

Senate Bill (SB) 9 – The California Housing Opportunity and More Efficiency (HOME) Act

The California HOME Act streamlines the process for a homeowner to create a duplex or subdivide an existing lot. This legislation enables homeowners to create intergenerational wealth and provides access to more rental and ownership opportunities for working families who would otherwise be priced out of neighborhoods.

SB 9 provides two key changes to state law:

- It requires all local agencies to **permit two residential units** on a lot within a single-family residential zone, with a ministerial review (i.e. without a discretionary review process, environmental analysis or a public hearing), if the development meets specific objective criteria, as outlined in the legislature.
- It also requires that all local agencies permit a **subdivision of a lot into two lots** within a single-family residential zone with a ministerial review, which can accommodate up to two units on each newly created lot.

Please provide all of the application materials in .pdf format and submit digitally via email to vincevelasco@santafesprings.org. File(s) larger than 20 MB must be submitted via email with a downloadable link. EACH ITEM SHALL BE A SEPARATE .PDF FILE.

PLEASE PROVIDE ALL OF THE FOLLOWING:

- ☐ Completed SB 9 Application. (Signed)
- ☐ Completed SB 9 Urban Lot Split Eligibility Checklist. (Must check all items)
- ☐ Tentative Parcel Map. Provide digital and physical copy (PDF format).
- ☐ Evidence of vacancy or owner occupancy (Min. 3 years record) such as: property tax records, income tax records, utility bills, vehicle registration, or similar documentation.
- ☐ Homeowner's Association Approval Letter (if applicable - Owner/applicant to confirm if the parcel(s) have any recorded Covenants, Conditions, and Restrictions (CC&Rs) or Homeowner Association (HOA) rules that violate any proposed development under SB9)
- ☐ SB 9 Restrictive Covenant (Signed and Recorded)
Exhibit B
- ☐ Copy of Preliminary Title Report.



Senate Bill (SB) 9

Urban Lot Split Application

APPLICANT INFORMATION:

Name of the applicant(s):	
Address:	
Phone Number:	
E-mail:	
Owner(s) of Record: (If different from applicant)	
Address of Owner: (If different from applicant)	
Phone Number(s): (If different from applicant)	

PROPERTY INFORMATION:

Project Site/Address:	
Assessor Parcel Number(s):	
Existing Land Use (Zoning):	
Resultant Urban Lot 1 (Gross Square Footage):	
Resultant Urban Lot 2 (Gross Square Footage):	

CERTIFICATION:

Certification: I certify and declare under penalty of perjury under the laws of the State of California that the facts, statements, and information presented above, and in the attached exhibits, are true and correct to the best of my knowledge and belief. I further understand that additional information may be required for submittal to the City of Santa Fe Springs to complete my review.

Owner's Signature:	Date:
Applicant's Signature:	Date:

Application No:

Date Received:

SB 9 URBAN LOT SPLIT ELIGIBILITY CHECKLIST

To qualify for the ministerial Urban Lot Split approval process under SB 9 (Gov. Code Sec. 65852.21), project applicants must meet the following requirements. All boxes must be checked in order to be eligible.

The project site must be classified as a single-family zoning district. Single-family zoning districts in the City of Santa Fe Springs include **R-1, Single-Family Residential, Zone**.

The lot split conforms to all applicable objective requirements of the Subdivision Map Act

The parcel map must subdivide an existing parcel to create **no more** than two new parcels

The proposed parcels shall be of approximately equal lot area, provided that one of the parcels shall not be smaller than **40% of the lot area** of the original parcel proposed for subdivision. Both newly created parcels can be no smaller than **1,200 square feet**.

The parcel **has not** been established through prior exercise of an urban lot split as provided for in Senate Bill 9.

The lot split **does not** create more than two units on a parcel, including any accessory dwelling units or junior accessory dwelling units.

At least **one-off street parking** space shall be provided per unit, **except** no off-street parking is required when:

- The project site is located within one-half mile walking distance of either a high-quality transit corridor as defined by Public Resources Code section 21155(b) or a major transit stop as defined in Public Resources Code section 21064.3; or
- There is a car-share vehicle located within one block of the project site.

The proposed development must be located **outside** of areas defined in subparagraphs Section 155.660 (B), inclusive, of paragraph (6) of subdivision (a) of California Government Code §65913.4, which includes *(Please Check with the Planning Department)*:

- A historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is

designated or listed as a city landmark or historic property or district pursuant to a city ordinance.

- A very high fire hazard severity zone as further defined in Government Code section 65913.4(a)(6)(D). This does not apply to sites excluded from the specified hazard zones by a local agency, pursuant to subdivision (b) of Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.
- A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless the State Department of Public Health, State Water Resources Control Board, or Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.
- A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law and by the city's building department.
- A special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency (FEMA) in any official maps published by FEMA. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site. A development may be located on a site described in this subparagraph if either of the following are met:
 - i. The site has been subject to a Letter of Map Revision prepared by FEMA and issued to the city; or
 - ii. The site meets FEMA requirements necessary to meet minimum flood plain management criteria of the Nation Flood Insurance Program as further spelled out in Government Code section 65913.4(a)(6)(G)(ii);
- A regulatory floodway as determined by FEMA in any of its official maps, published by FEMA unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the applicant did not

comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site. • Lands identified for conservation in an adopted natural community conservation plan, habitat conservation plan, or other adopted natural resource protection plan as further spelled out in Government Code section 65913.4(a)(6)(I). • Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with <u>Section 2050</u>) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with <u>Section 1900</u>) of Division 2 of the Fish and Game Code). • Lands under a conservation easement.	
The proposed urban lot split would not require the demolition, or alteration, of any of the following: • 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; • Housing that is subject to any form of rent or price control by the city; • A parcel or parcels on which an owner of residential real property exercised rights under Government Code section 7060 et seq. to withdraw accommodations from rent or lease within 15 years before the date of the application; or • Housing that has been occupied by a tenant in the last three years	

EXHIBIT A

§ 154.20 Parcel Maps for Urban Lot Splits.

Title 15 (Land Use), Chapter 154 (Subdivision) of the Santa Fe Springs Municipal Code is hereby amended by adding Section 154.20 as follows:

Section 154.20 Parcel Maps for Urban Lot Splits.

A. Definitions. For purposes of this Section, the following definition shall apply:

1. “Urban lot split” means a lot split of a single-family residential lot into two parcels that meets the requirements of this section.

B. An application for an urban lot split shall include all the information required by the Subdivision Map Act as well as this chapter. The city shall ministerially approve a parcel map for a lot split that meets the following requirements:

1. The parcel is located within a single-family residential zone.
2. The parcel map divides an existing parcel to create no more than two new parcels of approximately equal lot area, provided that one parcel shall not be smaller than 40 percent of the lot area of the original parcel.
3. Both newly created parcels are no smaller than 1,200 square feet.
4. The parcel is not located in any of the following areas and does not fall within any of the following categories:
 - a. A historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city landmark or historic property or district pursuant to a city ordinance.
 - b. A very high fire hazard severity zone as further defined in Government Code section 65913.4(a)(6)(D). This does not apply to sites excluded from the specified hazard zones by a local agency, pursuant to subdivision (b) of Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.
 - c. A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless the State Department of Public Health, State Water Resources Control Board, or Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.
 - d. A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with

- applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law and by the city's building department.
- e. A special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency (FEMA) in any official maps published by FEMA. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site. A development may be located on a site described in this subparagraph if either of the following are met:
 - i. The site has been subject to a Letter of Map Revision prepared by FEMA and issued to the city; or
 - ii. The site meets FEMA requirements necessary to meet minimum flood plain management criteria of the Nation Flood Insurance Program as further spelled out in Government Code section 65913.4(a)(6)(G)(ii);
 - f. A regulatory floodway as determined by FEMA in any of its official maps, published by FEMA unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site.
 - g. Lands identified for conservation in an adopted natural community conservation plan, habitat conservation plan, or other adopted natural resource protection plan as further spelled out in Government Code section 65913.4(a)(6)(I).
 - h. Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).
 - i. Lands under a conservation easement.
5. The proposed lot split would not require demolition or alteration of any of the following types of housing:
- a. 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;

- b. Housing that is subject to any form of rent or price control by the city;
- c. A parcel or parcels on which an owner of residential real property exercised rights under Government Code section 7060 et seq. to withdraw accommodations from rent or lease within 15 years before the date of the application; or
- d. Housing that has been occupied by a tenant in the last three years.

- 6. The lot split does not create more than two units on a parcel, including any accessory dwelling units or junior accessory dwelling units.

C. Standards and Requirements. The following requirements shall apply:

- 1. The lot split conforms to all applicable objective requirements of the Subdivision Map Act and this chapter, except as the modified by this section.
- 2. No setback shall be required for an existing structure or a structure constructed in the same location and to the same dimensions as an existing structure.
- 3. Except for those circumstances described in section C.2 above, the setback for side and rear lot lines shall be a minimum of four feet. The front setback shall be as set forth in the single-family residential zone.
- 4. The applicant shall provide easements for the provision of public services and facilities as required.
- 5. All lots shall have a minimum street frontage of ten feet to provide for vehicular access.
- 6. A minimum of one off-street parking space per unit shall be provided, except that no off-street parking shall be required in either of the following circumstances:
 - a. The subject parcel is located within one-half mile walking distance of either a high-quality transit corridor as defined by Public Resources Code section 21155(b) or a major transit stop as defined in Public Resources Code section 21064.3; or
 - b. There is a car share vehicle located within one block of the subject parcel.
- 7. Each resulting lot (properties) must adjoin the public right of way (street or alley) or have vehicular access to the public right of way through a fee interest or perpetual access easement.
- 8. Driveway locations are subject to Public Works standards and requirements in place at the time of the application. All driveways shall comply with the driveway development standards set forth in Chapter 155 of this Code.
- 9. Properties must have an approved route for firefighter access and hose pull to all existing or potential structures within 150 feet of the fire apparatus. All properties shall comply with

all fire protection requirements set forth in the California Fire Code and chapter 93 of this Code.

10. Each resulting lot (properties) must have dedicated wet (water, sewer, storm drain) and dry (gas and electric) utilities which shall meet the following standards:
 - a. Location and size shall be determined in accordance with city standards.
 - b. Water shall include domestic, irrigation, and fire water systems.
 - c. Property shall be responsible to install new or upsized connections to city facilities in accordance with city standards.
 - d. Unused connections shall be abandoned per city standard.

D. The city shall not require or deny an application based on any of the following:

1. The city shall not require dedications of rights-of-way or the construction of offsite improvements for the parcels being created as a condition of issuing a parcel map.
2. The city shall not impose any objective zoning, subdivision, or design review standards that would have the effect of physically precluding the construction of two units on either of the resulting parcels or that would result in a unit size of less than 800 square feet.
3. The city shall not require the correction of nonconforming zoning provisions as a condition for the lot split.
4. The city shall not deny an application solely because it proposes adjacent or connected structure provided that all building code safety standards are met and they are sufficient to allow a separate conveyance.

E. An applicant for an urban lot split shall be required to sign an affidavit in a form approved by the City Attorney to be recorded against the property stating the following:

1. That applicant intends to occupy one of the housing units as their principal residence for a minimum of three years from the date of approval. This requirement does not apply when the applicant is a "community land trust" or a "qualified nonprofit corporation" as the same are defined in the Revenue and Taxation Code.
2. That the uses shall be limited to residential uses.
3. That any rental of any unit created by the lot split shall be for a minimum of thirty-one days.
4. That prohibits the separate fee interest conveyance of any unit on the parcel.
5. That the parcel is formed by an urban lot split and is subject to the city's urban lot split regulations, including all applicable limits on dwelling size and development.

- F. The city may deny the lot split if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in Government Code section 65589.5(d)(2), upon the public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.
- G. An applicant cannot avail itself of this section if:
1. The parcel has been previously established through the prior exercise of an urban lot split pursuant to state law or this section; or
 2. Any parcel where the owner of the parcel being subdivided or any person acting in concert with the owner has previously subdivided an adjacent parcel in accordance with this section. For purposes of this section, it will be assumed that where a lot owner purchased the property from an adjacent owner who subdivided his property pursuant to this division within five years of the lot split, the owner is acting in concert with the then owner of the adjacent lot. However, acting in concert is not limited to this situation, but may also apply on a case-by-case basis.
- H. The maximum number of units to be allowed on each new parcels is two, including but not limited to units otherwise allowed pursuant to density bonus provisions, accessory dwelling units, and junior accessory dwelling units.
- I. The provisions of this section supersede any contrary provisions of the Chapter 155 of this code to the contrary.