



COUNTY OF SAN DIEGO  
DEPARTMENT OF ENVIRONMENTAL HEALTH AND QUALITY  
LAND AND WATER QUALITY DIVISION

**Senate Bill-9 (SB-9)  
Frequently Asked Questions (FAQs)**

**For properties served by Onsite Wastewater Treatment Systems (OWTS)**

**What is Senate Bill 9 (SB-9)?**

SB-9 is a new law that mandates local jurisdictions to follow a ministerial review process for applications proposing a two-lot subdivision and/or two residential units when properties are within certain single family residential zones. The law also contains detailed conditions and exceptions that should be clearly understood at the outset of any project.

**Where can I find out if my property qualifies for SB-9?**

If your property is within the unincorporated area of the County of San Diego, please use the following options provided by Planning & Development Services.

An interactive map with defining filters and layers can be searched using an address or Assessor Parcel Number (APN) at: [CA Senate Bill 9 \( SB9 \) \(sandiegocounty.gov\)](https://www.sandiegocounty.gov/content/dam/sdc/pds/zoning/formfields/PDS-PLN-600.pdf)

Guidance with the application process and information about how the law's complexities may affect your project is at:

<https://www.sandiegocounty.gov/content/dam/sdc/pds/zoning/formfields/PDS-PLN-600.pdf>

**Does my project require DEHQ review?**

If connection to public sewer is not available, onsite wastewater treatment systems (OWTS) are necessary and DEHQ must ensure that existing and proposed OWTS comply with the minimum siting and design standards of the Local Agency Management Program (LAMP). DEHQ also permits wells and ensures drinking water meets standards for potability.

**Are there restrictions on lot size for subdivisions served by OWTS?**

The average density for any subdivision of property proposing OWTS cannot exceed the values in the table below for acres per single family dwelling unit (SFD), unless additional studies completed by a qualified professional demonstrate that no adverse impacts to groundwater quality will occur. If studies show impacts to groundwater quality will exceed the Regional Water Quality Control Board (RWQCB) Basin Plan standards, supplemental treatment must be utilized to mitigate impacts, or lots must increase in size.

ALLOWABLE DENSITIES FOR SUBDIVISIONS	
Annual Rainfall (in/yr)	Acres/SFD Unit
0 – 15	2.5
>15 – 20	2.0
>20 – 25	1.5
>25 – 35	1.0
>35	0.75

**How can I find out if my project will comply with DEHQ requirements?**

Feasibility is determined by obtaining DEHQ approval of an OWTS Layout Application. The first step is to contact an OWTS Professional who will prepare and submit the application after selecting the best OWTS design to match your proposed development and specific site conditions. DEHQ will perform a field inspection of the submitted application, and if all requirements are met, will provide terms of approval.

## **What information must be included in the OWTS Layout Application?**

A checklist of requirements is available at [www.sandiegocounty.gov/deh/septic](http://www.sandiegocounty.gov/deh/septic). Site plans and supporting information must demonstrate that all existing and proposed structures and OWTS comply with current standards for location, size, and design including 100% reserve area that is delineated for future OWTS replacement. Each lot requires a separate application.

## **How is the type and size of an OWTS determined?**

Soil permeability, soil depth, bedroom count, and available area, determine the OWTS design type and size. OWTS Professionals perform percolation testing to evaluate soil permeability and perform borings to ensure soil depth is adequate to meet minimum separation requirements between wastewater infiltration and groundwater or an impervious layer. The number of bedrooms has an established wastewater design volume, and available area depends on meeting required setback distances to items that could be both on and off the property.

## **Why is percolation testing required?**

Percolation testing is critical for sizing disposal areas accurately because soil permeability and depth of soil can vary significantly throughout a property, especially property with existing development. All Layout Applications must include data from percolation testing performed in the location of all proposed disposal areas and reserve areas. DEHQ will only consider the acceptance of existing percolation test reports in the following circumstances:

- 1.) DEHQ approved percolation test data from a previous Layout Application record demonstrated to be in the location of the proposed OWTS that is of similar design.
- 2.) Percolation test data used as the basis for a Health Department Certification recorded on a parcel map or plat demonstrated to be in the location of the proposed OWTS that is of similar design.

## **Where can I find the regulatory requirements for OWTS?**

The County of San Diego, Local Agency Management Program (LAMP) is available at [www.sandiegocounty.gov/deh/septic](http://www.sandiegocounty.gov/deh/septic) and contains the minimum regulatory requirements for OWTS siting, design, and installation.

## **What other pro-active steps can a homeowner take?**

Visit [www.sandiegocounty.gov/deh/septic](http://www.sandiegocounty.gov/deh/septic) and find the lists of OWTS Professionals, Licensed Septic Contractors, and Septic Pumpers.

Search for permit records of existing OWTS using the DEHQ Document Library <https://www.sandiegocounty.gov/content/sdc/deh/doclibrary>.

Send all correspondence and submittals to [lwqduy.deh@sdcounty.ca.gov](mailto:lwqduy.deh@sdcounty.ca.gov).