

RESOLUTION NUMBER R-298146

ADOPTED ON June 30, 2003

WHEREAS, effective January 1, 2003, California Assembly Bill 1866 (AB 1866), in part, required local jurisdictions to permit companion units ministerially, without discretionary review, to encourage the creation of companion units as a potential source of affordable housing; and

WHEREAS, it is believed that a number of companion units have been constructed within the City of San Diego without the benefit of building permits or otherwise in violation of the San Diego Municipal Code; and

WHEREAS, it is difficult to determine the number of companion units that exist within the City of San Diego other than through the building permit process; and

WHEREAS, without more information concerning the number of companion units that exist within the City of San Diego, it is difficult to determine the effects of companion units within single family residential zones; and

WHEREAS, in an effort to encourage owners of unpermitted companion units to bring them into compliance with the municipal code, the City Manager desires to implement a six month policy whereby code enforcement penalties will not be assessed against property owners who seek permits and other applicable City of San Diego authorizations to cause the previously constructed companion unit to comply with the San Diego Municipal Code and any applicable State of California regulations; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that it hereby authorizes the City Manager to suspend the assessment of any monetary administrative penalties authorized under Chapter One, Article Two of the San Diego Municipal Code for any code enforcement action related to companion units for a six month period commencing on the effective date of Ordinance No 0-19197 (City Attorney No. O-2003-163) adopted on July 14, 2003.

APPROVED: CASEY GWINN, City Attorney

By

Mary Jo Lanzafame  
Deputy City Attorney

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