



LAND USE SERVICES

SB 9 – FAQ

What is SB9 (2021)?

Senate Bill (SB) 9 (Chapter 162, Statutes of 2021) requires ministerial approval of a housing development with no more than two primary units in a single-family zone, the subdivision of a parcel in a single-family zone into two parcels, or both. SB 9 facilitates the creation of up to four housing units in the lot area typically used for one single-family home.

An application made under SB 9 must be considered ministerially, without discretionary review or a hearing. Ministerial review means a process for development approval involving no personal judgment by the public official as to the wisdom of carrying out the project.

Is my Proposal Eligible?

Project is eligible if it meets all the requirements outlined below:

1. Project must be in a single-family zone:
 - ☐ Rural Living (RL)
 - ☐ Single Residential (RS)
2. Must be located entirely within an Urban Area or Cluster:
 - ☐ Urban Area
 - ☐ Urban Cluster
3. Parcel is not located in any of the following:
 - ☐ Historic district or resource
 - ☐ Prime farmland or farmland of statewide importance
 - ☐ Wetlands
 - ☐ Very High or High Fire Hazard Severity Zones
 - Written sign off from applicable Fire Jurisdiction can be an exception
 - ☐ Hazardous waste sites
 - ☐ Alquist-Priolo fault zones
 - ☐ 100-year floodplains
 - ☐ Floodways
 - ☐ Conservation Plan areas
 - ☐ Habitat for protected or sensitive species

This handout is intended as an informational document only. Please refer to Sections 65852.21 and 66411.7 of the Government Code for more information.

4. The proposal does not include:
- ☐ Demolition or alteration of any of the following:
 - Deed-restricted affordable housing
 - Rent-controlled housing
 - Housing subject to an ELLIS act eviction within the last 15 years
 - Housing that has been occupied by a tenant in the last three years.
 - ☐ A proposal to subdivide a lot that has been previously subdivided using SB9
 - ☐ The allowance of any more than 4 total units

Objective zoning, subdivision, and design restrictions such as setbacks, building height, lot configurations, minimum unit size and more shall still apply to the extent they do not physically preclude two primary units, or units at least 800 square feet.

Useful Links/Resources

SB 9 Gov. Code	California Code, GOV 65852.21. and California Code, GOV 66411.7
Countywide Plan Maps	Maps, Tables & Figures – San Bernardino County
Urban Areas Map	California Urban Area Delineations DRU Data Portal

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