

Webinar

Accessory Dwelling Unit Regulations in the City of San Diego

September 14, 2022

Presentation Topics

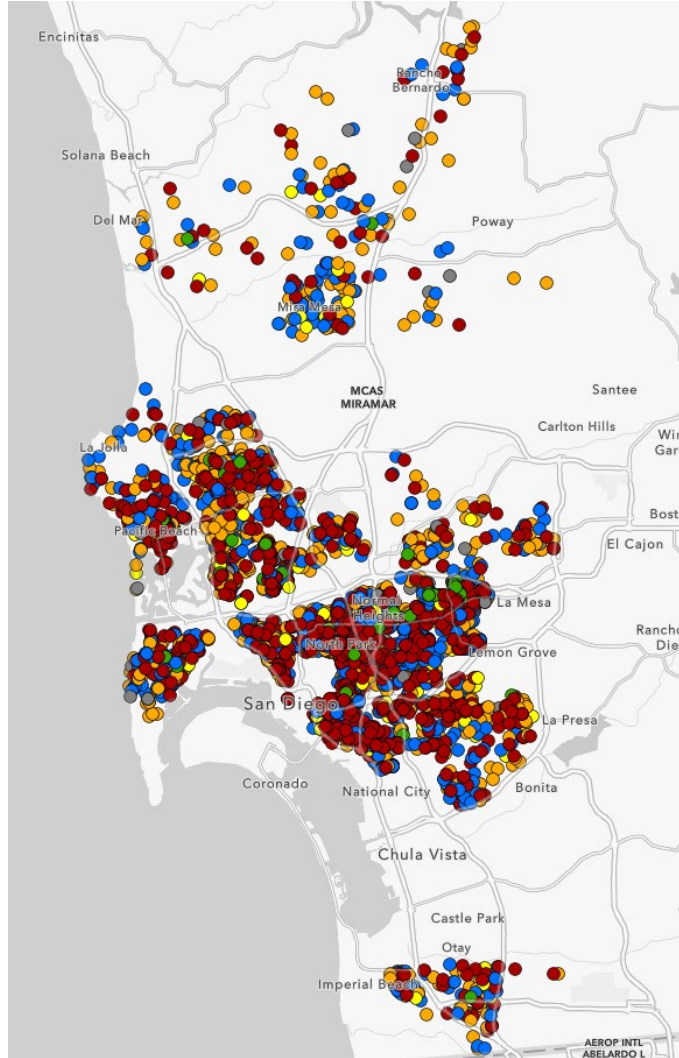
- **Where ADUs are being built**
- **Overview of City ADU regulations**
- **Recent changes to ADU regulations**
- **Resources and Zoning Information**



Where are ADUs being built?

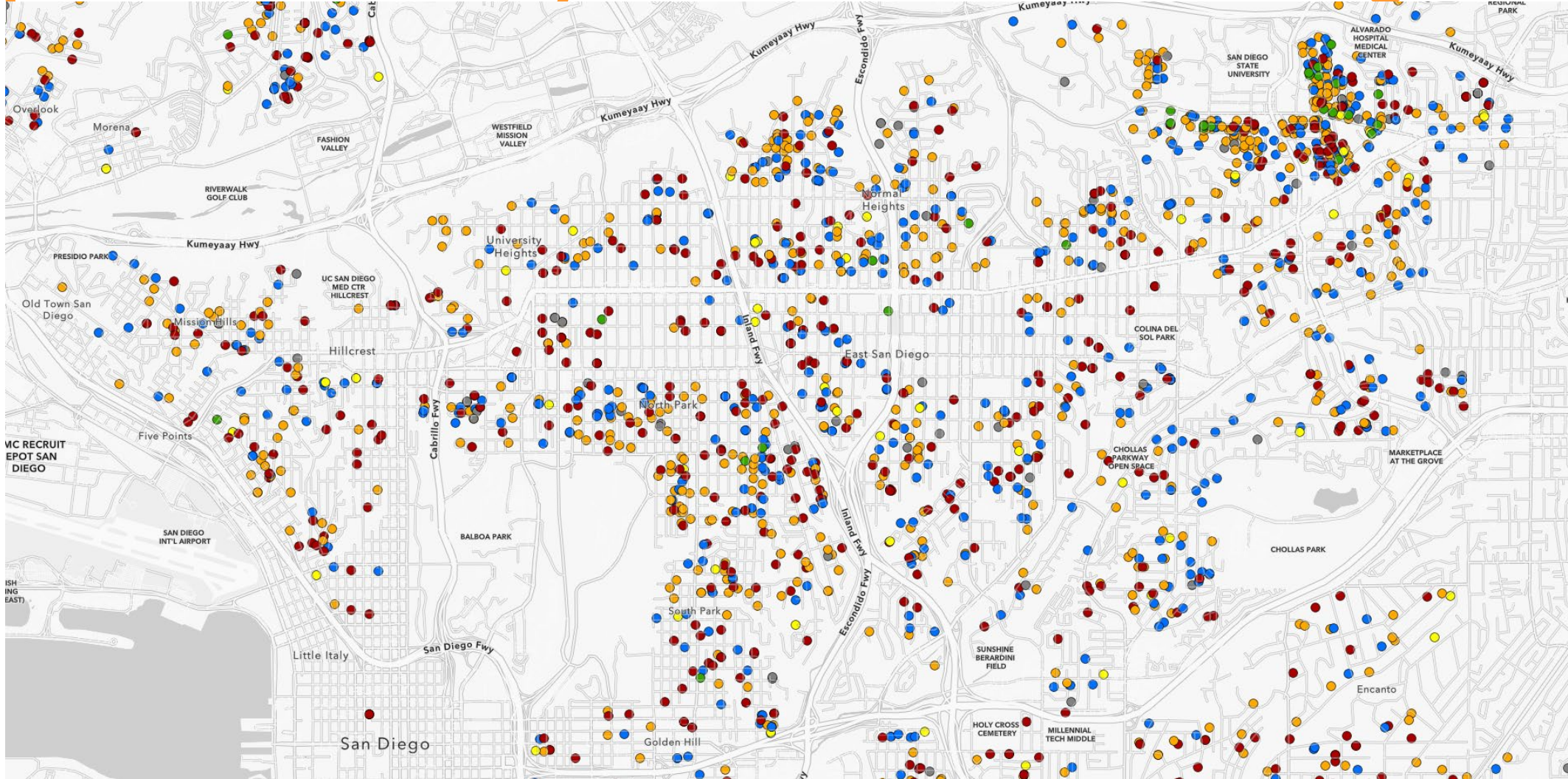
Accessory Units approved in the City

- **Steady increase in permits since 2018**
- **ADU applications 3x greater in 2021 compared to 2018**
- **Application activity across the City**



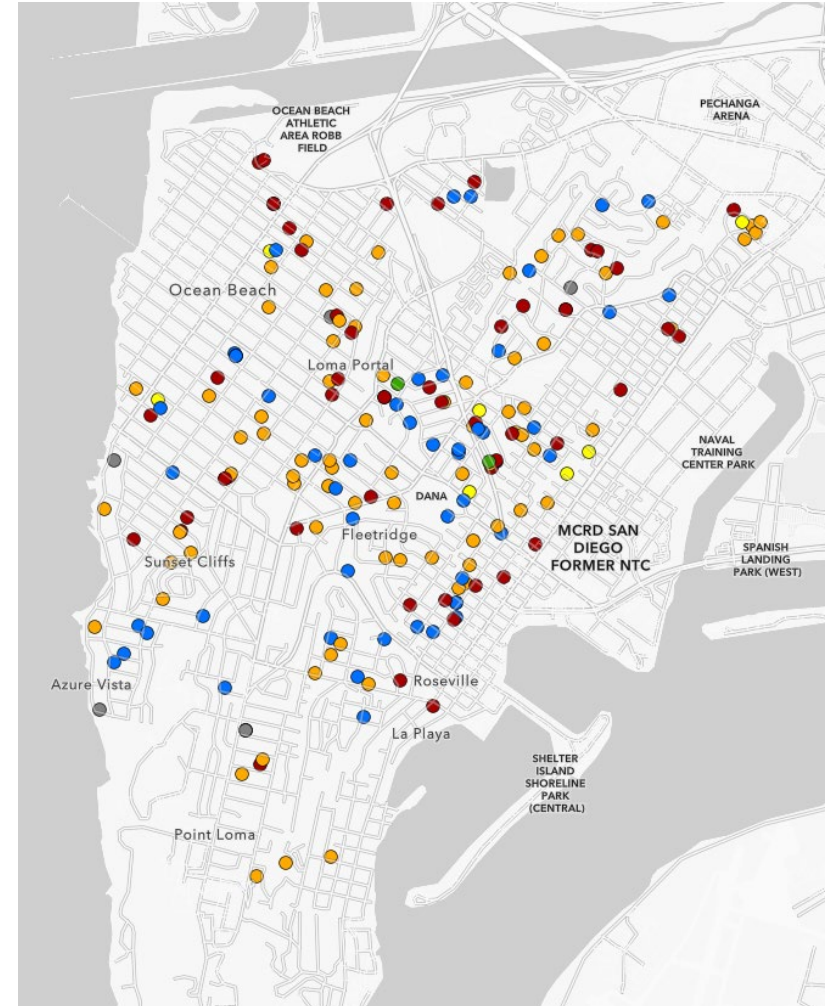
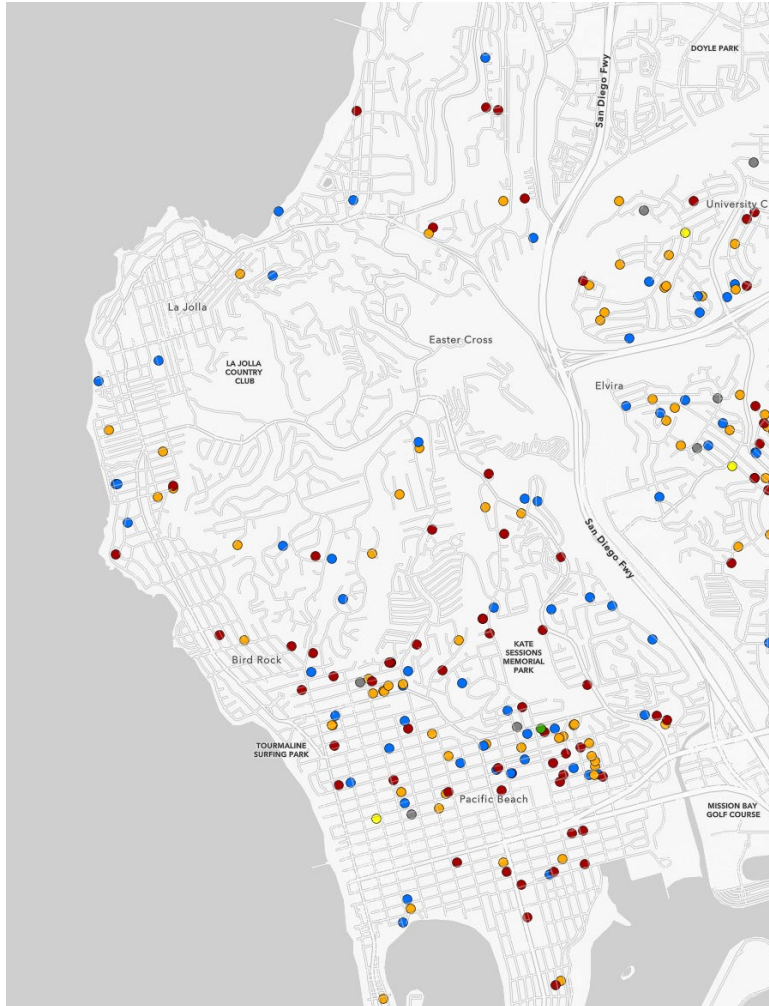


Snapshot – Accessory Units in Central San Diego





Snapshot – Accessory Units in the Coastal San Diego



Overview of ADU Regulations

What is considered an ADU?

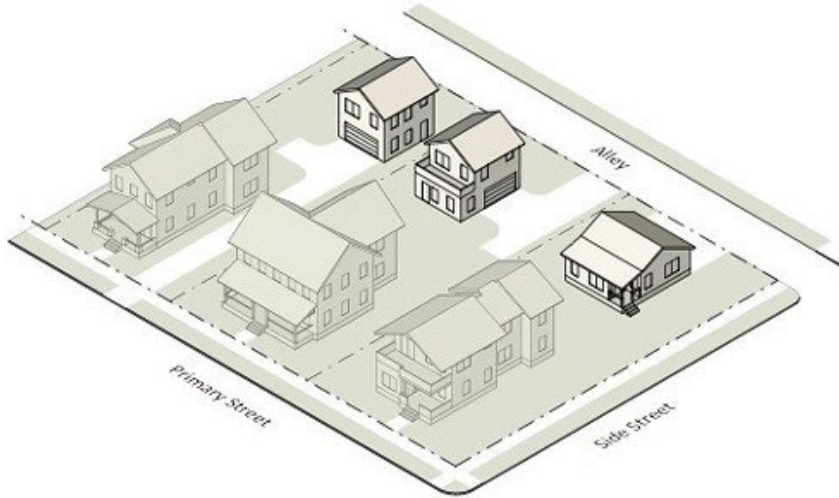
- Attached or detached residential unit
- Provides complete independent living facilities
- Located on a lot with a single unit or multiple units



Land Development Code Definitions (§113.0103)

Where can an ADU be built?

- All single-family and multi-family zones
- Specified Commercial and Planned District Zones



San Diego Municipal Code
(4-2022)

Chapter 14: General Regulations

Article 1: Separately Regulated Use Regulations

Division 3: Residential Use Category--Separately Regulated Uses (Added 12-9-1997 by O-18451 N.S.)

§141.0302 *Accessory Dwelling Units and Junior Accessory Dwelling Units*

Section 141.0302 provides for the construction of *Accessory Dwelling Units (ADUs)* and *Junior Accessory Dwelling Units (JADUs)*, consistent with the requirements of state law, and is intended to encourage the construction of *ADUs* and *JADUs* through several local regulatory provisions, including eliminating parking requirements for *ADUs* and *JADUs*, and providing an affordable housing bonus of one additional *ADU* for every deed-restricted affordable *ADU* constructed on the *premises*, as specified in the regulations below. *ADUs* are permitted in all zones allowing residential uses and *JADUs* are permitted in all Single Dwelling Unit Zones by-right as a limited use decided in accordance with Process One, indicated with an “L” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

<http://docs.sandiego.gov/municode/MuniCodeChapter14/Ch14Art01Division03.pdf>



How many ADUs can be built on one lot?

Single Dwelling-Unit Zones

- 1 ADU and 1 JADU

Multi-Dwelling Unit Zones

- 2 detached ADUs
- Conversion of existing structures
 - Habitable Area: 25% existing of units
 - Non-habitable Area: Unlimited ADUs

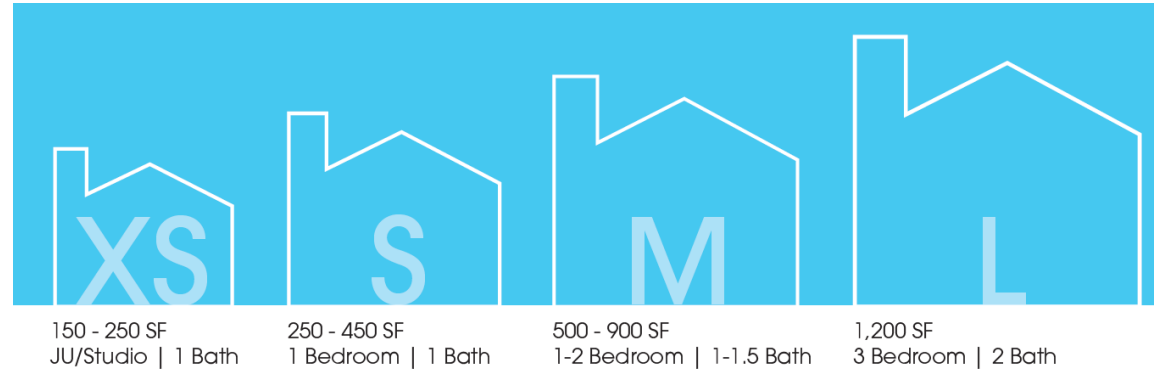
Bonus ADU provisions

- Deed-restricted ADUs for affordable
- In Transit Priority Areas – Bonus ADUs are unlimited
 - Must comply with MAX FAR requirements

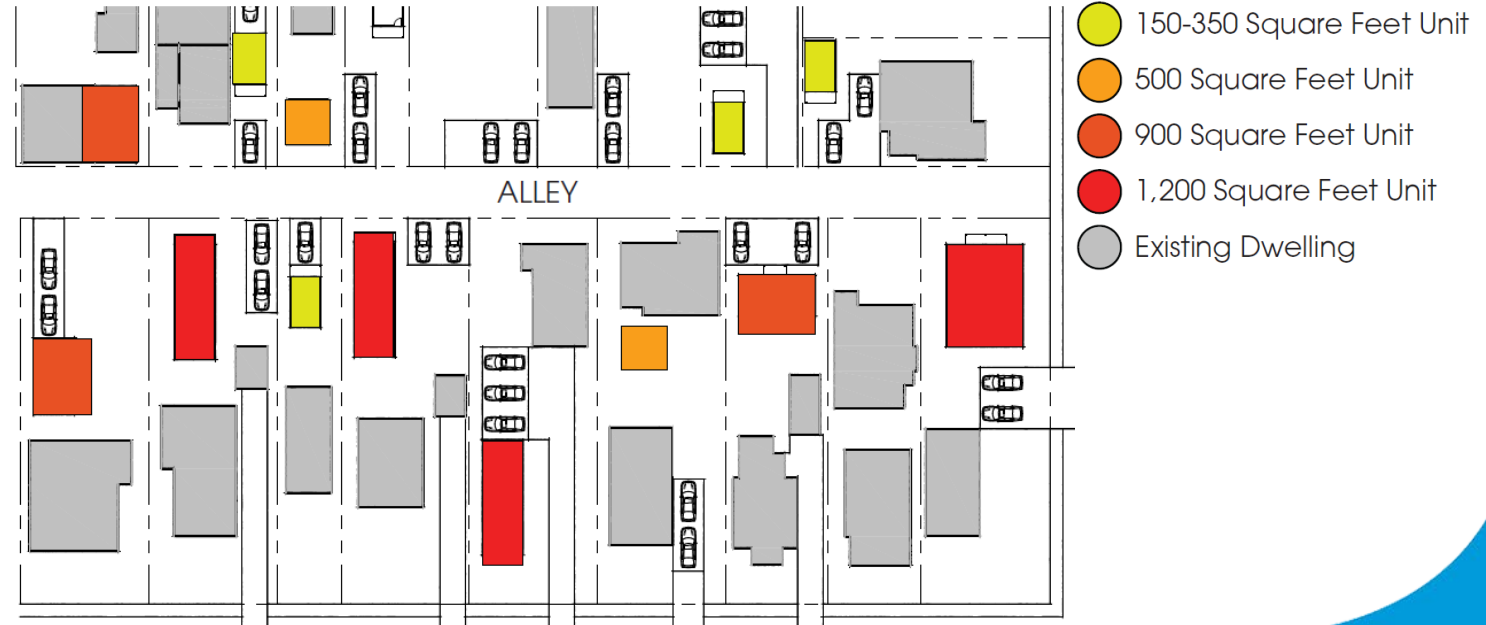


What are the SIZE requirements for ADUs?

- Minimum 150 sf
- Maximum 1200 sf



- ADU sf included in total GFA of the lot
- ADU may exceed total GFA, if so
 - Max ADU size is 800 sf



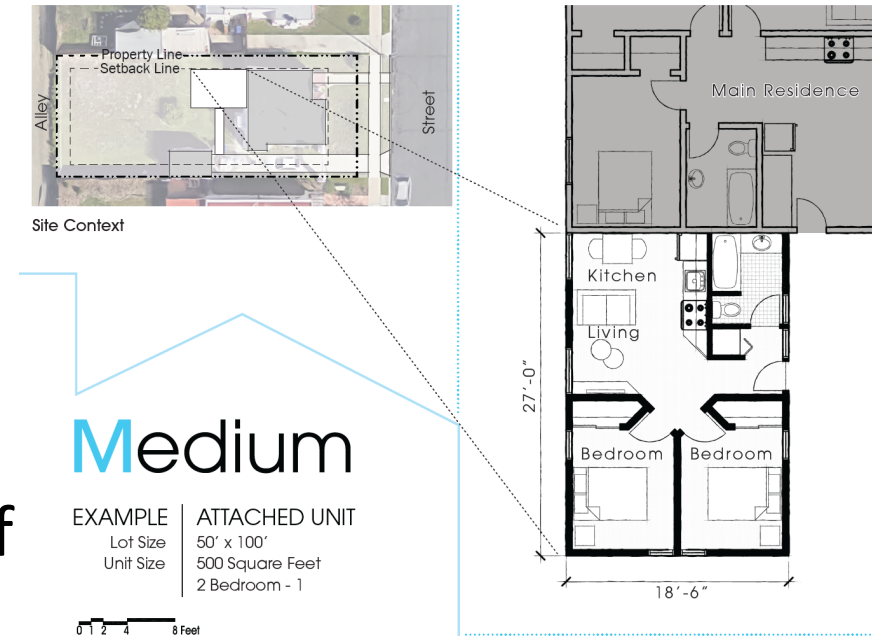
What are the SETBACK requirements for ADUs?

Conversion/Reconstruction of Existing Structure

- May observe setback of existing structure

Addition or New Detached Structure

- Must **observe** Front Yard and Street-Side Yard Setbacks
- Can **encroach** into Side and Rear Yard Setbacks if structure height is 16 feet or less
- If ADU height is 16 feet or more AND abuts residential, a 4-foot setback shall apply



What are the **PARKING** requirements for ADUs?

- No parking required
- Garage conversions allowed
 - Replacement of parking is NOT required
- If the construction of an Accessory unit involves the conversion or demolition of a covered parking structure and the existing driveway curb is no longer compliant with City standards, **the associated driveway shall be closed**
- Where off-street parking spaces are provided, parking spaces may be within setback



Garage Conversion to ADU

What is considered a Junior ADU (JADU)?

- Attached unit of 500sf or less
- May provide separate or shared facilities with attached unit
- Located on a lot with a single dwelling unit



Land Development Code Definitions (§113.0103)

What are the requirements for JADUs?

Location: Single Dwelling-Unit Zones Only

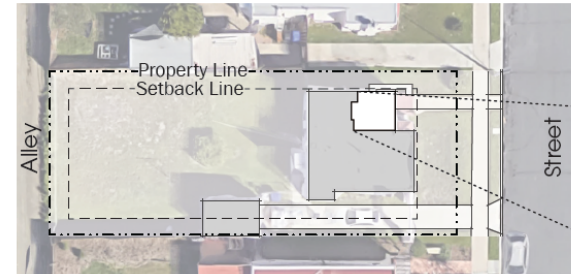
- Must be within a dwelling unit, garage, or ADU

Size Requirements

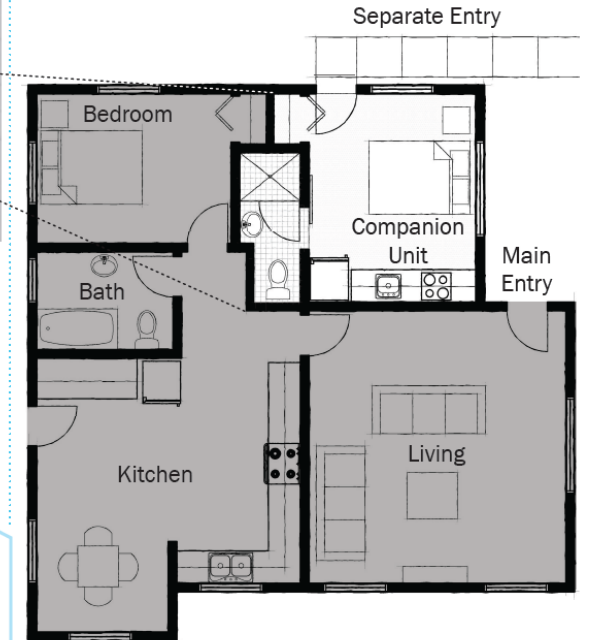
- Minimum of 150 sf
- Maximum of 500 sf

Other Regulations

- Separate entry from primary unit
- Kitchen or kitchenette
- Owner must live on premises
 - Record an Agreement with the City



Site Context



Example Junior Unit
175 sf

Important Considerations for ADUs/JADUs

Rental Timeframe

- Minimum rental of 31 days or more


Solar Requirements

- Newly constructed detached ADUs are required to provide solar panels
- The panels can be installed on the ADU or on the primary dwelling unit.
- Attached ADUs are exempt from this requirement



What are the process requirements?

- Building Permit
- Must include:
 - Site plan
 - Floor and roof plans
 - Elevations and sections
 - Structural plans and details
 - Structural calculations
 - Title 24 energy calculations
 - Water meter data card
 - Storm water quality checklist



City of San Diego
Development Services
www.sandiego.gov/development-services/

Submittal Requirements Matrix
Construction Permits – Single Dwelling Units/Duplexes, Townhomes, and Accessory Structures

APPROVAL TYPE	SUBMITTAL REQUIREMENTS (See Legend at Bottom of Page)															
See Minimum Submittal Requirements Checklist, Construction Permits – Single- Dwelling Unit/Duplex and Accessory Structures for detailed submittal requirements. Note: Some documentation and plan information may be combined into single documents or shown on the same plans if the required information is clearly identified.	1.0	2.0	3.0	4.0	5.0	6.0	7.0	8.0	9.0	10.0	11.0	12.0	13.0	14.0	15.0	
	General Application Package	Historical Resources Information	General Requirements - All Plans	Site Plan Package	Architectural Package	Structural Package	Landscape Construction Package	Brush Management Plan	California Energy Documentation	Structural Calculations	Truss Plans and Calculations	Residential Fire Sprinkler System	Geotechnical Investigation Report	Other Technical Studies	Fees [501]	
	COMBINATION BUILDING PERMIT (129.0202)															
	Accessory Structure (Retaining Wall, Fence, etc.)	✓	(✓)	✓	✓	(✓)	✓	(✓)	(✓)		(✓)			(✓)		✓
	Residential-Factory Built Housing (Title 24)/ Manufactured Homes (Title 25)/ Modular Homes (Title 25)	✓	(✓)	✓	✓	✓	(✓)	(✓)	(✓)				(✓)	(✓)	(✓)	✓
	Residential – Single Dwelling/Duplex and Townhouses	✓	(✓)	✓	✓	✓	✓	(✓)	(✓)	✓	(✓)	(✓)	(✓)	(✓)	(✓)	✓
	Residential – Additions/Remodels (other than 1-story Single Dwelling/Duplexes)	✓	(✓)	✓	✓	✓	✓		(✓)	✓	(✓)	(✓)	(✓)	(✓)	(✓)	✓
	Residential – Single Dwelling/Duplex Additions and Remodels (1-story)	See Information Bulletin 140, "How to Obtain a Permit to Build a Residential Addition/Alteration"														
	Residential – Master Plans	See Information Bulletin 114, "How to Establish and Permit Residential Units per Master Plan"														
	LEGEND: (✓) = Required if project meets the conditions as identified within the Minimum Submittal Requirements Checklist ✓ = Applies to all Plans Required 0 (142.0402) = Land Development Code Section Reference															



What are the Fees Required?

- Plan Check
- Inspection
- School fees
- RTCIP
 - Only waved for first ADU

NEW as of August 2022

- ***General Plan Maintenance Fee***
- ***Development Impact Fees – for projects with more than 2 ADUs***

	Construction Permits - Structures City of San Diego Development Services Department	INFORMATION BULLETIN 501 January 2022
This Information Bulletin lists the fees collected by the City of San Diego for construction permits for structures (building permits). Also listed are some, but not necessarily all, fees that may be required from agencies other than the City of San Diego. The tables within this bulletin are designed to assist applicants in estimating construction permit fees. For project submittal requirements, see Land Development Manual Project Submittal Requirements, Section 2.		
I. WHEN FEES ARE PAID The fees associated with Building Permits may be collected during different points of the permitting process: at project submittal, during review, at permit issuance, and during inspection. There are also enhanced/optional services for which fees are collected. The following sections of this fee bulletin describe what fees are collected and when in the process they are collected. The following fees are required to be paid prior to review unless otherwise indicated below. For your convenience, DSD offers on-line payments through OpenDSD. Payment may also be made in person by cash, check, debit card, Visa or Master credit cards. Checks shall be in the exact amount, drawn on US banks, and made payable to the "City Treasurer." Please note that plan check fees and some administrative fees are non-refundable. Inspection fees may be refundable. See Refund Policy noted within Refund Application Form DS-721 for additional refund information.		
II. SUBMITTAL FEES A. General Plan Maintenance Fee This fee provides funding for the maintenance of the City's General Plan and is collected on behalf of the Planning Department. It is non-refundable and is collected once per project at the time of application. Projects that do not require plan review are not subject to the fee. General Plan Maintenance Fee.....\$451.00 B. Mapping Fee This fee is collected to fund automation efforts and on-line GIS data and mapping for Development Services. It is charged when there are plans, drawings, maps or other geographical documents utilized for project review. Mapping Fee.....\$10.00		
C. Plan Check Fees Fee Tables 501A, 501B, 501C and 501D list the plan check fees. This information is taken from the plans at project submittal. The information is then verified during project review and updated as appropriate. Changes made during project review may result in additional plan check fees which may require payment prior to subsequent reviews.		

FEE TABLES	
Fee Tables	Page
Table 501A—Building Plan Check & Inspection.....	7
Table 501B—Partial Permit Plan Check/inspection.....	10
Table 501C—Miscellaneous Items Plan Check/Inspection	12
Table 501D—Water-Sewer Plan Check.....	15

Recent ADU regulatory changes

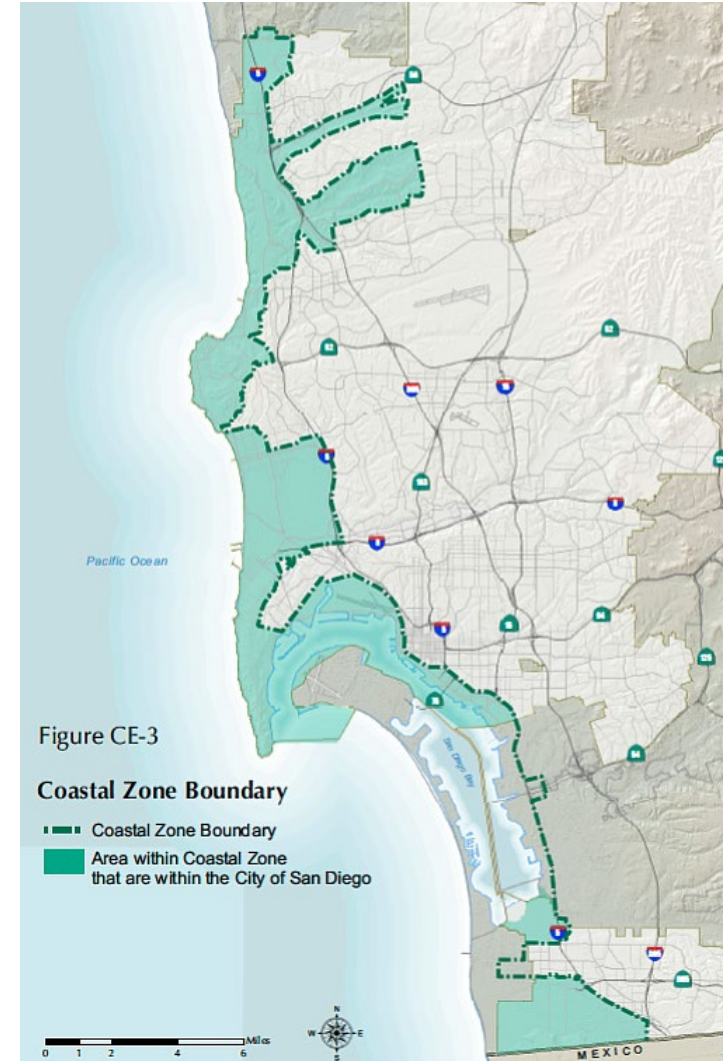


What are the new ADU regulations?

- April 2022 – Housing Action Package
 - Two trees required for projects with multiple ADUs
 - 4' Setback required for ADUs of 16 feet or more that abut residential
- May 2022 - ADU Bonus Unit Amendments
 - Reduces deed restriction length from 15 to 10 years for very-low and low income ADUs
- August 2022 – Fee Changes
 - GPMF and DIF now apply
- September 2022 – Ministerial ADU Process certified in the Coastal Zone

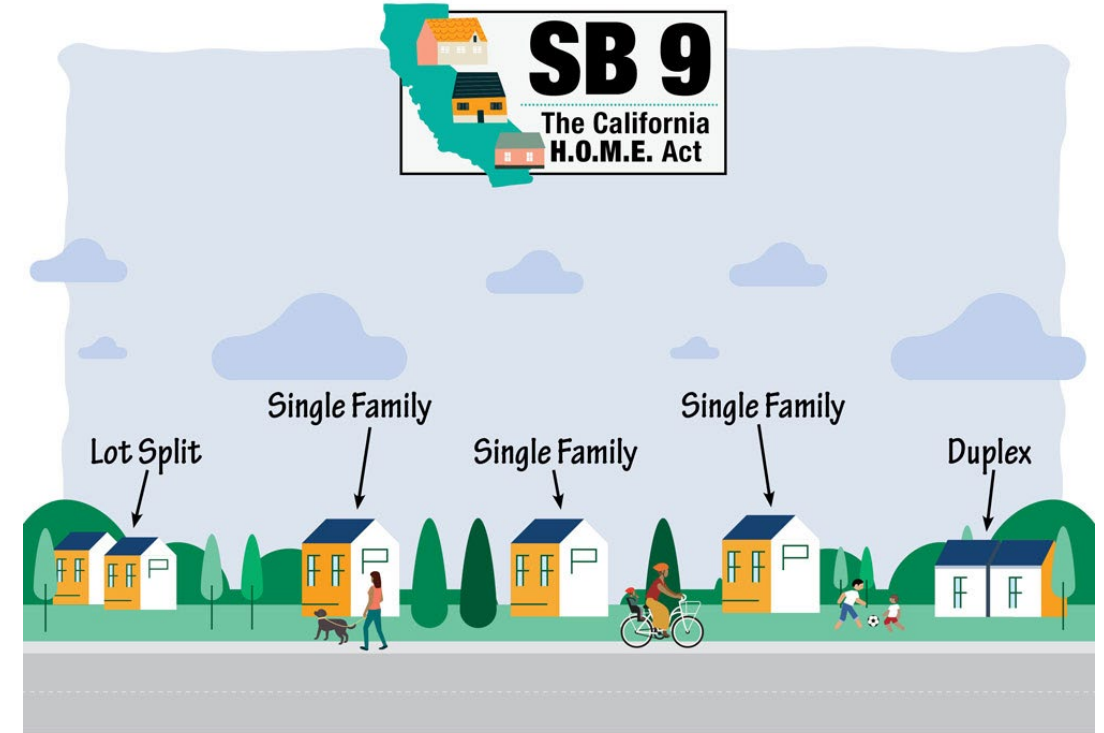
What are the changes in the Coastal Zone?

- Ministerial Coastal Development Permit (CDP) process now certified (as of September 7th, 2022)
 - Applicable in Non-Appealable area of the Coastal Overlay Zone
 - Process 1 Staff decision if findings can be made
 - A discretionary CDP required in certain circumstances
- Coastal Overlay Zone Appealable area still requires discretionary CDP



How does this relate to SB 9?

- ADUs can be built in conjunction with SB 9, with limitations
- No more than 4 total units on a lot or across two lots created through an Urban Lot Split
- For information on the City's SB 9-related ordinance, see Chapter 14, Article 3, Division 13 of the Municipal Code



Resources and Zoning Information

Relevant Municipal Code Sections

SDMC §141.0302
ADUs and JADUs

SDMC §131.0401
Residential Base Zones

SDMC §132.0401
Coastal Overlay Zone

SDMC §143.0101
Environmentally Sensitive Lands Regulations

SDMC §143.0201
Historical Resources Regulations

SDMC §143.1305
ADUs and JADUs in conjunction with SB 9



ADU Resources and Information on DSD Website

The screenshot shows the City of San Diego website header with the logo, weather (62°), and search bar. Below the header is a navigation bar with links for LEISURE, RESIDENT RESOURCES, DOING BUSINESS, LIBRARY, PUBLIC SAFETY, and CITY HALL. The main content area is titled "Development Services" and features a green navigation bar with links for DSD Home, Permits, Approvals & Inspections, News & Programs, Zoning, Codes & Regulations, Forms & Publications, Public Hearings, Meetings & Notices, Fees, Records, and Code Enforcement. The "News & Programs" section is highlighted, showing "ADU/JADU Updates | May 2022" with a list of updates and a video player titled "City of San Diego ADU 2".

ADU/JADU Updates | May 2022

- The San Diego Housing Commission's (SDHC) Accessory Dwelling Unit (ADU) Finance Program helps homeowners with low income in the City of San Diego build ADUs on their property. The program provides financial assistance in the form of construction loans and technical assistance that helps homeowners understand and complete the process of building an ADU. [Learn more](#)!
- Have questions about building an ADU on your property?** Schedule a free virtual [Planning and Zoning](#) appointment.
- New [Info Bulletin](#)!
- View the [updated regulations outside of the Coastal Overlay Zone](#), which include new setback and landscape requirements.

ADUs are detached or attached accessory structures on a residential lot that provide independent living areas. ADUs are intended as permanent housing solutions and shall not be used for rental terms less than 31 consecutive days.

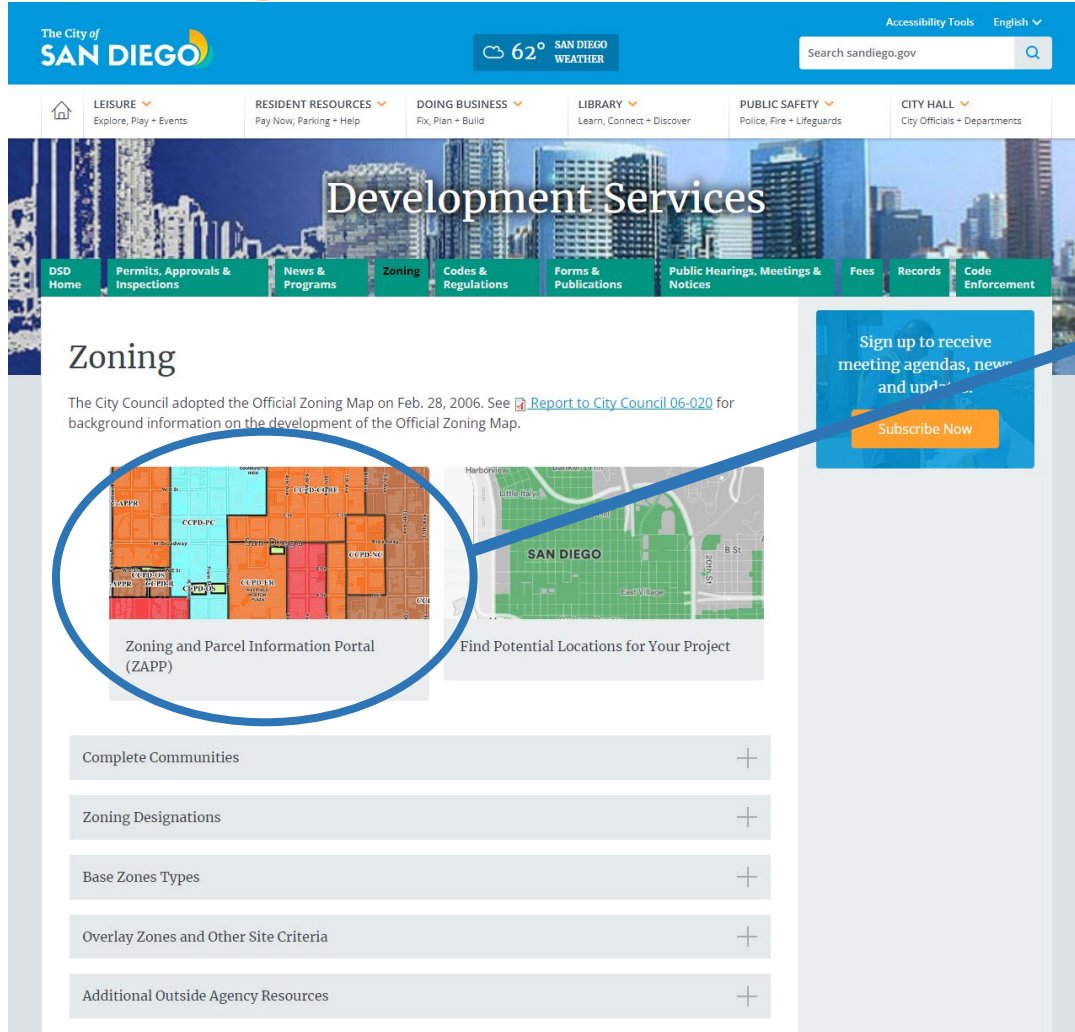
ADUs can be integrated into existing single-family or multi-family properties. They can be designed in various ways, including converting a portion of an existing house, adding to the existing house, converting an existing garage or constructing a new detached structure. Learn more about [ADUs and JADUs](#).

Updated Documents /new FAQs

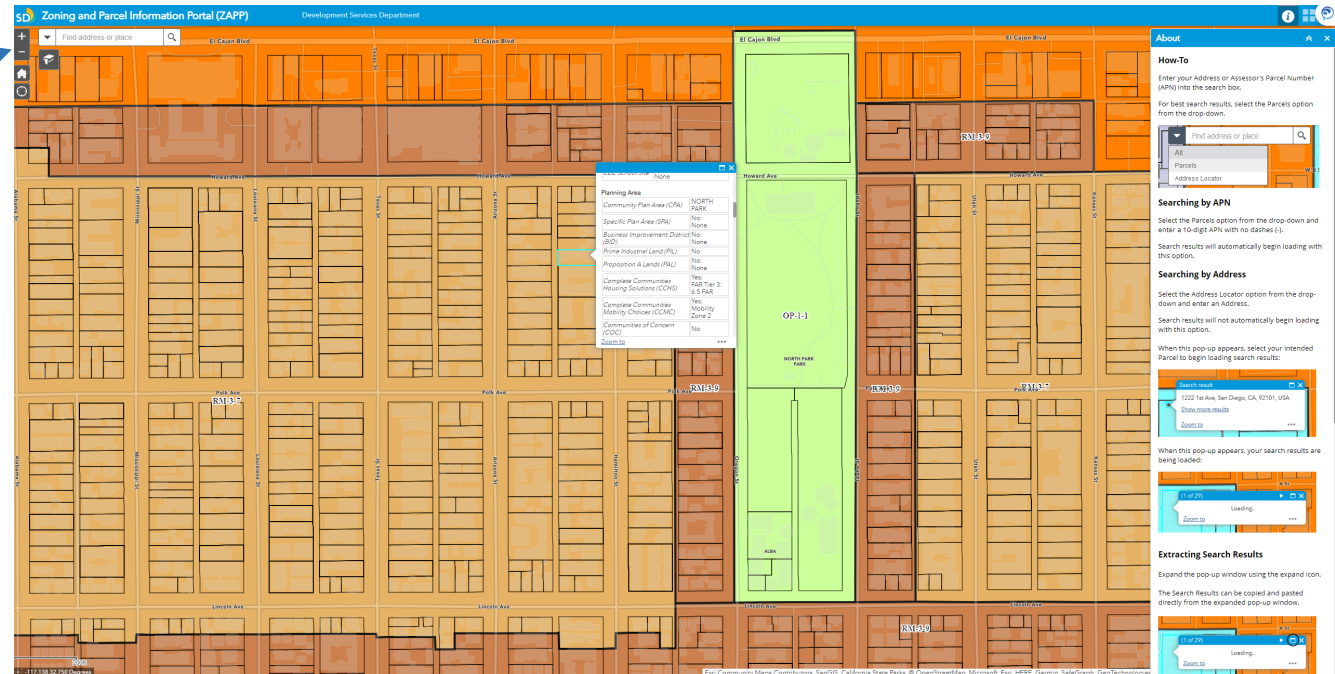
Highlights	+
Municipal Code	+
Submittal Requirements	+
Fee Schedule	+
Inspections	+
Publications and Resources	+
FAQ - Single Dwelling Unit Zones Outside of the Coastal Overlay Zone	+
FAQ - Multiple Dwelling Unit Zones Outside of the Coastal Overlay Zone	+

<https://www.sandiego.gov/development-services/news-programs/programs/companion-junior-units>

Zoning Information and Resources



Interactive Web map



<https://www.sandiego.gov/development-services/zoning>



Additional Resources

Book a Virtual or In-Person Appointment

If you need help getting started to plan, permit or build a [project in the City of San Diego](#), the Development Services Department (DSD) is here to help. **For detailed reviews and responses or for written determinations, DSD provides a Preliminary Review service. For more information on this service, please review [Information Bulletin 513](#).**

You can now book free virtual (online) or in-person counter appointments at the [City Operations Building](#) to get direct assistance from a DSD representative, who will be able to answer questions about the City of San Diego building and development requirements.



Preliminary Review

A preliminary review is a flat, fee-based service tailored to your specific project. A preliminary review helps you obtain general information on the regulations that apply to your project, find out which permits you must obtain, the review process that applies to your development, and it helps you obtain interpretations on how the City will apply code provisions to specific situations. Staff responses to your specific questions will be documented and provided to you at the completion of the review.



Development
Services

THE CITY OF SAN DIEGO

INFORMATION
BULLETIN

400

September 2022

Accessory Dwelling Unit/Junior Accessory Dwelling Unit

This Information Bulletin provides guidance on City of San Diego requirements for obtaining a Building Permit to construct Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU). General Regulations for Accessory Dwelling Units and/or Junior Accessory Dwelling Units can be found in San Diego Municipal Code [Chapter 14, Article 1, Division 3](#).

Editor's Note: The California Coastal Commission unconditionally certified some amendments to the ADU and JADU regulations in September 2022. Those changes can be found in [Ordinance O-21477](#) and are effective in the Coastal Overlay Zone. Some of the regulations and guidelines outlined below pertaining to certain setback and landscape requirements are not effective within the Coastal Overlay Zone. The regulations and guidelines outlined below will become effective within the Coastal Overlay Zone when the California Coastal Commission certifies Ordinance Number [O-21439](#) and [O-21461](#).

Questions?