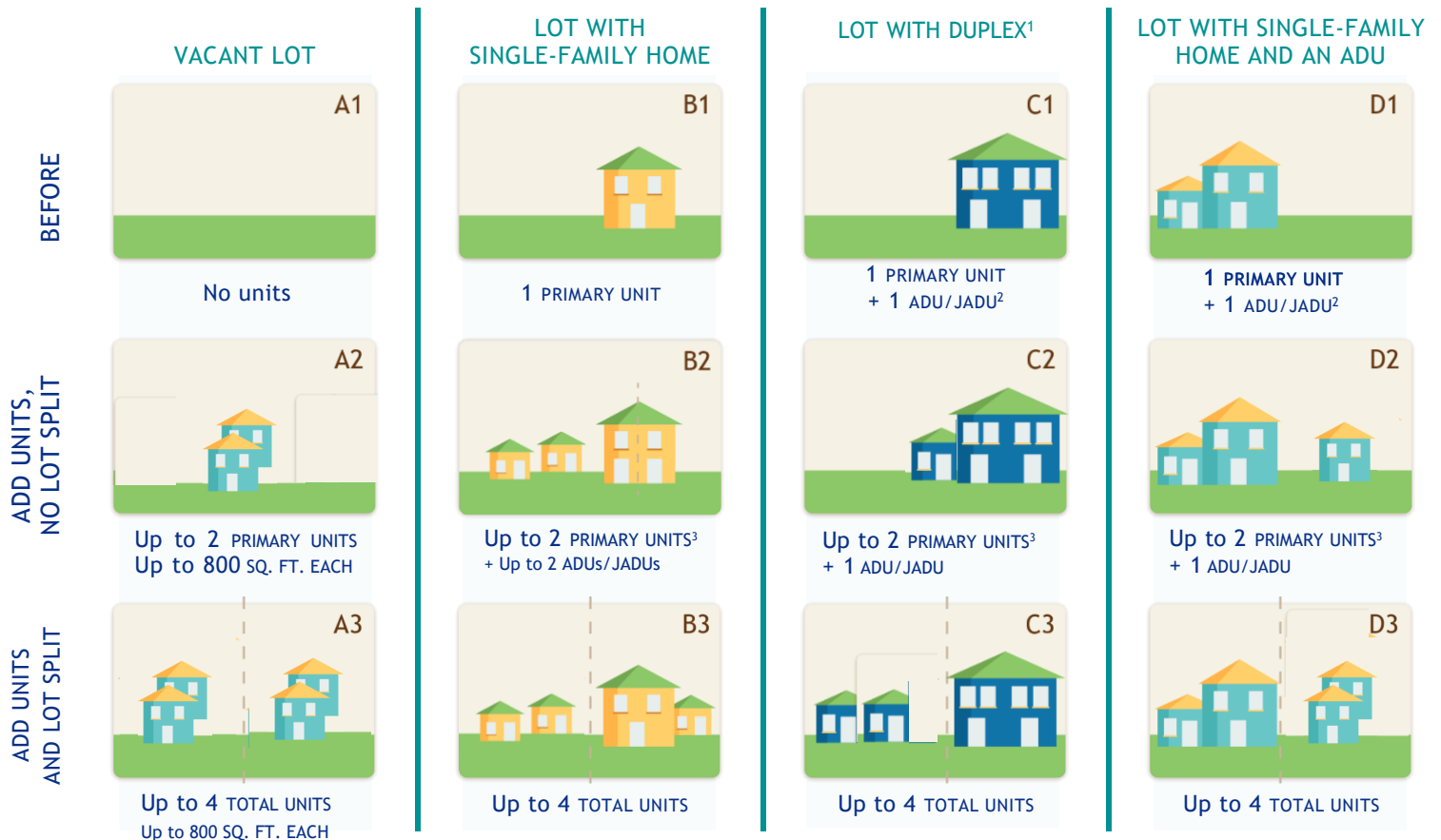


**SUBDIVIDE A LOT INTO TWO
THAT CAN BE SMALLER THAN REQ. MIN. SIZE**

Used together, this allows **4 HOMES** where 1 primary home was allowed before.

WHAT CAN I DO ON MY LOT?

Add new homes to existing parcel • Divide existing house into multiple units • Divide parcel and add homes



If you're NOT splitting a lot:

- The Town allows ADU/JADU.

If you ARE splitting a lot:

- San Anselmo limits the 2 lots to 4 units total, including any ADUs/JADUs.



SINGLE-UNIT DEVELOPMENTS

SB 9 can be used to develop single units - but projects must comply with all requirements (such as 800 sq. ft. size limit).

¹ Legally constructed but not currently permitted.

² Junior Accessory Dwelling Units (JADUs) are small (max. 500 sq. ft.) rentable units within a single-family structure. See San Anselmo Municipal Code section 10-6.301 et seq.

³ Added primary unit can be new construction or a split of the existing house.

DOES MY LOT QUALIFY?

2-UNIT DEVELOPMENTS & LOT SPLITS

- Located in **SINGLE-FAMILY RESIDENTIAL ZONE R-1, R-1-H, R-1-C or SPD/R-1**

Lots in these areas may not be eligible or may need to meet additional qualifications:⁴

- Identified for **CONSERVATION** or **UNDER CONSERVATION EASEMENT HABITAT** for protected species (lots on San Anselmo and Sleepy Hollow creeks)
- A **HAZARDOUS WASTE SITE**
- Within a **100-YEAR FLOODPLAIN OR FLOODWAY**

The project cannot alter or demolish:

- Deed-restricted **AFFORDABLE HOUSING**
- **RENT-CONTROLLED HOUSING**
- Housing on parcels with an **ELLIS ACT EVICTION** in the last 15 yrs.
- Housing **OCCUPIED BY A TENANT** currently or in the last 3 yrs.
- Project **DOES NOT REMOVE MORE THAN 25% OF EXTERIOR WALLS** on a site that has a tenant or has had a tenant in the last 3 yrs. *(even if the rental unit itself isn't altered)*



ADDTL. QUALIFICATIONS LOT SPLITS

- **LOT IS SPLIT ROUGHLY IN HALF** - smaller lot is at least 40% of the original lot⁵
- Each new lot is **AT LEAST 1,200 sq. ft.** *(This means the original lot must be at least 2,400 sq. ft. for a 50/50 split; 3,000 sq. ft. if a 60/40 split.)*
- Lot is **NOT ADJACENT TO ANOTHER LOT SUBDIVIDED** by you (or done in concert with you) under **SAMC 10-2.711 / SB 9**
- Lot was **NOT CREATED BY A PREVIOUS SAMC 10-2.711 / SB 9 SPLIT**

ADDITIONAL LIMITATIONS

2-UNIT DEVELOPMENTS & LOT SPLITS

- **PARKING:** One 9' x 19' off-street parking space per unit, on site, not tandem, not within a setback area or required fire lane
- **NO SHORT-TERM RENTAL:** Units created by SB 9 cannot be used for short-term rentals (less than 30 days)
- **HOAs:** Does not change rules or restrictions put in place by homeowners' associations.
- **STANDARDS FOR NEW CONSTRUCTION:** Max size 800 sq. ft. per unit, 16 feet tall,⁶ 4 foot side and rear setbacks, 35% lot coverage.
- **PUBLIC HEALTH AND SAFETY:** Your project can be denied if it creates a "specific, adverse impact on public health and safety."⁷
- Must comply with all objective design standards in **SAMC Section 10-4.205 and 10-4.207.**

ADDTL. LIMITATIONS LOT SPLITS

- The project is limited to **RESIDENTIAL USES ONLY**
- **OWNER-OCCUPANCY:** Applicant must sign an affidavit saying they intend to live in one of the units for 3 years after approval
- Town will not require **CORRECTION OF NONCONFORMING ZONING CONDITIONS**
- Must adjoin public right-of-way

WHAT DOES THE PROCESS LOOK LIKE?



STEP 1 Applicant submits application to Town building department.



STEP 2 Town determines whether application is complete within 30 days of submittal.



STEP 3 Once application is complete, staff reviews the application and determines whether to approve and conditions of approval.

Notice is provided 10 days prior to decision to owners within 300 feet and posted in 3 places.

⁴ As defined in Government Code § 65913.4(a)(6)(B)-(K).

⁵ Each new lot can be smaller than required min. lot size per local zoning.

⁶ In Special Flood Hazard Areas on the adopted Town Flood Insurance Rate Map units may be up to fourteen (14) feet in height, measured from the Base Flood Elevation plus one (1) foot of freeboard, or sixteen (16) feet in height, whichever is taller.

⁷ Must be determined in writing by a building official, based on inconsistency