

# Senate Bill 9 (SB 9) Guide

Understanding Two-unit Projects and Urban Lot Splits in the City of Santee

## What is SB 9?

Senate Bill (SB) 9 is a California state law that makes it easier to build more units on land zoned for single-family housing. SB 9 allows the creation of up to four units through a Two-unit Project and/or an Urban Lot Split.

- **Two-unit Project:** Allows up to two residential units, either attached or detached, on a single lot.
- **Urban Lot Split:** Allows a lot to be split into two lots and up to two residential units on each lot.

Residential "unit" means any dwelling unit, including, but not limited to, a detached or attached primary dwelling unit, units created as a Two-unit Project, an accessory dwelling unit (ADU), or a junior accessory dwelling unit (JADU).<sup>1</sup>

Different general development scenarios and combinations of building types that may be built in the City of Santee (City) under Santee Municipal Code (SMC) and California Government Code requirements are illustrated below in *Figure 1 – Allowable Development Scenarios and Options Under SB 9*.

### References and Additional Information

Effective Date: January 1, 2022

Revisions: January 1, 2025, pursuant to SB 450

#### *Two-unit Project*

[Gov. Code 65852.21](#)

[SMC Section 13.10.043](#)

#### *Urban Lot Split*

[Gov. Code 66411.7](#)

[SMC Chapter 12.21](#)

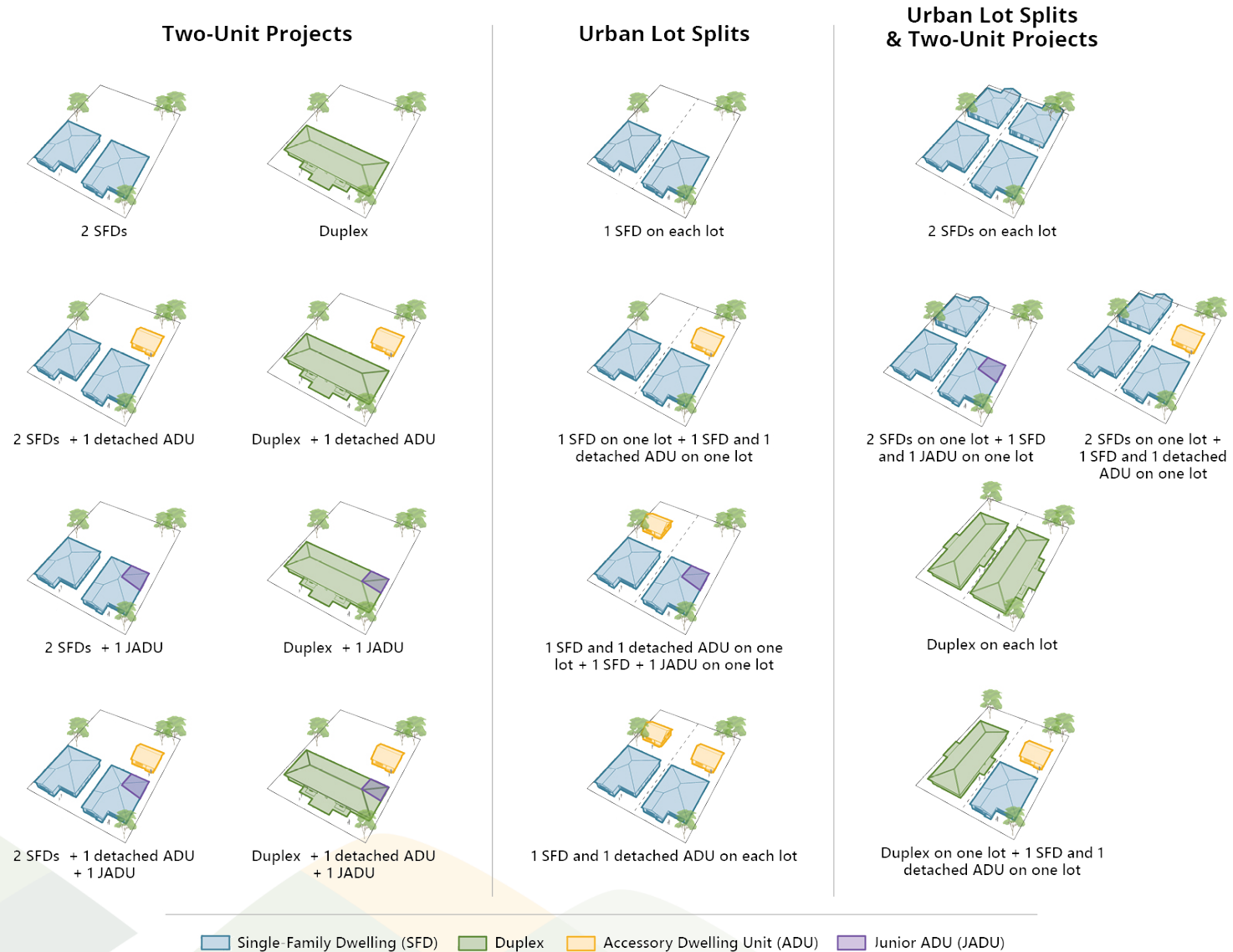
#### *Application*

[Santee Building Permits & Forms](#)

[Santee Permitting & Licensing Portal](#)

<sup>1</sup> See Gov. Code 65852.21(f) and Gov. Code 66411.7(j).

**Figure 1 – Allowable Development Scenarios and Options Under SB 9**



## Eligibility

To qualify for a Two-unit Project and/or an Urban Lot Split, the lot must satisfy the following criteria, pursuant to SMC requirements and California Government Code:

- It is zoned for single-family housing: HL (Hillside/Limited Residential), R-1 or R-1A (Low Density Residential), or R-2 (Low-Medium Density Residential).
- It is owned by an individual property owner.<sup>2</sup>
- It is an existing lot legally created pursuant to the Subdivision Map Act and the City's Determination of Legal Parcel handout.
- If located in a Very High Fire Hazard Severity Zone (VHFHSZ) and/or the Wildland Urban Interface (WUI), the project must comply with the City's fire hazard mitigation measures.
- If located in a flood hazard area, on hazardous waste sites, or within an earthquake fault zone, the project will address all limitations and requirements that apply.
- It is not located in an environmentally sensitive area including conservation lands, wetlands, and protected habitat.
- It does not alter or demolish deed-restricted affordable housing, rent-controlled housing, housing on parcels with an Ellis Act Eviction in the last 15 years, or housing that has been occupied by a tenant in the last three years.
- It is not located on a site that includes a historic property.

For Urban Lot Splits, the lot must satisfy the following additional criteria:

- It was not created by a previous Urban Lot Split.
- It is not adjacent to another Urban Lot Split by the same property owner.

## Standards for Two-unit Projects

Two-unit Projects must be designed to meet all objective zoning, and design standards such as building height, setback, and lot coverage as specified in SMC 13.10.043, as well as the following requirements for Two-unit Projects in California Government Code Section 65852.21:

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<sup>2</sup> "Individual property owner" means a natural person holding fee title individually or jointly in the person's own name or a beneficiary of a trust that holds fee title. "Individual property owner" does not include any corporation or corporate person of any kind (partnership, LP, LLC, C corp, S corp, etc.) except for a community land trust (as defined by Rev. & Tax Code Section 402.1(a)(11)(C)(ii)) or a qualified nonprofit corporation (as defined by Section 214.15).

- Only residential use is permitted on the lot.
- Each unit must be setback at least four feet from side and rear property lines.
- Units may not be owned or conveyed separately from each other.
- Units may not be rented for less than 30 days (no short-term rentals).
- One off-street parking space is required per new unit, with exceptions.<sup>3</sup> ADUs may also require one off-street parking space, with exceptions.<sup>4</sup>

*Exceptions for Two-unit Projects:*

- No setback is required for an existing legally established structure or for a new structure that is constructed in the same location and to the same dimensions as an existing legally established structure.
- Objective standards cannot physically preclude the construction of up to two units on the lot from being at least 800 square feet in floor area.

## Standards for Urban Lot Split

An Urban Lot Split must be designed to meet all objective zoning, and design standards specified in SMC 12.21.050 and the following objective requirements specific to Urban Lot Splits per the Subdivision Map Act, SMC 12.21.050, and California Government Code Section 66411.7:

- No more than two new lots can be created from a single parcel.
- A parcel must be a minimum of 2,400 square feet before a split.
- The resulting lots must be at least 1,200 square feet each.
- No one lot can be smaller than 40% of the original parcel size.
- Each unit built on a lot created through an Urban Lot Split must be setback at least four feet from side and rear property lines.
- One off-street parking space is required per new unit on a lot created through an Urban Lot Split, with exceptions.<sup>3</sup> ADUs may also require one off-street parking space, with exceptions.<sup>4</sup>
- No dedication of rights-of-way or construction of offsite improvements will be required, notwithstanding California Government Code Section 66411.1.
- Each of the resulting lots must be for residential use only.
- The property owner must live in one of the units for at least 3 years.
- Units may not be rented for less than 30 days (no short-term rentals).

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<sup>3</sup> SMC 13.10.043 (E)(6)(g).

<sup>4</sup> SMC 13.10.045 (G)(6)(b).

- Future Urban Lot Splits are not allowed on the same parcel(s).
- No more than two dwelling units of any kind may be built on a lot that results from an Urban Lot Split.

*Exceptions for Urban Lot Splits:*

- No setback is required for an existing legally established structure or for a new structure that is constructed in the same location and to the same dimensions as an existing legally established structure.
- Objective standards cannot physically preclude the construction of up to two units on the lot from being at least 800 square feet in floor area.

## Accessory Dwelling Units (ADUs)

ADUs and JADUs may be combined with Two-unit Projects and Urban Lot Splits. Within the City, each parcel currently zoned for single-family housing is allowed to have a maximum of one ADU and one JADU.

- If a property owner **is not splitting** a lot, SB 9 does not limit the number of ADUs/JADUs, but limits from SMC [13.10.045](#) still apply.
- If a property owner **is splitting** a lot, SB 9 limits each resulting lot to 2 units, including any ADUs/JADUs, for a total of 4 units for the project. The City is not required to permit ADUs/JADUs exceeding the 4-unit total.<sup>5</sup>

Note that ADUs/JADUs have separate development standards from Two-unit Projects. Refer to SMC Section [13.10.45](#) development standards and requirements specific to ADUs and JADUs.

## Approval Process

SB 9 requires the City to ministerially approve Two-unit Projects and Urban Lot Splits that are consistent with the applicable development standards. Two-unit Projects and Urban Lot Splits must be approved without discretionary review or public hearings, and no environmental analysis is required under the California Environmental Quality Act. The City may only deny an application for an eligible project if it would result in a specific, adverse impact to public health, safety, or the physical environment.

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<sup>5</sup> See Gov. Code 66411.7(j)(1), Gov. Code 65852.21(f), and SMC 13.10.043(E).

## Application Requirements

Separate applications are required for Two-unit Projects and Urban Lot Splits. Property owners intending to pursue both must submit for each application online through the [Santee Permitting and Licensing portal](#). Fees must be paid at the time of application submittal. For the most up-to-date fee amounts, see the [Consolidated Fee Schedule](#) published by the City Finance Department.

## Review Process and Timeline

Two-unit Projects and Urban Lot Splits are reviewed under the procedures in Government Code:

- Within 30 days of submittal, City staff will determine whether application is complete.
- Once the application is complete, City staff will review the application and determine approval within 60 days. If no decision is made within 60 days, the project is deemed approved.

For further guidance and information, please contact the Planning & Building Department at 619-258-4100 ext. 167 or via email at [planning@cityofsanteeca.gov](mailto:planning@cityofsanteeca.gov).