FACT SHEET

Frequently Asked Questions Related to HOME Act Implementation (SB 9)

Revised on August 24, 2026

Background

The Housing Opportunity and More Efficiency (HOME) Act was established by Senate Bill (SB) 9, which took effect on Jan. 1, 2022. The law was subsequently amended by SB 450 in 2024 and Assembly Bill (AB) 1061 in 2025. The state legislation requires a ministerial approval process for Two Unit Developments and Urban Lot Split Parcel Maps located on lots zoned for single-family residential uses. Eligible projects that meet specified requirements are not subject to discretionary review or a public hearing. The legislation adds Sections 65852.21 and 66411.7 to the California Government Code and amends provisions of the State Subdivision Map Act relating to the expiration of subdivision maps (Section 66452.6). Los Angeles City Planning released an Interdepartmental Implementation Memo on Jan. 10, 2022. Revised versions of the Memo were issued on March 16, 2023 and Aug. 24, 2026. This Fact Sheet provides additional information regarding key issues related to implementation of the HOME Act.

Frequently Asked Questions

Q1. What does ministerial approval mean?

A ministerial approval process is non-discretionary and administrative in nature and shall be based on objective standards only (see below). A ministerial SB 9 Two Unit Development or Urban Lot Split is not subject to a public hearing, review under the California Environmental Quality Act (CEQA), or the right to appeal.

Q2. What are objective standards?

Objective standards for zoning, subdivision, and design review require no personal judgment from public officials. Instead, these standards rely on external benchmarks that both applicants and officials can verify before a project is submitted. Examples include

quantifiable and fixed standards such as height or setbacks, or design standards such as specific dimensions or materials. Subjective standards require judgment and can be reasonably interpreted in multiple ways.

Q3. What changes did SB 450 and AB 1061 make to SB 9?

SB 450 (2024)

Application of Objective Standards
SB 450 (2024) added language that prohibits local jurisdictions from imposing objective standards on SB 9 projects that do not uniformly apply to all development in the underlying zone. This means the city must apply the same objective standards to these SB 9 developments as it does to any other comparable project in that zone. However, local governments may impose objective standards that are more permissive than applicable standards in the underlying zone.

Demolition of Existing Structures
SB 9 (2021) prohibited the demolition of more than 25% of an existing dwelling's exterior structural walls in Two Unit Developments. SB 450 (2024) completely removes this provision but maintains other prohibitions on demolitions and alterations of certain protected housing described in Government Code Section 65852.21 (a)(3).

Time to Act
SB 450 (2024) adds a requirement that Urban Lot Split and Two Unit Development applications must be approved or denied within 60 days from the date a completed application is received. If the local government does not approve or deny a completed application within 60 days, the application shall be deemed approved.

Denials
SB 9 (2021) allowed local jurisdictions to deny Urban Lot Split or Two Unit Development applications if a finding could be made that the project would have a specific, adverse impact upon public health and safety or the physical environment. SB 450 (2024) removes the ability to deny these projects due to specific, adverse impacts to the physical environment. However, local jurisdictions may still deny these projects if they can make a finding that the project would have a specific, adverse impact upon public health. Finally, if an Urban Lot Split or Two Unit Development application is denied, SB 450 (2024) requires the permitting agency to provide a full set of written comments (within the 60-day timeline) detailing the defective or deficient items as well as a description on how the items can be remedied.

AB 1061 (2025)

Historic Site Eligibility

AB 1061 (2025) amended SB 9 to allow Two Unit Developments and Urban Lot Splits on certain historic sites. Two Unit Developments are permitted on sites in historic districts[1] currently improved with non-contributing structures. However, sites with contributing structures to a historic district and parcels individually designated as historic resources by either the city or the state are still ineligible. Urban Lot Splits are allowed in historic districts as long as the project does not require demolition or alteration of a contributing structure or any existing exterior structural wall of a structure located within the district. Additionally, parcels individually designated as historic resources by the city or state are still ineligible.

Both Two Unit Developments and Urban Lot Splits are still subject to any applicable objective development or design standards that do not physically preclude a project, but these applications must be processed ministerially.

Q4. What setback requirements apply to SB 9 project?

Under SB 9, a local jurisdiction may not require a rear and side yard that is greater than four feet. The front yard setback required by the site's underlying zone shall still apply. Please note that the four-foot side and rear yard setbacks allowed by SB 9 may be applied to new and existing units. No setbacks are required for an existing structure, or a replacement structure constructed in the same location and to the same physical dimensions as a legally existing structure.

Q5. Do I need to provide parking for units constructed as part of an SB 9 project?

SB 9 requires one covered parking space per unit. However, no parking shall be required if located within a half mile walking distance of a High-Quality Transit Corridor (as defined in subdivision (b) of Public Resources Code Section 21155); Major Transit Stop (as defined in Public Resources Code Section 21064.3); or car share vehicle drop off or pick up location.

Q6. What types of objective standards qualify for a waiver under SB 9?

An applicant may request a waiver or modification from any objective zoning, subdivision, or design review standards that would have the effect of physically precluding an Urban Lot Split, the construction of up to two units, or either of the two units from containing 800 square feet in floor area. For SB 9 Two Unit Developments, waivers may be requested following the issuance of plan check corrections for the associated Los Angeles Department of Building and Safety (LADBS) building permit application. For SB 9 Urban Lot Splits, waivers or modifications may be requested as part of an Urban Lot Split application with City Planning.

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[1] This includes any "historic district" identified in the State Historic Resources Inventory (as defined in Public Resources Code Section 5020.1) or that was adopted pursuant to a city ordinance such as Historic Preservation Overlay Zones (HPOZs) in Los Angeles.

The following are examples of objective standards that may be waived or modified based on a determination that if, not granted, would physically preclude an SB 9 project, as described above:

a. Objective zoning standards may include, but are not limited to, height limitations, front yard setback, floor area driveway width, and/or passageway requirements regulated by the Los Angeles Municipal Code (LAMC), or more restrictive zoning standards that may be superseded by Specific Plans or Overlays regulations.
b. Objective subdivision standards may include, but are not limited to, street frontage, minimum lot width, and access strip requirements associated with a site's underlying zone.
c. Objective design standards may include, but are not limited to, plane break requirements regulated by the LAMC, or material and/or transparency requirements regulated by Specific Plans or Overlays.

Q7. I am applying for an SB 9 Two Unit Development. May my project exceed my site's floor area limitation without requiring a waiver?

Yes, under certain circumstances, an SB 9 Two Unit Development may exceed a subject site's underlying floor area limitation. SB 9 guarantees that you may construct two, 800 square-foot units if a local jurisdiction's objective zoning standards physically preclude you from doing so. With this in mind, an SB 9 Two Unit Development may be permitted to exceed a subject site's floor area limitation by the difference between 800 square feet and any leftover floor area available to construct a second unit at the site. SB 9 units with more than 800 square feet are not permitted to exceed floor area.

All other objective standards that would physically preclude a 800 square foot SB 9 project would still need to be referred to City Planning for review. Please note that for the purposes of assessing a project's guaranteed square footage under SB 9, an applicant should utilize the LAMC 12.03 definition for "Floor Area". As such, any exemption included in the LAMC 12.03 "Floor Area" definition may be used when calculating a project's guaranteed floor area under SB 9.

Q8. I am applying for an SB 9 Two Unit Development and one of the units is my existing single-family dwelling. May I still apply for a waiver even if my existing single-family dwelling is over 800 square feet?

Yes, waivers may be requested for permits for SB 9 Two Unit Developments that include an existing single-family dwelling that is greater than 800 square feet in size and a second unit that is a maximum 800 square feet in size.

Q9. Are there circumstances when the City may require a discretionary approval process related to an SB 9 project?

If applicable objective development standards do not physically preclude the development of an Urban Lot Split and/or up to two, 800 square-foot units, but the LAMC provides for a discretionary approval process for relief, applicants may request to deviate from the specific development standard through the specified LAMC process (e.g., Zone Variance, Zoning Administrator Determination or Adjustment, Specific Plan Exception or Adjustments, etc).

However, SB 9 projects that receive a waiver from an objective standard that requires discretionary review, such as hillside street access requirements, or tree permits are not subject to the discretionary approval process normally required by the standard but may be required to comply with objective standards as part of that process.

Q10. Is a second main dwelling unit that is proposed as part of a Two Unit Development considered an "Accessory Building" (and subject to LAMC 12.21 C.5)?

No, a main dwelling unit created pursuant to SB 9 is considered a main use and not an accessory building [such as an Accessory Dwelling Unit (ADU) or Junior ADU (JADU)].

Q11. Is an SB 9 project allowed in the Coastal Zone?

Yes, a property being located within a Coastal Zone would not preclude it from being eligible for SB 9; however, SB 9 does not supersede the application of the California Coastal Act (Public Resources Code Section 30000), or the current Coastal Development Permit (CDP) procedures required by the LAMC Section 12.20.2 and certified in 1978 by the California Coastal Commission, pursuant to Public Resources Code Section 30600(b). The CDP procedures require a discretionary filing and public hearing for a CDP for any demolition, conversion, new construction, and/or subdivision, and a public hearing.

Q12. SB 9 projects cannot result in the "demolition or alteration" of housing subject to affordability covenants, the City's Rent Stabilization Ordinance, or that have been occupied by tenants in the last 3 years. How are "demolitions and alterations" defined?

A demolition is the tearing down, razing or removal of a building or structure that requires a demolition permit. Physical alterations include any construction or renovation to an existing structure other than a repair or addition. Additions that also involve changes to the existing physical structure of the unit are considered an alteration.

Q13. Are properties improved with units subject to the City's Rent Stabilization Ordinance (RSO) eligible for SB 9?

It depends. The scenarios below describe the conditions under which RSO properties may or may not qualify under SB 9:

	Scenario	SB 9 Eligibility
1	RSO units are demolished or altered.	Project does not qualify for SB 9.
2	RSO units are not demolished or altered, but an Urban Lot Split results in the loss of existing RSO unit(s) by creating only one dwelling unit on a lot.	Project qualifies for SB 9, but the owner must file a Notice of Intent to Withdraw under the Ellis Act and comply with all applicable provisions.
3	RSO units are not demolished or altered, and the project maintains the existing units' RSO status, by retaining the RSO units on one lot and creating a new lot that had no previous units on it.	Project qualifies for SB 9.

The City's RSO covers properties with two or more units where at least one of the units was built prior to Oct. 1, 1978. This includes properties with a single-family residence built prior to this date and a second dwelling unit (e.g., main dwelling, ADU, or JADU). Please consult the Los Angeles Housing Department (LAHD)'s webpage and associated FAQ on this topic. Demolishing or withdrawing a unit covered by the RSO requires an Ellis Act withdrawal. RSO units are considered withdrawn from the housing market if they are demolished or if the two units are split into two one-unit parcels due to a subdivision. Properties with only one unit on a parcel are not subject to the RSO.

A property owner may not seek a permit for a SB 9 Two Unit Development during the 15-year period after RSO units have been withdrawn from the rental housing market (Ellis Act). Therefore, an Ellis Act withdrawal will disqualify a site from being eligible for a SB 9 Two Unit Development for a 15-year period from the date of withdrawal. Please reference the "Housing" tab in the Zoning Information and Map Access System (ZIMAS) to determine if a property is subject to the RSO or if an Ellis Act withdrawal of units has taken place.

A property owner who has completed an Ellis Act withdrawal at their site may pursue an SB 9 Urban Lot Split only if the units withdrawn from the RSO are not demolished or altered.

Q14. How will the provisions regarding tenant occupancy, the City's Rent Stabilization Ordinance (RSO), the Ellis Act or affordable housing covenants be enforced? What about the Housing Crisis Act / Resident Protections Ordinance?

All applicants proposing Two Unit Developments or Urban Lot Splits will be required to sign and submit a declaration to LADBS stating that the project will not result in the demolition or alteration of any of the previously stated types of housing.

Additionally, housing replacement requirements and review procedures from the Housing Crisis Act of 2019 (HCA) and Resident Protections Ordinance (RPO) apply to any SB 9 project that would result in the demolition of one or more residential units.

SB 9 projects that have, or will require demolition of a single-family dwelling may provide a signed No Net Loss Declaration (CP-4069) to certify compliance with the HCA/RPO. Please keep in mind that any incorrect information provided on the No Net Loss Declaration may result in a revocation or denial of applications to the City for the proposed development project.

SB 9 projects that do not qualify for a No Net Loss Declaration may require a Replacement Unit Determination from the Los Angeles Housing Department. Please email lahd-landuse@lacity.org if you have additional questions concerning their review processes.

Q15. Are there any other considerations for SB 9 projects proposed on tenant occupied, RSO sites?

If a proposed SB 9 project located on an RSO lot would result in a reduction in a tenant's access to parking, open space, living space, storage space, laundry facilities, or other amenities, the tenants may be entitled to a reduction of rent. The RSO requires a reduction in rent based on the replacement cost of the service provided and written notice to the tenant when a housing service provided at the inception of tenancy is removed. For additional information, please see the Rent Adjustment Commission Regulations Section 410 or call the LAHD general hotline at (866) 557-7368.

Q16. Are SB 9 projects permitted in Delineated Earthquake Fault Zones?

Yes. SB 9 projects are allowed in earthquake fault zones mapped by the state geologist, provided the developments meet seismic safety standards. These projects must comply with building codes adopted by the California Building Standards Commission and local building departments.

Q17. How will the City determine whether habitat for protected species exists on a parcel to determine compliance with Government Code Section 65913.4(a)(6)(J)?

Properties have been assessed based on the potential presence of biological resources to pre-screen parcels that have a high likelihood of containing habitat or need further

analysis to determine if habitat exists, as defined by geographical datasets from federal, State, and local agencies such as the County-identified Sensitive Ecological Areas (SEAs), and US Fish and Wildlife Service (USFWS)-identified Critical Habitat Areas or determined through a biologist's assessment.

If Section B.6 of the Eligibility Criteria Checklist states "No," submit the Owner's Declaration of No Habitat (CP-3608). If it states "Bio Review Needed," submit the Biologist's Statement of Habitat (CP-3610). If it states "Yes," then the parcel has been identified as a habitat area and is not eligible for SB 9.

Q18. My property is zoned for two or more units. Can I use SB 9?

No, SB 9 is only applicable to single-family zones. However, you may be able to build multiple ADUs if the site has an existing multifamily dwelling. For multi-family zoned properties, you may also be able to utilize the City's Small Lot Subdivision Ordinance (with some exceptions) or the Starter Home Revitalization Act.

Q19. What are some other important rules regarding Urban Lot Splits?

The definition of a Lot in LAMC Section 12.03 requires a minimum 20-foot-wide street frontage and access strip to connect to the street. Private streets and lot mergers can be approved as part of the Urban Lot Split process without public hearing. Different zones require different minimum lot sizes and lot widths when creating new lots. When proposing a "flag lot," there is a 20-foot-wide access-strip required in order to provide legal street access.

Keep in mind that SB 9 allows all objective standards applicable to subdivisions to be enforced except when a standard would have the effect of physically precluding the Urban Lot Split or construction of up to two units, or physically precluding either of the two units from being at least 800 square feet in floor area. In these cases, a standard will be enforced to the extent it does not physically preclude the minimum development specified by SB 9. For example, if an Urban Lot Split proposal necessitates a "flag lot" configuration and the distance between an existing structure and side lot line is less than the otherwise required lot access strip, passageway, or driveway access requirements, this flag dimension may be used to satisfy the lot access strip, passageway, and driveway access (even if it may result in an insufficient lot width). Additional objective subdivision and zoning standards, not listed here, also would apply. Note that waivers from objective zoning or subdivision standards that would physically preclude an Urban Lot Split may be requested as part of an Urban Lot Split application.

Q20. Can condominiums be proposed as part of my Urban Lot Split application?

No, condominiums may not be proposed in conjunction with a ministerial Urban Lot Split Parcel Map application. If you are interested in developing condominiums as part of your project, you must first record the approved Urban Lot Split Parcel Map, build the proposed

dwelling units, and obtain the Certificates of Occupancy. After receiving a Certificate of Occupancy for these dwelling units, a separate Parcel Map filing for a condominium conversion will be required. However, please be advised that the Parcel Map for a condominium conversion will not be subject to the streamlined procedures associated with SB 9 Urban Lot Splits. As such, the Parcel Map for condominium conversions will be subject to standard filing fees, environmental review, public hearing, and appeal period. Additionally, off-site public improvements will be required.

Q21. How is car share defined for the purposes of the parking exemption?

Car share means a vehicle rental program designed for people to rent vehicles for short periods of time, such as a few hours, pay only for their usage, and access the car at any hour, not just during business hours. The vehicles may be commercially or personally owned. Commercial car share companies generally offer a fleet of vehicles which may be picked up and returned to a designated parking spot, or are picked up and returned to non-designated parking spots. Personal vehicle sharing (peer-to-peer car sharing) allows private car owners to make their vehicles available for rental. Some car share companies operating in Los Angeles include, but are not limited to: BlueLA, Zipcar, Ryde, Waive, Getaround, Turo, and Envoy. For the purposes of determining the applicability of this parking exemption, pick-up and drop-off locations are provided by the applicant and verified online.

Q22. What are some water and power considerations for a unit created as a result of an Urban Lot Split?

Water and power service is not required for an Urban Lot Split but will be required when creating new homes on a lot created by an Urban Lot Split. Customers are encouraged to reach out to the Los Angeles Department of Water and Power (LADWP) as early as possible and can visit LADWP's website for information on new service requests. Depending on the amount of new load being proposed, and the existing LADWP infrastructure in the area, customers may be responsible for all or part of the cost for equipment upgrades. Please note that separate water and power service is not permitted on a single-family lot with more than one dwelling unit but is required for dwelling units that may sit on a separate lot as a result of an Urban Lot Split using SB 9. Any construction or change of use within a LADWP public utility easement, or within 10 feet of an easement, or anywhere within 10 feet of poles or equipment, is required to seek a clearance from LADWP. Prior to purchasing a new water service, the applicant/customer may be required to execute and record with the LA County Recorder's office a one-party Covenant and Declaration Easement Agreement which is prepared by qualified counsel and reviewed by LADWP. General questions on electrical service can be directed to (213) 367-6937 and water service to (213) 367-2130.

Q23. What Los Angeles Fire Department (LAFD) requirements will be required to be met?

Single-family residential and Two Unit Development projects will require plans to be reviewed and approved by the LAFD Hydrants and Access Unit. The review will ensure standards including street/fire lane access to within 150 feet of any residential unit, ability to access the roof (maximum height to top plate 28 feet), adequate fire hydrants (within 300 feet), and any applicable compliance with Very High Fire Hazard Severity Zone (VHFHSZ) and Title 14 requirements. Potential requirements include but are not limited to fire lane(s) and turnaround, public/private fire hydrants, road/driveway access, perimeter setbacks, upgraded construction or sprinkler requirements, etc. Finally, please remember that Fire Code requirements are not considered "objective zoning, subdivision, or design standards" and cannot be waived or modified pursuant to SB 9.

For general questions please contact lafdhydrants@lacity.org.

Q24. Can I expedite the Urban Lot Split Parcel Map process by paying the Los Angeles City Planning Expedite Fee?

If you are interested in expedited processing, consultation with our Expedited Processing Section (EPS) is required. Generally, projects that are not located within a special planning geographic overlay such as a Specific Plan, Hillside Area, Coastal Zone or Community Plan Implementation Overlay, may be considered. However, EPS has the discretion to accept or not accept cases depending on a variety of factors. Please see the Department's Expedited Processing Section webpage for more information.

Q25. Will easements be required by Urban Lot Splits?

Easements for fire safety, public utilities, water systems, sewers, streetlights, storm drains or flood control channels, and slope rights shall be provided wherever determined necessary by the Advisory Agency, upon recommendations of the City Engineer (or other agencies such as LADWP and LAFD). Wherever it is determined that future easements are necessary, a certificate shall be placed on the Final Map indicating that the City may accept such easements at any time. Easements may also be volunteered by the applicant.

Q26. Will the City adopt an ordinance to implement SB 9?

In October 2025, Los Angeles City Planning launched Missing Middle LA - an initiative that, among other things, will create a new code section implementing SB 9's Urban Lot Split and Two Unit Development provisions. As with any local ordinance, Missing Middle LA will go through the planning and land use code amendment process as required by the City Charter and Municipal Code, with public hearings and consideration by the City Planning Commission and adoption by the City Council.

Q27. Are Equinekeeping areas eligible for SB 9?

Yes , parcels are still eligible for SB 9 even if they are located in an Equinekeeping "K" Supplemental Use District (noted by ZI-2438 in ZIMAS). SB 684 (2023) included a provision clarifying that SB 9 does not apply to sites "...*located within a single-family residential horsekeeping zone designated in a master plan, adopted before January 1, 1994, that regulates land zoned single-family horsekeeping, commercial, commercial-recreational, and existing industrial within the plan area*." This restriction does not apply in the City of Los Angeles because our equinekeeping areas were "designated" in a Supplemental Use District, not a Master Plan.

Q28. What types of fees apply to SB 9 projects?

The City Planning application fee for a Parcel Map Urban Lot Split (PMUL) is classified as Administrative Review - Major[2]. Please reference the City Planning Fee Estimator for the most up-to-date fee amount.

Parcel map fees from other City agencies will also be required. SB 9 dwelling units will be assessed any applicable development impact fees such as the Los Angeles Unified School District (LAUSD) Developer Fee, Park Fee, and the Affordable Housing Linkage Fee. Park Fees will be calculated by the Department of Recreation and Parks after an applicant submits the Park Fee Calculation Application, but these fees will depend on the type of development (Subdivision or Non-Subdivision) and the number of new dwelling units approved (more information here). The Affordable Housing Linkage Fee is calculated based on the "market area" of the City the project is located in and whether it is a single- or two-unit development (see here). Projects requiring permit clearances or other procedures will be assessed additional fees, in addition to typical plan check and permit fees. Other fees may be required by other Departments. Check with responsible departments.

For questions, please email planning.SB9@lacity.org.

[2] This fee provides for the type of processes and procedures anticipated as part of SB 9 case processing, including the amount of staff time and administrative review process. The SB 9 process is administrative in nature (no public hearing, no staff report, application of objective standards) but does require a major review of objective standards and issuance of a Letter of Compliance. This aligns with the processes associated with the ADM Major fee in Article 9 of the LAMC and is subject to annual adjustments starting in 2023.