

## **M E M O R A N D U M**

DATE: August 25, 2017  
TO: Mara Elliott, City Attorney  
FROM: Georgette Gómez, Ninth District Councilmember  
SUBJECT: College Area Community Exemption to Accessory Dwelling Unit Ordinance

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As a follow up to the City Council's July 24, 2017 special meeting on housing and subsequent constituent feedback to my office, I am requesting the City Attorney opine whether a portion of the College Area Community may be exempted from the Accessory Dwelling Unit Ordinance (ADUO) also known as the companion unit ordinance.

Tackling the housing crisis in the City of San Diego is a top priority of mine. The ADUO approved by the City Council will provide a much needed tool in our efforts to address the crisis.

However, I am deeply concerned that the new ordinance could significantly impact the single dwellings around San Diego State University (SDSU). Due to the location and high demand for student housing, easing the ADUO regulations could spur investor-owned companion unit construction, in addition to the already overdeveloped single-family residential homes, maximizing the number of tenants in one household.

This will negatively impact the community character through unintended and unplanned higher density development.

The State of California, Government Code Section 65852.2 provides flexibility by stating in paragraph A: *"Designate areas within the jurisdiction of the local agency where accessory dwelling units may be permitted. The designation of areas may be based on criteria that may include, but are not limited to, the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety."*

In the College Area, companion units will negatively impact the traffic, available parking, police, and fire safety.

Empirical proof that the College Area substantiates the need for extra traffic control is the fact that there is a Parking Impact Overlay Zone covering approximately a one mile radius from SDSU. The single-family residential homes within that Overlay Zone have been significantly impacted by room additions for student housing, even without the eased regulations for Accessory Dwelling Units, which are now approved by the Council.

Approximately 813 "mini-dorms" currently exist in the College Area, consisting of 6 to 10 bedrooms built in what was originally planned as a 3-bedroom home. Building such dense homes in these zones has unduly created high parking demand and traffic congestions, as most students have cars, and has negatively impacted the College Area.

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Our public safety is also at risk. We should not build more housing for students and families in the College Area without also taking into account the increased demand on our Fire Rescue responders and reduced police officers' capacity.

SDSU is building an additional dormitory for 800 students, and more needed development is on the way. This, and the current injunctions on our High Occupancy Housing ordinance and the Residential High Occupancy Permit (RHOP), will spur development and only be exacerbated by the ADUO, unless we quickly address the changing demands on the community through a community plan update.

Therefore, I respectfully request that you opine on the following question: **Can the City exclude the Parking Impact Overlay Zone area from the ADUO until the much needed and overdue community plan update is completed; which is estimated to take four years?**

I am confident that we can work with the community to achieve a compromise, but these conversations must be had in tandem with the community plan update. I have asked that the community plan update be prioritized and have been told that work will begin in mid-2018 on the community plan update. Therefore, I ask for a much needed temporary exemption. I also respectfully request that your response be provided before the second reading scheduled before the City Council on September 12, 2017.

Thank you for all your work in responding to this matter.

GG/rct

cc: Scott Chadwick, Chief Operating Officer  
Marshall Anderson, Director of City Council Affairs  
Jeff Murphy, Director of Planning Department  
Robert Vacchi, Director of Development Services Department  
Mike Hansen, Deputy Chief of Staff/Policy Director