

4/24/2025

To San Diego City Council

When setting out to provide recommendations for changes to the Bonus Accessory Dwelling Unit (ADU) Program the Community Planners Committee (CPC) followed three guiding principals: adhere to state law, treat all development applicants equally, and find a way to address the lag in affordable housing at the lower end of the Area Median Income (AMI) scale.

To follow the first guiding principal, the City and the State should be held at their word and to the reasoning for increased density. SB 9 is the overriding state legislation for single family lots (RS zone), which allows for lots to be split. Pairing this with the state ADU regulations every RS zoned lot can have a primary residence, an ADU, a Junior ADU (JADU), and a bonus ADU. Thus the CPC has come up with a “4 means 4” proposal. This is the simplest way of adhering to state law, while clarifying what the max density in RS zones is.

There are many good arguments in favor of capping density in RS zones at four.

- At the City level, four is the dividing line between having trash services provided or having the option to contract out.
- At the federal level, four is the dividing line HUD uses to qualify a property as single family or multi family.
- Financing regulations change when you go from four housing units to five housing units.

With “4 means 4” as our starting point, the CPC recommends allowing for one bonus ADU in any and all RS zones. The CPC also recommends that this bonus ADU be deemed affordable. Considering every Councilmember agrees the City is in a housing crisis, particularly a low income and missing middle housing crisis, more needs to be done to fill this gap.

According to the San Diego Housing Commission, there is a deficit of around 92,000 housing units for very low and extremely low (<50% AMI and <30% AMI respectively) income residents, while there is a surplus of housing units for low income and moderate income (<80% AMI and <120% AMI respectively). To fix this, **the affordability tier assigned to the bonus ADU should be tied to the CTAC zone rating. Meaning that areas that are the highest resourced should have the most affordable units (<30% AMI) while the lowest resourced areas should have their bonus ADU affordability set at 80-120% AMI.** This will stop the packing of neighborhoods with one type of housing, and to a degree address the under building of low income affordable units.

Additionally, it is concerning that the deed restrictions on Bonus ADUs are not the same as other deed restricted housing. **To treat all development applicants equally, and simplify the code the deed restrictions on ADUs should be brought in line with the rest of the City deed restrictions, which is 55 years.**

Since the City’s Bonus ADU program has been passed, the state has increased the number of allowable ADUs in multi family zones (RM Zones). As of now, you can build one market rate ADU for every dwelling unit on the lot up to eight (8) ADUs. If you only have one dwelling unit on the lot you are still allowed your two (2) ADUs. Therefore the city has room to scale back the Bonus ADU program in RM zones.

The CPC intention is to keep this proposal simple: two (2) affordable Bonus ADUs are allowed on any RM lots. Additionally, the CPC believes the same affordability standards be

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applied to the RM zones that we are requesting in the RS zones, i.e. the most affordable units go into the highest resourced areas.

Finally, we have **four recommendations that should apply across both the RS and RM Bonus ADU programs.**

First, state law strictly forbids ADUs from being rented for less than 31 days, but it is a gaping loophole to allow someone to build an ADU move into that and rent their primary residence out on STR platforms. This loophole needs to be closed for the good of San Diego's housing supply. **The CPC recommends that any dwelling unit on a lot that has built bonus or state ADUs have >31 day rental restrictions placed on it.**

Second, to ensure residents are not parking over a quarter mile away from their homes, **one parking space per ADU should be required outside of a Transit Priority Area (TPA).** As we know, TPAs do not always have an active high quality public transportation route, they can just have a planned route. Under the current ordinance, affordable ADUs would become market rate ADUs before those transportation routes will be provided. In the meantime it is necessary to maintain an off-street parking stock. Any development inside a TPA will still have no parking requirements.

Third, **the CPC requests that setbacks and height limits be reverted to the state standard.** One of the biggest complaints from neighbors is the zero setback and towering ADUs being built adjacent to their back yards, taking away any privacy. This will also help ensure a new development blends into the neighborhoods which will lead to less complaints about ADUs.

Fourth, to addresses safety concerns around evacuations **the Bonus ADU program should not apply in Very High Fire Hazard Severity zones or streets where there is a single egress** (e.g. cul-de-sacs)

The members of the CPC are looking forward to the robust debate that will come with the public discussions starting with the Planning Commission on May 1st. We will see you there!

Sincerely,

A handwritten signature in black ink, appearing to read 'Andrea', followed by a long, sweeping horizontal line that extends to the right.

Andrea Schlageter
Chair, Community Planners Committee.

*Matrices of the proposed changes for the RS and RM zones can be found by scrolling down.

RS/RX Zoning Proposal	CPC Recommendation	Existing Rules/Interpretations
Sunset Clause	Sunset program with Housing Element (2029)	None - Permanent
Density		
Qty/Lot	<p>4 Maximum (regardless of SDA) 1 primary + 2 state market rate units + 1 bonus (affordable)</p> <p>1. 4 = SB9's "4 means 4" 2. 4 is the dividing line between SF and MF for many regulations (HUD) 3. 4 divides City trash service from contracting out 4. 4 is under coastal inclusionary regs limit 5. Financing regulations differ between 4 and 5.</p>	<p>(in SDA) (house + 1-2 state ADUs) + (unlimited bonus pairs) = ∞ units + JADU (outside SDA) (house + 1-2 state ADUs) + (2 Bonus ADUs) = 4-5 total units + JADU</p>
Qty/Lot (lot size based)	Support City proposal, however other CPC proposals mostly moot this regulation.	(in SDA) City proposing total ban on bonus ADUs in zones with a lot minimum of > 10k
FAR	Support City proposal for Environmentally Sensitive Lands	All FAR in Base Zoning is usable - except on Open Space/ESL
Zones	RS-1-1 through RS-1-14 Zones RX Zones	City proposal only exempts: RS-1-1, RS-1-2, RS-1-3, RS-1-4, RS-1-8, RS-1-9, RS-1-10, RS-1-11

Scale		
Height	16-18 ft detached; 25 ft attached; All ADUs follow state height rule.	30 ft for both state and bonus ADUs
Stories	2 (both story & height limit apply)	No restriction
Square Ft	1200 max – 150 min	1200 max – 150 min
Setbacks (Rear/Side)	4 ft side/rear setback. No change to street side yard setbacks.	0 ft; or 4 ft when above 16 ft ht/2 stories and abuts residential property. Must comply with required street side yard setbacks.
Brush Mgmt Setback	No Comment	5 ft brush management setback proposed by city (AB1379?)
Exterior Space		
Private Exterior Space	Require private exterior space similar to RM zones with 4 units or less	Currently not required in RS zones, yet is a requirement for RM zones. (see §131.0455 for RM rules for fewer than 4 units)
Common Open Space	Limit RS lots to 4 units or less, so common open space rules don't apply.	Currently not required in RS zones, yet is a requirement for RM zones. (see §131.0456 for RM rules for greater than 4 units)
Parking Regulations	<p>Support recommendation for 1 parking space per unit outside of ½ mile from any transit, as opposed to high quality transit.</p> <p>While parking can't be required for the state ADUs per state law, inside the ½ mile walking distance Transit Parking Standards zone, within RS zones, require parking for the <i>single</i> City Bonus ADU.</p>	0 spaces (in SDA) / 0 spaces (outside SDA) – (state allows 1 space > ½ mile walk to any transit, not just high-quality transit)
SDA Size	SDA no longer applies	1 mile walking distance
Compliant Pedx Path	SDA no longer applies	Yes – (in SDA)
SDA Transit Program	SDA no longer applies	RTP Long Term 2050 Plan (uses 2035 Subset, but 2035 is not funded)

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VHFHSZ (Fire Zones)	No bonus ADUs in VHFHSZs, and all cul de sacs and loops with single point of ingress/egress.	State law recommends 'other safety improvements' for > 30 units PRC §4290.5
Affordability		
Deed Length	55 years	15 Years – (10 yrs)
Income (AMI %)	To Affirmatively Further Fair Housing - Bonus Unit AMI by CTCAC zone: Highest – up to 30% AMI High – up to 60% AMI Moderate – up to 80% AMI Low – up to 110% AMI	110% Moderate – (other current limits 60%, 50%)
STVR	Do not allow parcels with a/any Bonus ADU to rent out <u>any</u> units, including primary house, for less than 31 days.	ADU can't be STVR'd, but main house is allowed to STVR. No net gain in housing supply.
Individual Sale	Support staff proposal	Currently only charities – State/City proposing to allow individual sale
DIFs		
State Units (2)	No Change/No Comment	DIF can apply when > 750 sf (but City has no DIF so as to = local SB9 rules)
City Bonus Units (1)	No Change/No Comment	DIF can apply when > 750 sf / proposing "Opt-in Fee" in lieu of DIF

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RM Zoning Proposal	CPC Recommendation	Existing Rules/Interpretations
Sunset Clause		None - Permanent
Density		
Qty/Lot	See attached document for 3 proposals for consideration by CPC. All City Bonus Units would be 100% deeded affordable and follow the same rules proposed for the RS Zones.	Unlimited Bonus in an SDA One Bonus ADU outside an SDA (SB1211) State law now allows a minimum of 2 ADUs or 1 ADU for every existing unit on the lot, up to 8. Also, up to 25% of an existing dwelling unit structure can be converted to an ADU. All uninhabitable space may be converted to an ADU regardless of quantity.
FAR	Support City proposal for Environmentally Sensitive Lands	All FAR in Base Zoning is usable - except on Open Space/ESL Minimum FAR is 1.25
Height	Follow municipal code	Municipal code
Exterior Space		
Private Exterior Space	Require private exterior space as required by RM code.	See §131.0455 for RM rules.
Common Open Space	Require common open space when there are 4 units or more.	See §131.0456 for RM rules for greater than 4 units.
Parking Regulations	Support recommendation for 1 parking space outside of ½ mile from any transit	0 spaces (in SDA) / 0 spaces (outside SDA) – (state allows 1 space > ½ mile walk to any transit, not just high-quality transit)
STVR	Do not allow parcels with a/any Bonus ADU to rent out <u>any</u> units for less than 31 days.	ADU can't be STVR'd, but main house is allowed to STVR
Individual Sale	Support staff proposal	Currently only charities – State/City proposing to allow individual sale
DIFs		
	Charge DIF for all units greater than 750	DIF can apply when > 750 sf
	Support opt-in fee	Opt-in Fee when using the Bonus ADU program > 750 sf

04/30/2025

TO: Dr. Jennifer Campbell, City Councilmember District 2
CC: Seamus Kennedy, Housing Policy Advisor
Manny Reyes, OB Community Rep.
RE: ADU Bonus Program Changes

The OB Planning Board makes the following recommendations for changes to the Bonus ADU program.

1. Rear and Side setbacks should be reverted back to the standard. This is one of the biggest complaints from neighbors located next to these projects. It is also a disservice to people living in these ADUs. Without adequate setbacks there is no requirement for exterior space in RS zones.
2. One parking spot per ADU outside TPAs. If the city continues to waive off-street parking requirements, on-street parking will become severely impacted. This will run up against the City's new Street Design Manual that calls for expanded sidewalks, bike lanes, and dedicated bus lanes. For most streets on-street parking will have to be taken away to make room for these projects. This will be untenable in neighborhoods where everyone relies on on-street parking.
3. Every Bonus Unit Deeded Affordable. If the City is serious about increasing the affordable housing stock this the only solution that makes sense.
4. Scaled timeframe for deed restrictions based on AMI (i.e. highest AMI deed restriction have longest time up to 30 years). Any development permit applicant using a density bonus other than the Bonus ADU is subject to a 55 year deed restrictions. This will restore some fairness in the way DSD treats applicants.
5. No DU or ADU on the lot can be rented for less than 31 days. This closes a loophole in the STR Ordinance that this board has been pointing out for awhile. While this loophole still exists ADUs are not adding to the housing stock. It is a zero net gain as people are moving into their ADU and while they Airbnb the main house.
6. Allow ADUs to be sold. The state will most likely pass legislation requiring this. Better to change it now than have to play catch up.

The OB Planning Board appreciates the attention Dr. Jen has brought to this issue and her commitment to scaling back the Bonus ADU program.

Sincerely,

Andrea Schlageter
Chair, Ocean Beach Planning Board



Coastal Caretakers
PO Box 70038
San Diego CA 92167

CITY OF SAN DIEGO PLANNING COMMISSION
City of San Diego Planning Commission
1222 First Ave, 5th floor. MS 501
San Diego, CA 92101

SUBMITTED: April 28, 2025
REF. DATE: May 1, 2025

SUBJECT: City of San Diego Planning Commission Hearing, May 1, 2025, Modifications to Municipal Code
for Housing Purposes

We are hoping there is a way to improve communication between the local residents and the government agencies. Residents are challenged to fight the loss of their rights, which they thought were preserved by their zoning regulations. The American Dream of having a single-family home with a backyard in San Diego does not make us villains. Coastal Caretakers is a small, local organization dedicated to Coastal issues. We are asking you today to consider modifications to what has been presented to you by the City of San Diego. Please consider ways to implement a more moderate approach than that in place today for ADUs and Complete Communities. As you make your decisions today, please note:

1. The version the Planning Commission will review today was only made available to the public on Friday afternoon, April 25. The draft was sent in at least two formats. Some people received two documents, one 6 pages and one 44 pages, and some only in the Planning Commission Agenda. We assume the two are the same. The presentation itself was confusing and almost forced legal interpretation. This complex issue requires more time for review and limits responses from many organizations and individuals. This means that the City Council will not have the more robust review usually available from Planning Commission hearings.
2. Who are the cadre of anonymous volunteers who wrote these legal recommendations, and with whom are the writers affiliated? The Municipal Code is the legal backbone of the City of San Diego. The memos from the Planning Department seem to serve a different agenda.
3. Our position strongly supports some of the organizations that will participate in today's meeting. We assume that the speaker's presentations will lead to thoughtful development. We support the valuable insights provided by Neighbors for a Better San Diego, San Diego Community Coalition, and Ocean Beach for Responsible Development.

4. We urge you to consider the content of the April 17 letter from Delano & Delano representing Ocean Beach for Responsible Development.¹ The objections it raises to the 4951 Pescadero Ave (PRJ-1131969 and PRJ-1106002) are valid in concept for all projects covered by the ADU umbrella of Executive Orders and Municipal Code changes.
5. Coastal Caretakers endorses all of the concerns outlined in that letter referenced in #4.
6. Coastal Caretakers endorses the concerns presented today by Neighbors for a Better San Diego, San Diego Community Coalition, and Ocean Beach for Responsible Development.
7. As a result, complete comments will be submitted by Coastal Caretakers at the time of the City Council presentation.

We assume that the recommendations to the City Council will result in some changes to the current Municipal Code that will discourage overbuilding in unique communities. Coastal Caretakers specifically urges you to make the following recommendations:

1. Responsible changes should also be extended to Complete Communities.
2. Many Commercial Zones, which were formerly designated Commercial Neighborhood, are now designated Commercial Community. Developers will see their availability as new opportunities with these proposed changes. Please clarify Commercial Mixed-Use and Transient Occupancy parameters as included here for Commercial Zones.
3. Please address Vacation Rentals as a part of the proposed solutions.
4. Please protect your historically designated communities as they are now protected. The city of San Diego that attracts our tourists here is the traditional City that they know.

The Planning Commission can play a very important role by issuing specific recommendations, as you have done in the past. Thank you.

Update on Pescadero ADU Project, OBRAg.org, Delano & Delano ,Letter dated April 21, 2025.

Prepared Remarks for May 1, 2025, Planning Commission Hearing
Courtney Ann Coyle on behalf of Neighbors for A Better Pacific Beach
ITEM 1: ADU and JADU Regulation Amendments
to the San Diego Municipal Code and Local Coastal Program

Commissioners, my name is Courtney Ann Coyle. I'm a San Diego attorney with over 30 years of experience working with the California Environmental Quality Act, and for the past 25 years, I've focused on historic preservation law and tribal cultural resources, including collaboration with the Kumeyaay Nation.

I am speaking with you today on behalf of Neighbors for A Better Pacific Beach. As you consider amendments to the Bonus ADU program, I want to highlight a core problem: the lack of meaningful public and tribal engagement, and how the current program may allow large projects to bypass the environmental review and consultation that our laws intend.

A recent example illustrates this well: a 126-unit ADU project in Pacific Beach, proposed on the *La Rinconada* cultural site, a significant Kumeyaay village location and one of the few remaining along our San Diego coastline. This site is recognized by City staff as CEQA significant and eligible for the National Register of Historic Places.

But, this isn't about just one project. The Bonus ADU program, as it stands, goes far beyond what state law requires. It aims to remove the public's voice and tribal nations' expertise from the process, even when projects threaten unique, irreplaceable cultural sites, like *La Rinconada*. This is contrary to the intent of recent state legislation like AB 168 (2020), which was designed to ensure that tribal consultation occurs even in streamlined housing approvals.

As you consider reforms, we urge you to:

- Incorporate the tribal consultation requirements of AB 168 into all streamlined housing approvals;
- Require tribal consultation and tribal cultural resource evaluation for any project with potential impacts to significant sites; and
- Restore meaningful public and tribal engagement to the review process, especially for large-scale ADU developments.

Thank you for your attention to these critical issues as you consider changes to the Bonus ADU program.

Proposed ADU Code Amendments

Neighbors For A Better San Diego

May 1, 2025



Recommendations

- **Mandated by the State: 1-10,12,13**
 - **Disagree with: 7 (trees)**
- **Proposed by the City:**
 - **Support: 11,14,15,17,19-24**
 - **Support with modifications: 16,18**
- **Additional community proposals to improve program**

For clarity – all code refers to single-family (RS) zones unless otherwise stated.

Items we support

11: Fire Safety Setbacks

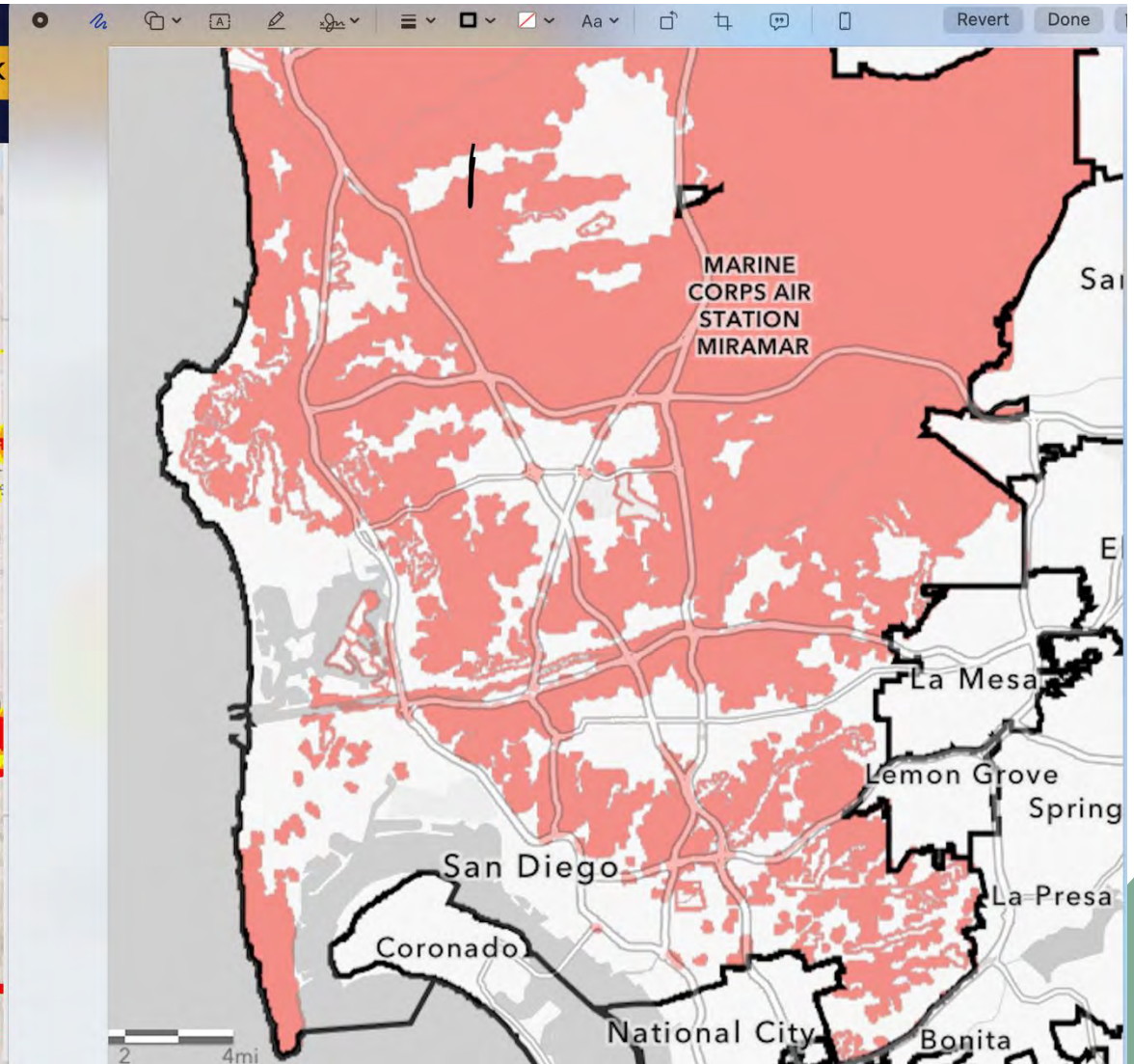
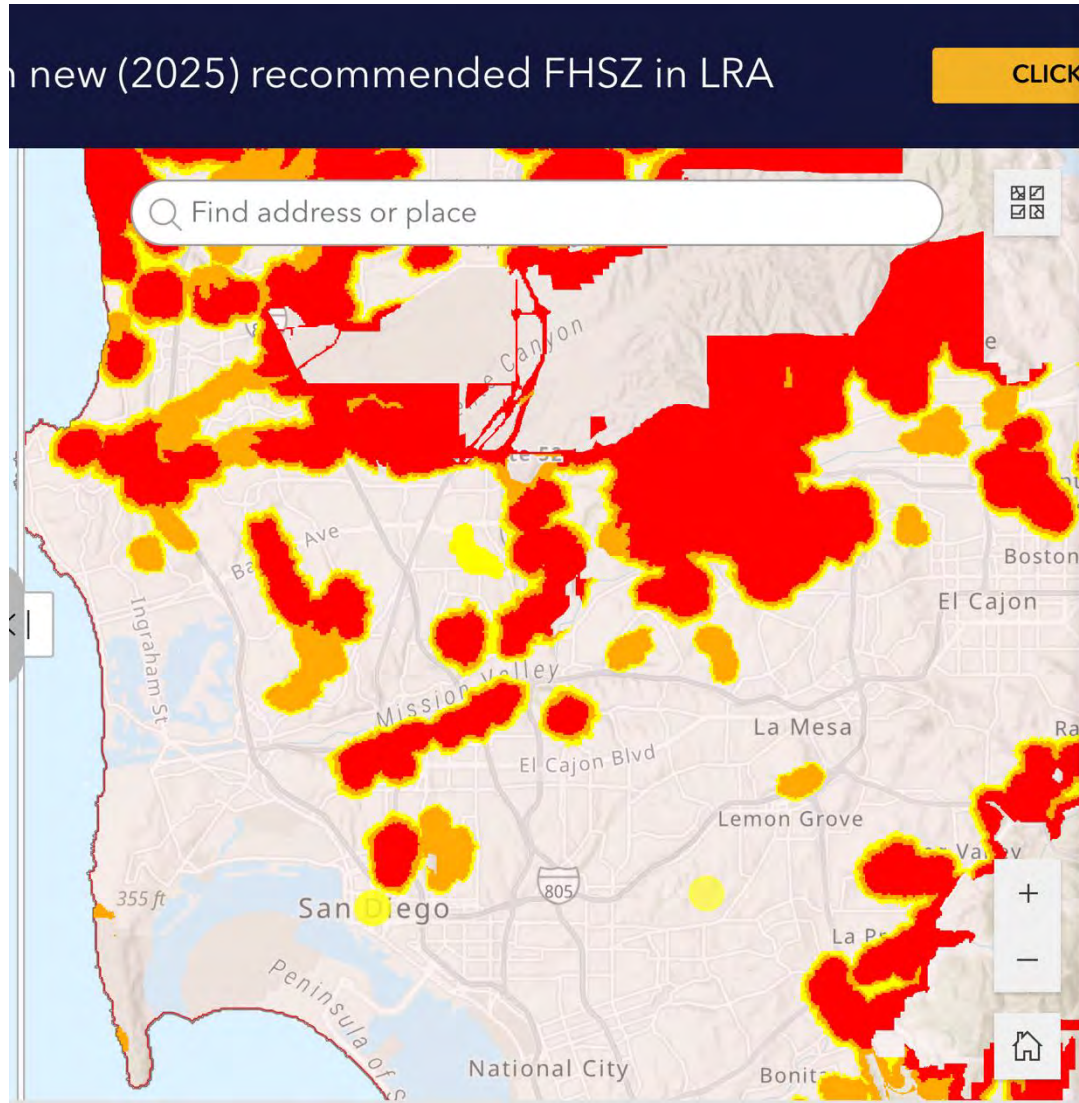
15: Fire Zone and Evacuation Route Eligibility

CAVEATS:

- Fire Marshal *must see the plans*
- Proposed San Diego 2025 CalFire Map eliminated almost 30,000 acres of VHFHSZs. If City's map doesn't retain these highly flammable areas, Items 11 and 15 are significantly less meaningful, especially south of I-8 and in D2 and D7.

CALFIRE 2025 Map vs. Current SD VHFHSZ Map

San Diego still burns!



NFABSD supports Item 16 with modification

WE SUPPORT: Development Scale - Capping Bonus ADU eligible RS zones at 10,000 sf and scaling FAR based on existing SDMC

REQUESTED MODIFICATION: We have existing, objective Environmentally Sensitive Lands (ESL) code for allowable development area: **Chapter 14, Article 3, Division 1**. Please apply it to §141.0302(d)(3), such as:

“If the premises contains *environmentally sensitive lands*, the lot area used to determine the [FAR] shall be based on the allowable *development* area as described in **Chapter 14, Article 3, Division 1**.”

NFABSD supports Item 18 with modifications

WE SUPPORT: Parking – State doesn't use **TPA** in its ADU parking code. We shouldn't either.

- CA ADU code (66322) uses **one-half of one mile walking distance of public transit** when discussing parking requirements

REQUESTED MODIFICATION: Please replace **TPA** with language in CA 66322.

One off-street parking space shall be required for each affordable ADU and EACH bonus ADU located beyond one-half of one mile walking distance of public transit.

NFABSD supports further ADU code amendments

- **Adopt state heights, stories and setbacks**
- **Cap total housing units at 4 per single-family (RS) parcel**
- **Remove differentiation between inside and outside SDA; adopt outside SDA code citywide**
- **Sunset Bonus ADU Program with 6th Cycle Housing Element**

Adopt state code for ADU height, stories and setbacks (CPC)

- **HEIGHT: 16-18 feet detached / 25 feet attached**
 - Less visible from street
 - Consistent with *gentle density* & *granny flat* concepts
- **STORIES: 2-story maximum**
 - Less visible from street
 - Less intrusive on neighboring properties
 - Adopt state-allowed objective design standards for 2-story ADUs
- **SETBACKS: 4-foot side and rear setbacks for all heights**
 - Greater access for fire safety
 - Avoids trespassing issues

NFABSD and CPC propose capping housing units for Bonus ADU Program at **4 per single-family (RS) parcel**

- **1 primary Dwelling Unit**
- **2 state “by-right” market-rate ADUs (1 detached / 1 converted)**
- **1 deed-restricted / accessible Bonus ADU**

Benefits of capping housing units at **4 per RS parcel**

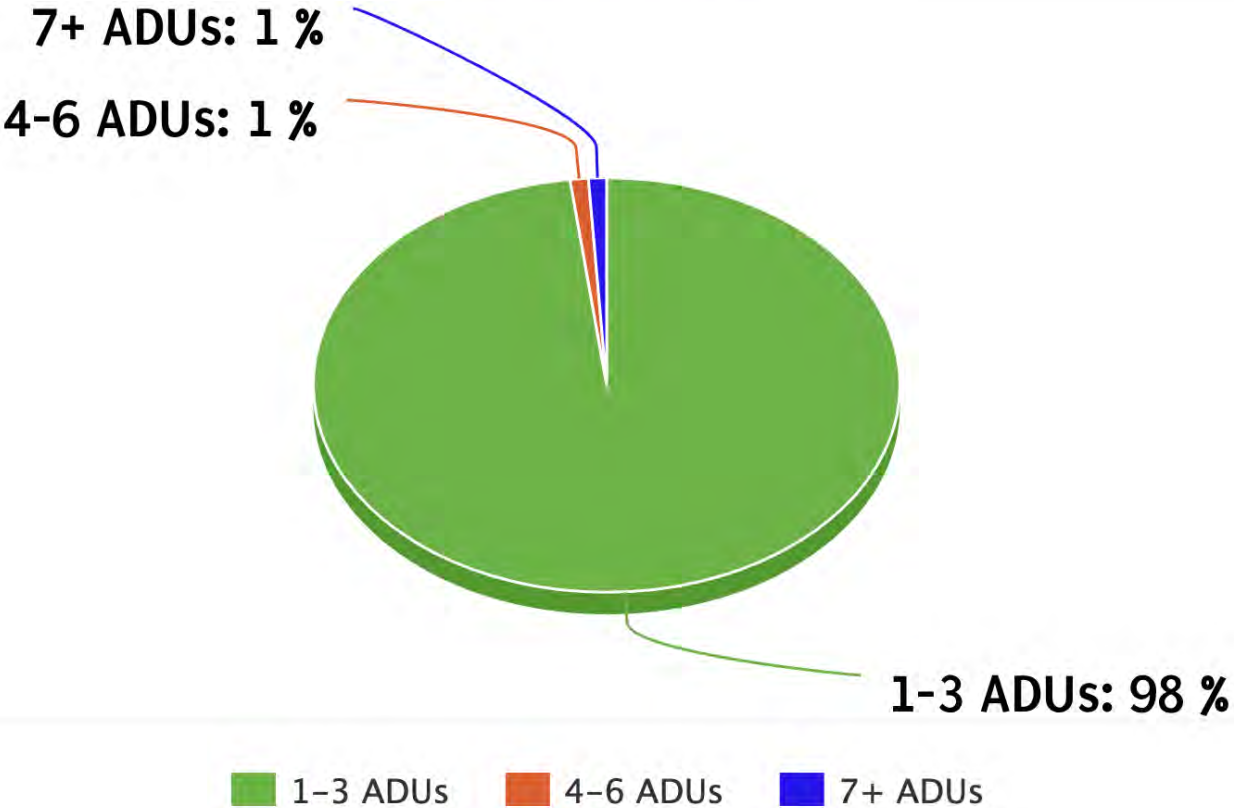
Consistent with

- HUD definition of single-family housing *(24 CFR Section 81.2)*
- SB 9 – “4 means 4”
- 4 DU defines single-family trash service for City
- Continues affordable housing production
- Allows absorbable gentle density
- Minimizes parking issues

Capping housing units at **4 per RS parcel** will not hinder ADU development

98% of ADU projects already include 1-3 ADUs

Size of Permitted Bonus ADU Projects
2021-2024



Fewer units encourage larger units

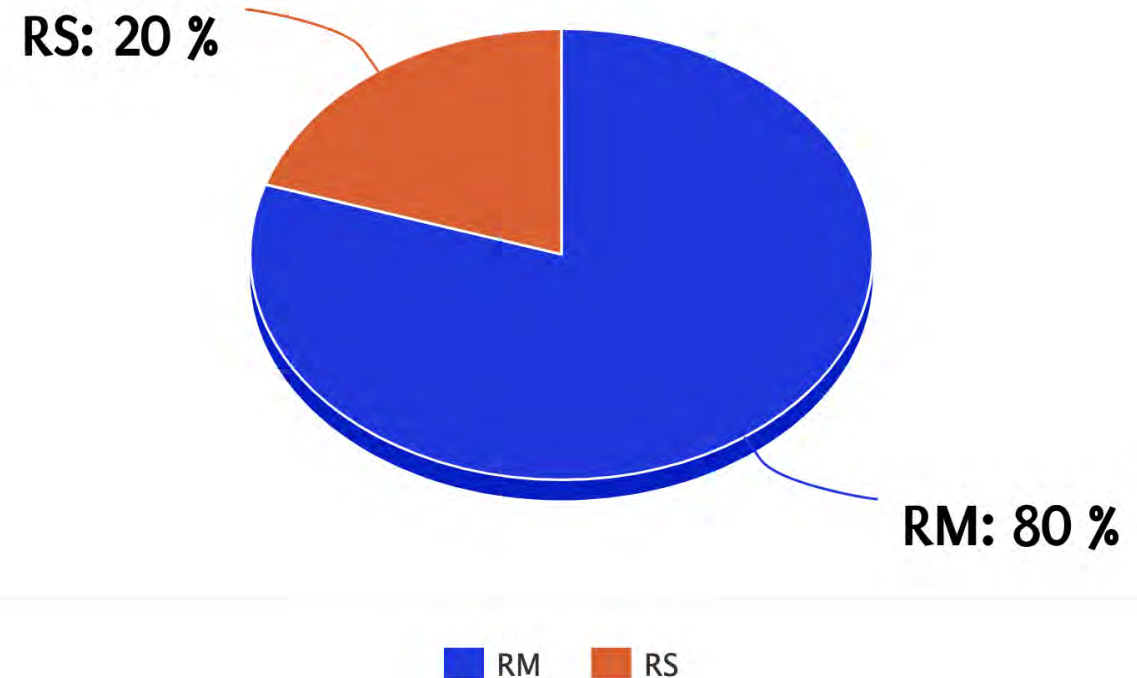
London Moeder Advisors July 2022

...if policy is going to assume that families will transition to multifamily units, then **100% of recent multifamily growth should have been units with multiple bedrooms. This is the housing crisis linkage that is ignored in today's environment and political landscape. It is also a driving force behind people leaving the state.** In essence, if you are a young working professional, you may enjoy living in San Diego in your 20s. **But once you hit mid-30s, and need more space or bedrooms, then you have to leave because moving up is too costly.** This has given way to a new export economy, and the main product is local young talent.

Reducing Bonus Program in RS zones leaves plenty of ADU opportunities

**Multifamily zones
account for 80% of
Bonus ADU Projects
(53% Bonus ADUs)**

% ADU Projects Permitted Through Bonus ADU Program
2021-2024



Equalize Bonus ADU Program inside & outside SDA (CPC)

Take Bonus ADU code from outside the SDA and apply it citywide

- **Provides certainty for projects**
 - **Ever-changing transit plans make SDA a moving target**
- **SDA is not transit-oriented development**
 - **SANDAG transit studies show people don't walk a mile to transit**
 - **SDA based on aspirational (2050) transit**
- **SDA is discriminatory – directs lower income housing to lower opportunity zones**

Proposed ADU amendments won't gut ADU program

- **98% ADU projects 1-3 ADUs**
- **State has granted an additional market-rate ADU per single-family (RS) parcel**
- **City now allowing ADUs to be sold as condos**
- **State has expanded ADU opportunities in multifamily (RM) zones**

No threat of Housing Element decertification

San Diego has discretion to revise Bonus ADU program because

- **Housing Element commitment to develop or redevelop nonvacant sites with lower income housing units IS being fulfilled:**
 - Expectation for 40 deed-restricted units per year
 - Affordable ADUs in RM zones alone satisfy this goal (49/yr)

No threat of Housing Element decertification (cont.)

- **Housing Element didn't include targets for Complete Communities Housing Solutions (CCHS)**
 - CCHS provides very low, low and moderate-income units not committed to in 2021-2029 Housing Element (avg. 123/yr)

The Housing Crisis Act of 2019 (SB 330) doesn't apply because opt-in density bonus programs such as Bonus ADUs are not zoning changes.

Sunset Bonus ADU Program with 6th Cycle Housing Element

ADU commitments to HCD and supposed threat of Housing Element decertification influenced willingness to amend ADU code.

- Avoid such risks in future by sunseting Bonus ADU Program at close of 6th Cycle Housing Element**
- No downzoning issue (SB 330) as this is an overlay program and not zoning**

Neighbors For A Better San Diego recommends

- **Adopting state ADU code for heights (16/18' detached & 25' attached), stories (max 2) and setbacks (4')**
- **Reducing the Bonus ADU Program in RS zones to 4 housing units with 1 deed-restricted or accessible ADU throughout the city**
- **Eliminating SDA distinction – equalizing ADU program across San Diego**
- **Ending Bonus ADU Program with end of 6th Cycle Housing Element (2029)**

Thank you!

Danna Givot

Neighbors For A Better San Diego

Better4SD@gmail.com

NFABSD.org



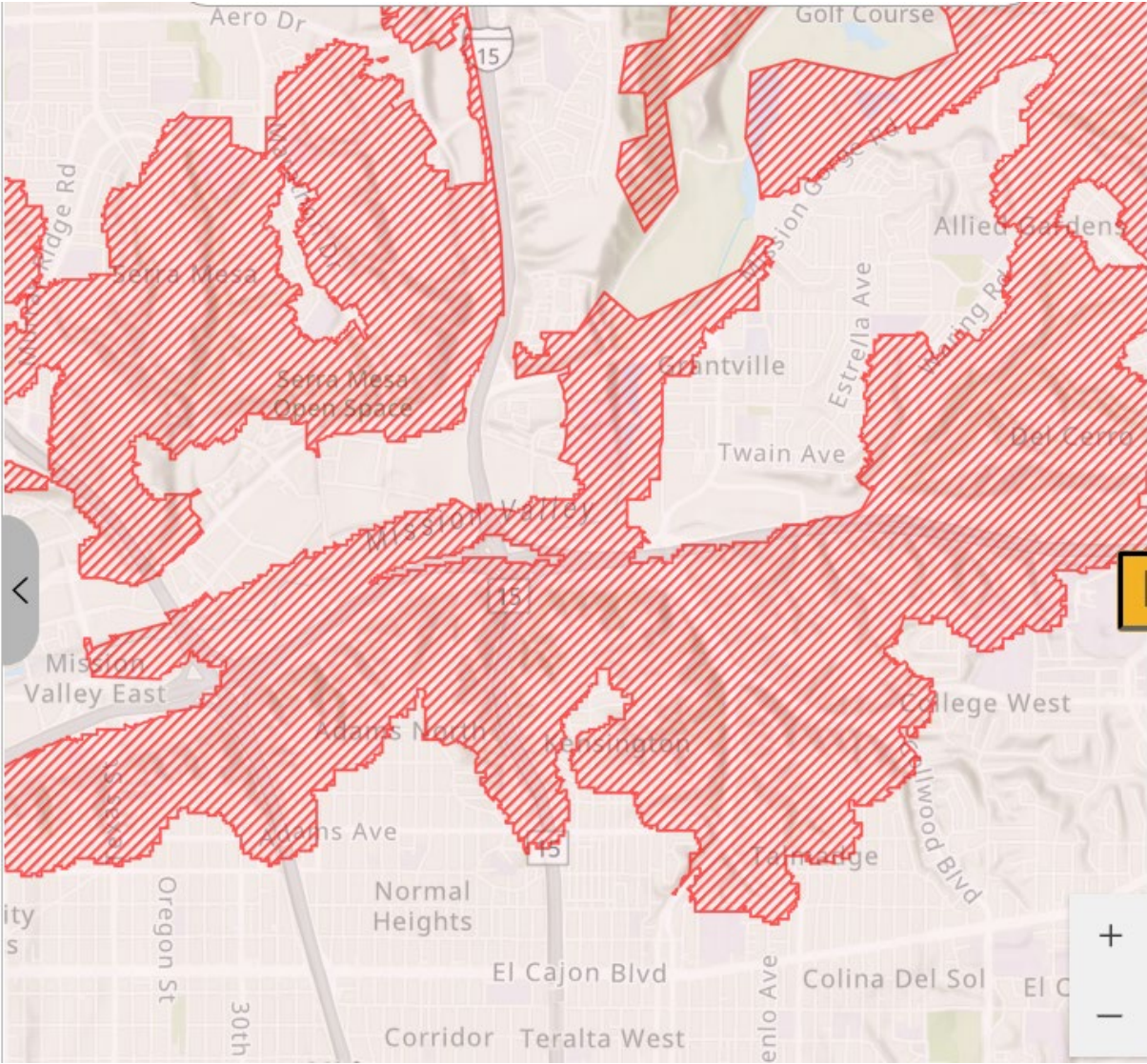
Comparison of Fire Hazard Severity Zones

2007-2011 and 2025 OSM Maps

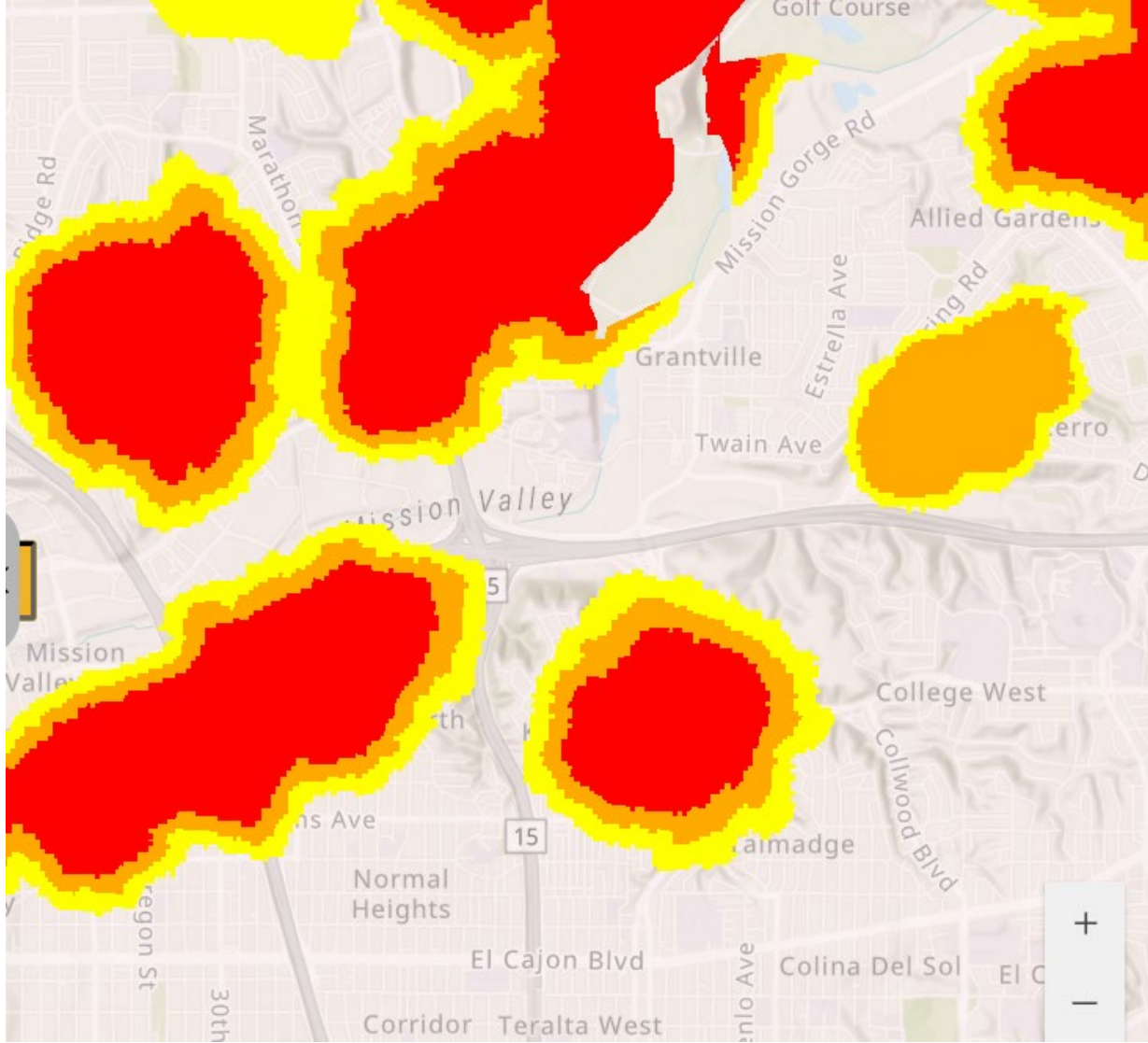
- 1) Maintain the very high fire hazard designation in our urban canyon communities. Protect life and property.
- 2) Limit ADU construction in very high fire hazard areas of the city, especially areas with limited egress. Apply the highest standards for evacuation routes, fire code, and setbacks.

Sarah Axford, Talmadge resident & Fire Safe Council Chair

2007-2011 Fire Hazard Severity Zones in Local Responsibility Area, as Recommended by State Fire Marshal

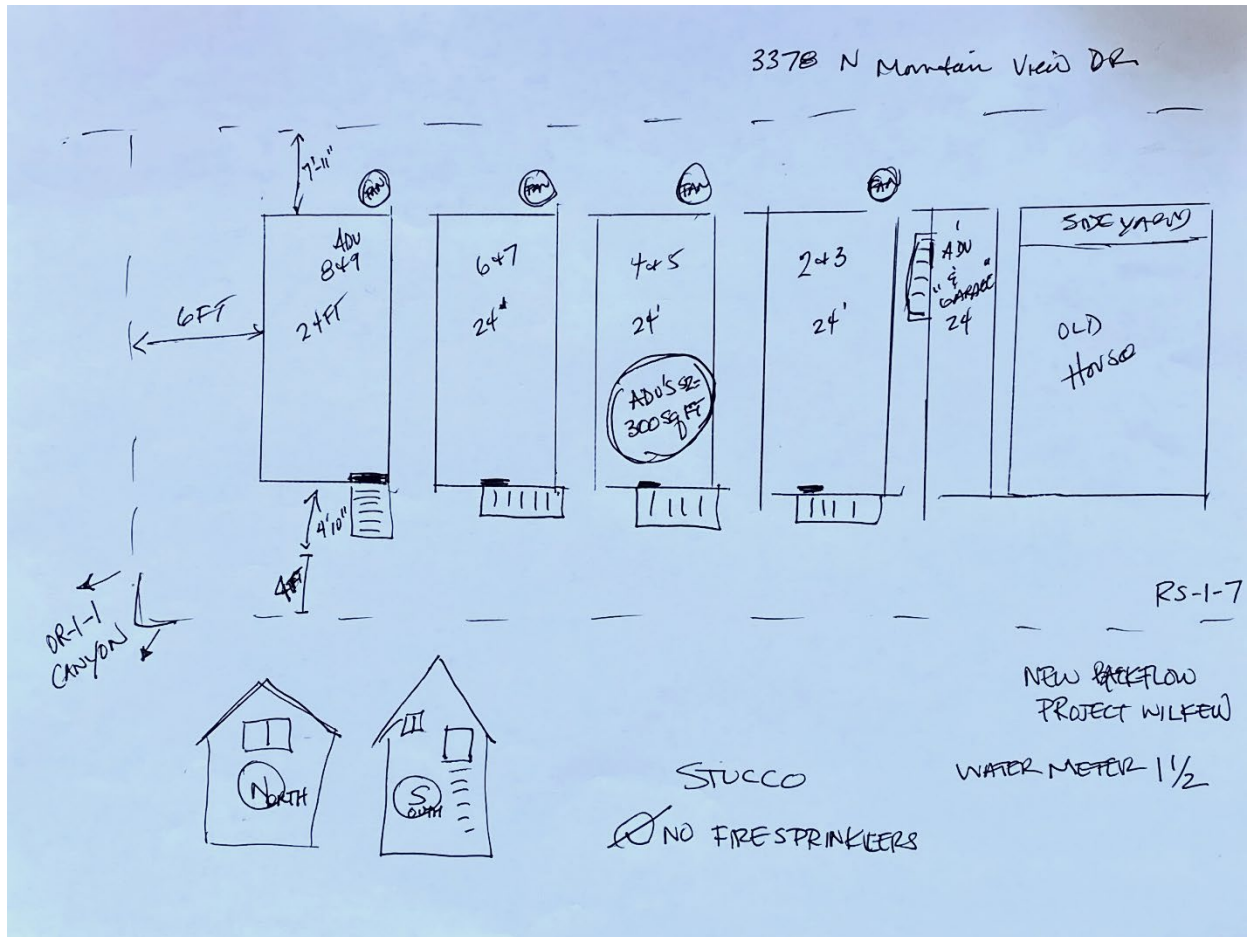


2025 Fire Hazard Severity Zones in Local Responsibility Area, as Recommended by the State Fire Marshal











Dave Nicolai Photo Attachments





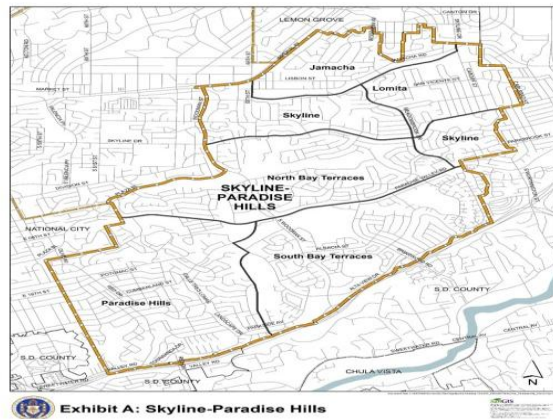
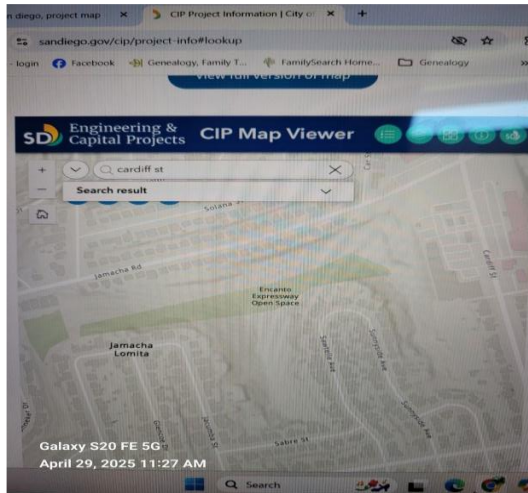


N 32.743199°, W 117.057597°
11/05/2024





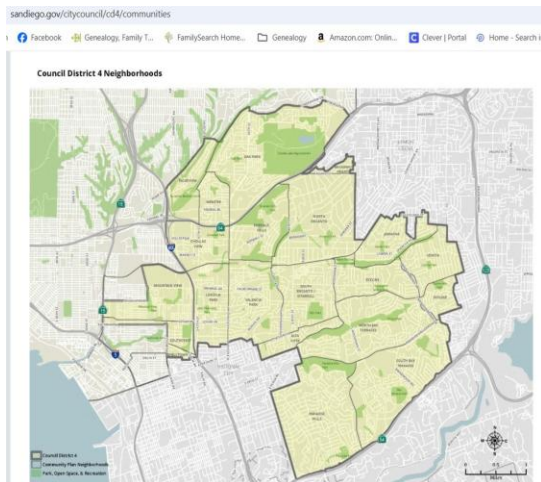
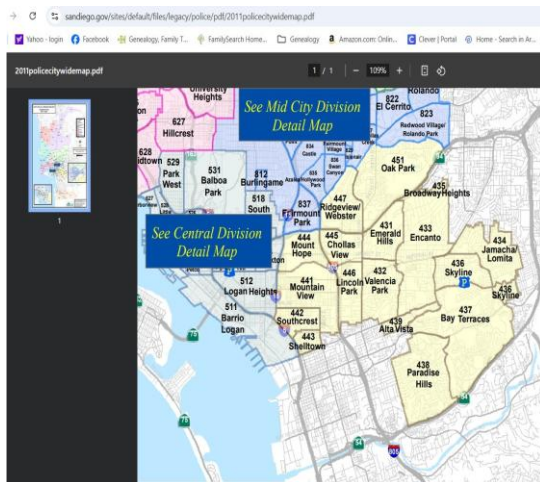
The Skyline - Paradise Hills Community Plan Map, (see 2015 map Exhibit A) verifies that Jamacha is one of six communities. The Jamacha Neighborhood is separate not merged with Lomita as shown in this inaccurate CIP Map Viewer used by City of San Diego.

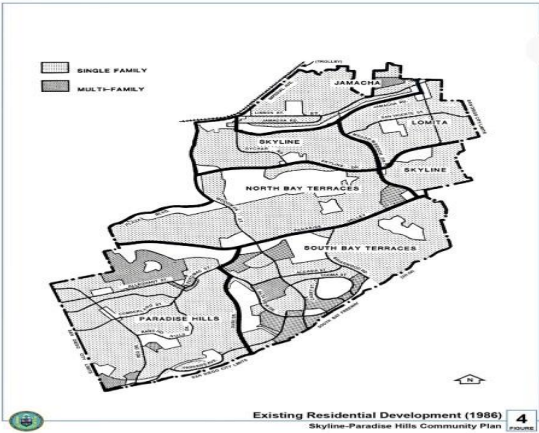


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The inaccurate 2011 Police Neighborhood map on left Vs. the accurate District 4 Map on the right





Jamacha only has Bus #4, with 18 bus stops
without any connections

TRANSIT PRIORITY AREA

- Our Jamacha Community does not meet the conditions of the Transit Priority Area (TPA), as bus #4 is our only transit route and none of our 18 bus stops connect with any other bus routes.
- The City of San Diego, needs to revise the Municipal Code to correctly measure distances from the front door of homes to the ticket machines at each Transit Station. It is inappropriate to distort the distances to appear shorter, by measuring from the driveway entrances of transit stations as most people will be walking further to get to the center location of the transit stations to access the ticket machines or Pronto app scanners.



April 28, 2025 (updated)

From: Jamacha Neighborhood Council

To: City of San Diego, Planners Commission

Re: PRJ-1128933, Bonus ADU, (6) new 2-STORY buildings for ADUs.

BONUS ADU OUTLIER PROJECT RS 1-7

This is in the Jamacha Community, located at 1441 Woodrow Av, San Diego, CA, 92114. Council District 4, SD County Supervisor District 4, 79th District, Assembly District 52.



The Jamacha Neighborhood Council consisting of residents, both homeowners and renters, are opposing this 12 unit Bonus ADU **outlier project** noted above on a parcel# 5767010100 that is 11,100 sq. ft. in a RS 1-7 zone. This project should require a Process 4 review by the Developmental Service Department, due to Paleontological Sensitive area and Grade. This project is not consistent with the scale, nor character of the single-story homes in the Jamacha Community.

We oppose Bonus ADUs in single family RS 1-7 zones. Jamacha lacks infrastructure to support new housing, most of our community still has cast iron pipes and has not had undergrounding. The Bonus ADU program should have the same rules applied citywide, exclusively within Residential Multifamily (RM) zones. All affordable ADU housing both in Jamacha, and San Diego should be deeded for no less than 55 years minimum. The high income areas need extremely low and low affordable two bedroom housing for families, not moderately affordable, nor studios.

Our area does not qualify for Bonus ADUs. We request that the City of San Diego eliminate the Bonus ADU program in single family zones and be revised to ensure that ADUs meet the same standards as the State ADU program for all RS 1-7 zones.



The Skyline- Paradise Hills Community Plan verifies that Jamacha is one of six communities, and it is not merged with Lomita as inaccurately shown on all the City of San Diego maps.

Furthermore, the Bonus ADU program is unfairly targeting our culturally diverse, lower income Jamacha Community. It is not applied equally to all 52 Planning Areas.

This two-story project is being built in a RS 1-7 single family zone. This is a very quiet, single-family neighborhood, with only single-story homes.

This project will harm our community by destroying the community character. The increased density without infrastructure is a risk to our safety.

TRASH CANS OR DUMPSTERS

We oppose any trash cans or dumpsters being viewed from the street. The maximum height for fences in the front yard will not hide trash cans or dumpsters. The backyard will not have space to add 39 trash cans, and the side yards are too narrow for a truck to enter the backyard to empty dumpsters.



TRANSIT PRIORITY AREA

Our Jamacha Community does not meet the conditions of the Transit Priority Area (TPA), as bus #4 is our only transit route and none of our 18 bus stops connect with any other bus routes and no bus stop exists on Woodrow Ave. In addition, the nearest Transit Station is more than half a mile distance (0.57) from 1441 Woodrow Ave and the majority of the 1,340 homes in Jamacha. There are many steep hills without handrails, on poorly maintained sidewalks, which prohibit walking to transit stations. In fact, most Jamacha residents drive their cars to the transit station to ride the Trolley.



SUSTAINABLE DEVELOPMENT AREA

We do not meet the conditions of a Sustainable Development Area; we only have a limited number of entry level minimal wage job opportunities. The Skyline- Paradise Hills Community Plan verifies that Jamacha is one of six communities, and it is not merged with Lomita as inaccurately shown in the City of San Diego maps.

ENVIRONMENTAL

This project is in a paleontological sensitive area. The land in the backyard has never been disturbed. The city received a memo from the and Campo Band of Mission Indians with nearby project, that Jamacha has significant cultural history and that they request to be notified before the ground is disturbed (see attached).

The City of San Diego has failed to provide a proper California Environmental Quality Analysis (CEQA). Since this is designated as a Paleontological Sensitive area in this alleged Sustainable Development Area.

WEBSITE LINK TO APPLICATION

<https://acaprod.accela.com/SANDIEGO/Cap/CapDetail.aspx?Module=DSD&TabName=DSD&capID1=REC25&capID2=00000&capID3=0001X&agencyCode=SANDIEGO&IsToShowInspection=>

APPLICATION DISCREPENCIES



Furthermore, the PRJ-1128933, 1441 Woodrow Ave. has an application dated 1/2/2025, with misinformation about the property in question. (see applicant's responses below)



Historic Designation- The applicant's response below is false.

QUESTION: Does your proposed construction include work on a site containing buildings or structures **45 years old or older** in which there will be a change to the exterior of the existing buildings or structures?

THE APPLICANT'S RESPONSE: **No**

The fact is that the existing house was built in 1965 and is **60 years old** (see photo).

Code Enforcement – The applicant's response below is Inaccurate.

QUESTION: Is there a code enforcement violation case on this site? **No**

The applicant's response "NO" above is false and should have been **YES**.

The existing home was declared inhabitable and a fire hazard. There is a current Get It Done complaint #05179845, as well as past complaints. The Code Enforcement has been visiting this property for years, see case CE-0517505, assigned to Mr. Val Sanchez, (619) 533- 3433. The home was condemned, and both the Fire Department and San Diego Police Department have visited multiple times.



PROJECT INFORMATION- The applicant's response below describing the project is false.

DSD Defined Scope:



SKYLINE-PARADISE HILLS, Combination building permit propose ADU bonus program. (1) new SFD 1-STORY building and (6) new 2-STORY buildings for **ADUs added to empty lot** (see photo below). Model A - are for building 2,3,4 (3) buildings, (6) ADUS added to the rear of the property. Model B - are for BUILDING 5,6,7 (3) buildings, (6) ADUS added to the rear of the property. Model C - are for building 1, (1) SFD.

As of today, an existing home and a large shed are currently on this property. Please see the photos below: No Trespassing/Letter of Agency, and house with curb number, and backyard which prove that the property **is not an empty lot** (see photo below).



AFFORDABLE HOUSING COMPLIANCE- None of the responses state- Yes, though the applicant's project information lists ADU Bonus program.

Payment of the Inclusionary Affordable Housing In-Lieu Fee: No

The project is exempt from Inclusionary Affordable Housing Regulations: No

Residential use types:

Accessory Dwelling Unit- **YES**

INCLUSIONARY HOUSING

Required: Yes

This Application **does not Indicate** how Inclusionary Affordable Housing Regulations will be fulfilled.

GENERATIONAL WEALTH



This 4 bedroom 3 bath home sold for 495k, is a clear example of lost opportunity to help a family build generational wealth. The Investors out bid families and neighbors.



Sold May 2024 for \$495K

1441 Woodrow Ave
San Diego, CA 92114

\$798,813 Redfin Estimate

4 beds • 2 baths • 1,299 sq ft

[Search](#) | [Property Detail](#) | [Transaction History](#) | [Supplemental Tax Estimator](#) | [Recent Sales](#) | [Property Reports](#)

Jordan Z. Marks, San Diego County - Assessor

Property Address: 1441 WOODROW AVE SAN DIEGO CA 92114-3336

General Information

Parcel # (APN): 576-701-01-00 [View Map](#)

Owner: See Full Detail

Mailing Address: 3952 CLAIREMONT MESA BLVD #D SAN DIEGO CA 92117

Legal Description: TR 4747 LOT 109*

Use Type: RESID. SINGLE FAMILY

Tax Rate Area: 000-024

Assessment

Total Value:	\$257,026	Year Assd:	2024
Land:	\$110,785	Zoning:	See Full Detail
Structure:	\$146,241	Use Code:	See Full Detail
Other:		Census Tract:	See Full Detail
% Improved:	See Full Detail	Price/SqFt:	See Full Detail
Exempt Amt:	\$7,000		
HQ Exempt:	Y		

Sale History

	Sale 1	Sale 2	Sale 3	Transfer
Document Date:	05/09/2024			See Full Detail
Document Number:	0114810			See Full Detail
Document Type:	See Full Detail			
Transfer Amount:	\$495,000			
Seller (Grantor):				

Property Characteristics

Bedrooms:	4	Fireplace:		Units:	See Full Detail
Baths (Full):	2	A/C:		Stories:	
Baths (Half):		Heating:		Quality:	
Total Rooms:		Pool:		Building Class:	
Bldg/Liv Area:	1,299	Park Type:	See Full Detail	Condition:	
Lot Acres:	0.254	Spaces:		Site Influence:	
Lot SqFt:	11,100	Garage SqFt:		Timber Preserve:	
Year Built:				Ag Preserve:	
Effective Year:	See Full Detail				

Full Detail \$14.95 [Add to Cart](#)

PLEASE NOTE: If a field is empty on this page, there is no data available, and the field will also be empty on the Full Detail property report.

[Additional reports on this property](#)

**The information provided here is deemed reliable, but is not guaranteed.

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In closing, we feel that the Application for 1441 Woodrow Ave project is invalid, and the application should have been denied. Please comply with our concerns about the applicant's misinformation in the application and halt this unwanted project as soon as possible before any construction commences.

Sincerely,

On behalf of the Jamacha Neighborhood Council,

Dorene Dias Pesta, Founder and Interim Chairperson

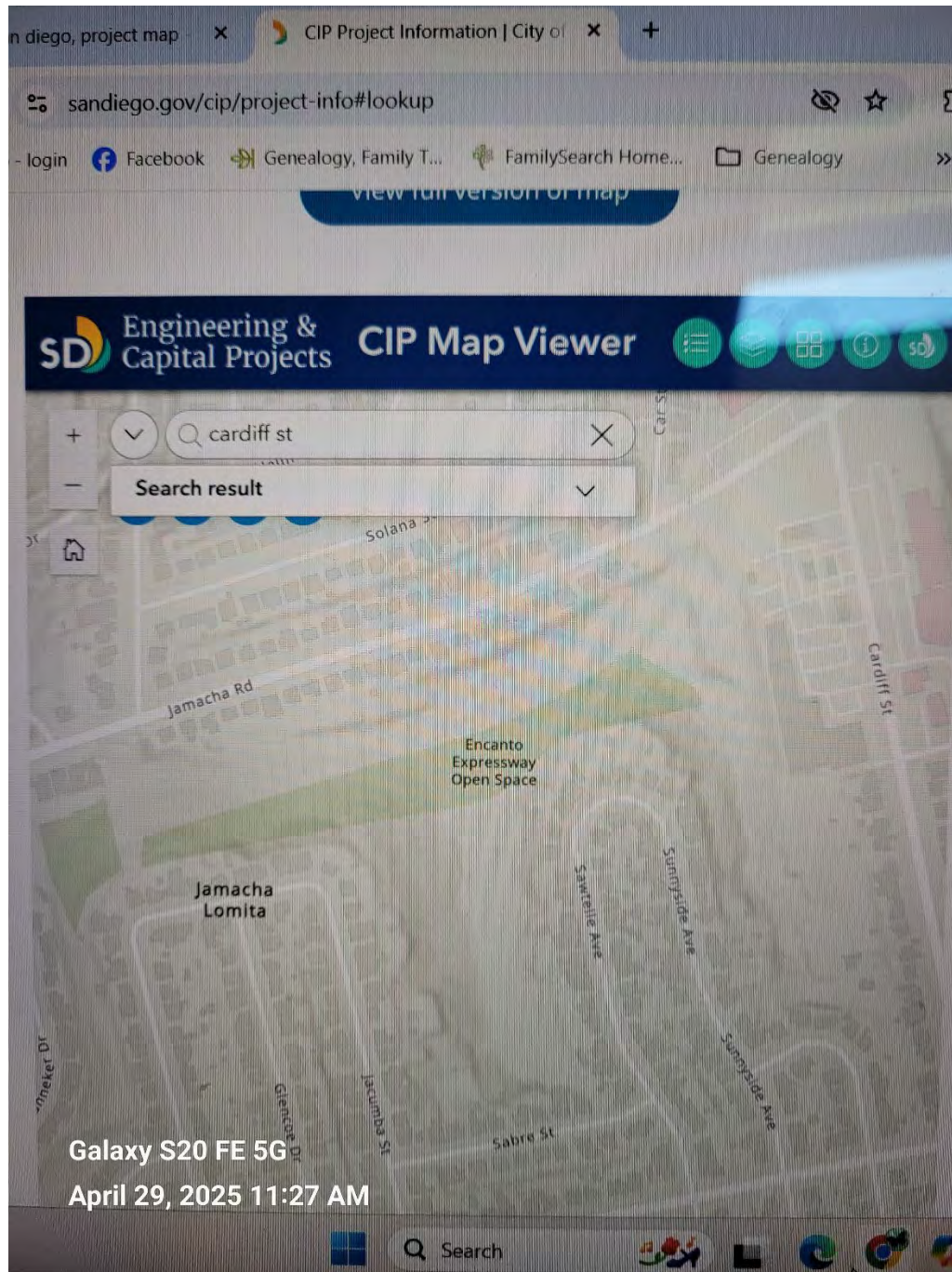


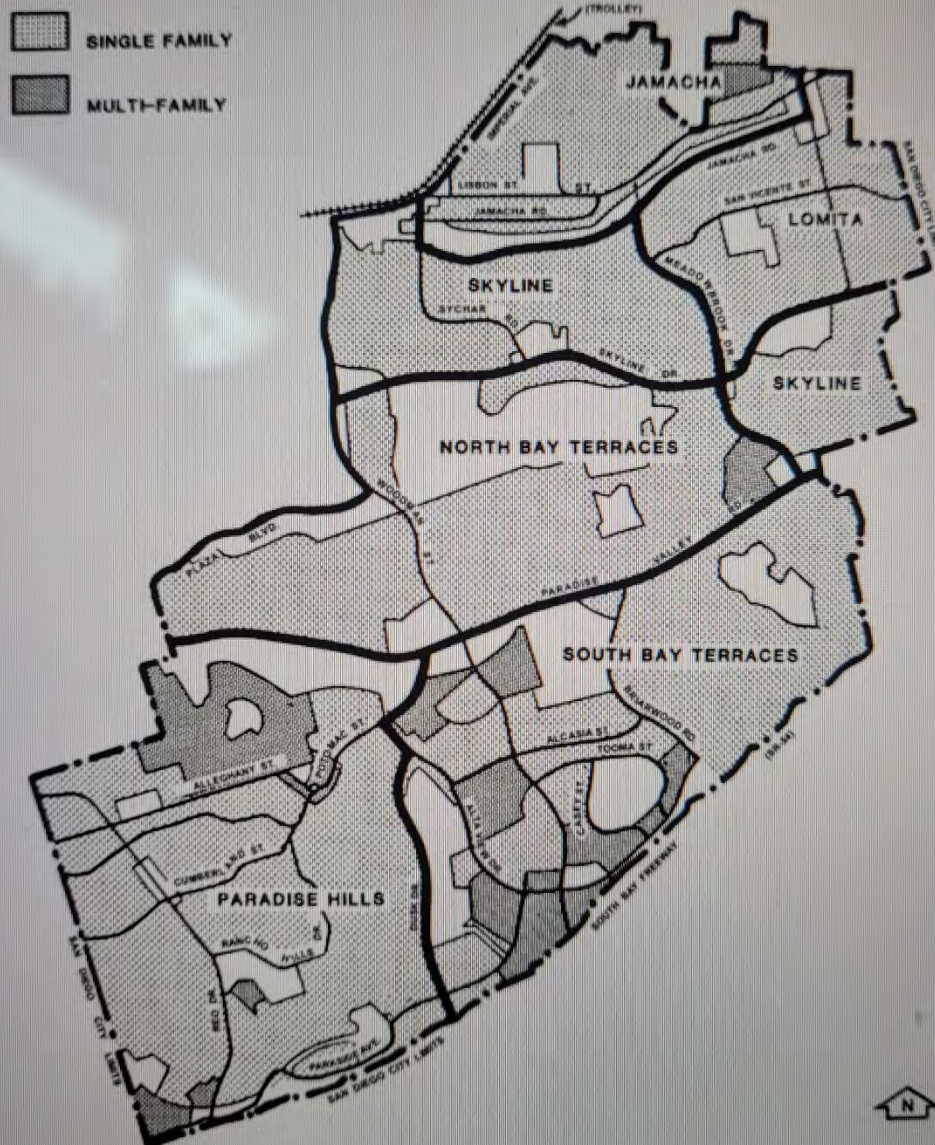
Printed	Signature	Address
Rodrigo Gonzalez	[Signature]	7105 Lisbon St
DIANE MOSS	[Signature]	1002 Woodrow Ave
Carol J. Turner	[Signature]	6857 Jamacha Rd,
Shirley HUGHES	[Signature]	1431 Woodrow Ave
Sandra Hawthorne	[Signature]	7433 Jamacha Rd. SD 92114
Marie Kristine Razon	[Signature]	1426 Woodrow Ave.
Silva, Julian	[Signature]	1426 Woodrow Ave S.D. CA 92114
Alaciel Haddad	[Signature]	7119 Lisbon St
Noel Avilucea	[Signature]	1560 Woodrow Ave. SD 92114
CRUMP, ALAN	[Signature]	510 CADMAN ST. SD 92114
Holly Hedgecock	[Signature]	1509 Woodrow Ave., S.D. 92114
Terrence P. Pesta	[Signature]	7465 Minerva Dr. 92114
Rodney Tilk	[Signature]	7581 Vinewood St DR 92114
James A. Black	[Signature]	1557 Woodrow Ave. 92114
Lilia C Black	[Signature]	1557 Woodrow Ave 92114
SANIA FREEMAN	[Signature]	1442 Woodrow Ave 92114
Ben Kelman	[Signature]	6839 Jamacha Rd. 92114
Dorene R Dias	[Signature]	7465 Minerva Dr. 92114

The members of the Jamacha Neighborhood Council, listed above, support this letter and oppose the project at 1441 Woodrow Avenue.

Signed on April 9, 2025
 Galaxy S20 FE 5G
 April 11, 2025 2:25 PM
 Verified by Terrence Pesta (Interim Secretary)
 [Signature]

Dorene Dias Photos





Galaxy S20 FE 5G
April 22, 2025 6:54 AM

Existing Residential Development (1986)
Skyline-Paradise Hills Community Plan

4
FIGURE

Jordan Z. Marks, San Diego County - Assessor

Property Address: 1441 WOODROW AVE SAN DIEGO CA 92114-3336

General Information

Parcel # (APN): 576-701-01-00 [Open Map](#)

Owner: [See Full Detail](#)

Mailing Address: 3952 CLAIREMONT MESA BLVD #D SAN DIEGO CA 92117

Legal Description: TR 4747 LOT 103*

Use Type: RESID. SINGLE FAMILY

Tax Rate Area: 008-024

Assessment

Total Value: \$257,026

Land: \$110,785

Structures: \$146,241

Other: [See Full Detail](#)

% Improved: [See Full Detail](#)

Exempt Amt: \$7,000

HO Exempt: Y


Year Assd: 2024

Zoning: [See Full Detail](#)

Use Code: [See Full Detail](#)

Census Tract: [See Full Detail](#)

Price/SqFt: [See Full Detail](#)



Full Detail \$14.95 [Add to Cart](#)

PLEASE NOTE: If a field is empty on this page, there is no data available, and the field will also be empty on the Full Detail property report.

Sale History

Document Date: 05/08/2024

Document Number: 0114810

Document Type: [See Full Detail](#)

Transfer Amount: \$495,000

Seller (Grantor):

Sale 1

Sale 2

Sale 3

Transfer

[See Full Detail](#)

[See Full Detail](#)

[See Full Detail](#)

[See Full Detail](#)

Property Characteristics

Bedrooms: 4

Baths (Full): 2

Baths (Half):

Total Rooms:

Bldg/Liv Area: 1,299

Lot Acres: 0.254

Lot SqFt: 11,100

Year Built:

Effective Year: [See Full Detail](#)

Fireplace:

A/C:

Heating:

Pool:

Park Type:

Spaces: [See Full Detail](#)

Garage SqFt:

Units: [See Full Detail](#)

Stories:

Quality:

Building Class:

Condition:

Site Influence:

Timber Preserve:

Ag Preserve:

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April 30, 2025

To: Planning Commission

Re: Planning Department proposed amendments to Accessory Dwelling Unit regulations

Dear Commissioners:

In advance of the [May 1 Planning Commission hearing](#) on San Diego's Accessory Dwelling Unit (ADU) regulations, the Planning Department has published a Staff Report detailing proposed changes the Bonus ADU regulations.

It can't be overstated that the Planning Department is violating its promise to the Council and to the public on March 4 that there would be public workshops prior to submitting changes to the Planning Commission. A more fulsome public review process would have allowed discussion and refinement of the Planning Department's proposed amendments, as well as provide input on areas that have not been addressed in the Staff Report and matrix of code amendments.

In addition to the recommendations in the Staff Report, NFABSD supports the Community Planners Committee's (CPC) additional recommended changes [link to CPC letter], which are summarized [HERE](#).

Neighbors For A Better San Diego's responses to the proposed amendments are detailed in the attachments.

Respectfully,

Geoffrey Hueter, Chair

Neighbors For A Better San Diego

SUMMARY OF RESPONSES TO PROPOSED AMENDMENTS

NFABSD has studied the 24 recommendations in the Staff Report and offers the responses below.

Items 1-13 are being proposed in conformance with recently enacted state laws and code interpretation by the Department of Housing and Community Development (HCD).

Items 14-24 are changes to Bonus ADU program except Item 23:

April 24, 2025, Staff Report Proposed Accessory Dwelling Unit (ADU) Amendments

Item	Title (4-24-25 Staff Report)	NFABSD Response	NFABSD Comments
1	ADU Home Minimum and Maximum Size	State law	
2	ADU and JADU Zoning	State law	
3	Fire Sprinkler Requirements	State law	Fire code might require sprinklers even if primary dwelling doesn't have them.
4	Converted ADU and JADU Homes within the Coastal Overlay Zone	State law	
5	JADU Home Rental Terms	State law	HCD's comments are unclear. Regardless, San Diego should require long term rental on remaining units.
6	Number of Permitted ADU and JADU Homes with an Existing or Proposed Single Dwelling Unit	State law	Codification of HCD interpretation of state law.
7	Tree Requirements	State law	Disagree with HCD interpretation as disallowing trees. Requirement is imposed based on opt-in to Bonus program and not imposed on state allowed ADUs.
8	Number of Permitted ADU Homes with an Existing or Proposed Multiple Dwelling Unit Structure	State law	Drafting of code language warrants further examination.
9	Floor Area Ratio Maximums	State law	Conversion of existing structures isn't limited by FAR. New structures, including Bonus ADUs are limited by FAR provided that a minimum 800 square foot ADU is allowed.

Item	Title (4-24-25 Staff Report)	NFABSD Response	NFABSD Comments
10	Side Yard Setbacks for ADU Structures	State law	Unfortunately, state is obsessed with putting ADUs on every lot instead of retaining a more affordable market for smaller developments.
11	Fire Safety Setbacks	Support	San Diego must be more mindful of fire risk than the scattershot approach in the 2025 Cal Fire map, which especially ignores risks in low opportunity neighborhoods south of I-8.
12	Replacement Parking	State law	This might be all for nought if AB 1154 passes and there is no parking for units under 500 square feet.
13	JADU Homeowner Occupancy Requirement Exemption	State law	Provides a benefit to investors that was previously only available to homeowners.
14	ADU Home Density Bonus - Applicability	Support with amendment	Acreage doesn't equate to actual projects. As noted in Staff Report, only 2 Bonus ADU projects (6 ADUs) built in the affected zones. Doesn't limit bulk of large projects in RS-1-7 zones.
15	ADU Home Density Bonus - Evacuation Routes	Support	As with Item 11, need to be mindful of changes in the Fire Map.
16	ADU Home Density Bonus - Development Scale	Support with amendment	Strongly support capping FAR calculation at 10,000 square feet. Further recommendation to use existing definition of Allowed Developable Area in Chapter 14, Article 3, Division 1.
17	ADU Home Density Bonus - Required Automatic Fire Sprinkler System	Support	
18	ADU Home Density Bonus - Parking	Support with amendment	Needs to use state code, which is one-half mile walking distance requirement, and clarify that it's for each affordable and each bonus.
19	ADU Home Density Bonus - Deed Restriction Agreement for Affordable ADU Homes	Support with clarification	How is the scenario avoided where the owner occupies the unit ("rent free")? Is this covered in the Compliance proposal (Item 21)?
20	ADU Home Density Bonus - Affordable ADU Home and Accessible ADU Home Requirements	Support	Enforces the equity requirements of the affordable and accessible ADUs.

Item	Title (4-24-25 Staff Report)	NFABSD Response	NFABSD Comments
21	ADU Home Density Bonus - Compliance	Support	Request that DSD release data on non-compliance. Recommend the penalties are deposited in the Affordable Housing Fund administered by the San Diego Housing Commission, which is also where in lieu fees go.
22	ADU Home Density Bonus - Community Enhancement Fee	Support	Because state regulations only apply to state-mandated ADUs, San Diego has the discretion to impose fees on opt-in programs, such as the Bonus ADU program.
23	ADU Home Separate Sale or Conveyance	Support	This is a significant added allowance to developers. NFABSD supports this in conjunction with restrictions on number of units, as proposed by the Community Planners Committee.
24	Sustainable Development Area (SDA) – Definition Clarification	Support	Clarifies that the requirements of the Street Manual apply to the pedestrian path of travel definition of SDAs. (At March 4 meeting Planning Dir. Vonblum confirmed that the sidewalk requirement applies to current projects.)

ADU - Accessory Dwelling Unit

JADU - Junior Accessory Dwelling Unit

HCD - State Department of Housing and Community Development. Specifically refers to the comments of HCD in Attachment 3 of the Staff Report.

FAR - Floor Area Ratio. FAR is calculated as the ratio of the square footage of development (structures) to the area of the lot. The allowed maximum FAR of development on a lot depends on the size of the lot.

RS Zones - Residential Single-Family. Even though every "single-family" property in San Diego is allowed at least 4 dwelling units, there are still distinctions in development regulations between single-family and multi-family zoned properties. The most prevalent type of RS zoning in San Diego is RS-1-7, which equates to 7 primary dwelling units (i.e., houses) per acre, with a minimum lot size of 5,000 square feet.

DSD - Developments Services Department. For ministerial projects, such as Bonus ADU developments, DSD has the sole authority to approve projects. There is no mechanism for appealing ministerial (Process 1) decisions.

DETAILED RESPONSES TO SPECIFIC ITEMS IN PLANNING DEPARTMENT'S PACKAGE FOR MAY 1, 2025, PLANNING COMMISSION HEARING

ITEM 5: JADU Home Rental Terms

HCD noted that 'Section 141.0302(b)(1)(B) states: "An ADU or JADU shall not be used for a rental term of less than 31 consecutive days." While this is a valid restriction for an ADU, there is no basis in State JADU law to prohibit short-term rentals of a JADU.³ ³ Gov. Code, §§ 66323, subd. (d) & 66333-66339

The Planning Department matrix says, "Deletes the minimum rental term requirement for JADUs to align with state law, ensuring that rental term restrictions apply only to ADUs." As such, we would suggest deleting the strike through code below to avoid encouraging short term rentals of JADUs. Simply not listing them with a rental restriction should meet the requirements for HCD.

§141.0302(a)(8) An ADU shall not be used for a rental term of less than 31 consecutive days.
~~JADUs are not subject to rental term limitations.~~

ITEM 7: Tree Requirements

We disagree with the Planning Department's interpretation of HCD's comment on Item 7 and subsequent scrapping of the Bonus ADU Code (Section 141.0302(b)(2)(E)).

Regarding Item 7: Street Trees, HCD said: "Section 141.0302(b)(2)(E) describes landscaping requirements for trees. However, *such requirements do not apply to an ADU described by Government Code section 66323.*" That translates to *the tree requirements cannot be applied to the two "by-right" state ADUs.* HCD did not say that the tree requirement could not apply to Bonus ADU projects.

Therefore, NFABSD recommends that the City can maintain the tree requirements and apply them only to parcels that use the Bonus ADU Program - building ADUs beyond the 2 "by-right" allowed under CA 66323.

We suggest adopting one of two modifications of the tree requirement language below and keeping it in the City's ADU code, such as:

§141.0302(b)(2)(E)(i) If the construction of an *ADU* or *JADU* brings the number of ADUs and any *JADU* on the *premises* to a total of ~~two~~ three or more, two trees shall be provided on the *premises* for every 5,000 square feet of *lot* area, with a minimum of one tree per *premises*...

§141.0302(b)(2)(E)(i) If a parcel uses the Bonus ADU Program, two trees shall be provided on the *premises* for every 5,000 square feet of *lot* area, with a minimum of one tree per *premises*...

ITEM 8: Number of Permitted ADU Homes with an Existing or Proposed Multiple Dwelling Unit Structure

We believe there may be some possible misinterpretations of state code 66323 drafted into §141.0302(b)(2) and §141.0302(b)(3) that should be reconsidered.

ITEM 11 Fire Safety Setbacks and ITEM 15 ADU Home Density Bonus - Evacuation Routes

These two fire safety items are only as good as the Fire Maps that the City of San Diego adopts. Therefore, these items come with two caveats:

- Fire Marshal *must see the plans*. The ministerial process must include a mandatory review by the Fire Marshal of all projects in a High or Very High Fire Hazard Severity Zone (VHFHSZ)
- The proposed San Diego 2025 CalFire Map eliminated almost 30,000 acres of VHFHSZs. If the City's map doesn't retain these highly flammable areas, Items 11 and 15 are significantly less meaningful, especially south of I-8 and in D2 and D7.

ITEM 16: ADU Home Density Bonus - Development Scale

We strongly support the proposal to cap Bonus ADU developments in eligible single-family zones at 10,000 sf.

We also strongly support scaling the maximum FAR based on existing San Diego Municipal Code for the allowable development area.

However, the Staff Report's proposed assessment of allowable development area for environmentally sensitive lands (ESL) is unnecessarily subjective. The Municipal Code already has objective Environmentally Sensitive Lands (ESL) code for allowable development area: Chapter 14, Article 3, Division 1. This existing code should be applied to the ADU Program and named in §141.0302(d)(3), such as:

"If the premises contains *environmentally sensitive lands*, the *lot* area used to determine the [FAR] shall be based on the allowable *development* area as described in Chapter 14, Article 3, Division 1."

ITEM 18: ADU Home Density Bonus – Parking

We support requiring on-site parking beyond a specified distance from public transit, however, the language for specifying that distance must be refined to reflect state ADU code related to parking. The state doesn't use the TPA in its ADU parking code and therefore we shouldn't either.

- **CA ADU code (66322)** uses **one-half of one mile walking distance of public transit** when discussing parking requirements.

We request replacing the TPA with the language in CA 66322, such as:

One *off-street parking space* shall be required for each affordable *ADU* and **EACH** bonus *ADU* located beyond one-half of one mile walking distance of public transit.



Apr 30, 2025

**City of San Diego
202 C Street, 12th Floor
San Diego, California 92101**

By Email: planningcommission@sandiego.gov

CC: cityattorney@sandiego.gov; cackermanavi@sandiego.gov; vonblumh@sandiego.gov;
SALitchney@sandiego.gov; cityclerk@sandiego.gov

Re: Proposed amendments to the City's Accessory Dwelling Unit and Junior Accessory Dwelling Unit Regulations

Dear San Diego Planning Commission,

The California Housing Defense Fund ("CalHDF") submits this letter as a public comment concerning item 1 on the agenda for the Planning Commission meeting scheduled for May 1, 2025, an amendment to the City's regulations for ADUs and JADUs.

CalHDF understands that the City is amending its highly successful bonus ADU program in response to neighborhood concerns. However, when amending the program, the City must still obey state ADU law. The proposed ADU regulations do not comply with state law in several ways, and the City should address these problems before approving the ordinance.

Background

The law gives local governments authority to enact zoning ordinances that implement a variety of development standards on ADUs. (Gov. Code, § 66314.) The standards in these local ordinances are limited by state law so as not to overly restrict ADU development. (See *id.*) Separately from local ADU ordinances, Government Code section 66323 establishes a narrower set of ADU types that local governments have a ministerial duty to approve. "Notwithstanding Sections 66314 to 66322 ... a local agency shall ministerially approve" these types of ADUs. (*Id.* at subd. (a).) This means that ADUs that satisfy the minimal requirements of section 66323 must be approved regardless of any contrary provisions of the local ADU ordinance. (*Ibid.*) Local governments may not impose their own standards on such ADUs. (Gov. Code, § 66323, subd. (b) ["A local agency shall not impose any objective development or design standard that is not authorized by this section upon any accessory dwelling unit that meets the requirements of any of paragraphs (1) to (4), inclusive, of subdivision (a)."].)

**360 Grand Ave #323, Oakland 94610
hi@calhdf.org**

In addition, ADUs that qualify for the protections of Government Code section 66323, like other ADUs, must be processed by local governments within 60 days of a complete permit application submittal. (Gov. Code, § 66317, subd. (a).)

State law also prohibits creating regulations on ADU development not explicitly allowed by state law. Government Code Section 66315 states, “No additional standards, other than those provided in Section 66314, shall be used or imposed, including an owner-occupant requirement, except that a local agency may require that the property may be used for rentals of terms 30 days or longer.”

Impermissible Limitation on ADU Size

Code section 141.0302(b)(6) limits detached ADUs to 1,200 square feet. However, this limit is not allowed for ADUs subject to the protections of Government Code section 66323, subdivision (a)(4). This section of state law does not allow a size limitation for ADUs constructed on multifamily properties, provided they comply with the specified height and setback requirements.

For more information on 66323 units, please see page 18 et seq. of the January 2025 HCD ADU [Handbook](#).

Impermissible Front Setback Requirements

Code section 141.0302(b)(7)(A) requires ADUs to adhere to underlying front yard setback requirements.

However, Government Code section 66323, subdivision (a) does not permit any application of front setback requirements to ADUs that qualify for its protections. There are many policy reasons for this. For instance, a homeowner may prefer to preserve a private backyard space while redeveloping the less useful front yard. While children may play in the backyard, the front yard is closer to the street and less safe for a variety of activities. The City therefore must allow front yard ADUs that comply with the standards in Government Code section 66323, subdivision (a) both on single family and on multifamily properties.

HCD has issued guidance (the January 2025 HCD ADU [Handbook](#), page 18) affirming the duty of local agencies to allow ADUs protected by Government Code section 66323 in the front setback under all circumstances. From page 18 of the January 2025 HCD ADU [Handbook](#) (emphasis added): “66323 Units do not have to comply with lot coverage, **front setbacks**, and design standards.”

Impermissible Side/Rear Setback Requirements

Code sections 141.0302(b)(7)(C)(ii) and 141.0302(b)(7)(D)(ii) requires ADUs in High or Very High Fire Hazard Severity Zones to have at least five foot side and rear yard setbacks. However, Government Code section 66323, subdivisions (a)(2) and (a)(4) mandate that the City allow a certain class of ADUs with only four foot side and rear yard setbacks.

For more information on 66323 units, please see page 18 et seq. of the January 2025 HCD ADU [Handbook](#).

Impermissible Parking Requirements

Code section 141.0302(b)(8)(B) imposes offstreet parking requirements on ADUs in the Beach Impact Area of the Parking Impact Overlay Zone, less certain exceptions. However, as discussed *supra*, Government Code section 66323 mandates that the City approve a specific class of ADUs subject only to specified height and setback requirements, notwithstanding any local code requirements to the contrary. This means that the City cannot subject such ADUs to parking requirements.

Page 20 of the January 2025 HCD ADU [Handbook](#) explicitly forbids the imposition of parking requirements on 66323 units (emphasis added): “A local agency may not impose development or design standards, including both local standards and standards found in State ADU Law, on 66323 Units that are not specifically listed in Government Code section 66323. (Gov. Code, § 66323, subds. (a), (b).) This includes, but is not limited to, **parking**, height, setbacks, or other zoning provisions (e.g., lot size, open space, floor area ratio, etc.).”

Code section 141.0302(b)(8)(C) requires the replacement of parking removed in the course of ADU development in the Beach Impact Area of the Parking Impact Overlay Zone. This is a textbook violation of Government Code section 66314, subdivision (d)(11): “(11) When a garage, carport, covered parking structure, or uncovered parking space is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, the local agency shall not require that those offstreet parking spaces be replaced.”

Code section 141.0302(d)(5) requires offstreet parking for all affordable and bonus ADUs located outside a transit priority area. While the City has the authority to allow such ADUs, its ordinance is still bound by Government Code section 66314 et seq. Specifically, Government Code section 66322 forbids the imposition of parking requirements on ADUs as follows:

(a) A local agency shall not impose any parking standards for an accessory dwelling unit in any of the following instances:

- (1) Where the accessory dwelling unit is located within one-half of one mile walking distance of public transit.
- (2) Where the accessory dwelling unit is located within an architecturally and historically significant historic district.
- (3) Where the accessory dwelling unit is part of the proposed or existing primary residence or an accessory structure.
- (4) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.
- (5) When there is a car share vehicle located within one block of the accessory dwelling unit.
- (6) When a permit application for an accessory dwelling unit is submitted with a permit application to create a new single-family dwelling or a new multifamily dwelling on the same lot, provided that the accessory dwelling unit or the parcel satisfies any other criteria listed in this subdivision.

The City's ADU ordinance may not impose parking requirements on ADUs that meet any of the criteria specified in Government Code section 66322, subdivision (a).

The City should amend the proposed ordinances to remove all three of these illegal parking requirements.

Impermissible Impact Fees

Code section 141.0302(d)(7) imposes impact fees on bonus and affordable ADUs in the form of a Community Enhancement Fee.

However, Government Code section 66324, subdivision (c)(1), forbids the imposition of impact fees on ADUs less than 750 square feet in size. The City may not impose such impact fees simply because these are "bonus" or "affordable" ADUs. And any impact fees on ADUs 750 square feet or greater must be proportional in relation to the size of the ADU.

Page 22 of the January 2025 HCD ADU [Handbook](#) explicitly forbids the imposition of impact fees on ADUs less than 750 square feet in size:

Can impact fees be charged for an ADU less than 750 square feet?

No. An ADU is exempt from incurring impact fees from local agencies, special districts, and water corporations if it is less than 750 square feet. If an ADU is 750 square feet or larger, impact fees shall be charged proportionately in relation to the square footage of the ADU to the square footage of the primary dwelling unit. (Gov. Code, § 66324 subd. (c)(1).) In this specific instance, impact fees also include Quimby fees specified in Government Code section 66477 (Gov. Code, § 66324 subd. (c)(2)).



CalHDF appreciates the City's effort to implement state law governing ADU construction. We particularly appreciate the City's efforts to go above and beyond state law with its bonus ADU program. However, the City should amend its ordinance to ensure that it complies with state law.

CalHDF is a 501(c)(3) non-profit corporation whose mission includes advocating for increased access to housing for Californians at all income levels, including low-income households. You may learn more about CalHDF at www.calhdf.org.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Dylan Casey', with a long horizontal line extending to the right.

Dylan Casey
CalHDF Executive Director

A handwritten signature in black ink, appearing to read 'James M. Lloyd', with a long horizontal line extending to the right.

James M. Lloyd
CalHDF Director of Planning and Investigations



Director Vonblum
City Planning Department
202 C Street, M.S. 413
San Diego, CA 92101

RE: Opposition to Proposed Limitations on San Diego's ADU Bonus Program in RS Zones

Dear Director Vonblum,

Alliance San Diego is writing to express our strong opposition to the proposed amendments that would remove Bonus ADU eligibility from RS-1-1 through RS-1-11 zones in the City of San Diego. We also wish to express concern over the process by which these changes are being advanced.

According to city data, these large-lot zones have contributed less than 1% of Bonus ADU development to date. Eliminating these areas from eligibility would have minimal impact on actual ADU production but would signal a troubling retreat from San Diego's commitments to equitable growth and climate resilience. These zones are among the most resource-rich in our city and should not be exempt from contributing to our housing solutions.

Furthermore, this proposed change undercuts the credibility of the City's Land Development Code update process. In February, the Planning Department assured stakeholders that there would be public workshops, presentations to the Community Planners Committee, and a transparent review prior to formal hearings. That process appears to have been bypassed, undermining public trust and informed decision-making.

We respectfully urge you to:

- 1. Maintain Bonus ADU eligibility in all RS zones, with added design standards to preserve neighborhood character where needed;**
- 2. Advance targeted reforms in RS-1-7 zones, where ADU activity is concentrated;**



3. Honor the full public process promised in the February 28 memo, allowing robust feedback before any major amendments are adopted;

4. Ensure program transparency with regular public reporting on Bonus ADU data and affordability outcomes.

5. Advise how the city plans on addressing the deficit in housing production and how it will supplement the lost housing in the City's Housing Element.

Thank you for your attention to this matter and your commitment to thoughtful housing policy.

Sincerely,

Jessie Schmitte

Jessie Schmitte, State Policy Manager

Alliance San Diego



Chatten-Brown Law Group, APC

Josh Chatten-Brown | Partner
325 W. Washington Street, Suite 2193
San Diego, CA 92103
jcb@chattenbrownlawgroup.com
Phone: (619) 940-4522

April 30, 2025

Via Planning Commission Public Comment Form

City of San Diego Planning Commission
City Administration Building
12th Floor, 202 C Street
San Diego, California 92101

Re: Comments on Item #1: Amendments to the City of San Diego's Accessory Dwelling Unit and Junior Accessory Dwelling Unit Regulations

Dear Planning Commissioners:

On behalf of Neighbors for a Better Pacific Beach, we provide the following comments on Agenda Item #1, which addresses proposed amendments to the City of San Diego's Accessory Dwelling Unit ("ADU") and Junior Accessory Dwelling Unit Regulations, as directed by the City Council on March 4, 2025.

Neighbors for a Better Pacific Beach was established in response to deeply concerning projects advanced under the City's Bonus ADU Program. Notably, the proposed Pacifica project in the RS-1-7 zone seeks to add 126 so-called "accessory dwelling units." Despite the Pacifica project's significant impacts on the surrounding community, it is being processed as a ministerial action under the Bonus ADU Program, thereby circumventing meaningful public review and input.

The Bonus ADU Program has fostered an unregulated, "Wild West" approach to urban planning. This policy is placing significant strain on the City of San Diego's ("City") already underfunded infrastructure, depriving the City of critical development impact fees, and intensifying burdens on local neighborhoods. Moreover, it is leading to the degradation of sensitive canyons and hillsides and has effectively excluded the public from meaningful participation in the planning process.

The City has a duty to protect San Diegan's health, safety, and welfare. This is exercised through enacting and *enforcing* the City's ordinances and regulations, and through individual-level project review. The evidence demonstrates that the ADU Bonus Program does not mitigate unintended impacts.

The Bonus ADU Program has far exceeded its intended scope, enabling large-scale projects to bypass discretionary review and meaningful mitigation of impacts, contrary to the requirements of the California Environmental Quality Act ("CEQA"). Staff continue to approve Bonus ADU

projects without public transparency, accountability, or any mechanism for appeal, raising serious concerns under both CEQA and the California Constitution.

The current staff proposal before the Planning Commission would largely preserve the status quo, despite clear direction from the City Council to address the widespread community concerns voiced at the March 4, 2025 City Council meeting. Residents from across San Diego have shared firsthand accounts of the substantial negative impacts the Bonus ADU Program has had on neighborhood character, infrastructure, and quality of life.

Neighbors for a Better Pacific Beach respectfully urges the Planning Commission to recommend denial of the staff's proposed changes, support including the RS 1-7 zone in the repeal of the existing Bonus ADU Program, and to endorse the revisions proposed by the Community Planners Committee ("CPC").

I. The Bonus ADU Program Must Be Revised in Accordance with the Community Planners Committee's Proposed Revisions in All Zones, Including RS 1-7.

City staff's proposed amendments would only repeal eligibility for the Bonus ADU Program in selective zones: RS-1-1 through RS-1-4 and RS-1-8 through RS-1-11. (Staff Report, p. 6.) Neighbors for a Better Pacific Beach urges the Planning Commission to adopt the CPC revisions that apply to all zones, including RS 1-7.

On March 4, 2025, the City Council debated including additional zones, including RS 1-7, in the repeal they directed. The City Council ultimately did not include RS-1-7, a decision influenced by information provided during the hearing by Planning Director Heidi Vonblum. When asked by Councilmember Foster III about the rationale for the exclusion of RS-1-5 through RS-1-7 from staff's proposed repeal, Ms. Vonblum stated:

The zones that are listed in the proposed motion, we were able to confirm that those zones ...represent zones that have minimum lot sizes greater than 10,000 square feet. Having a lot size greater than 10,000 square feet is a factor that can contribute to an outlier circumstance because that gives you the higher floor area ratio, which means a higher building square footage. The zones that were not included on there included zones RS-1-5, 1-6, and 1-7. Those zones have smaller lot sizes . . .¹

¹ March 4, 2025, City Council Meeting, video available at https://sandiego.granicus.com/player/clip/9099?view_id=3&redirect=true. Comments begin at 6:20:30.

The Staff Report echoes a similar rationale: that each of the proposed zones to be removed from the Program “has minimum lot sizes of 10,000 square feet or greater.”² This implies that the problems with the Bonus ADU Program pervading RS-1-1 through RS-1-4 and RS-1-8 through RS-1-11 would not affect RS-1-7.

Ms. Vonblum’s suggestion that RS-1-7 does not need to be included in the repeal because of the relatively small lot size is unfounded, as there are numerous large parcels in the RS-1-7 zone. For example, one project at 2596 Chalcedony Street—proposed on an approximately 127,000 feet lot³—proposed the construction of *one hundred and twenty-six* ADUs on-site.⁴ Many other parcels zoned RS-1-7 well exceed the 5,000 square foot lot minimum, including the following parcels:

- 2535 Beryl Street (2.02 acres)
- 3104 Geronimo Avenue (3.35 acres)
- 4604 Iroquois Avenue (2.18 acres)
- 3303 Wicopee Place (2.59 acres)
- 2993 Edell Place (2.3 acres)
- 3605 Pocahontas Street (1.05 acres)

These parcels are surrounded by other similarly sized parcels, also zoned RS-1-7. While RS-1-7 may be subject to a small minimum lot size, numerous RS-1-7 lots throughout the City well exceed those standards and are ripe for the construction of extremely large ADUs projects that are the catalyst for the City Council’s directed repeal.

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² In contrast, RS-1-5, which was omitted from the proposed amendments, requires a minimum lot size of 8,000 square feet. (S.D. Muni. Code § 131.0403(b)(1).) RS-1-6 requires a minimum lot size of 6,000 square feet, and RS-1-7 requires a minimum lot size of 5,000 square feet. (*Ibid.*)

³ The Pacifica project includes two APNs. Therefore, developers can also purchase adjoining lots and request a lot line adjustment to increase the overall lot size.

⁴ https://issuu.com/twh1031/docs/sdre_homebuyers_v.01b

Furthermore, RS-1-7 lots accounted for 93% of all ADU homes permitted through the Bonus ADU Program from 2021 to 2024:

Table 4: ADU Homes Permitted through the ADU Home Density Bonus Program in RS Zones 2021-2024				
RS Zone	ADU Home Density Bonus Program			
	Number of Projects	Percent of Projects in RS Zones	Number of ADU Homes	Percent of ADU Homes in RS Zones
RS-1-1	2	3%	6	1%
RS-1-6	2	3%	13	3%
RS-1-7	64	91%	383	93%
RS-1-14	2	3%	8	2%
Total	70	100%	410	100%

(Staff Report, p. 7.)

These lots, which can range up to nearly 150,000 square feet⁵, have consistently proven to be the most sought-after zone for the development of large-scale ADU complexes, contrary to assertions suggesting otherwise.

The current staff proposal recommends repealing the Bonus ADU Program only in zones RS-1-1 through RS-1-4 and RS-1-8 through RS-1-11. However, these zones collectively represent less than one quarter of the acreage currently eligible for the Bonus ADU Program. If adopted, these changes would leave the majority of development potential untouched – particularly in RS-1-7, where the highest concentration of ADU construction has occurred.

Omitting RS-1-7 limits the scope of the City Council’s desired reforms, effectively preserving the status quo in the zones most impacted by intensive ADU development. The rationale offered by Ms. Vonblum – that RS-1-7 should be excluded from any repeal due to the perceived unlikelihood of development on “smaller” parcels – does not align with the data, given that RS-1-7 lots not only vary widely in size but have also experienced the greatest volume of ADU construction citywide. In contrast, the CPC’s proposed revisions more effectively address the City Council’s direction.

This selective approach risks undermining the effectiveness of the reform and could perpetuate the very issues the Council sought to address. Furthermore, it is arbitrary and not supported by

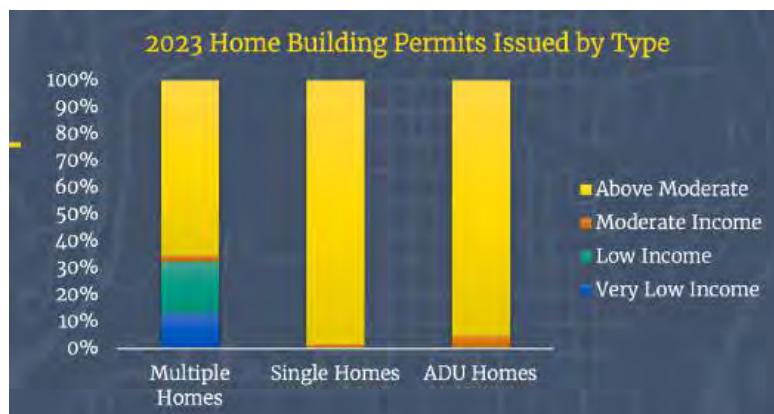
⁵ This calculation is based on 3104 Geronimo Avenue, a 3.35-acre RS-1-7 parcel. 3.35 acres is equivalent to 145,926 square feet.

the evidence in the record. To ensure equitable and meaningful policy outcomes, it is imperative that any revisions to the Bonus ADU Program address RS-1-7 and other high-impact zones directly, rather than exempting them based on unsupported assumptions.

II. The Bonus ADU Program Does Not Improve Housing Affordability

Neighbors for a Better Pacific Beach would like to correct inaccurate assertions by City staff, developers, and the press that the Bonus ADU Program promotes affordable housing, and that its repeal will harm housing affordability.

The City Planning Staff's 2024 Annual Report on Homes admitted that the vast majority of ADU homes permitted in 2023 were "Above Moderate" – which appears to mean "market rate" units. In particular, 95% were market rate units.



(2024 Annual Report on Homes, page 14)⁶

Within the Bonus ADU Program, the City reported only **three** Very Low Income and **three** Low Income homes permitted. (Ibid.) In comparison, multi-family homes provide low income and very low income units. Ironically, the large-scale "ADU" projects allowed under the City's Bonus ADU Program, which would normally be processed as multi-family housing projects, serve to deprive the City of more low-income and very-low income units.

The Planning Commission Staff Report improperly groups "Moderate Income" units with "Very Low Income" and "Low Income," into one "affordable" category, in providing its various charts and statistics to the Planning Commission. (See Staff Report, p. 6.) In fact, recent ADU data compiled by the San Diego Housing Commission reveals that out of 224 "affordable" ADU applications submitted to the City since 2021 through December 31, 2024, only eleven applications included a unit with incomes below 110% AMI. (**Exhibit A.**)

⁶ <https://www.sandiego.gov/sites/default/files/2024-07/2024-annual-report-on-homes.pdf>

The “Moderate Income” units do not even deliver affordability as claimed. The Pacifica Project’s investment projections advertised by the applicant, SDRE Homebuyers, to potential investors offer a crucial insight into how the Bonus ADU Program only serves to **increase** housing prices in San Diego, through increasing land value *and* monthly rents. The Pacifica Project intends to rent all 126 units, each at 450 square feet, for \$3,000 a month, providing the applicant \$378,000 in rent each month. (**Exhibit B**, p. 8). This underscoring that “Moderate Income” units are not truly affordable and should not be classified as such.

The advertisement confirms that the Pacifica Project would pay \$0 in development impact fees. (Exhibit B, p. 6.) Meanwhile, the Pacifica Project reports an expected project of over \$70 million in 10 years. (*Id.* at p. 9.) SDRE provides the following investment summary: “With a three-year hold time, it is anticipated to produce a net operating income (NOI) of \$3M, an exit of \$75.6M with an anticipated 125% ROI for investors.”⁷

The same advertisement provides financial information about another nearly completed project. (Exhibit B, p. 6.) A lot with two units was purchased for \$889,000. Two units were added, and the lot was sold for \$3.2 million. (*Ibid.*) SDRE’s list of completed projects further highlights how the Bonus ADU Program has created an avenue for investors to even further increasing the price of more moderately priced homes.⁸

In fact, the Federal Reserve Bank of San Francisco released its research findings last month that supply constraints do not explain housing price and quantity growth across the United States. (**Exhibit C.**) Rather, the Federal Reserve reported that “from 2000 to 2020, we find that higher income growth predicts the same growth in house prices, housing quantity, and population regardless of a city’s estimated housing supply elasticity.” This held true for data going back to 1980.

Moreover, the Reserve explained:

Using a general demand-and-supply framework, we show that our findings imply that constrained housing supply is relatively unimportant in explaining differences in rising house prices among U.S. cities. These results challenge the prevailing view of local housing and labor markets and suggest that easing housing supply constraints may not yield the anticipated improvements in housing affordability.

(*Ibid.*)

⁷ https://issuu.com/twh1031/docs/sdre_homebuyers_v.01b.

⁸ <https://www.sdre.com/portfolio> [listing four projects where the lot was purchased within the range of \$550,000 to \$889,000, and then sold for \$1,650,000 to \$3,200,000].

Putting the Federal Reserve’s findings in simpler terms: the single most important factor, one that far outweighs “constraints,” is the income and wealth of the people who are moving into a city. The more market-rate, “luxury” units the City builds, the more it drives up housing prices. The Bonus ADU Program, and in particular the Pacifica Project, provide concrete examples of this.

Neighbors for a Better Pacific Beach urges the Planning Commission to reign in the Bonus ADU Program. Not only does it wreak significant unmitigated impacts, it drives up land prices and prices out San Diegans who are now competing with investors like SDRE homebuyers and produces primarily market-rate, expensive units that further render housing unaffordable in San Diego.

III. Staff’s Proposed Revised Bonus ADU Program Still Violates State Law

1. The Bonus ADU Program Continues to Create Significant Unmitigated Impacts Not Analyzed Under the Initial Approval

On October 30, 2020, the City Council adopted the Accessory Dwelling Unit Bonus Program through Ordinance 021254. The Staff Report (**Exhibit D**) for the ordinance claimed that “Implementation of this project’s actions would not result in new significant direct, indirect, or cumulative impacts over and above those disclosed” in the 2008 General Plan Environmental Impact Report (“EIR”), 2020 Housing Element Addendum to the 2008 EIR, and the Climate Action Plan EIR. Therefore, no mitigation was required.

Yet, a draft resolution⁹ prepared by the City Attorney for the March 4, 2025 City Council meeting states, “The ADU Bonus Program does not mitigate unintended impacts such as additional density in Very High Fire Severity Zones, locations with restricted emergency access, and inefficient lot design and resource management.”¹⁰

Councilmember Foster further identified in a presentation at the March 4, 2025 City Council meeting the following as concerns regarding the Bonus ADU Program:

⁹ While this was a draft resolution, the resolution states, “The Office of the City Attorney prepared this Resolution based on the information provided by City staff, with the understanding that this information is complete and accurate.”

¹⁰ Draft Resolution RS-2025-437, available at:

<https://sandiego.hylandcloud.com/211agendaonlinecouncil/Documents/ViewDocument/R-2025-437.pdf.pdf?meetingId=6429&documentType=Agenda&itemId=243646&publishId=957653&isSection=false>.

- Impact on community plans, neighborhood character, infrastructure capacity, and public safety.
- The fact that the Bonus ADU Program **does not mitigate unintended impacts** such as:
 - Additional density in Very High Fire Severity Zones
 - Locations with restricted emergency access, and
 - Inefficient lot design and resource management.
- The collection of Development Impact Fees for the additional market rate/unrestricted units that are needed for infrastructure improvements.

The Bonus ADU Program has far exceeded its reported scope and prevents discretionary review and mitigation of large-scale projects with significant impacts, in violation of CEQA. Both the City and community members have identified that the findings made in Ordinance 021254 that there were no new significant impacts of the Bonus ADU Program and no mitigation was required were false.

2. The City Must Uphold its Duty to Protect Health, Safety, and Welfare

Municipalities have a fundamental duty to protect the health, safety, and welfare of the residents therein. Significant risks and impacts—including impacts to health and safety, such as unintended impacts to density in Very High Fire Hazard Severity Zones (“VHFHSZs”)—from the Bonus ADU Program have been identified and the City must mitigate these impacts.

Furthermore, while City governments may grant certain powers to administrative agencies, those grants must attach procedures which safeguard against possible misuses of that power. (*City of Burbank v. Burbank-Glendale-Pasadena Airport Authority* (1999) 72 Cal. App. 4th 366, 376.) Further, delegations of administrative or regulatory powers must include sufficiently definite directions for the administrative body in the manner of exercising its delegated powers. (*Id.*, citing *Katz v. Dept. of Motor Vehicles* (1973) 32 Cal. App. 3d 679, 684.) A city may therefore delegate its discretionary powers, but may not totally abdicate itself of those powers in the process. (*Id.*, citing *Kugler v. Yocum* (1968) 69 Cal. 2d 371, 384.)

Here, Staff’s proposal fails to address the Bonus ADU Program’s impacts to health and safety. It also fails to address the widespread ministerial classification of Bonus ADU Program projects without adequate directions and safeguards to the Planning Department, and with no opportunity for meaningful review of the impacts of individual ADU projects.

For example, the CPC proposal specifically called for the prohibition of bonus ADUs in (1) VHFHSZs and (2) on all cul-de-sacs or other roads with only one point of ingress and egress. This would ensure that bonus ADU units are not being sited in locations that pose a hazard in the event of a wildfire, evacuation, or other emergency. In contrast, the City’s proposal would only prohibit the construction of ADUs in High Fire Hazard Severity Zones and VHFHSZs if the lot

is also on a street that only has one point of ingress and egress. (Staff Report, p. 12.) This change impermissibly weakens the term and fails to offer protections for residents who live on a street with only one access point, but do not live in a VHFHSZ. However, these residents would be equally impacted by the addition of ADUs and the associated additional cars in the event of an evacuation.

3. The City Has Unlawfully Classified All Bonus ADU Projects as Ministerial

The City Council requested additional revisions of the Bonus ADU Program during its March 4, 2025 hearing. Neighbors for a Better Pacific Beach urges the Planning Commission to recommend revisions that protect the community's ability to participate in the review of Bonus ADU Program projects. Therefore, one necessary revision is provision of notice to neighbors of applications for Bonus ADU Program projects, clear guidance of circumstances that render a Bonus ADU Program project discretionary, and provision of the right to appeal Planning and Development Services Department ("DSD") staff determinations. The City has improperly classified all Bonus ADU Programs as "ministerial," even in the face of overwhelming evidence to the contrary. Planning Department and DSD frequently exercise their discretion on Bonus ADU Projects and often utilize improper interpretations of the San Diego Municipal Code, with an end result being that a project maintains its classification as ministerial.

The California Supreme Court has instructed that the "blanket classification" of all permit issuances as ministerial is unlawful where some of an agency's decisions may be discretionary. Accordingly, classifying *all* issuances as ministerial violates CEQA. (*Protecting Our Water & Environmental Resources v. County of Stanislaus*, 10 Cal.5th 479 (2020).)

In one egregious example, staff in the Building and Land Use Enforcement ("BLUE") concluded that a Bonus ADU Project applicant had illegally graded sensitive vegetation along a canyon, thus requiring a discretionary permit. The Planning Department instructed BLUE to remove this finding and re-classified the project as ministerial. (**Exhibit E.**) BLUE further admitted that DSD then improperly issued building permits before all code enforcement violations were remedied. (*Ibid.*) The Project has since been constructed.

The Pacifica Project is another example of a Bonus ADU Program that has been improperly classified as ministerial. The project proposes over 120 units in a very high fire zone and would encroach on a significant archaeological site and potentially environmentally sensitive lands, per the City's own internal review comments. Our office submitted a Request for Notice of Decision related to the Project, which the Planning Department has refused to confirm receipt or even respond to. (**Exhibit F.**) This Project, and other projects with significant impacts, must be treated as discretionary to avoid violating CEQA.

Countless community members have alerted DSD and Planning to Bonus ADU Program project violations, to no avail. The Chollas Valley Community Planning Group alerted the City that it has documented Bonus ADU projects lacking required pedestrian pathways that have been submitted, and in some cases, approved, by the Development Services Department. (**Exhibit G.**) This contradicts assertions made by Planning Director Ms. Vonblum to City Council, holding out the Program's requirement for a pedestrian pathway.

Furthermore, DSD is not equipped to process the deluge of massive Bonus ADU Program projects ministerially. After a community member alerted DSD of fifteen Bonus ADU Projects that did not comply with the City code, he was told that “DSD staff is not structured in a way ... to go over every project interpretation, decision and detail,” and “DSD is a cost-recoverable department, and due to current and future budget projections that show DSD expenses are exceeding revenues, responses to public requests for information for active permits in the process are not always able to be responded to in a fast timeframe.” (**Exhibit H.**) Meanwhile, the City fast tracks approvals of Bonus ADU Program projects.

There are several examples of Bonus ADU Program projects with significant impacts that are not undergoing proper environmental review (See **Exhibit I; Exhibit J** [describing violations in zone RS 1-6; see also Exhibit G.) Projects are being approved that violate the San Diego Municipal Code, and there is no recourse to community members.

Neighbors for a Better Pacific Beach calls on the Planning Commission to ensure discretionary projects are treated as such, and to require an appeal process of Bonus ADU Programs that result in significant impacts.

IV. Revisions Proposed by the CPC Would Not Result in a “Wholesale” Repeal of the Bonus ADU Program, Nor Would They Violate the Housing Accountability Act or Render the Housing Element Non-Compliant

In a February 28, 2025 memorandum to the City Council, Ms. Vonblum asserts, “A wholesale repeal of the ADU Bonus Program would violate State housing laws in the absence of corresponding replacement regulations that incentivize and promote the creation of affordable ADU homes.”

As a preliminary matter, the CPC’s proposal does not purport to entirely repeal the Program. Rather, the CPC’s proposal would repeal the Program for zone RX-1-1,¹¹ zone RX-1-2, and zones RS-1-1 through RS-1-14. This proposal would continue to allow for bonus ADUs in areas zoned for multiple units.

¹¹ “RX” zones are small lot zones, which require only 3,000 to 4,000 square feet as the minimum lot size.

Moreover, State law does not preclude the City from repealing the Bonus ADU Program. In general, the Housing Crisis Act (“HCA”) requires a municipality that downzones or changes land use density to a less intensive use to concurrently upzone or increase density elsewhere, to ensure no net loss in residential capacity. (Gov. Code §66300(h)(1).) The HCA broadly applies to changes in land use density, but does so in light of existing law as of January 1, 2018:

Notwithstanding any other law except as provided in subdivision (h), with respect to land where housing is an allowable use, an affected county or an affected city shall not enact a development policy, standard, or condition that would have any of the following effects . . . Changing the general plan land use designation, specific plan land use designation, or zoning of a parcel or parcels of property to a less intensive use or reducing the intensity of land use within an existing general plan land use designation, specific plan land use designation, or zoning district in effect at the time of the proposed change, **below what was allowed under the land use designation or zoning ordinances of the affected county or affected city, as applicable, as in effect on January 1, 2018**, except as otherwise provided in clause (ii) of subparagraph (B) or subdivision (h). For purposes of this subparagraph, “reducing the intensity of land use” includes, but is not limited to, reductions to height, density, or floor area ratio, new or increased open space or lot size requirements, new or increased setback requirements, minimum frontage requirements, or maximum lot coverage limitations, or any other action that would individually or cumulatively reduce the site’s residential development capacity.

(Gov. Code §66300(b)(1)(A), emphasis added.)

While this provision is broad and would apply to changes in land use contemplated under the Program, including changes to setbacks and density, the HCA would not apply here. Section 66300 applies where the land use density is reduced below what was allowed as of January 1, 2018. The City’s Bonus ADU Program was not enacted until 2020, so while repealing portions of it may reduce the densities originally permitted by the Program, those provisions were not in effect in 2018. Therefore, there would be no violation of the HCA.

V. Conclusion

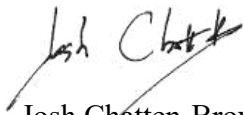
In conclusion, Neighbors for a Better Pacific Beach urges the Planning Commission to take decisive action to address the substantial and well-documented impacts of the Bonus ADU Program. The evidence demonstrates that RS-1-7 lots have been disproportionately affected, accounting for the vast majority of ADU construction under the program. Excluding RS-1-7 from meaningful reform will leave the door open for continued large-scale developments that strain infrastructure, alter neighborhood character, and circumvent public oversight.

The staff's proposed amendments do not respond adequately to the concerns raised by residents citywide. Moreover, claims that the Bonus ADU Program advances housing affordability are not supported by the City's own data, which shows that most units produced are market-rate and do not address the needs of low- and moderate-income households.

The City has a legal and ethical obligation to ensure that growth is managed responsibly, with appropriate safeguards for community character, public safety, and the environment. Reforms must include RS-1-7 and other high-impact zones to prevent further unmitigated impacts and restore public confidence in the planning process.

We respectfully request that the Planning Commission recommend denial of the staff's proposed changes, support the inclusion of RS-1-7 in the repeal of the Bonus ADU Program, and endorse the comprehensive revisions advanced by the Community Planners Committee. Only by taking these steps can the City fulfill its duty to protect the health, safety, and welfare of all San Diegans and ensure that future housing policy is both equitable and sustainable.

Sincerely,

A handwritten signature in black ink, appearing to read "Josh Chatten-Brown", with a stylized flourish at the end.

Josh Chatten-Brown
Kathryn Pettit
Isabella Coye

cc

San Diego City Councilmembers
San Diego City Attorney Heather Ferbert
Planning Director Heidi Vonblum

EXHIBIT A

From: [Johnston, Katherine](#)
To: [Andrew Bowen-Ataide](#)
Subject: FW: ADU Bonus Reporting
Date: Wednesday, January 29, 2025 11:29:00 AM
Attachments: [image001.png](#)
[ADU Bonus Projects 12-2-2024 - Recorded.xlsx](#)

From: Weber, Molly <MollyW@sandiego.gov>
Sent: Tuesday, January 28, 2025 12:14 PM
To: Johnston, Katherine <KatherineJ@sandiego.gov>
Subject: FW: ADU Bonus Reporting

From: Thomas DeFranco <thomasd@sdhc.org>
Sent: Tuesday, January 28, 2025 12:06 PM
To: Weber, Molly <MollyW@sandiego.gov>
Cc: Genevieve Hernandez <genevieveh@sdhc.org>; Merli Mejia <merlim@sdhc.org>; Francis Barraza <francisb@sdhc.org>
Subject: [EXTERNAL] ADU Bonus Reporting

****This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.****

Hi Molly,

Please see the attached ADU data that includes reporting on the Bonus ADU program since 2021. I organized the data into pivot tables which shows ADUs by CD, by Year, and by average size per CD.

This data has not been validated by our data team.

Thomas DeFranco
Director of Policy
San Diego Housing Commission
1122 Broadway, Suite 300, San Diego, CA 92101
[\(619\) 578-7511](tel:(619)578-7511)

The San Diego Housing Commission (SDHC) has implemented a two-year pilot program, effective November 1, 2022, to allow some staff to work remotely while continuing to serve SDHC's customers by phone, email, mail, virtually and in person, as required.

[Closed on alternating Fridays](#)

Disclosure: This email communication may be subject to the California Public Records Act and may be viewed by third parties upon request.



Related - 2020 Project No.	Project Name	Project Address	Council District	Community Planning Area	Exp Code	Industry	Use	Construction Type	Income Targeting	Recorded Date	Recorded Doc No.	Affordability Term (years)	Total ADUs	Row ADUs	Bonus ADUs	Bonus Affordable ADUs	Expiring Units	APN	Status	Notes for Internal Use	
	684151	4901 Street ASH	4801 49th Street	9	Mid-City, Kensington-Talmadge	02115	No	Rental	New Construction	110% AMI	6/30/2021	2021-0001026	15	5	1	4	2	1	405-120-08-00	Sent to Compliance	
	688109	3605 36th Street	3605 36th Street	6	Claremont Mesa	02111	No	Rental	New Construction	110% AMI	7/7/2021	2021-0013457	15	5	1	4	2	1	420-174-03-00	Recorded & Sent to Compliance	
	691002	4800 Genesee Ave	4800 Genesee Ave	6	Claremont Mesa	02127	No	Rental	New Construction	110% AMI	8/2/2021	2021-0004897	15	5	1	4	2	1	355-350-30-00	Recorded & Sent to Compliance	
	693998	8331 New Avenue	8331 New Avenue	7	Serra Mesa	02123	No	Rental	New Construction	110% AMI	9/16/2021	2021-0006176	15	5	1	4	2	1	428-180-43-00	Recorded & Sent to Compliance	
	693118	6036 Buckhorn Ave	6036 Buckhorn Ave	6	Claremont Mesa	02121	No	Rental	New Construction	110% AMI	9/26/2021	2021-0006493	15	5	1	4	2	1	420-560-04-00	Recorded & Sent to Compliance	
	679772	Home Start Asst	4778 24th Street	3	Mid-City, Normal Heights	02116	No	Rental	New Construction	110% AMI	11/10/2021	2021-0014700	15	4	3	1	1	1	439-401-29-00	Recorded & Sent to Compliance	
	677712	4800 Kansas Street	4800 Kansas Street	3	North Park	02116	No	Rental	New Construction	110% AMI	12/14/2021	2021-0004361	15	5	2	3	2	1	466-402-28-00	Recorded & Sent to Compliance	
	680103	Lozan Ave ADU Dr	4023-4023 Lozan St	9	Southeastern San Diego	02113	No	Rental	New Construction	110% AMI	1/10/2022	2022-0012907	15	8	2	6	3	2	151-022-03-00	Recorded & Sent to Compliance	
	695262	1704 Harford Drive	1704 Harford Drive	7	Linda Vista	02111	No	Rental	New Construction	110% AMI	1/12/2022	2022-0002576	15	5	1	4	2	1	432-291-24-00	Recorded & Sent to Compliance	
	PRJ-1041812	1544 Manchester	1544 Manchester St	9	College Area	02125	No	Rental	New Construction	110% AMI	1/12/2022	2022-0015599	15	7	1	6	3	1	468-111-03-00	Recorded & Sent to Compliance	
	PRJ-1041072	3557 Argonne Drive	3557 Argonne Drive	7	Serra Mesa	02123	No	Rental	New Construction	110% AMI	1/12/2022	2022-0015658	15	5	1	4	2	1	421-290-25-00	Recorded & Sent to Compliance	
	PRJ-1041594	1160 69th Street	1160 69th Street	9	College Area	02115	No	Rental	New Construction	110% AMI	2/11/2022	2022-0017088	15	6	1	5	3	1	468-124-36-00	Recorded & Sent to Compliance	
	695168	2967 E Street	2967 E Street	3	Greater Golden Hill	02102	No	Rental	New Construction	110% AMI	2/22/2022	2022-0001112	15	4	2	3	1	1	539-592-06-00	Recorded & Sent to Compliance	
	PTJ-0060971	6750 Shawnee Blvd	6750 Shawnee Blvd	9	College Area	02115	No	Rental	New Construction	110% AMI	3/1/2022	2022-0013466	15	3	1	2	1	1	467-442-21-00	Recorded & Sent to Compliance	
	PRJ-1044616	Foster ACU	6251 Mary Lane Dr	9	College Area	02115	No	Rental	New Construction	110% AMI	4/7/2022	2022-0013500	15	2	1	1	1	1	467-17-20-00	Recorded & Sent to Compliance	
	687995	1010 13th Street	1010 13th Street	3	Greater Golden Hill	02102	No	Rental	New Construction	110% AMI	6/10/2022	2022-0016136	15	4	2	2	1	32	539-563-03	Recorded & Sent to Compliance	
	PRJ-1028920	402-424 Ashler Dr	402-424 Ashler Drive	3	Uptown	02103	No	Rental	Refurb & New Construction	110% AMI	7/30/2022	2022-0008967	15	8	3	5	3	1	466-120-29-00	Recorded & Sent to Compliance	
	PRJ-101426	3010 E Broadway	3010 E Broadway	1	Greater Golden Hill	02102	Yes	Rental	New Construction	110% AMI	8/2/2022	2022-0017999	15	10	2	8	4	1	539-542-23-00	Recorded & Sent to Compliance	
	PRJ-1024251	4883 Melinda Blvd	4883 Melinda Blvd	9	Mid-City, Eastern Area	02115	No	Rental	New Construction	110% AMI	8/2/2022	2022-0004280	15	3	1	1	1	1	479-112-05-00	Recorded & Sent to Compliance	
	PRJ-1044263	2812 Nye St	2812 Nye St	7	Linda Vista	02111	No	Rental	New Construction	110% AMI	9/22/2022	2022-0017392	15	4	2	2	1	1	431-032-14-00	Recorded & Sent to Compliance	
	684876	Vaca ACU	854-862 23rd Street	3	Greater Golden Hill	02102	No	Rental	New Construction	110% AMI	10/10/2022	2022-0002363	15	4	2	2	1	1	534-382-13-00	Recorded & Sent to Compliance	
	PRJ-1018187	3411 11st Street	3411 11st Street	3	North Park	02104	No	Rental	New Construction	110% AMI	10/12/2022	2022-0004647	15	4	2	2	1	1	453-443-05-00	Recorded & Sent to Compliance	
	PRJ-1013107	1540 Catalina Drive	1540 Catalina Drive	9	College Area	02115	No	Rental	New Construction	110% AMI	10/14/2022	2022-0007206	15	2	1	1	1	1	467-133-09-00	Recorded & Sent to Compliance	
	PRJ-1040408	9608 Paces Motor	9608 Paces Motor	5	Rancho Penasquitos	02129	No	Rental	New Construction	110% AMI	10/24/2022	2022-0003111	15	5	3	2	1	32	315-150-01-00	Recorded & Sent to Compliance	
	PRJ-1040971	6303 Broadway	6303 Broadway	4	Encanto Neighborhoods	02114	No	Rental	New Construction	110% AMI	10/25/2022	2022-0003882	15	3	1	3	1	1	544-191-47-00	Recorded & Sent to Compliance	
	PRJ-1012780	4508 Moravia Ave	4508 Moravia Ave	2	Claremont Mesa	02125	No	Rental	New Construction	110% AMI	10/31/2022	2022-0013500	15	5	1	2	2	1	359-192-18-00	Recorded & Sent to Compliance	
	PRJ-1021748	2320 Barnwell St	2320 Barnwell Street	3	North Park	02104	No	Rental	New Construction	110% AMI	11/2/2022	2022-0014357	15	2	1	1	1	1	453-021-18-00	Recorded & Sent to Compliance	
	PRJ-1002320	5446 Mary Lane Dr	5446 Mary Lane Dr	9	College Area	02115	No	Rental	Conversion	110% AMI	11/16/2022	2022-0007790	15	2	1	1	1	1	466-120-11-00	Recorded & Sent to Compliance	
	PRJ-1004439	4800 Florida Street	4800 Florida Street	3	North Park	02116	Yes	Rental	New Construction	110% AMI	11/7/2022	2022-0004139	15	12	2	10	5	1	465-052-03-00	Recorded & Sent to Compliance	
	PRJ-1014112	2410 Sharnock St	2410 Sharnock St	9	Mid-City, City Heights	02105	No	Rental	New Construction	110% AMI	11/17/2022	2022-0004602	15	2	1	1	1	0	540-092-22-00	Recorded & Sent to Compliance	
	PRJ-1020678	1704 Burton St	1704 Burton St	7	Linda Vista	02111	No	Rental	New Construction	110% AMI	12/1/2022	2022-0004901	15	4	2	2	1	2	437-130-06-00	Recorded & Sent to Compliance	
	PRJ-1017083	1638 Elm Ave	1638 Elm Ave	8	Clay Mesa-Norwest	02154	No	Rental	Conversion + New Cor	110% AMI	12/10/2022	2022-0014117	15	10	2	8	4	1	627-181-21-00	Recorded & Sent to Compliance	
	PRJ-1015127	5076 Mount Main	5076 Mount Main	6	Claremont Mesa	02127	No	Rental	New Construction	110% AMI	12/20/2022	2022-0009429	15	3	1	2	1	1	361-380-12-00	Recorded & Sent to Compliance	
	PRJ-1014694	8341 Torres Place	8341 Torres Place	6	Mira Mesa	02126	No	Rental	New Construction	110% AMI	1/17/2023	2023-0011909	15	2	1	1	1	1	309-131-26-00	Recorded & Sent to Compliance	
	PRJ-1010931	2520 Elm St	2520 Elm St	2	Claremont Mesa	02125	No	Rental	Conversion	110% AMI	1/17/2023	2023-0001815	15	3	2	1	1	1	400-100-10-00	Recorded & Sent to Compliance	
	PRJ-1011317	5075 Delancey Way	5075 Delancey Way	9	College Area	02115	No	Rental	New Construction	110% AMI	1/24/2023	2023-0013036	15	9	1	8	4	1	466-023-01-00	Recorded & Sent to Compliance	
	PTJ-0753799	4247 Alta Ave	4247 Alta Ave	2	Claremont Mesa	02125	No	Rental	Conversion + New Cor	110% AMI	1/25/2023	2023-0001005	15	2	1	1	1	1	418-032-07-00	Recorded & Sent to Compliance	
	PRJ-1011642	1979 Irving Ave	1979 Irving Ave	8	Southeastern San Diego	02113	No	Rental	New Construction	110% AMI	2/4/2023	2023-0003876	15	2	2	2	1	2	536-100-16-00	Recorded & Sent to Compliance	
	PRJ-1025997	1742 Via De La Bandera	1742 Via De La Bandera	8	San Ysidro	02173	No	Rental	New Construction	110% AMI	2/6/2023	2023-0001204	15	3	1	2	1	1	538-290-03-00	Recorded & Sent to Compliance	
	PRJ-1011594	5229 Bacon Ave	5229 Bacon Avenue	9	College Area	02115	No	Rental	New Construction	110% AMI	2/22/2023	2023-0004579	15	5	1	4	2	1	467-072-03-00	Recorded & Sent to Compliance	
	PRJ-1024106	3004 Marston St	3004 Marston St	4	Mid-City, Eastern Area	02115	No	Rental	New Construction	110% AMI	3/20/2023	2023-0001094	15	3	1	2	1	1	479-390-13-00	Recorded & Sent to Compliance	
	PRJ-1010777	6553 Leonard Ave	6553 Leonard Ave	4	Mid-City, Eastern Area	02115	No	Rental	New Construction	110% AMI	3/10/2023	2023-0001917	15	3	2	1	1	1	473-642-08-00	Recorded & Sent to Compliance	
	PRJ-1021265	4812 34th Street	4812 34th Street	9	College Area	02115	No	Rental	New Construction	110% AMI	3/15/2023	2023-0005791	15	3	1	2	1	1	468-480-03-00	Recorded & Sent to Compliance	
	PRJ-1011138	724 Sutter St	724 Sutter St	3	Uptown	02103	No	Rental	Conversion	110% AMI	3/20/2023	2023-0017009	15	2	1	1	1	1	451-091-15-00	Recorded & Sent to Compliance	
	PRJ-1006001	2320 F Street	2320 F Street	3	Greater Golden Hill	02102	No	Rental	New Construction	110% AMI	4/4/2023	2023-0006130	15	3	1	2	1	1	534-584-06-00	Recorded & Sent to Compliance	
	PRJ-1001297	816 24th St	816 24th St	4	Greater Golden Hill	02103	No	Rental	New Construction	110% AMI	4/4/2023	2023-0006186	15	5	2	3	2	1	534-384-12-00	Recorded & Sent to Compliance	
	PRJ-1001335	6375 Cedar Ave	6375 Cedar Ave	7	Linda Vista	02111	No	Rental	New Construction	110% AMI	4/18/2023	2023-0003548	15	4	2	2	1	1	431-581-02-00	Recorded & Sent to Compliance	
	PRJ-1021207	627 60th St	627 60th St	4	Encanto Neighborhoods	02114	No	Rental	New Construction	110% AMI	5/3/2023	2023-0013911	15	3	1	3	2	1	540-051-28-00	Recorded & Sent to Compliance	
	PRJ-1001327	3672 Mabon Pl	3672 Mabon Pl	2	Claremont Mesa	02125	No	Rental	New Construction	110% AMI	5/24/2023	2023-0013606	15	3	1	2	1	1	500-500-04-00	Recorded & Sent to Compliance	
	PRJ-1021055	4021 West Street	4021 West Street	3	North Park	02104	Yes	Rental	New Construction	110% AMI	5/2/2023	2023-0011787	15	12	2	10	5	1	466-382-17-00	Recorded & Sent to Compliance	
	PRJ-1049616	133 W Olive Dr	133 W Olive Dr	8	San Ysidro	02173	No	Rental	New Construction	110% AMI	6/2/2023	2023-0004807	15	5	1	3	2	1	566-060-28-00	Recorded & Sent to Compliance	
	PRJ-1015462	3860 Just St	3860 Just St	8	Clay Mesa- Norwest	02154	No	Rental	New Construction	110% AMI	6/14/2023	2023-0015062	15	5	1	4	2	1	510-251-40-00	Recorded & Sent to Compliance	
	PRJ-1017463	3215 Paradise Ave	3215 Paradise Avenue	9	Southeastern San Diego	02113	No	Rental	New Construction	110% AMI	7/17/2023	2023-0008127	15	4	2	2	1	1	546-175-13-00	Recorded & Sent to Compliance	
	PRJ-1011217	1826-12 69th Ave	1826-12 69th Street	4	Encanto Neighborhoods	02114	No	Rental	New Construction	110% AMI	7/17/2023	2023-0001773	15	3	1	3	1	0	544-103-11-00	Recorded & Sent to Compliance	
	PRJ-1010620	4940 63rd Street	4940 63rd Street	9	College Area	02115	No	Rental	New Construction	110% AMI	7/26/2023	2023-0003462	15	2	1	1	1	1	467-320-20-00	Recorded & Sent to Compliance	
	PRJ-1010489	4469 Adalena St	4469 Adalena Street	9	Mid-City, Kensington-Talmadge	02115	No	Rental	New Construction	110% AMI	7/26/2023	2023-0003564	15	4	2	2	1	1	472-011-05-00	Recorded & Sent to Compliance	
	PRJ-1017983	4121 Utah St	4121 Utah St	3	Greater North Park	02104	No	Rental	New Construction	110% AMI	8/2/2023	2023-0007092	15	4	2	3	0	1	466-382-13-00	Recorded & Sent to Compliance	
	PRJ-1010481	2657 E St	2657 E St	8	Southeastern San Diego	02102	No	Rental	New Construction	110% AMI	8/2/2023	2023-0015155	15	4	2	2	1	2	535-501-07-00	Recorded & Sent to Compliance	
	PRJ-1017205	5248 Adams Ave	5248 Adams Ave	9	College Area	02115	No	Rental	Conversion + New Cor	110% AMI	8/7/2023	2023-0012882	15	7	1	6	3	1	466-130-24-00	Recorded & Sent to Compliance	
	PRJ-1015188	5205 Mary Lane Dr	5205 Mary Lane Dr	9	College Area	02115	No	Rental	New Construction	110% AMI	8/11/2023	2023-0013747	15	3	1						

PRJ-1008087	8353 Henry Court / 8353 Henry Court Dr	6. Mira Mesa	02226	No	Rental	New Construction	110% ADU	2/16/2024	2024-0037286	15	7	1	6	3	1	311-072-06-00	Sent to Compliance	
PRJ-1008094	1378 N Mountain / 1378 N Mountain Ln	9. Mid-City: Normal Heights	02116	No	Rental	New Construction	110% ADU	2/16/2024	2024-0041124	15	9	1	8	4	1	439-000-13-00	Compliance	
PRJ-1008184	2235 Cliff St / 2235 Cliff St	3. North Park	02118	No	Rental	New Construction	110% ADU	2/20/2024	2024-0043405	15	3	1	2	1	2	438-162-08-00	Sent to Compliance	
PRJ-1008306	3042 1st / 3042 1st	9. Southeastern San Diego	02102	No	Rental	New Construction	110% ADU	2/27/2024	2024-0048071	15	10	2	8	4	2	440-013-17-4461	Sent to Compliance	
PRJ-1007939	4652 Florence St / 4652 Florence St	2. Claremont Mesa	02117	Yes	Rental	New Construction	110% ADU	2/28/2024	2024-0049682	15	10	1	9	5	1	355-141-03-00	Compliance	
PRJ-1012948	1048 Wintonia / 1048 Wintonia St	9. Mid-City: City Heights	02105	No	Rental	New Construction	110% ADU	2/7/2024	2024-0050195	15	4	2	2	1	20	471-422-14-00	Sent to Compliance	
PRJ-1008215	2332 Grand Ave / 2332 Grand Ave	2. Pacific Beach	02109	Inclusionary Fee	Rental	New Construction	110% ADU	3/2/2024	2024-0052948	15	8	2	8	3	39	424-070-24-00	Sent to Compliance	
PRJ-1009211	2330 Grand Ave / 2330 Grand Ave	1. Pacific Beach	02109	Inclusionary Fee	Rental	Conversion	110% ADU	3/2/2024	2024-0051949	15	17	9	6	3	39	424-070-24-00	Compliance	
PRJ-1104380	3650 Quincey St / 3650 Quincey St	2. Petrosula	02106	No	Rental	New Construction	110% ADU	3/9/2024	2024-0054882	15	3	1	2	1	1	469-589-21-00	Compliance	
PRJ-1101828	1582 Hattawa Ave / 1582 Hattawa Ave	2. Claremont Mesa	02117	No	Rental	New Construction	110% ADU	3/9/2024	2024-0058445	15	4	1	3	2	2	360-410-17-00	Compliance	
PRJ-1007468	2429 Union St / 2429 Union St	3. Uptown	02101	No	Rental	New Construction	110% ADU	3/12/2024	2024-0062001	15	7	2	5	3	0	553-063-05-00	Compliance	
PRJ-1009232	608 York St / 608 York St	4. Encanto	02114	No	Rental	New Construction	110% ADU	3/12/2024	2024-0061171	15	7	1	6	3	1	549-072-23-00	Compliance	
PRJ-1004895	2513 Erie St / 2513 Erie St	2. Claremont Mesa	02120	No	Rental	New Construction	110% ADU	3/21/2024	2024-0070763	15	1		1	1	2	430-111-06-00	Compliance	
PRJ-1105468	4650 Point Loma / 4650 Point Loma Pl	2. Ocean Beach	02107	Inclusionary Fee	Rental	New Construction	110% ADU	3/27/2024	2024-0071956	15	8	2	6	3	1	446-461-09-00	Sent to Compliance	
PRJ-1001493	3655 Delabarra St / 3655 Delabarra St	8. San Diego Logans	02113	No	Rental	New Construction	110% ADU	3/28/2024	2024-0070254	15	4	2	2	1	4	550-630-17-00	Compliance	
PRJ-1104851	4228 Feather Ave / 4228 Feather Ave	6. Claremont Mesa	02117	No	Rental	New Construction	110% ADU	3/29/2024	2024-0078722	15	4	1	3	2	1	418-013-14-00	Compliance	
PRJ-1009390	4726 Kensington / 4726 Kensington Dr	9. Mid-City: Kensington-Talmadge	02118	No	Rental	New Construction	110% ADU	3/29/2024	2024-0078706	15	7	2	4	2	1	440-542-15-00	Compliance	
PRJ-1001250	4527 Esther St / 4527 Esther St	9. College Area	02115	No	Rental	New Construction	110% ADU	4/6/2024	2024-0082752	15	4	2	2	1	1	466-462-13-00	Compliance	
PRJ-1104393	4372 Cherokee Ave / 4372 Cherokee Ave	3. Mid-City/Normal Heights	02104	No	Rental	New Construction	110% ADU	4/9/2024	2024-0093331	15	4	2	2	1	1	467-581-24-00	Compliance	
PRJ-1007712	6842 Estrella Ave / 6842 Estrella Ave	7. Newco	02120	No	Rental	Construction/Conversion	110% ADU	4/9/2024	2024-0105700	15	3		2	1	1	418-083-10-00	Sent to Compliance	
PRJ-1111096	2938 Fairfield St / 2938 Fairfield St	2. Claremont Mesa	02120	No	Rental	New Construction	110% ADU	4/9/2024	2024-0108180	15	5	1	4	2	2	1	430-491-17-00	Sent to Compliance
PRJ-1101916	4654 Reullo Way / 4654 Reullo Way	9. Mid-City: Eastern Area	02113	No	Rental	New Construction	110% ADU	4/9/2024	2024-0108141	15	8	1	7	4	1	417-700-04-00	Sent to Compliance	
PRJ-1005107	835 S Bancroft / 835 S Bancroft	8. Southeastern San Diego	02113	No	Rental	New Construction	110% ADU	5/2/2024	2024-0109707	15	4	2	2	1	0	545-478-05-00	Compliance	
PRJ-1108750	1523 Mary Lane / 1523 Mary Lane Dr	9. College Area	02115	No	Rental	New Construction	110% ADU	5/2/2024	2024-0112209	15	2	1	2	1	2	466-110-13-00	Compliance	
PRJ-1004777	1383 28th St / 1383 28th St	3. Greater Golden Hill	02102	No	Rental	New Construction	110% ADU	5/8/2024	2024-0114742	15	4	2	2	1	0	539-523-03-00	Compliance	
PRJ-1100119	4875 Bancroft St / 4875 Bancroft St	3. Mid-City/Normal Heights	02116	No	Rental	New Construction	110% ADU	5/9/2024	2024-0116878	15	4	1	3	2	1	439-212-04-00	Compliance	
PRJ-1101100	4875 Kansas St / 4875 Kansas St	3. North Park	02118	No	Rental	New Construction	110% ADU	5/9/2024	2024-0118963	15	4	2	3	2	1	438-282-04-00	Sent to Compliance	
PRJ-1101267	4104 F St / 4104 F St	9. Southeastern San Diego	02102	No	Rental	New Construction	110% ADU	5/14/2024	2024-0120462	15	3	1	2	1	1	541-481-11-00	Sent to Compliance	
PRJ-1009080	3719 36th St / 3719 36th St	9. Mid-City: City Heights	02104	No	Rental	New Construction	110% ADU	5/14/2024	2024-0120566	15	1		2	1	1	467-601-13-00	Compliance	
PRJ-1101619	1584 Altamira St / 1584 Altamira St	4. Skyline/Panhandle Hills	02119	No	Rental	New Construction	110% ADU	5/15/2024	2024-0116332	15	4	2	2	1	1	187-120-21-00	Sent to Compliance	
PRJ-1101564	2810 Arnold St / 2810 Arnold St	2. Claremont Mesa	02120	No	Rental	Construction & New Construction	110% ADU	5/15/2024	2024-0123118	15	3	1	2	1	1	430-130-10-00	Compliance	
PRJ-1107407	3111 Claremont / 3111 Claremont Mesa Blvd	Claremont Mesa	02117	No	Rental	New Construction	110% ADU	5/17/2024	2024-0125053	15	4	2	2	1	1	359-111-08-00	Compliance	
PRJ-1008812	207 Hervey St / 207 Hervey St	8. Southeastern San Diego	02102	No	Rental	Conversion & New Construction	110% ADU	5/21/2024	2024-0127872	15	6	3	3	2	1	535-541-10-00	Compliance	
PRJ-1111837	2171 Pierce St / 2171 Pierce St	7. Linda Vista	02111	No	Rental	New Construction	110% ADU	5/28/2024	2024-0131066	15	4	2	2	1	1	421-011-06-00	Sent to Compliance	
PRJ-1007907	4433 Cherokee Ave / 4433 Cherokee Ave	3. Mid-City/Normal Heights	02116	No	Rental	Conversion & New Construction	110% ADU	5/29/2024	2024-0131938	15	5	3	2	1	1	467-428-11-00	Sent to Compliance	
PRJ-1009211	3577 40th St / 3577 40th St	9. Mid-City: City Heights	02105	No	Rental	New Construction	110% ADU	6/5/2024	2024-0141291	15	4	2	2	2	2	454-212-05-00	Compliance	
PRJ-1009004	2880 Whitaker Ave / 2880 Whitaker Ave	8. Southeastern San Diego	02113	No	Rental	New Construction	110% ADU	6/6/2024	2024-0142789	15	7	1	6	3	1	545-425-09-00	Compliance	
PRJ-1008812	207 Hervey St / 207 Hervey St	8. Southeastern San Diego	02102	No	Rental	Conversion & New Construction	110% ADU	5/21/2024	2024-0127872	15	6	3	3	2	1	535-541-10-00	Compliance	
PRJ-1111837	2171 Pierce St / 2171 Pierce St	7. Linda Vista	02111	No	Rental	New Construction	110% ADU	5/28/2024	2024-0131066	15	4	2	2	1	1	421-011-06-00	Sent to Compliance	
PRJ-1007907	4433 Cherokee Ave / 4433 Cherokee Ave	3. Mid-City/Normal Heights	02116	No	Rental	Conversion & New Construction	110% ADU	5/29/2024	2024-0131938	15	5	3	2	1	1	467-428-11-00	Sent to Compliance	
PRJ-1009211	3577 40th St / 3577 40th St	9. Mid-City: City Heights	02105	No	Rental	New Construction	110% ADU	6/5/2024	2024-0141291	15	4	2	2	2	2	454-212-05-00	Compliance	
PRJ-1009004	2880 Whitaker Ave / 2880 Whitaker Ave	8. Southeastern San Diego	02113	No	Rental	New Construction	110% ADU	6/6/2024	2024-0142789	15	7	1	6	3	1	545-425-09-00	Compliance	
PRJ-1108111	6730 Mahawk St / 6730 Mahawk St	9. College Area	02115	No	Rental	Conversion & New Construction	110% ADU	6/7/2024	2024-0141444	15	7	3	4	2	1	468-141-23-00	Sent to Compliance	
PRJ-1112791	3775 Logan Ave / 3775 Logan Ave	4. Southeastern San Diego	02113	No	Rental	New Construction	110% ADU	6/16/2024	2024-0146628	15	4	2	2	1	1	500-380-12-00	Compliance	
PRJ-1108045	841 Winton Dr / 841 Winton Dr	4. Encanto	02114	No	Rental	New Construction	110% ADU	6/11/2024	2024-0146393	15	7		6	3	1	542-600-13-00	Sent to Compliance	
PRJ-1112033	6232 Adelle Dr / 6232 Adelle Dr	9. College Area	02115	No	Rental	New Construction	110% ADU	6/12/2024	2024-0147880	15	6		5	3	2	467-041-17-00	Sent to Compliance	
PRJ-1007985	5104 Broadway Ave / 5104 Broadway Ave	2. Claremont Mesa	02117	No	Rental	New Construction	110% ADU	6/12/2024	2024-0147433	15	2	1	1	1	1	1	361-422-07-00	Sent to Compliance
PRJ-1008091	1871 / 1871	Westhoffhouse St	7. Linda Vista	02111	No	Rental	New Construction	110% ADU	6/13/2024	2024-0150072	15	4	2	1	1	2	432-242-05-00	Sent to Compliance
PRJ-1007171	2127 Camelsot St / 2127 Camelsot St	7. Linda Vista	02111	No	Rental	New Construction	110% ADU	6/18/2024	2024-0151511	15	8	2	3	3	1	431-343-01-00	Sent to Compliance	
PRJ-1008132	1911 Winton St / 1911 Winton St	8. Southeastern San Diego	02113	No	Rental	New Construction	110% ADU	6/20/2024	2024-0156110	15	4	2	2	1	6	550-740-23-00	Sent to Compliance	
PRJ-1001360	4053 Alhambra St / 4053 Alhambra St	3. North Park	02104	No	Rental	New Construction	110% ADU	6/25/2024	2024-0160145	15	6	4	2	1	4	445-542-07-00	Compliance	
PRJ-1003029	1501 Burton St / 1501 Burton St	7. Linda Vista	02111	No	Rental	New Construction	110% ADU	6/26/2024	2024-0160622	15	12	2	12	6	1	427-380-20-00	Sent to Compliance	
PRJ-1001877	4180 Thorn St / 4180 Thorn St	9. Mid-City: City Heights	02105	No	Rental	New Construction	110% ADU	6/26/2024	2024-0161120	15	2	1	1	1	1	454-211-18-00	Sent to Compliance	
PRJ-1005784	3654 Chateau Dr / 3654 Chateau Dr	2. Claremont Mesa	02117	No	Rental	New Construction	110% ADU	7/2/2024	2024-0161835	15	8	4	4	2	1	361-800-35-00	Compliance	
PRJ-1007321	4888 Oculina Dr / 4888 Oculina Dr	2. Claremont Mesa	02117	No	Rental	New Construction	110% ADU	7/9/2024	2024-0173131	15	2	1	1	1	1	361-401-13-00	Compliance	
PRJ-1110810	4851 Glenview Ave / 4851 Glenview Ave	2. Claremont Mesa	02117	No	Rental	New Construction	110% ADU	7/10/2024	2024-0176817	15	3	1	1	1	1	355-386-03-00	Compliance	
PRJ-1000347	542 Worthington St / 542 Worthington St	4. Skyline/Panhandle Hills	02114	No	Rental	New Construction	110% ADU	7/10/2024	2024-0174386	15	8	1	7	4	1	583-181-14-00	Compliance	
PRJ-1108074	5300 Orange Ave / 5300 Orange Ave	9. Mid-City: City Heights	02115	No	Rental	New Construction	110% ADU	7/10/2024	2024-0177911	15	12	2	10	5	1	473-191-06-00	Compliance	
PRJ-1111671	1246 Claremont Dr / 1246 Claremont Dr	2. Claremont Mesa	02117	No	Rental	New Construction	110% ADU	7/12/2024	2024-0178340	15	4	2	2	1	1	475-170-08-00	Compliance	
PRJ-1007359	2917 08th St / 2917 08th St	7. Linda Vista	02111	No	Rental	New Construction	110% ADU	7/15/2024	2024-0179347	15	4	2	2	1	1	431-642-05-00	Sent to Compliance	
PRJ-1100853	6705 South Elm St / 6705 South Elm St	7. Linda Vista	02111	No	Rental	New Construction	110% ADU	7/15/2024	2024-0179198	15	6	2	4	2	2	412-540-08-00	Sent to Compliance	
PRJ-1008551	4024 Sparrow Ave / 4024 Sparrow Ave	2. Claremont Mesa	02117	No	Rental	New Construction	110% ADU	7/16/2024	2024-0183371	15	2	1	1	1	1	416-121-10-00	Sent to Compliance	
PRJ-1007947	4800-4622 Ocean View Blvd / 4800-4622 Ocean View Blvd	4. Southeastern San Diego	02111	No	Rental	New Construction	110% ADU	7/19/2024	2024-0184730	15	4	2	1	1	1	547-421-12-00	Sent to Compliance	
PRJ-1008740	340 47th St / 340 47th St	4. Encanto	02102	Inclusionary Fee	Rental	Renov & New Construction	110% ADU	7/22/2024	2024-0187540	15	12	2	10	5	1	547-490-16-00	Compliance	
PRJ-1111178	1335 14th St / 1335 14th St	4. Mid-City: Eastern Area	02105	No	Rental	New Construction	110% ADU	7/24/2024	2024-0190399	15	2	1	1	1	1	477-111-09-00	Compliance	
PRJ-1103330	3433 Collier Ave / 3433 Collier Ave	3. Mid-City/Normal Heights	02116	No	Rental	New Construction	110% ADU	7/25/2024	2024-0190399	15	3	1	1	1	1	440-391-01-00	Compliance	
PRJ-1111505	1110 Constitution Rd / 1110 Constitution Rd	2. Claremont Mesa	02117	No	Rental	New Construction	110% ADU	8/7/2024	2024-0205461	15	2	1	1	1	1	355-120-18		

	327 Gloria St	327 Gloria St	4	Encanto	02113	No	Rental	New Construction	110% AMI	8/28/2024	2024-02-03391	15	4	2	2	1	2	547-512-0500	Sent to Compliance	see how SDU & Studio existing		
PRJ-11047200	825 51st St	825 51st St	4	Encanto	02114	No	Rental	New Construction	110% AMI	8/28/2024	2024-02-03389	15	6	1	5	3	1	1	542-582-3900	Sent to Compliance		
PRJ-1074218	4151 Cherokee Ave	4151 Cherokee Ave	9	Mid City: City Heights	02104	Yes	Rental	Conversion & New Construction	110% AMI, 60 % AMI	8/29/2024	2024-03-032546	15	15	4	7	4	3	3	447-342-0800	Sent to Compliance	SDU & 2 DU (above garage) w/ out 1 Unit for inclusionary set aside 60% AMI for 10 years. If SDU to be demolished, not a converted	
PRJ-1111726	1805 Burningside St	1805 Burningside St	7	Linda Vista	02111	Inclusionary Fee	Rental	New Construction	110% AMI	8/29/2024	2024-03-032688	15	11	1	10	5	1	1	432-242-2300	Sent to Compliance		
PRJ-1316856	1997 Westinghouse St	1997 Westinghouse St	7	Linda Vista	02111	No	Rental	New Construction	110% AMI	8/30/2024	2024-03-031281	15	4	2	2	1	1	1	432-242-0700	Sent to Compliance	Existing Duplex	
PRJ-1104602	6128 Roma St	6128 Roma St	9	Mid City: Eastern Area	02115	No	Rental	New Construction	110% AMI	9/2/2024	2024-02-031942	15	2	1	1	1	1	1	475-550-1200	Sent to Compliance	project also proposes 1 JADU	
PRJ-1102580	1367 B St	1367 B St	3	Greater Golden Hill	02102	No	Rental	Conversion & New Construction	110% AMI	9/9/2024	2024-02-024289	15	6	2	4	2	1	1	539-575-0700	Sent to Compliance	Convert 1 SDU into 2 DU	
PRJ-1116379	5222 69th St	5222 69th St	9	Collins Area	02115	No	Rental	New Construction	110% AMI	9/11/2024	2024-02-044470	15	2	1	1	1	1	1	469-124-4000	Sent to Compliance		
PRJ-1111085	3332 Alameda Ave	3332 Alameda Ave	9	Mid City: City Heights	02105	No	Rental	New Construction	110% AMI	9/12/2024	2024-02-046206	15	2	1	1	1	1	1	2	477-620-0700	Sent to Compliance	Existing ADU on premises
PRJ-1077478	1233 13rd St	1233 13rd St	3	Greater Golden Hill	02102	No	Rental	New Construction	110% AMI	9/13/2024	2024-02-047414	15	4	2	2	1	1	1	1	540-590-27-00	Sent to Compliance	
PRJ-1029573	4136 40th	4136 40th	9	Mid City: City Heights	02105	No	Rental	New Construction	110% AMI, Dwelling Unit Protection Replacement	9/16/2024	2024-02-049508	15	4	2	2	2	2	2	1	447-361-2800	Sent to Compliance	
PRJ-1111397	2160 Fugate St	2160 Fugate St	4	Mid City: Eastern Area	02105	No	Rental	New Construction	110% AMI	9/18/2024	2024-02-031821	15	2	1	1	1	1	1	1	543-102-1300	Sent to Compliance	Already has 5 Existing ADUs on the premises
PRJ-1211707	133 West Olive Dr	133 West Olive Dr	8	San Ysidro	02173	No	Rental	New Construction	110% AMI	9/20/2024	2024-02-024880	15	6	0	6	1	6	6	660-000-2900	Sent to Compliance		
PRJ-1105874	4204 Champanye / 4204 Champanye Ave	4204 Champanye / 4204 Champanye Ave	9	Mid City: City Heights	02105	No	Rental	New Construction	60% AMI	9/24/2024	2024-02-037375	15	3	1	2	1	1	1	552-100-1100	Sent to Compliance		
PRJ-1119084	1351 Bonita Dr	1351 Bonita Dr	4	Encanto	02114	No	Rental	New Construction	110% AMI	9/24/2024	2024-02-027389	15	6	2	5	3	1	1	471-472-2800	Sent to Compliance		
PRJ-1117607	4998 Mount Basil	4998 Mount Basil	2	Claremont Mesa	02111	No	Rental	New Construction	110% AMI	9/25/2024	2024-02-034210	15	2	1	1	1	1	1	419-101-0700	Sent to Compliance		
PRJ-1003931	3075 Hawthorn	3075 Hawthorn	3	Greater Golden Hill	02104	No	Rental	New Construction	110% AMI	9/26/2024	2024-03-03161	15	5	2	3	2	1	1	539-162-1000	Sent to Compliance		
PRJ-1111969	1744 Governor Dr	1744 Governor Dr	6	University	02122	No	Rental	New Construction	110% AMI	9/27/2024	2024-02-021546	15	2	0	1	1	1	1	548-180-0300	Sent to Compliance		
PRJ-1310015	4280 Sennott Ave	4280 Sennott Ave	2	Claremont Mesa	02117	No	Rental	Conversion & New Con.	110% AMI	9/30/2024	2024-03-036398	15	5	2	4	2	1	1	360-250-1300	Sent to Compliance		
PRJ-1100264	128 E Seaward Ave	128 E Seaward Ave	8	San Ysidro	02173	No	Rental	New Construction	110% AMI	10/1/2024	2024-02-045400	15	6	2	4	2	1	1	547-927-1700	Sent to Compliance		
PRJ-1116607	608 S 48th St	608 S 48th St	4	Southeastern San Diego	02113	No	Rental	New Construction	110% AMI	10/2/2024	2024-02-034408	15	7	1	6	1	3	3	638-361-95-00	Sent to Compliance		
PRJ-1115316	2050 Nye St	2050 Nye St	7	Linda Vista	02111	No	Rental	New Construction	110% AMI	10/2/2024	2024-02-031807	15	4	2	2	1	1	1	431-452-1000	Sent to Compliance		
PRJ-1004450	4643 Sennetts Dr	4643 Sennetts Dr	9	Mid City: Eastern Area	02115	No	Rental	New Construction	110% AMI	10/2/2024	2024-03-036864	15	9	1	8	4	0	4	454-631-4600	Sent to Compliance		
PRJ-11110992	7912 19th St	7912 19th St	9	Mid City: City Heights	02105	No	Rental	New Construction	110% AMI	10/2/2024	2024-02-031617	15	3	1	2	1	1	1	467-500-39-00	Sent to Compliance		
PRJ-1110679	3662 Z St	3662 Z St	8	Southeastern San Diego	02113	No	Rental	New Construction	110% AMI	10/3/2024	2024-02-036759	15	3	2	1	1	1	1	3	550-411-1000	Sent to Compliance	
PRJ-1005516	5129 Coban St	5129 Coban St	4	Encanto	02114	No	Rental	New Construction	60% AMI	10/4/2024	2024-02-037818	10	4	1	3	2	1	1	552-171-0500	Sent to Compliance		
PRJ-1006654	6445 Richard St	6445 Richard St	9	Collins Area	02115	No	Rental	Conversion & New Con.	110% AMI	10/10/2024	2024-02-027257	15	4	1	1	2	1	1	463-265-0400	Sent to Compliance		
PRJ-1000572	1675 Boundary St	1675 Boundary St	3	North Park	02104	No	Rental	New Construction	110% AMI	10/15/2024	2024-02-027640	15	8	2	6	3	1	1	446-501-0500	Sent to Compliance		
PRJ-11110808	8528 Barnes	8528 Barnes		Sanita Mesa	02123		Rental	New Construction	110% AMI	10/18/2024	2024-02-028301	15	2	1	1	1	1	1	421-071-0300	Sent to Compliance		
PRJ-1107973	4606 Shoshoni Ave	4606 Shoshoni Ave		Southeastern San Diego	02117	Inclusionary Fee	Rental	New Construction	110% AMI	10/21/2024	2024-02-034694	15	11	1	10	5	1	1	360-510-1300	Sent to Compliance		
PRJ-1111032	4756 Barnes Pl	4756 Barnes Pl		Claremont Mesa	02117	No	Rental	New Construction	110% AMI	10/21/2024	2024-02-028363	15	7	2	5	3	1	1	361-730-1500	Sent to Compliance	DUP - 1 protected dwelling unit to be retained	
PRJ-1101611	1281 Steel St	1281 Steel St		Southeastern San Diego	02113	Yes	Rental	New Construction	110% AMI, 10% AMI	10/23/2024	2024-02-028297	15	15	19	2	17	9	3	545-401-2100	Sent to Compliance		
PRJ-1111580	1380 Oliver Ave	1380 Oliver Ave		Pacific Beach	02109	No	Rental	New Construction	110% AMI	10/28/2024	2024-02-035644	15	4	2	2	1	1	1	424-341-2000	Sent to Compliance	2 ADU already exists	
PRJ-1111109	10547 Upcumb Dr	10547 Upcumb Dr		Mira Mesa	02126	No	Rental	New Construction	110% AMI	10/28/2024	2024-02-035622	15	2	1	1	1	1	2	518-343-2400	Sent to Compliance		
PRJ-1316302	5529 Olvera Av	5529 Olvera Av		Encanto	02114	No	Rental	New Construction	110% AMI	10/29/2024	2024-02-031600	15	7	1	6	3	0	0	546-473-0400	Sent to Compliance	Varient lot	
PRJ-1101589	3552 Alhambra Way	3552 Alhambra Way		Claremont Mesa	02117	No	Rental	New Construction	110% AMI	10/29/2024	2024-02-037356	15	4	1	3	2	1	1	360-402-0800	Sent to Compliance		
PRJ-1109285	1881 Bowen St	1881 Bowen St		Mid City: Eastern Area	02115	Inclusionary Fee	Rental	Conversion & New Construction	110% AMI	10/29/2024	2024-02-036481	15	15	1	14	7	1	1	478-403-07-00	Sent to Compliance		
PRJ-1101932	4567 18th St	4567 18th St		Mid City: Normal Heights	02116	No	Rental	New Construction	110% AMI	10/30/2024	2024-02-036176	15	9	2	7	4	1	1	440-020-0800	Sent to Compliance		
PRJ-1008973	1152 Goodway St	1152 Goodway St		Southeastern San Diego	02113	No	Rental	New Construction	110% AMI	10/31/2024	2024-03-030451	15	4	2	2	1	1	1	550-204-1200	Sent to Compliance		
PRJ-1008954	4567 Innes St	4567 Innes St		Mid City: Normal Heights	02116	No	Rental	Conversion & New Construction	110% AMI	11/1/2024	2024-02-036124	15	7	3	4	2	1	1	447-513-0800	Sent to Compliance		
PRJ-1217460	4238 Claremont Dr	4238 Claremont Dr		Claremont Mesa	02117	No	Rental	Conversion & New Construction	110% AMI	11/2/2024	2024-03-037171	15	9	2	7	4	1	1	418-061-0300	Sent to Compliance		
PRJ-1111870	4247 Claremont Mesa Blvd	4247 Claremont Mesa Blvd		Claremont Mesa	02117	No	Rental	New Construction	110% AMI	11/6/2024	2024-03-030445	15	4	2	2	1	2	2	360-100-0900	Sent to Compliance		
PRJ-1008280	6670 Marmon St	6670 Marmon St		Linda Vista	02111	No	Rental	New Construction	110 % AMI	11/7/2024	2024-03-030771	15	9	2	7	4	1	1	451-391-06-00	Sent to Compliance		
PRJ-1101479	1275 Robinson A	1275 Robinson A		Unknown	02103	No	Rental	Conversion & New Construction	110% AMI	11/7/2024	2024-03-030524	15	9	5	4	2	1	1	452-161-1200	Sent to Compliance		
PRJ-1008958	4465 Florida St	4465 Florida St		North Park	02116	No	Rental	New Construction	AMI 110%	11/7/2024	2024-03-030932	15	8	3	5	3	1	1	445-222-04-00	Sent to Compliance		
PRJ-1114419	1117 Remington Rd	1117 Remington Rd		Collins Area	02115	No	Rental	Conversion & New Construction	110% AMI	11/9/2024	2024-03-031617	15	3	1	2	1	1	1	461-500-1100	Sent to Compliance		
PRJ-1212290	13321 Palanis Dr	13321 Palanis Dr		Mira Mesa	02126	No	Rental	New Construction	110% AMI	11/13/2024	2024-03-034995	15	8	1	7	4	1	1	416-446-1000	Sent to Compliance		
PRJ-1107605	1303 Appleton St	1303 Appleton St		Claremont Mesa	02117	No	Rental	Conversion & New Construction	110% AMI	11/18/2024	2024-03-032076	15	2	1	1	1	1	1	355-423-1200	Sent to Compliance		
PRJ-1211996	3548 47th St	3548 47th St		Mid City: City Heights	02105	No	Rental	New Construction	110% AMI	11/18/2024	2024-03-032021	15	3	1	2	1	1	1	476-061-2200	Sent to Compliance		
PRJ-1111777	4688 60th St	4688 60th St		Collins Area	02115	No	Rental	Conversion & New Construction	110% AMI	11/20/2024	2024-03-031895	15	5	1	4	2	1	1	468-110-0400	Sent to Compliance		
PRJ-1101461	3632 28th St	3632 28th St		City Heights	02105	Yes, Inclusionary 1 unit set aside & 1 unit	Rental	New Construction	110% & AMI 60%	11/21/2024	2024-03-031953	15	14	4	10	5	1	1	447-462-26-00	Sent to Compliance		
PRJ-1107566	2915 Governor Dr	2915 Governor Dr		University	02122	No	Rental	Conversion & New Construction	110% AMI	11/22/2024	2024-03-031641	15	2	1	1	1	1	1	470-161-0800	Sent to Compliance		
PRJ-1122316	6104 Saranac St	6104 Saranac St		Collins Area	02115	No	Rental	New Construction	110% AMI	11/25/2024	2024-03-037887	15	3	2	1	1	1	1	468-322-0400	Sent to Compliance		
PRJ-1008420	4390 16th St	4390 16th St		Mid City: Normal Heights	02116	No	Rental	Construction	110% AMI	11/26/2024	2024-03-032076	15	8	4	4	2	2	2	447-172-2300	Sent to Compliance		
PRJ-1113230	5100 Dale St	5100 Dale St		Mid City: Eastern Area	02102	No	Rental	New Construction	110% AMI	11/27/2024	2024-03-031000	15	2	1	1	1	1	1				

EXHIBIT B

2596 Chalcedony Street, San Diego, CA 92109

126 Units | Pacific Beach



FLETCHER COVE CAPITAL

2596 Chalcedony Street, San Diego, is located west of Interstate 5 in popular Pacific Beach, and offers excellent access to downtown and North County. With San Diego's thriving economy, Chalcedony Street presents high-value rental opportunities, making it a prime choice for those looking to invest in the city's growth.

The lots can accommodate **126 additional units that are fully entitled**. TIC Investors are invited to contribute at least \$1M with a 5-year time horizon.

Returns

\$13,665,943

IRR

28.22%

Construction & Stabilization

36 months

Total Cash Needed

\$10,944,836

Equity Multiple

2.25x

TIC Scenarios

Target Equity Multiple on Appreciation	2.25
TIC Investment Amount	\$ 1,000,000
Target Profits from Appreciation	\$ 1,250,000
Target TIC Value Year 5	\$ 2,250,000
Ownership Percentage	2.84%

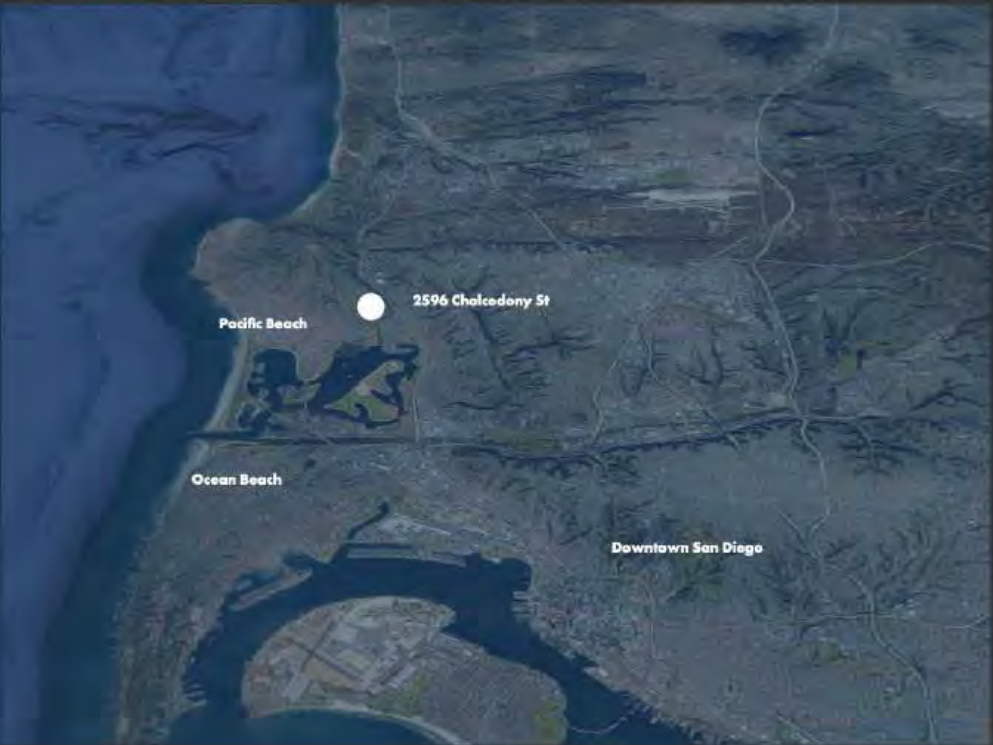
Year 4 Projected Net Cash Flow	\$655,424	\$18,598
Year 5 Projected Net Cash Flow	\$774,865	\$21,987
Year 5 Value	\$79,295,709	\$2,290,584
Year 5 Profits		\$1,290,584
Year 5 TIC EM		2.29
Year 5 IRR		23.62%

Anticipated Capital Gains Taxes Deferred	\$250,000
Equivalent Taxable Profits	\$1,562,500



Pre-Development Review from the City of San Diego

Cycle Issues DRAFT				6/27/23 1:20 pm	
L64A-003B		THE CITY OF SAN DIEGO Development Services Department 1222 1st Avenue, San Diego, CA 92101-4154		Page 1 of 8	
Project Information					
Project Nbr:	705886	Title:	Dig Prelim 2596 Chalcedony St		
Project Mgr:	Murillo, Andrew	(619) 557-7986	Jmurillo@sanidiego.gov	*705886*	
Review Information					
Cycle Type:	1 Preliminary Review		Submitted:	06/09/2023 Deemed Complete on 06/09/2023	
Reviewing Discipline:	LDR-Planning Review		Cycle Distributed:	06/09/2023	
Reviewer:	Beaudette, Ryan (619) 446-5343 RBeaudette@sanidiego.gov		Assigned:	06/12/2023	
Hours of Review:	3.00		Started:	06/20/2023	
Next Review Method:	Preliminary Review		Review Due:	06/26/2023	
			Completed:	06/21/2023	
			Closed:		
<ul style="list-style-type: none">The reviewer has indicated they want to review this project again. Reason chosen by the reviewer: First Review Issues.Your project still has 12 outstanding review issues with LDR-Planning Review (all of which are new).					



The Stacked Plan

High Efficiency, High Volume-Based Building

By recycling the same model, we can expedite the drafting/
engineering permit process by nearly half the time. We have
multiple sets of plans that stack; one example is below



This floor plan consists of four
units. Stackable up to 3 stories,
it can have a total of 12 units. It
uses the same design, while still
providing a quality standard
of living for the tenants and
neighborhood.

Site Plan



Elevations



Track Record

Address	Purchase Price	Existing Units	Added Units	Cost to Build	Sale Price	Project Return	Year Sold
6753 N Elmon St	\$729,000	1	3	\$884,480	\$2,650,000	334%	2023
2917 Preece St	\$635,000	1	3	\$1,040,231	\$2,550,000	232%	2023
4805 Iniquis Ave	\$889,000	2	2	\$1,156,000	\$3,200,000	162%	2022
4121 36th St	\$550,000	1	2	\$481,562	\$1,660,000	81%	2022
2016 Drescher St	\$700,000	2	3	\$1,250,000	\$3,000,000	150%	2023
6737 Thomson Ct	\$575,000	1	3	\$1,000,000	\$2,325,000	143%	2023
4161 Clairemont Mesa Blvd	\$729,000	1	4	\$950,000	\$2,900,000	214%	2022
4860 Aberdeen St	\$725,000	1	2	\$500,000	\$1,800,000	180%	2022
4168 Cole Way	\$650,000	1	2	\$500,000	\$1,500,000	140%	2021
5120 Boxer St	\$700,000	1	2	\$450,000	\$2,005,000	213%	2021
7102 Stanford Ave	\$465,000	1	1	\$185,000	\$1,080,000	65%	2021
7201 Berkeley Dr	\$405,000	1	1	\$75,000	\$910,000	74%	2021

Nearby Completed Project

Purchase:
\$889,000 (July '21)

Existing Units
2

Units Added
2

Sale
\$3.2M (July '23)

Hold Time
24 months



Project Summary

2596 Chalcedony

Property Info	
Address	2596 Chalcedony San Diego, CA 92109
Jurisdiction	City of San Diego
Zone	RS-1-7
SFR/MFR/COMM	SFR
Existing Sq Ft	0 ft
Lot size	126000 sqft
FAR	45.00%
Purchase Price	\$6,000,000
Down Payment	\$1,200,000
Loan Amount	\$4,800,000

TOTAL USE OF FUNDS

Acquisition
\$6,108,000

Soft Costs
\$8,288,871

Hard Costs
\$19,799,500

Total
\$34,196,371

Soft Costs

Total Permitting Cost (See A)	
Total	\$2,404,652
Lending Costs	
Hold Costs	\$3,820,436
Loan Points	\$539,990
Total	\$4,360,426
Other Soft Costs	
Property Taxes	\$198,000
Insurance Costs	\$120,000
Total	\$318,000
Management Costs	
Acquisition Fee	\$120,000
Management Fee	\$564,610.85
Total	\$684,611
Cost of Sale	
Total	\$521,183
Total Soft Costs	\$8,288,871

Hard Costs

Existing Improvements	\$0.00
New Construction	\$18,049,500.00
Landscape	\$500,000
Grading	\$750,000
Amenities	\$500,000
Total Hard Costs	\$19,799,500

(A) Permit Table			
	NEW UNITS	NEW ADUS	TOTAL
Quantity	1	125	126
Square Feet	450 sqft	56250 sqft	56700 sqft
Drafting Cost	\$3,750	\$468,750	\$472,500
Engineering Cost	\$2,250	\$281,250	\$283,500
Permit Run Cost	\$12	\$1,488	\$1,500
Dry Utility	-	-	\$50,000
Maps	-	-	\$50,000
Soil Testing	-	-	\$7,500
Plan Check	\$3,000	\$375,000	\$378,000
Dev. Impact Fees	\$0	\$0	\$0
School Fees	\$2,156	\$269,438	\$271,593
Water/Sewer Fees	\$7,171	\$448,188	\$455,359
Permit Fees	\$3,450	\$431,250	\$434,700
Totals	\$21,788	\$2,275,363	\$2,404,652

Project Phases and Equity Needs

2596 Chalcedony

Phase 1

Purchase to 1st Submittal	
Beginning of Phase 1	Month 1
End of Phase 1	Month 6
Phase Length	6 months
Hold Costs	
Mortgage Amount (over phase period)	\$216,000.00
Taxes and Insurance	\$53,000.00
Total Hold Costs	\$269,000.00
Soft Costs	
Pro Cal Fee	\$303,000.00
Dry Utility	\$25,000.00
MEP's	\$25,000.00
Soil Testing	\$7,500.00
Lawyer Fees	\$10,000.00
Equity to Close	\$1,308,000.00
Management Fee	\$132,790.00
Cost of Sale	\$521,182.68
Total Soft Costs	\$2,332,472.68
Hard Costs	
Total Hard Costs	\$0.00
Total Equity Needed for Phase 1	
\$2,601,473	

Phase 2

First Submittal to Issued Plans	
Beginning of Phase 2	Month 7
End of Phase 2	Month 12
Phase Length	6 months
Hold Costs	
Mortgage Amount (over phase period)	\$216,000.00
Taxes and Insurance	\$53,000.00
Total Hold Costs	\$269,000.00
Soft costs	
Pro Cal Fee	\$303,000.00
Dry Utility	\$25,000.00
MEP's	\$25,000.00
Plan Check Fees	\$378,000.00
Management Fee	\$20,000.00
Total Soft Costs	\$751,000.00
Hard Costs	
Total Hard Costs	\$0.00
Total Equity Needed for Phase 2	
\$1,020,000	



Project Phases and Equity Needs

2596 Chalcedony

Phase 3

Building Starts to Leasing	
Beginning of Phase 3	Month 13
End of Phase 3	Month 27
Phase Length	15 months
Hold Costs	
Mortgage Amount (over phase period)	\$1,727,970
Taxes and Insurance	\$132,500
Total Hold Costs	\$1,860,470
Soft Costs	
Ref Cost	\$0
Loan Cost	\$491,990
Management Fee	\$497,022
Pro Cal Fee	\$151,500
Development Impact Fees	\$0
School Fees	\$271,593
Water/Sewer Fees	\$455,359
Permit Fees	\$434,700
Total Soft Costs	\$2,302,163
Hard Costs	
GC First Payment Req	\$1,385,965
Total Hard Costs	\$1,385,965
Total Equity Needed for Phase 3	
\$5,548,598	

Phase 4

Leasing to Operational/ Sale	
Beginning of Phase 4	Month 28
End of Phase 4	Month 36
Phase Length	9 months
Hold Costs	
Mortgage Amount (over phase period)	\$1,660,466
Taxes and Insurance	\$79,500
Total Hold Costs	\$1,739,966
Soft Costs	
Management Fee	\$34,799
Total Soft Costs	\$34,799
Hard Costs	
Total Hard Costs	\$0
Total Equity Needed for Phase 4	
\$1,774,766	

**Total Equity
Needed**
\$10,944,836

Project Returns

Rent Roll →

Sq Ft	Bedroom	Bathrooms	Rents	Quantity	Total Rent
450 sqft	1	1	\$3,000/month	126	\$378,000.00
Monthly Gross Rent					\$378,000.00

Sell Plan →

Sell Rental Expenses	
Expected Sale Rental Expenses %	32.78%
Sale Rental expenses	\$1,486,941
Sell Costs	
Total Use of Funds	\$34,196,371
Closing Costs (3% CBB, 1% Junk)	\$2,185,410
Total	\$36,381,781
Final Property Value	
Sale Net Income	\$3,278,115
Sale CAP rate	4.50%
Total	\$72,847,000

Sell Plan Profits

Property Value
\$72,847,000

Sell Costs
\$36,381,781

Total Levered Profit
\$36,465,219

INCOME

Rent	
Gross Annual Rent	\$4,536,000
Total	\$4,536,000
Other Income	
Parking	\$96,000
RUBS	\$72,576
Subscriptions	\$60,480
Total Other Income	\$229,056
Total Gross Annual Income	\$4,765,056

Hold Plan Operational NOI

**Gross
Income**
\$4,765,056

**Operational
Costs**
\$832,705

**Net Operating
Income**
\$3,932,351

Hold Plan →

ANNUAL OPERATIONAL COSTS

Property Taxes	
Assessed Value	\$13,371,000
Property Tax	1.10%
Total	\$147,081
Vacancy	
Vacancy Rate	2.00%
Total	\$90,720
Property Management Fees	
Management Fee %	5.00%
Total	\$226,800
Maintenance Costs	
Pest Control	\$22,680
General Maintenance	\$170,100
Landscape Costs	\$34,020
Total	\$226,800
Utilities	
Water	\$68,040
Trash	\$22,680
Electrical	\$10,584
Total	\$101,304
Insurance Cost	
Total	\$40,000
Total Operational Costs	\$832,705

IRR and Cash Flow

Refi Assumptions		Trended Assumptions	
Int Rate	6.00%	EGI Growth	3.00%
Number of Payments	360	Tax Growth	2.00%
Max ADS	\$3,276,959	Expense Growth	3.00%
Year 3 NOI	\$3,932,351	Trended CAP	4.50%
Max DSCR	1.20	Exit CAP Year 10	4.50%
Loan Amount	\$45,547,000	Sale Costs	4.00%
Payment per Month	\$273,077		
Construction Loan Assumptions		Equity Multiple	
Loan Amount	\$24,599,500	Year 3	2.89x
Equity to Cost	15.13%	Year 5	5.50x
Loan to Cost	84.87%	Year 10	7.50x

Equity on Equity Return Leaving Initial Equity in Deal							
Year	4	5	6	7	8	9	10
Income	\$4,765,056	\$4,908,008	\$5,055,248	\$5,206,905	\$5,363,113	\$5,524,006	\$5,689,726
Taxes	\$147,081	\$150,023	\$153,023	\$156,084	\$159,205	\$162,389	\$165,637
Operating Expenses	\$685,624	\$706,193	\$727,379	\$749,200	\$771,676	\$794,826	\$818,671
NOI	\$3,932,351	\$4,051,792	\$4,174,846	\$4,301,622	\$4,432,231	\$4,566,790	\$4,705,418
Debt	\$1,672,856	\$1,672,856	\$1,672,856	\$1,672,856	\$1,672,856	\$1,672,856	\$1,672,856
Before Tax Cash Flow	\$2,259,495	\$2,378,936	\$2,501,990	\$2,628,766	\$2,759,375	\$2,893,934	\$3,032,562
Cash on Cash Return	20.64%	21.74%	22.86%	24.02%	25.21%	26.44%	27.71%

10 Year Trended Income/Expense after Refi							
Year	4	5	6	7	8	9	10
Income	\$4,765,056	\$4,908,008	\$5,055,248	\$5,206,905	\$5,363,113	\$5,524,006	\$5,689,726
Taxes	\$147,081	\$150,023	\$153,023	\$156,084	\$159,205	\$162,389	\$165,637
Operating Expenses	\$685,624	\$706,193	\$727,379	\$749,200	\$771,676	\$794,826	\$818,671
NOI	\$3,932,351	\$4,051,792	\$4,174,846	\$4,301,622	\$4,432,231	\$4,566,790	\$4,705,418
Debt	\$3,276,927	\$3,276,927	\$3,276,927	\$3,276,927	\$3,276,927	\$3,276,927	\$3,276,927
Before-Tax Equity Flow	\$655,424	\$774,865	\$897,919	\$1,024,695	\$1,155,304	\$1,289,863	\$1,428,491



IRR and Cash Flow

Trended 10 Year IRR Table					
Year	1	2	3	4	5
Income	0	0	\$1,620,000	\$4,765,056	\$4,908,008
Expense	\$3,621,473	\$4,908,105	\$2,415,259	\$832,705	\$856,215
NOI	-\$3,621,473	-\$4,908,105	-\$795,259	\$3,932,351	\$4,051,792
Year	6	7	8	9	10
Income	\$5,055,248	\$5,206,905	\$5,363,113	\$5,524,006	\$5,689,726
Expense	\$880,402	\$905,283	\$930,881	\$957,215	\$984,308
NOI	\$4,174,846	\$4,301,622	\$4,432,231	\$4,566,790	\$4,705,418

Yield on Cost

Untrended (Project Completion)
11.50%

Trended (Year 10)
13.76%

Expected Sale Price Expected Profit

Year 3	\$72,847,000	\$36,465,219
Year 5	\$79,295,709	\$49,211,134
Year 10	\$93,395,224	\$71,144,361

IRR

Year 3
109.92%

Year 5
81.44%

Year 10
61.47%

Phase Table
36.27%

Legal Disclaimer

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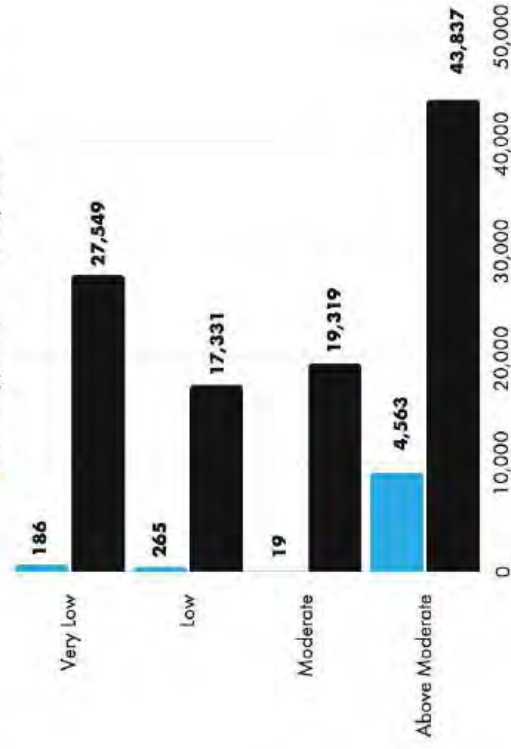
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IT IS IMPORTANT YOU UNDERSTAND THAT WHILE WE ARE PROVIDING PROJECTIONS BASED ON THE FACTS AND FIGURES AVAILABLE, NO ONE CAN TRULY PREDICT THE FUTURE.

■ Homes Approved
 ■ City Goals



Source: San Diego Annual Report on Housing (2023)

Pacific Beach Neighborhood Data



Source: CoStar & Neighborhood Scout

EXHIBIT C

FEDERAL RESERVE BANK OF SAN FRANCISCO

WORKING PAPER SERIES

Supply Constraints Do Not Explain House Price and Quantity Growth Across U.S. Cities

Schuyler Louie
University of California at Irvine

John Mondragon
Federal Reserve Bank of San Francisco

Johannes Wieland
Federal Reserve Bank of San Francisco
NBER
University of California, San Diego

March 2025

Working Paper 2025-06

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SUPPLY CONSTRAINTS DO NOT EXPLAIN HOUSE PRICE AND QUANTITY GROWTH ACROSS U.S. CITIES*

Schuyler Louie[†] John Mondragon[‡] Johannes Wieland[§]

March 2025

Abstract

The standard view of housing markets holds that the flexibility of local housing supply—shaped by factors like geography and regulation—strongly affects the response of house prices, house quantities and population to rising housing demand. However, from 2000 to 2020, we find that higher income growth predicts the same growth in house prices, housing quantity, and population regardless of a city’s estimated housing supply elasticity. We find the same pattern when we expand the sample to 1980 to 2020, use different elasticity measures, and when we instrument for local housing demand. Using a general demand-and-supply framework, we show that our findings imply that constrained housing supply is relatively unimportant in explaining differences in rising house prices among U.S. cities. These results challenge the prevailing view of local housing and labor markets and suggest that easing housing supply constraints may not yield the anticipated improvements in housing affordability.

Keywords: house prices, housing supply, affordability, regulation, zoning, land use

JEL Codes: E22, J61, R21, R31, R52

*The views expressed here are those of the authors and do not necessarily reflect those of the Federal Reserve Bank of San Francisco or the Federal Reserve System. We would like to thank Sajid Zaidi for the provocation and Rami Najjar for the excellent research assistance. We thank Rebecca Diamond for helpful comments.

[†]University of California at Irvine: schuyjl@uci.edu

[‡]Federal Reserve Bank of San Francisco: john.mondragon@sf.frb.org

[§]Federal Reserve Bank of San Francisco, NBER, and University of California, San Diego: johannes.wieland@sf.frb.org and jfwieland@ucsd.edu

1 INTRODUCTION

“Rent, considered as the price paid for the use of the land, is naturally the highest which the tenant can afford to pay in the actual circumstances of the land.” – [Adam Smith \(1776\)](#)

“The rent is too damn high.” – Jimmy McMillan (2010)¹

Why is housing so expensive? The canonical view is that the elasticity of local housing supply is a major determinant of local house prices and quantities ([Glaeser, Gyourko and Saks, 2005](#); [Saiz, 2010](#)). In response to the same shift in the demand for housing, cities with relatively more elastic housing supply will see a larger increase in the quantity of housing and a smaller increase in the price of housing compared to cities with relatively less elastic housing supply. To the extent that regulatory constraints reduce the elasticity of housing supply, relaxing these constraints will increase the elasticity of housing supply, increase housing quantities, and reduce house prices ([Gyourko, Saiz and Summers, 2008](#); [Saiz, 2023](#)). The 2024 Economic Report of the President devotes an entire chapter to arguing that constrained housing supply is the main impediment to affordable housing and advocating for relaxing regulatory constraints ([Council of Economic Advisers, 2024](#), Ch. 4) and a vast body of work has documented evidence in support of this logic ([Molloy, 2020](#)).

If this perspective were correct, one would expect higher income growth to cause higher house price growth and lower house quantity growth in more constrained cities relative to less constrained cities. However, using four standard measures of housing supply constraints from the literature, we find that cities measured to have more restrictive housing supply show the same growth in house prices, quantities, population and rooms per person in response to higher income growth from 2000–2020 as cities that seem less constrained. This is true across all the measures of housing constraints, if we extend our sample to cover 1980 to 2020, and if we instrument for housing demand using the plausibly exogenous increase in housing demand from pandemic-era remote work.

Interpreting our empirical approach through a demand-and-supply framework where we allow for arbitrary correlations of income growth with other shocks, we show that our results imply that housing supply constraints are quantitatively unimportant in explaining rising housing costs across U.S. cities. In the simplest case, when income growth is uncorrelated with other housing demand and supply shocks, then the same income growth will translate into more house price growth and less house quantity growth in less elastic cities. The fact that we do not find these differences in price and quantity growth would imply that

¹As quoted in the October 18th, 2010 New York gubernatorial debate. See [here](#).

differences in housing supply elasticities are small and unimportant across cities. But since we do not isolate exogenous variation in our baseline analysis, we cannot rule out that income growth is correlated with other shocks.

We show that because we examine the effect of income growth on both house prices and quantities, our analysis will uncover the importance of housing supply elasticities in the cross-section even when income growth is correlated with other housing demand shocks. For example, if income growth is positively correlated with housing demand shocks in more elastic cities, then the effect of income growth on house price growth may look similar across elastic and inelastic cities. Intuitively, elastic cities that experience an increase in housing demand due to high income growth will also experience an additional increase in housing demand, so the increase in prices will be larger and more similar to inelastic cities that do not experience the additional demand shock. But the more elastic cities will then see a larger increase in housing quantities relative to the less elastic cities due to the much higher level of demand. Thus, while this correlation of income growth with housing demand shocks shrinks the difference in house price growth, it magnifies the difference in housing quantity growth. Therefore, differences in the responses of housing prices and quantities to income growth remain informative about the role of housing supply elasticities. Because our objective is to determine the relative slope of housing supply curves across cities, this argument extends to all features of the housing demand curve that are potentially heterogeneous across cities and correlated with income growth. Thus, even when we allow for arbitrary correlations with housing demand shocks, our result that income growth predicts the same house price and housing quantity growth across elastic and inelastic cities implies that differences in housing supply elasticities are small and quantitatively not important for explaining differences in house price and quantity growth.

If there is instead a positive correlation of income growth with housing supply shocks in less elastic cities, then the response of both house price and quantity growth to income growth may look similar across cities. But this explanation simply restates the claim that housing supply elasticities do not explain the variation in house price and quantity growth across cities. If increases in housing demand systematically give rise to positive supply “shocks” that dampen the impact on prices in less elastic cities, then we cannot conclude that tight housing supply accounts for differences in house price growth. By examining the comovement of growth in house prices and quantities induced by income growth, we can therefore uncover the importance of supply elasticities regardless of correlations with unobserved demand and supply shocks.

Our analysis uses four measures of housing supply constraints that have been very influential and represent the cutting edge of research in the area. These are the supply elasticity

from [Saiz \(2010\)](#), a supply elasticity from [Baum-Snow and Han \(2024\)](#), the Wharton Residential Land Use Regulation Index (WRLURI) from [Gyourko, Saiz and Summers \(2008\)](#), and the land share of value from [Davis, Larson, Oliner and Shui \(2021\)](#). We use the terms “housing supply constraint” and “housing supply elasticity” interchangeably to describe these measures.

In our benchmark analysis, we regress house price growth and house quantity growth on income growth, an indicator if the city’s housing supply is measured as relatively less constrained, and the interaction of income growth and the constraint indicator. Total income growth, which reflects growth in both average income and population, is strongly correlated with growth in house prices, but the interaction of income growth with the constraint is economically and statistically insignificant across all of the measures. In other words, higher income growth predicts the same increase in house price growth in cities measured to be more or less constrained. We turn to housing quantities and find the same results: income growth is strongly correlated with growth in the number of housing units and growth in population, but this correlation is not affected by any of the measures of housing supply constraints. We also examine a measure of the intensive margin of housing, the change in the average number of rooms per person, and find that elastic cities experience the same change in space as inelastic cities, conditional on income growth. To check if these findings are unique to the period from 2000 to 2020, we extend our sample to 1980 and find the same results when looking at growth from 1980 to 2000 or from 1980 to 2020. The fact that measured constraints do not affect the correlations of house price or quantity growth with income growth is a robust feature of the data for at least the last 40 years.

Considering these sets of regressions together, we can see that growth in housing prices and quantities is independent of local measures of housing supply elasticity conditional on income growth. We make this point explicitly by leveraging the comovement of prices and quantities and estimating an instrumental variable specification to recover the elasticity of housing quantities to prices. Specifically, we regress growth in housing quantities on growth in house prices interacted with an indicator for the housing supply constraint, and we instrument for house prices with growth in total income also interacted with the supply constraint indicator. Thus, we estimate an elasticity of housing quantities with respect to prices for both more and less constrained cities, which allows us to directly test if measured supply constraints affect the relationship between prices and quantities. The only threat to identification is that there are omitted shocks to the supply of housing quantities, which would be a problem for the economic meaningfulness of the constraint measures. Our estimated elasticities are all around one and, critically, are statistically and economically indistinguishable across cities measured to be relatively more or less constrained. In other words, for a given

increase in prices we find that a city has the same increase in housing quantities regardless of whether or not it appears to be more or less constrained.

While we demonstrate that omitted variables do not pose a problem for our empirical approach, if our results are correct, then an exogenous shock to housing demand should cause the same house price and quantity growth across cities regardless of their measured supply elasticity. We test this prediction by exploiting the plausibly exogenous shock to housing caused by the shift towards work-from-home (WFH) during the pandemic. As demonstrated by [Mondragon and Wieland \(2022\)](#) and [Howard, Liebersohn and Ozimek \(2023\)](#), city-level exposure to the rise of remote work over the pandemic was uncorrelated with other shocks to local housing and labor markets and caused a large increase in the demand for housing. This expansion in housing demand reflected both more migration and increasing demand for space for a given population of remote workers. We use exposure to remote work as a shock to housing demand and trace out its effects on house prices and housing quantities from 2019 to 2023 where we measure quantities with the number of housing units permitted.² In addition to allowing us to make explicitly causal claims, this exercise is also useful because we examine a period that is out-of-sample with respect to the rest of our results.

Consistent with prior research, we find that exposure to WFH caused an increase in housing demand and house prices. Critically, the increase in house prices was essentially identical regardless of whether the city was more or less constrained. Similarly, exposure to WFH caused large increases in the growth of units permitted for construction and, conditional on the same exposure to WFH, cities saw the same growth in permitted units regardless of the measure of housing supply constraints. Despite these estimates coming from a different period, one of exceptional economic changes, and the distinct source of variation, we find the same results as in our baseline analysis, further validating our approach.

While we find that the interaction of income growth and the elasticity measures do not predict house price growth, the level of the elasticity measure does predict house price growth. Specifically, a lower supply elasticity predicts higher house price growth holding fixed income growth. But this prediction is not reflected in lower quantity growth as implied by the supply-centric view. The magnitude of this effect is also generally not monotonic in the measured supply elasticity. It is therefore plausible that this difference in price growth reflects differential amenity growth correlated with the measured supply elasticity ([Davidoff, 2016](#)) or even limitations in how well price indexes adjust for changes in housing quality. But even if we take this differential house price growth as a causal effect from relatively tight supply, we show that the magnitude of this effect is small. Thus, we once again conclude

²Our measure for housing quantities in 1980, 2000, and 2020 is taken from the Census and so is not available at the annual frequency.

that there is little evidence that differences in housing supply elasticities are quantitatively important in explaining house price and quantity growth across U.S. cities.

In short, we establish that measures of local housing supply constraints are quantitatively not important for understanding how shifts in demand translate into house price and quantity growth across U.S. cities. This finding challenges the standard view that supply constraints are very important in explaining rising house prices across cities and suggests that efforts to relax housing constraints may have negligible effects on house prices and quantities.

Related Literature

Limits on housing supply are now generally agreed to be an important, if not the most important, impediment to affordable housing (Glaeser, Gyourko and Saks, 2005; Saiz, 2023).³ Gyourko (2009), Gyourko and Molloy (2015), Glaeser and Gyourko (2018), and Molloy (2020) provide surveys of this extensive literature.⁴ A common theme is that the incidence of supply tightness is not uniform across U.S. cities. Gyourko, Saiz and Summers (2008) and Gyourko, Hartley and Krimmel (2021) developed indexes of regulatory constraints that reduce supply elasticities across different metropolitan entities. Saiz (2010) recovered MSA-level elasticities that show that metros with little developable land due to geographical constraints from water bodies or steep terrain are the very places often deemed to have “inelastic” housing supply. Baum-Snow and Han (2024) estimate supply elasticities at the neighborhood level and trace out how the supply response across the metro area varies with geographic and regulatory constraints. Davis, Larson, Oliner and Shui (2021) use a large micro dataset to estimate the land share of value, which indicates the relative tightness of housing supply constraints, across a large variety of geographies. Additional papers estimating local housing supply constraints or elasticities in the U.S. include Green, Malpezzi and Mayo (2005), Glaeser, Gyourko and Saks (2005), Davis and Palumbo (2008), Kok, Monkkonen and Quigley (2014), Gorbach and Keys (2020), Albouy and Stuart (2020), Guren, McKay, Nakamura and Steinsson (2021b), and Chodorow-Reich, Guren and McQuade (2024). For a review of international evidence on housing supply elasticities see Saiz (2023).

In addition to potentially driving up house prices, tight housing supply has been linked to pernicious effects on other important economic outcomes. Saks (2008), Paciorek (2013), Gyourko, Mayer and Sinai (2013), Ganong and Noel (2017), Gaubert (2018), and Hsieh and Moretti (2019), among others, argue that housing supply has important effects on outcomes

³While critics of this perspective do exist, they are often ignored or dismissed (Been, Ellen and O’Regan, 2019). The broader impact of this argument is evinced by the rapid rise of the YIMBY movement, advocating for more relaxation of housing regulation like zoning, and the Economic Report of the President (Council of Economic Advisers, 2024).

⁴For a seminal contribution to thinking about housing supply see DiPasquale (1999).

ranging from housing market volatility to aggregate productivity. [Been, Ellen and O'Regan \(2019\)](#) surveys work linking supply restrictions to environmental costs, segregation, and inequality. [Glaeser and Gyourko \(2018\)](#) also provide a survey and discussion on the broader costs of tight housing supply.

There is a growing literature that examines the local effects of new construction on outcomes like neighborhood rents and demographic composition. Examples include [Zahirovich-Herbert and Gibler \(2014\)](#), [Diamond and McQuade \(2019\)](#), [Pennington \(2021\)](#) and [Li \(2022\)](#). Some, although not all, of these papers find evidence that new construction reduces rent growth in the surrounding area. These estimates, by studying shifts in local housing supply, identify the shape of the local demand curve. By contrast, our approach works to identify the slopes of the city-level supply curves in more- and less-constrained cities, which is critical for understanding the extent to which supply constraints affect housing affordability. A more closely related body of work studies changes in zoning constraints and how this affects the supply of housing, which should be informative about how much the housing supply function is affected by regulatory constraints. This work is surveyed by [Freemark \(2023\)](#), who reports mixed and generally modest effects of zoning changes on housing prices or quantities, consistent with our results.

A number of other studies in the literature have also found a limited role for supply elasticities in the cross-section of U.S. cities. [Rodríguez-Pose and Storper \(2020\)](#) give an influential critique of the idea that relaxing regulatory barriers is likely to improve affordability, reduce inequality or spur growth and also makes the argument that income growth drives house prices. [Davidoff \(2013\)](#) shows that regions with the largest 2000 housing cycle also saw the highest growth in supply and that, conditional on demand, the amplitude of the 2000 housing cycle is not larger in less elastic cities. [Davidoff \(2016\)](#) further finds that cities with lower measured supply elasticity experience both higher house price and quantity growth from 1980-2012 and argues that this reflects a negative correlation of supply elasticities with demand shocks. Like [Davidoff \(2013, 2016\)](#) we jointly examine house prices and quantities, and show that OLS regressions interacting income with supply elasticities can help us determine the role of supply elasticities in explaining house price and quantity growth across cities.

[Howard and Liebersohn \(2021\)](#) show that the effect of income on their newly-constructed rent index from 2000-2018 is independent of the measured housing supply elasticity, which they attribute to a high migration elasticity. Similarly, [Aura and Davidoff \(2008\)](#) and [Anenberg and Kung \(2020\)](#) use quantitative calibrated models to argue that relaxing local housing supply constraints is unlikely to significantly affect local house prices due to strong migration responses. [Davis and Ortalo-Magné \(2011\)](#) examine data on expenditure shares on housing

for renters and find that these shares are constant across MSAs, and conclude that supply elasticities will be uncorrelated with rents and prices. We show that growth in housing quantities, in addition to house price growth, is independent of local supply elasticities, and thus infer a limited role for housing supply elasticities in explaining the cross-section of U.S. city house price and quantity growth since at least 1980.

2 THEORETICAL FRAMEWORK

Using a standard supply-and-demand framework for the housing market, we demonstrate that OLS regressions predicting city-level house price and quantity growth from income growth interacted with the local supply elasticity reveal the importance of supply elasticities in explaining cross-city variations in house price growth. We show that this conclusion holds regardless of the correlation of income growth with other housing supply and demand shocks.

We assume there are i cities, each with a population N_i where individuals receive income y_i so that total income in the city is given as $Y_i = y_i N_i$ and the total quantity of housing is H_i , purchased at the price P_i . For simplicity, we assume H is a measure of total housing consumption that encompasses both the extensive and intensive margins. Households also have some additional demand shifters θ_i , which can increase or decrease their demand for housing. These can be thought of as changes in the demand for amenities or changes in wealth (for example, stock market investments) that affect housing demand in the city. Therefore housing demand in the city is given by a general Marshallian demand function $H_i^D = f(Y_i, P_i, \theta_i)$. We linearize this expression to get the change in housing demand where hats indicate the percentage change and ϵ gives the relevant demand elasticity.⁵

$$\hat{H}_i^D = \epsilon_y \hat{Y}_i - \epsilon_p \hat{P}_i + \hat{\theta}_i.$$

We assume the total supply of housing H_i^S is competitive and determined by an elasticity parameter ψ_i and supply shocks $\hat{\sigma}$ so that $H_i^S = P_i^{\psi_i} e^{\hat{\sigma}_i}$. The elasticity ψ_i reflects the flexibility of the local housing construction sector as determined by regulations, geography, and so on. We abstract from the importance of other factors like local labor costs or financing costs. Linearizing this expression gives the change in total supply as

$$\hat{H}_i^S = \psi_i \hat{P}_i + \hat{\sigma}_i.$$

⁵The differences that we consider should generally be thought of as long-differences, in practice 20 years or more. This is important in that housing construction is time consuming, so that in the short-run almost all supply curves are relatively inelastic regardless of the longer-run supply curve elasticity (Guren, McKay, Nakamura and Steinsson, 2021a).

The housing market clears so that the total change in housing quantities is equal to the change in the supply of housing and the change in housing demand:

$$\widehat{H}_i = \widehat{H}_i^S = \widehat{H}_i^D.$$

Solving for prices gives an intuitive expression for the change in prices as a function of changes in demand coming from income and taste shocks or from shifts in supply:

$$\widehat{P}_i = \frac{1}{\psi_i + \epsilon_p} \left(\epsilon_y \widehat{Y}_i + \widehat{\theta}_i \right) - \frac{1}{\psi_i + \epsilon_p} \widehat{\sigma}_i. \quad (1)$$

The effect of changes in income on house prices depends on the elasticity of housing demand to income, but this effect will be mitigated to the extent that housing supply elasticities are high or if demand is very sensitive to changes in the price. Shifts in supply $\widehat{\sigma}_i$ or taste $\widehat{\theta}_i$ affect house prices in a similar way.

Substituting for prices into the supply equation gives a reduced form expression for the change in housing quantities:

$$\widehat{H}_i = \frac{1}{1 + \frac{\epsilon_p}{\psi_i}} \left(\epsilon_y \widehat{Y}_i + \widehat{\theta}_i \right) + \frac{\frac{\epsilon_p}{\psi_i}}{1 + \frac{\epsilon_p}{\psi_i}} \widehat{\sigma}_i. \quad (2)$$

Here as ψ_i becomes smaller (less elastic) then the denominator becomes larger, reducing the size of the quantity response at the same time that the price response in Equation (1) is increasing.

Now assume that there are two kinds of cities, those with high supply elasticities and those with low supply elasticities and denote the respective set of cities by Ω^H (high) and Ω^L (low). We have data on house prices, quantities, and the total change in income for each city. We can estimate the relationship between changes in total income and house prices and quantities within each set of cities Ω^j using the following regression where $j \in \{H, L\}$ indicates if the city is of a high- or low-elasticity type

$$\begin{aligned} \widehat{P}_i &= \alpha_j + \beta_j \widehat{Y}_i + e_i, \\ \widehat{H}_i &= \delta_j + \gamma_j \widehat{Y}_i + v_i, \quad i \in \Omega^j, j \in \{H, L\}. \end{aligned}$$

These regression within each set of cities will recover the following estimates:

$$\begin{aligned}\beta_j &= \frac{\epsilon_y}{\psi_j + \epsilon_p} + \frac{1}{\psi_j + \epsilon_p} \frac{Cov(\hat{\theta}_i - \hat{\sigma}_i, \hat{Y}_i | i \in \Omega^j)}{Var(\hat{Y}_i | i \in \Omega^j)}, \\ \gamma_j &= \frac{\epsilon_y}{1 + \frac{\epsilon_p}{\psi_j}} + \frac{1}{1 + \frac{\epsilon_p}{\psi_j}} \frac{Cov(\hat{\theta}_i + \frac{\epsilon_p}{\psi_j} \hat{\sigma}_i, \hat{Y}_i | i \in \Omega^j)}{Var(\hat{Y}_i | i \in \Omega^j)}, \quad j \in \{H, L\}.\end{aligned}$$

If there is no omitted variable bias coming from unobserved demand and supply shocks then the second terms will fall out so that the regressions recover the effects of income growth on house prices and quantities as mediated by the income elasticity of demand for housing, the price elasticity of demand for housing, and the housing supply elasticity. If households across cities do not differ in their income or price elasticities, the pass-through from income growth into house prices will be lower in cities with more elastic housing supply:

$$\psi_H > \psi_L \rightarrow \beta_H < \beta_L \quad \text{and} \quad \gamma_H > \gamma_L. \quad (3)$$

Figure I illustrates this standard demand and supply logic where B^j indicates the equilibrium for each type of city after the shift in demand from the initial equilibrium. Thus, a regression of house price growth on income growth within high-elasticity cities should recover a smaller coefficient β_H relative to the coefficient β_L from the same regression of house prices on income growth within low-elasticity cities. For the regression of housing quantity growth on income growth we expect a larger response in the more elastic cities, $\gamma_H > \gamma_L$.

Of course, it is possible that unobserved demand shocks or supply shocks are correlated with the change in income so that the second terms do not drop out. But the effect of these factors on house prices will still run through the housing supply elasticity. So if high and low elasticity cities all have the same correlation between omitted shocks and income growth then house price growth in high elasticity cities will still exhibit a smaller correlation with income growth. And the converse will hold for housing quantities. In other words, we would still expect the regression coefficient to follow the pattern in (3), although the magnitudes would certainly be different.

Instead, there are essentially two kinds of heterogeneity that could contaminate these estimates such that the intuitive relationship between supply elasticities and regression coefficients falls apart. First, the correlation between income changes and unobserved shocks could vary across the type of city. For example, if high elasticity places have a strong correlation between income growth and other positive demand shocks, then these cities will generate a relatively high correlation between income and house price growth pushing β_H closer to β_L . But we should then see an even stronger relation between measured housing

supply elasticities and quantity growth, as the same demand shocks will push up housing quantities more in more elastic cities so that $\gamma_H \gg \gamma_L$. **Figure II** illustrates this logic in a demand-and-supply diagram. Thus, this hypothesis is testable by looking jointly at prices and quantities.

In contrast, if income growth is positively correlated with housing supply shocks in low elasticity locations, then the estimated β_L for house prices in these cities will be relatively low, while raising the γ_L for housing quantities. Thus, positive housing supply shocks in low elasticity cities have the potential for making the city groups more alike in both sets of regressions. **Figure III** illustrates this example in a supply-and-demand diagram. But if such a correlation were empirically important then it would raise questions about the meaningfulness of the housing supply measures. If cities with relatively inelastic housing supply always experience positive housing supply shocks that offset increases in demand, then to what extent is tight housing supply driving up prices? As **Figure III** shows, the outcomes are then observationally equivalent to the case where there is no difference in the housing supply elasticity across cities. If these measures of housing market flexibility are not empirically relevant for house price dynamics because of offsetting correlations in other supply “shocks”, it suggests there are important gaps in our understanding about how these elasticities matter for the price and quantity of housing.

A second kind of potentially problematic heterogeneity would not be in the correlations with unobserved shocks, but in the underlying elasticities ϵ_y and ϵ_p . For example, if individuals in cities with relatively inelastic housing supply have a lower income elasticity of demand for housing or if they are relatively more price sensitive, then the income growth will have a relatively smaller effect on house prices. But if the correlation between elasticities is such as to reduce the disparities in house price growth in low and high supply elasticity cities ($\beta_L \approx \beta_H$), then it will exacerbate the differences in housing quantity growth between them ($\gamma_H \gg \gamma_L$). Again, this explanation is testable by jointly examining housing prices and quantities.

We lean on these simple relationships to quantify the extent to which local measures of housing supply elasticity matter for housing affordability dynamics. Specifically, we estimate the following regressions

$$\begin{aligned}\hat{P}_i &= \alpha + \beta_1 \hat{Y}_i + \beta_2 \mathbb{I}_i(\text{Less Constrained}) + \beta_3 \hat{Y}_i \times \mathbb{I}_i(\text{Less Constrained}) + e_i \\ \hat{H}_i &= \delta + \gamma_1 \hat{Y}_i + \gamma_2 \mathbb{I}_i(\text{Less Constrained}) + \gamma_3 \hat{Y}_i \times \mathbb{I}_i(\text{Less Constrained}) + v_i\end{aligned}\quad (4)$$

The coefficients of interest are β_3 and γ_3 , which recover the differential response of house price growth and house quantity growth to income growth for cities that have relatively more

elastic housing supply. In terms of our discussion above, $\beta_3 = \beta_H - \beta_L$ and $\gamma_3 = \gamma_H - \gamma_L$. Thus, we expect $\beta_3 < 0$ and $\gamma_3 > 0$, or that cities with relatively more elastic housing supply experience relatively less price growth and more house quantity growth for the same income growth.

An analogous strategy is to directly estimate the implied differences in housing supply elasticities from the comovement of house prices with house quantities induced by income growth. Specifically, we regress the change in house quantities on the change in house prices instrumented by the change in total income for both high and low elasticity cities,

$$\begin{aligned}\widehat{H}_i &= \kappa_j + \theta_j \check{P}_i + w_i, \\ \widehat{P}_i &= \alpha_j + \beta_j \widehat{Y}_i + e_i, \quad i \in \Omega^j, j \in \{H, L\}\end{aligned}$$

where \check{P} is instrumented price changes.

The IV estimator, using the definitions in (1) and (2) and rearranging, is simply

$$\theta_j = \psi_j + \frac{Cov(\sigma_i, \widehat{Y}_i | i \in \Omega^j)}{Cov(\widehat{P}_i, \widehat{Y}_i | i \in \Omega^j)}, \quad i \in \Omega^j, j \in \{H, L\} \quad (5)$$

The IV estimator reinforces that when we jointly examine the response of housing quantities and prices to income growth, then the only threat to identification is that the correlation of income growth with supply shocks differs across low and high elasticity cities. But, as we explained above, if our estimates of θ_j are similar across cities because low elasticity cities consistently experience positive supply shocks correlated with income growth then this calls into question whether tight housing supply explains house price growth in the cross-section. All other sources of variation, such as demand shocks or elasticities correlated with income growth, do not pose a problem for estimating the slope of the supply curve (and are in fact valid variation) because they only change how much housing demand changes, which is normalized in the IV.

In summary, our theoretical framework shows that simple regressions help quantify the importance of local supply in shaping the cross-section of house price and quantity growth. Specifically, we show that if differences in local supply are quantitatively important, then we should see such differences in OLS regression of house price and quantity growth on income growth interacted with measures of the supply elasticity. Similarly, the estimated housing supply elasticity from an IV regression of house quantities on house prices instrumented by income growth should be much lower in cities deemed to have constrained supply than in cities deemed to have less constrained supply. We next describe our data sources and then estimate these regressions.

3 DATA

We rely on four influential measures of housing supply constraints from the literature. We take the elasticity estimates from [Saiz \(2010\)](#), which are available at the MSA level. Because of the influence of these estimates in the literature we use these MSA definitions as our baseline geography and match other data to these definitions. We also use the measures of the Wharton Residential Land Use Regulatory Index (WRLURI) by [Gyourko et al. \(2008\)](#), generated at the MSA-level by [Saiz \(2010\)](#), which capture variation in the regulatory environment across MSAs. We multiply this index by minus one so that increases in the value indicate a less restrictive regulatory environment and so, ostensibly, a more elastic housing supply function. [Baum-Snow and Han \(2024\)](#) provide a number of elasticities at the census tract level that can be aggregated to other geographies. We use their elasticity for the number of units as this has a strong correlation with house price growth that is consistent with expectations.⁶ Finally, we use the 2012 measure of the land share of value from [Davis et al. \(2021\)](#) at the county level and then aggregate them to the MSA-level with population weights.⁷ The share of value attributable to land arguably reflect constraints on the construction of housing ([Glaeser et al., 2005](#)), so we take one minus the land share, which we call the building share of value, so that increases in the value indicate a relatively more elastic supply function.

We measure total income (income and population) in an area using the county-level personal income estimates from the BEA and then aggregate them to the MSA level.⁸ We use the broad measure “all persons from all sources” in a geography during a calendar year.⁹

We rely on two measures of house prices. First, we use the county-level Corelogic single-family repeat-sales index and then aggregate this index to the MSA level using population weights. These data are monthly, but we convert them to annual by using the December value. Second, we use the American Community Survey (ACS) to measure the median home value, which we aggregate from the relevant geography to the MSA level using population weights. While the median home value does not adjust for quality like the Corelogic price index, it was used in the construction of the [Saiz \(2010\)](#) elasticity estimates and so is a useful check on the robustness of our results.¹⁰

⁶Following guidance in the documentation dated September 2023, we use the elasticity estimated by the quadratic finite mixture model and then aggregate it to the MSA level using the formula in equation 21 and provided housing quantities.

⁷We use their “as-is” measure of land value share at the county level.

⁸Available for download at <https://apps.bea.gov/regional/zip/CAINC1.zip>.

⁹For more detail on this measure see [here](#) and [here](#).

¹⁰One potentially important difference is that [Saiz \(2010\)](#) adjusts home value growth for growth in construction costs. We do not have the necessary data to make this adjustment, but it is not obvious that the

To measure the number of housing units we rely on the Census of housing accessed via IPUMS NHGIS, which are pulled at the county level and then summed to the MSA level. We also use the ACS to measure the average number of rooms per person, although in the years before 2000 this is only available for a smaller set of MSAs due to restrictions in county identification.

Finally, we use exposure to remote work as a shock to local housing demand. [Mondragon and Wieland \(2022\)](#) use the ACS and measure a remote worker as someone who is employed, does not commute to work, and who does not work in agriculture or the military. They show that the share of work-from-home (WFH) in the pre-pandemic period has a strong effect on post-pandemic WFH and the demand for housing, driven by both increased migration and increases in housing demand by remote workers. They also document that the effect on housing demand is uncorrelated with other shocks to local markets, so it is plausibly exogenous. While this measure only directly captures workers who are fully remote, [Kmetz, Mondragon and Wieland \(2023\)](#) show that this measure is strongly correlated with more holistic measures of remote work such as the surveys in [Barrero, Bloom and Davis \(2023\)](#) and [Bick, Blandin and Mertens \(2023\)](#).

[Table I](#) reports summary statistics for the primary variables used in our analysis. All of the variables are in growth rates except for the change in average rooms per person, which is more easily interpreted in levels. Because the distribution of cumulative growth rates is heavily skewed over these long horizons, we annualize all of the growth rates. This makes the distributions more symmetric and improves precision, but is not necessary for our results. We also convert prices and total income growth into real values using the CPI price index. Panel A reports statistics for 2000 to 2020, our main sample of analysis, Panel B covers the longer sample from 1980 to 2020, and Panel C looks just at 1980 to 2000. Note that the number of observations in this table will not match the analysis tables as not all MSAs are populated with every constraint measure. But every MSA reported here is populated with at least one of the four measures of constraints, so this table provides a summary of all of the MSAs used in the analysis.

Just from comparing 2000 to 2020 to 1980 to 2000 we can see that the last twenty years are marked by relatively high growth in house prices, relatively less growth in total incomes, and less growth in housing quantities, all consistent with the growing perception that there is a housing affordability crisis. At the same time, the growth in housing quantities has outpaced the growth in population and the average number of rooms per person has increased, which

relevant measure of house price growth is price growth net of changes in construction costs. [Saiz \(2023\)](#) describes the effects of construction costs on prices as “mechanical,” but it may still be the case that they are an important determinant of price growth.

appears inconsistent with the view that supply constraints have held back housing quantities.

4 EMPIRICAL RESULTS

In this section we estimate to what extent higher income growth predicts higher house price and lower quantity growth in U.S. cities with less elastic housing supply compared to cities with more elastic housing supply. As we explain in [Section 2](#), these regressions allow us to infer the extent to which variation in the elasticity of housing supply is important in explaining house price and quantity growth in the cross-section.

4.1 Graphical Results

We first show the unconditional correlation between house price growth and the housing supply elasticity measures, which is strongly negative as emphasized in prior work. We then show the correlation of house quantity growth with those measures, which is also negative and inconsistent with a supply-centric story. Finally, we show graphically that higher income growth predicts the same increase in house price and quantity growth in more and less elastic cities.

[Figure IV](#) divides MSAs into ventiles of each measure and then plots the average annualized real house price growth from 2000 to 2020 within each bin against the average value of the constraint measure within each bin ([Stepner, 2013](#)). All of the constraint measures are adjusted so that larger values reflect less constrained, or more elastic, housing markets (see [Section 3](#)). Every measure has the expected relationship that has been repeatedly documented in the literature: cities with relatively more elastic housing markets tend to have less house price growth. The strength of the association varies across each measure, but broadly they all point to statistically and economically significant variation in house price growth across cities. For example, moving from the bottom to the top of the range of [Saiz \(2010\)](#) implies real house price growth goes from over 2% to less than 0.5% a year, or cumulative growth of 50% compared to 10% over 20 years.

If housing constraints are the central factor determining the growth in house prices, then housing quantities should reflect the inverse relationship. *Ceteris paribus*, cities with relatively unconstrained housing markets should build more housing, thus suppressing growth in house prices. [Figure V](#) checks if this is indeed the case by plotting the total annualized growth in housing quantities against the same measures of housing constraints. These results are much less clear. All of the measures but the building share of land value are at least weakly negatively correlated with housing quantities. But it is clear that none of these measures is strongly positively correlated with growth in housing quantities, as would be the

case if most of the variation in house price growth was explained by variation in the growth of housing quantities.

Of course, a critical step in this argument is that shocks to demand and supply are held constant when comparing cities with different elasticities. As demonstrated by [Davidoff \(2016\)](#) and [Howard and Liebersohn \(2021\)](#), local elasticity measures are strongly correlated with differences in housing demand. For example, coastal California has, in addition to restrictive zoning and difficult terrain, pleasant weather and excellent Mexican food, both of which increase housing demand.¹¹ Therefore, it is difficult to disentangle the effect of housing constraints from high demand.

[Figure VI](#) plots house price growth against the growth in house quantities. We see a strong positive relationship between growth in house prices and quantities: cities that experienced large growth in house prices are generally cities that experienced large growth in housing quantities, consistent with [Davidoff \(2013\)](#). This picture suggests that differential shifts in demand are important drivers of housing market dynamics. Of course, it does not indicate that differences in supply constraints are irrelevant, just that it is important to condition on demand when examining the effects of housing constraints on house price growth.

[Figure VII](#) takes this approach by plotting growth in house prices for each measure of housing constraints against growth in total income separately for MSAs with above and below median values of each constraint measure. As discussed in [Section 2](#), for the same growth in housing demand MSAs with less constrained housing markets should show relatively less growth in house prices compared to MSAs with more constrained housing markets. This is not what we find. Instead, across every measure, we find that house prices for more- and less-constrained cities have the same slope with respect to changes in income. To the extent that changes in income reflect different demand conditions, these pictures show that none of the measures of supply constraints translate into relatively less house price growth.

It is also true that relatively constrained cities tend to have higher house price growth on average, as shown by the vertical gap between the two sets of cities. We discuss this gap in more detail in [Section 4.5](#), where we argue that it is both quantitatively small and unlikely to reflect a causal impact of the supply elasticity on house prices.

The fact that supply constraints do not seem to affect the relationship between income and house price growth is not consistent with the logic of how housing supply affects house prices given in [Equation \(1\)](#). But this result could be consistent with the important class of local labor market models where migration across cities is driven by the cost of housing relative to income ([Moretti, 2011](#)). At the extreme case, it may be the case that migration causes price-to-income ratios to be equalized so that local housing supply elasticities will have

¹¹The fish tacos in San Diego are particularly tasty.

zero effect on prices but large effects on migration and the quantity of housing (Aura and Davidoff, 2008; Howard and Liebersohn, 2021). In our framework this would be reflected as the price elasticity of demand (ϵ_p) being very large in Equation (1).¹² Alternatively, income growth may be correlated with positive housing demand shocks in more elastic cities, which would make house price growth in those cities look similar to less elastic cities. Both theories imply that income growth predicts large differences in quantity growth across more and less elastic cities.

In Figure VIII, we check if there is evidence that housing constraints affect the relationship between growth in housing quantities and income growth. Since growth in total income reflects growth in population as well as growth in average income there will be a tight relationship between housing quantities and total income growth. But if local labor market models are correct, then relatively unconstrained cities should see more growth in housing quantities for the same change in total income compared to relatively constrained cities. These figures show that this is not the case. Across all of the measures of constraints, relatively constrained cities show the same growth in housing quantities in response to higher income growth as relatively unconstrained cities. Interestingly, there is not even a gap in the average housing quantity growth across the two types of cities.

Through the lens of the housing demand-and-supply model in Section 2, these figures imply that differences in housing supply elasticities across cities are quantitatively not important for explaining how income growth, or housing demand growth more generally, affect house price and house quantity growth. We next confirm this insight in regression form and then show that it is a robust conclusion.

4.2 Regression Results

We estimate various regressions along the lines of (4), where we create an indicator for a city being less constrained if the relevant measure is above the sample median (again, all variables have been constructed so that a larger value indicates the city is relatively unconstrained). The coefficient of interest is the interaction of total income growth with the indicator for being less constrained and where standard theory predicts this coefficient should be negative for house prices and positive for housing quantities. In contrast, we find that the coefficients are small, statistically insignificant, and often of the wrong sign, which implies that differences in housing supply are quantitatively not important for explaining differences in house price and quantity growth across cities (Section 2).

¹²Another implication of this perspective is that the elasticity of supply (ψ_i) would also be very large to accommodate the changes in population driven by migration so that there is also a large quantity response in Equation (2).

Table II reports the results for house prices where panel A uses the Corelogic house price index and panel B uses the median home value. Total income growth is strongly correlated with house price growth: a one percentage point increase in total income growth predicts a 60 basis point increase in house price growth. Most importantly, the interaction term with the housing supply elasticity is essentially zero and statistically insignificant for both measures of house prices and across all measures of the elasticity. In other words, the correlation between house price growth and total income growth is the same across cities regardless of the measured constraints on housing supply. We again see that less constrained areas tend to have less house price growth on average (although this result is not robust across all specifications), which we discuss in detail in **Section 4.5**.

Table III changes the outcome variable to housing quantity growth. Panel A uses at the growth in the number of housing units and panel B uses population growth. Across all of the specifications only the regulatory index seems to have a slight positive effect on growth in housing units and population. Even taking this small effect at face value, note that **Table II** showed that there is essentially no effect on prices as one would expect from a supply-centric view. The Saiz, Baum-Snow and Han, and building share of value measures all have no effect on the correlation between quantities and income growth and mostly have the wrong sign. Thus, while less constrained places tend to show less price growth on average, we find no evidence for relatively more growth in housing quantities in less constrained areas for any of the constraint measures.

Panel C uses the change in the average number of rooms per person as an alternative measure of housing quantity outcomes. If housing markets are responding on the intensive margin (for example, larger homes) more than the extensive margin (more homes) then this variable should capture some of the differential response. Here total income growth is negatively correlated with the change in rooms per person, suggesting that cities that are growing become more crowded or less spacious. But this correlation is completely unaffected by the measure of housing constraints. Given a level of income growth, having a housing market that is more or less constrained does not affect the quantity of housing per person.

Together these results show that neither prices nor quantities exhibit the kind of differential correlation with income growth that we would expect if housing supply constraints matter in the way standard theory posits. To summarize this point we estimate instrumental variable specifications along the lines of (5), where we interact growth in house prices with the indicator for being less constrained and then instrument for that variable with total income growth interacted with the same indicator. This allows us to estimate the supply elasticity directly and focuses the threats to identification to just differential correlations between supply shocks and income growth.

Table IV reports estimates for growth in the quantity of housing with panel A using the house price index and panel B using the median home value. The coefficients on price growth give the estimated elasticities of housing quantity with respect to price growth for each type of city. We report the Chi-squared test for rejecting the hypothesis that the estimated elasticities across more- and less-constrained cities are the same. In none of the specifications can we reject that the elasticities are equal at standard levels of significance. Only the regulatory index displays a lower supply elasticity in more constrained cities that is at least somewhat economically meaningful. But the difference in the relationship is simply quantitatively too small to be able to say with any precision that less regulated cities have a meaningfully different response in the quantity of housing units. **Table V** runs the regressions replacing housing unit growth with population growth and finds essentially the same results. We do not find any evidence that supply constraints are economically or statistically significant determinants of variation in the growth of house prices relative to house quantities.

4.3 Conditioning on a Housing Demand Shock

We believe our analysis is particularly attractive because, as we lay out in **Section 2**, we do not require exogenous variation in housing demand to determine whether differences in housing supply elasticities across U.S. cities are quantitatively important for explaining differences in house price growth.

But if we had such exogenous variation, it should also show that higher housing demand causes equally large house price and quantity growth across U.S. cities, similar to our baseline analysis. We now test this claim using the shift to working from home shock in [Mondragon and Wieland \(2022\)](#), who show that it is a plausibly exogenous shock to local housing demand. Specifically, we construct an indicator for having above-median exposure to WFH, identified using the employment share of WFH from 2015-2019 which is strongly correlated with the increase in WFH over the pandemic. We then interact this indicator with each of the indicators for being less constrained (above median). Whereas standard theory predicts that the less constrained cities experience less house price growth and more house quantity growth given the same WFH shock, our previous results predict that these locations should see similar house price and quantity growth.

Table VI reports the results where we look at growth from 2019 to 2023, the most recent year for which we have all the total income growth. In panel A we put total income growth as the outcome to check if growth in more- and less-constrained cities load equally on the WFH shocks. We actually see some evidence that growth is higher in places that are less constrained according to the Baum-Snow and Han elasticity and the regulatory index,

implying there is some heterogeneity in the treatment effect. This is not informative about the role of supply constraints in the housing market, but instead helps scale the demand shock across these different cities. Panel B turns to house prices and finds that remote work does increase house prices, but there is no evidence that house prices grew less in cities that were less constrained. The one statistically significant estimate, on the regulatory constraint, in fact has the wrong sign but that might primarily reflect the additional income growth shown in Panel A. Finally, Panel C looks at the cumulative growth in the number of units permitted.¹³ We use permitted units instead of actual units because the quantity of housing measure we use in other specifications is only available in census years.

First, these estimates show that the increase in housing demand due to WFH had a large effect on permit growth, about three times larger than that on house prices. This larger response relative to the change in total housing is intuitive since permits represent the response of housing investment, which is smaller and more volatile than the overall stock of housing. Critically, these estimates show that none of the constraint measures had any affect on quantity of permits issued in response to the increase in housing demand. Even in cities with relatively lenient regulatory environments and where house price growth was actually rather high, there is no evidence of a larger response in permits. In fact, the sign on the interaction of WFH with the regulatory constraint has the wrong sign, although the estimate is very imprecise.

In short, we show that even in an episode that is out of sample and where we have isolated plausibly exogenous variation, these measures of housing constraints do not affect the relative growth of house prices and house quantities across cities. Once again we conclude that differences in housing supply elasticities are quantitatively unimportant for explaining differences in house price and house quantity growth.

4.4 Robustness

In this section we show robustness exercises that continue to show that income growth has the same effect on house price growth and housing quantity growth irrespective of the measured local supply elasticity. First, we extend the sample to 1980-2020. Second, we look at just the 1980-2000 subsample. Third, we use quartiles of the housing constraint measure rather than a binary indicator to check if we are obscuring effects in parts of the distributions of constraint measures. Fourth, we exclude cities that are not growing or growing very slowly to make sure we are not biasing the results since housing supply constraints should not be

¹³Since permits are quite volatile we calculate the cumulative growth in permits by summing all permits from 2020 to 2023 and comparing that to the sum of permits issued from 2016 to 2019 and then annualizing that growth rate.

relevant when demand is not increasing. Finally, we check if our results are being driven by small cities. All of these results show that our finding is a robust feature of the data since at least 1980.

One important question is if the results that we document are unique to the years 2000 to 2020. In [Table IX](#) we extend the sample to 1980 and run the reduced form price regressions. We still find that the constraints have no effect on the correlation between house prices and income growth. [Table VIII](#) turns to housing quantities and finds the same result: local constraints have no meaningful effect on the correlation between income growth and growth in housing quantities. Even the small effect of regulatory constraints on quantity growth found in [Table III](#) is not present in these estimates. The longer sample confirms that there is little evidence that housing supply constraints explain variation in housing quantity growth or house price growth at least since 1980.

A related concern might be that the supply elasticities had more relevance in the period before 2000, which would correspond with much of the sample used to estimate the elasticities from [Saiz \(2010\)](#) and [Baum-Snow and Han \(2024\)](#). To test for this possibility we restrict the sample to the years from 1980 to 2000 and run the same reduced form regressions. [Table IX](#) reports the price results. Again we find no evidence that less constrained cities experience less house price growth, instead we even find in Panel B that all the measures seem to increase the correlation between income growth and house prices, some even with statistical significance. Interestingly, the two house price measures display different correlations with income growth, with the house price index seemingly uncorrelated with income growth and with the constraint measures. This is in contrast with the median home value measure, which shows the standard correlations with both income and constraints, suggesting that the price index may be subject to some measurement error in this earlier sample.

[Table X](#) turns to housing quantities and again finds no evidence that the constraints are associated with more growth in housing quantities. Consistent with panel B of [Table IX](#), panel B shows that the less constrained cities actually had less population growth for a given level of income growth. So while the comovement of prices and quantities is in line with the supply-centric view, low growth in population and high growth in prices is happening in the less constrained cities—the opposite of what that view predicts.

Our results so far have focused on comparing cities above and below the median of the constraints measures. If supply constraints are the single most important factor affecting housing market dynamics, then this is likely sufficient to reveal these effects. However, these constraints are measured with noise, which may make it difficult to estimate effects, and it is theoretically possible that the economically meaningful effects are only apparent at the margins of the distribution (for example, by comparing Grand Forks, ND to San Francisco,

CA). To check for this possibility we re-run our baseline analyses, but this time we split cities into quartiles based on the measured constraints and then interact income growth with these quartiles. [Table A1](#) reports the results for house prices and [Table A2](#) does the same for house quantities. Once again, we find no evidence that income growth leads to lower house price growth even when comparing the most constrained quartile to the least constrained quartile. We also check this specification for prices and quantities in the 1980 to 2020 ([Table A3](#) and [Table A4](#)) and 1980 to 2000 ([Table A5](#) and [Table A6](#)) subsamples. None of these estimates show robust evidence that housing supply constraints matter as they should according to the supply-centric view.

[Glaeser and Gyourko \(2005\)](#) show that housing supply should be relatively inelastic as demand falls. In other words, the housing supply curve is “kinked.” Therefore, areas that are declining or growing very slowly will not be informative about the mechanisms we outline in [Section 2](#), which apply only to increases in demand. To check if such low-growth cities are biasing our results, we drop the cities in the bottom quartile of the distribution of total income growth and re-run our baseline analysis. The price results are reported in [Table XI](#) and finds broadly the same results, although some interaction estimates now have the wrong sign. [Table XII](#) reports the quantity effects and again we find that measured constraints have no effect on the correlation with income. These results show that low-growth cities are not biasing our baseline estimates.

Finally, we check if our results are caused by cities of a certain size. While it would be unexpected for supply elasticities to only matter in cities of a certain size, it is possible that these constraints are measured with more measurement error in relatively small cities. If small cities have disproportionally high income growth and a low supply elasticity, then this would cause attenuation bias in our estimates of the effects of supply constraints on the correlation with income. To check for this possibility we split each of the elasticity samples into small and large cities based on the median city size and then we construct new indicators of being less constrained based on the median constraint value within each of these subsamples. We then estimate our baseline regressions in [\(4\)](#) within each of these subsamples and report the interaction term.

Panels A and B of [Table A8](#) show that our baseline finding that supply constraints do not matter for how income growth translates into house price growth holds true in both small and large cities. Among housing quantity outcomes, only the Wharton regulatory index displays a small positive effect for both small and large cities, similar to our baseline results. But like our baseline result, that effect disappears once we drop low-growth cities ([Table A9](#)). Thus, we do not find evidence that measurement error in constraints for small cities is confounding our results.

4.5 Residual Importance of Housing Supply Elasticity

Our main focus has been on how price growth and quantity growth is explained by the interaction between supply constraints and income growth because that is where our housing market model predicts supply constraints will matter (Equations (1) and (2)). In practice, these interactions are always small and insignificant, implying a minor role for supply constraints in explaining how housing market dynamics respond to rising housing demand. However, in our house price figures (Figure VII) and regressions (Table II) we do find a statistically significant level effect of supply constraints on house price growth holding fixed income growth. We now argue that this effect is quantitatively small and unlikely to reflect a causal effect from the supply elasticity on house price growth.

To quantify the role of supply constraints, we regress growth in house prices and quantities on growth in total income and each of the constraint measures. By conditioning on income growth we will be absorbing any demand and supply shocks correlated with income growth. Table XIII reports the estimates for house price growth. To help quantify the economic magnitudes, we also report the share of the gap in price growth between San Francisco and Houston explained by the constraint effect since these two cities are often used to represent polar opposites of housing supply conditions. Every constraint enters with a negative and statistically significant effect on house price growth. But as the calculations demonstrate, the economic magnitudes tend to be quite modest with the exception of building share of value and the regulatory index in panel B. However, this appears to reflect the fact that both of these constraints are measured after 2000, which is the start of our sample, with the regulatory constraints being measured around 2004 and the building share of value being measured in 2012. To demonstrate this, we re-run this specification just using the years 2012 to 2020 (chosen to match the land share data measurement year) and find that these constraints explain none of the variation in price growth over that period. Therefore, even setting aside potential endogeneity of the constraint measures, we conclude that there is little evidence that adjusting these constraints would have meaningfully changed house price dynamics.

Of course, house prices are only one side of the mechanism, we should also expect these constraints to affect growth in housing quantities. Table XIV reports these estimates. Panels A and B look at growth in units and population and find no evidence that these elasticities have any effect conditional on the change in total income. In no specification does changing the elasticity shrink the gap between San Francisco and Houston by even one percentage point, and at times the sign is actually incorrect.¹⁴ This suggests that the house price effect

¹⁴We do see more evidence of a relationship with the change in rooms per person in this table, but this

captured by the supply elasticities is not actually due to restrictive supply. Furthermore when we estimate the regression using quartiles in [Table A1](#), the house price effects are not monotonic in the housing supply elasticity. Thus, we suspect that the house price effect reflects a failure of the exclusion restriction for the housing supply elasticity.

5 CONCLUSION

This paper revisits the standard view that housing supply constraints significantly influence local house price and quantity growth. We estimate how shifts in income growth and remote work exposure translate into changes in housing prices and quantities across U.S. cities with varying housing supply elasticities. Contrary to prevailing beliefs and influential policy narratives, our empirical results consistently demonstrate that higher income growth predicts similar growth in house prices, housing quantities, population, and living space per person across more and less housing constrained cities.

Through the lens of a standard demand-and-supply equilibrium housing model, in which we allow for arbitrary correlations of income growth with other housing demand or supply shocks, our estimates imply that differences in housing supply elasticities across U.S. cities are small and quantitatively not important for explaining differences in house price and quantity growth. Our findings challenge the consensus that relaxing regulatory constraints would substantially lower housing prices and meaningfully expand housing quantities. This research thus calls for a reevaluation of our understanding of housing supply, echoing the call by [DiPasquale \(1999\)](#) more than 25 years ago, and of policy prescriptions that hope to improve housing affordability primarily through the relaxation of housing regulations.

effect is not particularly robust as it is not present in our baseline results [Table III](#).

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FIGURES

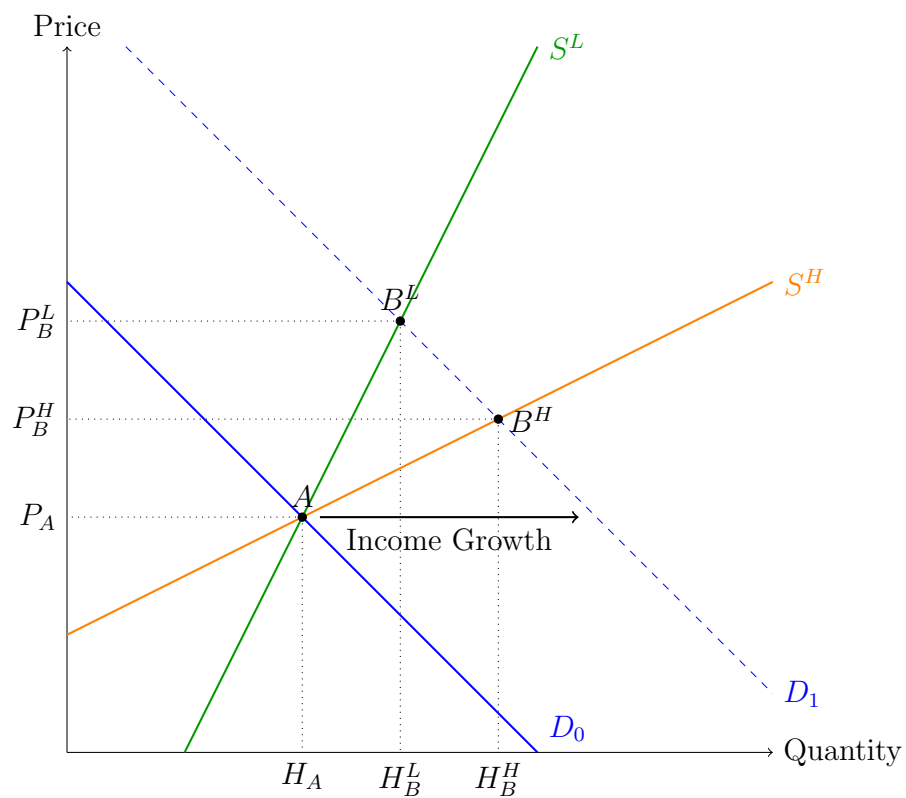


FIGURE I
The Differential Effect of Income Growth on House Prices and Quantities When Supply Elasticities Differ Across Cities

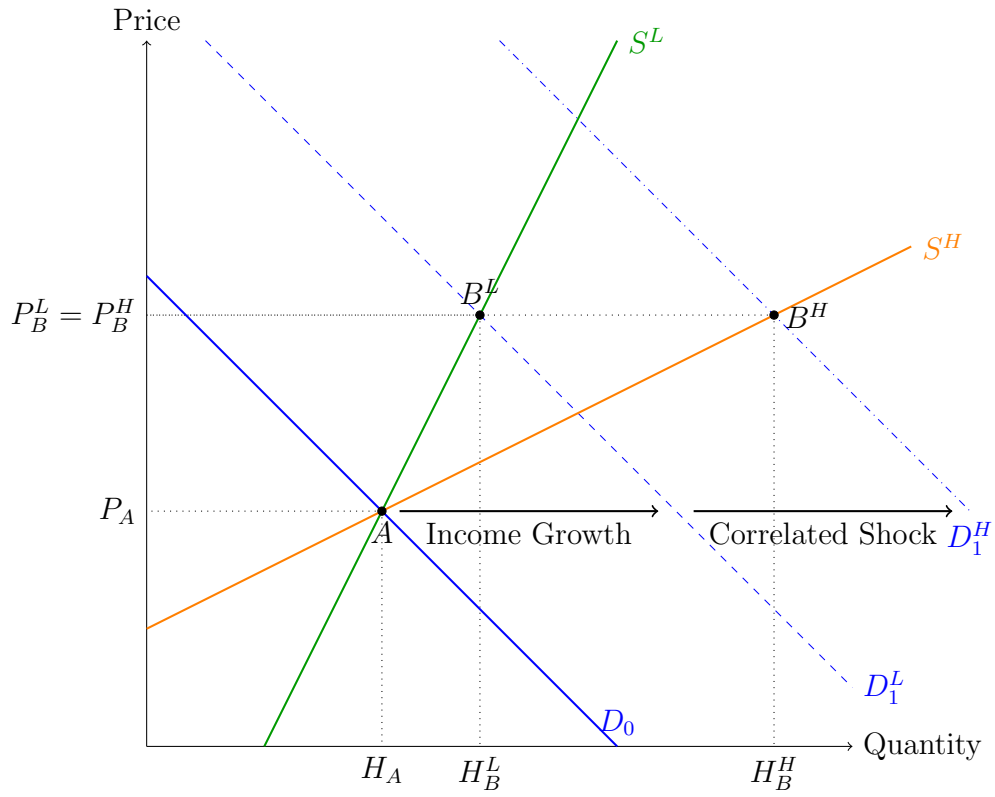


FIGURE II

The Differential Effect of Income Growth on House Prices and Quantities When Demand Shocks Are Positively Correlated With Income Growth in More Elastic Cities

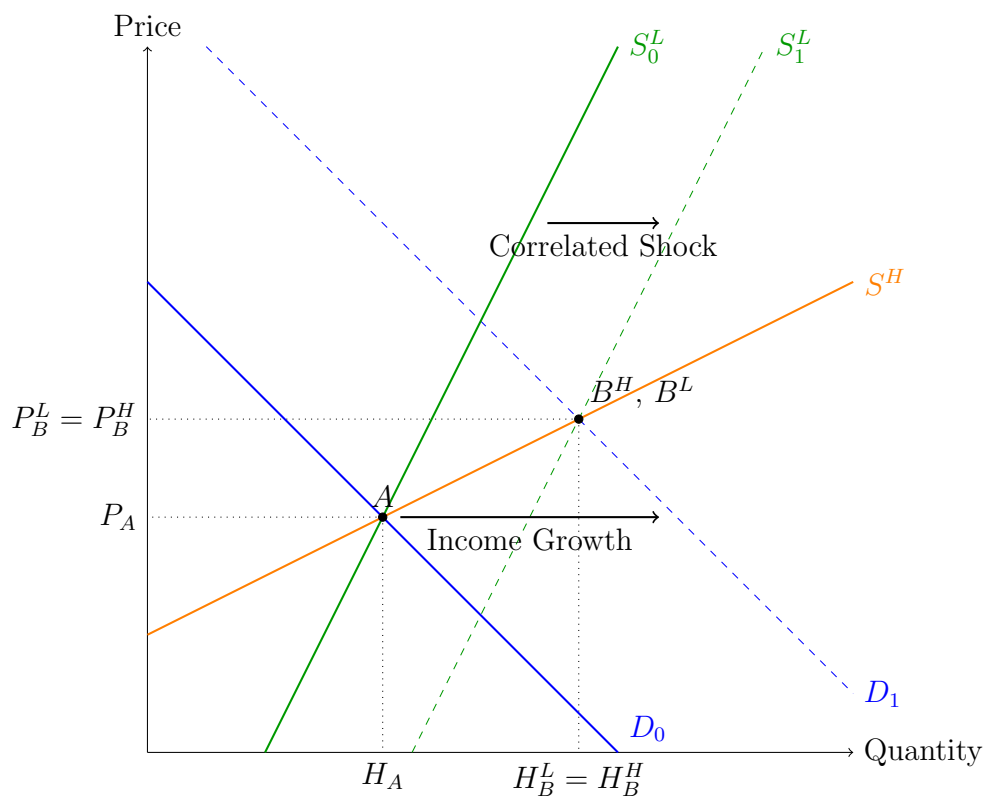
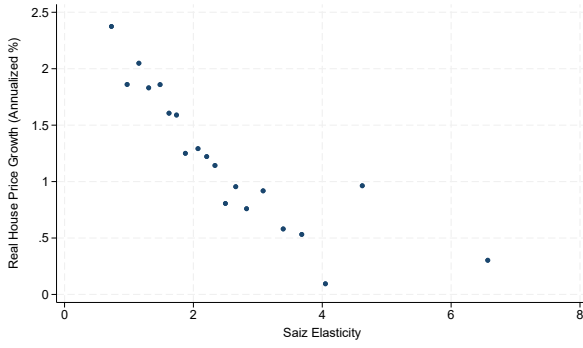
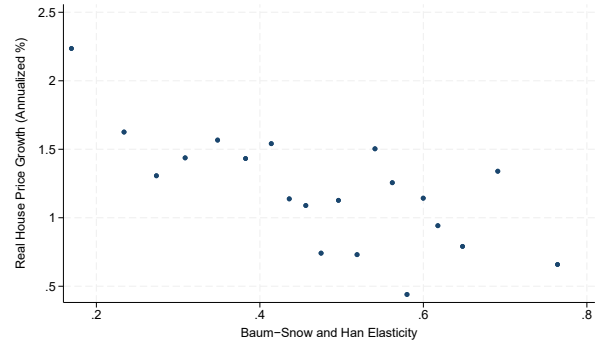


FIGURE III

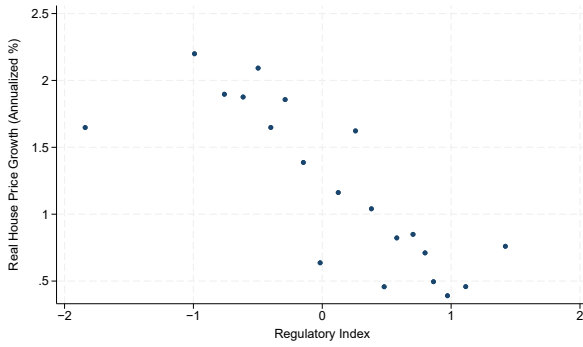
The Differential Effect of Income Growth on House Prices and Quantities When Supply Shocks Are Positively Correlated With Income Growth in Less Elastic Cities



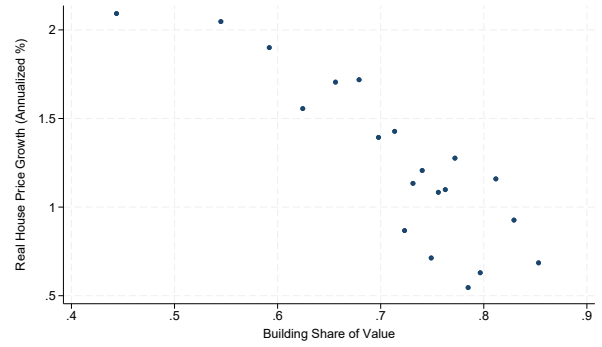
A. Elasticity
(Saiz, 2010)



B. Elasticity
(Baum-Snow and Han, 2024)



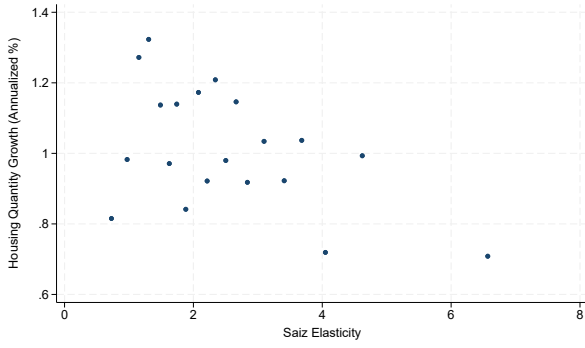
C. Regulatory Index
(Gyourko et al., 2008)



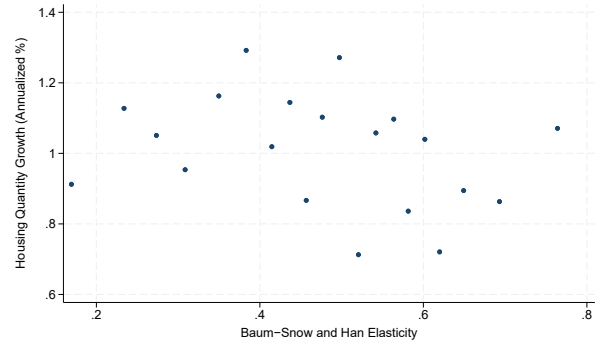
D. Building Share of Value
(Davis et al., 2021)

FIGURE IV
House Price Growth and Housing Constraints (2000-2020)

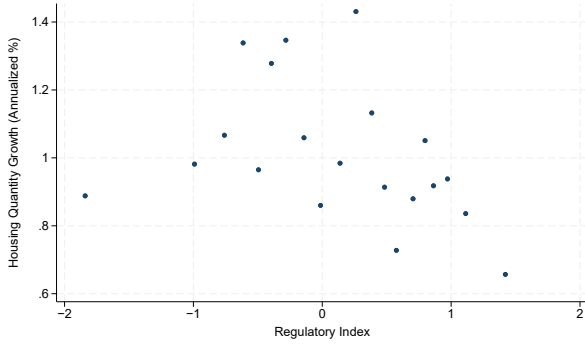
NOTE.—This figure splits MSAs into ventiles of each measure of housing constraints and then reports the mean growth in real house prices. We multiply the regulatory index by minus one so that regulations are becoming more relaxed as it increases. We calculate building share of value by subtracting the land share of value from one.



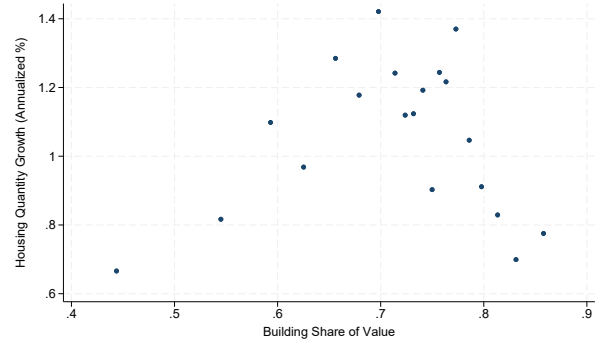
A. Elasticity
(Saiz, 2010)



B. Elasticity
(Baum-Snow and Han, 2024)



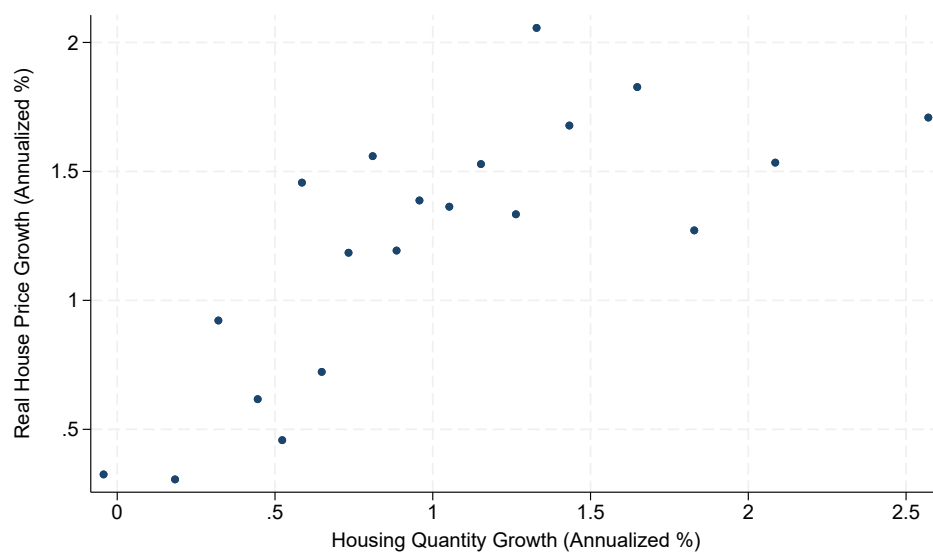
C. Regulatory Index
(Gyourko et al., 2008)



D. Building Share of Value
(Davis et al., 2021)

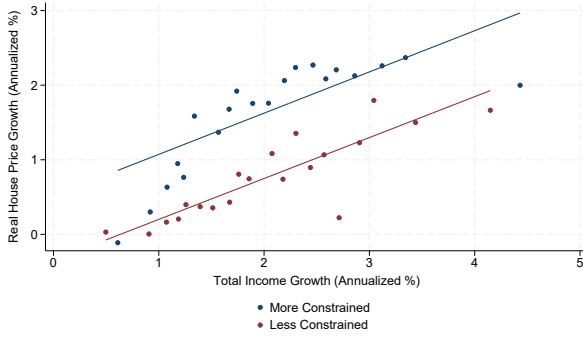
FIGURE V
Housing Quantity Growth and Housing Constraints (2000-2020)

NOTE.—This figure splits MSAs into ventiles of each measure of housing constraints and then reports the mean growth in real house prices. We multiply the regulatory index by minus one so that regulations are becoming more relaxed as it increases. We calculate building share of value by subtracting the land share of value from one.

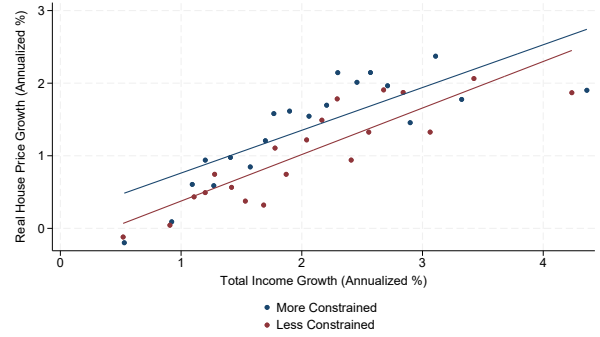


NOTE.—This figure splits MSAs into ventiles of house quantity growth and then reports the mean growth of real house prices within each bin.

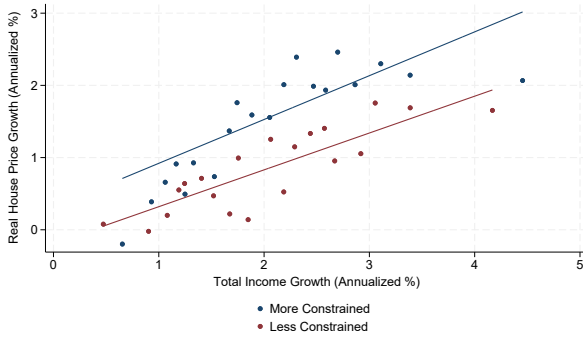
FIGURE VI
House Price and Quantity Growth (2000-2020)



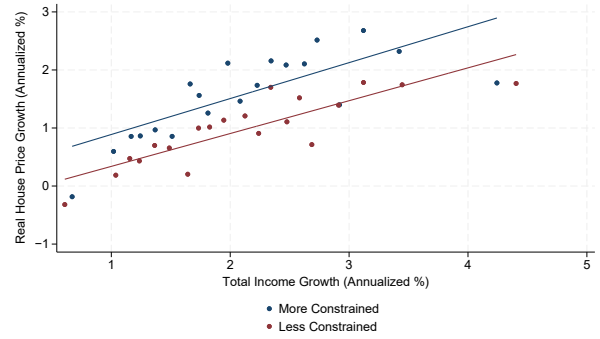
A. Elasticity
(Saiz, 2010)



B. Elasticity
(Baum-Snow and Han, 2024)



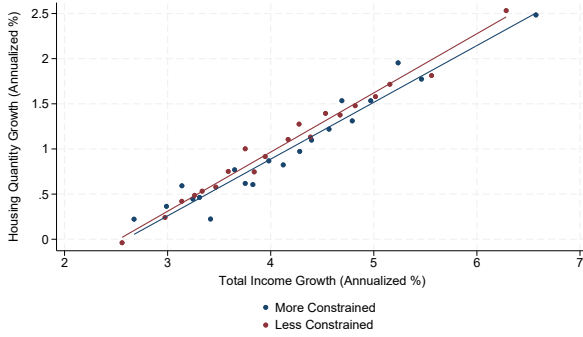
C. Regulatory Index
(Gyourko et al., 2008)



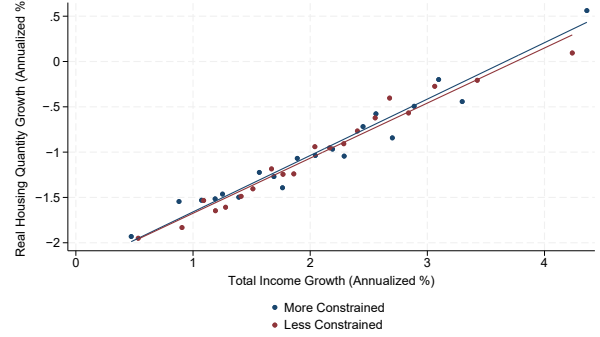
D. Land Share of Value
(Davis et al., 2021)

FIGURE VII
House Price and Income Growth

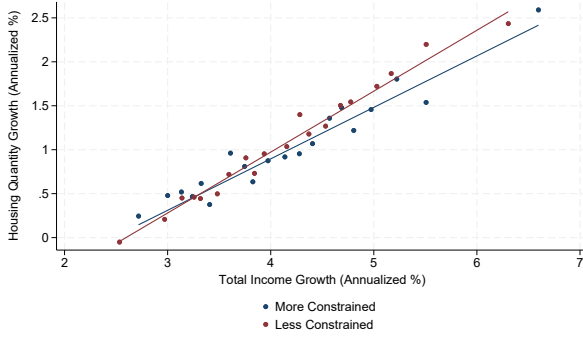
NOTE.—This figure splits MSAs into groups above and below the relevant measure of local housing markets and then reports the mean growth of real house prices and total income for ventiles of each group. The lines give the linear fit within each group.



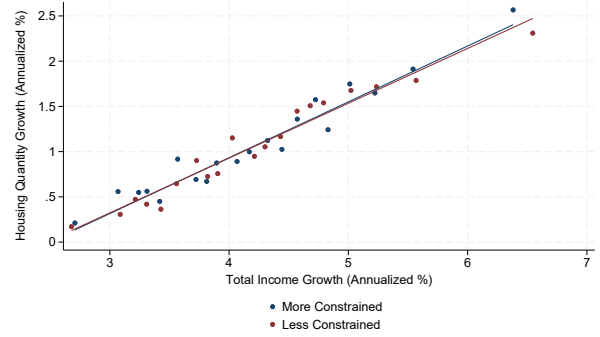
A. Elasticity
([Saiz, 2010](#))



B. Elasticity
([Baum-Snow and Han, 2024](#))



C. Regulatory Index
([Gyourko et al., 2008](#))



D. Land Share of Value
([Davis et al., 2021](#))

FIGURE VIII
House Quantity and Income Growth (2000-2020)

NOTE.—This figure splits MSAs into groups above and below the relevant measure of local housing markets and then reports the mean growth of housing units and total income within ventiles of each group. The lines give the linear fit within each group.

TABLES

TABLE I
SUMMARY STATISTICS

	Observations	Mean	SD	25th Pct	50th Pct	75th Pct
<i>Panel A. 2000-2020</i>						
Real House Price Growth (Annualized %)	321	1.22	1.05	0.47	1.21	1.97
Real Median House Value Growth (Annualized %)	321	1.44	1.00	0.77	1.36	2.22
Real Total Income Growth (Annualized %)	323	4.18	0.93	3.45	4.09	4.76
House Quantity Growth (Annualized %)	323	1.01	0.65	0.54	0.91	1.37
Population Growth (Annualized %)	323	0.81	0.74	0.26	0.70	1.26
Change in Average Rooms per Person	321	0.47	0.20	0.33	0.47	0.59
<i>Panel B. 1980-2020</i>						
Real House Price Growth (Annualized %)	321	0.99	0.87	0.40	0.92	1.51
Real Median House Value Growth (Annualized %)	321	1.13	0.67	0.66	1.08	1.57
Real Total Income Growth (Annualized %)	323	5.41	1.01	4.73	5.33	6.00
House Quantity Growth (Annualized %)	322	1.26	0.75	0.72	1.18	1.67
Population Growth (Annualized %)	323	0.97	0.85	0.35	0.94	1.49
Change in Average Rooms per Person	163	0.87	0.25	0.68	0.87	1.04
<i>Panel C. 1980-2000</i>						
Real House Price Growth (Annualized %)	321	0.77	1.26	-0.13	0.62	1.44
Real Median House Value Growth (Annualized %)	323	0.81	0.89	0.26	0.79	1.27
Real Total Income Growth (Annualized %)	323	6.65	1.32	5.72	6.61	7.44
House Quantity Growth (Annualized %)	322	1.51	0.93	0.85	1.44	1.95
Population Growth (Annualized %)	323	1.14	1.06	0.38	1.03	1.77
Change in Average Rooms per Person	163	0.43	0.12	0.36	0.44	0.51

Notes: This table reports summary statistics for key variables in the analysis for three distinct samples. See the text for more details.

TABLE II
HOUSE PRICE GROWTH (2000-2020)

	(1)	(2)	(3)	(4)
	Saiz	BS-H	WRLURI	Building
<i>Panel A. Real House Price Growth (Annualized %)</i>				
Less Constrained \times Income Growth	-0.038 (0.122)	0.070 (0.111)	-0.053 (0.118)	-0.043 (0.116)
Income Growth	0.581*** (0.104)	0.591*** (0.080)	0.591*** (0.093)	0.630*** (0.089)
Less Constrained	-0.759*** (0.273)	-0.498** (0.240)	-0.580** (0.262)	-0.501* (0.257)
R2	0.47	0.35	0.42	0.37
Number of Observations	268	308	268	306
<i>Panel B. Real Median House Value Growth (Annualized %)</i>				
Less Constrained \times Income Growth	0.044 (0.122)	-0.090 (0.118)	-0.102 (0.122)	0.066 (0.123)
Income Growth	0.580*** (0.106)	0.713*** (0.094)	0.664*** (0.101)	0.601*** (0.098)
Less Constrained	-0.673** (0.260)	-0.108 (0.247)	-0.201 (0.263)	-0.499* (0.264)
R2	0.47	0.41	0.43	0.38
Number of Observations	267	309	267	307

This table reports estimates of house price growth (panel A) and median home value growth (panel B) regressed on total income growth, an indicator for an MSA having an above-median constraint measure (less constrained), and the interaction of the two. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE III
HOUSE QUANTITY GROWTH (2000-2020)

	(1) Saiz	(2) BS-H	(3) WRLURI	(4) Building
<i>Panel A. Housing Quantities Growth (Annualized %)</i>				
Less Constrained \times Income Growth	0.015 (0.048)	-0.029 (0.050)	0.100** (0.050)	-0.023 (0.053)
Income Growth	0.649*** (0.034)	0.642*** (0.030)	0.604*** (0.034)	0.636*** (0.033)
Less Constrained	0.044 (0.092)	0.028 (0.095)	-0.118 (0.096)	0.042 (0.102)
R2	0.79	0.77	0.80	0.76
Number of Observations	269	310	269	308
<i>Panel B. Population Growth (Annualized %)</i>				
Less Constrained \times Income Growth	-0.007 (0.054)	-0.011 (0.054)	0.083 (0.055)	-0.004 (0.057)
Income Growth	0.760*** (0.043)	0.721*** (0.034)	0.712*** (0.038)	0.712*** (0.039)
Less Constrained	0.037 (0.108)	-0.067 (0.103)	-0.131 (0.107)	-0.016 (0.111)
R2	0.81	0.80	0.82	0.78
Number of Observations	269	310	269	308
<i>Panel C. Change in Average Rooms per Person</i>				
Less Constrained \times Income Growth	0.019 (0.024)	0.027 (0.022)	0.022 (0.023)	-0.003 (0.023)
Income Growth	-0.060*** (0.016)	-0.060*** (0.016)	-0.058*** (0.016)	-0.042*** (0.016)
Less Constrained	0.042 (0.052)	0.027 (0.048)	0.066 (0.050)	0.075 (0.049)
R2	0.11	0.10	0.15	0.08
Number of Observations	267	309	267	307

This table reports estimates of house quantity growth (panel A) and population growth (panel B), and the change in average rooms per person (panel C) regressed on total income growth, an indicator for an MSA having an above-median constraint measure (less constrained), and the interaction of the two. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE IV
HOUSING SUPPLY ELASTICITY ESTIMATES (2000-2020)

	(1) Saiz	(2) BS-H	(3) WRLURI	(4) Building
<i>Panel A. Real House Price Growth (Annualized %)</i>				
More Constrained \times Price Growth	1.117*** (0.204)	1.087*** (0.170)	1.023*** (0.191)	1.009*** (0.165)
Less Constrained \times Price Growth	1.220*** (0.169)	0.924*** (0.122)	1.308*** (0.177)	1.039*** (0.153)
Less Constrained	0.933** (0.380)	0.519* (0.274)	0.555 (0.355)	0.566* (0.301)
Chi-Squared Test P-value	0.70	0.43	0.27	0.89
CD F-stat	54.04	58.23	53.82	63.99
Number of Observations	268	308	268	306
<i>Panel B. Real Median Home Value Growth (Annualized %)</i>				
More Constrained \times Price Growth	1.119*** (0.205)	0.901*** (0.128)	0.913*** (0.155)	1.060*** (0.184)
Less Constrained \times Price Growth	1.058*** (0.112)	0.979*** (0.144)	1.245*** (0.143)	0.919*** (0.131)
Less Constrained	0.798** (0.387)	0.138 (0.272)	0.066 (0.321)	0.559 (0.351)
Chi-Squared Test P-value	0.79	0.69	0.11	0.53
CD F-stat	53.50	81.89	59.25	53.36
Number of Observations	267	309	267	307

This table reports estimates of house quantity growth regressed on house price growth (panel A) and median home value growth (panel B), where price growth is interacted with an indicator for being less constrained (above median). We instrument for house price growth with growth in total income interacted with the same constraint indicator. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE V
POPULATION ELASTICITY ESTIMATES (2000-2020)

	(1) Saiz	(2) BS-H	(3) WRLURI	(4) Building
<i>Panel A. Real House Price Growth (Annualized %)</i>				
More Constrained \times Price Growth	1.367*** (0.241)	1.217*** (0.170)	1.168*** (0.192)	1.147*** (0.181)
Less Constrained \times Price Growth	1.381*** (0.193)	1.120*** (0.150)	1.567*** (0.233)	1.260*** (0.171)
Less Constrained	1.219*** (0.454)	0.421 (0.298)	0.527 (0.386)	0.568* (0.336)
Chi-Squared Test P-value	0.96	0.67	0.19	0.65
CD F-stat	54.36	58.06	47.54	63.04
Number of Observations	268	308	268	306
<i>Panel B. Real Median Home Value Growth (Annualized %)</i>				
More Constrained \times Price Growth	1.309*** (0.227)	1.003*** (0.126)	1.073*** (0.161)	1.180*** (0.197)
Less Constrained \times Price Growth	1.207*** (0.124)	1.142*** (0.159)	1.415*** (0.171)	1.065*** (0.139)
Less Constrained	0.903** (0.432)	0.032 (0.288)	0.077 (0.350)	0.553 (0.377)
Chi-Squared Test P-value	0.70	0.49	0.15	0.63
CD F-stat	53.81	84.53	59.70	55.02
Number of Observations	267	309	267	307

This table reports estimates of population growth regressed on house price growth (panel A) and median home value growth (panel B), where price growth is interacted with an indicator for being less constrained (above median). We instrument for house price growth with growth in total income interacted with the same constraint indicator. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE VI
EFFECT OF WORK FROM HOME SHOCK (2019-2023)

	Saiz		BS-H		WRLUR		Building	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<i>Panel A. Real Total Income Growth (Annualized %)</i>								
High WFH \times Less Constrained		-0.368 (0.271)		0.606** (0.279)		1.102*** (0.297)		0.253 (0.289)
High WFH	0.959*** (0.137)	1.203*** (0.187)	0.855*** (0.128)	0.643*** (0.172)	0.959*** (0.137)	0.529*** (0.199)	0.828*** (0.127)	0.730*** (0.171)
Less Constrained		0.314* (0.164)		-0.051 (0.166)		-0.214 (0.187)		-0.060 (0.160)
R2	0.15	0.16	0.12	0.15	0.15	0.21	0.12	0.12
Number of Observations	269	269	310	310	269	269	308	308
<i>Panel B. Real House Price Growth (Annualized %)</i>								
High WFH \times Less Constrained		-0.085 (0.552)		0.682 (0.500)		1.237** (0.545)		0.328 (0.568)
High WFH	0.792*** (0.267)	0.656 (0.429)	0.958*** (0.250)	0.819** (0.325)	0.792*** (0.267)	0.141 (0.379)	1.042*** (0.254)	0.814** (0.403)
Less Constrained		-0.379 (0.394)		0.206 (0.329)		-0.667* (0.353)		-0.300 (0.392)
R2	0.03	0.04	0.05	0.06	0.03	0.05	0.05	0.05
Number of Observations	268	268	308	308	268	268	306	306
<i>Panel C. Cumulative Permit Growth (Annualized %)</i>								
High WFH \times Less Constrained		0.489 (1.622)		1.869 (1.755)		-0.805 (1.514)		2.681 (1.811)
High WFH	3.668*** (0.860)	4.011*** (1.063)	2.856*** (0.863)	2.883*** (1.030)	3.668*** (0.860)	4.755*** (1.077)	3.181*** (0.866)	2.991** (1.214)
Less Constrained		1.187 (1.114)		1.594 (1.218)		2.168** (1.087)		1.321 (1.304)
R2	0.07	0.08	0.04	0.06	0.07	0.08	0.04	0.08
Number of Observations	257	257	299	299	257	257	296	296

This table reports estimates of total income growth (panel A), house price growth (panel B), and permit growth (panel C) regressed on an indicator for above median exposure to WFH, an indicator for being less constrained (above median), and the interaction of the two indicators. Each column uses a different measure of housing constraints where column 1 uses the elasticity from Saiz (2010), column 2 uses an elasticity from Baum-Snow and Han (2024), column 3 uses the regulation index Gyourko et al. (2008), and column 4 uses the land share of value Davis et al. (2021). See the text for more details.

TABLE VII
HOUSE PRICE GROWTH (1980-2020)

	(1) Saiz	(2) BS-H	(3) WRLURI	(4) Building
<i>Panel A. Real House Price Growth (Annualized %)</i>				
Less Constrained \times Income Growth	-0.067 (0.090)	0.085 (0.088)	-0.039 (0.087)	-0.088 (0.091)
Income Growth	0.193*** (0.071)	0.203*** (0.065)	0.194*** (0.067)	0.250*** (0.069)
Less Constrained	-0.478* (0.251)	-0.536** (0.232)	-0.492** (0.237)	-0.275 (0.251)
R2	0.22	0.13	0.20	0.17
Number of Observations	268	308	268	306
<i>Panel B. Real Median House Value Growth (Annualized %)</i>				
Less Constrained \times Income Growth	0.082 (0.072)	0.107 (0.074)	0.075 (0.076)	-0.012 (0.075)
Income Growth	0.264*** (0.062)	0.290*** (0.060)	0.270*** (0.064)	0.305*** (0.062)
Less Constrained	-0.672*** (0.197)	-0.513*** (0.193)	-0.576*** (0.201)	-0.382* (0.207)
R2	0.41	0.33	0.37	0.35
Number of Observations	267	309	267	307

This table reports estimates of house price growth (panel A) and median home value growth (panel B) regressed on total income growth, an indicator for an MSA having an above-median constraint measure (less constrained), and the interaction of the two. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE VIII
HOUSE QUANTITY GROWTH (1980-2020)

	(1) Saiz	(2) BS-H	(3) WRLURI	(4) Building
<i>Panel A. Housing Quantities Growth (Annualized %)</i>				
Less Constrained \times Income Growth	-0.001 (0.036)	0.015 (0.037)	0.025 (0.040)	0.052 (0.039)
Income Growth	0.730*** (0.031)	0.713*** (0.030)	0.715*** (0.029)	0.705*** (0.026)
Less Constrained	0.146* (0.084)	0.098 (0.086)	0.078 (0.090)	0.009 (0.094)
R2	0.88	0.87	0.88	0.86
Number of Observations	268	309	268	307
<i>Panel B. Population Growth (Annualized %)</i>				
Less Constrained \times Income Growth	-0.031 (0.041)	-0.034 (0.040)	-0.003 (0.045)	0.076* (0.042)
Income Growth	0.849*** (0.035)	0.840*** (0.033)	0.831*** (0.034)	0.796*** (0.027)
Less Constrained	0.134 (0.098)	0.085 (0.094)	0.024 (0.105)	-0.108 (0.100)
R2	0.90	0.90	0.90	0.89
Number of Observations	269	310	269	308
<i>Panel C. Change in Average Rooms per Person</i>				
Less Constrained \times Income Growth	-0.014 (0.040)	0.050 (0.037)	-0.015 (0.036)	-0.014 (0.039)
Income Growth	-0.093*** (0.025)	-0.132*** (0.023)	-0.082*** (0.028)	-0.110*** (0.025)
Less Constrained	0.128 (0.100)	-0.064 (0.091)	0.191* (0.097)	0.082 (0.099)
R2	0.21	0.21	0.27	0.20
Number of Observations	140	159	140	158

This table reports estimates of house quantity growth (panel A) and population growth (panel B), and the change in average rooms per person (panel C) regressed on total income growth, an indicator for an MSA having an above-median constraint measure (less constrained), and the interaction of the two. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE IX
HOUSE PRICE GROWTH (1980-2000)

	(1) Saiz	(2) BS-H	(3) WRLURI	(4) Building
<i>Panel A. Real House Price Growth (Annualized %)</i>				
Less Constrained \times Income Growth	-0.015 (0.115)	0.042 (0.115)	-0.075 (0.113)	-0.105 (0.115)
Income Growth	-0.006 (0.086)	0.056 (0.092)	0.033 (0.091)	0.106 (0.086)
Less Constrained	-0.446 (0.385)	-0.487 (0.362)	-0.266 (0.377)	-0.170 (0.375)
R2	0.04	0.03	0.04	0.05
Number of Observations	268	308	268	306
<i>Panel B. Real Median House Value Growth (Annualized %)</i>				
Less Constrained \times Income Growth	0.221*** (0.084)	0.232*** (0.083)	0.144 (0.089)	0.088 (0.091)
Income Growth	0.139** (0.060)	0.159** (0.063)	0.164** (0.064)	0.184*** (0.060)
Less Constrained	-0.969*** (0.265)	-0.886*** (0.260)	-0.741*** (0.274)	-0.754*** (0.285)
R2	0.22	0.21	0.21	0.23
Number of Observations	269	310	269	308

This table reports estimates of house price growth (panel A) and median home value growth (panel B) regressed on total income growth, an indicator for an MSA having an above-median constraint measure (less constrained), and the interaction of the two. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE X
HOUSE QUANTITY GROWTH (1980-2000)

	(1) Saiz	(2) BS-H	(3) WRLURI	(4) Building
<i>Panel A. Housing Quantities Growth (Annualized %)</i>				
Less Constrained \times Income Growth	-0.071 (0.045)	-0.005 (0.048)	0.019 (0.051)	0.053 (0.049)
Income Growth	0.701*** (0.036)	0.661*** (0.040)	0.656*** (0.037)	0.646*** (0.033)
Less Constrained	0.351*** (0.128)	0.268** (0.136)	0.067 (0.143)	0.076 (0.143)
R2	0.80	0.77	0.79	0.76
Number of Observations	268	309	268	307
<i>Panel B. Population Growth (Annualized %)</i>				
Less Constrained \times Income Growth	-0.118*** (0.045)	-0.093** (0.045)	0.010 (0.053)	0.041 (0.052)
Income Growth	0.803*** (0.035)	0.783*** (0.037)	0.735*** (0.037)	0.734*** (0.032)
Less Constrained	0.349** (0.142)	0.292** (0.139)	-0.126 (0.166)	0.002 (0.156)
R2	0.81	0.78	0.80	0.77
Number of Observations	269	310	269	308
<i>Panel C. Change in Average Rooms per Person</i>				
Less Constrained \times Income Growth	-0.010 (0.021)	0.011 (0.017)	-0.022 (0.018)	0.001 (0.017)
Income Growth	-0.025** (0.010)	-0.037*** (0.011)	-0.019 (0.012)	-0.034*** (0.012)
Less Constrained	0.059 (0.060)	-0.042 (0.052)	0.099* (0.056)	-0.016 (0.055)
R2	0.11	0.09	0.12	0.09
Number of Observations	140	159	140	158

This table reports estimates of house quantity growth (panel A) and population growth (panel B), and the change in average rooms per person (panel C) regressed on total income growth, an indicator for an MSA having an above-median constraint measure (less constrained), and the interaction of the two. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE XI
HOUSE PRICE GROWTH WITHOUT LOW GROWTH CITIES (2000-2020)

	(1) Saiz	(2) BS-H	(3) WRLURI	(4) Building
<i>Panel A. Real House Price Growth (Annualized %)</i>				
Less Constrained \times Income Growth	0.375*** (0.119)	0.202 (0.136)	0.148 (0.140)	0.158 (0.131)
Income Growth	0.156** (0.079)	0.354*** (0.089)	0.328*** (0.098)	0.333*** (0.101)
Less Constrained	-1.944*** (0.297)	-0.853** (0.343)	-1.185*** (0.360)	-1.089*** (0.333)
R2	0.45	0.18	0.32	0.26
Number of Observations	197	231	197	239
<i>Panel B. Real Median House Value Growth (Annualized %)</i>				
Less Constrained \times Income Growth	0.392*** (0.135)	0.049 (0.171)	-0.032 (0.156)	0.334** (0.167)
Income Growth	0.211** (0.104)	0.518*** (0.127)	0.462*** (0.125)	0.321** (0.129)
Less Constrained	-1.660*** (0.341)	-0.500 (0.421)	-0.406 (0.395)	-1.243*** (0.418)
R2	0.36	0.24	0.24	0.25
Number of Observations	196	231	196	238

This table reports estimates of house price growth (panel A) and median home value growth (panel B) regressed on total income growth, an indicator for an MSA having an above-median constraint measure (less constrained), and the interaction of the two. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE XII
HOUSE QUANTITY GROWTH WITHOUT LOW GROWTH CITIES
(2000-2020)

	(1) Saiz	(2) BS-H	(3) WRLURI	(4) Building
<i>Panel A. Housing Quantities Growth (Annualized %)</i>				
Less Constrained \times Income Growth	-0.050 (0.070)	-0.090 (0.072)	0.067 (0.071)	-0.096 (0.071)
Income Growth	0.698*** (0.050)	0.680*** (0.041)	0.635*** (0.045)	0.688*** (0.046)
Less Constrained	0.242 (0.156)	0.212 (0.162)	-0.012 (0.161)	0.259 (0.158)
R2	0.71	0.68	0.72	0.69
Number of Observations	197	231	197	239
<i>Panel B. Population Growth (Annualized %)</i>				
Less Constrained \times Income Growth	-0.072 (0.080)	-0.039 (0.076)	0.055 (0.077)	-0.045 (0.077)
Income Growth	0.788*** (0.065)	0.731*** (0.048)	0.723*** (0.051)	0.739*** (0.056)
Less Constrained	0.231 (0.185)	0.027 (0.174)	-0.038 (0.176)	0.113 (0.176)
R2	0.73	0.71	0.73	0.70
Number of Observations	197	231	197	239
<i>Panel C. Change in Average Rooms per Person</i>				
Less Constrained \times Income Growth	0.036 (0.034)	0.043 (0.030)	0.048 (0.032)	0.006 (0.031)
Income Growth	-0.046** (0.021)	-0.051** (0.021)	-0.055** (0.022)	-0.031 (0.022)
Less Constrained	-0.007 (0.084)	-0.023 (0.075)	-0.010 (0.080)	0.042 (0.076)
R2	0.06	0.06	0.10	0.03
Number of Observations	196	231	196	238

This table reports estimates of house quantity growth (panel A) and population growth (panel B), and the change in average rooms per person (panel C) regressed on total income growth, an indicator for an MSA having an above-median constraint measure (less constrained), and the interaction of the two. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE XIII
IMPLIED EFFECTS OF CONSTRAINT MEASURES ON PRICES (2000-2020)

	(1) Saiz	(2) BS-H	(3) WRLURI	(4) Building
<i>Panel A. Real House Price Growth (Annualized %)</i>				
Elasticity Measure	-0.262*** (0.064)	-1.729*** (0.294)	-0.470*** (0.060)	-3.875*** (0.452)
Income Growth	0.544*** (0.057)	0.624*** (0.055)	0.549*** (0.054)	0.610*** (0.057)
Share of SF-Houston Gap	0.0724	0.0157	0.0882	0.1813
R2	0.44	0.39	0.45	0.43
Number of Observations	268	308	268	306
<i>Panel B. Real Median House Value Growth (Annualized %)</i>				
Elasticity Measure	-0.170*** (0.046)	-1.438*** (0.315)	-0.344*** (0.055)	-2.407*** (0.633)
Income Growth	0.593*** (0.059)	0.658*** (0.056)	0.590*** (0.056)	0.636*** (0.062)
Share of SF-Houston Gap	0.1428	0.0391	0.1963	0.3516
R2	0.44	0.44	0.46	0.40
Number of Observations	267	309	267	307

This table reports estimates of house price growth (panel A) and median home value growth (panel B) regressed on total income growth and the constraint measure. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE XIV
IMPLIED EFFECTS OF CONSTRAINT MEASURES ON QUANTITIES
(2000-2020)

	(1) Saiz	(2) BS-H	(3) WRLURI	(4) Building
<i>Panel A. Housing Quantity Growth (Annualized %)</i>				
Elasticity Measure	0.021 (0.014)	-0.019 (0.122)	0.057*** (0.021)	0.479*** (0.180)
Income Growth	0.657*** (0.024)	0.627*** (0.027)	0.660*** (0.024)	0.626*** (0.028)
Share of SF-Houston Gap	0.0002	-0.0000	0.0003	0.0007
R2	0.79	0.77	0.80	0.77
Number of Observations	269	310	269	308
<i>Panel B. Population Growth (Annualized %)</i>				
Elasticity Measure	0.007 (0.015)	-0.241* (0.130)	0.031 (0.026)	0.409** (0.198)
Income Growth	0.756*** (0.027)	0.716*** (0.027)	0.760*** (0.027)	0.713*** (0.029)
Share of SF-Houston Gap	0.0001	-0.0001	0.0002	0.0006
R2	0.81	0.80	0.81	0.79
Number of Observations	269	310	269	308
<i>Panel C. Change in Average Rooms per Person</i>				
Elasticity Measure	0.017 (0.011)	0.339*** (0.072)	0.051*** (0.018)	0.514*** (0.104)
Income Growth	-0.051*** (0.012)	-0.044*** (0.011)	-0.048*** (0.012)	-0.044*** (0.011)
Share of SF-Houston Gap	0.0966	0.0612	0.1994	0.5286
R2	0.08	0.13	0.11	0.12
Number of Observations	267	309	267	307

This table reports estimates of house quantity growth (panel A) and population growth (panel B), and the change in average rooms per person (panel C) regressed on total income growth and the constraint measure. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

APPENDIX

APPENDIX TABLES

TABLE A1
HOUSE PRICE GROWTH (2000-2020): QUARTILES

	(1) Saiz	(2) BS-H	(3) WRLURI	(4) Building
<i>Panel A. Real House Price Growth (Annualized %)</i>				
Qtl 2 Constraint	-0.549 (0.468)	-0.514 (0.347)	-0.757** (0.376)	-0.628 (0.393)
Qtl 3 Constraint	-1.028*** (0.379)	-0.887** (0.351)	-1.091*** (0.354)	-0.861** (0.406)
Qtl 4 Constraint	-1.161*** (0.389)	-0.630* (0.378)	-0.964*** (0.358)	-0.714* (0.374)
Qtl 2 Constraint \times Income Growth	0.032 (0.205)	0.018 (0.162)	0.106 (0.165)	0.027 (0.183)
Qtl 3 Constraint \times Income Growth	0.047 (0.162)	0.165 (0.166)	0.128 (0.166)	-0.001 (0.179)
Qtl 4 Constraint \times Income Growth	-0.050 (0.169)	0.000 (0.173)	-0.092 (0.162)	-0.092 (0.172)
Income Growth	0.528*** (0.138)	0.579*** (0.131)	0.500*** (0.127)	0.624*** (0.139)
R2	0.51	0.38	0.47	0.41
Number of Observations	268	308	268	306
<i>Panel B. Real Median Home Value Growth (Annualized %)</i>				
Qtl 2 Constraint	-0.409 (0.479)	-0.523 (0.420)	-0.728* (0.404)	-0.501 (0.440)
Qtl 3 Constraint	-1.069** (0.425)	-0.636 (0.400)	-0.652* (0.385)	-0.516 (0.426)
Qtl 4 Constraint	-0.797* (0.420)	-0.131 (0.396)	-0.622* (0.353)	-0.926** (0.394)
Qtl 2 Constraint \times Income Growth	-0.014 (0.216)	0.038 (0.195)	0.068 (0.181)	0.070 (0.197)
Qtl 3 Constraint \times Income Growth	0.140 (0.181)	0.087 (0.186)	0.025 (0.180)	0.011 (0.185)
Qtl 4 Constraint \times Income Growth	-0.019 (0.183)	-0.215 (0.184)	-0.116 (0.168)	0.181 (0.178)
Income Growth	0.558*** (0.162)	0.691*** (0.164)	0.595*** (0.142)	0.573*** (0.154)
R2	0.49	0.45	0.48	0.40
Number of Observations	267	309	267	307

This table reports estimates of house price growth (panel A) and median home value growth (panel B) regressed on total income growth, quartiles of the constraint measure, and the interaction of income growth with each quartile. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE A2
HOUSE QUANTITY GROWTH (2000-2020): QUANTILES

	(1) Saiz	(2) BS-H	(3) WRLURI	(4) Building
<i>Panel A. Housing Quantity Growth (Annualized %)</i>				
Qtl 2 Constraint	-0.021 (0.148)	-0.011 (0.119)	-0.050 (0.158)	-0.131 (0.124)
Qtl 3 Constraint	0.009 (0.135)	0.083 (0.150)	-0.177 (0.173)	0.095 (0.113)
Qtl 4 Constraint	0.098 (0.110)	-0.043 (0.110)	-0.171 (0.154)	-0.072 (0.164)
Qtl 2 Constraint \times Income Growth	0.046 (0.074)	0.027 (0.060)	0.071 (0.075)	0.164*** (0.059)
Qtl 3 Constraint \times Income Growth	0.057 (0.066)	-0.023 (0.080)	0.152* (0.089)	0.025 (0.054)
Qtl 4 Constraint \times Income Growth	-0.004 (0.053)	-0.006 (0.056)	0.142* (0.075)	0.066 (0.094)
Income Growth	0.634*** (0.040)	0.628*** (0.038)	0.558*** (0.066)	0.560*** (0.039)
R2	0.80	0.78	0.80	0.79
Number of Observations	269	310	269	308
<i>Panel B. Population Growth (Annualized %)</i>				
Qtl 2 Constraint	-0.125 (0.179)	-0.091 (0.134)	-0.062 (0.172)	-0.192 (0.145)
Qtl 3 Constraint	-0.093 (0.147)	-0.076 (0.159)	-0.208 (0.175)	-0.012 (0.118)
Qtl 4 Constraint	0.079 (0.137)	-0.158 (0.118)	-0.157 (0.165)	-0.126 (0.168)
Qtl 2 Constraint \times Income Growth	0.103 (0.089)	0.042 (0.068)	0.056 (0.081)	0.199*** (0.070)
Qtl 3 Constraint \times Income Growth	0.082 (0.070)	0.012 (0.085)	0.133 (0.089)	0.072 (0.056)
Qtl 4 Constraint \times Income Growth	-0.022 (0.066)	0.011 (0.058)	0.104 (0.081)	0.080 (0.094)
Income Growth	0.718*** (0.052)	0.699*** (0.042)	0.676*** (0.065)	0.621*** (0.043)
R2	0.82	0.80	0.82	0.81
Number of Observations	269	310	269	308
<i>Panel C. Change in Average Rooms per Person</i>				
Qtl 2 Constraint	0.109 (0.067)	0.183*** (0.064)	0.166** (0.074)	0.017 (0.067)
Qtl 3 Constraint	0.161** (0.076)	0.158** (0.067)	0.206*** (0.079)	0.129* (0.071)
Qtl 4 Constraint	0.072 (0.082)	0.087 (0.077)	0.134* (0.073)	0.015 (0.069)
Qtl 2 Constraint \times Income Growth	-0.005 (0.029)	-0.049 (0.031)	-0.051 (0.034)	0.033 (0.030)
Qtl 3 Constraint \times Income Growth	-0.013 (0.034)	-0.005 (0.031)	-0.031 (0.036)	-0.018 (0.030)
Qtl 4 Constraint \times Income Growth	0.031 (0.037)	0.006 (0.035)	0.008 (0.034)	0.064** (0.032)
Income Growth	-0.050** (0.025)	-0.034 (0.025)	-0.023 (0.027)	-0.058** (0.023)
R2	0.15	0.14	0.17	0.13
Number of Observations	267	309	267	307

This table reports estimates of house quantity growth (panel A) and population growth (panel B), and the change in average rooms per person (panel C) regressed on total income growth, quartiles of the constraint measure, and the interaction of income growth with each quartile. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE A3
HOUSE PRICE GROWTH (1980-2020): QUANTILES

	(1) Saiz	(2) BS-H	(3) WRLURI	(4) Building
<i>Panel A. Real House Price Growth (Annualized %)</i>				
Qtl 2 Constraint	-0.520 (0.434)	-0.679* (0.390)	-0.773** (0.391)	-0.802* (0.411)
Qtl 3 Constraint	-0.703* (0.388)	-1.152*** (0.402)	-0.949** (0.396)	-0.599 (0.416)
Qtl 4 Constraint	-1.097*** (0.377)	-0.859** (0.402)	-0.962** (0.421)	-0.597 (0.439)
Qtl 2 Constraint \times Income Growth	0.025 (0.141)	0.080 (0.138)	0.092 (0.136)	0.018 (0.144)
Qtl 3 Constraint \times Income Growth	-0.017 (0.128)	0.249* (0.144)	0.080 (0.139)	-0.062 (0.144)
Qtl 4 Constraint \times Income Growth	0.002 (0.134)	0.099 (0.148)	-0.024 (0.154)	-0.179 (0.160)
Income Growth	0.117 (0.105)	0.120 (0.123)	0.102 (0.120)	0.228* (0.124)
R2	0.29	0.17	0.26	0.27
Number of Observations	268	308	268	306
<i>Panel B. Real Median Home Value Growth (Annualized %)</i>				
Qtl 2 Constraint	-0.624* (0.376)	-0.622* (0.332)	-0.447 (0.341)	-0.675* (0.372)
Qtl 3 Constraint	-0.931** (0.361)	-1.178*** (0.308)	-0.683** (0.327)	-0.628* (0.380)
Qtl 4 Constraint	-1.141*** (0.357)	-0.728** (0.298)	-1.074*** (0.322)	-0.806** (0.373)
Qtl 2 Constraint \times Income Growth	0.077 (0.124)	0.083 (0.117)	0.024 (0.122)	0.079 (0.128)
Qtl 3 Constraint \times Income Growth	0.126 (0.118)	0.296*** (0.109)	0.071 (0.117)	0.007 (0.132)
Qtl 4 Constraint \times Income Growth	0.149 (0.123)	0.098 (0.110)	0.164 (0.119)	0.043 (0.136)
Income Growth	0.189* (0.107)	0.211** (0.095)	0.231** (0.103)	0.255** (0.117)
R2	0.46	0.39	0.43	0.41
Number of Observations	267	309	267	307

This table reports estimates of house price growth (panel A) and median home value growth (panel B) regressed on total income growth, quartiles of the constraint measure, and the interaction of income growth with each quartile. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE A4
HOUSE QUANTITY GROWTH (1980-2020): QUANTILES

	(1) Saiz	(2) BS-H	(3) WRLURI	(4) Building
<i>Panel A. Housing Quantity Growth (Annualized %)</i>				
Qtl 2 Constraint	0.130 (0.163)	0.321* (0.166)	0.354** (0.162)	-0.031 (0.120)
Qtl 3 Constraint	0.252* (0.143)	0.340** (0.160)	0.348** (0.164)	0.126 (0.135)
Qtl 4 Constraint	0.283* (0.151)	0.291* (0.170)	0.257 (0.158)	-0.136 (0.135)
Qtl 2 Constraint \times Income Growth	0.018 (0.064)	-0.038 (0.065)	-0.084 (0.064)	0.110** (0.045)
Qtl 3 Constraint \times Income Growth	-0.003 (0.053)	-0.031 (0.064)	-0.055 (0.066)	0.058 (0.054)
Qtl 4 Constraint \times Income Growth	-0.028 (0.062)	-0.018 (0.069)	-0.008 (0.064)	0.166*** (0.058)
Income Growth	0.740*** (0.050)	0.752*** (0.059)	0.779*** (0.054)	0.654*** (0.040)
R2	0.89	0.88	0.89	0.89
Number of Observations	268	309	268	307
<i>Panel B. Population Growth (Annualized %)</i>				
Qtl 2 Constraint	0.051 (0.183)	0.309* (0.164)	0.197 (0.168)	-0.058 (0.118)
Qtl 3 Constraint	0.103 (0.163)	0.297** (0.146)	0.153 (0.165)	0.077 (0.135)
Qtl 4 Constraint	0.300* (0.171)	0.271* (0.152)	0.167 (0.154)	-0.300** (0.129)
Qtl 2 Constraint \times Income Growth	0.027 (0.072)	-0.065 (0.067)	-0.063 (0.066)	0.109** (0.045)
Qtl 3 Constraint \times Income Growth	0.005 (0.061)	-0.078 (0.061)	-0.043 (0.067)	0.063 (0.053)
Qtl 4 Constraint \times Income Growth	-0.080 (0.069)	-0.085 (0.062)	-0.053 (0.063)	0.189*** (0.057)
Income Growth	0.849*** (0.057)	0.889*** (0.052)	0.875*** (0.051)	0.745*** (0.035)
R2	0.90	0.90	0.90	0.91
Number of Observations	269	310	269	308
<i>Panel C. Change in Average Rooms per Person</i>				
Qtl 2 Constraint	-0.040 (0.142)	0.089 (0.124)	0.347** (0.171)	-0.013 (0.142)
Qtl 3 Constraint	0.146 (0.164)	0.032 (0.127)	0.462** (0.178)	0.047 (0.161)
Qtl 4 Constraint	0.109 (0.127)	-0.082 (0.141)	0.374** (0.172)	0.089 (0.129)
Qtl 2 Constraint \times Income Growth	0.029 (0.054)	-0.009 (0.049)	-0.095 (0.062)	0.030 (0.052)
Qtl 3 Constraint \times Income Growth	-0.011 (0.060)	0.048 (0.046)	-0.101 (0.062)	0.004 (0.059)
Qtl 4 Constraint \times Income Growth	-0.010 (0.051)	0.043 (0.057)	-0.053 (0.065)	0.008 (0.051)
Income Growth	-0.101*** (0.032)	-0.122*** (0.033)	-0.013 (0.055)	-0.123*** (0.038)
R2	0.22	0.25	0.30	0.22
Number of Observations	140	159	140	158

This table reports estimates of house quantity growth (panel A) and population growth (panel B), and the change in average rooms per person (panel C) regressed on total income growth, quartiles of the constraint measure, and the interaction of income growth with each quartile. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE A5
HOUSE PRICE GROWTH (1980-2000): QUANTILES

	(1) Saiz	(2) BS-H	(3) WRLURI	(4) Building
<i>Panel A. Real House Price Growth (Annualized %)</i>				
Qtl 2 Constraint	-0.507 (0.620)	-0.905 (0.663)	-0.431 (0.627)	-0.736 (0.607)
Qtl 3 Constraint	-0.704 (0.586)	-1.279* (0.651)	-0.395 (0.619)	-0.263 (0.637)
Qtl 4 Constraint	-1.194** (0.588)	-1.027 (0.657)	-0.594 (0.651)	-0.704 (0.611)
Qtl 2 Constraint \times Income Growth	0.015 (0.169)	0.113 (0.197)	-0.027 (0.187)	-0.070 (0.176)
Qtl 3 Constraint \times Income Growth	0.028 (0.162)	0.211 (0.190)	-0.084 (0.180)	-0.168 (0.189)
Qtl 4 Constraint \times Income Growth	0.084 (0.181)	0.109 (0.201)	-0.077 (0.201)	-0.166 (0.188)
Income Growth	-0.080 (0.129)	-0.061 (0.171)	0.031 (0.158)	0.116 (0.153)
R2	0.07	0.06	0.07	0.14
Number of Observations	268	308	268	306
<i>Panel B. Real Median Home Value Growth (Annualized %)</i>				
Qtl 2 Constraint	-0.962** (0.417)	-0.934** (0.448)	0.262 (0.460)	-0.875** (0.411)
Qtl 3 Constraint	-1.193*** (0.410)	-1.688*** (0.442)	-0.207 (0.448)	-1.207*** (0.434)
Qtl 4 Constraint	-1.917*** (0.445)	-1.406*** (0.440)	-1.056** (0.459)	-1.326*** (0.490)
Qtl 2 Constraint \times Income Growth	0.174 (0.113)	0.154 (0.129)	-0.130 (0.135)	0.084 (0.118)
Qtl 3 Constraint \times Income Growth	0.238** (0.115)	0.400*** (0.130)	-0.044 (0.135)	0.128 (0.129)
Qtl 4 Constraint \times Income Growth	0.444*** (0.137)	0.326** (0.134)	0.252* (0.140)	0.182 (0.175)
Income Growth	0.020 (0.096)	0.027 (0.109)	0.246** (0.114)	0.124 (0.101)
R2	0.26	0.24	0.24	0.28
Number of Observations	269	310	269	308

This table reports estimates of house price growth (panel A) and median home value growth (panel B) regressed on total income growth, quartiles of the constraint measure, and the interaction of income growth with each quartile. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE A6
HOUSE QUANTITY GROWTH (1980-2000): QUANTILES

	(1) Saiz	(2) BS-H	(3) WRLURI	(4) Building
<i>Panel A. Housing Quantity Growth (Annualized %)</i>				
Qtl 2 Constraint	0.391* (0.223)	0.613** (0.269)	-0.009 (0.266)	0.025 (0.230)
Qtl 3 Constraint	0.722*** (0.209)	0.791*** (0.268)	0.076 (0.261)	0.126 (0.231)
Qtl 4 Constraint	0.580** (0.239)	0.668** (0.272)	-0.001 (0.260)	0.119 (0.277)
Qtl 2 Constraint \times Income Growth	-0.043 (0.068)	-0.072 (0.085)	0.033 (0.081)	0.086 (0.069)
Qtl 3 Constraint \times Income Growth	-0.134** (0.063)	-0.123 (0.085)	0.025 (0.084)	0.090 (0.072)
Qtl 4 Constraint \times Income Growth	-0.110 (0.085)	-0.050 (0.088)	0.064 (0.085)	0.078 (0.101)
Income Growth	0.747*** (0.059)	0.740*** (0.079)	0.638*** (0.069)	0.610*** (0.061)
R2	0.80	0.80	0.79	0.78
Number of Observations	268	309	268	307
<i>Panel B. Population Growth (Annualized %)</i>				
Qtl 2 Constraint	0.432* (0.227)	0.570** (0.254)	-0.407 (0.331)	-0.023 (0.231)
Qtl 3 Constraint	0.632*** (0.212)	0.763*** (0.245)	-0.429 (0.328)	0.245 (0.243)
Qtl 4 Constraint	0.647*** (0.227)	0.635** (0.251)	-0.355 (0.314)	-0.110 (0.275)
Qtl 2 Constraint \times Income Growth	-0.101 (0.064)	-0.099 (0.076)	0.101 (0.089)	0.078 (0.066)
Qtl 3 Constraint \times Income Growth	-0.177*** (0.061)	-0.204*** (0.075)	0.096 (0.095)	0.026 (0.070)
Qtl 4 Constraint \times Income Growth	-0.196** (0.079)	-0.148* (0.079)	0.051 (0.088)	0.083 (0.103)
Income Growth	0.866*** (0.053)	0.865*** (0.068)	0.663*** (0.079)	0.700*** (0.053)
R2	0.81	0.79	0.81	0.78
Number of Observations	269	310	269	308
<i>Panel C. Change in Average Rooms per Person</i>				
Qtl 2 Constraint	-0.076 (0.075)	0.043 (0.079)	0.144* (0.085)	0.022 (0.086)
Qtl 3 Constraint	-0.007 (0.086)	-0.034 (0.067)	0.244*** (0.084)	-0.035 (0.092)
Qtl 4 Constraint	0.077 (0.084)	-0.013 (0.083)	0.128 (0.085)	0.013 (0.079)
Qtl 2 Constraint \times Income Growth	0.020 (0.020)	-0.014 (0.026)	-0.028 (0.024)	-0.005 (0.025)
Qtl 3 Constraint \times Income Growth	0.014 (0.026)	0.012 (0.020)	-0.051** (0.024)	0.004 (0.027)
Qtl 4 Constraint \times Income Growth	-0.037 (0.029)	-0.001 (0.026)	-0.029 (0.027)	0.001 (0.023)
Income Growth	-0.035** (0.015)	-0.031** (0.013)	0.002 (0.018)	-0.031 (0.019)
R2	0.14	0.10	0.18	0.10
Number of Observations	140	159	140	158

This table reports estimates of house quantity growth (panel A) and population growth (panel B), and the change in average rooms per person (panel C) regressed on total income growth, quartiles of the constraint measure, and the interaction of income growth with each quartile. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE A7
IMPLIED EFFECTS OF CONSTRAINT MEASURES ON PRICES (2012-2020)

	(1)	(2)	(3)	(4)
	Saiz	BS-H	WRLURI	Building
<i>Panel A. Real House Price Growth (Annualized %)</i>				
Elasticity Measure	-0.156** (0.069)	-1.673*** (0.488)	-0.298** (0.120)	-1.353* (0.785)
Income Growth	1.124*** (0.086)	1.183*** (0.075)	1.126*** (0.086)	1.183*** (0.079)
Share of SF-Houston Gap	0.0101	0.0035	0.0132	0.0158
R2	0.56	0.58	0.56	0.56
Number of Observations	268	308	268	306
<i>Panel B. Real Median House Value Growth (Annualized %)</i>				
Elasticity Measure	-0.010 (0.088)	-1.186* (0.640)	0.004 (0.134)	1.570 (1.020)
Income Growth	1.153*** (0.105)	1.131*** (0.094)	1.160*** (0.107)	1.179*** (0.097)
Share of SF-Houston Gap	0.0015	0.0055	-0.0004	-0.0420
R2	0.44	0.44	0.44	0.42
Number of Observations	267	309	267	307

This table reports estimates of house quantity growth (panel A) and population growth (panel B), and the change in average rooms per person (panel C) regressed on total income growth and the constraint measure. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE A8
EFFECTS BY POPULATION (2000-2020)

	Saiz		BS-H		WRLURI		Building	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	Below	Above	Below	Above	Below	Above	Below	Above
<i>Panel A. Real House Price Growth (Annualized %)</i>								
Less Constrained \times Income Growth	0.157 (0.163)	-0.059 (0.178)	-0.032 (0.152)	0.052 (0.168)	-0.062 (0.156)	-0.031 (0.182)	-0.108 (0.163)	-0.072 (0.180)
R2	0.36	0.59	0.30	0.41	0.36	0.50	0.33	0.40
Number of Observations	134	134	154	154	134	134	153	153
<i>Panel B. Real Median House Value Growth (Annualized %)</i>								
Less Constrained \times Income Growth	0.132 (0.134)	0.064 (0.189)	-0.207 (0.140)	-0.076 (0.190)	-0.009 (0.151)	0.009 (0.192)	0.216 (0.165)	-0.078 (0.187)
R2	0.37	0.55	0.42	0.44	0.36	0.52	0.35	0.44
Number of Observations	134	133	155	154	134	133	154	153
<i>Panel C. Housing Quantity Growth (Annualized %)</i>								
Less Constrained \times Income Growth	0.003 (0.060)	0.019 (0.067)	0.023 (0.070)	0.012 (0.062)	0.126** (0.057)	0.204*** (0.066)	0.038 (0.070)	0.027 (0.067)
R2	0.82	0.77	0.79	0.76	0.82	0.80	0.77	0.77
Number of Observations	135	134	155	155	135	134	154	154
<i>Panel D. Population Growth (Annualized %)</i>								
Less Constrained \times Income Growth	-0.051 (0.072)	0.007 (0.065)	0.039 (0.069)	0.040 (0.060)	0.112 (0.071)	0.200*** (0.060)	0.024 (0.077)	0.085 (0.065)
R2	0.83	0.81	0.81	0.80	0.83	0.82	0.79	0.81
Number of Observations	135	134	155	155	135	134	154	154
<i>Panel E. Change in Average Rooms per Person (Annualized %)</i>								
Less Constrained \times Income Growth	0.095*** (0.036)	-0.012 (0.028)	-0.012 (0.035)	-0.013 (0.028)	0.010 (0.041)	-0.016 (0.031)	0.017 (0.035)	-0.034 (0.028)
R2	0.12	0.25	0.04	0.26	0.05	0.34	0.04	0.20
Number of Observations	134	133	155	154	134	133	154	153

This table reports the estimates of the interaction term for house price growth (panel A), median home value growth (panel B), house quantity growth (panel C), population growth (panel D), and the change in average rooms per person (panel E) regressed on total income growth, an indicator for an MSA having an above-median constraint measure (less constrained), and the interaction of the two for cities with above and below median population size in 2000. Each group of columns uses a different measure of housing constraints where columns 1-2 use the elasticity from [Saiz \(2010\)](#), columns 3-4 use an elasticity from [Baum-Snow and Han \(2024\)](#), columns 5-6 use the regulation index [Gyourko et al. \(2008\)](#), and columns 7-8 use the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE A9
EFFECTS BY POPULATION WITHOUT LOW GROWTH CITIES (2000-2020)

	Saiz		BS-H		WRLURI		Building	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	Below	Above	Below	Above	Below	Above	Below	Above
<i>Panel A. Real House Price Growth (Annualized %)</i>								
Less Constrained \times Income Growth	0.406** (0.178)	0.324* (0.180)	0.163 (0.194)	0.195 (0.189)	0.278* (0.161)	0.041 (0.260)	0.143 (0.200)	0.073 (0.214)
R2	0.33	0.56	0.19	0.27	0.34	0.35	0.27	0.25
Number of Observations	99	98	116	115	99	98	120	119
<i>Panel B. Real Median House Value Growth (Annualized %)</i>								
Less Constrained \times Income Growth	0.313* (0.171)	0.433* (0.219)	-0.217 (0.204)	0.022 (0.273)	-0.083 (0.179)	-0.044 (0.286)	0.422* (0.215)	0.099 (0.259)
R2	0.26	0.48	0.29	0.27	0.23	0.35	0.26	0.24
Number of Observations	98	98	116	115	98	98	119	119
<i>Panel C. Housing Quantity Growth (Annualized %)</i>								
Less Constrained \times Income Growth	-0.016 (0.079)	-0.016 (0.095)	0.043 (0.095)	0.005 (0.090)	-0.003 (0.078)	0.125 (0.119)	-0.000 (0.093)	0.010 (0.097)
R2	0.74	0.73	0.67	0.72	0.74	0.73	0.68	0.73
Number of Observations	99	98	116	115	99	98	120	119
<i>Panel D. Population Growth (Annualized %)</i>								
Less Constrained \times Income Growth	-0.063 (0.084)	-0.056 (0.096)	0.033 (0.094)	0.023 (0.095)	0.015 (0.089)	0.066 (0.117)	0.048 (0.106)	0.102 (0.099)
R2	0.76	0.74	0.70	0.74	0.76	0.74	0.71	0.75
Number of Observations	99	98	116	115	99	98	120	119
<i>Panel E. Change in Average Rooms per Person (Annualized %)</i>								
Less Constrained \times Income Growth	0.066 (0.051)	0.017 (0.044)	0.011 (0.046)	-0.005 (0.041)	0.084* (0.047)	-0.028 (0.049)	0.039 (0.047)	-0.045 (0.039)
R2	0.04	0.25	0.01	0.19	0.05	0.36	0.01	0.14
Number of Observations	98	98	116	115	98	98	119	119

This table reports the estimates of the interaction term for house price growth (panel A), median home value growth (panel B), house quantity growth (panel C), population growth (panel D), and the change in average rooms per person (panel E) regressed on total income growth, an indicator for an MSA having an above-median constraint measure (less constrained), and the interaction of the two for cities with above and below median population size in 2000 after dropping cities with total income growth in the bottom quartile. Each group of columns uses a different measure of housing constraints where columns 1-2 use the elasticity from [Saiz \(2010\)](#), columns 3-4 use an elasticity from [Baum-Snow and Han \(2024\)](#), columns 5-6 use the regulation index [Gyourko et al. \(2008\)](#), and columns 7-8 use the land share of value [Davis et al. \(2021\)](#). See the text for more details.

EXHIBIT D



The City of San Diego

Staff Report

DATE ISSUED: 9/9/2020
TO: City Council
FROM: Planning
SUBJECT: Housing Legislation Code Update to the Municipal Code and Local Coastal Program

Primary Contact: Kelley Stanco Phone: (619) 236-6545
Secondary Contact: Brian Schoenfisch Phone: (619) 533-6457
Council District(s): Citywide

OVERVIEW:

The Housing Legislation Code Update Package addresses California State housing law requirements, including a number of bills passed at the end of 2019. These include changes to State density bonus, housing for the homeless, and accessory dwelling unit laws, along with other miscellaneous housing laws. The Housing Legislation Code Package will provide amendments to the City's Municipal Code and Local Coastal Program that are required to implement and comply with State law, as well as additional amendments tailored to address local needs.

PROPOSED ACTIONS:

Approve the proposed Housing Legislation Code Update to the Municipal Code and Local Coastal Program.

DISCUSSION OF ITEM:

The Land Development Code (LDC) provides the City's regulations for the development and use of property within the City of San Diego and provides information on zoning, subdivisions, grading and other related land use activities. The LDC is updated regularly through comprehensive updates that promote in-fill development and streamline the permitting process, and through single-issue or topic-specific updates as needed.

The California state legislature passed a number of land use and housing laws in 2019 that became effective January 1, 2020. These laws primarily address accessory dwelling units, affordable housing, and supportive housing for the homeless, as well as requirements to preserve dwelling units and "protected dwelling units" affordable to very low- and low-income households. Local implementation of these laws is mandatory and amending the LDC to reflect the requirements of these laws will provide clarity for staff, applicants, decision-makers and the public at large. Additionally, while reviewing the applicable state laws and drafting the proposed LDC amendments, staff identified some areas where the LDC is no longer in conformance with the latest state law provisions and the Housing Legislation Code Update package addresses those issues. Lastly, where permitted, the package also includes adaptations and incentives to address local housing needs.

The Housing Legislation Code Update Package is grouped into four issue areas: Housing for the Homeless, Affordable Housing Regulations, Accessory Dwelling Units and Junior Accessory Dwelling Units, and Miscellaneous Housing Items. A brief summary of the proposed amendments is provided below.

I. Housing for the Homeless

The following LDC amendments address items related to housing for the homeless:

- Low Barrier Navigation Centers

Assembly Bill (AB) 101, passed in 2019, requires local jurisdictions to permit Low Barrier Navigation Centers that connect individuals experiencing homelessness with transitional housing by-right in mixed-use and commercial zones that permit multi-family. The Housing Legislation Code Update Package would amend the LDC to define Low Barrier Navigation Centers as a new Separately Regulated Residential Use and permit them, by-right, as a Limited Use in all zones required by AB 101.

- Emergency Shelters

Senate Bill 2, passed in 2007, requires local jurisdictions to identify a zone or zones where emergency shelters are allowed by-right without a conditional use or other discretionary permit. The zones which permitted emergency shelters as a by-right use were located primarily within the Midway-Pacific Highway Community, which was rezoned with the recent comprehensive update to the Community Plan. The Housing Legislation Code Update Package would amend the Community Commercial (CC) base zone tables to permit emergency shelters by-right as a Limited Use in all CC zones in order to provide adequate capacity in compliance with SB 2.

- Transitional Housing and Permanent Supportive Housing

AB 2162, passed in 2018, requires local jurisdictions to permit Transitional Housing Facilities (THF) and Permanent Supportive Housing (PSH) by-right in all zones that permit multi-family development. The City implemented the requirements of AB 2162 in 2019 with the 12th Update to the LDC, Phase 1; however, staff has subsequently identified several zones that were inadvertently excluded. The Housing Legislation Code Update Package would amend the RM Base Zone Use Table to permit THF in the RM-5-12 zone; the Industrial Base Zone Use Table to permit THF by-right as a Limited Use in the IP-3-1 base zone and clarify that THF and PSH are subject to the requirements of footnote 15 related to residential development; and the Mixed-Use Base Zone Use Table to permit THF and PSH by-right as Limited Uses.

II. Affordable Housing Regulations (AHR)

The following LDC amendments address items related to the City's Affordable Housing Regulations:

- Density Bonus for 100% Affordable Projects (Pre-Density Bonus)

AB 1763, passed in 2019, requires local jurisdictions to provide a new density bonus program that grants a density bonus of 80% outside of Transit Priority Areas (TPAs) and an unlimited bonus within TPAs to projects that construct at least 100% of the pre-density bonus units as affordable to very low income and low income households, except that 20% may be reserved for moderate income households. Eligible projects are also required to receive 4 incentives and within TPAs, 3 additional stories or 33' in height. Waivers are not permitted with this program. The Housing Legislation Code Update Package would amend

the City's Affordable Housing Regulations to provide this required incentive, with a local adaptation to allow 5 incentives as opposed to 4 in accordance with the City's more permissive allowances for incentives.

- Density Bonus for 100% Affordable Projects (Total Project)

This proposed amendment is not mandated by state law; rather, this amendment is a local adaptation of AB 1763 intended to provide a similar bonus to projects within TPAs that are fully affordable to very low, low, and moderate income households. The Housing Legislation Code Update Package would amend the City's Affordable Housing Regulations to provide an unlimited density bonus, 5 incentives, and an additional 3 stories or 33 feet to projects within TPAs that provide 100% of the total pre-density bonus and post-density bonus units as affordable to very low, low, and moderate income households in any combination.

- Density Bonus for Lower Income Student Housing

SB 1227, passed in 2017, requires a local jurisdiction to provide a density bonus of 35% to projects that provide 20% of the pre-density bonus units as affordable to lower income students, as defined by the bill. The Housing Legislation Code Update Package would amend the City's Affordable Housing Regulations to provide this required incentive, with a local adaptation to allow 2 incentives where none are provided by state law in accordance with the City's more permissive allowances for incentives.

- Micro Unit Density Bonus

This proposed amendment is not mandated by state law; rather, this amendment provides regulatory relief for an existing City density bonus program for micro units, which must average no more than 600 square feet with no dwelling unit exceeding 800 square feet. The Housing Legislation Code Update Package would amend the City's Affordable Housing Regulations to eliminate the requirement that micro unit density bonus projects comply with height and setback requirements, and would allow use of the program within the Downtown Community Planning Area once a project either maximizes the use of other bonus programs or earns a 3.0 FAR through other bonus programs, whichever is less, ensuring that other FAR Bonus programs specific to Downtown continue to be utilized.

- Density Bonus on FAR-Based Density Sites

This proposed amendment is not mandated by a modification to state law; rather, it is a correction to the City's regulations to clarify how density bonuses are calculated within zones where the density is controlled by floor area ratio, including Downtown and the recently adopted mixed-use base zones. The Housing Legislation Code Update Package would amend the City's Affordable Housing Regulations to clarify the method by which density bonuses are calculated for FAR-based density zones where the adopted land use plan includes an allowable density range in dwelling units per acre (i.e. the mixed use zones) and those that include only a maximum FAR (i.e. Downtown). Additionally, the amendments will clarify that incentives cannot be used to increase floor area ratio in such zones, which would result in an additional density bonus.

Within Downtown, the proposed amendments would change how affordable housing density bonuses are calculated, since Downtown only regulates intensity through FAR limits and not dwelling units/acre. Currently, such bonuses are based on the Base Maximum FAR permitted in Figure H of the Centre City Planned District Ordinance (CCPDO). Under the

proposed change, the density bonus would be calculated based on the actual project's FAR up to the Maximum FAR permitted in Figure L of the CCPDO. For instance, if a project with a Base Maximum FAR of 6.0 earned an additional 4.0 FAR from other FAR bonus programs provided Downtown to achieve a total 10.0 FAR, then the bonus for affordable housing would be added on top of the 10.0 FAR rather than the 6.0 FAR. This can result in the production of additional affordable and market rate units, as illustrated in this table utilizing the Affordable Housing Regulations:

	FAR	UNITS	AFFORDABLE UNITS
EXISTING REGULATIONS			
BASE MAXIMUM FAR	6.0	180	
MAXIMUM FAR	10.0	300	
AHR BONUS (60%)	3.6	108	
TOTAL	13.6	408	27
PROPOSED REGULATIONS			
MAXIMUM FAR	10.0	300	
AHR BONUS (60%)	6.0	180	
TOTAL	16.0	480	45

- Miscellaneous AHR Clean-Up Items

The Housing Legislation Code Update Package would amend the City's Affordable Housing Regulations to provide additional clean-up items to ensure compliance with state density bonus law, including minor language edits and updates to the parking table.

III. Accessory Dwelling Units and Junior Accessory Dwelling Units

The following LDC amendments address items related to Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs):

- Replacement of the Companion Unit, Junior Unit and Movable Tiny Homes Regulations with New Accessory Dwelling Unit and Junior Accessory Dwelling Unit Regulations in Order to Implement New State ADU and JADU Legislation

Several bills were passed at the end of 2019 which addressed ADUs and JADUs, including AB 68, AB 587, AB 881, and SB 13. In addition to providing increased allowances for ADUs in conjunction with multiple dwelling unit development, prohibiting the requirement of replacement parking when garages or carports are converted to ADUs or JADUs, prohibiting the rental of ADUs and JADUs for less than 31 days, and requiring local jurisdictions to permit at least 1 ADU on a premises regardless of maximum lot coverage, maximum floor area ratio, or minimum opens space requirements, the state legislation also required local ADU and JADU ordinances to be reviewed by the California Department of Housing and Community Development (HCD) for consistency with the state regulations. In order to best align our local regulations with state regulations, the Housing Legislation Code Update Package proposes to strike the existing "Companion Unit, Junior Unit and Movable Tiny Houses" regulations in Section 141.0302 in their entirety, and replace them with new "Accessory Dwelling Unit and Junior Accessory Dwelling Unit Regulations that fully comply with and exceed the requirements of state law. As part of this overhaul of the existing regulations, the local defined terms "companion unit" and "junior unit" will be

replaced with "Accessory Dwelling Unit (ADU)" and "Junior Accessory Dwelling Unit (JADU)", respectively, and their definitions will be aligned with state law. The new regulations will exceed the requirements of state law in regard to setbacks, by allowing ADUs to encroach into interior side and rear yard setbacks up to the property line, where state law allows the City to require a 4-foot setback in these locations. HCD reviewed the initial draft of the new regulations, and the proposed amendments reflect comments and edits received by HCD. Lastly, the recently adopted Movable Tiny Houses, which do not fall within the state ADU laws, will be pulled out and established as their own Separately Regulated Residential Use.

- Affordable ADU Incentives

AB 671, passed in late 2019, requires local jurisdictions to incentivize the construction of deed-restricted affordable ADUs, without specific parameters or direction as to what those incentives should be. The Housing Legislation Code Update Package would include in the Accessory Dwelling Unit and Junior Accessory Dwelling Unit regulations a new affordable ADU incentive that would allow the construction of 1 additional ADU for every ADU deed-restricted to very low, low, or moderate income households for a period of 15 years. Outside of TPAs the number of bonus ADUs is limited to 1, and within TPAs there is no limit on the number of bonus ADUs permitted.

- ADU and JADU Parking

State law, specifically Government Code Section 65852.2(d), prohibits the City from requiring parking for ADUs in any of the following instances:

- within one-half mile walking distance of public transit;
- within a designated historic district;
- when the ADU is part of the proposed or existing primary residence or an accessory structure (i.e. if it is attached to an existing structure);
- when on-street parking permits are required but not offered to the occupant of the ADU;
- when there is a car share vehicle within one block of the ADU.

If the above don't apply, then State law allows the City to require parking that does not exceed 1 space per ADU or per bedroom, whichever is less (Gov Code Section 65852.2(a)(1)(D)(x)). Due to the highly limited circumstances in which the City is allowed to require parking, and given the City's desire to encourage both the construction of ADUs and JADUs and use of alternative mobility options, the Housing Legislation Code Update Package will exceed the requirements of state ADU and JADU law by simply eliminating parking requirements for ADUs and JADUs.

IV. Miscellaneous Housing Items

The following LDC amendments address miscellaneous housing items:

- Employee Housing (6 or Fewer)

California Health and Safety Code Section 17021.5(b) requires Employee Housing for 6 or fewer employees to be permitted by-right in all zones that permit single-family. The Housing Legislation Code Update Package would amend the LDC to permit Employee

Housing (6 or Fewer) by-right as a Limited Use in all zones that permit single dwelling units.

- Residential Development Consistent with the Land Use Plan

This proposed amendment is not mandated by state law; rather, this amendment was identified by staff as a means to provide regulatory relief and streamline the permitting process. The Housing Legislation Code Update Package would amend the General Rules for Base Zones to allow residential and residential mixed-use development that exceeds the allowable density of the base zone but complies with the density identified in the adopted land use plan to be permitted by-right with a construction permit, rather than through a Planned Development Permit process. The amendment would allow sites to develop in accordance with the density planned and mitigated for through the land use planning process. This streamlining provision also requires clean-up amendments to the regulations related to Neighborhood Development Permits, Site Development Permits, Planned Development Permits, and Affordable, In-Fill Development and Sustainable Buildings.

- Dwelling Unit Protection Regulations

SB 330, known as the Housing Crisis Act of 2019, requires local jurisdictions to ensure that the number of dwelling units present on a site is not reduced as a result of a single-family, multi-family, residential mixed-use (with at least 2/3 residential), transitional housing, or permanent supportive housing project. It further requires that “protected dwelling units” affordable to very low income and low income households (including both deed-restricted units and units occupied by such households without a deed-restriction in place) be replaced with deed-restricted units affordable to very low income and low income households. The legislation also includes provisions for relocation assistance and right of first refusal in limited circumstances. The Housing Legislation Code Update Package would amend the LDC to include a new Division 12 in Chapter 14, Article 3 entitled the “Dwelling Unit Protection Regulations.” The Dwelling Unit Protection Regulations implement the dwelling unit and protected dwelling unit replacement provisions of SB 330 precisely, with no additional regulations or requirements. The new division would sunset on January 1, 2025, consistent with the sunset of SB 330.

The Housing Legislation Code Update Package was presented to stakeholder groups that included City staff in implementing departments, land development professionals, housing advocates, community planning representatives, and members of the public who participated in the meetings. The actions taken by these stakeholders and the Planning Commission are as follows:

- Housing Legislation Code Update Package Ad Hoc Working Group: In 2019, in accordance with Charter Section 43(b), the Technical Advisory Committee (TAC) and its subcommittee, the Code Monitoring Team (CMT) were disbanded as a recommending body with a vote presented to decision makers. Instead, the Technical Advisory Committee (TAC) modified its operational framework to become a monthly Ad Hoc Committee for a one-year period advising the Development Services on a variety of process improvements. Additionally, members of the former CMT are invited to serve on project-specific, temporary citizens’ working groups to advise the Planning Department on LDC updates.

The Housing Legislation Code Update Package Ad Hoc Working Group was formed in early June 2020, and the proposed package of amendments was reviewed at virtual workshops on June 12th

and 26th. The working group discussed the items in the Housing Legislation Code Update Package and provided feedback on the amendment language as presented. Understanding that the majority of the proposed amendments are mandated by state law, comments were limited and minor and have been incorporated into the package wherever possible. Consistent with the group's function as an Ad Hoc Working Group, no vote or action was taken.

- Community Planners Committee (CPC): On July 28, 2020 the Housing Legislation Code Update Package was presented to the Community Planners Committee. The CPC voted 19-5-5 to recommend approval of all proposed amendments with the exception of two: 1.) a proposed development incentive for multi-family development within transit priority areas on sites less than 0.5 acre (this item has subsequently been withdrawn); and 2.) the elimination of parking requirements for all ADUs and JADUs. On August 25, 2020 the CPC discussed the elimination of parking requirements for all ADUs and JADUs and voted 14-8-4 to recommend approval of the amendment as proposed.
- The Downtown Community Planning Council (DCPC): On July 15, 2020 the Downtown Community Planning Council (DCPC) reviewed the Housing Legislation Code Update and tabled discussion of the item to their August meeting. On August 19, 2020 the DCPC voted 20-0-0 to recommend approval of the proposed amendments.
- The Planning Commission: On August 27, 2020 the Planning Commission reviewed the Housing Legislation Code Update to the Municipal Code and Local Coastal Program and recommended that the City Council adopt the update as presented by a vote of 6-0-1 with Commissioner Austin recusing. While not part of the motion, a request from Commissioner Whalen that the maximum size of an Accessory Dwelling Unit be included in the defined term has been incorporated into the proposed amendments.

The Housing Legislation Code Update Package implements California state housing and land development laws and includes several local adaptations and provisions that address local needs to streamline housing construction. The proposed amendments have been reviewed by stakeholders, including CPC and DCPC, and the Planning Commission, and all recommending bodies have supported adoption of the amendments as proposed. Therefore, staff recommends that the City Council approve the proposed Housing Legislation Code Update to the Municipal Code and Local Coastal Program.

City Strategic Plan Goal(s)/Objective(s):

Goal #3: Create and sustain a resilient and economically prosperous City. Objective #1: Create dynamic neighborhoods that incorporate mobility, connectivity, and sustainability. Objective #4: Prepare and respond to climate change. Objective #7: Increase the net supply of affordable housing.

Fiscal Considerations:

None. Costs associated with implementation of this ordinance would be covered by project applicants.

Charter Section 225 Disclosure of Business Interests:

N/A; there is no contract associated with this action.

Environmental Impact:

The CEQA and Environmental Policy Section of the Planning Department has reviewed the Housing Legislation Code Update amendments and conducted a consistency evaluation pursuant to CEQA Guidelines Section 15162. Implementation of this project's actions would not result in new significant direct, indirect, or cumulative impacts over and above those disclosed in the previously certified Environmental Impact Report (EIR) for the 2008 General Plan EIR No. 104495/SCH No. 2006091032, certified by the City Council on March 10, 2008, Resolution No. R-303473; the 2020 Addendum to the 2008 General Plan EIR No. 104495/SCH No. 2006091032 for the General Plan Housing Element Update, certified by the City Council on June 18, 2020, Resolution No. R-313099; and the following documents, all referred to as the "CAP

FEIR": FEIR for the City of San Diego Climate Action Plan (CAP) (EIR No. 4106603/SCH No. 2015021053), certified by the City Council on December 15, 2015 (City Council Resolution R-310176), and the Addendum to the CAP, certified by the City Council on July 12, 2016 (City Council Resolution R-310595). The 2008 General Plan EIR and CAP FEIR are both "Program EIRs" prepared in compliance with California Environmental Quality Act (CEQA) Guidelines Section 15168.

Previous Council and/or Committee Actions:

This item will be heard at the Land Use and Housing Committee prior to Council.

Key Stakeholders and Community Outreach Efforts:

Key Stakeholders include neighborhood and community planning groups, residents, visitors and property owners.

Mike Hansen

Department Director

Erik Caldwell

Deputy Chief Operating Officer, Smart & Sustainable Communities

EXHIBIT E

FORM

DS-3031

November 2022

Development Permit/ Environmental Determination Appeal Application

In order to ensure your appeal application is successfully accepted and processed, you must read and understand Information Bulletin [\(IB\) 505, "Development Permits/Environmental](#)

[Determination Appeal Procedure."](#)

1. Type of Appeal: ☐ Appeal of the Project
☐ Appeal of the Environmental Determination
2. Appellant: Please check one ☐ Applicant ☐ Officially recognized Planning Committee
☐ "Interested Person"
[\(Per San Diego Municipal Code \(SDMC\) § 113.0103\)](#)

Name:

E-mail:

Address:

City:

State:

Zip Code:

Telephone:

3. Project Name:

4. Project Information:

Permit/Environmental Information Determination and Permit/Document No:

Date of Decision/Determination:

City Project Manager:

Decision (Describe the permit/approval decision):

5. Ground for Appeal (Please check all that apply):

☐

Factual Error

☐

New Information

☐

Conflict with other Matters

☐

City-wide Significance (Process four decisions only)

☐

Findings Not Supported

Description of Grounds for Appeal (Please relate your description to the allowable reasons for appeal as more fully described in the [SDMC § 112.0501](#). Attach additional sheets if necessary.)

Visit our website: sandiego.gov/DSD.

Upon request, this information is available in alternative formats for persons with disabilities. DS-3031 (11-22)

6. Applicant's Signature: I certify under penalty of perjury that the foregoing, including all names and addresses, is true and correct.

Signature: Katiprit Date: _____

Note: Faxed appeals are not accepted.

Reference Table

- [San Diego Municipal Code](#) (SDMC)
- [Development Permits/Environmental Determination Appeal Procedure](#) (IB-505)

Visit our website: sandiego.gov/DSD.

Upon request, this information is available in alternative formats for persons with disabilities. DS-3031 (11-22)

Overview of Reasons for Appeal

In addition to the reasons described in our previous letters to the City (attached as Exhibit 1), there is further new information, factual error, and conflicts, which we were informed of yesterday by the City, via a letter attached as Exhibit 2.

The City Building and Land Use Enforcement informed us that on May 2, “DSD Senior Civil Engineer informed SDRE that PRJ-1087445 **will not be issued** until the building plans are revised to accurately reflect the storm drain improvements and a grading permit is submitted that reflects the current site conditions.” Despite being told this, on the same day, “SDRE pulled their building permit (PRJ-1087445).”

We were informed by BLUE yesterday that this was in error, as they were not able to stop the permit approval and issuance in time. Despite the applicant illegally grading the site, the building permit was approved before obtainment of a grading permit, and before restoration of the illegal grading. Thus, there is factual error in the building plans, as well as new information about the project’s impacts to the sensitive canyon, among other impacts, as described in Exhibit 1.

Further, approval of PRJ-1087445 conflicts with City municipal code. In particular, §121.0312 (b) mandates: “The City Manager shall order the restoration of grading undertaken without a permit, unless technically infeasible. The restoration shall be conducted in accordance with Section 142.0150. **No further permits for the premises shall be processed until the restoration has been completed** and specified performance criteria have been met as required by the City.” Despite the City’s confirmation that illegal grading occurred, the building permits were improperly approved, resulting in a clear violation of the City’s own municipal code.

Additionally, as described in our letters, and as found by the outstanding January 2024 Civil Notice issued by the City Land Use Enforcement to the applicant, a Site Development Permit (“SDP”) is required of the Project. To the extent that DSD now claims an SDP is not required, this only underscores that the Project is no longer ministerial, as described below. An SDP is required of the Project, and has not yet been obtained.

Finally, we appeal the City’s environmental determination that the project is ministerial under the California Environmental Quality Act (“CEQA”). Under CEQA: “If a nonelected decisionmaking body of a local lead agency ... determines that a project *is not subject to this division*, that certification, approval, or determination may be appealed to the agency’s election decisionmaking body, if any.” (Pub. Resources Code section 21151(c), emphasis added.)

As described in our letters to the City, the project is subject to CEQA and is not ministerial, given its significant impacts—which were underscored by the City’s own engineers, internally—as well as the amount of discretion exhibited by City staff during the review process, including the waiver of the City’s defensible space requirements for alternative “mitigation.”

CEQA mandates that the City provide an appeal of the Project’s environmental determinations.

Exhibit 1



Chatten-Brown Law Group, APC

Josh Chatten-Brown | Partner
325 W. Washington Street, Suite 2193
San Diego, CA 92103
jcb@chattenbrownlawgroup.com
Phone: (619) 940-4522

April 29, 2024

Via email to Ms. Jennifer Campbell (JenniferCampbell@sandiego.gov)

Jennifer Campbell
San Diego City Councilmember, District 2
202 C Street, 10th Floor
San Diego, CA 92101

Re: Unpermitted and Illegal Development at 4578 Jicarillo Avenue

Dear Councilmember Campbell:

We represent Friends of Bayo in relation to the proposed 12-unit apartment complex at 4578 Jicarillo Avenue ("Project"), and the applicant SDRE Homebuyer's ("SDRE") persistent illegal and unpermitted development activities on the site.

SDRE continues to flout the law and repeated commands to cease work from the City of San Diego ("City") Building and Land Use Enforcement ("BLUE"), including several Civil Notices and Stop Work orders, despite *not having received all permits*.

Further, we have presented overwhelming evidence of the Project's environmental impacts:

- Illegal grading of land mapped by the City as sensitive vegetation,
- Illegal placement of drainage pipes to discharge into the canyon and steep hillsides,
- Inadequate egress in a very high fire severity zone, and
- Failure to incorporate the required 100 feet defensible space, among other impacts.

Our client has informed us that when they spoke with Councilmember Campbell about this project in late 2023, she commented that there was no way this project would be approved, given the narrow egress of the site. Yet, we have been informed by Development Services that the City will continue to process the project as ministerial. The City's treatment of the Project as ministerial, and response to the applicant's illegal behavior violates the City's own municipal codes and the California Environmental Quality Act.

We call on the City Council to correct course, and minimize the City's legal liabilities by effectively enforcing its own laws, and requiring adequate environmental review and conformance with City municipal code requirements.

Finally, we note that the Bonus ADU Program was presented as a way to improve housing affordability for San Diego residents. Yet, SDRE's website reports that it consistently purchases lots for under \$1 million, only to flip and sell the lots for over \$3 million. The Project site is now owned by 4578 JICARILLO AVE B LLC and 4578 JICARILLO AVE LLC, who are in turn managed by Weona Properties, LLC and PRIMARIUS PROPERTIES 1, LLC, who are in turn managed by Work Appropriate Entity, LLC and MATCHSTICK PROPERTIES, LLC, two Limited Liability Corporations registered in Wyoming.

Thus, affordable lots across the City are being purchased as investment properties by out-of-State companies, whose sole focus is maximizing returns at the expense of compliance with the City and State's environmental laws.

I. The Applicant Has Persistently and Illegally Developed the Property Without All Required Permits Despite Repeated Warnings from the City

On August 24, 2023, Michael Gomez, a Senior Combination Building Inspector, visited the Project site and noted that **all vegetation had been removed**, despite the fact that the entire property had been flagged as a potential ESL zone and no permits had been issued to authorize development. Mr. Gomez ordered the work to be ceased until the permits were issued. The next day, Mr. Gomez posted an Administrative Citation Warning to stop work. (**Exhibit A.**) A City internal status note reveals that work was stopped because ESL was located on the property. (**Exhibit B.**)

Displeased with the stop work order, SDRE's CEO sent numerous emails to the City's planning department over the next week stating that he does not "need permits to remove trees" and that he does not believe the stop work order to be legally valid, so he plans to give his team "the green light . . . unless [he] hear[s] otherwise." (**Exhibit C**, pp. 5, 8.) A City Junior Planner responded on September 6, 2023, explicitly telling SDRE that "**no work is to commence** on the aforementioned property until permits are obtained." (**Exhibit C**, p. 3.) SDRE's team resumed work the very next day, resulting in Mr. Gomez receiving three phone calls alerting him that SDRE was still grading.

Also on September 7, 2023, the City planning department accepted SDRE's contention that there was no ESL onsite, without providing any evidence for this conclusion. Further, Mr. Gomez had already reviewed the site and confirmed that all vegetation had been removed by August 24, 2023; the City did not explain its determination further and did not address the possibility that any ESL had already been unlawfully removed. Moreover, even the initial staff determination that there was no ESL on the site did not clear the SDRE to continue development, because still, **no permit** had been issued. By September 12 and 13, SDRE had continued to develop the lots, with no permit.

On September 15, 2023, the City issued a Civil Penalty Notice and Order (“CPNO”) (*see Exhibit D*). Once the CPNO was issued, SDRE was told it must halt “all unpermitted work” until the violations were corrected. No permits have been issued, yet the development has continued to date.



Unpermitted development that occurred on the Project site. (Sept. 15, 2023)

When SDRE continued work and removed the chain link along the canyon at the rear of the property site, Building and Land Use Enforcement issued another Civil Penalty Notice and Order on January 22, 2024, identifying ESL encroachment and grading without a permit, among other violations. (**Exhibit E**.) SDRE was directed to apply for a Site Development Permit

Starting in the beginning of April 2024, SDRE yet *again* began work without *any* permits. No permits have been issued, yet the development has continued. The applicant has demonstrated a blatant disregard for the City’s laws and orders. And we were informed by City staff that this is a recurring issue with SDRE. In one email to City staff, SDRE stated: “I will not accept being shut down, and have given my contractor the green light to keep moving until we have been given a code case showing what we need to solve. **I am going to keep building throughout the city as I have 37 more projects to finish.**” (**Exhibit C**, p. 1–2; See also **Exhibit F**, NY Times Article [SDRE founder commenting that he was previously “busted for tearing out the kitchen without a permit.”])

II. The Project Fails to Comply with City Defensible Space Requirements and Would Result in Significant Impacts to Evacuation Routes

The site is located in a Very High Fire Severity Zone (“VHFSV”) alongside a canyon, an abundant fuel source. On the map, below, the VHFSV is illustrated in red and the property is denoted by the gray dot near the center of the map:



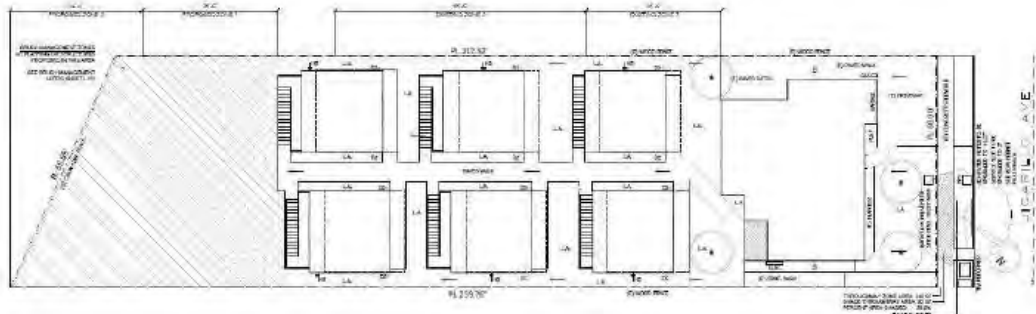
(City of San Diego, [Very High Fire Severity Zone Map](#))

Where a property is located in a VHFSZ, CEQA requires a project applicant to evaluate various impacts to wildfire safety, including impairments to emergency evacuation plans, the exacerbation of wildfire risks given unique site conditions such as slope or wind patterns, or the requirement of additional firefighting infrastructure that may impact the environment. (2024 CEQA Guidelines, App’x G, section XX.) Each of these risks could be implicated by the Project; yet, the City has elected to process the permit application as ministerial, precluding further environmental review. Ministerial projects are those which involve no discretion or subjective judgment, and rather rely on fixed standards. (CEQA Guidelines, § 15369.) Examples of ministerial permits include automobile registrations and marriage licenses. (*Id.*)

Building permits *may* be ministerial, but only where the public official making the determination merely decides whether applicable zoning allows the structure to be built on the site and whether the structure would comply with the Uniform Building Code. (*Id.*) There is discretion in the

approval or denial of a permit for this Project. Development on this site requires a Site Development Permit (“SDP”), as discussed in further detail in Part III. SDPs for this type of development must be decided in accordance with Process Three, which the City’s own website categorizes as a discretionary decision. (S.D. Muni. Code § 126.0502; City of San Diego, [Decision Process](#).) This Project is **not ministerial**, but discretionary, and requires further review for all impacts, including wildfire safety.

Additionally, Government Code section 51182 requires lands located on or adjacent to designated VHFSZs to provide at least 100 feet of defensible space. Similarly, the City’s own municipal code requires that properties along wild and urban interfaces provide a 100-foot brush management zone. (S.D. Muni. Code § 142.0412.) Minimum widths for each section of the brush management zone are provided in Table 142-04H of the Municipal Code. However, the project plans indicate that less than seventy feet of defensible or brush management space would be provided:



Project plans revealing lack of required defensible space.

A fire department official commented on the “reduced defensible space” and need for review of “Alternative Compliance mitigation,” further underscoring that this Project is not ministerial.

Furthermore, the Project could add over thirty-six residents to an already narrow cul de sac with limited egress:



Top Left: View of street width near Project, taken from opposite side of the street

Top Right: Project site denoted by red target. [Google Maps](#), 2024

Bottom: Street view of unusually narrow street

The streets in this area are already uncharacteristically narrow. The twelve-fold increase of the site's density could significantly impact evacuation, for both new residents and existing neighbors.

This Project would result in significant risk to residents during wildfires because it fails to provide the required amount of defensible space, would greatly increase density in an area with limited emergency egress routes, and backs up directly to a slope and canyon filled with fuel for wildfires.

III. The Project Violated the City's ESL Regulations

A. SDRE Illegally Graded an Area Mapped by the City as Sensitive Vegetation

The Project site is mapped as containing Chaparral/Coastal Sage-Chaparral Scrub, which is categorized as sensitive vegetation, per the City's MHPA Interactive Map and a Rose Canyon Watershed Report.¹ See **Exhibit G**, a letter we previously submitted to the City regarding this project on behalf of Friends of Bayho, for these maps illustrating the presence of sensitive vegetation.

BLUE identified ESL violations on two occasions and ultimately issued a CPNO on September 15, 2023, which is attached as **Exhibit D**. The CPNO informed SDRE that BLUE had observed the following violations: (1) unpermitted demolition of the garage; (2) unpermitted addition of a mini-split air conditioning system to the main house; (3) unpermitted electric modifications to facilitate the use of the mini-split system; (4) unpermitted gas line modifications; (5) conducted unpermitted grading activities² on a steep hillside; (6) the **areas of impact are adjacent to and within Environmentally Sensitive Lands (ESL)**; (7) failure to install and maintain storm water Best Management Practices (BMPs) and erosion control measures; and (8) 40 cubic yard dumpsters have been placed in the Public Right-of-Way without required permits. BLUE then issued another CPNO in January 2024, as mentioned earlier, again finding ESL encroachment.

Yet, after the issuance of the CPNO, DSD informed us that BLUE would not continue to enforce the order. (*See* attached emails, **Exhibit H**.) DSD further directed BLUE to only enforce building and grading violations moving forward, and to not enforce any ESL violations. In defense of this change in position, DSD asserts that the project is exempt from ESL regulations because a fence is present on the site.

In a meeting with DSD staff, we were told that this is the City's policy. In the City's view, the presence of a fence leads to the presumption that the property was previously legally graded, and

¹<https://webmaps.sandiego.gov/portal/apps/webappviewer/index.html?id=d77da895df084249b1ae7a2c10794470>;

<https://webmaps.sandiego.gov/portal/apps/webappviewer/index.html?id=d77da895df084249b1ae7a2c10794470>.

² Note that the hillside being graded is the area of the property known to contain ESL.

therefore exempt from any ESL Regulations. However, the City has been unable to provide any permits for prior grading or any evidence to indicate that this grading was in fact legal.

This interpretation—that any site enclosed by a fence is exempt, regardless of the presence of ESL—is arbitrary, capricious, and dangerously misguided as applied to both this project and future MSCP implementation.³ The City is required to implement ESL regulations pursuant to the City’s MSCP Subarea Plan and the associated Implementation Agreement; it cannot bow out of regulating any property with a fence.

Additionally, even if the premises were legally graded, that does not exempt the site from the ESL Regulations. Site Development Permits (“SDPs”) are only **not** required for properties containing ESL if the development meets *all* of the following conditions:

- (A) Would not encroach into *environmentally sensitive lands* during or after construction;
- (B) Would not expand brush management Zone One into *environmentally sensitive lands*;
- (C) Would comply with the *MHPA* adjacency guidelines as applicable;
- (D) Would maintain a minimum 40 foot *setback* from the *coastal bluff edge* of a *sensitive coastal bluff*; **and**
- (E) Would either:
 - (i) Maintain at least a 100 feet separation distance from *sensitive biological resources* and at least a 20 feet separation distance from the top of slope of *steep hillsides*; or
 - (ii) Locate *development* in a legally graded or developed portion of the *premises* separated from *environmentally sensitive lands* by an existing *fence* or other physical barrier.⁴

The inclusion of the word “and” in section 143.0110(c)(2)(D) clearly indicates that **each** of these elements, (A) through (E), with (E) being satisfied through either sub. (i) or (ii), must be met in order for the property to be exempted. The City continues to assert that the lot is exempt merely because it was “legally graded,” which it only assumes to be true because a fence is present on the site. The Project is not exempted, even if it complies with section 143.0110(c)(2)(E)(ii), which has yet to be proven.

DSD and BLUE also pointed to the applicant’s conclusory biology report. Yet, attempts at compliance were half-hearted at best. The developer conducted a biology report only after illegally grading the entire site, and being ordered to stop work and alerted to the presence of ESL on the site. Furthermore, the report states that grading and leveling had already occurred—illegally—which altered the landscape of the site. (Biology Report, p. 5.) ESL was reported on

³ DSD had directed BLUE to remove the ESL charge from the first CNPO as well for this same reason, resulting in an October 2023 CNPO. (**Exhibit I.**)

⁴ S.D. Muni. Code § 143.0110(c)(2).

site by the City's maps and inspectors. Because this biology report was conducted after grading had already taken place, it should be presumed that the sensitive vegetation was removed while the developer engaged in illegal grading, and mitigation should be required.

B. Applicant Illegally Installed Drainage Discharging into A Steep Hillside

As discussed in Section III.B, the City's own maps reveal Chaparral on site. The biology report for the Project further confirms the presence of Chaparral and Sage Scrub in the vicinity of the site. (Biology Report, p. 6.) The site was part of, and slopes directly into, a steep canyon, which would categorize the site as containing a "steep hillside" and ESL.



Steep hillside into the canyon behind the Project site. (Sept. 15, 2023)

The biology report claims that the slope does not qualify as a steep hillside because of the "shallow angle of repose," yet the report further states that the development will require grading on a "natural slope that is 25% or greater." (Biology Report, p. 4, 9.) If the project site is located at more than a 50-foot vertical elevation above the canyon, this 25% slope would categorize the site as a steep hillside, despite the Developer's claims to the contrary. (S.D. Muni. Code § 143.0110.) Topography maps that we provided in our prior letter indicate that the property sits at over 50 feet of elevation above the canyon floor, and thus is part of a steep hillside system. Furthermore, the City's Steep Hillside Guidelines state that if a site "contains steep hillsides but does not have 50 feet of vertical elevation, an off-site analysis of the adjacent property(s) must be made to determine whether the steep hillsides on the subject site are part of a steep hillside

system that extends off-site and exceeds the 50-foot elevation.” (S.D. Muni. Code § 143.0113.) This required analysis was not conducted.

Imagery provided by the applicant’s own biology report demonstrate the stark contrast between the current site, and the surrounding sites that conform to the ESL regulations and respect the canyons. The City’s approach to this Project is a threat to San Diego’s unique urban canyon systems.



Moreover, “steep hillsides shall be preserved in their natural state” and “[a]ny increase in runoff resulting from the development of the site shall be directed away from any steep hillside areas . . .” (S.D. Muni. Code § 143.0142(a), (f), emphasis added.) The Biology Report notes that project runoff will go “through a concrete or rip-rap diffuser ditch to discharge onto the slope.” (Biology Report, p. 4.) As of two weeks ago, the developer had installed a pipeline to discharge runoff directly into the canyon, pictured below, and into environmentally sensitive lands in violation of section 143.0142. BLUE confirmed with us that this drainage feature is not listed in

the project plans. Yet, when alerted to this, BLUE informed us that they would merely have the applicant incorporate the drainage feature into the plans, but did not appear to question the feature's legality. Any increased runoff **must** be directed away from the canyon behind the site, making the construction of a drainage feature directly into the canyon unlawful under the City's Municipal Code.



Illegal drainage feature at 4578 Jicarillo Ave.

SDRE's self-reporting on its stormwater plans has been inadequate. The biology report explicitly states, "The project is a redevelopment of the site that creates and/or replace 5,000sq ft or more of impervious surfaces to an existing site of 10,000 sq ft or more of impervious surfaces." (Biology Report, p. 4.) However, SDRE checked "no" on its stormwater plan when asked if the project is a "Redevelopment project that creates and/or replaces 5,000 square feet or more of impervious surfaces on an existing site of 10,000 square feet or more of impervious surfaces." (SDRE Stormwater Requirements Applicability Checklist, p. 3.) SDRE has consistently failed to self-report accurately and has now installed an unreported drainage feature directly into the steep hillsides abutting the property, which is in direct violation of the City's ESL Regulations.

Internal emails from City engineers voiced similar concerns. One City engineer stated in an email to another City staff member in November 2023: "12 ADUs in the backyard of an 8,000 SF lot seems excessive. The impacts to the surrounding environment (increased flows to an

environmentally sensitive steep canyon) and neighborhood (parking) **are significant.**”
(Emphasis added.)

IV. The Project Should Not Be Permitted Until Resolution of the Pending Litigation Challenging Sustainable Development Areas

The City recently transitioned away from the use of Transit Priority Areas (“TPAs”) in favor of the more expansive Sustainable Development Areas (“SDAs”). Sites beyond SDAs may only have one ADU, with one additional bonus ADU if it is an affordable ADU. Sites located within an SDA may be developed with unlimited bonus ADUs. The lot was not within a TPA,⁵ but is now designated as being located within an SDA.

A local organization, Livable San Diego, has initiated a lawsuit in the Superior Court challenging the City’s approval of the SDA expansion, arguing that it was the product of insufficient planning, and that the City failed to conduct the required environmental review under the California Environmental Quality Act.⁶ The outcome of this lawsuit may alter or eradicate SDAs altogether. The City has continued pushing through approvals for ADU development in SDAs while awaiting the result of the litigation. The lot in question would only be permitted two ADUs if the SDA plan is overturned. It is premature to begin approving projects under the SDAs until completion of the litigation to resolve the question of whether the City violated CEQA in approving the SDA plan.

Further, as we detailed in our previous letter to the City, the Project is not serviced by two high frequency transit stops.

V. The City Fails to Enforce Mandatory Duties, Including the Requirement for a Site Development Permit

Code of Civil Procedure section 1085(4)(a) declares that a writ may be issued “by any court . . . to any inferior tribunal, corporation, board or person, to compel the performance of an act which the law specially enjoins, as a duty resulting from an office, trust, or station” The availability of writ relief to compel a public agency to perform an act prescribed by law has long been recognized. (See, e.g., *Berkeley Sch. Dist. v. City of Berkeley* (1956) 141 Cal.App.2d 841, 849 [297 P.2d 710] [mandamus appropriate against city auditor to release funds to schools pursuant to city charter provision].) (*Santa Clara County Counsel Attys. Assn. v. Woodside* (1994) 7 Cal.4th 525, 539.)

⁵ <https://www.sandiego.gov/sites/default/files/geo25.pdf>.

⁶ <https://fox5sandiego.com/news/local-news/local-organization-fights-back-against-city-of-san-diego-housing-plan-with-lawsuit/>.

The City is failing to perform the following clear, mandatory, ministerial requirements prescribed by its own municipal codes. Per San Diego Municipal Code section 126.0502(a)(2), a Site Development Permit is required for “multiple unit residential development on a premises containing environmentally sensitive lands” The City must follow its own procedures and require a SDP.

Furthermore, when a person “maintain[s], use[s], or develop[s] any premises” without a SDP where one is required, the violation is to be treated as a strict liability offense and subject to City enforcement as provided in Chapter 12, Article 1 of the San Diego Municipal Code. (S.D. Muni. Code § 126.0506.) One such enforcement mechanism requires the City Manager to “order the restoration of grading undertaken without a permit, unless technically infeasible . . . No further permits for the premises shall be processed until the restoration has been completed” (S.D. Muni. Code § 121.0312.) The City has not adequately prevented SDRE from continuing to grade without a permit, nor have they ordered the required restoration of the site.

As discussed above, the developer has been illegally discharging, and apparently plans to continue discharging, runoff into the slope area of the site. Violations for provisions such as this “**shall be enforced** pursuant to Chapter 12, Article 1, Division 2.” (S.D. Muni. Code § 143.0160.) The Project’s Biology Report notes that runoff will go “through a concrete or rip-rap diffuser ditch to discharge onto the slope.” This confirms that the project plans on channeling runoff into the steep hillsides and canyon below, yet the City has failed to enforce its own municipal code to rectify the violation.

In each instance listed above, the City has failed to enforce its municipal code and ESL Regulations, allowing a developer to proceed with a dangerous and unpermitted project.

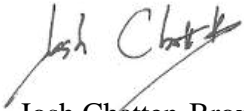
VI. Conclusion

SDRE has engaged in repeated violations of the law and has continued to develop this Project, despite lacking any authority to do so. This Project would pose a significant risk being sited in a VHFSZ without providing the required 100 feet of defensible space, and endangers ESL and the steep hillside and canyon behind the site. SDRE should not be granted a development permit until an SDP is obtained, as it is clear that SDRE illegally removed ESL, graded the property, and installed pipes to discharge into the canyon with sensitive vegetation. Additionally, pending litigation may eradicate SDAs altogether; if this occurs, this Project would be limited to two ADUs. Approving this Project prior to the resolution of this litigation would be premature.

We urge the City to require an SDP, process the application as discretionary, and require compliance with the Municipal Code and ESL Regulations.

Campbell
April 29, 2024
Page 14

Sincerely,

A handwritten signature in black ink, appearing to read "Josh Chatten-Brown". The signature is written in a cursive, slightly slanted style.

Josh Chatten-Brown
Kathryn Pettit
Isabella Coye

cc:

City Attorney
City Planning Director
Director, Development Services Department

Exhibit A



Development Services

Code Enforcement Division
1222 First Avenue, 5th Floor, M.S. 511
San Diego, CA 92101-4101

MAILED

AUG 29 2023

BUILDING AND LAND USE
ENFORCEMENT DIVISION

Citation#: 75711

Date Issued: 8/25/23

CED#: 0525044

GL#: _____

BP#: _____

CA#: _____

Invoice#: _____

Administrative Citation

Violation Observed: Date: 8/24/23 Time: _____ Invoice#: _____

☒ Warning (Not Appealable) ☐ Citation Amount: \$ _____

Payment is due upon receipt of invoice sent via separate mailing (see reverse side for payment instructions).

RESPONSIBLE PERSON/PARTY CITED: <u>4578 JICARILLO AVE / 4578 JICARILLO AVE B / DANIEL FORDE</u>	RELATION TO VIOLATION <u>AGENT FOR SERVICE</u>
MAILING ADDRESS, CITY, STATE, ZIP CODE <u>3033 FIFTH AVE SUITE 400 SAN DIEGO, CA 92103</u>	BUSINESS NAME (If any) <u>SDRE HOMES</u>
VIOLATION ADDRESS, CITY, STATE, ZIP CODE <u>4578 JICARILLO AVE SAN DIEGO, CA 92117</u>	ASSESSOR'S PARCEL NUMBER <u>359-331-0500</u>

Please refer to the San Diego Municipal Code section cited for additional information available via: <https://www.sandiego.gov/city-clerk>

MUNI.CODE SECTION VIOLATION:	VIOLATION DESCRIPTION:
SDMC 129.0202	When a building permit is required.
SDMC 121.0308	No permission to violate codes
SDMC 121.0302	Required Compliance with Land Development Code
(a)(b)(2)	

Corrections indicated below are required by Immediately. If you fail to make the indicated corrections by this date, another citation may be issued. Other enforcement action may result if compliance is not achieved.

CORRECTIVE ACTION REQUIRED:

* Obtain all required permits before commencing any work
* Cease all work on-site including grubbing of rear yard
any grading & public right of way work.

* Further enforcement action is applicable.

Name of City Official: Michael Gomez

Work Phone: 619-533-6265

Email: Megomez@sandiego.gov

[Signature]
Signature of City Official

cc: SDRE HOMES CHRISTIAN SPIZER 4901 MORENA BLVD SD, CA 92117

Name

Mailing Address

Signature of Responsible Person

Reinspection Fees: Reinspection fees are assessed for each inspection after the issuance of a violation notice in accordance with San Diego Municipal Code section 13.0103. An invoice will be sent following each inspection until compliance is achieved. Current reinspection fees range between \$264 and \$295. The City of San Diego's User Fee Schedule is available at: <https://www.sandiego.gov/city-clerk>

Administrative Citations

City of San Diego Municipal Code, Chapter 1, Articles 1 and 2 provide the authority and process for the issuance of administrative citations for violations of the Municipal Code. The fines, as indicated on the citation, can be up to \$1,000. These fines can be cumulative. ***A warning, if issued, does not incur a fine and, therefore is not appealable.***

How to Pay Fine

The amount of the fine is indicated on the front of this administrative citation. An invoice for this amount will be sent via separate mailing. Invoices may be paid by mail or in person at the Office of the City Treasurer, 1200 Third Avenue, Suite 100, San Diego, CA 92101. Payment can be made by personal check, cashier's check or money order, payable to the **City Treasurer**. Please write the invoice number on your check or money order. If you choose to make payment before an invoice is issued, please write the violation address on your check or money order.

If the citation is not appealed within 10 calendar days, you will receive an invoice from the City Treasurer's Office. Please follow the instructions on the invoice to ensure proper processing of your payment. If you do not pay the fine by the indicated due date, there is a 10% penalty fee. Payment of the fine shall not excuse the failure to correct the violation nor shall it bar further enforcement by the City.

Consequences of Failure to Pay the Fine

The failure of any person to pay the invoice within the time specified may result in a claim with the Small Claims Court or any legal remedy to collect such money. The City has the authority to collect all costs associated with the filing of such actions.

Rights of Appeal

You have the right to appeal this administrative citation when there is a fine indicated within 10 calendar days from the date the citation was issued. If the citation was mailed, the appeal must be made within 10 calendar days from the date the citation was mailed. An appeal must be made in writing to the address on the front of this citation and to the attention of the **Hearing Coordinator**. An appeal will result in an administrative hearing. The administrative hearing will follow the procedures set forth in Division 4, Article 2, Chapter 1 of the San Diego Municipal Code. The appeal must include the name, phone number and valid address of the person filing the appeal. **You are responsible for notifying the department of any change in address.**

Failure of any person to properly file a written appeal within 10 calendar days shall constitute a waiver of his or her right to an administrative hearing and adjudication of the administrative citation or any portion thereof and the total amount of the fine.

Administrative Costs

The Hearing Officer is authorized to assess reasonable administrative costs. Administrative costs may include, but are not limited to: staff time to investigate and document violations; laboratory, photographic, and other expenses incurred to document or establish the existence of a violation; scheduling and processing of the administrative hearing; and all related actions. Any determination that documented costs are not reasonable must be supported by written findings.

Consequences of Failure to Correct Violations

There are numerous enforcement options that can be used to encourage the correction of violations. These options include, but are not limited to: civil penalties, abatement, criminal prosecution, civil litigation, recording the violation with the County Recorder and forfeiture of certain State tax benefits for substandard residential rental property. These options can empower the City to collect fines up to \$400,000.00, to demolish structures or make necessary repairs at the owner's expense, and to incarcerate violators. Any of these options or others may be used if the administrative citations do not achieve compliance.

Exhibit B

Code Enforcement Case

Record Number: [CE-0525044](#)

Page 5 of 14

Recorded Date -
Land Doc Type -
Certificate of Occupancy -
HideMe -

WORKFLOW HISTORY

8/8/2023

Task: [Case Opened](#) Status: [Note](#) Due Date: [08/07/2023](#)

Staff: [Brian Anthony](#)

Comment: 8.08.2023 BRA - PRJ-1087445 has the building plans for the active permit. Property has been going through multiple permits including 2" water line upgrade and plans for 6 additional structures in the rear yard each containing two (1) one bedroom apartments.

Task: [Case Opened](#) Status: [Assigned](#) Due Date: [08/29/2023](#)

Staff: [Jahmal Robbins](#)

8/9/2023

Task: [Prep Research](#) Status: [Note](#) Due Date: [08/29/2023](#)

Staff: [Brian Anthony](#)

Comment: 8.9.2023 BRA - Phone call from [REDACTED] Neighbors are all upset about the development and she stated she heard the contractor talk about removing the garage and they want to confirm it is permitted. She was informed that Code Enforcement is just starting the research portion of the investigation and will either confirm the permits are valid.

Task: [Prep Research](#) Status: [Note](#) Due Date: [08/29/2023](#)

Staff: [Brian Anthony](#)

Comment: 8.09.2023 BRA - P/C from [REDACTED] complaint about potential development of 6 ADUs and 12 Units in rear of the property.

8/24/2023

Task: [Prep Research](#) Status: [Note](#) Due Date: [08/29/2023](#)

Staff: [Jahmal Robbins](#)

Comment: JAR-8.24.23- RP called stating that the PO was conducting construction in the rear of the property. I returned the RP phone call but there was no response.

Task: [Prep Research](#) Status: [Note](#) Due Date: [08/29/2023](#)

Staff: [Jahmal Robbins](#)

Comment: JAR-8.24.23- RP [REDACTED] called to notify me that active construction is being placed. RP stated that he will send a video. Based if the video is sent I will contact the PO to question what is being done at the site. Video will be saved to S Drive when obtained.

Task: [Prep Research](#) Status: [Note](#) Due Date: [08/29/2023](#)

Staff: [Jahmal Robbins](#)

Comment: JAR-8.24.23 RP [REDACTED] sent some videos and pictures and from the rear of the RP back yard it appears that the PO where the violation is has hired someone to cut down a tree in their backyard. Photos and videos saved to case folder

Task: [Prep Research](#) Status: [Note](#) Due Date: [08/29/2023](#)

Staff: [Jahmal Robbins](#)

Comment: JAR-8.24.23-I Called the PO of the property based off a video/photos the PO is taking down trees.

Task: [Prep Research](#) Status: [Note](#) Due Date: [08/29/2023](#)

Staff: [Michael Gomez](#)

Comment: MXG 8/24/23 Conducted a site inspection based on number of complainants and messages received off this property. Met with CEO Christian Spicer from SDRE Homes and CEO Jody Watkins of Vertical MVM. Explained to them no permits have been obtained to start work, lack of BMP's and heavy machinery on-site grubbing and moving dirt. Cease work because ESL on the property. Photos on S drive

8/25/2023

Task: [Prep Research](#) Status: [Note](#) Due Date: [08/29/2023](#)

Staff: [Michael Gomez](#)

Comment: MXG 8/25/23 ACW issued for discontinuance of work including grubbing, grading and demolition of garage without obtaining approvals and permits.

Exhibit C

From: [Gomez, Michael](#)
To: [Poston, Lisa](#)
Subject: FW: [EXTERNAL] Fwd: 4578 Jicarillo Ave PRJ-1087445
Date: Thursday, September 14, 2023 5:10:00 PM

FYI

From: Christian Spicer <christian.j.spicer@gmail.com>
Sent: Thursday, September 14, 2023 4:46 PM
To: Gomez, Michael <MEGomez@sandiego.gov>
Cc: Sennett, Leslie <LSennett@sandiego.gov>; Geiler, Gary <GGeiler@sandiego.gov>; Vergara, Jose <JVergara@sandiego.gov>; Jesse Leon <jesse@procaldesign.com>; Jody Watkins <jody@verticalmvmmt.com>
Subject: Re: [EXTERNAL] Fwd: 4578 Jicarillo Ave PRJ-1087445

****This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.****

Hello,
Hate to bother you guys again. But I have been verbally shut down by the city from a complaint.

This is starting to get very frustrating.

To put it plain and simple....

1. If the neighbors complain and you comply with their complaint they will KEEP CALLING!
2. Again I am not violating anything in the land development code by any means. Recompressing soil for concrete pour does not require a permit. If I am wrong please give me the code.
3. We were shut down without a code violation given. I have reached out to be given the code so I can solve it and I have yet to be informed of the code that we have violated.
4. The garage demo permit we have agreed to do a construction change once the permit is given to demo and reconstruct the garage back to original as requested.
5. I am only doing what I told you I was going to do which was take down the trees, take out the grub and recompress the soil. If I was digging my footings I would understand.
6. What if I dug my footings but told you it was for irrigation??? Im not doing that but come on guys work with me.

With this info, unless given proper information, I am telling my crew to start back up tomorrow am. I would appreciate it very much if you would call me vs just show up and try to shut me down while i am away.

My phone number is 619-368-9956.

I will not accept being shut down, and have given my contractor the green light to keep moving until we have been given a code case showing what we need to solve.

I know you guys are doing your job, and I assume that you will get this call throughout the whole

project. You guys know me. I am a respectful human being that works with you. I am a very knowledgeable developer that has treated you guys with the utmost respect. Can you please stop listening to the crazy neighbors and start working with me. Im not doing anything that violates any code. I am going to keep building throughout the city as I have 37 more projects to finish.

Jody,

Green light unless we have a code case and given official notice and my approval to stop. If they show up tomorrow, you hold them there till I show up. I leave at 2pm to go to arizona.

Thanks

Christian Spicer
Source Group Realty
BRE #01921619
619-368-9956
Christian.j.spicer@gmail.com

On Thu, Sep 7, 2023 at 2:42 PM Christian Spicer <christian.j.spicer@gmail.com> wrote:

Hey Michael,
I appreciate you bringing this to my attention. After reviewing I understand where you are coming from.

Once the plans come back from the city approved(that email from planning cleared the last bit of comments) we will do a construction change showing the garage removal and rebuild. We have already passed historical so this should be an easy change internally.

The existing structure is shored up and im happy to meet out there to show you if you would like for safety purposes.

Thank you. Happy to continue to help and work with you, just let me know what we can do.

Christian Spicer
Source Group Realty
BRE #01921619
619-368-9956
Christian.j.spicer@gmail.com

On Wed, Sep 6, 2023 at 11:58 PM Gomez, Michael <MEGomez@sandiego.gov> wrote:

Dear Mr. Spicer,

I hope this message finds you well. Firstly, I would like to bring to your attention the Administration Citation Warning (ACW) that was issued on August 25, 2023, for the property

located at 4578 Jicarillo Ave.

Due to the conditions set forth by the ACW, I regret to inform you that **no work is to commence** on the aforementioned property until all permits are obtained.

Secondly, it has come to my attention that the attached garage at the main residence has been demolished without obtaining the necessary approvals, permits and inspections. Such actions not only violate San Diego Municipal Codes but also raise safety concerns for the structure of the existing home. (see photo)

Your understanding and compliance with this directive is crucial to ensure that all procedures are followed and to avoid any potential fines or liabilities.

Should you have any questions or need further clarifications regarding the ACW, please do not hesitate to contact me. Thank you for your attention to this matter.

Best Regards,


Michael Gomez

Senior Combination Building Inspector

City of San Diego

Development Services Department /

Building Land Use Enforcement (BLUE)

 619-533-6265

megomez@[san-diego.gov](mailto:megomez@san-diego.gov)

SanDiego.gov/DSD

Want a second opinion on my interpretation, or need to contact my supervisor for further assistance?

Supervisor name and title:

Lisa Poston / Program Manager

Phone: 619-236-7706

Email: lposton@san-diego.gov

What's the latest? Visit san-diego.gov/dsd-email to sign up to get the latest news and updates.

Need to know current processing times? You can now check on [permit processing timelines](#) for intake and issuing a permit.

CONFIDENTIAL COMMUNICATION

This electronic mail message and any attachments are intended only for the use of the addressee(s) named above. The email may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not an intended recipient, or the employee or agent responsible for delivering this email to the intended recipient, you are noticed that any dissemination, distribution or copying of this communication is strictly prohibited. If you received this email message in error, please immediately notify the sender by replying to this message or by telephone. Thank you.

From: Christian Spicer <christian.j.spicer@gmail.com>

Sent: Wednesday, September 6, 2023 7:11 PM

To: Sennett, Leslie <LSennett@sanidiego.gov>; Gomez, Michael <MEGomez@sanidiego.gov>

Cc: Geiler, Gary <GGeiler@sanidiego.gov>; Vergara, Jose <JVergara@sanidiego.gov>; Jesse Leon <jesse@procaldesign.com>; Jody Watkins <jody@verticalmvmmt.com>

Subject: Fwd: [EXTERNAL] Fwd: 4578 Jicarillo Ave PRJ-1087445

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Leslie/ Michael/ Jose,

Just wanted to let you know the update. My boys are back on the ground tomorrow. We responded to the issues he brought up with explanations and exemptions you can see. I warned that I would start back up from the illegal shut down tomorrow am if no response was given to why I cannot restart in the emails below. Expect phone calls from the neighbors etc. But as I have said before.... we are cutting down trees in preparation for the work that will commence and I dont need a permit to do so. We are not affecting the ESL as we are building over 30 feet from the fence and not affecting the ESL behind the fence.

The neighbors are going to hoot and holler but what I am doing is by right and if I was doing landscaping on this property you could not shut me down.

Please dont appeal to them. They have threatened me, lied to you about me continuing to work on site when I wasnt etc. I get it.... I truly do as I live in Clairemont myself. Jose tried to throw every obstacle he could at us(and jose I know why because of the intense pressure those neighbors are giving you- I dont blame you- you have a job to do)... but the faster I can get in and out of this neighborhood the better.

I do appreciate all of you and I know you have a crazy intense job appealing to the public and also trying to appeal me at the same time and thats impossible. Just remember I am easy to work with, will listen and work with you to help mitigate the neighbors as much as possible. Please dont punish me because Karen next door(yes thats her name- no irony there) has nothing better to do but complain to you.

I promise I will just remove the trees and grub, compact the soil in preparation for my build. We should be submitting the last final review tomorrow and should not have any issues pulling inspections.

My cell number is below. The CEO of the construction company is Jody Watkins and his cell number is 760-908-5541.

Call me and lets chat if there is anything I can help you with the neighbors. We will work with you as long as we dont get stopped again. I lost over 10K to this and cant afford anymore.

Thank you for your time.

Christian Spicer
Source Group Realty
BRE #01921619
619-368-9956
Christian.j.spicer@gmail.com

----- Forwarded message -----

From: **Vergara, Jose** <JVergara@sanidiego.gov>
Date: Wed, Sep 6, 2023 at 11:55 AM
Subject: RE: [EXTERNAL] Fwd: 4578 Jicarillo Ave PRJ-1087445
To: Christian Spicer <christian.j.spicer@gmail.com>, Jesse Leon <jesse@procaldesign.com>

Hello,

I'm currently reviewing the documents and aim to have an answer by the end of the day.

Best,

Jose Vergara
Junior Planner
City of San Diego
Development Services Department
(619) 687-5922
jvergara@sanidiego.gov

From: Christian Spicer <christian.j.spicer@gmail.com>
Sent: Tuesday, September 5, 2023 7:35 PM
To: Jesse Leon <jesse@procaldesign.com>
Cc: Vergara, Jose <JVergara@sanidiego.gov>
Subject: Re: [EXTERNAL] Fwd: 4578 Jicarillo Ave PRJ-1087445

****This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.****

Jose,
Can you please respond? I'm losing 1k a day right now with the equipment sitting on the property that I'm being stopped for no reason. I'm going to give them the green light for Thursday unless I hear otherwise because I don't think I'm violating anything and I think this

stop is not legal. I just want to get my project done asap and get out of that neighborhood.

Please help!

On Fri, Sep 1, 2023 at 3:39 PM Jesse Leon <jesse@procaldesign.com> wrote:

Jose,

Did you have a chance to take a look at this? We are hoping to get the landscape company back out on Tuesday to remove the trees and clean up the site. Not going anywhere close to the back fence line. If you could let me know that we are correct and can proceed with removing the trees since we don't need a permit for that.

Thank you,
Jesse Leon

On Fri, Sep 1, 2023 at 6:36 AM Jesse Leon <jesse@procaldesign.com> wrote:

Good Morning Jose,

There are two issues on this project. One being the stop work order for removing trees. I know that isn't your department and have nothing to do with it, but removing the trees my client is removing should not trigger any violations. Attached is a picture of the trees being removed on the property for the build that is coming up. I'm not sure if any email from you saying there is no issue would help clear the violation, but just seeing what can be done.

The 2nd item is the ESL. Below was the first email you sent me with the comments on the property. These pretty much coincide with the new comment list. The new comment list is just expanded. I have attached the updated plans showing the zone 1 and zone 2 areas on the landscape. Planning, landscape, and fire are all going to look at this one and have to be in unison. Fire shouldn't have any issues as we have a 40' wide zone 1. They may require alternative measures on the building, which wouldn't impact anything for planning. Landscape will defer to fire and yourself. From planning they are going to confirm our zone 1 is okay. Per the exemptions SDMC 143.0110(c), section e Locate development in a legally graded or developed portion of the premises separated from environmentally sensitive lands by an existing fence or other physical barrier, this would put our zone 1 up to the fence line and zone 2 behind it. We still have minor structural updates to do, but will be resubmitting shortly. Could you please let me know if you want to see any additional items on the plans. The overhead image I attached is pretty clear that nothing is going on in the back yard up to the fence line regarding ESL.

Hello,

Thank you for reaching out, I was unaware of the issues affecting EPR and the comments page.

The initial comments were the following:

1.) Subject property is outside of the Transit Priority Area and falls in the RS-1-7 zone. Per section 141.0302(2)(G)(ii), one bonus ADU is permitted outside a transit priority area. As a result, the proposed work to construct 12 ADUs—6 market rate and 6 deed-restricted—is not permitted. Please revise plans, update scope of work to reflect conformance with SDMC.

2.) On the site plan, show the full extent of the property. Show and label all the required yards: front, sides, and rear.

3). Please show and label the existing fence that will remain.

Disregard the first comment, as the subject property is now in the Sustainable Development Area and can utilize the Bonus ADU ordinance.

Please do address the following comments, as internal records show potential sensitive vegetation on site.

Thank you for reaching out and reach out again if you experience additional issues.

Best,

Jose Vergara
Junior Planner
City of San Diego
Development Services Department
(619) 687-5922
jvergara@sandiego.gov

On Wed, Aug 30, 2023 at 1:36 PM Vergara, Jose <jvergara@sandiego.gov> wrote:

Hello Christian,

City records show that previous building permit PTS#131396 established BMZ Zone 1 and Zone 2. As proposed, the development does not meet the exemptions for an NDP, as the Project would encroach into environmentally sensitive lands during or after construction, and would expand brush management Zone One into environmentally sensitive lands per SDMC section 143.0110(c)(2)(A). As it stands, the project would expand the brush management Zone One into environmentally sensitive lands and expand the proposed development area into environmentally sensitive lands in accordance with SDMC section 143.0110(c)(2).

It must be noted that at the initial review of this project, the subject property was outside of the Transit Priority Area (TPA) and the Sustainable Development Area (SDA) was not yet implemented. As a result, the proposed development was not allowed. That changed with the passing of SDA in early May which resulted in the property inside of an SDA. With the implementation of SDA, a second review of

the project was completed, and the new comments are reflected and are accessible via Accela, in addition, I've attached the most recent comments. Please be sure to address the most recent round of comments when resubmitting. Please reach out for any additional questions or if you would like to meet to discuss.

Best,

Jose Vergara

Junior Planner
City of San Diego
Development Services Department
(619) 687-5922
jvergara@san Diego.gov

From: Christian Spicer <christian.j.spicer@gmail.com>

Sent: Tuesday, August 29, 2023 5:29 PM

To: Vergara, Jose <JVergara@san Diego.gov>

Cc: Geiler, Gary <GGeiler@san Diego.gov>; Jesse Leon <jesse@procaldesign.com>

Subject: Re: [EXTERNAL] Fwd: 4578 Jicarillo Ave PRJ-1087445

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Thank you Jose,

I just spoke with the designer and it will be tomorrow or thursday worst case scenario. I really just need to get rid of the stop work order notice which I believe is a fault of nothing I have done wrong as I don't need permits to remove trees but as a fault of pressure by the neighbors who have told me that they will do anything to stop my build. I just would like to get this job going and done asap so I don't have to deal with the neighbors anymore.

Please help.

Thanks

Christian Spicer
Source Group Realty
BRE #01921619
619-368-9956
Christian.j.spicer@gmail.com

Exhibit D



MAILED

SEP 15 2023

BUILDING AND LAND USE
ENFORCEMENT DIVISION

September 15, 2023

CIVIL PENALTY NOTICE AND ORDER

Location: 4578 Jicarillo Avenue, San Diego, CA 92117

APN No.: 359-331-05-00

**Property Owner/
Responsible Person:
Address:** 4578 Jicarillo Avenue, B, LLC
PO Box 624
Solana Beach, CA 92075

**Property Owner/
Responsible Person:
Agent for Service:
Address:** 4578 Jicarillo Ave B, LLC
Daniel Forde
3033 Fifth Avenue, Suite 400
San Diego, CA 92013

Zoning Designation: RS-1-7, Sensitive Vegetation, Steep Slopes, Clairemont Mesa
height Limit Overlay Zone,

You are hereby notified that the property identified above is in violation of the San Diego Municipal Code (SDMC). On **August 25th, August 30th and September 11, 2023**, the following violations were observed at the property and must be corrected:

- Unpermitted demolition of the garage.
- Unpermitted addition of a mini-split air conditioning system to the main house.
- Unpermitted electrical modification to facilitate the use of the mini-split system.
- Unpermitted gas line modifications.
- Conducted unpermitted grading activities on a steep hillside, consisting of excavation greater than 5 feet vertically, and altering drainage patterns without a grading permit.
- The areas of impact are adjacent to AND within Environmental Sensitive Lands (ESL).
- Failure to install and maintain storm water Best Management Practices (BMPs) and erosion control measures.
- 40 cubic yard dumpsters have been placed in the Public Right-of-Way without required permits.

These are violations of the following code section(s):

<u>Code Section</u>	<u>Violation Description</u>
• SDMC §129.0202	When a Demolition/Removal Permit is Required
• SDMC §129.0202	When a Building Permit is Required
• SDMC §129.0402	When a Plumbing/Mechanical permit is required.
• SDMC §129.0602	When a Grading Permit is Required
• SDMC §142.0103	When a Permit Is Required for Grading
• SDMC §142.0144	Grading Within Environmentally Sensitive Lands (ESL)
• SDMC §142.0147	Revegetation Requirements
• SDMC §142.0146	Erosion, Sedimentation and Water Pollution Control (Storm Water)
• SDMC §143.0112	Authorization Required Prior to Submittal of Required Development Permit(s)
• SDMC §§121.0202–121.0203	provides the authority regarding enforcement of the Land Development Code.
• SDMC §121.0302	requires compliance with the Land Development Code, specifies these violations are not permitted, and provides authority for the abatement of public nuisances.

If you correct the above violations as identified below, you will not be subject to any administrative civil penalties.

In order to avoid administrative civil penalties, you must correct the violations by as follows:

IMMEDIATELY:

- **CEASE ALL UNPERMITTED WORK.** Including grading, compaction, earth moving, building and Public-Right-of -way storage of construction materials and equipment.

By September 29, 2023, or prior to a rain event, should one occur:

- Install all necessary erosion and sedimentation control measures, incorporating storm water Best Management Practices (BMPs), necessary to protect all exposed slopes and pads. These BMPs must eliminate the potential for a discharge of sediments and other pollutants in and adjacent to native habitat and properties. BMPs must be maintained until the exposed soils and slopes are stabilized.
- Contact **Jahmal Robbins, Zoning Investigator** at (619)687-5966 to schedule for inspection of BMPs.

By January 31, 2024:

- Obtain required Grading Permit(s) to restore OR keep unpermitted work and successfully complete all the required permit field inspections and receive final inspection.
- Obtain required Electrical Permit and successfully complete all required inspections.
- Obtain required Plumbing/Mechanical Permit(s) and successfully complete all required inspections.
- Obtain required demolition permit and complete all required inspections.

General application, project plans, scope of work etc., shall reference this Civil Penalty Notice and Order and case number 0525044.

All applications for permits must be submitted online. Please go to <https://www.sandiego.gov/development-services> and click on apply for a permit online. Be advised that Building and Land Use Enforcement Division will be reviewing the submitted plans for enforcement compliance.

Reinspection fees are assessed for each inspection after the issuance of a violation notice in accordance with the SDMC §13.0103. An invoice will be sent following each inspection until compliance is achieved. Current reinspection fees range between \$264 and \$295.

Please refer to the San Diego Municipal Code sections cited for additional information via <https://www.sandiego.gov/city-clerk/>.

Additional forms and documents to assist in your compliance efforts are available at: <https://www.sandiego.gov/ced/forms>.

Failure to Comply with Notice and Order

If you fail to comply with this Notice and Order in the time and manner set forth above, you are subject to civil administrative penalties pursuant to SDMC §§12.0801–12.0810. The penalty rate for the above listed violation(s) has been established in accordance with SDMC §§12.0801–12.0810 at **\$1,000.00** per violation per day and shall be an ongoing assessment of penalties at the daily rate until the violations are corrected. Administrative civil penalty amounts are established by the Development Services Director.

The following factors were used in determining the amount:

- the duration of the violation
- the nature and seriousness of the violation
- whether the offense impacted environmentally sensitive lands
- the willfulness of Responsible Person's misconduct

Page 4
Civil Penalty Notice and Order
4578 Jicarillo Avenue
September 15, 2023

- the impact of the violation upon the community

Pursuant to SDMC §12.0805(a), in determining the date on which civil penalties shall begin to accrue, the Development Services Director considers the date when the Building Land Use Enforcement Division first discovered the violations as evidenced by the issuance of a Notice of Violation or any other written correspondence. The date on which the civil penalties began to accrue is **September 11, 2023**, and shall end on the date that the violation(s) has been corrected to the satisfaction of the Development Services Director or the Enforcement Hearing Officer.

Civil Penalties Hearing

If you fail to comply with the Notice and Order, written notice of the time and place of an administrative enforcement hearing will be served on you at least 10 calendar days prior to the date of the hearing in accordance with SDMC §12.0403. At the hearing, you may present evidence concerning the existence of the violation(s) and whether the amount of administrative civil penalties assessed was reasonable in accordance with SDMC §12.0808. Failure to attend an administrative enforcement hearing will constitute a waiver of your rights to an administrative hearing and administrative adjudication of the violation(s) set forth above.

Administrative Costs

The Development Services Director or Enforcement Hearing Officer is authorized to assess administrative costs. Administrative costs may include but are not limited to: staff time to investigate and document violations; laboratory, photographic, and other expenses incurred to document or establish the existence of a violation; and scheduling and processing of the administrative hearing and all actions.

Failure to Comply with Administrative Enforcement Order

If you fail, neglect, or refuse to obey an order to correct the violations, administrative civil penalties will continue to accrue on a daily basis until the violation is corrected. The unpaid amount of administrative civil penalties will be referred to the City Treasurer for collection, recorded as a code enforcement lien against the property in accordance with SDMC §§13.0201-13.0204, and may be referred to the City Attorney to file a court action to recover the unpaid amount. Failure to correct the violations may also result in referral to the City Attorney for further enforcement action.

If you have any questions concerning this Notice and Order, or to schedule a compliance inspection, please contact **Jahmal Robbins, Zoning Investigator**, at (619) 687-5966 or email at jarobbins@sanidiego.gov OR **Michael Gomez, Senior Combination Building Inspector**, at (619)533-6265 or email at megomez@sanidiego.gov.

MXG/JAR/mmb

Case No. 0525044

Cc: SDRE Home Buyers
Attn: Christian Spicer
4901 Morena Boulevard, Suite 601
San Diego, CA 92117

This information will be made available in alternative formats upon request.

0525044_4578_JicarilloAv_blue105_J.Robbins

Exhibit E

January 24, 2024

Revised CIVIL PENALTY NOTICE AND ORDER

Location: 4578 Jicarillo Avenue, San Diego, CA 92117

APN No.: 359-331-05-00

**Property Owner/
Responsible Person:
Address:** 4578 Jicarillo Ave B LLC
4578 Jicarillo Ave
San Diego, CA 92117

**Property Owner/
Responsible Person:
Address:** 4578 Jicarillo Ave B, LLC
PO Box 624
Solana Beach, CA 92075

**Property Owner/
Responsible Person:
Address:** 4578 Jicarillo Ave B LLC
4901 Morena Boulevard #601
San Diego CA 92117

**Property Owner/
Responsible Person:
Agent for Service:
Address:** 4578 Jicarillo Ave B LLC
Daniel Ford
3033 Fifth Avenue, Suite 400
San Diego CA 92103

Zoning Designation: RS-1-7, Slopes 25% or greater, Sensitive Vegetation

You are hereby notified that the property identified above is in violation of the San Diego Municipal Code (SDMC). On August 25th, August 30th, September 11, and December 18, 2023 the following violations were observed at the property and must be corrected:

- Encroachment in environmentally sensitive lands.

- Unpermitted demolition of the garage.
- Unpermitted addition of a mini-split air conditioning system to main house.
- Unpermitted electrical modifications to facilitate the use of the mini-split system
- Unpermitted gas line modifications.
- Conducting unpermitted grading activities on a steep hillside, consisting of excavation greater than five vertically, and altering drainage patterns without a grading permit.
- Failure to install and maintain storm water Best Management Practices (BMPs) and erosion control.
- 40 cubic yard dumpsters have been placed in the Public Right-of-Way without required permits.

This is a violation of the following code section(s):

Code Section	Violation Description
--------------	-----------------------

- | | |
|----------------------------|---|
| SDMC §126.0502 | - When a Site Development Permit is required. |
| SDMC §129.0202 | - When a Demolition/Removal Permit is Required. |
| SDMC §129.0202 | - When a Building Permit is Required. |
| SDMC §129.0402 | - When a Plumbing/Mechanical permit is required. |
| SDMC §143.0110 | - When Environmentally Sensitive Lands Regulations Apply. |
| SDMC §129.0602 | - When a Grading Permit is Required. |
| SDMC §142.0103 | - When a Permit Is Required for Grading. |
| SDMC §142.0147 | - Revegetation Requirements. |
| SDMC §142.0146 | - Erosion, Sedimentation and Water Pollution Control (Storm Water) |
| SDMC §143.0112 | - Authorization Required Prior to Submittal of Required |
| Development Permit(s). | |
| SDMC §§121.0202 - 121.0203 | provides the authority regarding enforcement of the Land Development Code. |
| SDMC §121.0302 | requires compliance with the Land Development Code, specifies these violations are not permitted, and provides authority for the abatement of public nuisances. |

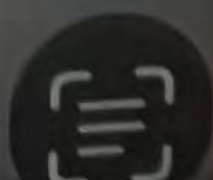
If you correct the above violations as identified below, you will not be subject to any administrative civil penalties.

In order to avoid administrative civil penalties, you must correct the violations by as follows:

IMMEDIATELY:

CEASE ALL UNPERMITTED WORK. Including grading, compaction, earth moving, building and Public-Right-of -Way storage of construction materials and equipment.

Prior to a rain event, should one occur:



Civil Penalty Notice and Order
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January 24, 2024

- Install all necessary erosion and sedimentation control measures, incorporating storm water Best Management Practices (BMPs), necessary to protect all exposed slopes and pads. These BMPs must eliminate the potential for a discharge of sediments and other pollutants in and adjacent to native habitat and properties. BMPs must be maintained until the exposed soils and slopes are stabilized.
- Contact Jahmal Robbins, Zoning Investigator at (619) 687-5966 to schedule for inspection of BMPs.

By July 22, 2024:

- Obtain required Site Development Permit.
- Obtain required demolition permit and complete all required inspections.
- Obtain required Electrical Permit and successfully complete all required inspections.
- Obtain required Plumbing/Mechanical Permit(s) and successfully complete all required inspections.
- Obtain required Grading Permit(s) to restore OR keep unpermitted work and successfully complete all the required permit field inspections and receive final inspection.

General application, project plans, scope of work etc., shall reference this Civil Penalty Notice and Order and case number 0525044.

All applications for permits must be submitted online. Please go to <https://www.sandiego.gov/development-services> and click on apply for a permit online. Be advised that Building and Land Use Enforcement Division will be reviewing the submitted plans for enforcement compliance.

Reinspection fees are assessed for each inspection after the issuance of a violation notice in accordance with the SDMC §13.0103. An invoice will be sent following each inspection until compliance is achieved. Current reinspection fees range between \$264 and \$295.

Please refer to the San Diego Municipal Code sections cited for additional information via <https://www.sandiego.gov/city-clerk/>.

Additional forms and documents to assist in your compliance efforts are available at: <https://www.sandiego.gov/ced/forms>.

Failure to Comply with Notice and Order

If you fail to comply with this Notice and Order in the time and manner set forth above, you are subject to civil administrative penalties pursuant to SDMC §§12.0801-12.0810. The penalty rate for the above listed violation(s) has been established in accordance with SDMC §§12.0801-12.0810 at \$200.00 per violation per day and shall be an ongoing



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Civil Penalty Notice and Order

4578 Jicarillo Avenue

January 24, 2024

assessment of penalties at the daily rate until the violations are corrected. Administrative civil penalty amounts are established by the Development Services Director.

The following factors were used in determining the amount:

- the nature and seriousness of the violation
- whether the offense impacted environmentally sensitive lands
- the good faith effort by the Responsible Person to comply
- the impact of the violation upon the community
- any other factors that justice may require

Pursuant to SDMC §12.0805(a), in determining the date on which civil penalties shall begin to accrue, the Development Services Director considers the date when the Building Land Use Enforcement Division first discovered the violations as evidenced by the issuance of a Notice of Violation or any other written correspondence. The date on which the civil penalties began to accrue is September 11, 2023 and shall end on the date that the violation(s) has been corrected to the satisfaction of the Development Services Director or the Enforcement Hearing Officer.

Civil Penalties Hearing


If you fail to comply with the Notice and Order, written notice of the time and place of an administrative enforcement hearing will be served on you at least 10 calendar days prior to the date of the hearing in accordance with SDMC §12.0403. At the hearing, you may present evidence concerning the existence of the violation(s) and whether the amount of administrative civil penalties assessed was reasonable in accordance with SDMC §12.0808. Failure to attend an administrative enforcement hearing will constitute a waiver of your rights to an administrative hearing and administrative adjudication of the violation(s) set forth above.

Administrative Costs

The Development Services Director or Enforcement Hearing Officer is authorized to assess administrative costs. Administrative costs may include but are not limited to: staff time to investigate and document violations; laboratory, photographic, and other expenses incurred to document or establish the existence of a violation; and scheduling and processing of the administrative hearing and all actions.

Failure to Comply with Administrative Enforcement Order

If you fail, neglect, or refuse to obey an order to correct the violations, administrative civil penalties will continue to accrue on a daily basis until the violation is corrected. The unpaid amount of administrative civil penalties will be referred to the City Treasurer for collection, recorded as a code enforcement lien against the property in accordance with SDMC §§13.0201-13.0204, and may be referred to the City Attorney to file a court action to recover the unpaid amount. Failure to correct the violations may also result in referral to the City Attorney for further enforcement action.

Photo 

Done

Page 5
Civil Penalty Notice and Order
4578 Jicarillo Avenue
January 24, 2024

If you have any questions concerning this Notice and Order, or to schedule a compliance inspection, please contact Jahmal Robbins, Zoning Investigator, at (619) 687-5966 or email at jarobbins@sanidiego.gov OR Micheal Gomez, Senior Combination Building Inspector at (619) 533-6265 or email at megomez@sanidiego.gov

JMS/JAR/ao

CE# 0525044

This information will be made available in alternative formats upon request.

0525044_4578_JicarilloAv_Revised_blueprint_J.Robbins



Exhibit F

Christian Spicer discovered accessory dwelling units after a fortuitous encounter with a city inspector, and it led to a new line of business. Sandy Huffaker for The New York Times

Christian Spicer, 34, began his real estate career in the throes of the Great Recession, when millions of families were being foreclosed on and investors were buying homes on courthouse steps. He was the guy who showed up at people's doors to tell them, in the nicest way possible, that their property belonged to someone else and that they had to work out a rental agreement or find another place to live.

Mr. Spicer is a mellow presence who speaks in a voice that could get him cast in a movie about people who like to get high and surf ("I'm definitely on the chill vibe of things"). But he is also 6-foot-3 and 250 pounds. The home buyers he worked for during the recession thought this made him a good candidate for house calls — in case anyone got mad, which of course people often did. Most of the time this manifested in a profane version of the words "screw you," but once someone stabbed him in the arm with a pen. He went to his next appointment in a bloody shirt.

"It didn't feel great," Mr. Spicer said of the job. "The fun part was now I got to go in and turn the unit. I got to decide the color of the cabinets and clean it up, put the flooring in, and I'd have this product I was proud to go and lease."

His professional life has ever since been dictated by a cold calculation of which sorts of properties are generating the best returns for his investors. He was part of the national frenzy to turn foreclosures into single-family rentals. After the housing bust, when the economy and the real estate business improved, he shifted toward house flips and "value-add" apartment deals, a euphemism for buying a run-down complex, clearing out the tenants, then renovating and raising the rent.

It's an equation of risk versus profit: In a world in which the need for housing is high but it's hard to build, upscaling properties is a safer way to make money than trying to develop new ones.

Mr. Spicer discovered backyard units after a serendipitous encounter with a city inspector. The inspector came by to check the electrical work at a house he was renovating (and planned to flip), then busted him for tearing out the kitchen without a permit. Mr. Spicer had to pay a year of extra mortgage payments while the work was stalled for city approval. During the wait, a drafter he had hired suggested that he convert the detached garage into a separate unit, which would increase the purchase price.

It was so easy to build and the permitting so fast, Mr. Spicer said, he followed the returns to a new line of business. Now, for the first time in his career, he is trying to make money by building new housing instead of by making existing housing more expensive.

Delivering Apartments on a Truck

The accessory dwelling unit at 5120 Baxter Street. Sandy Huffaker for The New York Times

During a visit to some of his projects, Mr. Spicer drove around town in a dusty black Tesla that had uncashed checks scattered around the center console. Dressed in shorts and a T-shirt, he played a version of an HGTV host, taking me through recently purchased houses and using a mix of imagination and finger points to explain how, with a wall here and door there and two units back there, the rental value could be multiplied several times over.

Instead of hunting for easy house flips, Mr. Spicer said, he's on the lookout for homes on abnormally large lots with a flat, neglected yard that is primed to start building on. Anything with a pool is out of the question, he said. A home with an elaborate garden can work but costs extra to rip out.

"If it's all dirt back there, that's the golden ticket," he said.

Mr. Spicer's turn of fortune was a byproduct of California's efforts to fill its housing shortage. Over the past five years the Legislature has passed a half-dozen laws that make it vastly easier to build accessory dwelling units (A.D.U.s) — a catchall term for homes that are more colloquially known as in-law units and granny flats.

Cities have lost most of their power to prevent backyard units from being built, and state legislators have tried to speed construction by reducing development fees, requiring cities to permit them within a few weeks and prohibiting local governments from requiring dedicated parking spots. In contrast to the battles over S.B. 9 — this year's duplex law, which was branded a bill of "chaos" that would "destroy neighborhoods" and be "the beginning of the end of homeownership in California" — the A.D.U. laws passed with no comparable controversy.

"'Granny units' doesn't sound intimidating," said Bob Wieckowski, a state senator from the Bay Area city of Fremont, who has passed three A.D.U. bills since 2016.

Last year, San Diego's City Council voted unanimously to expand on state law by allowing bonus units, sometimes as many as a half-dozen per lot, if a portion are set aside for moderate-income households. Development has exploded on cue.

California cities issued about 13,000 permits for accessory units in 2020, which is a little over 10 percent of the state's new housing stock and up from less than 1 percent eight years ago. The effect is already visible throughout Southern California: four-unit buildings rising behind one-story bungalows; prefabricated studio apartments being hoisted into backyards via crane; blocks where a new front-yard apartment sits across the street from a new backyard apartment down the way from a new side-yard apartment.

In response to the new legislation, entrepreneurs have started a host of companies that specialize in helping people plan, design and build backyard units and the coming wave of duplexes. Venture capitalists have put hundreds of millions of dollars into start-ups like Abodu, which is based in Redwood City, Calif., and builds backyard units in a factory, then delivers them on a truck. Until recently, their business was driven by homeowners building A.D.U.s on their property. But over the past year there has been a surge in interest from upstart developers like Mr. Spicer, according to interviews with planners, lenders and contractors.

Scrawled across a whiteboard in Mr. Spicer's office, just past three Red Bull-quaffing employees who sit in front of double-screen computers searching for property and managing renovations, was a list of 32 new units that were finished or being worked on. That's the equivalent of a midsize apartment building. Except

unlike a midsize apartment building, which could take years of permitting and environmental reviews before construction even started, Mr. Spicer's projects require about the amount of bureaucracy of a kitchen and bath remodel.

His company bought 5120 Baxter Street for \$700,000. He estimates the house would rent for \$3,300 a month with a few renovations. Instead he spent about \$400,000 building the new units and splitting the house, and believes he will get between \$9,000 and \$10,000 a month in rent across the property.

That return would increase the property's value to about \$1.7 million. The price would be galling to an aspiring homeowner who might have outbid another family before losing to Mr. Spicer and now feels cheated out of the American dream. But of course the 10 to 12 people who move in are unlikely to think the world would be better off if their homes had remained dirt and only one family lived there. Housing is complicated.

Neighbors for a Better San Diego

No backyard apartment buildings.

Exhibit G



Chatten-Brown Law Group, APC

Kathryn Pettit | Associate
325 W. Washington Street, Suite 2193
San Diego, CA 92103
kmp@chattenbrownlawgroup.com
Phone: (619) 393-1440

September 12, 2023

Via email

Director Elyse Lowe (ELowe@sandiego.gov)
Development Services Department
1222 First Ave
San Diego, CA 92101

Re: Proposed Project and Unpermitted Development at 4578 Jicarillo Avenue

Dear Ms. Lowe:

We represent Friends of Bayho in relation to the proposed project at 4578 Jicarillo Avenue in the Bayho neighborhood of San Diego (“the Project”). Friends of Bayho is comprised of over thirty families from the community.

Friends of Bayho spoke with two representatives of Mayor Todd Gloria’s office at the Clairemont City Hall this past Thursday, on September 7, 2023 to apprise them of the Project and the applicant SDRE Homebuyer’s behavior in relation to the Project. This includes the commencement of construction without necessary permits on a site with Environmentally Sensitive Lands (“ESL”). Mayor Gloria’s representatives, Kohta Zaiser and Christopher Ackerman-Avila, agreed that SDRE Homebuyers has acted inappropriately. Yesterday, we received another update that SDRE Homebuyers is *still* developing beyond their permits.

Friends of Bayho also discussed the Project with Councilmember Jenn Campbell, who indicated she did not support the Project, and that this type of Project was not her intention in recent related votes.

We request consideration of the comments below and swift corrective action of the deficiencies identified. These deficiencies include:

- Applicant SDRE Homebuyer’s failure to obtain all necessary permits from the City of San Diego (“City”);
- Presence of ESL on the site, which includes and abuts canyon lands, and SDRE Homebuyer’s failure to comply with the City’s ESL regulations;
- The Project site is not located in a Sustainable Development Area; and
- The Project’s failure to provide the required 100-foot Fuel Modification Zone and inappropriate request for alternative compliance.

Thank you very much in advance for your consideration of these comments.

I. Background

SDRE Homebuyers (“SDRE”) recently purchased the lot at 4578 Jicarillo Avenue, San Diego, CA 92117, which features one home on the rim of a canyon.



Image of site from ParcelQuest

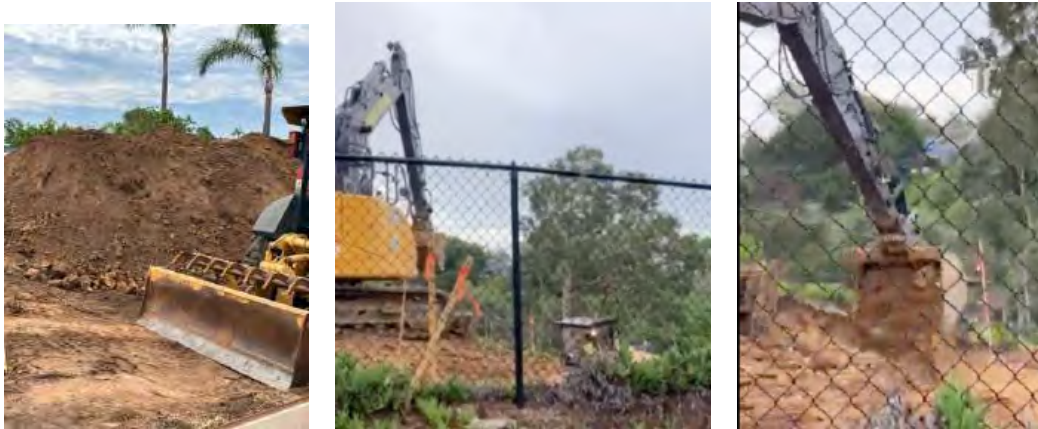
SDRE applied for a Combination Building Permit (Record PMT-3209901), initially for the addition of six ADUs and six moderate income ADUs to the existing home, under the City’s Bonus ADU program. On August 11, 2023, the application was updated with a “Scope Clarification,” stating, “Combination Permit for an addition to an existing 1-story single dwelling unit and the construction of (4) detached 2-story buildings, each with 2 ADUs, deck and and [sic] exterior stairs.”

Friends of Bayho was informed that at the time SDRE purchased the site, it represented to the seller and community it would only construct one ADU. Therefore, when SDRE requested an easement to use the neighboring parcel for construction, and revealed its true construction plans to the neighbor, the neighbor refused.

In response, SDRE bulldozed the garage and began construction before final approval of the Project. We have been informed that SDRE destroyed vegetation and mature trees in the backyard, which was unimproved and part of the canyon.

Friends of Bayho contacted City enforcement. The Record Status (Record CE-0525044) indicates Active Enforcement. Our firm called and confirmed that SDRE began construction without all final approvals. We were told the Project is in the approval process, and has not been approved or denied, but the applicant would be allowed to do “light landscaping,” with the rationale that they would be able to perform light landscaping on their own property regardless.

Yesterday, on September 11, 2023, Friends of Bayho notified us that SDRE yet again commenced unpermitted development, including the use of earth moving equipment. This was confirmed by the two investigators on the case. The work went well beyond the “light landscaping” SDRE was allowed to perform.



Photos taken on September 11, 2023, canyon shown in background of two photos on the right

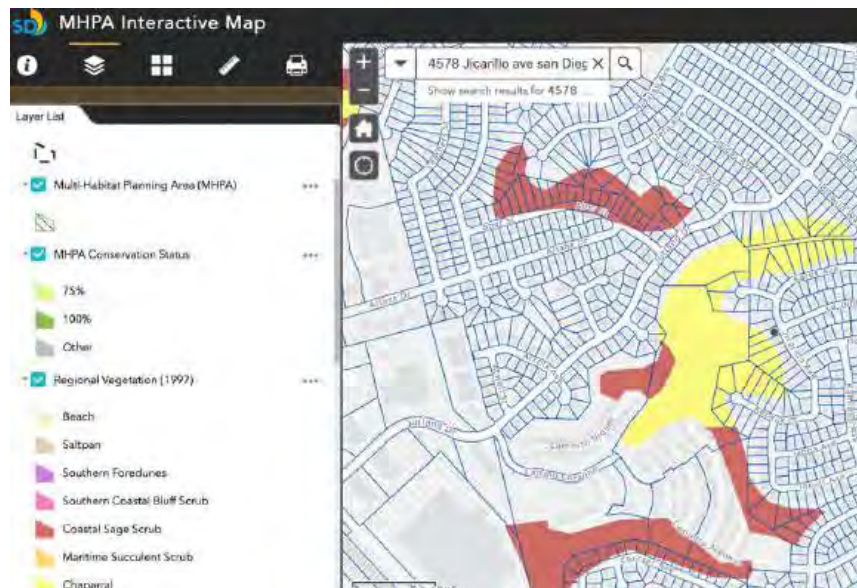
We request an update on the status of the enforcement and investigation, status of environmental review of the Project, a copy of the City cycle review comments, and a copy of the current site plans.

II. The Project Must Comply with the City’s Environmentally Sensitive Lands Regulations

Under San Diego Municipal Code (“SDMC”) Section 143.0110, the City’s environmentally sensitive lands regulations apply when “any portion of the premises” contains “[s]ensitive biological resources.”

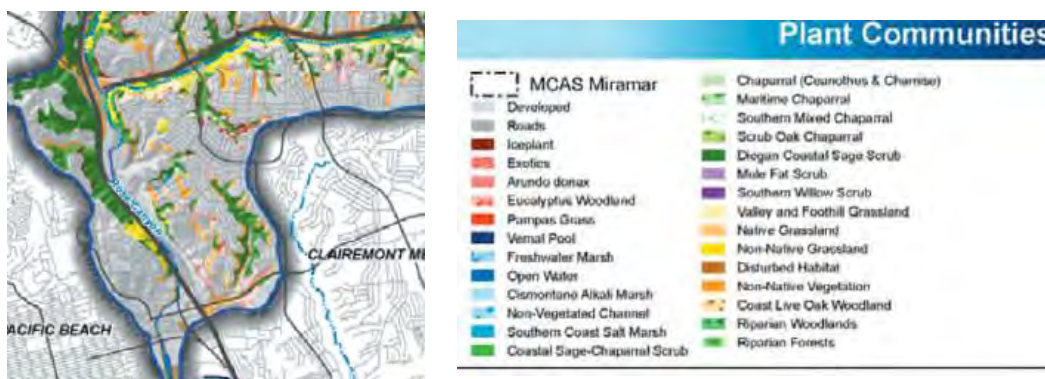
Multiple sources have indicated the presence of sensitive biological resources (and thus, ESL) on the site. The Project’s applications on the City Citizen Access Portal admit the presence of sensitive vegetation or potential sensitive vegetation. Likewise, the City’s Zoning and Parcel Information Portal (ZAPP) indicates “Yes” for “Sensitive Vegetation” on the site. Parcel Quest reports “scrub and chapparal” on the site. (**Exhibit A.**)

Additionally, the City’s own Multi-Habitat Planning Area (“MHPA”) maps report chapparal on the site, as well as coastal sage scrub within the same canyon system.



City MHPA Interactive Map, site indicated with small black circle.¹

Further, a Rose Canyon Watershed report prepared for San Diego Earthworks maps Coastal Sage-Chaparral Scrub right near/on the site.²



The report also notes the presence of the federally protected California Gnatcatcher in the Rose Creek watershed, supporting reports to the City of the presence of gnatcatchers on sites along the canyon rim, including the Project site.³ Gnatcatcher habitat includes coastal sage-chaparral scrub, which Parcel Request reported as existing on the site. (Id. at p. 95, see Exhibit A.)

¹<https://webmaps.sandiego.gov/portal/apps/webappviewer/index.html?id=d77da895df084249b1ae7a2c10794470>.

² http://www.rosecreekwatershed.org/docs/oppassessment/RCW_Chap3.pdf, at p. 9.

³ http://www.rosecreekwatershed.org/docs/existing_conditions/RCW_Existing_Conditions.pdf, at pp. 19, 90.

San Diego Municipal Code Section 143.0113 requires the following:

In connection with any permit application for development on a parcel, the applicant shall provide the information used to determine the existence and location of environmentally sensitive lands in accordance with Section 112.0102(b).

Based on a project-specific analysis and the best scientific information available, the City Manager shall determine the existence and precise location of environmentally sensitive lands on the premises.

(SDMC §143.0113, subd. (a), (b).)

There are various further requirements in respect to the protection of ESL, which must be applied to this site. This includes the following requirement:

All development occurring in sensitive biological resources is subject to a site-specific impact analysis conducted by a qualified Biologist, in accordance with the Biology Guidelines in the Land Development Manual. The impact analysis shall evaluate impacts to sensitive biological resources and CEQA sensitive species. The analysis shall determine the corresponding mitigation, where appropriate, and the requirements for protection and management.

(SDMC §143.0141, subd. (a)(1).)

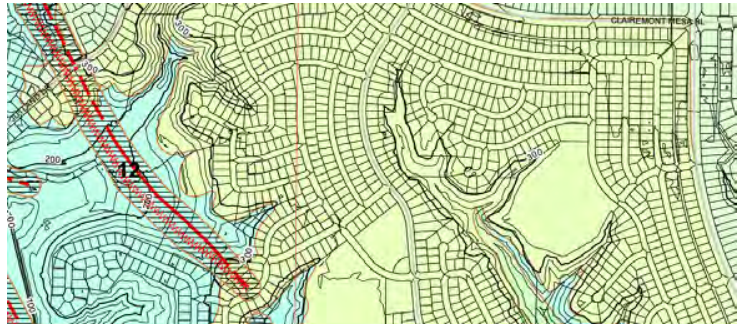
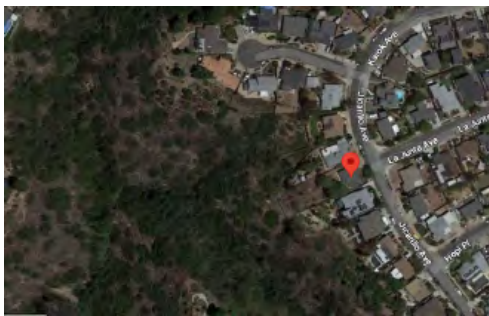
When ESL exists on a portion of the premises, a “Neighborhood Development Permit or Site Development Permit is required for all types of development proposals listed, in accordance with the indicated decision process.” (SDMC §143.0110(b)(1).) Of particularly important relevance here:

It is unlawful to begin development on a premises that contains environmentally sensitive lands without submitting required documentation and obtaining the applicable development permit, or an exemption as required pursuant to this division. If unlawful development occurs on property containing environmentally sensitive lands and an enforcement action has been commenced by the City pursuant to Section 143.0160, a development permit application **shall not be processed for the premises until the enforcement action has been concluded**, or the City Manager determines a development permit is necessary to resolve the enforcement action.

(SDMC §143.0112, emphasis added.)

As described earlier, SDRE began development without securing all permits and approvals, and likely without the required biology reports. We request information about the status of the enforcement action, the status of the sensitive vegetation on site, and how the City plans to ensure compliance with its ESL regulations.

Additionally, the site includes and is adjacent to parts of the canyon. Further ESL regulations apply where parts of the premises contain “steep hillsides.” (SDMC §143.0110.) Topographic maps indicate the site is part of a canyon system that likely has a vertical elevation of over 50 feet, which would require application of the City’s steep hillside requirements. (City Hillside Guidelines §143.0113 (B).)



Google Maps Image of Site next to City Topography Map Showing Elevations of 200 to 300 feet⁴

Therefore, we request measurements of the site’s topography, and a determination from the City of whether the steep hillside regulations apply to the site.

III. The Project Site Is Not Located in a Sustainable Development Area

The site was originally outside of any Transit Priority Area (“TPA”).⁵ The City recently eliminated the use of TPAs for its local density programs, in favor of City-defined “Sustainable Development Areas” (“SDAs”). The City now designates the site as within an SDA.

⁴ Map accessed at: <https://www.sandiego.gov/sites/default/files/geo25.pdf>.

⁵ Defined as “an area within one-half mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program.”



City Map of SDAs versus TPAs over the site

The City defines an SDA as “the area within a defined walking distance along a pedestrian path of travel from a major transit stop that is existing or planned, if the planned major transit stop is included in a transportation improvement program or applicable regional transportation plan.” (SDMC §113.0103.) For this site, the City used the defined walking distance of 1.0 mile.

Major transit stop “means a site as defined in California Public Resources Code section 21064.3,⁶ as may be amended, or a site that contains an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of **15 minutes or less** during the morning and afternoon peak commute periods.” (SDMC §113.0103, Emphasis added.)

We first note that SANDAG identifies the site’s Traffic Area Zone as “100% to 125%” of the regional mean for Vehicle Miles Travelled, for use with legislation (Senate Bill 743) designed to target development in areas that are 85% of the regional mean.⁷

Additionally, the City maps the intersection of Clairemont Mesa Boulevard and Clairemont Drive as a “major transit stop” with a cross section of “high frequency” bus routes.⁸ We assume this intersection is the reason the site is considered within an SDA. The City’s Metropolitan Transit System (“MTS”) Regional Transit Map labels these two bus routes as the 43 and the 105. (**Exhibit B.**) The 105 only provides service every 30 minutes, half of the frequency required to be considered a “major transit stop.” (**Exhibit C** [MTS Route Schedule for 105; *compare Exhibit D* [Example of 15 minute interval route].)

⁶ Under Public Resources Code section 21064.3, “Major transit stop” means a site containing any of the following: (a) An existing rail or bus rapid transit station. (b) A ferry terminal served by either a bus or rail transit service. (c) The intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

⁷ <https://sandag.maps.arcgis.com/apps/webappviewer/index.html?id=bb8f938b625c40cea14c825835519a2b>

⁸ <https://www.sandiego.gov/sites/default/files/transit-priority-map.pdf>

Typically, only “[o]ne ADU and one JADU are permitted on a premises located within a Single Dwelling Unit Zone with an existing or proposed single dwelling unit.” (SDMC §141.0302 (b)(1)(A).) *One* bonus ADU is permitted outside a Sustainable Development Area, if the applicant provides an affordable ADU. Under the City’s Bonus ADU Program, there is no limit on the number of bonus ADUs within a SDA.

Therefore, it is imperative to ensure that properties are accurately labeled as within SDAs, given the major increase in units granted through City incentive programs. If the site is not truly near a major transit stop, these projects will only increase GHGs.

Finally, City code specifies that the Climate Action Plan (“CAP”) Consistency Regulations apply to all projects that result in three or more total dwelling units on a premises. (SDMC §143.1403). Please provide confirmation that the Project complies with the CAP regulations, and that the Project will comply with the most recent 2022 CalGreen Building Standards Code.⁹

IV. The Project Should Not Be Granted Alternative Compliance from City and State Fire Hazard Regulations

The site is located in a Very High Fire Severity Zone. Further, the Project abuts a canyon, a large fuel source.

Government Code Section 51182 require lands located on or adjacent to designated Very High Fire Severity Zone areas to provide 100 feet of defensible space. Likewise, the City requires 100 feet of brush management zone width. (SDMC §142.0412, Table 142-04H.)

The Project requests “alternative compliance,” from the 100 foot defensible space requirement, alleging that it meets the three conditions for alternative compliance. (Applicant L101 Landscape and Brush Management Plan, Submitted June 2023.)

The site as currently configured can meet the 100 foot defensible space requirement. However, SDRE Homebuyers now proposes a Project that expands deep into the 100 feet of defensible space.

Under Municipal Code section §142.0412 (i), an applicant may only request approval of alternative compliance for brush management if *all* of the following conditions exist:

- (1) The proposed alternative compliance provides sufficient defensible space between all structures on the premises and contiguous areas of native or naturalized vegetation as demonstrated to the satisfaction of the Fire Chief based on documentation that addresses

⁹ The SDRE Project Site Plans that we reviewed only indicated plans to comply with the 2019 CalGreen Building Standards Code.

- the topography of the site, existing and potential fuel load, and other characteristics related to fire protection and the context of the proposed development.
- (2) The proposed alternative compliance minimizes impacts to undisturbed native or naturalized vegetation where possible while still meeting the purpose and intent of Section 142.0412 to reduce fire hazards around structures and provide an effective fire break.
 - (3) The proposed alternative compliance is not detrimental to the public health, safety, and welfare of persons residing or working in the area.

Friends of Bayho urges the City to reject the applicant's request for alternative compliance. The lot configuration – a thin rectangle along the canyon rim - and location – very high fire severity zone – was clearly not meant for the Project layout proposed by SDRE. We urge the City to consider the precedent of waiving these requirements along the canyon. Further, SDRE does not minimize impacts to undisturbed native or naturalized vegetation on the site.

City Municipal Code requires approval of alternative compliance by the Fire Chief before construction. We request information on the status of the permit processing.

V. Conclusion

Thank you very much for your consideration of these comments. We request a written response to the questioned and points addressed herein. In the alternative, we request a meeting with Development Services to discuss these comments.

We look forward to hearing from you.

Sincerely,



Kathryn Pettit

cc: Mayor Todd Gloria, Councilmember Jennifer Campbell, Raynard Abalos, Leslie Sennett, California Department of Fish and Wildlife, United States Fish and Wildlife Services

Exhibit H

On Thu, Apr 11, 2024 at 11:05 AM Jacala, Barbara <BJacala@sanidiego.gov> wrote:

Good Morning Ms. Pettit,

Thanks for your phone call this morning. As mentioned, the SDP and ESL violations no longer apply since a third-party bio study was submitted to DSD. Per DSD Planning Review:

The applicant submitted a biology report to further assess the proposed project's conformance with the Environmentally Sensitive Lands regulations. The findings of the report affirmed the staff's determination that no ESL exists on the premises and no ESL has been disturbed adjacent to the project site. The project, which proposes to construct 12 detached ADUs and a bathroom addition to the primary residence, can proceed through a ministerial review and approval process and is exempt from the requirement to obtain a development permit pursuant to SDMC 143.0110(c)(2)(E).

Attached is a copy of the bio report for reference. Any further questions you may have on the review or determination should be directed to Michael Prinz.

Moving forward, BLUE will not enforce the ESL violations nor amend the CPNO to remove SDP or ESL language. BLUE will continue to monitor and enforce the building and grading violations only. For any inquiries on the investigation of case CE-0525044 or to provide additional information, please continue to contact Zoning Investigator Jahmal Robbins directly at JARobbins@sanidiego.gov.

Regards,

Suki Jacala

Program Manager
City of San Diego
Development Services Department

☎: 619.446.5303

SanDiego.gov/DSD

Exhibit I



MAILED
OCT 20 2023
BUILDING AND LAND USE
ENFORCEMENT DIVISION

October 20, 2023

REVISED CIVIL PENALTY NOTICE AND ORDER

Location: 4578 Jicarillo Avenue, San Diego, CA, 92117

APN No.: 359-331-05-00

**Property Owner/
Responsible Person:
Address:** 4578 Jicarillo Ave B LLC
4578 Jicarillo Avenue
San Diego, CA 92117

**Property Owner/
Responsible Person:
Address:** 4578 Jicarillo Ave B, LLC
PO Box 624
Solana Beach, CA 92075

**Property Owner/
Responsible Person:
Address:** 4578 Jicarillo Ave B LLC
4901 Moreno Avenue, #601
San Diego, CA 92117

**Property Owner/
Responsible Person:
Agent for Service:
Address:** 4578 Jicarillo Ave B LLC
Daniel Forde
3033 Fifth Avenue, Suite 400
San Diego, CA 92103

Zoning Designation: RS-1-7, Steep Slopes

You are hereby notified that the property identified above is in violation of the San Diego Municipal Code (SDMC). On **August 25th, August 30th and September 11, 2023**, the following violations were observed at the property and must be corrected:

- Unpermitted demolition of the garage.

Page 2

Revised Civil Penalty Notice and Order

4578 Jicarillo Avenue

October 20, 2023

- Unpermitted addition of a mini-split air conditioning system to the main house.
- Unpermitted electrical modification to facilitate the use of the mini-split system.
- Unpermitted gas line modifications.
- Conducted unpermitted grading activities on a steep hillside, consisting of excavation greater than 5 feet vertically, and altering drainage patterns without a grading permit.
- Failure to install and maintain storm water Best Management Practices (BMPs) and erosion control measures.
- 40 cubic yard dumpsters have been placed in the Public Right-of-Way without required permits.

These are violations of the following code section(s):

- | <u>Code Section</u> | <u>Violation Description</u> |
|--------------------------|---|
| SDMC §129.0202 | - When a Demolition/Removal Permit is Required. |
| SDMC §129.0202 | - When a Building Permit is Required. |
| SDMC 129.0402 | - When a Plumbing/Mechanical permit is required. |
| SDMC §129.0602 | - When a Grading Permit is Required. |
| SDMC §142.0103 | - When a Permit Is Required for Grading. |
| SDMC §142.0147 | - Revegetation Requirements. |
| SDMC §142.0146 | - Erosion, Sedimentation and Water Pollution Control (Storm Water). |
| SDMC §143.0112 | - Authorization Required Prior to Submittal of Required Development Permit(s). |
| SDMC §§121.0202-121.0203 | provides the authority regarding enforcement of the Land Development Code. |
| SDMC §121.0302 | requires compliance with the Land Development Code, specifies these violations are not permitted, and provides authority for the abatement of public nuisances. |

If you correct the above violations as identified below, you will not be subject to any administrative civil penalties.

In order to avoid administrative civil penalties, you must correct the violations by as follows:

IMMEDIATELY:

- **CEASE ALL UNPERMITTED WORK.** Including grading, compaction, earth moving, building and Public-Right-of -Way storage of construction materials and equipment.

Prior to a rain event, should one occur:

- Install all necessary erosion and sedimentation control measures, incorporating storm water Best Management Practices (BMPs), necessary to protect all exposed slopes and pads. These BMPs must eliminate the potential for a discharge of sediments and other pollutants in and adjacent to native habitat and properties. BMPs must be maintained until the exposed soils and slopes are stabilized.
- Contact **Jahmal Robbins, Zoning Investigator at (619) 687-5966** to schedule for inspection of BMPs.

By January 31, 2024:

- Obtain required demolition permit and complete all required inspections.
- Obtain required Electrical Permit and successfully complete all required inspections.
- Obtain required Plumbing/Mechanical Permit(s) and successfully complete all required inspections.
- Obtain required Grading Permit(s) to restore OR keep unpermitted work and successfully complete all the required permit field inspections and receive final inspection.

General application, project plans, scope of work etc., shall reference this Civil Penalty Notice and Order and case number 0525044.

All applications for permits must be submitted online. Please go to <https://www.sandiego.gov/development-services> and click on apply for a permit online. Be advised that Building and Land Use Enforcement Division will be reviewing the submitted plans for enforcement compliance.

Reinspection fees are assessed for each inspection after the issuance of a violation notice in accordance with the SDMC §13.0103. An invoice will be sent following each inspection until compliance is achieved. Current reinspection fees range between \$264 and \$295.

Please refer to the San Diego Municipal Code sections cited for additional information via <https://www.sandiego.gov/city-clerk/>.

Additional forms and documents to assist in your compliance efforts are available at: <https://www.sandiego.gov/ced/forms>.

Failure to Comply with Notice and Order

If you fail to comply with this Notice and Order in the time and manner set forth above, you are subject to civil administrative penalties pursuant to SDMC §§12.0801–12.0810. The penalty rate for the above listed violation(s) has been established in accordance with SDMC §§12.0801–12.0810 at **\$300.00** per violation per day and shall be an ongoing assessment of penalties at the daily rate until the violations are corrected. Administrative civil penalty amounts are established by the Development Services Director.

The following factors were used in determining the amount:

- the duration of the violation
- the nature and seriousness of the violation
- the willfulness of Responsible Person's misconduct
- the impact of the violation upon the community

Pursuant to SDMC §12.0805(a), in determining the date on which civil penalties shall begin to accrue, the Development Services Director considers the date when the Building Land Use Enforcement Division first discovered the violations as evidenced by the issuance of a Notice of Violation or any other written correspondence. The date on which the civil penalties began to accrue is **September 11, 2023**, and shall end on the date that the violation(s) has been corrected to the satisfaction of the Development Services Director or the Enforcement Hearing Officer.

Civil Penalties Hearing

If you fail to comply with the Notice and Order, written notice of the time and place of an administrative enforcement hearing will be served on you at least 10 calendar days prior to the date of the hearing in accordance with SDMC §12.0403. At the hearing, you may present evidence concerning the existence of the violation(s) and whether the amount of administrative civil penalties assessed was reasonable in accordance with SDMC §12.0808. Failure to attend an administrative enforcement hearing will constitute a waiver of your rights to an administrative hearing and administrative adjudication of the violation(s) set forth above.

Administrative Costs

The Development Services Director or Enforcement Hearing Officer is authorized to assess administrative costs. Administrative costs may include but are not limited to: staff time to investigate and document violations; laboratory, photographic, and other expenses incurred to document or establish the existence of a violation; and scheduling and processing of the administrative hearing and all actions.

Page 5

Revised Civil Penalty Notice and Order

4578 Jicarillo Avenue

October 20, 2023

Failure to Comply with Administrative Enforcement Order

If you fail, neglect, or refuse to obey an order to correct the violations, administrative civil penalties will continue to accrue on a daily basis until the violation is corrected. The unpaid amount of administrative civil penalties will be referred to the City Treasurer for collection, recorded as a code enforcement lien against the property in accordance with SDMC

§§13.0201-13.0204, and may be referred to the City Attorney to file a court action to recover the unpaid amount. Failure to correct the violations may also result in referral to the City Attorney for further enforcement action.

If you have any questions concerning this Notice and Order, or to schedule a compliance inspection, please contact **Jahmal Robbins, Zoning Investigator**, at (619) 687-5966 or email at jarobbins@sanidiego.gov OR **Michael Gomez, Senior Combination Building Inspector**, at (619) 533-6265 or email at megomez@sanidiego.gov

MXG/JAR/mmb

Case No. 0525044

This information will be made available in alternative formats upon request.

0525044_4578_JicarilloAv_Revised_blue105_J.Robbins

Exhibit 2

DATE: May 15, 2024

TO: Chatten-Brown Law Group
Josh Chatten-Brown
Katie Pettit
Isabella Coye

Friends of Bay Ho
Frank Fennessey

FROM: Suki Jacala
Program Manager
Building and Land Use Enforcement Division

SUBJECT: 4578 Jicarillo Avenue (Case CE-0525044)
Unpermitted and Illegal Development

Good Afternoon All,

Up until May 02, 2024, all the work at 4578 Jicarillo Avenue was performed and/or completed **without permits**. Per the Civil Penalty Notice and Order (CPNO) issued on January 24, 2024, the property owner (SDRE) is required to obtain building and grading permits to correct the following violations:¹

- Unpermitted demolition of the garage
- Unpermitted addition of a mini-split air conditioning system to the main house
- Unpermitted electrical modifications to facilitate the use of the mini-split system
- Unpermitted gas line modifications
- Unpermitted grading activities on a steep hillside, consisting of excavation greater than five feet vertically, and altering drainage patterns without a grading permit
- Failure to install and maintain stormwater Best Management Practices (BMPs) for erosion control
- 40 cubic yard dumpsters placed in the public right-of-way without the required permits

Below is an abbreviated chronology of only BLUE's inspections (in bold), enforcement, and activities:

- On August 7, 2023, BLUE opened a case (CE-0525044) for unpermitted work at this location.
- On **August 8, 2023**, BLUE Zoning Investigator (ZI) Jahmal Robbins conducted the first inspection from the public right-of-way and observed no unpermitted work violations.
- On **August 24, 2023**, Senior Building Inspector (BI) Michael Gomez conducted an inspection and observed clearing, grubbing, and earthwork with no construction BMPs (silt fence, fiber rolls, etc). The garage to the residence was demolished without permits. BI Gomez spoke with Mr. Christian Spicer of SDRE on-site and directed him to cease work immediately due

¹ There is also an Environmentally Sensitive Lands violation listed; that topic is addressed further below.

Development Services Department

- to Environmentally Sensitive Lands (ESL) on the property. Mr. Spicer was notified that proper permits are required to continue with the work and an Administration Citation Warning (ACW) would be issued. The ACW was posted on the property on August 25, 2023.
- On **August 30, 2023**, BLUE performed a third inspection of the property where BI Lance Schlager observed that an air conditioning unit was installed without permits. The existing chain link fence remained around the perimeter of the rear yard and BMPs were in place at the top of the slope.
 - On **September 6, 2023**, Mr. Spicer emailed BLUE that the property was ESL exempt and he would resume construction. BLUE reminded Mr. Spicer that he must cease all work until the proper permits are obtained. BI Gomez conducted an inspection the same day to ensure that no construction was occurring on-site and found a 40 CY dumpster on the street in front of the property with no active Traffic Control Permit.
 - On **September 11, 2023**, BI Schlager observed grading in the rear yard near the canyon with no BMPs in place. The chain link fence that separated the property from the canyon was removed.
 - On **September 13, 2023**, ZI Robbins observed work being performed in the rear yard and along the northwest corner of the site with no BMPs or chain link fence.
 - On **September 14, 2023**, during the seventh follow-up inspection, BLUE observed ongoing work on the property. The contractors were told to stop work immediately and leave the site. They were reminded that permits are required to perform any work.
 - On **September 15, 2023**, BLUE posted a CPNO at the property which included the building, grading, right-of-way, erosion control BMPs, and ESL violations. BLUE also sought clarification from LDR as to the ESL regulations that pertain to this property.
 - On **September 27, 2023**, BLUE conducted an inspection for BMP compliance. ZI Robbins observed a silt fence around the perimeter of the rear yard, but it was improperly installed. It also appeared that work had stopped since the last inspection.
 - On **October 2, 2023**, ZI Robbins contacted the contractor to remind them to install the BMPs per the City's stormwater guidelines.
 - On **October 11, 2023**, a City Civil Engineer informed SDRE's designer that a grading permit is required for the earthwork done on the rear slope of the property. The designer requested a second opinion and site inspection to explain the work being performed.
 - On **October 20, 2023**, based on input from LDR staff that the ESL regulations had not been violated, BLUE posted the revised CPNO which removed the ESL violation.
 - On **November 6, 2023**, BLUE ZIs and a City Civil Engineer met with SDRE for another follow-up inspection and to offer a second opinion on the grading violations. At the time, ZI Robbins observed that the BMP violations were corrected.
 - On **December 12, 2023**, the City Civil Engineer's memo was provided to SDRE and designer. The memo concluded that a grading permit is required for the modified slope and altered drainage pattern.
 - On **December 15, 2023**, SDRE informed LDR that the chain link fence was removed and replaced with silt fence. LDR explained that the chain link fence needed to remain in place, as it was the basis for the ESL exemption per SDMC [143.0110\(c\)\(2\)\(E\)\(ii\)](#).
 - On **December 18, 2023**, ZI Robbins performed an inspection to confirm that the chain link fence at the rear of the property was still removed.
 - On **January 8, 2024**, SDRE's engineer confirmed that the reconstruction of the rear slope qualifies for a grading permit.
 - On **January 17, 2024**, ZI Robbins left a voicemail for SDRE that the CPNO would be revised and reissued to include ESL violations once again.

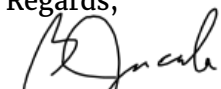
Development Services Department

- On January 24, 2024, the revised CPNO was posted at the property.
- On March 18, 2024, BLUE received a third-party biology report from SDRE which claimed that the property did not have ESL. BLUE informed SDRE that the report would need to be reviewed and approved by LDR to address the ESL violation.
- On March 20, 2024, LDR staff accepted the conclusions of the biology report confirming that no ESL is present on the property, which resolved the alleged ESL violations.
- On March 27, 2024, SDRE informed BLUE that they would start grubbing, recompacting the soil, and removing vegetation that had grown in the backyard. BLUE reminded SDRE that they could not work on the property without permits per the CPNO.
- On **April 4, 2024**, BI Schlager observed grading being performed with heavy equipment to grade three building pads.
- On **April 11, 2024**, ZI Robbins observed grading in the yard. Storm drain pipes and appurtenances had been installed with an outlet directed toward the canyon. The BMPs along the west property line were removed. ZI Robbins notified SDRE that they are not in compliance with the CPNO and permits are required for the proposed work.
- On April 12, 2024, an Administrative Citation (AC) was posted at the property instructing SDRE to cease all grading, compacting, earth moving, and building and install the proper BMPs.
- On **April 18, 2024** and **April 25, 2024**, BLUE conducted compliance inspections. No active work was observed on the property at either time.
- On **April 30, 2024**, BLUE conducted an inspection and observed work being done in the rear yard. ZI Robbins informed SDRE's designer that no work may be performed without issued permits. BLUE will mail an AC to the property owner on May 8, 2024.
- On **May 2, 2024**, BLUE conducted its 16th compliance inspection and observed additional earthwork had been performed. BLUE will mail an AC to the owner on May 10, 2024. DSD Senior Civil Engineer informed SDRE that PRJ-1087445 will not be issued until the building plans are revised to accurately reflect the storm drain improvements and a grading permit is submitted that reflects the current site conditions.

On the afternoon of May 2nd, SDRE pulled their building permit (PRJ-1087445). As with any project, ESL, access, and defensible space were reviewed and verified by City staff prior to permit issuance. SDRE will be allowed to work on the property as long as it falls within the permitted scope of the building permit, which does not include the private drainage system or additional grading. DSD Engineering has placed a Tier 3 hold on the building permit to ensure the drainage and grading violations are resolved prior to final inspection and occupancy.

BLUE will continue to conduct regular inspections of the property for any unpermitted work and as-needed inspections in response to complaints received. An AC will be issued for each day that work is being performed without a permit or outside the permit's scope. Each AC will impose a financial penalty of \$1,000. Since BLUE started issuing ACs in conjunction with the CPNO, SDRE has made a concerted effort to correct their violations. SDRE's failure to comply with the CPNO by the compliance date of July 22, 2024 will also result in a Civil Penalty Hearing and additional penalty fees.

Regards,



Suki Jacala

EXHIBIT F



Chatten-Brown Law Group, APC

Kathryn Pettit | Associate
325 W. Washington Street, Suite 2193
San Diego, CA 92103
kmp@chattenbrownlawgroup.com
Phone: (619) 354-8896

April 16, 2025

Via email to Ms. Fuentes

City of San Diego
Office of the City Clerk
Diana J.S. Fuentes (cityclerk@sandiego.gov)
202 C Street, Second Floor
San Diego, CA 92101

Re: Request for Notice — Proposed Project at 2596 Chalcedony Street

Dear Ms. Fuentes:

We represent Neighbors for a Better Pacific Beach in relation to the Proposed Project at 2596 Chalcedony Street, San Diego, CA 92109 (“Project”), including the following Project applications: PRJ-1132073, PMT-3218945, DWG-0100868, PRJ-1092822, PTS-0705886, and PTS-0696726.

We request that the City inform us by email to kmp@chattenbrownlawgroup.com of the publication and/or filing of any California Environmental Quality Act notices, determinations and documents for public review, including any Initial Study, Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report, pursuant to the CEQA Guidelines Section 15072 and Public Resources Code section 21092.2. We further request prior notice of any public hearings in relation to the Project, any Project-related approvals, and the filing of any Notice of Determination or Notice of Exemption for the Project.

Finally, we request copies of any Notice of Decision, as well as any Notice of Future Decision, issued by the City in relation to the Project.

Sincerely,

A handwritten signature in blue ink that reads 'Kathryn Pettit'.

Kathryn Pettit

ccs: Anna Najeeb (ANajeeb@sandiego.gov); Yuen Tran (ytran@sandiego.gov); Grecia Aceves (GAceves@sandiego.gov)

EXHIBIT G



March 24, 2025

Via Email

Honorable Mayor Todd Gloria
202 C Street, 11th Floor
San Diego, CA 92101

Via Email

Honorable Council President Joe LaCava, District 1
Honorable Councilmember Dr. Jennifer Campbell, District 2
Honorable Councilmember Stephen Whitburn, District 3
Honorable Councilmember Henry Foster III, District 4
Honorable Councilmember Marni von Wilpert, District 5
Honorable Councilmember Kent Lee, District 6
Honorable Councilmember Raul Campillo, District 7
Honorable Councilmember Vivian Moreno, District 8
Honorable Councilmember Sean Elo-Rivera, District 9
202 C Street, 10th Floor
San Diego, CA 92101

Honorable Governor Gavin Newsom
c/o Honorable State Senator Dr. Akilah Weber Pierson
Governor, State of California
State Capitol
Sacramento, CA 95814

**RE: SAN DIEGO BONUS ADU COMPLIANCE WITH AFFIRMATIVELY
FURTHERING FAIR HOUSING, THE AMERICANS WITH DISABILITIES ACT,
AND SAN DIEGO MUNICIPAL CODE SECTION §113.0103**

On February 9, 2025, the Chollas Valley Community Planning Group (CVCPG) submitted a detailed letter outlining serious concerns regarding the San Diego Bonus ADU program. To date, we have not received any official written response from the City. This continued silence is deeply concerning to communities like ours that have historically experienced systemic neglect. If the City is truly committed to Affirmatively Furthering Fair Housing (AFFH), we believe it must demonstrate that commitment through transparency, trust-building, and respectful

engagement. Unfortunately, the burden of communication has fallen solely on CVCPG, reinforcing the impression that the voices and perspectives of our community are not being afforded due consideration.

We have observed that Bonus ADU projects lacking required pedestrian pathways have been submitted—and in some cases, approved—by the Development Services Department. Such approvals may be inconsistent with the San Diego Municipal Code and appear to contradict statements made by the City's Planning Director to the City Council, both in writing and during public testimony. If developers are being allowed to proceed without adhering to basic safety and accessibility requirements, this may undermine the goals of equity and fair housing. These actions may reflect a troubling pattern of prioritizing developer interests over resident well-being.

We urge in the strongest terms that the City undertake immediate action to evaluate compliance and transparency and recommit to the principles underlying its own housing and planning regulations. The following projects are of particular concern:

- PRJ-1126312, 6845 Broadway (RS-1-2): 44 ADUs
- PRJ-1127220, 1348 Tarbox (RS-1-2): 43 ADUs
- PRJ-1129702, 731 Stork (RX-1-1): 30 ADUs
- PRJ-1128374, 1450 1/3 Hilger (RS-1-2): 23 ADUs
- PRJ-1130479, 1426 Hilger (RS-1-2): 22 ADUs
- PRJ-1106540, 5662/5664 Cervantes (RS-1-4): 11 ADUs
- PRJ-1125787, 543 61st Street (RX-1-1): 8 ADUs
- PRJ-1099232, 608 Stork (RX-1-1): 7 ADUs
- PRJ-1128125, 704 Selma Pl (RS-1-6): 6 ADUs
- PRJ-1073142, 6466/6426 Madrone Ave (RS-1-7): 5 ADUs
- PRJ-1125286, 6475/6426 Scimitar (RS-1-2): 4 ADUs
- PRJ-1117829, 470/471 66th Street (RS-1-7): 4 ADUs
- PRJ-1110620, 6822 Brooklyn (RS-1-6): 16 ADUs
- PRJ-1123939, 1405 Mariposa (RS-1-7): 22 ADUs
- PRJ-1095516, 5129/5131 Coban (RS-1-7): 5 ADUs

The requirement for pedestrian pathways is clearly stated in San Diego Municipal Code section §113.0103, and reaffirmed in the February 28, 2025 memorandum from Planning Director Heidi Vonblum. This requirement was also verbally reiterated by Ms. Vonblum during testimony to the City Council on March 4, 2025.

In light of the apparent absence of compliant pedestrian pathways at the projects listed above, we urge in the strongest terms that the City issue a temporary halt on Bonus ADU construction at these sites, pending a thorough evaluation of their compliance with applicable municipal code provisions.

Should this review confirm instances of non-compliance, we respectfully request a written response outlining the basis for these project approvals, especially where fundamental requirements may not have been met. Approving such projects without verifying key elements like pedestrian access may undermine public trust and raise legitimate questions about the City's

commitment to fair housing and regulatory integrity—especially in historically underserved communities like ours.

We further reiterate our concern that the City may be out of compliance with the Americans with Disabilities Act (ADA) by not requiring ADA-compliant pedestrian pathways for Bonus ADU projects. As stated in our February 9, 2025 letter, we renew our request that the City Attorney conduct a formal review of the City's obligations under federal ADA law to ensure full compliance.

For ease of reference, we have attached our February 9th letter to this correspondence.

Thank you for your attention to this urgent matter. We look forward to your timely response and to a corrective course of action that restores community trust and upholds the integrity of the City's housing policies.

Andrea Hetheru, Chair
Chollas Valley Community Planning Group



Vinetia Jones, Corresponding Secretary
Chollas Valley Community Planning Group



Enclosure: February 9, 2025 letter from CVCPG

EXHIBIT H

From: [Joes, Vicky](#)
To: [Reuter, Abbey](#)
Subject: FW: *URGENT* requesting immediate injunction on DSD approved - Non-compliant Bonus ADU project Encanto
Date: Tuesday, April 1, 2025 9:18:00 AM
Attachments: [image.png](#)
[San Diego Bonus ADU program 3_24_2025\[45\].pdf](#)

From: Robert Campbell <robert.campbell.encanto@gmail.com>
Sent: Friday, March 28, 2025 9:04 PM
To: Lowe, Elyse <ELowe@sandiego.gov>
Cc: Gloria, Todd <MayorToddGloria@sandiego.gov>; Taylor, Korral <TaylorK@sandiego.gov>; SDAT City Attorney <CityAttorney@sandiego.gov>; Vonblum, Heidi <VonblumH@sandiego.gov>; Horton, Daniel <HortonD@sandiego.gov>; CouncilMember Henry Foster <HenryFoster@sandiego.gov>; neighborsforencanto@gmail.com; ChollasValleyCPG@gmail.com; CouncilMember Joe LaCava <JoeLaCava@sandiego.gov>; Councilmember Jennifer Campbell <JenniferCampbell@sandiego.gov>; Councilmember Stephen Whitburn <StephenWhitburn@sandiego.gov>; CouncilMember Marni von Wilpert <MarnivonWilpert@sandiego.gov>; CouncilMember Kent Lee <KentLee@sandiego.gov>; CouncilMember Raul Campillo <RaulCampillo@sandiego.gov>; Councilmember Vivian Moreno <VivianMoreno@sandiego.gov>; CouncilMember Sean Elo-Rivera <SeanEloRivera@sandiego.gov>; Joes, Vicky <VCJoes@sandiego.gov>; Molina, Venus <VMMolina@sandiego.gov>; Gloria, Liezl <LGloria@sandiego.gov>; O'Neill, Jacob <JacobO@sandiego.gov>; Darsey, Ryan <RDarsey@sandiego.gov>; Garver, Justin <JGarver@sandiego.gov>; Johnston, Katherine <KatherineJ@sandiego.gov>; Rowan, Makana <RowanM@sandiego.gov>; Kamiab, Sara <SKamiab@sandiego.gov>; Simonsen, Michael <MSimonsen@sandiego.gov>; Patton, Summer <PattonS@sandiego.gov>; Ramirez Borja, Gerardo <GRamirezBorj@sandiego.gov>; Smith, Kevin <KSSmith@sandiego.gov>; Trahin, Patricia <PTrahin@sandiego.gov>; Weber, Molly <MollyW@sandiego.gov>; Rosas, Maya <RosasM@sandiego.gov>
Subject: [EXTERNAL] Re: *URGENT* requesting immediate injunction on DSD approved - Non-compliant Bonus ADU project Encanto

****This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.****

Dear Ms. Lowe and City Attorney Ferbert,

I am urgently raising the alarm to prevent potential city liability regarding the improper approval of Bonus ADUs that appear to be in direct violation of Section 113.0103 of the municipal code. This matter is of utmost concern and requires immediate attention. 15 such projects have been identified (attached letter) thus far.

Thank you for taking the time to provide a detailed explanation of your situation and responsibilities for your department. I appreciate the significant workload that the

Development Services Department manages and the constraints placed on staff and resources.

I understand that DSD's primary focus is processing development permits and that there are established procedures in place for public records requests and project status inquiries, I do my best to follow established procedures when they work. In this instance, the process of approving Bonus ADU's in areas without pedestrian pathways is broken and requires deviation from the "norm."

I also recognize the challenges that come with balancing transparency, public engagement, and operational efficiency. Please know that my intention has always been to seek clarity on behalf of the community while being mindful of the department's constraints. If you have a more efficient way to raise the alarm on immediate issues and more efficient ways to access ministerial documents, please let me know so I may do so. As much as it pains you to have me make public records requests, it pains me more as a city resident and taxpayer.

I have attached a letter from the Chollas Valley Community Planning Group that identifies 15 potential Bonus ADU permits either approved or in the approval process without pedestrian pathways of travel. It is specific in nature regarding pedestrian pathways and apparent approvals of Bonus ADU projects in lieu of the pedestrian pathway requirement within municipal code. This is not only of concern to me, but also the community at large. **I know you must have grave concerns if your staff is permitting projects in error, contrary to municipal code and why I'm brining this to your urgent attention.**

Can you please provide a point of contact within the department regarding the projects and non-conformity referenced?

Thank you for your time and for the work you and your team do in serving our city.

Sincerely,
Rob Campbell
(619) 708-8895

From: Lowe, Elyse <ELowe@sandiego.gov>

Date: Monday, March 17, 2025 at 12:08 PM

To: Robert Campbell <robert.campbell.encanto@gmail.com>

Cc: Gloria, Todd <MayorToddGloria@sandiego.gov>, Taylor, Korral <TaylorK@sandiego.gov>, SDAT City Attorney <CityAttorney@sandiego.gov>, Vonblum,

Heidi <VonblumH@sandiego.gov>, Horton, Daniel <HortonD@sandiego.gov>, CouncilMember Henry Foster <HenryFoster@sandiego.gov>, neighborsforencanto@gmail.com <neighborsforencanto@gmail.com>, ChollasValleyCPG@gmail.com <ChollasValleyCPG@gmail.com>, CouncilMember Joe LaCava <JoeLaCava@sandiego.gov>, Councilmember Jennifer Campbell <JenniferCampbell@sandiego.gov>, Councilmember Stephen Whitburn <StephenWhitburn@sandiego.gov>, CouncilMember Marni von Wilpert <MarnivonWilpert@sandiego.gov>, CouncilMember Kent Lee <KentLee@sandiego.gov>, CouncilMember Raul Campillo <RaulCampillo@sandiego.gov>, Councilmember Vivian Moreno <VivianMoreno@sandiego.gov>, CouncilMember Sean Elo-Rivera <SeanEloRivera@sandiego.gov>, Joes, Vicky <VCJoes@sandiego.gov>, Molina, Venus <VMMolina@sandiego.gov>, Gloria, Liezl <LGloria@sandiego.gov>, O'Neill, Jacob <JacobO@sandiego.gov>, Darsey, Ryan <RDarsey@sandiego.gov>, Garver, Justin <JGarver@sandiego.gov>, Johnston, Katherine <KatherineJ@sandiego.gov>, Rowan, Makana <RowanM@sandiego.gov>, Kamiab, Sara <SKamiab@sandiego.gov>, Simonsen, Michael <MSimonsen@sandiego.gov>, Patton, Summer <PattonS@sandiego.gov>, Ramirez Borja, Gerardo <GRamirezBorj@sandiego.gov>, Smith, Kevin <KSSmith@sandiego.gov>, Trahin, Patricia <PTrahin@sandiego.gov>, Weber, Molly <MollyW@sandiego.gov>, Rosas, Maya <RosasM@sandiego.gov>

Subject: Re: *URGENT* requesting immediate injunction on DSD approved - Non-compliant Bonus ADU project Encanto

Mr. Campbell:

Thank you for your emails.

DSD is a cost-recoverable department, and due to current and future budget projections that show DSD expenses are exceeding revenues, responses to public requests for information for active permits in the process are not always able to be responded to in a fast timeframe. It is unsustainable for the DSD Enterprise Department employees, including myself, to continue researching and answering questions for thousands of public information requests via continuing email conversations when the Department's main focus (and how our fees are structured) is to process development permits.

The Development Services Department simply can't respond to every public inquiry on every permit status all the time. We even direct our customers to utilize Accela Community Access to log in to get their project status instead of emailing the Department due to the workload volume that we process, which is 70,000 approvals per year.

DSD staff is not structured in a way that I or other staff have the time to go over every project interpretation, decision and detail at any time for whomever in the public is asking for any length of time they desire. It is not a reasonable request based on the requirements of the California Public Records Act and with the amount of work DSD processes and the time pressure staff are under to perform to industry standards, in addition to financial feasibility and staff capacity. Due to the large volume of emails I personally receive on a daily basis, while overseeing the second largest building department in the State of California, please recognize that while your email as a member of the community is important, it's not feasible to confirm the receipt of every email I receive nor am I always able to answer in a timely manner.

When DSD receives public requests for information, the Department policy is to route the requests to our Public Record Act Request team, which is made up of 10 staff in our Records Division. We receive thousands of requests annually.

DSD has the highest number of PRAs of any Department in the City every month, and it's often difficult to keep up. When Code interpretation is needed, the City directs requestors to open an account at DSD and submit specific questions via the Preliminary Review process. This helps DSD more effectively track questions and responses and be cost-recoverable by charging staff time to research, review and prepare a response.

It is not feasible for DSD employees or me to update every person who emails us on the status of a permit. While I realize this is a sensitive issue for your community, please understand that I am just trying to level set on how DSD communications will be handled as I don't believe it's feasible for me to provide the level of service you are requesting.

Elyse W. Lowe

[Development Services Director](#)

City of San Diego

(619) 446-5423

SanDiego.gov/DSD

For scheduling and signatures, please contact my Executive Assistant, Ms. Kathryn Martindale at kmartindale@sandiego.gov.

Need project help? Book a [free virtual appointment](#) to schedule assistance from DSD staff.

How long do permits take?

See [permit processing timelines](#) on our website. These are real time averages for Intake, Review and Submittal.

EXHIBIT I

From: [Becca Batista Studio](#)
To: [Councilmember Vivian Moreno](#)
Subject: [EXTERNAL] Haven't heard from Henry yet
Date: Thursday, January 16, 2025 5:18:52 PM

****This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.****

Hi Mrs. Moreno,

<https://bonusadubadforsd.com/>

Thank you for listening to my neighbors and I last night. We have not heard from our Council Member, Mr. Foster yet, so I thought I would reach out to the other representatives and try my luck. We urge you to help us stop these projects in Encanto and to put an end to this Bonus ADU program that does nothing to benefit San Diegans. After the LA fires, we hope that you understand our concern when our Fire station 51 is literally a tent and a trailer. You cannot think that allowing these tinderbox, 500 squarefoot (apartments) are a safe idea for any of our neighborhoods.

Consider Project #1127220 at 1348 Tarbox Street in Encanto as an example. This one-acre lot, located in the RS-1-2 zone, is currently under review by DSD for the construction of 21 new two-story ADUs, resulting in a total of 43 dwelling units. According to our Community Plan, the Environmental Impact Report already evaluated this site for RS-1-2 buildout and identified significant, unmitigated issues. This location falls within the Environmental Justice area defined in the General Plan adopted in July 2024, poor air quality, poor health outcomes. Yet, despite these considerations, we are poised to receive 43 dwelling units on a lot designed for a maximum density of 4 DU. A **1,075%** density increase and around a **2,150%** density increase over the base zone of RS-1-2.

Developers are exempt of impact fees, environmental studies, parking, and any community improvements. We have F rated streets, no curbs or sidewalks. We will not be silenced until these projects are stopped and the loopholes end.

Thank you for your concern and any help you can provide.

Becca Batista
1445 Gibson Street

EXHIBIT J

From: [Margarat Nee](#)
To: [Councilmember Vivian Moreno](#)
Subject: [EXTERNAL] Please Pause and Review Bonus ADUs
Date: Saturday, February 8, 2025 4:49:08 PM

****This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.****

Dear Councilmember Moreno,

As a concerned resident of the Encanto neighborhood, I appreciate the city council's recent steps to repeal "footnote 7." It is clear that it was unethical in its origins (an investigation is needed), and as such **I also urge you to halt all projects that originated under and took advantage of this problematic footnote.**

Additionally, I strongly oppose the Bonus ADU program and request an immediate pause in ADU permitting and building as this deeply flawed program is examined and redesigned to fit the standards put forth by the state.

This "bonus" program does not align with our community's land use plan, but most of all, if you come to see the reality of its implementation in Encanto and other communities in Southeast, you will see how dangerous and flawed it really is. Our community simply does not have the necessary infrastructure to support the untenable increase in density that currently proposed "ADU Complexes" will bring.

I am not against standard ADUs (as described by the state). Keep in mind that the "A" stands for "Accessory" because they are intended to be part of a homeowner's existing home property. If the homeowner is living in their home and wants to add an ADU and a JADU that makes sense.

In contrast, projects proposed under the "bonus" program are essentially substandard apartment complexes put on properties owned by investment businesses who have no concern for our neighborhoods. These properties will never again be bought as homes, but will only be investment properties for absentee landlords. Encanto has been designated a Sustainable Development Area, but there is nothing sustainable about UNLIMITED ADUs strewn throughout our neighborhood.

There are two currently proposed within one block of my home, both cramming double-digit ADUs onto basic home properties. Specifically, one has **17 two-story structures resulting in 33 ADUs**, and the other has **8 two-story structures resulting in 16 ADUs**. These have **zero off-street parking (for 50+ tenants)**, not to mention **zero support for the infrastructure of the neighborhood where streets are already the worst in the city.**

From my own point of view on Brooklyn Avenue I just wonder about basics like parking, trash pickup, sewer infrastructure, pedestrian safety, and the condition of our roads, because they aren't required to follow the same rules as zoned-for and standardized apartment buildings, including paying fees to address some of these issues. They don't pay fees so where does the money come from to address the infrastructure upkeep? From taxes paid by resident homeowners like myself!

90% of our streets in Encanto lack sidewalks, yet they expect these additional tenants to use mass transit and **walk up to a mile** to reach an actual or simply *proposed* Major Transit Stop, making these projects **non-compliant with the Americans with Disabilities Act (ADA)**.
Please come to Encanto and consider walking home, uphill, at night, on a street without sidewalks (you may even have to walk home on a dirt road!).

Were you aware that **Encanto failed fire safety egress** guidelines back in 2015, and since then nothing has been done to improve that? How can the city in good conscience cram more people deep within this neighborhood?

Encanto is a high fire-risk area, not to mention a high-flood risk area, and these risks will not get better as climate change has shown us. These proposed developments would put all of District 4 at increased risk, jeopardizing the safety of residents.

Come see for yourself. [Visit the addresses listed on this webpage](#) and imagine if you lived on that block.

Sincerely,
Margarat Nee
6857 Brooklyn Ave, San Diego, 92114

Kimberli Grogan Photo Attachments









Chatten-Brown Law Group, APC

Josh Chatten-Brown | Partner
325 W. Washington Street, Suite 2193
San Diego, CA 92103
jcb@chattenbrownlawgroup.com
Phone: (619) 940-4522

April 30, 2025

Via Planning Commission Public Comment Form

City of San Diego Planning Commission
City Administration Building
12th Floor, 202 C Street
San Diego, California 92101

Re: Comments on Item #1: Amendments to the City of San Diego's Accessory Dwelling Unit and Junior Accessory Dwelling Unit Regulations

Dear Planning Commissioners:

On behalf of Neighbors for a Better Pacific Beach, we provide the following comments on Agenda Item #1, which addresses proposed amendments to the City of San Diego's Accessory Dwelling Unit ("ADU") and Junior Accessory Dwelling Unit Regulations, as directed by the City Council on March 4, 2025.

Neighbors for a Better Pacific Beach was established in response to deeply concerning projects advanced under the City's Bonus ADU Program. Notably, the proposed Pacifica project in the RS-1-7 zone seeks to add 126 so-called "accessory dwelling units." Despite the Pacifica project's significant impacts on the surrounding community, it is being processed as a ministerial action under the Bonus ADU Program, thereby circumventing meaningful public review and input.

The Bonus ADU Program has fostered an unregulated, "Wild West" approach to urban planning. This policy is placing significant strain on the City of San Diego's ("City") already underfunded infrastructure, depriving the City of critical development impact fees, and intensifying burdens on local neighborhoods. Moreover, it is leading to the degradation of sensitive canyons and hillsides and has effectively excluded the public from meaningful participation in the planning process.

The City has a duty to protect San Diegan's health, safety, and welfare. This is exercised through enacting and *enforcing* the City's ordinances and regulations, and through individual-level project review. The evidence demonstrates that the ADU Bonus Program does not mitigate unintended impacts.

The Bonus ADU Program has far exceeded its intended scope, enabling large-scale projects to bypass discretionary review and meaningful mitigation of impacts, contrary to the requirements of the California Environmental Quality Act ("CEQA"). Staff continue to approve Bonus ADU

projects without public transparency, accountability, or any mechanism for appeal, raising serious concerns under both CEQA and the California Constitution.

The current staff proposal before the Planning Commission would largely preserve the status quo, despite clear direction from the City Council to address the widespread community concerns voiced at the March 4, 2025 City Council meeting. Residents from across San Diego have shared firsthand accounts of the substantial negative impacts the Bonus ADU Program has had on neighborhood character, infrastructure, and quality of life.

Neighbors for a Better Pacific Beach respectfully urges the Planning Commission to recommend denial of the staff's proposed changes, support including the RS 1-7 zone in the repeal of the existing Bonus ADU Program, and to endorse the revisions proposed by the Community Planners Committee ("CPC").

I. The Bonus ADU Program Must Be Revised in Accordance with the Community Planners Committee's Proposed Revisions in All Zones, Including RS 1-7.

City staff's proposed amendments would only repeal eligibility for the Bonus ADU Program in selective zones: RS-1-1 through RS-1-4 and RS-1-8 through RS-1-11. (Staff Report, p. 6.) Neighbors for a Better Pacific Beach urges the Planning Commission to adopt the CPC revisions that apply to all zones, including RS 1-7.

On March 4, 2025, the City Council debated including additional zones, including RS 1-7, in the repeal they directed. The City Council ultimately did not include RS-1-7, a decision influenced by information provided during the hearing by Planning Director Heidi Vonblum. When asked by Councilmember Foster III about the rationale for the exclusion of RS-1-5 through RS-1-7 from staff's proposed repeal, Ms. Vonblum stated:

The zones that are listed in the proposed motion, we were able to confirm that those zones ...represent zones that have minimum lot sizes greater than 10,000 square feet. Having a lot size greater than 10,000 square feet is a factor that can contribute to an outlier circumstance because that gives you the higher floor area ratio, which means a higher building square footage. The zones that were not included on there included zones RS-1-5, 1-6, and 1-7. Those zones have smaller lot sizes . . .¹

¹ March 4, 2025, City Council Meeting, video available at https://sandiego.granicus.com/player/clip/9099?view_id=3&redirect=true. Comments begin at 6:20:30.

The Staff Report echoes a similar rationale: that each of the proposed zones to be removed from the Program “has minimum lot sizes of 10,000 square feet or greater.”² This implies that the problems with the Bonus ADU Program pervading RS-1-1 through RS-1-4 and RS-1-8 through RS-1-11 would not affect RS-1-7.

Ms. Vonblum’s suggestion that RS-1-7 does not need to be included in the repeal because of the relatively small lot size is unfounded, as there are numerous large parcels in the RS-1-7 zone. For example, one project at 2596 Chalcedony Street—proposed on an approximately 127,000 feet lot³—proposed the construction of *one hundred and twenty-six* ADUs on-site.⁴ Many other parcels zoned RS-1-7 well exceed the 5,000 square foot lot minimum, including the following parcels:

- 2535 Beryl Street (2.02 acres)
- 3104 Geronimo Avenue (3.35 acres)
- 4604 Iroquois Avenue (2.18 acres)
- 3303 Wicopee Place (2.59 acres)
- 2993 Edell Place (2.3 acres)
- 3605 Pocahontas Street (1.05 acres)

These parcels are surrounded by other similarly sized parcels, also zoned RS-1-7. While RS-1-7 may be subject to a small minimum lot size, numerous RS-1-7 lots throughout the City well exceed those standards and are ripe for the construction of extremely large ADUs projects that are the catalyst for the City Council’s directed repeal.

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² In contrast, RS-1-5, which was omitted from the proposed amendments, requires a minimum lot size of 8,000 square feet. (S.D. Muni. Code § 131.0403(b)(1).) RS-1-6 requires a minimum lot size of 6,000 square feet, and RS-1-7 requires a minimum lot size of 5,000 square feet. (*Ibid.*)

³ The Pacifica project includes two APNs. Therefore, developers can also purchase adjoining lots and request a lot line adjustment to increase the overall lot size.

⁴ https://issuu.com/twh1031/docs/sdre_homebuyers_v.01b

Furthermore, RS-1-7 lots accounted for 93% of all ADU homes permitted through the Bonus ADU Program from 2021 to 2024:

Table 4: ADU Homes Permitted through the ADU Home Density Bonus Program in RS Zones 2021-2024				
RS Zone	ADU Home Density Bonus Program			
	Number of Projects	Percent of Projects in RS Zones	Number of ADU Homes	Percent of ADU Homes in RS Zones
RS-1-1	2	3%	6	1%
RS-1-6	2	3%	13	3%
RS-1-7	64	91%	383	93%
RS-1-14	2	3%	8	2%
Total	70	100%	410	100%

(Staff Report, p. 7.)

These lots, which can range up to nearly 150,000 square feet⁵, have consistently proven to be the most sought-after zone for the development of large-scale ADU complexes, contrary to assertions suggesting otherwise.

The current staff proposal recommends repealing the Bonus ADU Program only in zones RS-1-1 through RS-1-4 and RS-1-8 through RS-1-11. However, these zones collectively represent less than one quarter of the acreage currently eligible for the Bonus ADU Program. If adopted, these changes would leave the majority of development potential untouched – particularly in RS-1-7, where the highest concentration of ADU construction has occurred.

Omitting RS-1-7 limits the scope of the City Council’s desired reforms, effectively preserving the status quo in the zones most impacted by intensive ADU development. The rationale offered by Ms. Vonblum – that RS-1-7 should be excluded from any repeal due to the perceived unlikelihood of development on “smaller” parcels – does not align with the data, given that RS-1-7 lots not only vary widely in size but have also experienced the greatest volume of ADU construction citywide. In contrast, the CPC’s proposed revisions more effectively address the City Council’s direction.

This selective approach risks undermining the effectiveness of the reform and could perpetuate the very issues the Council sought to address. Furthermore, it is arbitrary and not supported by

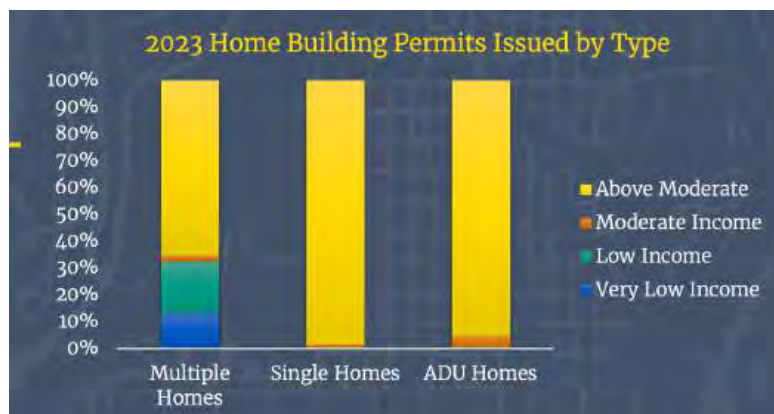
⁵ This calculation is based on 3104 Geronimo Avenue, a 3.35-acre RS-1-7 parcel. 3.35 acres is equivalent to 145,926 square feet.

the evidence in the record. To ensure equitable and meaningful policy outcomes, it is imperative that any revisions to the Bonus ADU Program address RS-1-7 and other high-impact zones directly, rather than exempting them based on unsupported assumptions.

II. The Bonus ADU Program Does Not Improve Housing Affordability

Neighbors for a Better Pacific Beach would like to correct inaccurate assertions by City staff, developers, and the press that the Bonus ADU Program promotes affordable housing, and that its repeal will harm housing affordability.

The City Planning Staff's 2024 Annual Report on Homes admitted that the vast majority of ADU homes permitted in 2023 were "Above Moderate" – which appears to mean "market rate" units. In particular, 95% were market rate units.



(2024 Annual Report on Homes, page 14)⁶

Within the Bonus ADU Program, the City reported only **three** Very Low Income and **three** Low Income homes permitted. (Ibid.) In comparison, multi-family homes provide low income and very low income units. Ironically, the large-scale "ADU" projects allowed under the City's Bonus ADU Program, which would normally be processed as multi-family housing projects, serve to deprive the City of more low-income and very-low income units.

The Planning Commission Staff Report improperly groups "Moderate Income" units with "Very Low Income" and "Low Income," into one "affordable" category, in providing its various charts and statistics to the Planning Commission. (See Staff Report, p. 6.) In fact, recent ADU data compiled by the San Diego Housing Commission reveals that out of 224 "affordable" ADU applications submitted to the City since 2021 through December 31, 2024, only eleven applications included a unit with incomes below 110% AMI. (**Exhibit A.**)

⁶ <https://www.sandiego.gov/sites/default/files/2024-07/2024-annual-report-on-homes.pdf>

The “Moderate Income” units do not even deliver affordability as claimed. The Pacifica Project’s investment projections advertised by the applicant, SDRE Homebuyers, to potential investors offer a crucial insight into how the Bonus ADU Program only serves to **increase** housing prices in San Diego, through increasing land value *and* monthly rents. The Pacifica Project intends to rent all 126 units, each at 450 square feet, for \$3,000 a month, providing the applicant \$378,000 in rent each month. (**Exhibit B**, p. 8). This underscoring that “Moderate Income” units are not truly affordable and should not be classified as such.

The advertisement confirms that the Pacifica Project would pay \$0 in development impact fees. (Exhibit B, p. 6.) Meanwhile, the Pacifica Project reports an expected project of over \$70 million in 10 years. (*Id.* at p. 9.) SDRE provides the following investment summary: “With a three-year hold time, it is anticipated to produce a net operating income (NOI) of \$3M, an exit of \$75.6M with an anticipated 125% ROI for investors.”⁷

The same advertisement provides financial information about another nearly completed project. (Exhibit B, p. 6.) A lot with two units was purchased for \$889,000. Two units were added, and the lot was sold for \$3.2 million. (*Ibid.*) SDRE’s list of completed projects further highlights how the Bonus ADU Program has created an avenue for investors to even further increasing the price of more moderately priced homes.⁸

In fact, the Federal Reserve Bank of San Francisco released its research findings last month that supply constraints do not explain housing price and quantity growth across the United States. (**Exhibit C.**) Rather, the Federal Reserve reported that “from 2000 to 2020, we find that higher income growth predicts the same growth in house prices, housing quantity, and population regardless of a city’s estimated housing supply elasticity.” This held true for data going back to 1980.

Moreover, the Reserve explained:

Using a general demand-and-supply framework, we show that our findings imply that constrained housing supply is relatively unimportant in explaining differences in rising house prices among U.S. cities. These results challenge the prevailing view of local housing and labor markets and suggest that easing housing supply constraints may not yield the anticipated improvements in housing affordability.

(*Ibid.*)

⁷ https://issuu.com/twh1031/docs/sdre_homebuyers_v.01b.

⁸ <https://www.sdre.com/portfolio> [listing four projects where the lot was purchased within the range of \$550,000 to \$889,000, and then sold for \$1,650,000 to \$3,200,000].

Putting the Federal Reserve’s findings in simpler terms: the single most important factor, one that far outweighs “constraints,” is the income and wealth of the people who are moving into a city. The more market-rate, “luxury” units the City builds, the more it drives up housing prices. The Bonus ADU Program, and in particular the Pacifica Project, provide concrete examples of this.

Neighbors for a Better Pacific Beach urges the Planning Commission to reign in the Bonus ADU Program. Not only does it wreak significant unmitigated impacts, it drives up land prices and prices out San Diegans who are now competing with investors like SDRE homebuyers and produces primarily market-rate, expensive units that further render housing unaffordable in San Diego.

III. Staff’s Proposed Revised Bonus ADU Program Still Violates State Law

1. The Bonus ADU Program Continues to Create Significant Unmitigated Impacts Not Analyzed Under the Initial Approval

On October 30, 2020, the City Council adopted the Accessory Dwelling Unit Bonus Program through Ordinance 021254. The Staff Report (**Exhibit D**) for the ordinance claimed that “Implementation of this project’s actions would not result in new significant direct, indirect, or cumulative impacts over and above those disclosed” in the 2008 General Plan Environmental Impact Report (“EIR”), 2020 Housing Element Addendum to the 2008 EIR, and the Climate Action Plan EIR. Therefore, no mitigation was required.

Yet, a draft resolution⁹ prepared by the City Attorney for the March 4, 2025 City Council meeting states, “The ADU Bonus Program does not mitigate unintended impacts such as additional density in Very High Fire Severity Zones, locations with restricted emergency access, and inefficient lot design and resource management.”¹⁰

Councilmember Foster further identified in a presentation at the March 4, 2025 City Council meeting the following as concerns regarding the Bonus ADU Program:

⁹ While this was a draft resolution, the resolution states, “The Office of the City Attorney prepared this Resolution based on the information provided by City staff, with the understanding that this information is complete and accurate.”

¹⁰ Draft Resolution RS-2025-437, available at:

<https://sandiego.hylandcloud.com/211agendaonlinecouncil/Documents/ViewDocument/R-2025-437.pdf.pdf?meetingId=6429&documentType=Agenda&itemId=243646&publishId=957653&isSection=false>.

- Impact on community plans, neighborhood character, infrastructure capacity, and public safety.
- The fact that the Bonus ADU Program **does not mitigate unintended impacts** such as:
 - Additional density in Very High Fire Severity Zones
 - Locations with restricted emergency access, and
 - Inefficient lot design and resource management.
- The collection of Development Impact Fees for the additional market rate/unrestricted units that are needed for infrastructure improvements.

The Bonus ADU Program has far exceeded its reported scope and prevents discretionary review and mitigation of large-scale projects with significant impacts, in violation of CEQA. Both the City and community members have identified that the findings made in Ordinance 021254 that there were no new significant impacts of the Bonus ADU Program and no mitigation was required were false.

2. The City Must Uphold its Duty to Protect Health, Safety, and Welfare

Municipalities have a fundamental duty to protect the health, safety, and welfare of the residents therein. Significant risks and impacts—including impacts to health and safety, such as unintended impacts to density in Very High Fire Hazard Severity Zones (“VHFHSZs”)—from the Bonus ADU Program have been identified and the City must mitigate these impacts.

Furthermore, while City governments may grant certain powers to administrative agencies, those grants must attach procedures which safeguard against possible misuses of that power. (*City of Burbank v. Burbank-Glendale-Pasadena Airport Authority* (1999) 72 Cal. App. 4th 366, 376.) Further, delegations of administrative or regulatory powers must include sufficiently definite directions for the administrative body in the manner of exercising its delegated powers. (*Id.*, citing *Katz v. Dept. of Motor Vehicles* (1973) 32 Cal. App. 3d 679, 684.) A city may therefore delegate its discretionary powers, but may not totally abdicate itself of those powers in the process. (*Id.*, citing *Kugler v. Yocum* (1968) 69 Cal. 2d 371, 384.)

Here, Staff’s proposal fails to address the Bonus ADU Program’s impacts to health and safety. It also fails to address the widespread ministerial classification of Bonus ADU Program projects without adequate directions and safeguards to the Planning Department, and with no opportunity for meaningful review of the impacts of individual ADU projects.

For example, the CPC proposal specifically called for the prohibition of bonus ADUs in (1) VHFHSZs and (2) on all cul-de-sacs or other roads with only one point of ingress and egress. This would ensure that bonus ADU units are not being sited in locations that pose a hazard in the event of a wildfire, evacuation, or other emergency. In contrast, the City’s proposal would only prohibit the construction of ADUs in High Fire Hazard Severity Zones and VHFHSZs if the lot

is also on a street that only has one point of ingress and egress. (Staff Report, p. 12.) This change impermissibly weakens the term and fails to offer protections for residents who live on a street with only one access point, but do not live in a VHFHSZ. However, these residents would be equally impacted by the addition of ADUs and the associated additional cars in the event of an evacuation.

3. The City Has Unlawfully Classified All Bonus ADU Projects as Ministerial

The City Council requested additional revisions of the Bonus ADU Program during its March 4, 2025 hearing. Neighbors for a Better Pacific Beach urges the Planning Commission to recommend revisions that protect the community's ability to participate in the review of Bonus ADU Program projects. Therefore, one necessary revision is provision of notice to neighbors of applications for Bonus ADU Program projects, clear guidance of circumstances that render a Bonus ADU Program project discretionary, and provision of the right to appeal Planning and Development Services Department ("DSD") staff determinations. The City has improperly classified all Bonus ADU Programs as "ministerial," even in the face of overwhelming evidence to the contrary. Planning Department and DSD frequently exercise their discretion on Bonus ADU Projects and often utilize improper interpretations of the San Diego Municipal Code, with an end result being that a project maintains its classification as ministerial.

The California Supreme Court has instructed that the "blanket classification" of all permit issuances as ministerial is unlawful where some of an agency's decisions may be discretionary. Accordingly, classifying *all* issuances as ministerial violates CEQA. (*Protecting Our Water & Environmental Resources v. County of Stanislaus*, 10 Cal.5th 479 (2020).)

In one egregious example, staff in the Building and Land Use Enforcement ("BLUE") concluded that a Bonus ADU Project applicant had illegally graded sensitive vegetation along a canyon, thus requiring a discretionary permit. The Planning Department instructed BLUE to remove this finding and re-classified the project as ministerial. (**Exhibit E.**) BLUE further admitted that DSD then improperly issued building permits before all code enforcement violations were remedied. (*Ibid.*) The Project has since been constructed.

The Pacifica Project is another example of a Bonus ADU Program that has been improperly classified as ministerial. The project proposes over 120 units in a very high fire zone and would encroach on a significant archaeological site and potentially environmentally sensitive lands, per the City's own internal review comments. Our office submitted a Request for Notice of Decision related to the Project, which the Planning Department has refused to confirm receipt or even respond to. (**Exhibit F.**) This Project, and other projects with significant impacts, must be treated as discretionary to avoid violating CEQA.

Countless community members have alerted DSD and Planning to Bonus ADU Program project violations, to no avail. The Chollas Valley Community Planning Group alerted the City that it has documented Bonus ADU projects lacking required pedestrian pathways that have been submitted, and in some cases, approved, by the Development Services Department. (**Exhibit G.**) This contradicts assertions made by Planning Director Ms. Vonblum to City Council, holding out the Program's requirement for a pedestrian pathway.

Furthermore, DSD is not equipped to process the deluge of massive Bonus ADU Program projects ministerially. After a community member alerted DSD of fifteen Bonus ADU Projects that did not comply with the City code, he was told that “DSD staff is not structured in a way ... to go over every project interpretation, decision and detail,” and “DSD is a cost-recoverable department, and due to current and future budget projections that show DSD expenses are exceeding revenues, responses to public requests for information for active permits in the process are not always able to be responded to in a fast timeframe.” (**Exhibit H.**) Meanwhile, the City fast tracks approvals of Bonus ADU Program projects.

There are several examples of Bonus ADU Program projects with significant impacts that are not undergoing proper environmental review (See **Exhibit I; Exhibit J** [describing violations in zone RS 1-6; see also Exhibit G.) Projects are being approved that violate the San Diego Municipal Code, and there is no recourse to community members.

Neighbors for a Better Pacific Beach calls on the Planning Commission to ensure discretionary projects are treated as such, and to require an appeal process of Bonus ADU Programs that result in significant impacts.

IV. Revisions Proposed by the CPC Would Not Result in a “Wholesale” Repeal of the Bonus ADU Program, Nor Would They Violate the Housing Accountability Act or Render the Housing Element Non-Compliant

In a February 28, 2025 memorandum to the City Council, Ms. Vonblum asserts, “A wholesale repeal of the ADU Bonus Program would violate State housing laws in the absence of corresponding replacement regulations that incentivize and promote the creation of affordable ADU homes.”

As a preliminary matter, the CPC’s proposal does not purport to entirely repeal the Program. Rather, the CPC’s proposal would repeal the Program for zone RX-1-1,¹¹ zone RX-1-2, and zones RS-1-1 through RS-1-14. This proposal would continue to allow for bonus ADUs in areas zoned for multiple units.

¹¹ “RX” zones are small lot zones, which require only 3,000 to 4,000 square feet as the minimum lot size.

Moreover, State law does not preclude the City from repealing the Bonus ADU Program. In general, the Housing Crisis Act (“HCA”) requires a municipality that downzones or changes land use density to a less intensive use to concurrently upzone or increase density elsewhere, to ensure no net loss in residential capacity. (Gov. Code §66300(h)(1).) The HCA broadly applies to changes in land use density, but does so in light of existing law as of January 1, 2018:

Notwithstanding any other law except as provided in subdivision (h), with respect to land where housing is an allowable use, an affected county or an affected city shall not enact a development policy, standard, or condition that would have any of the following effects . . . Changing the general plan land use designation, specific plan land use designation, or zoning of a parcel or parcels of property to a less intensive use or reducing the intensity of land use within an existing general plan land use designation, specific plan land use designation, or zoning district in effect at the time of the proposed change, **below what was allowed under the land use designation or zoning ordinances of the affected county or affected city, as applicable, as in effect on January 1, 2018**, except as otherwise provided in clause (ii) of subparagraph (B) or subdivision (h). For purposes of this subparagraph, “reducing the intensity of land use” includes, but is not limited to, reductions to height, density, or floor area ratio, new or increased open space or lot size requirements, new or increased setback requirements, minimum frontage requirements, or maximum lot coverage limitations, or any other action that would individually or cumulatively reduce the site’s residential development capacity.

(Gov. Code §66300(b)(1)(A), emphasis added.)

While this provision is broad and would apply to changes in land use contemplated under the Program, including changes to setbacks and density, the HCA would not apply here. Section 66300 applies where the land use density is reduced below what was allowed as of January 1, 2018. The City’s Bonus ADU Program was not enacted until 2020, so while repealing portions of it may reduce the densities originally permitted by the Program, those provisions were not in effect in 2018. Therefore, there would be no violation of the HCA.

V. Conclusion

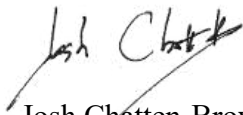
In conclusion, Neighbors for a Better Pacific Beach urges the Planning Commission to take decisive action to address the substantial and well-documented impacts of the Bonus ADU Program. The evidence demonstrates that RS-1-7 lots have been disproportionately affected, accounting for the vast majority of ADU construction under the program. Excluding RS-1-7 from meaningful reform will leave the door open for continued large-scale developments that strain infrastructure, alter neighborhood character, and circumvent public oversight.

The staff's proposed amendments do not respond adequately to the concerns raised by residents citywide. Moreover, claims that the Bonus ADU Program advances housing affordability are not supported by the City's own data, which shows that most units produced are market-rate and do not address the needs of low- and moderate-income households.

The City has a legal and ethical obligation to ensure that growth is managed responsibly, with appropriate safeguards for community character, public safety, and the environment. Reforms must include RS-1-7 and other high-impact zones to prevent further unmitigated impacts and restore public confidence in the planning process.

We respectfully request that the Planning Commission recommend denial of the staff's proposed changes, support the inclusion of RS-1-7 in the repeal of the Bonus ADU Program, and endorse the comprehensive revisions advanced by the Community Planners Committee. Only by taking these steps can the City fulfill its duty to protect the health, safety, and welfare of all San Diegans and ensure that future housing policy is both equitable and sustainable.

Sincerely,

A handwritten signature in black ink, appearing to read "Josh Chatten-Brown", with a stylized flourish at the end.

Josh Chatten-Brown
Kathryn Pettit
Isabella Coye

cc

San Diego City Councilmembers
San Diego City Attorney Heather Ferbert
Planning Director Heidi Vonblum

EXHIBIT A

From: [Johnston, Katherine](#)
To: [Andrew Bowen-Ataide](#)
Subject: FW: ADU Bonus Reporting
Date: Wednesday, January 29, 2025 11:29:00 AM
Attachments: [image001.png](#)
[ADU Bonus Projects 12-2-2024 - Recorded.xlsx](#)

From: Weber, Molly <MollyW@sandiego.gov>
Sent: Tuesday, January 28, 2025 12:14 PM
To: Johnston, Katherine <KatherineJ@sandiego.gov>
Subject: FW: ADU Bonus Reporting

From: Thomas DeFranco <thomasd@sdhc.org>
Sent: Tuesday, January 28, 2025 12:06 PM
To: Weber, Molly <MollyW@sandiego.gov>
Cc: Genevieve Hernandez <genevieveh@sdhc.org>; Merli Mejia <merlim@sdhc.org>; Francis Barraza <francisb@sdhc.org>
Subject: [EXTERNAL] ADU Bonus Reporting

****This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.****

Hi Molly,

Please see the attached ADU data that includes reporting on the Bonus ADU program since 2021. I organized the data into pivot tables which shows ADUs by CD, by Year, and by average size per CD.

This data has not been validated by our data team.

Thomas DeFranco
Director of Policy
San Diego Housing Commission
1122 Broadway, Suite 300, San Diego, CA 92101
[\(619\) 578-7511](tel:(619)578-7511)

The San Diego Housing Commission (SDHC) has implemented a two-year pilot program, effective November 1, 2022, to allow some staff to work remotely while continuing to serve SDHC's customers by phone, email, mail, virtually and in person, as required.

[Closed on alternating Fridays](#)

Disclosure: This email communication may be subject to the California Public Records Act and may be viewed by third parties upon request.



Related - 2020 Project No.	Project Name	Project Address	Council District	Community Planning Area	Exp Code	Industry	Use	Construction Type	Income Targeting	Recorded Date	Recorded Doc No.	Affordability Term (years)	Total ADUs	Row ADUs	Bonus ADUs	Bonus Affordable ADUs	Expiring Units	APN	Status	Notes for Internal Use		
	684151	4901 Street ASH	4801 49th Street	9	Mid-City, Kensington-Talmadge	02115	No	Rental	New Construction	110% AMI	6/30/2021	2021-0001026	15	5	1	4	2	1	405-120-08-00	Sent to Compliance		
	688109	3605 36th Street	3605 36th Street	6	Claremont Mesa	02111	No	Rental	New Construction	110% AMI	7/7/2021	2021-0013457	15	5	1	4	2	1	420-174-03-00	Recorded & Sent to Compliance		
	691002	4800 Genesee Ave	4800 Genesee Ave	6	Claremont Mesa	02127	No	Rental	New Construction	110% AMI	8/2/2021	2021-0004897	15	5	1	4	2	1	355-350-30-00	Recorded & Sent to Compliance		
	693906	8331 New Avenue	8331 New Avenue	7	Serra Mesa	02123	No	Rental	New Construction	110% AMI	9/16/2021	2021-0006176	15	5	1	4	2	1	428-180-43-00	Recorded & Sent to Compliance		
	693118	6036 Buckhorn Ave	6036 Buckhorn Ave	6	Claremont Mesa	02121	No	Rental	New Construction	110% AMI	9/26/2021	2021-0006493	15	5	1	4	2	1	420-560-04-00	Recorded & Sent to Compliance		
	679717	Home Start Asst	4778 24th Street	3	Mid-City, Normal Heights	02116	No	Rental	New Construction	110% AMI	11/10/2021	2021-0014700	15	4	3	1	1	1	439-401-29-00	Recorded & Sent to Compliance		
	677712	4800 Kansas Street	4800 Kansas Street	3	North Park	02116	No	Rental	New Construction	110% AMI	12/14/2021	2021-0041801	15	5	2	3	2	1	446-402-28-00	Recorded & Sent to Compliance		
	680101	Lozan Ave ADU Dr	4023-4023 Lozan Av	9	Southeastern San Diego	02113	No	Rental	New Construction	110% AMI	1/10/2022	2022-0012907	15	8	2	6	3	2	1	551-022-03-00	Recorded & Sent to Compliance	
	695262	1704 Harford Drive	1704 Harford Drive	7	Linda Vista	02111	No	Rental	New Construction	110% AMI	1/12/2022	2022-0002576	15	5	1	4	2	1	432-295-24-00	Recorded & Sent to Compliance		
PRJ-1041812	1544 Manchester	1544 Manchester St	9	College Area	02125	No	Rental	New Construction	110% AMI	1/12/2022	2022-0005590	15	7	1	6	3	1	1	468-111-03-00	Recorded & Sent to Compliance		
PRJ-1041072	3557 Argonne Drive	3557 Argonne Drive	7	Serra Mesa	02123	No	Rental	New Construction	110% AMI	1/12/2022	2022-0002668	15	5	1	4	2	1	421-290-25-00	Recorded & Sent to Compliance			
PRJ-1041094	1160 69th Street	1160 69th Street	9	College Area	02115	No	Rental	New Construction	110% AMI	2/11/2022	2022-0007088	15	6	1	5	3	1	1	468-124-36-00	Recorded & Sent to Compliance		
	695168	2967 E Street	2967 E Street	3	Greater Golden Hill	02102	No	Rental	New Construction	110% AMI	2/22/2022	2022-0001112	15	4	2	3	1	1	539-592-06-00	Recorded & Sent to Compliance		
PTJ-0060971	6750 Shawnee Blvd	6750 Shawnee Blvd	9	College Area	02115	No	Rental	New Construction	110% AMI	3/1/2022	2022-0013466	15	3	1	2	1	1	1	467-442-21-00	Recorded & Sent to Compliance		
PRJ-1044616	Foster ACU	6251 Mary Lane Dr	9	College Area	02115	No	Rental	New Construction	110% AMI	4/7/2022	2022-0013030	15	2	1	1	1	1	1	467-17-20-00	Recorded & Sent to Compliance		
	687995	1010 13th Street	1010 13th Street	3	Greater Golden Hill	02102	No	Rental	New Construction	110% AMI	6/7/2022	2022-0016136	15	4	2	2	1	1	1	529-563-03-00	Recorded & Sent to Compliance	
PRJ-1028920	402-424 Ashbur Dr	402-424 Ashbur Dr	3	Uptown	02103	No	Rental	Refurb & New Construction	110% AMI	7/30/2022	2022-0008067	15	8	3	5	3	1	1	444-120-29-00	Recorded & Sent to Compliance		
PRJ-1011426	3010 E Broadway	3010 E Broadway	1	Greater Golden Hill	02102	Yes	Rental	New Construction	110% AMI	8/2/2022	2022-0017999	15	10	2	8	4	1	1	539-542-23-00	Recorded & Sent to Compliance		
PRJ-1028251	4883 Melinda Blvd	4883 Melinda Blvd	9	Mid-City, Eastern Area	02115	No	Rental	New Construction	110% AMI	8/2/2022	2022-0004280	15	3	1	1	1	1	1	479-112-03-00	Recorded & Sent to Compliance		
	PRJ-1042463	2812 Nye St	2812 Nye St	7	Linda Vista	02111	No	Rental	New Construction	110% AMI	9/22/2022	2022-0017392	15	4	2	2	1	1	1	431-032-24-00	Recorded & Sent to Compliance	
	684706	Yucca ACU	854-862 23rd Street	3	Greater Golden Hill	02102	No	Rental	New Construction	110% AMI	10/10/2022	2022-0002363	15	4	2	2	1	1	1	534-382-13-00	Recorded & Sent to Compliance	
PRJ-1010187	3411 11st Street	3411 11st Street	3	North Park	02104	No	Rental	New Construction	110% AMI	10/12/2022	2022-0004647	15	4	2	2	1	1	1	453-443-05-00	Recorded & Sent to Compliance		
PRJ-1013107	1540 Catalina Drive	1540 Catalina Drive	9	College Area	02115	No	Rental	New Construction	110% AMI	10/14/2022	2022-0007206	15	2	1	1	1	1	1	467-133-09-00	Recorded & Sent to Compliance		
PRJ-1040408	9608 Paces Motor	9608 Paces Motor	5	Encanto Neighborhoods	02129	No	Rental	New Construction	110% AMI	10/24/2022	2022-0003211	15	5	3	2	1	1	1	515-150-01-00	Recorded & Sent to Compliance		
PRJ-1040971	6303 Broadway	6303 Broadway	4	Encanto Neighborhoods	02114	No	Rental	New Construction	110% AMI	10/24/2022	2022-0003882	15	3	1	1	1	1	1	544-191-47-00	Recorded & Sent to Compliance		
PRJ-1010720	4508 Moravia Ave	4508 Moravia Ave	2	Claremont Mesa	02103	No	Rental	New Construction	110% AMI	10/25/2022	2022-0013530	15	5	1	2	2	1	1	519-191-18-00	Recorded & Sent to Compliance		
PRJ-1021748	2320 Barnwell St	2320 Barnwell St	3	North Park	02104	No	Rental	New Construction	110% AMI	11/2/2022	2022-0013437	15	2	1	1	1	1	1	453-021-18-00	Recorded & Sent to Compliance		
PRJ-1020120	5646 Mary Lane Dr	5646 Mary Lane Dr	9	College Area	02115	No	Rental	Conversion	110% AMI	11/2/2022	2022-0007790	15	2	1	1	1	1	1	466-181-11-00	Recorded & Sent to Compliance		
PRJ-1020430	4609 Florida Street	4609 Florida Street	3	North Park	02116	Yes	Rental	New Construction	110% AMI	11/7/2022	2022-0041339	15	12	2	10	5	1	1	445-052-03-00	Recorded & Sent to Compliance		
PRJ-1010412	2410 Sharnock St	2410 Sharnock St	9	Mid-City, City Heights	02105	No	Rental	New Construction	110% AMI	11/7/2022	2022-0044062	15	2	1	1	1	1	1	0	540-091-23-00	Recorded & Sent to Compliance	
PRJ-1020678	1704 Burton St	1704 Burton St	7	Linda Vista	02111	No	Rental	New Construction	110% AMI	11/21/2022	2022-0046001	15	4	2	2	1	1	1	437-130-06-00	Recorded & Sent to Compliance		
PRJ-1017083	1638 Elm Ave	1638 Elm Ave	8	Clay Mesa-Norwest	02154	No	Rental	Conversion + New Cor	110% AMI	12/10/2022	2022-0014117	15	10	2	8	4	1	1	627-181-21-00	Recorded & Sent to Compliance		
PRJ-1015127	5076 Mount Main	5076 Mount Main	6	Claremont Mesa	02127	No	Rental	New Construction	110% AMI	12/20/2022	2022-0008429	15	3	1	2	1	1	1	361-380-12-00	Recorded & Sent to Compliance		
PRJ-1014064	8341 Torres Place	8341 Torres Place	6	Mira Mesa	02126	No	Rental	New Construction	110% AMI	1/17/2023	2023-0011909	15	2	1	1	1	1	1	399-131-26-00	Recorded & Sent to Compliance		
PRJ-1010931	2520 Elm St	2520 Elm St	2	Claremont Mesa	02103	No	Rental	Conversion	110% AMI	1/17/2023	2023-0001815	15	3	2	1	1	1	1	400-101-10-00	Recorded & Sent to Compliance		
PRJ-1010137	5075 Delancey Way	5075 Delancey Way	9	College Area	02115	No	Rental	New Construction	110% AMI	1/24/2023	2023-0013036	15	9	1	8	4	1	1	466-023-01-00	Recorded & Sent to Compliance		
PTJ-0753799	4247 Alta Ave	4247 Alta Ave	2	Claremont Mesa	02103	No	Rental	Conversion + New Cor	110% AMI	1/25/2023	2023-0001005	15	2	1	1	1	1	1	418-032-07-00	Recorded & Sent to Compliance		
PRJ-1010642	1979 Irving Ave	1979 Irving Ave	6	Southeastern San Diego	02113	No	Rental	New Construction	110% AMI	2/4/2023	2023-0003876	15	2	2	2	1	1	1	2	534-100-16-00	Recorded & Sent to Compliance	
PRJ-1025997	1742 Via De La Bandera	1742 Via De La Bandera	8	San Ysidro	02173	No	Rental	New Construction	110% AMI	2/6/2023	2023-0001204	15	3	1	2	1	1	1	538-290-03-00	Recorded & Sent to Compliance		
PRJ-1010594	5229 Bacon Ave	5229 Bacon Avenue	9	College Area	02115	No	Rental	New Construction	110% AMI	2/22/2023	2023-0004579	15	5	1	4	2	1	1	1	467-072-03-00	Recorded & Sent to Compliance	
PRJ-1020106	3004 Marston St	3004 Marston St	4	Mid-City, Eastern Area	02115	No	Rental	New Construction	110% AMI	3/20/2023	2023-0001094	15	3	1	2	1	1	1	473-390-13-00	Recorded & Sent to Compliance		
PRJ-1010777	6553 Leonard Ave	6553 Leonard Ave	4	Mid-City, Eastern Area	02115	No	Rental	New Construction	110% AMI	3/10/2023	2023-0001071	15	3	2	1	1	1	1	473-642-08-00	Recorded & Sent to Compliance		
PRJ-1020265	4812 34th Street	4812 34th Street	9	College Area	02115	No	Rental	New Construction	110% AMI	3/15/2023	2023-0005791	15	3	1	2	1	1	1	468-480-03-00	Recorded & Sent to Compliance		
PRJ-1010118	724 Sutter St	724 Sutter St	3	Uptown	02103	No	Rental	Conversion	110% AMI	3/20/2023	2023-0017009	15	2	1	1	1	1	1	451-091-15-00	Recorded & Sent to Compliance		
PRJ-1001001	2320 F Street	2320 F Street	3	Greater Golden Hill	02102	No	Rental	New Construction	110% AMI	4/4/2023	2023-0006130	15	3	1	2	1	1	1	534-584-06-00	Recorded & Sent to Compliance		
PRJ-1001297	816 24th St	816 24th St	4	Greater Golden Hill	02103	No	Rental	New Construction	110% AMI	4/4/2023	2023-0006186	15	5	2	3	2	1	1	534-184-12-00	Recorded & Sent to Compliance		
PRJ-1001335	6375 Cedar Ave	6375 Cedar Ave	7	Linda Vista	02111	No	Rental	New Construction	110% AMI	4/18/2023	2023-0003548	15	4	2	2	1	1	1	431-581-02-00	Recorded & Sent to Compliance		
PRJ-1020207	627 60th St	627 60th St	4	Encanto Neighborhoods	02114	No	Rental	New Construction	110% AMI	5/3/2023	2023-0013911	15	3	1	3	2	1	1	540-051-28-00	Recorded & Sent to Compliance		
PRJ-1001327	3672 Mabou Pl	3672 Mabou Pl	2	Claremont Mesa	02103	No	Rental	New Construction	110% AMI	5/24/2023	2023-0013606	15	3	1	2	1	1	1	500-500-04-00	Recorded & Sent to Compliance		
PRJ-1020055	4021 West Street	4021 West Street	3	North Park	02104	Yes	Rental	New Construction	110% AMI	5/2/2023	2023-0011787	15	12	2	10	5	1	1	446-382-17-00	Recorded & Sent to Compliance		
PRJ-1040616	133 W Olive Dr	133 W Olive Dr	8	San Ysidro	02173	No	Rental	New Construction	110% AMI	6/2/2023	2023-0044807	15	5	1	3	2	1	1	466-060-28-00	Recorded & Sent to Compliance		
PRJ-1010142	3860 Just St	3860 Just St	4	Clay Mesa- Norwest	02154	No	Rental	New Construction	110% AMI	6/14/2023	2023-0015062	15	5	1	4	2	1	1	510-251-40-00	Recorded & Sent to Compliance		
PRJ-1017463	3215 Parker Ave	3215 Parker Ave	9	Southeastern San Diego	02113	No	Rental	New Construction	110% AMI	7/17/2023	2023-0008127	15	4	2	2	1	1	1	346-175-13-00	Recorded & Sent to Compliance		
PRJ-1010127	1826-12 69th Ave	1826-12 69th Street	4	Encanto Neighborhoods	02114	No	Rental	New Construction	110% AMI	7/7/2023	2023-0001773	15	3	1	3	1	1	1	0	544-103-11-00	Recorded & Sent to Compliance	
PRJ-1010609	4940 63rd Street	4940 63rd Street	9	College Area	02115	No	Rental	New Construction	110% AMI	7/26/2023	2023-0003462	15	2	1	1	1	1	1	467-320-20-00	Recorded & Sent to Compliance		
PRJ-1010489	4469 Adalena St	4469 Adalena Street	9	Mid-City, Kensington-Talmadge	02115	No	Rental	New Construction	110% AMI	7/26/2023	2023-0003564	15	4	2	2	1	1	1	472-011-05-00	Recorded & Sent to Compliance		
PRJ-1017983	4121 Utah St	4121 Utah St	3	Greater North Park	02104	No	Rental	New Construction	110% AMI	8/2/2023	2023-0007092	15	4	2	3	0	1	1	446-382-13-00	Recorded & Sent to Compliance		
PRJ-1040481	2657 E St	2657 E St	6	Southeastern San Diego	02102	No	Rental	New Construction	110% AMI	8/2/2023	2023-0010155	15	4	2	2	1	1	1	535-501-07-00	Recorded & Sent to Compliance		
PRJ-1017025	5248 Adams Ave	5248 Adams Ave	9	College Area	02115	No	Rental	Conversion + New Cor	110% AMI	8/7/2023	2023-0012882	15	7	1	6	3	1	1	466-130-24-00	Recorded & Sent to Compliance		
PRJ-1041618</																						

PRJ-1008087	8353 Henry Court / 8353 Henry Court Dr	6. Mira Mesa	02226	No	Rental	New Construction	1.02% AMO	2/18/2024	2024-0037286	15	7	1	6	3	1	311-072-06-00	Sent to Compliance	
PRJ-1008094	1378 N Mountain / 1378 N Mountain Ln	9. Mid-City: Normal Heights	02116	No	Rental	New Construction	1.02% AMO	2/16/2024	2024-0041124	15	9	1	8	4	1	439-000-13-00	Compliance	
PRJ-1008184	2235 Clif St / 2235 Clif St	3. North Park	02118	No	Rental	New Construction	1.02% AMO	2/20/2024	2024-0043405	15	3	1	2	1	2	438-162-08-00	Sent to Compliance	
PRJ-1008306	3042 1st / 3042 1st	9. Southeastern San Diego	02102	No	Rental	New Construction	1.02% AMO	2/27/2024	2024-0048071	15	10	2	8	4	2	440-013-17-4461	Sent to Compliance	
PRJ-1007939	4652 Florence St / 4652 Florence St	2. Claremont Mesa	02117	Yes	Rental	New Construction	1.02% AMO	2/26/2024	2024-0049682	15	10	1	9	5	1	355-141-03-00	Compliance	
PRJ-1012948	1048 Wintonia / 1048 Wintonia St	9. Mid-City: City Heights	02105	No	Rental	New Construction	1.02% AMO	2/7/2024	2024-0050195	15	4	2	2	1	20	471-422-14-00	Sent to Compliance	
PRJ-1008215	2332 Grand Ave / 2332 Grand Ave	2. Pacific Beach	02109	Inclusionary Fee	Rental	New Construction	1.02% AMO	3/2/2024	2024-0052948	15	8	2	8	3	39	424-070-24-00	Sent to Compliance	
PRJ-1009211	2330 Grand Ave / 2330 Grand Ave	1. Pacific Beach	02109	Inclusionary Fee	Rental	Conversion	1.02% AMO	3/2/2024	2024-0052948	15	17	9	6	3	39	424-070-24-00	Compliance	
PRJ-1104380	3650 Quincey St / 3650 Quincey St	2. Petrolia	02106	No	Rental	New Construction	1.02% AMO	3/9/2024	2024-0054882	15	3	1	2	1	1	469-589-21-00	Compliance	
PRJ-1101828	1582 Hattawa Ave / 1582 Hattawa Ave	2. Claremont Mesa	02117	No	Rental	New Construction	1.02% AMO	3/9/2024	2024-0056445	15	4	1	3	2	2	360-410-17-00	Compliance	
PRJ-1007648	2429 Union St / 2429 Union St	3. Uptown	02101	No	Rental	New Construction	1.02% AMO	3/12/2024	2024-0062001	15	7	2	5	3	0	553-063-05-00	Compliance	
PRJ-1009232	608 York St / 608 York St	4. Encanto	02114	No	Rental	New Construction	1.02% AMO	3/12/2024	2024-0061171	15	7	7	1	6	3	1	549-072-21-00	Compliance
PRJ-1004895	2513 Erie St / 2513 Erie St	2. Claremont Mesa	02120	No	Rental	New Construction	1.02% AMO	3/21/2024	2024-0070763	15	1			1	1	2	430-111-00-00	Compliance
PRJ-1105468	4650 Point Loma / 4650 Point Loma Pl	2. Ocean Beach	02107	Inclusionary Fee	Rental	New Construction	1.02% AMO	3/27/2024	2024-0071956	15	8	2	6	3	1	446-461-09-00	Sent to Compliance	
PRJ-1001493	3655 Delabarra St / 3655 Delabarra St	8. San Diego Logans	02113	No	Rental	New Construction	1.02% AMO	3/26/2024	2024-0072054	15	4	2	2	1	4	350-630-17-00	Compliance	
PRJ-1104851	4228 Feather Ave / 4228 Feather Ave	6. Claremont Mesa	02117	No	Rental	New Construction	1.02% AMO	3/29/2024	2024-0078722	15	4	1	3	2	1	418-013-14-00	Compliance	
PRJ-1009390	4726 Kensington / 4726 Kensington Dr	9. Mid-City: Kensington-Talmadge	02118	No	Rental	New Construction	1.02% AMO	3/29/2024	2024-0078706	15	7	2	4	2	1	440-542-15-00	Compliance	
PRJ-1001250	4527 Esther St / 4527 Esther St	9. College Area	02115	No	Rental	New Construction	1.02% AMO	4/6/2024	2024-0082752	15	4	2	2	1	1	466-462-13-00	Compliance	
PRJ-1104393	4372 Cherokee Ave / 4372 Cherokee Ave	3. Mid-City/Normal Heights	02104	No	Rental	New Construction	1.02% AMO	4/3/2024	2024-0083331	15	4	2	2	1	1	467-581-24-00	Compliance	
PRJ-1007712	6842 Estrella Ave / 6842 Estrella Ave	7. Newco	02120	No	Rental	Construction/Conversion	1.02% AMO	4/29/2024	2024-0105700	15	3			2	1	418-083-10-00	Sent to Compliance	
PRJ-1111096	2938 Fairfield St / 2938 Fairfield St	2. Claremont Mesa	02120	No	Rental	New Construction	1.02% AMO	4/9/2024	2024-0108180	15	5	1	4	2	1	430-491-17-00	Sent to Compliance	
PRJ-1101916	4654 Reullo Way / 4654 Reullo Way	9. Mid-City: Eastern Area	02113	No	Rental	New Construction	1.02% AMO	4/30/2024	2024-0108341	15	8	1	7	4	1	417-700-04-00	Sent to Compliance	
PRJ-1005107	835 S Bancroft / 835 S Bancroft	8. Southeastern San Diego	02113	No	Rental	New Construction	1.02% AMO	5/2/2024	2024-0109707	15	4	2	2	1	0	345-478-05-00	Compliance	
PRJ-1108750	1523 Mary Lane / 1523 Mary Lane Dr	9. College Area	02115	No	Rental	New Construction	1.02% AMO	5/2/2024	2024-0112209	15	2	1	2	1	2	466-110-11-00	Sent to Compliance	
PRJ-1004777	1383 28th St / 1383 28th St	3. Greater Golden Hill	02102	No	Rental	New Construction	1.02% AMO	5/6/2024	2024-0114742	15	4	2	2	1	0	539-523-03-00	Compliance	
PRJ-1100119	4875 Bancroft St / 4875 Bancroft St	3. Mid-City/Normal Heights	02116	No	Rental	New Construction	1.02% AMO	5/6/2024	2024-0116878	15	4	1	3	2	1	439-212-04-00	Compliance	
PRJ-1101100	4875 Kansas St / 4875 Kansas St	3. North Park	02118	No	Rental	New Construction	1.02% AMO	5/6/2024	2024-0118963	15	4	2	3	2	1	438-282-04-00	Sent to Compliance	
PRJ-1101267	4104 F St / 4104 F St	9. Southeastern San Diego	02102	No	Rental	New Construction	1.02% AMO	5/14/2024	2024-0120462	15	3	1	2	1	1	541-481-11-00	Sent to Compliance	
PRJ-1009880	3719 36th St / 3719 36th St	9. Mid-City: City Heights	02104	No	Rental	New Construction	1.02% AMO	5/14/2024	2024-0120566	15	1			2	1	467-601-11-00	Compliance	
PRJ-1101619	1584 Altamira St / 1584 Altamira St	4. Skyline/Panhandle Hills	02119	No	Rental	New Construction	1.02% AMO	5/15/2024	2024-0116332	15	4	2	2	1	1	187-120-21-00	Sent to Compliance	
PRJ-1101564	2810 Arnold St / 2810 Arnold St	2. Claremont Mesa	02120	No	Rental	Construction & New Construction	1.02% AMO	5/15/2024	2024-0123118	15	3	1	2	1	1	430-130-10-00	Sent to Compliance	
PRJ-1107407	3111 Claremont / 3111 Claremont Mesa Blvd	Claremont Mesa	02117	No	Rental	New Construction	1.02% AMO	5/17/2024	2024-0125053	15	4	2	2	1	1	359-111-08-00	Compliance	
PRJ-1008812	207 Hervey St / 207 Hervey St	8. Southeastern San Diego	02102	No	Rental	Conversion & New Construction	1.02% AMO	5/21/2024	2024-0126792	15	6	3	3	2	1	535-541-10-00	Compliance	
PRJ-1111837	2873 Pierce St / 2873 Pierce St	7. Linda Vista	02111	No	Rental	New Construction	1.02% AMO	5/28/2024	2024-0133666	15	4	2	2	2	1	421-011-00-00	Sent to Compliance	
PRJ-1007907	4433 Cherokee Ave / 4433 Cherokee Ave	3. Mid-City/Normal Heights	02116	No	Rental	Conversion & New Construction	1.02% AMO	5/29/2024	2024-0135038	15	5	3	2	1	1	467-428-11-00	Sent to Compliance	
PRJ-1009211	3577 40th St / 3577 40th St	9. Mid-City: City Heights	02105	No	Rental	New Construction	1.02% AMO	6/5/2024	2024-0142191	15	4	2	2	2	2	454-212-05-00	Compliance	
PRJ-1009004	2880 Whitaker Ave / 2880 Whitaker Ave	8. Southeastern San Diego	02113	No	Rental	New Construction	1.02% AMO	6/6/2024	2024-0142789	15	7	1	6	3	1	345-423-09-00	Compliance	
PRJ-1108111	6730 Muhawk St / 6730 Muhawk St	9. College Area	02115	No	Rental	Conversion & New Construction	1.02% AMO	6/7/2024	2024-0143444	15	7	3	4	2	1	468-141-21-00	Sent to Compliance	
PRJ-1112791	3775 Logan Ave / 3775 Logan Ave	4. Southeastern San Diego	02113	No	Rental	New Construction	1.02% AMO	6/16/2024	2024-0146628	15	4	2	2	1	1	500-380-11-00	Compliance	
PRJ-1108045	841 Winton Dr / 841 Winton Dr	4. Encanto	02114	No	Rental	New Construction	1.02% AMO	6/11/2024	2024-0146393	15	7		6	3	1	542-600-11-00	Sent to Compliance	
PRJ-1112033	6232 Adelle Dr / 6232 Adelle Dr	9. College Area	02115	No	Rental	New Construction	1.02% AMO	6/12/2024	2024-0147880	15	6		5	3	2	467-041-17-00	Sent to Compliance	
PRJ-1007985	5104 Broadway Ave / 5104 Broadway Ave	2. Claremont Mesa	02117	No	Rental	New Construction	1.02% AMO	6/12/2024	2024-0147433	15	2	1	1	1	1	361-422-07-00	Sent to Compliance	
PRJ-1008071	1871 Westholmehouse St / 1871 Westholmehouse St	7. Linda Vista	02111	No	Rental	New Construction	1.02% AMO	6/13/2024	2024-0150872	15	4	2	1	1	1	2	432-242-05-00	Sent to Compliance
PRJ-1007171	2127 Camelsot St / 2127 Camelsot St	7. Linda Vista	02111	No	Rental	New Construction	1.02% AMO	6/18/2024	2024-0151511	15	8	2	3	3	1	431-343-01-00	Sent to Compliance	
PRJ-1008132	1381 Winton St / 1381 Winton St	8. Southeastern San Diego	02113	No	Rental	New Construction	1.02% AMO	6/20/2024	2024-0156110	15	4	2	2	1	6	350-740-21-00	Sent to Compliance	
PRJ-1001360	4053 Alhambra St / 4053 Alhambra St	3. North Park	02104	No	Rental	New Construction	1.02% AMO	6/25/2024	2024-0160145	15	6	4	2	1	4	445-542-07-00	Compliance	
PRJ-1003029	1301 Burton St / 1301 Burton St	7. Linda Vista	02111	No	Rental	New Construction	1.02% AMO	6/25/2024	2024-0160622	15	12	2	12	6	1	427-380-20-00	Sent to Compliance	
PRJ-1001877	4180 Thorn St / 4180 Thorn St	9. Mid-City: City Heights	02105	No	Rental	New Construction	1.02% AMO	6/26/2024	2024-0161120	15	2	1	1	1	1	454-211-18-00	Sent to Compliance	
PRJ-1005784	3654 Chateau Dr / 3654 Chateau Dr	2. Claremont Mesa	02117	No	Rental	New Construction	1.02% AMO	7/2/2024	2024-0167835	15	8	4	4	2	1	361-800-35-00	Compliance	
PRJ-1007321	4888 Oculina Dr / 4888 Oculina Dr	2. Claremont Mesa	02117	No	Rental	New Construction	1.02% AMO	7/6/2024	2024-0173131	15	2	1	1	1	1	361-401-11-00	Compliance	
PRJ-1110810	4851 Glenview Ave / 4851 Glenview Ave	2. Claremont Mesa	02117	No	Rental	New Construction	1.02% AMO	7/8/2024	2024-0176817	15	3	1	1	1	1	355-386-03-00	Compliance	
PRJ-1000347	542 Worthington St / 542 Worthington St	4. Skyline/Panhandle Hills	02114	No	Rental	New Construction	1.02% AMO	7/10/2024	2024-0174386	15	8	1	7	4	1	583-181-14-00	Compliance	
PRJ-1108074	5300 Orange Ave / 5300 Orange Ave	9. Mid-City: City Heights	02115	No	Rental	New Construction	1.02% AMO	7/10/2024	2024-0177911	15	12	2	10	5	1	473-191-06-00	Compliance	
PRJ-1111671	1246 Claremont Dr / 1246 Claremont Dr	2. Claremont Mesa	02117	No	Rental	New Construction	1.02% AMO	7/11/2024	2024-0178340	15	4	2	2	1	1	475-170-08-00	Sent to Compliance	
PRJ-1007359	2817 08th St / 2817 08th St	7. Linda Vista	02111	No	Rental	New Construction	1.02% AMO	7/15/2024	2024-0179347	15	4	2	2	1	1	431-642-08-00	Sent to Compliance	
PRJ-1100853	6705 South Elm St / 6705 South Elm St	7. Linda Vista	02111	No	Rental	New Construction	1.02% AMO	7/15/2024	2024-0179198	15	6	2	4	2	2	412-540-08-00	Sent to Compliance	
PRJ-1008551	4024 Sparrow Ave / 4024 Sparrow Ave	2. Claremont Mesa	02117	No	Rental	New Construction	1.02% AMO	7/16/2024	2024-0183371	15	2	1	1	1	1	416-121-10-00	Sent to Compliance	
PRJ-1007947	4800-4602 Ocean View Blvd / 4800-4602 Ocean View Blvd	4. Southeastern San Diego	02113	No	Rental	New Construction	1.02% AMO	7/19/2024	2024-0184730	15	4	2	1	1	1	547-421-12-00	Sent to Compliance	
PRJ-1008740	340 47th St / 340 47th St	4. Encanto	02102	Inclusionary Fee	Rental	Renov & New Construction	1.02% AMO	7/22/2024	2024-0187540	15	12	2	10	5	1	547-090-16-00	Compliance	
PRJ-1111178	1335 14th St / 1335 14th St	4. Mid-City: Eastern Area	02105	No	Rental	New Construction	1.02% AMO	7/24/2024	2024-0190399	15	2	1	1	1	1	477-111-09-00	Sent to Compliance	
PRJ-1103330	3433 Collier Ave / 3433 Collier Ave	3. Mid-City/Normal Heights	02118	No	Rental	New Construction	1.02% AMO	7/25/2024	2024-0190399	15	3	1	1	1	1	440-391-01-00	Compliance	
PRJ-1111505	1110 Constitution Rd / 1110 Constitution Rd	2. Claremont Mesa	02117	No	Rental	New Construction	1.02% AMO	8/7/2024	2024-0205461	15	2	1	1	1	1	355-120-18-00	Compliance	
PRJ-1104611	3675 Marlborough Ave / 3675 Marlborough Ave	9. Mid-City: City Heights	02105	No	Rental	New Construction	1.02% AMO	8/7/2024	2024-0209236	15	6	2	4	2	2	454-272-05-00	Sent to Compliance	
PRJ-1001228	4343 Bancroft St / 4343 Bancroft St	3. Mid-City/Normal Heights	02104	No	Rental	New Construction	1.02% AMO	8/12/2024	2024-0213794	15	2	1	5	3	1	447-554-09-00	Sent to Compliance	
PRJ-1002786	1353 Emerald St / 1353 Emerald St	2. Pacific Beach	02109	No	Rental	New Construction	1.02% AMO	8/15/2024	2024-0217976	15	4	2	2	1	1	416-512-05-00	Sent to Compliance	
PRJ-1102646	1037 Pennington Ave / 1037 Pennington Ave	2. Claremont Mesa	02117	No	Rental	New Construction	1.02% AMO	8/16/2024	2024-0218895	15	3	1	1	1	1	433-133-08-00	Sent to Compliance	
PRJ-1103149	10277 Spring Mount Ct / 10277 Spring Mount Ct	6. Mira Mesa	02118	No	Rental	New Construction	1.02% AMO	8/22/20										

	327 Gloria St	327 Gloria St	4	Encanto	02113	No	Rental	New Construction	110% AMI	8/28/2024	2024-02-03391	15	4	2	2	1	2	547-512-0500	Sent to Compliance	see how SDU & Studio existing		
PRJ-11047200	825 51st St	825 51st St	4	Encanto	02114	No	Rental	New Construction	110% AMI	8/28/2024	2024-02-03389	15	6	1	5	3	1	1	542-582-3900	Sent to Compliance		
PRJ-1074218	4151 Cherokee Ave	4151 Cherokee Ave	9	Mid City: City Heights	02104	Yes	Rental	Conversion & New Construction	110% AMI, 60 % AMI	8/29/2024	2024-03-032546	15	16	11	4	7	4	3	447-342-0800	Sent to Compliance	SDU & 2 DU (above garage) w/ out 1 Unit for inclusionary set aside 60% AMI for 10 years. If SDU to be demolished, not a converted	
PRJ-1111726	1805 Burningside St	1805 Burningside St	7	Linda Vista	02111	Inclusionary Fee	Rental	New Construction	110% AMI	8/29/2024	2024-03-032688	15	11	1	1	10	5	1	432-242-2300	Sent to Compliance		
PRJ-1316856	1997 Westinghouse St	1997 Westinghouse St	7	Linda Vista	02111	No	Rental	New Construction	110% AMI	8/30/2024	2024-03-031281	15	4	2	2	2	1	2	432-242-0700	Sent to Compliance	Existing Duplex	
PRJ-1104602	6128 Roma St	6128 Roma St	9	Mid City: Eastern Area	02115	No	Rental	New Construction	110% AMI	9/2/2024	2024-02-031942	15	2	1	1	1	1	1	475-500-1200	Sent to Compliance	project also proposes 1 JADU	
PRJ-1102580	1367 B St	1367 B St	3	Greater Golden Hill	02102	No	Rental	Conversion & New Construction	110% AMI	9/9/2024	2024-02-024289	15	6	2	2	4	2	1	539-575-0700	Sent to Compliance	Convert 1 SDU into 2 DU	
PRJ-1116379	5222 69th St	5222 69th St	9	Collins Area	02115	No	Rental	New Construction	110% AMI	9/11/2024	2024-02-044470	15	2	1	1	1	1	1	469-124-4000	Sent to Compliance		
PRJ-1111685	3332 Alameda Ave	3332 Alameda Ave	9	Mid City: City Heights	02105	No	Rental	New Construction	110% AMI	9/12/2024	2024-03-036206	15	2	1	1	1	1	2	477-620-0700	Sent to Compliance	Existing ADU on premises	
PRJ-1077478	1233 13rd St	1233 13rd St	3	Greater Golden Hill	02102	No	Rental	New Construction	110% AMI	9/13/2024	2024-02-047414	15	4	2	2	2	1	1	540-590-27-00	Sent to Compliance		
PRJ-1029573	4136 40th	4136 40th	9	Mid City: City Heights	02105	No	Rental	New Construction	110% AMI, Dwelling Unit Protection Replacement	9/16/2024	2024-03-034908	15	4	2	2	2	2	1	447-361-2800	Sent to Compliance		
PRJ-1111397	2160 Puffer St	2160 Puffer St	4	Mid City: Eastern Area	02105	No	Rental	New Construction	110% AMI	9/18/2024	2024-02-031821	15	2	1	1	1	1	1	543-102-1300	Sent to Compliance	Already has 5 Existing ADUs on premises	
PRJ-1211707	133 West Olive Dr	133 West Olive Dr	8	San Ysidro	02173	No	Rental	New Construction	110% AMI	9/20/2024	2024-02-024880	15	6	0	6	1	1	6	660-000-2900	Sent to Compliance		
PRJ-1105874	4004 Champanye / 4004 Champanye Ave	4004 Champanye / 4004 Champanye Ave	9	Mid City: City Heights	02105	No	Rental	New Construction	60% AMI	9/24/2024	2024-02-037375	15	3	1	1	2	1	1	552-100-1100	Sent to Compliance		
PRJ-1119084	1351 Bonita Dr	1351 Bonita Dr	4	Encanto	02114	No	Rental	New Construction	110% AMI	9/24/2024	2024-02-027389	15	6	2	2	3	3	1	471-472-2800	Sent to Compliance		
PRJ-1117607	4998 Mount Basil	4998 Mount Basil	2	Claremont Mesa	02111	No	Rental	New Construction	110% AMI	9/25/2024	2024-02-034210	15	2	1	1	1	1	1	419-101-0700	Sent to Compliance		
PRJ-1003931	3075 Hawthorn	3075 Hawthorn	3	Greater Golden Hill	02104	No	Rental	New Construction	110% AMI	9/26/2024	2024-03-036161	15	5	2	2	3	2	1	539-162-1000	Sent to Compliance		
PRJ-1111969	1744 Governor Dr	1744 Governor Dr	6	University	02122	No	Rental	New Construction	110% AMI	9/27/2024	2024-02-021546	15	2	0	1	1	1	1	548-180-0300	Sent to Compliance		
PRJ-1310015	4280 Sennott Ave	4280 Sennott Ave	2	Claremont Mesa	02117	No	Rental	Conversion & New Con.	110% AMI	9/30/2024	2024-03-036398	15	5	2	0	4	2	1	360-200-1300	Sent to Compliance		
PRJ-1002634	128 E Seaward Ave	128 E Seaward Ave	8	San Ysidro	02173	No	Rental	New Construction	110% AMI	10/1/2024	2024-02-045400	15	6	2	4	2	2	1	547-927-1700	Sent to Compliance		
PRJ-1116607	608 S 48th St	608 S 48th St	4	Southeastern San Diego	02113	No	Rental	New Construction	110% AMI	10/2/2024	2024-02-036408	15	7	1	1	6	3	3	638-361-95-00	Sent to Compliance		
PRJ-1115316	2050 Nye St	2050 Nye St	7	Linda Vista	02111	No	Rental	New Construction	110% AMI	10/2/2024	2024-02-036307	15	4	2	2	2	1	1	431-452-1000	Sent to Compliance		
PRJ-1004450	4643 Serrinita Dr	4643 Serrinita Dr	9	Mid City: Eastern Area	02115	No	Rental	New Construction	110% AMI	10/2/2024	2024-03-036864	15	9	1	8	4	0	4	454-631-4600	Sent to Compliance		
PRJ-1110992	7912 19th St	7912 19th St	9	Mid City: City Heights	02105	No	Rental	New Construction	110% AMI	10/2/2024	2024-02-036157	15	3	1	2	1	1	1	467-500-39-00	Sent to Compliance		
PRJ-1110679	3662 Z St	3662 Z St	8	Southeastern San Diego	02113	No	Rental	New Construction	110% AMI	10/3/2024	2024-02-036759	15	3	2	1	1	1	1	3	504-411-1000	Sent to Compliance	
PRJ-1005516	5129 Coban St	5129 Coban St	4	Encanto	02114	No	Rental	New Construction	60% AMI	10/4/2024	2024-02-037818	10	4	1	3	2	1	1	552-171-0500	Sent to Compliance		
PRJ-1006654	6445 Richard St	6445 Richard St	9	Collins Area	02115	No	Rental	Conversion & New Con.	110% AMI	10/10/2024	2024-02-037937	15	4	1	1	2	2	1	463-265-0400	Sent to Compliance		
PRJ-1000572	3675 Boundary St	3675 Boundary St	3	North Park	02104	No	Rental	New Construction	110% AMI	10/15/2024	2024-02-037640	15	8	2	6	3	1	1	446-501-0500	Sent to Compliance		
PRJ-1118086	8528 Barnes	8528 Barnes		Sanita Mesa	02123		Rental	New Construction	110% AMI	10/18/2024	2024-02-038301	15	2	1	1	1	1	1	421-075-0300	Sent to Compliance		
PRJ-1107937	4606 Shoshoni Ave	4606 Shoshoni Ave		Southeastern San Diego	02117	Inclusionary Fee	Rental	New Construction	110% AMI	10/21/2024	2024-03-038494	15	11	1	1	10	5	1	360-510-1300	Sent to Compliance		
PRJ-1117032	4756 Barnes Pl	4756 Barnes Pl		Claremont Mesa	02117	No	Rental	New Construction	110% AMI	10/21/2024	2024-03-038363	15	7	2	5	3	3	1	361-730-1500	Sent to Compliance	DUP - 1 protected dwelling unit to be retained	
PRJ-1101611	1281 Steel St	1281 Steel St		Southeastern San Diego	02113	Yes	Rental	New Construction	110% AMI, 10% AMI	10/23/2024	2024-02-038297	15	15	19	2	17	9	3	545-401-2100	Sent to Compliance		
PRJ-1111880	1380 Oliver Ave	1380 Oliver Ave		Pacific Beach	02109	No	Rental	New Construction	110% AMI	10/28/2024	2024-02-035644	15	4	2	2	2	1	1	424-341-2000	Sent to Compliance	2 ADU already exists	
PRJ-1111109	10047 Upcumb Dr	10047 Upcumb Dr		Mira Mesa	02126	No	Rental	New Construction	110% AMI	10/28/2024	2024-02-035622	15	2	1	1	1	1	2	518-343-2400	Sent to Compliance		
PRJ-1316302	5529 Ghena Av	5529 Ghena Av		Encanto	02114	No	Rental	New Construction	110% AMI	10/26/2024	2024-02-036600	15	7	1	6	3	0	0	546-473-0400	Sent to Compliance	Varient lot	
PRJ-1101589	3552 Alhambra Way	3552 Alhambra Way		Claremont Mesa	02117	No	Rental	New Construction	110% AMI	10/29/2024	2024-02-037356	15	4	1	3	2	1	1	360-402-0800	Sent to Compliance		
PRJ-1109285	1881 Bowen St	1881 Bowen St		Mid City: Eastern Area	02115	Inclusionary Fee	Rental	Conversion & New Construction	110% AMI	10/29/2024	2024-02-036481	15	15	1	14	7	1	478-403-07-00	Sent to Compliance			
PRJ-1101932	4567 18th St	4567 18th St		Mid City: Normal Heights	02116	No	Rental	New Construction	110% AMI	10/30/2024	2024-02-038176	15	9	2	2	7	4	1	440-020-0800	Sent to Compliance		
PRJ-1008972	1152 Goodway St	1152 Goodway St		Southeastern San Diego	02113	No	Rental	New Construction	110% AMI	10/31/2024	2024-03-036451	15	4	2	2	2	1	1	550-204-1200	Sent to Compliance		
PRJ-1008954	4567 Innes St	4567 Innes St		Mid City: Normal Heights	02116	No	Rental	Conversion & New Construction	110% AMI	11/1/2024	2024-02-036124	15	7	3	4	2	1	1	447-515-0800	Sent to Compliance		
PRJ-1217460	4238 Claremont Dr	4238 Claremont Dr		Claremont Mesa	02117	No	Rental	Conversion & New Construction	110% AMI	11/2/2024	2024-03-037171	15	9	2	2	7	4	1	418-061-0300	Sent to Compliance		
PRJ-1111870	4247 Claremont Mesa Blvd	4247 Claremont Mesa Blvd		Claremont Mesa	02117	No	Rental	New Construction	110% AMI	11/6/2024	2024-03-038445	15	4	2	2	1	1	2	360-100-0900	Sent to Compliance		
PRJ-1008280	6670 Marmon St	6670 Marmon St		Linda Vista	02111	No	Rental	New Construction	110 % AMI	11/7/2024	2024-03-038771	15	9	2	2	7	4	1	451-391-06-00	Sent to Compliance		
PRJ-1101479	1275 Robinson A	1275 Robinson A		Unknown	02103	No	Rental	Conversion & New Construction	110% AMI	11/7/2024	2024-03-036034	15	9	5	4	2	1	1	452-161-1200	Sent to Compliance		
PRJ-1008958	4465 Florida St	4465 Florida St		North Park	02116	No	Rental	New Construction	AMI 110%	11/7/2024	2024-03-038932	15	8	3	5	3	3	1	445-222-04-00	Sent to Compliance		
PRJ-1114419	1117 Remington Rd	1117 Remington Rd		Collins Area	02115	No	Rental	Conversion & New Construction	110% AMI	11/9/2024	2024-03-031617	15	3	1	2	1	1	1	461-500-1100	Sent to Compliance		
PRJ-1212290	13321 Palanis Dr	13321 Palanis Dr		Mira Mesa	02126	No	Rental	New Construction	110% AMI	11/13/2024	2024-03-034995	15	8	1	7	4	1	1	416-446-1000	Sent to Compliance		
PRJ-1107605	1303 Appleton St	1303 Appleton St		Claremont Mesa	02117	No	Rental	Conversion & New Construction	110% AMI	11/18/2024	2024-03-032076	15	2	1	1	1	1	1	355-423-1200	Sent to Compliance		
PRJ-1211996	3548 47th St	3548 47th St		Mid City: City Heights	02105	No	Rental	New Construction	110% AMI	11/18/2024	2024-03-032051	15	3	1	2	1	1	1	476-061-2200	Sent to Compliance		
PRJ-1111777	4688 60th St	4688 60th St		Collins Area	02115	No	Rental	Conversion	110% AMI	11/20/2024	2024-03-031895	15	5	1	4	2	1	1	468-110-0400	Sent to Compliance		
PRJ-1101461	3632 28th St	3632 28th St		City Heights	02105	Yes, Inclusionary 1 unit set aside & w/ out	Rental	New Construction	110% & AMI 60%	11/21/2024	2024-03-031953	15	14	4	10	5	1	1	447-462-26-00	Sent to Compliance		
PRJ-1107566	2915 Governor Dr	2915 Governor Dr		University	02122	No	Rental	Conversion & New Construction	110% AMI	11/22/2024	2024-03-034441	15	2	1	1	1	1	1	470-161-0800	Sent to Compliance		
PRJ-1120316	6104 Saranac St	6104 Saranac St		Collins Area	02115	No	Rental	New Construction	110% AMI	11/25/2024	2024-03-037887	15	3	2	1	1	1	1	468-322-0400	Sent to Compliance		
PRJ-1008420	4390 16th St	4390 16th St		Mid City: Normal Heights	02116	No	Rental	Construction	110% AMI	11/26/2024	2024-03-032078	15	8	4	4	2	2	2	447-172-2300	Sent to Compliance		
PRJ-1115320	5100 Dale St	5100 Dale St		Mid City: Eastern Area	02102	No	Rental	New Construction	110% AMI	11/27/2024	2024-03-031000	15	2	1	1	1	1	1</				

EXHIBIT B

2596 Chalcedony Street, San Diego, CA 92109

126 Units | Pacific Beach



FLETCHER COVE CAPITAL

2596 Chalcedony Street, San Diego, is located west of Interstate 5 in popular Pacific Beach, and offers excellent access to downtown and North County. With San Diego's thriving economy, Chalcedony Street presents high-value rental opportunities, making it a prime choice for those looking to invest in the city's growth.

The lots can accommodate **126 additional units that are fully entitled**. TIC Investors are invited to contribute at least \$1M with a 5-year time horizon.

Returns

\$13,665,943

IRR

28.22%

Construction & Stabilization

36 months

Total Cash Needed

\$10,944,836

Equity Multiple

2.25x

TIC Scenarios

Target Equity Multiple on Appreciation	2.25
TIC Investment Amount	\$ 1,000,000
Target Profits from Appreciation	\$ 1,250,000
Target TIC Value Year 5	\$ 2,250,000
Ownership Percentage	2.84%

Year 4 Projected Net Cash Flow	\$655,424	\$18,598
Year 5 Projected Net Cash Flow	\$774,865	\$21,987
Year 5 Value	\$79,295,709	\$2,290,584
Year 5 Profits		\$1,290,584
Year 5 TIC EM		2.29
Year 5 IRR		23.62%

Anticipated Capital Gains Taxes Deferred	\$250,000
Equivalent Taxable Profits	\$1,562,500



Pre-Development Review from the City of San Diego

Cycle Issues DRAFT



THE CITY OF SAN DIEGO
Development Services Department
1222 1st Avenue, San Diego, CA 92101-4154

6/27/23 1:20 pm
Page 1 of 8

L64A-003B

Project Information

Project Nbr: 705886

Title: Dig Prelim 2596 Chalcedony St

Project Mgr: Murillo, Andrew

(619) 557-7986

Jmurillo@sanidiego.gov

705886

Review Information

Cycle Type: 1 Preliminary Review

Submitted: 06/09/2023

Deemed Complete on 06/09/2023

Reviewing Discipline: LDR-Planning Review

Cycle Distributed: 06/09/2023

Reviewer: Beaudette, Ryan

Assigned: 06/12/2023

(619) 446-5343

Started: 06/20/2023

RBeaudette@sanidiego.gov

Review Due: 06/26/2023

Hours of Review: 3.00

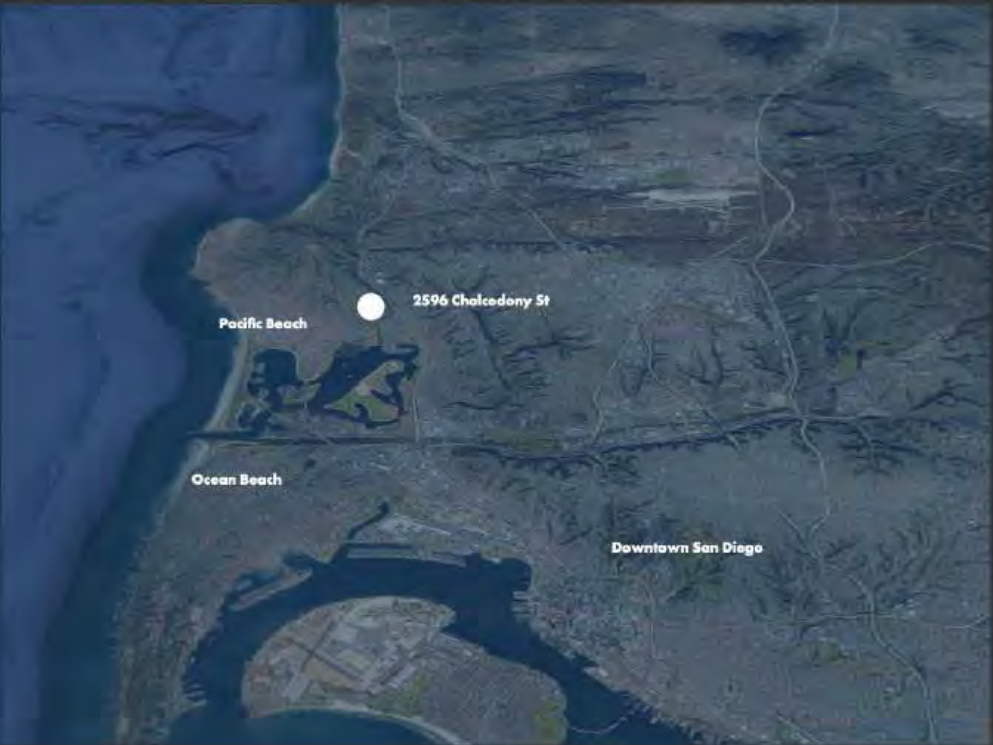
Completed: 06/21/2023

Next Review Method: Preliminary Review

Closed:

The reviewer has indicated they want to review this project again. Reason chosen by the reviewer: First Review Issues.

Your project still has 12 outstanding review issues with LDR-Planning Review (all of which are new).



The Stacked Plan

High Efficiency, High Volume-Based Building

By recycling the same model, we can expedite the drafting/
engineering permit process by nearly half the time. We have
multiple sets of plans that stack; one example is below



This floor plan consists of four
units. Stackable up to 3 stories,
it can have a total of 12 units. It
uses the same design, while still
providing a quality standard
of living for the tenants and
neighborhood.

Site Plan



Elevations



Track Record

Address	Purchase Price	Existing Units	Added Units	Cost to Build	Sale Price	Project Return	Year Sold
6753 N Elmon St	\$729,000	1	3	\$884,480	\$2,650,000	334%	2023
2917 Preece St	\$635,000	1	3	\$1,040,231	\$2,550,000	232%	2023
4805 Iroquois Ave	\$889,000	2	2	\$1,156,000	\$3,200,000	162%	2022
4121 36th St	\$550,000	1	2	\$481,562	\$1,660,000	81%	2022
2016 Drescher St	\$700,000	2	3	\$1,250,000	\$3,000,000	150%	2023
6737 Thomson Ct	\$575,000	1	3	\$1,000,000	\$2,325,000	143%	2023
4161 Clairemont Mesa Blvd	\$729,000	1	4	\$950,000	\$2,900,000	214%	2022
4860 Aberdeen St	\$725,000	1	2	\$500,000	\$1,800,000	180%	2022
4168 Cole Way	\$650,000	1	2	\$500,000	\$1,500,000	140%	2021
5120 Boxer St	\$700,000	1	2	\$450,000	\$2,005,000	213%	2021
7102 Stanford Ave	\$465,000	1	1	\$185,000	\$1,080,000	65%	2021
7201 Berkeley Dr	\$405,000	1	1	\$75,000	\$910,000	74%	2021

Nearby Completed Project

Purchase:
\$889,000 (July '21)

Existing Units
2

Units Added
2

Sale
\$3.2M (July '23)

Hold Time
24 months



Project Summary

2596 Chalcedony

Property Info	
Address	2596 Chalcedony San Diego, CA 92109
Jurisdiction	City of San Diego
Zone	RS-1-7
SFR/MFR/COMM	SFR
Existing Sq Ft	0 ft
Lot size	126000 sqft
FAR	45.00%
Purchase Price	\$6,000,000
Down Payment	\$1,200,000
Loan Amount	\$4,800,000

TOTAL USE OF FUNDS

Acquisition
\$6,108,000

Soft Costs
\$8,288,871

Hard Costs
\$19,799,500

Total
\$34,196,371

Soft Costs

Total Permitting Cost (See A)	
Total	\$2,404,652
Lending Costs	
Hold Costs	\$3,820,436
Loan Points	\$539,990
Total	\$4,360,426
Other Soft Costs	
Property Taxes	\$198,000
Insurance Costs	\$120,000
Total	\$318,000
Management Costs	
Acquisition Fee	\$120,000
Management Fee	\$564,610.85
Total	\$684,611
Cost of Sale	
Total	\$521,183
Total Soft Costs	\$8,288,871

Hard Costs

Existing Improvements	\$0.00
New Construction	\$18,049,500.00
Landscape	\$500,000
Grading	\$750,000
Amenities	\$500,000
Total Hard Costs	\$19,799,500

(A) Permit Table			
	NEW UNITS	NEW ADUS	TOTAL
Quantity	1	125	126
Square Feet	450 sqft	56250 sqft	56700 sqft
Drafting Cost	\$3,750	\$468,750	\$472,500
Engineering Cost	\$2,250	\$281,250	\$283,500
Permit Run Cost	\$12	\$1,488	\$1,500
Dry Utility	-	-	\$50,000
Maps	-	-	\$50,000
Soil Testing	-	-	\$7,500
Plan Check	\$3,000	\$375,000	\$378,000
Dev. Impact Fees	\$0	\$0	\$0
School Fees	\$2,156	\$269,438	\$271,593
Water/Sewer Fees	\$7,171	\$448,188	\$455,359
Permit Fees	\$3,450	\$431,250	\$434,700
Totals	\$21,788	\$2,275,363	\$2,404,652

Project Phases and Equity Needs

2596 Chalcedony

Phase 1

Purchase to 1st Submittal	
Beginning of Phase 1	Month 1
End of Phase 1	Month 6
Phase Length	6 months
Hold Costs	
Mortgage Amount (over phase period)	\$216,000.00
Taxes and Insurance	\$53,000.00
Total Hold Costs	\$269,000.00
Soft Costs	
Pro Cal Fee	\$303,000.00
Dry Utility	\$25,000.00
MEP's	\$25,000.00
Soil Testing	\$7,500.00
Lawyer Fees	\$10,000.00
Equity to Close	\$1,308,000.00
Management Fee	\$132,790.00
Cost of Sale	\$521,182.68
Total Soft Costs	\$2,332,472.68
Hard Costs	
Total Hard Costs	\$0.00
Total Equity Needed for Phase 1	
\$2,601,473	

Phase 2

First Submittal to Issued Plans	
Beginning of Phase 2	Month 7
End of Phase 2	Month 12
Phase Length	6 months
Hold Costs	
Mortgage Amount (over phase period)	\$216,000.00
Taxes and Insurance	\$53,000.00
Total Hold Costs	\$269,000.00
Soft costs	
Pro Cal Fee	\$303,000.00
Dry Utility	\$25,000.00
MEP's	\$25,000.00
Plan Check Fees	\$378,000.00
Management Fee	\$20,000.00
Total Soft Costs	\$751,000.00
Hard Costs	
Total Hard Costs	\$0.00
Total Equity Needed for Phase 2	
\$1,020,000	



Project Phases and Equity Needs

2596 Chalcedony

Phase 3

Building Starts to Leasing	
Beginning of Phase 3	Month 13
End of Phase 3	Month 27
Phase Length	15 months
Hold Costs	
Mortgage Amount (over phase period)	\$1,727,970
Taxes and Insurance	\$132,500
Total Hold Costs	\$1,860,470
Soft Costs	
Ref Cost	\$0
Loan Cost	\$491,990
Management Fee	\$497,022
Pro Cal Fee	\$151,500
Development Impact Fees	\$0
School Fees	\$271,593
Water/Sewer Fees	\$455,359
Permit Fees	\$434,700
Total Soft Costs	\$2,302,163
Hard Costs	
GC First Payment Req	\$1,385,965
Total Hard Costs	\$1,385,965
Total Equity Needed for Phase 3	
\$5,548,598	

Phase 4

Leasing to Operational/ Sale	
Beginning of Phase 4	Month 28
End of Phase 4	Month 36
Phase Length	9 months
Hold Costs	
Mortgage Amount (over phase period)	\$1,660,466
Taxes and Insurance	\$79,500
Total Hold Costs	\$1,739,966
Soft Costs	
Management Fee	\$34,799
Total Soft Costs	\$34,799
Hard Costs	
Total Hard Costs	\$0
Total Equity Needed for Phase 4	
\$1,774,766	

**Total Equity
Needed**
\$10,944,836

Project Returns

Rent Roll →

Sq Ft	Bedroom	Bathrooms	Rents	Quantity	Total Rent
450 sqft	1	1	\$3,000/month	126	\$378,000.00
Monthly Gross Rent					\$378,000.00

Sell Plan →

Sell Rental Expenses	
Expected Sale Rental Expenses %	32.78%
Sale Rental expenses	\$1,486,941
Sell Costs	
Total Use of Funds	\$34,196,371
Closing Costs (3% CBB, 1% Junk)	\$2,185,410
Total	\$36,381,781
Final Property Value	
Sale Net Income	\$3,278,115
Sale CAP rate	4.50%
Total	\$72,847,000

Sell Plan Profits

Property Value
\$72,847,000

Sell Costs
\$36,381,781

Total Levered Profit
\$36,465,219

INCOME

Rent	
Gross Annual Rent	\$4,536,000
Total	\$4,536,000
Other Income	
Parking	\$96,000
RUBS	\$72,576
Subscriptions	\$60,480
Total Other Income	\$229,056
Total Gross Annual Income	\$4,765,056

Hold Plan Operational NOI

Gross Income
\$4,765,056

Operational Costs
\$832,705

Net Operating Income
\$3,932,351

Hold Plan →

ANNUAL OPERATIONAL COSTS

Property Taxes	
Assessed Value	\$13,371,000
Property Tax	1.10%
Total	\$147,081
Vacancy	
Vacancy Rate	2.00%
Total	\$90,720
Property Management Fees	
Management Fee %	5.00%
Total	\$226,800
Maintenance Costs	
Pest Control	\$22,680
General Maintenance	\$170,100
Landscape Costs	\$34,020
Total	\$226,800
Utilities	
Water	\$68,040
Trash	\$22,680
Electrical	\$10,584
Total	\$101,304
Insurance Cost	
Total	\$40,000
Total Operational Costs	\$832,705

IRR and Cash Flow

Refi Assumptions		Trended Assumptions	
Int Rate	6.00%	EGI Growth	3.00%
Number of Payments	360	Tax Growth	2.00%
Max ADS	\$3,276,959	Expense Growth	3.00%
Year 3 NOI	\$3,932,351	Trended CAP	4.50%
Max DSCR	1.20	Exit CAP Year 10	4.50%
Loan Amount	\$45,547,000	Sale Costs	4.00%
Payment per Month	\$273,077		
Construction Loan Assumptions		Equity Multiple	
Loan Amount	\$24,599,500	Year 3	2.89x
Equity to Cost	15.13%	Year 5	5.50x
Loan to Cost	84.87%	Year 10	7.50x

Equity on Equity Return Leaving Initial Equity in Deal							
Year	4	5	6	7	8	9	10
Income	\$4,765,056	\$4,908,008	\$5,055,248	\$5,206,905	\$5,363,113	\$5,524,006	\$5,689,726
Taxes	\$147,081	\$150,023	\$153,023	\$156,084	\$159,205	\$162,389	\$165,637
Operating Expenses	\$685,624	\$706,193	\$727,379	\$749,200	\$771,676	\$794,826	\$818,671
NOI	\$3,932,351	\$4,051,792	\$4,174,846	\$4,301,622	\$4,432,231	\$4,566,790	\$4,705,418
Debt	\$1,672,856	\$1,672,856	\$1,672,856	\$1,672,856	\$1,672,856	\$1,672,856	\$1,672,856
Before Tax Cash Flow	\$2,259,495	\$2,378,936	\$2,501,990	\$2,628,766	\$2,759,375	\$2,893,934	\$3,032,562
Cash on Cash Return	20.64%	21.74%	22.86%	24.02%	25.21%	26.44%	27.71%

10 Year Trended Income/Expense after Refi							
Year	4	5	6	7	8	9	10
Income	\$4,765,056	\$4,908,008	\$5,055,248	\$5,206,905	\$5,363,113	\$5,524,006	\$5,689,726
Taxes	\$147,081	\$150,023	\$153,023	\$156,084	\$159,205	\$162,389	\$165,637
Operating Expenses	\$685,624	\$706,193	\$727,379	\$749,200	\$771,676	\$794,826	\$818,671
NOI	\$3,932,351	\$4,051,792	\$4,174,846	\$4,301,622	\$4,432,231	\$4,566,790	\$4,705,418
Debt	\$3,276,927	\$3,276,927	\$3,276,927	\$3,276,927	\$3,276,927	\$3,276,927	\$3,276,927
Before-Tax Equity Flow	\$655,424	\$774,865	\$897,919	\$1,024,695	\$1,155,304	\$1,289,863	\$1,428,491



IRR and Cash Flow

Trended 10 Year IRR Table					
Year	1	2	3	4	5
Income	0	0	\$1,620,000	\$4,765,056	\$4,908,008
Expense	\$3,621,473	\$4,908,105	\$2,415,259	\$832,705	\$856,215
NOI	-\$3,621,473	-\$4,908,105	-\$795,259	\$3,932,351	\$4,051,792
Year	6	7	8	9	10
Income	\$5,055,248	\$5,206,905	\$5,363,113	\$5,524,006	\$5,689,726
Expense	\$880,402	\$905,283	\$930,881	\$957,215	\$984,308
NOI	\$4,174,846	\$4,301,622	\$4,432,231	\$4,566,790	\$4,705,418

Yield on Cost

Untrended (Project Completion)
11.50%

Trended (Year 10)
13.76%

Expected Sale Price Expected Profit

Year 3	\$72,847,000	\$36,465,219
Year 5	\$79,295,709	\$49,211,134
Year 10	\$93,395,224	\$71,144,361

IRR

Year 3
109.92%

Year 5
81.44%

Year 10
61.47%

Phase Table
36.27%

Legal Disclaimer

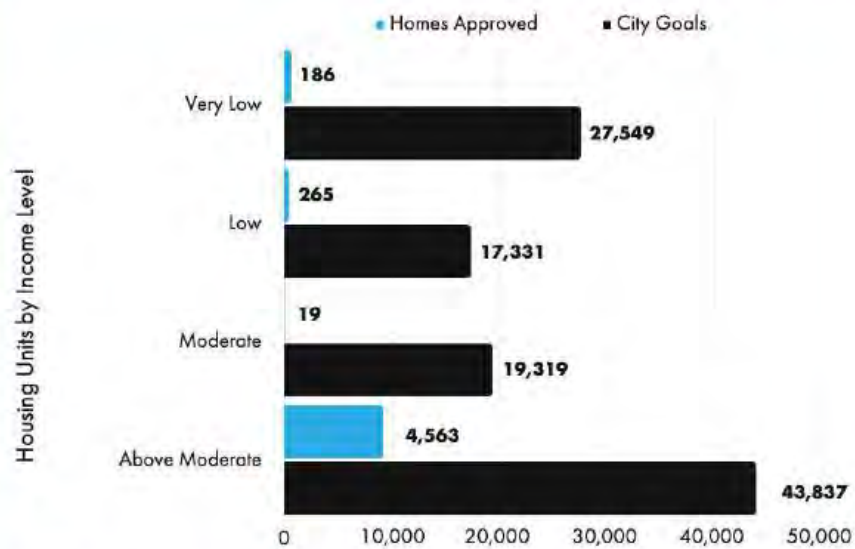
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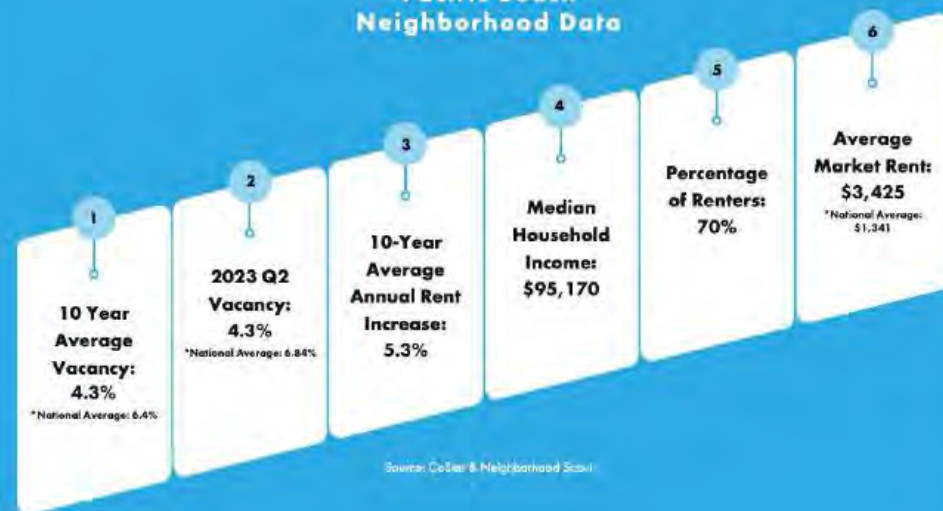
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Source: San Diego Annual Report on Housing (2023)

Pacific Beach Neighborhood Data



Source: CoStar & Neighborhood Scout

EXHIBIT C

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Supply Constraints Do Not Explain House Price and Quantity Growth Across U.S. Cities

Schuyler Louie
University of California at Irvine

John Mondragon
Federal Reserve Bank of San Francisco

Johannes Wieland
Federal Reserve Bank of San Francisco
NBER
University of California, San Diego

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SUPPLY CONSTRAINTS DO NOT EXPLAIN HOUSE PRICE AND QUANTITY GROWTH ACROSS U.S. CITIES*

Schuyler Louie[†] John Mondragon[‡] Johannes Wieland[§]

March 2025

Abstract

The standard view of housing markets holds that the flexibility of local housing supply—shaped by factors like geography and regulation—strongly affects the response of house prices, house quantities and population to rising housing demand. However, from 2000 to 2020, we find that higher income growth predicts the same growth in house prices, housing quantity, and population regardless of a city’s estimated housing supply elasticity. We find the same pattern when we expand the sample to 1980 to 2020, use different elasticity measures, and when we instrument for local housing demand. Using a general demand-and-supply framework, we show that our findings imply that constrained housing supply is relatively unimportant in explaining differences in rising house prices among U.S. cities. These results challenge the prevailing view of local housing and labor markets and suggest that easing housing supply constraints may not yield the anticipated improvements in housing affordability.

Keywords: house prices, housing supply, affordability, regulation, zoning, land use

JEL Codes: E22, J61, R21, R31, R52

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[†]University of California at Irvine: schuyjl@uci.edu

[‡]Federal Reserve Bank of San Francisco: john.mondragon@sf.frb.org

[§]Federal Reserve Bank of San Francisco, NBER, and University of California, San Diego: johannes.wieland@sf.frb.org and jfwieland@ucsd.edu

1 INTRODUCTION

“Rent, considered as the price paid for the use of the land, is naturally the highest which the tenant can afford to pay in the actual circumstances of the land.” – [Adam Smith \(1776\)](#)

“The rent is too damn high.” – Jimmy McMillan (2010)¹

Why is housing so expensive? The canonical view is that the elasticity of local housing supply is a major determinant of local house prices and quantities ([Glaeser, Gyourko and Saks, 2005](#); [Saiz, 2010](#)). In response to the same shift in the demand for housing, cities with relatively more elastic housing supply will see a larger increase in the quantity of housing and a smaller increase in the price of housing compared to cities with relatively less elastic housing supply. To the extent that regulatory constraints reduce the elasticity of housing supply, relaxing these constraints will increase the elasticity of housing supply, increase housing quantities, and reduce house prices ([Gyourko, Saiz and Summers, 2008](#); [Saiz, 2023](#)). The 2024 Economic Report of the President devotes an entire chapter to arguing that constrained housing supply is the main impediment to affordable housing and advocating for relaxing regulatory constraints ([Council of Economic Advisers, 2024](#), Ch. 4) and a vast body of work has documented evidence in support of this logic ([Molloy, 2020](#)).

If this perspective were correct, one would expect higher income growth to cause higher house price growth and lower house quantity growth in more constrained cities relative to less constrained cities. However, using four standard measures of housing supply constraints from the literature, we find that cities measured to have more restrictive housing supply show the same growth in house prices, quantities, population and rooms per person in response to higher income growth from 2000–2020 as cities that seem less constrained. This is true across all the measures of housing constraints, if we extend our sample to cover 1980 to 2020, and if we instrument for housing demand using the plausibly exogenous increase in housing demand from pandemic-era remote work.

Interpreting our empirical approach through a demand-and-supply framework where we allow for arbitrary correlations of income growth with other shocks, we show that our results imply that housing supply constraints are quantitatively unimportant in explaining rising housing costs across U.S. cities. In the simplest case, when income growth is uncorrelated with other housing demand and supply shocks, then the same income growth will translate into more house price growth and less house quantity growth in less elastic cities. The fact that we do not find these differences in price and quantity growth would imply that

¹As quoted in the October 18th, 2010 New York gubernatorial debate. See [here](#).

differences in housing supply elasticities are small and unimportant across cities. But since we do not isolate exogenous variation in our baseline analysis, we cannot rule out that income growth is correlated with other shocks.

We show that because we examine the effect of income growth on both house prices and quantities, our analysis will uncover the importance of housing supply elasticities in the cross-section even when income growth is correlated with other housing demand shocks. For example, if income growth is positively correlated with housing demand shocks in more elastic cities, then the effect of income growth on house price growth may look similar across elastic and inelastic cities. Intuitively, elastic cities that experience an increase in housing demand due to high income growth will also experience an additional increase in housing demand, so the increase in prices will be larger and more similar to inelastic cities that do not experience the additional demand shock. But the more elastic cities will then see a larger increase in housing quantities relative to the less elastic cities due to the much higher level of demand. Thus, while this correlation of income growth with housing demand shocks shrinks the difference in house price growth, it magnifies the difference in housing quantity growth. Therefore, differences in the responses of housing prices and quantities to income growth remain informative about the role of housing supply elasticities. Because our objective is to determine the relative slope of housing supply curves across cities, this argument extends to all features of the housing demand curve that are potentially heterogeneous across cities and correlated with income growth. Thus, even when we allow for arbitrary correlations with housing demand shocks, our result that income growth predicts the same house price and housing quantity growth across elastic and inelastic cities implies that differences in housing supply elasticities are small and quantitatively not important for explaining differences in house price and quantity growth.

If there is instead a positive correlation of income growth with housing supply shocks in less elastic cities, then the response of both house price and quantity growth to income growth may look similar across cities. But this explanation simply restates the claim that housing supply elasticities do not explain the variation in house price and quantity growth across cities. If increases in housing demand systematically give rise to positive supply “shocks” that dampen the impact on prices in less elastic cities, then we cannot conclude that tight housing supply accounts for differences in house price growth. By examining the comovement of growth in house prices and quantities induced by income growth, we can therefore uncover the importance of supply elasticities regardless of correlations with unobserved demand and supply shocks.

Our analysis uses four measures of housing supply constraints that have been very influential and represent the cutting edge of research in the area. These are the supply elasticity

from [Saiz \(2010\)](#), a supply elasticity from [Baum-Snow and Han \(2024\)](#), the Wharton Residential Land Use Regulation Index (WRLURI) from [Gyourko, Saiz and Summers \(2008\)](#), and the land share of value from [Davis, Larson, Oliner and Shui \(2021\)](#). We use the terms “housing supply constraint” and “housing supply elasticity” interchangeably to describe these measures.

In our benchmark analysis, we regress house price growth and house quantity growth on income growth, an indicator if the city’s housing supply is measured as relatively less constrained, and the interaction of income growth and the constraint indicator. Total income growth, which reflects growth in both average income and population, is strongly correlated with growth in house prices, but the interaction of income growth with the constraint is economically and statistically insignificant across all of the measures. In other words, higher income growth predicts the same increase in house price growth in cities measured to be more or less constrained. We turn to housing quantities and find the same results: income growth is strongly correlated with growth in the number of housing units and growth in population, but this correlation is not affected by any of the measures of housing supply constraints. We also examine a measure of the intensive margin of housing, the change in the average number of rooms per person, and find that elastic cities experience the same change in space as inelastic cities, conditional on income growth. To check if these findings are unique to the period from 2000 to 2020, we extend our sample to 1980 and find the same results when looking at growth from 1980 to 2000 or from 1980 to 2020. The fact that measured constraints do not affect the correlations of house price or quantity growth with income growth is a robust feature of the data for at least the last 40 years.

Considering these sets of regressions together, we can see that growth in housing prices and quantities is independent of local measures of housing supply elasticity conditional on income growth. We make this point explicitly by leveraging the comovement of prices and quantities and estimating an instrumental variable specification to recover the elasticity of housing quantities to prices. Specifically, we regress growth in housing quantities on growth in house prices interacted with an indicator for the housing supply constraint, and we instrument for house prices with growth in total income also interacted with the supply constraint indicator. Thus, we estimate an elasticity of housing quantities with respect to prices for both more and less constrained cities, which allows us to directly test if measured supply constraints affect the relationship between prices and quantities. The only threat to identification is that there are omitted shocks to the supply of housing quantities, which would be a problem for the economic meaningfulness of the constraint measures. Our estimated elasticities are all around one and, critically, are statistically and economically indistinguishable across cities measured to be relatively more or less constrained. In other words, for a given

increase in prices we find that a city has the same increase in housing quantities regardless of whether or not it appears to be more or less constrained.

While we demonstrate that omitted variables do not pose a problem for our empirical approach, if our results are correct, then an exogenous shock to housing demand should cause the same house price and quantity growth across cities regardless of their measured supply elasticity. We test this prediction by exploiting the plausibly exogenous shock to housing caused by the shift towards work-from-home (WFH) during the pandemic. As demonstrated by [Mondragon and Wieland \(2022\)](#) and [Howard, Liebersohn and Ozimek \(2023\)](#), city-level exposure to the rise of remote work over the pandemic was uncorrelated with other shocks to local housing and labor markets and caused a large increase in the demand for housing. This expansion in housing demand reflected both more migration and increasing demand for space for a given population of remote workers. We use exposure to remote work as a shock to housing demand and trace out its effects on house prices and housing quantities from 2019 to 2023 where we measure quantities with the number of housing units permitted.² In addition to allowing us to make explicitly causal claims, this exercise is also useful because we examine a period that is out-of-sample with respect to the rest of our results.

Consistent with prior research, we find that exposure to WFH caused an increase in housing demand and house prices. Critically, the increase in house prices was essentially identical regardless of whether the city was more or less constrained. Similarly, exposure to WFH caused large increases in the growth of units permitted for construction and, conditional on the same exposure to WFH, cities saw the same growth in permitted units regardless of the measure of housing supply constraints. Despite these estimates coming from a different period, one of exceptional economic changes, and the distinct source of variation, we find the same results as in our baseline analysis, further validating our approach.

While we find that the interaction of income growth and the elasticity measures do not predict house price growth, the level of the elasticity measure does predict house price growth. Specifically, a lower supply elasticity predicts higher house price growth holding fixed income growth. But this prediction is not reflected in lower quantity growth as implied by the supply-centric view. The magnitude of this effect is also generally not monotonic in the measured supply elasticity. It is therefore plausible that this difference in price growth reflects differential amenity growth correlated with the measured supply elasticity ([Davidoff, 2016](#)) or even limitations in how well price indexes adjust for changes in housing quality. But even if we take this differential house price growth as a causal effect from relatively tight supply, we show that the magnitude of this effect is small. Thus, we once again conclude

²Our measure for housing quantities in 1980, 2000, and 2020 is taken from the Census and so is not available at the annual frequency.

that there is little evidence that differences in housing supply elasticities are quantitatively important in explaining house price and quantity growth across U.S. cities.

In short, we establish that measures of local housing supply constraints are quantitatively not important for understanding how shifts in demand translate into house price and quantity growth across U.S. cities. This finding challenges the standard view that supply constraints are very important in explaining rising house prices across cities and suggests that efforts to relax housing constraints may have negligible effects on house prices and quantities.

Related Literature

Limits on housing supply are now generally agreed to be an important, if not the most important, impediment to affordable housing (Glaeser, Gyourko and Saks, 2005; Saiz, 2023).³ Gyourko (2009), Gyourko and Molloy (2015), Glaeser and Gyourko (2018), and Molloy (2020) provide surveys of this extensive literature.⁴ A common theme is that the incidence of supply tightness is not uniform across U.S. cities. Gyourko, Saiz and Summers (2008) and Gyourko, Hartley and Krimmel (2021) developed indexes of regulatory constraints that reduce supply elasticities across different metropolitan entities. Saiz (2010) recovered MSA-level elasticities that show that metros with little developable land due to geographical constraints from water bodies or steep terrain are the very places often deemed to have “inelastic” housing supply. Baum-Snow and Han (2024) estimate supply elasticities at the neighborhood level and trace out how the supply response across the metro area varies with geographic and regulatory constraints. Davis, Larson, Oliner and Shui (2021) use a large micro dataset to estimate the land share of value, which indicates the relative tightness of housing supply constraints, across a large variety of geographies. Additional papers estimating local housing supply constraints or elasticities in the U.S. include Green, Malpezzi and Mayo (2005), Glaeser, Gyourko and Saks (2005), Davis and Palumbo (2008), Kok, Monkkonen and Quigley (2014), Gorbach and Keys (2020), Albouy and Stuart (2020), Guren, McKay, Nakamura and Steinsson (2021b), and Chodorow-Reich, Guren and McQuade (2024). For a review of international evidence on housing supply elasticities see Saiz (2023).

In addition to potentially driving up house prices, tight housing supply has been linked to pernicious effects on other important economic outcomes. Saks (2008), Paciorek (2013), Gyourko, Mayer and Sinai (2013), Ganong and Noel (2017), Gaubert (2018), and Hsieh and Moretti (2019), among others, argue that housing supply has important effects on outcomes

³While critics of this perspective do exist, they are often ignored or dismissed (Been, Ellen and O’Regan, 2019). The broader impact of this argument is evinced by the rapid rise of the YIMBY movement, advocating for more relaxation of housing regulation like zoning, and the Economic Report of the President (Council of Economic Advisers, 2024).

⁴For a seminal contribution to thinking about housing supply see DiPasquale (1999).

ranging from housing market volatility to aggregate productivity. [Been, Ellen and O'Regan \(2019\)](#) surveys work linking supply restrictions to environmental costs, segregation, and inequality. [Glaeser and Gyourko \(2018\)](#) also provide a survey and discussion on the broader costs of tight housing supply.

There is a growing literature that examines the local effects of new construction on outcomes like neighborhood rents and demographic composition. Examples include [Zahirovich-Herbert and Gibler \(2014\)](#), [Diamond and McQuade \(2019\)](#), [Pennington \(2021\)](#) and [Li \(2022\)](#). Some, although not all, of these papers find evidence that new construction reduces rent growth in the surrounding area. These estimates, by studying shifts in local housing supply, identify the shape of the local demand curve. By contrast, our approach works to identify the slopes of the city-level supply curves in more- and less-constrained cities, which is critical for understanding the extent to which supply constraints affect housing affordability. A more closely related body of work studies changes in zoning constraints and how this affects the supply of housing, which should be informative about how much the housing supply function is affected by regulatory constraints. This work is surveyed by [Freemark \(2023\)](#), who reports mixed and generally modest effects of zoning changes on housing prices or quantities, consistent with our results.

A number of other studies in the literature have also found a limited role for supply elasticities in the cross-section of U.S. cities. [Rodríguez-Pose and Storper \(2020\)](#) give an influential critique of the idea that relaxing regulatory barriers is likely to improve affordability, reduce inequality or spur growth and also makes the argument that income growth drives house prices. [Davidoff \(2013\)](#) shows that regions with the largest 2000 housing cycle also saw the highest growth in supply and that, conditional on demand, the amplitude of the 2000 housing cycle is not larger in less elastic cities. [Davidoff \(2016\)](#) further finds that cities with lower measured supply elasticity experience both higher house price and quantity growth from 1980-2012 and argues that this reflects a negative correlation of supply elasticities with demand shocks. Like [Davidoff \(2013, 2016\)](#) we jointly examine house prices and quantities, and show that OLS regressions interacting income with supply elasticities can help us determine the role of supply elasticities in explaining house price and quantity growth across cities.

[Howard and Liebersohn \(2021\)](#) show that the effect of income on their newly-constructed rent index from 2000-2018 is independent of the measured housing supply elasticity, which they attribute to a high migration elasticity. Similarly, [Aura and Davidoff \(2008\)](#) and [Anenberg and Kung \(2020\)](#) use quantitative calibrated models to argue that relaxing local housing supply constraints is unlikely to significantly affect local house prices due to strong migration responses. [Davis and Ortalo-Magné \(2011\)](#) examine data on expenditure shares on housing

for renters and find that these shares are constant across MSAs, and conclude that supply elasticities will be uncorrelated with rents and prices. We show that growth in housing quantities, in addition to house price growth, is independent of local supply elasticities, and thus infer a limited role for housing supply elasticities in explaining the cross-section of U.S. city house price and quantity growth since at least 1980.

2 THEORETICAL FRAMEWORK

Using a standard supply-and-demand framework for the housing market, we demonstrate that OLS regressions predicting city-level house price and quantity growth from income growth interacted with the local supply elasticity reveal the importance of supply elasticities in explaining cross-city variations in house price growth. We show that this conclusion holds regardless of the correlation of income growth with other housing supply and demand shocks.

We assume there are i cities, each with a population N_i where individuals receive income y_i so that total income in the city is given as $Y_i = y_i N_i$ and the total quantity of housing is H_i , purchased at the price P_i . For simplicity, we assume H is a measure of total housing consumption that encompasses both the extensive and intensive margins. Households also have some additional demand shifters θ_i , which can increase or decrease their demand for housing. These can be thought of as changes in the demand for amenities or changes in wealth (for example, stock market investments) that affect housing demand in the city. Therefore housing demand in the city is given by a general Marshallian demand function $H_i^D = f(Y_i, P_i, \theta_i)$. We linearize this expression to get the change in housing demand where hats indicate the percentage change and ϵ gives the relevant demand elasticity.⁵

$$\hat{H}_i^D = \epsilon_y \hat{Y}_i - \epsilon_p \hat{P}_i + \hat{\theta}_i.$$

We assume the total supply of housing H_i^S is competitive and determined by an elasticity parameter ψ_i and supply shocks $\hat{\sigma}$ so that $H_i^S = P_i^{\psi_i} e^{\hat{\sigma}_i}$. The elasticity ψ_i reflects the flexibility of the local housing construction sector as determined by regulations, geography, and so on. We abstract from the importance of other factors like local labor costs or financing costs. Linearizing this expression gives the change in total supply as

$$\hat{H}_i^S = \psi_i \hat{P}_i + \hat{\sigma}_i.$$

⁵The differences that we consider should generally be thought of as long-differences, in practice 20 years or more. This is important in that housing construction is time consuming, so that in the short-run almost all supply curves are relatively inelastic regardless of the longer-run supply curve elasticity (Guren, McKay, Nakamura and Steinsson, 2021a).

The housing market clears so that the total change in housing quantities is equal to the change in the supply of housing and the change in housing demand:

$$\widehat{H}_i = \widehat{H}_i^S = \widehat{H}_i^D.$$

Solving for prices gives an intuitive expression for the change in prices as a function of changes in demand coming from income and taste shocks or from shifts in supply:

$$\widehat{P}_i = \frac{1}{\psi_i + \epsilon_p} \left(\epsilon_y \widehat{Y}_i + \widehat{\theta}_i \right) - \frac{1}{\psi_i + \epsilon_p} \widehat{\sigma}_i. \quad (1)$$

The effect of changes in income on house prices depends on the elasticity of housing demand to income, but this effect will be mitigated to the extent that housing supply elasticities are high or if demand is very sensitive to changes in the price. Shifts in supply $\widehat{\sigma}_i$ or taste $\widehat{\theta}_i$ affect house prices in a similar way.

Substituting for prices into the supply equation gives a reduced form expression for the change in housing quantities:

$$\widehat{H}_i = \frac{1}{1 + \frac{\epsilon_p}{\psi_i}} \left(\epsilon_y \widehat{Y}_i + \widehat{\theta}_i \right) + \frac{\frac{\epsilon_p}{\psi_i}}{1 + \frac{\epsilon_p}{\psi_i}} \widehat{\sigma}_i. \quad (2)$$

Here as ψ_i becomes smaller (less elastic) then the denominator becomes larger, reducing the size of the quantity response at the same time that the price response in Equation (1) is increasing.

Now assume that there are two kinds of cities, those with high supply elasticities and those with low supply elasticities and denote the respective set of cities by Ω^H (high) and Ω^L (low). We have data on house prices, quantities, and the total change in income for each city. We can estimate the relationship between changes in total income and house prices and quantities within each set of cities Ω^j using the following regression where $j \in \{H, L\}$ indicates if the city is of a high- or low-elasticity type

$$\begin{aligned} \widehat{P}_i &= \alpha_j + \beta_j \widehat{Y}_i + e_i, \\ \widehat{H}_i &= \delta_j + \gamma_j \widehat{Y}_i + v_i, \quad i \in \Omega^j, j \in \{H, L\}. \end{aligned}$$

These regression within each set of cities will recover the following estimates:

$$\begin{aligned}\beta_j &= \frac{\epsilon_y}{\psi_j + \epsilon_p} + \frac{1}{\psi_j + \epsilon_p} \frac{Cov(\hat{\theta}_i - \hat{\sigma}_i, \hat{Y}_i | i \in \Omega^j)}{Var(\hat{Y}_i | i \in \Omega^j)}, \\ \gamma_j &= \frac{\epsilon_y}{1 + \frac{\epsilon_p}{\psi_j}} + \frac{1}{1 + \frac{\epsilon_p}{\psi_j}} \frac{Cov(\hat{\theta}_i + \frac{\epsilon_p}{\psi_j} \hat{\sigma}_i, \hat{Y}_i | i \in \Omega^j)}{Var(\hat{Y}_i | i \in \Omega^j)}, \quad j \in \{H, L\}.\end{aligned}$$

If there is no omitted variable bias coming from unobserved demand and supply shocks then the second terms will fall out so that the regressions recover the effects of income growth on house prices and quantities as mediated by the income elasticity of demand for housing, the price elasticity of demand for housing, and the housing supply elasticity. If households across cities do not differ in their income or price elasticities, the pass-through from income growth into house prices will be lower in cities with more elastic housing supply:

$$\psi_H > \psi_L \rightarrow \beta_H < \beta_L \quad \text{and} \quad \gamma_H > \gamma_L. \quad (3)$$

Figure I illustrates this standard demand and supply logic where B^j indicates the equilibrium for each type of city after the shift in demand from the initial equilibrium. Thus, a regression of house price growth on income growth within high-elasticity cities should recover a smaller coefficient β_H relative to the coefficient β_L from the same regression of house prices on income growth within low-elasticity cities. For the regression of housing quantity growth on income growth we expect a larger response in the more elastic cities, $\gamma_H > \gamma_L$.

Of course, it is possible that unobserved demand shocks or supply shocks are correlated with the change in income so that the second terms do not drop out. But the effect of these factors on house prices will still run through the housing supply elasticity. So if high and low elasticity cities all have the same correlation between omitted shocks and income growth then house price growth in high elasticity cities will still exhibit a smaller correlation with income growth. And the converse will hold for housing quantities. In other words, we would still expect the regression coefficient to follow the pattern in (3), although the magnitudes would certainly be different.

Instead, there are essentially two kinds of heterogeneity that could contaminate these estimates such that the intuitive relationship between supply elasticities and regression coefficients falls apart. First, the correlation between income changes and unobserved shocks could vary across the type of city. For example, if high elasticity places have a strong correlation between income growth and other positive demand shocks, then these cities will generate a relatively high correlation between income and house price growth pushing β_H closer to β_L . But we should then see an even stronger relation between measured housing

supply elasticities and quantity growth, as the same demand shocks will push up housing quantities more in more elastic cities so that $\gamma_H \gg \gamma_L$. **Figure II** illustrates this logic in a demand-and-supply diagram. Thus, this hypothesis is testable by looking jointly at prices and quantities.

In contrast, if income growth is positively correlated with housing supply shocks in low elasticity locations, then the estimated β_L for house prices in these cities will be relatively low, while raising the γ_L for housing quantities. Thus, positive housing supply shocks in low elasticity cities have the potential for making the city groups more alike in both sets of regressions. **Figure III** illustrates this example in a supply-and-demand diagram. But if such a correlation were empirically important then it would raise questions about the meaningfulness of the housing supply measures. If cities with relatively inelastic housing supply always experience positive housing supply shocks that offset increases in demand, then to what extent is tight housing supply driving up prices? As **Figure III** shows, the outcomes are then observationally equivalent to the case where there is no difference in the housing supply elasticity across cities. If these measures of housing market flexibility are not empirically relevant for house price dynamics because of offsetting correlations in other supply “shocks”, it suggests there are important gaps in our understanding about how these elasticities matter for the price and quantity of housing.

A second kind of potentially problematic heterogeneity would not be in the correlations with unobserved shocks, but in the underlying elasticities ϵ_y and ϵ_p . For example, if individuals in cities with relatively inelastic housing supply have a lower income elasticity of demand for housing or if they are relatively more price sensitive, then the income growth will have a relatively smaller effect on house prices. But if the correlation between elasticities is such as to reduce the disparities in house price growth in low and high supply elasticity cities ($\beta_L \approx \beta_H$), then it will exacerbate the differences in housing quantity growth between them ($\gamma_H \gg \gamma_L$). Again, this explanation is testable by jointly examining housing prices and quantities.

We lean on these simple relationships to quantify the extent to which local measures of housing supply elasticity matter for housing affordability dynamics. Specifically, we estimate the following regressions

$$\begin{aligned}\hat{P}_i &= \alpha + \beta_1 \hat{Y}_i + \beta_2 \mathbb{I}_i(\text{Less Constrained}) + \beta_3 \hat{Y}_i \times \mathbb{I}_i(\text{Less Constrained}) + e_i \\ \hat{H}_i &= \delta + \gamma_1 \hat{Y}_i + \gamma_2 \mathbb{I}_i(\text{Less Constrained}) + \gamma_3 \hat{Y}_i \times \mathbb{I}_i(\text{Less Constrained}) + v_i\end{aligned}\quad (4)$$

The coefficients of interest are β_3 and γ_3 , which recover the differential response of house price growth and house quantity growth to income growth for cities that have relatively more

elastic housing supply. In terms of our discussion above, $\beta_3 = \beta_H - \beta_L$ and $\gamma_3 = \gamma_H - \gamma_L$. Thus, we expect $\beta_3 < 0$ and $\gamma_3 > 0$, or that cities with relatively more elastic housing supply experience relatively less price growth and more house quantity growth for the same income growth.

An analogous strategy is to directly estimate the implied differences in housing supply elasticities from the comovement of house prices with house quantities induced by income growth. Specifically, we regress the change in house quantities on the change in house prices instrumented by the change in total income for both high and low elasticity cities,

$$\begin{aligned}\widehat{H}_i &= \kappa_j + \theta_j \check{P}_i + w_i, \\ \widehat{P}_i &= \alpha_j + \beta_j \widehat{Y}_i + e_i, \quad i \in \Omega^j, j \in \{H, L\}\end{aligned}$$

where \check{P} is instrumented price changes.

The IV estimator, using the definitions in (1) and (2) and rearranging, is simply

$$\theta_j = \psi_j + \frac{Cov(\sigma_i, \widehat{Y}_i | i \in \Omega^j)}{Cov(\widehat{P}_i, \widehat{Y}_i | i \in \Omega^j)}, \quad i \in \Omega^j, j \in \{H, L\} \quad (5)$$

The IV estimator reinforces that when we jointly examine the response of housing quantities and prices to income growth, then the only threat to identification is that the correlation of income growth with supply shocks differs across low and high elasticity cities. But, as we explained above, if our estimates of θ_j are similar across cities because low elasticity cities consistently experience positive supply shocks correlated with income growth then this calls into question whether tight housing supply explains house price growth in the cross-section. All other sources of variation, such as demand shocks or elasticities correlated with income growth, do not pose a problem for estimating the slope of the supply curve (and are in fact valid variation) because they only change how much housing demand changes, which is normalized in the IV.

In summary, our theoretical framework shows that simple regressions help quantify the importance of local supply in shaping the cross-section of house price and quantity growth. Specifically, we show that if differences in local supply are quantitatively important, then we should see such differences in OLS regression of house price and quantity growth on income growth interacted with measures of the supply elasticity. Similarly, the estimated housing supply elasticity from an IV regression of house quantities on house prices instrumented by income growth should be much lower in cities deemed to have constrained supply than in cities deemed to have less constrained supply. We next describe our data sources and then estimate these regressions.

3 DATA

We rely on four influential measures of housing supply constraints from the literature. We take the elasticity estimates from [Saiz \(2010\)](#), which are available at the MSA level. Because of the influence of these estimates in the literature we use these MSA definitions as our baseline geography and match other data to these definitions. We also use the measures of the Wharton Residential Land Use Regulatory Index (WRLURI) by [Gyourko et al. \(2008\)](#), generated at the MSA-level by [Saiz \(2010\)](#), which capture variation in the regulatory environment across MSAs. We multiply this index by minus one so that increases in the value indicate a less restrictive regulatory environment and so, ostensibly, a more elastic housing supply function. [Baum-Snow and Han \(2024\)](#) provide a number of elasticities at the census tract level that can be aggregated to other geographies. We use their elasticity for the number of units as this has a strong correlation with house price growth that is consistent with expectations.⁶ Finally, we use the 2012 measure of the land share of value from [Davis et al. \(2021\)](#) at the county level and then aggregate them to the MSA-level with population weights.⁷ The share of value attributable to land arguably reflect constraints on the construction of housing ([Glaeser et al., 2005](#)), so we take one minus the land share, which we call the building share of value, so that increases in the value indicate a relatively more elastic supply function.

We measure total income (income and population) in an area using the county-level personal income estimates from the BEA and then aggregate them to the MSA level.⁸ We use the broad measure “all persons from all sources” in a geography during a calendar year.⁹

We rely on two measures of house prices. First, we use the county-level Corelogic single-family repeat-sales index and then aggregate this index to the MSA level using population weights. These data are monthly, but we convert them to annual by using the December value. Second, we use the American Community Survey (ACS) to measure the median home value, which we aggregate from the relevant geography to the MSA level using population weights. While the median home value does not adjust for quality like the Corelogic price index, it was used in the construction of the [Saiz \(2010\)](#) elasticity estimates and so is a useful check on the robustness of our results.¹⁰

⁶Following guidance in the documentation dated September 2023, we use the elasticity estimated by the quadratic finite mixture model and then aggregate it to the MSA level using the formula in equation 21 and provided housing quantities.

⁷We use their “as-is” measure of land value share at the county level.

⁸Available for download at <https://apps.bea.gov/regional/zip/CAINC1.zip>.

⁹For more detail on this measure see [here](#) and [here](#).

¹⁰One potentially important difference is that [Saiz \(2010\)](#) adjusts home value growth for growth in construction costs. We do not have the necessary data to make this adjustment, but it is not obvious that the

To measure the number of housing units we rely on the Census of housing accessed via IPUMS NHGIS, which are pulled at the county level and then summed to the MSA level. We also use the ACS to measure the average number of rooms per person, although in the years before 2000 this is only available for a smaller set of MSAs due to restrictions in county identification.

Finally, we use exposure to remote work as a shock to local housing demand. [Mondragon and Wieland \(2022\)](#) use the ACS and measure a remote worker as someone who is employed, does not commute to work, and who does not work in agriculture or the military. They show that the share of work-from-home (WFH) in the pre-pandemic period has a strong effect on post-pandemic WFH and the demand for housing, driven by both increased migration and increases in housing demand by remote workers. They also document that the effect on housing demand is uncorrelated with other shocks to local markets, so it is plausibly exogenous. While this measure only directly captures workers who are fully remote, [Kmetz, Mondragon and Wieland \(2023\)](#) show that this measure is strongly correlated with more holistic measures of remote work such as the surveys in [Barrero, Bloom and Davis \(2023\)](#) and [Bick, Blandin and Mertens \(2023\)](#).

[Table I](#) reports summary statistics for the primary variables used in our analysis. All of the variables are in growth rates except for the change in average rooms per person, which is more easily interpreted in levels. Because the distribution of cumulative growth rates is heavily skewed over these long horizons, we annualize all of the growth rates. This makes the distributions more symmetric and improves precision, but is not necessary for our results. We also convert prices and total income growth into real values using the CPI price index. Panel A reports statistics for 2000 to 2020, our main sample of analysis, Panel B covers the longer sample from 1980 to 2020, and Panel C looks just at 1980 to 2000. Note that the number of observations in this table will not match the analysis tables as not all MSAs are populated with every constraint measure. But every MSA reported here is populated with at least one of the four measures of constraints, so this table provides a summary of all of the MSAs used in the analysis.

Just from comparing 2000 to 2020 to 1980 to 2000 we can see that the last twenty years are marked by relatively high growth in house prices, relatively less growth in total incomes, and less growth in housing quantities, all consistent with the growing perception that there is a housing affordability crisis. At the same time, the growth in housing quantities has outpaced the growth in population and the average number of rooms per person has increased, which

relevant measure of house price growth is price growth net of changes in construction costs. [Saiz \(2023\)](#) describes the effects of construction costs on prices as “mechanical,” but it may still be the case that they are an important determinant of price growth.

appears inconsistent with the view that supply constraints have held back housing quantities.

4 EMPIRICAL RESULTS

In this section we estimate to what extent higher income growth predicts higher house price and lower quantity growth in U.S. cities with less elastic housing supply compared to cities with more elastic housing supply. As we explain in [Section 2](#), these regressions allow us to infer the extent to which variation in the elasticity of housing supply is important in explaining house price and quantity growth in the cross-section.

4.1 Graphical Results

We first show the unconditional correlation between house price growth and the housing supply elasticity measures, which is strongly negative as emphasized in prior work. We then show the correlation of house quantity growth with those measures, which is also negative and inconsistent with a supply-centric story. Finally, we show graphically that higher income growth predicts the same increase in house price and quantity growth in more and less elastic cities.

[Figure IV](#) divides MSAs into ventiles of each measure and then plots the average annualized real house price growth from 2000 to 2020 within each bin against the average value of the constraint measure within each bin ([Stepner, 2013](#)). All of the constraint measures are adjusted so that larger values reflect less constrained, or more elastic, housing markets (see [Section 3](#)). Every measure has the expected relationship that has been repeatedly documented in the literature: cities with relatively more elastic housing markets tend to have less house price growth. The strength of the association varies across each measure, but broadly they all point to statistically and economically significant variation in house price growth across cities. For example, moving from the bottom to the top of the range of [Saiz \(2010\)](#) implies real house price growth goes from over 2% to less than 0.5% a year, or cumulative growth of 50% compared to 10% over 20 years.

If housing constraints are the central factor determining the growth in house prices, then housing quantities should reflect the inverse relationship. *Ceteris paribus*, cities with relatively unconstrained housing markets should build more housing, thus suppressing growth in house prices. [Figure V](#) checks if this is indeed the case by plotting the total annualized growth in housing quantities against the same measures of housing constraints. These results are much less clear. All of the measures but the building share of land value are at least weakly negatively correlated with housing quantities. But it is clear that none of these measures is strongly positively correlated with growth in housing quantities, as would be the

case if most of the variation in house price growth was explained by variation in the growth of housing quantities.

Of course, a critical step in this argument is that shocks to demand and supply are held constant when comparing cities with different elasticities. As demonstrated by [Davidoff \(2016\)](#) and [Howard and Liebersohn \(2021\)](#), local elasticity measures are strongly correlated with differences in housing demand. For example, coastal California has, in addition to restrictive zoning and difficult terrain, pleasant weather and excellent Mexican food, both of which increase housing demand.¹¹ Therefore, it is difficult to disentangle the effect of housing constraints from high demand.

[Figure VI](#) plots house price growth against the growth in house quantities. We see a strong positive relationship between growth in house prices and quantities: cities that experienced large growth in house prices are generally cities that experienced large growth in housing quantities, consistent with [Davidoff \(2013\)](#). This picture suggests that differential shifts in demand are important drivers of housing market dynamics. Of course, it does not indicate that differences in supply constraints are irrelevant, just that it is important to condition on demand when examining the effects of housing constraints on house price growth.

[Figure VII](#) takes this approach by plotting growth in house prices for each measure of housing constraints against growth in total income separately for MSAs with above and below median values of each constraint measure. As discussed in [Section 2](#), for the same growth in housing demand MSAs with less constrained housing markets should show relatively less growth in house prices compared to MSAs with more constrained housing markets. This is not what we find. Instead, across every measure, we find that house prices for more- and less-constrained cities have the same slope with respect to changes in income. To the extent that changes in income reflect different demand conditions, these pictures show that none of the measures of supply constraints translate into relatively less house price growth.

It is also true that relatively constrained cities tend to have higher house price growth on average, as shown by the vertical gap between the two sets of cities. We discuss this gap in more detail in [Section 4.5](#), where we argue that it is both quantitatively small and unlikely to reflect a causal impact of the supply elasticity on house prices.

The fact that supply constraints do not seem to affect the relationship between income and house price growth is not consistent with the logic of how housing supply affects house prices given in [Equation \(1\)](#). But this result could be consistent with the important class of local labor market models where migration across cities is driven by the cost of housing relative to income ([Moretti, 2011](#)). At the extreme case, it may be the case that migration causes price-to-income ratios to be equalized so that local housing supply elasticities will have

¹¹The fish tacos in San Diego are particularly tasty.

zero effect on prices but large effects on migration and the quantity of housing (Aura and Davidoff, 2008; Howard and Liebersohn, 2021). In our framework this would be reflected as the price elasticity of demand (ϵ_p) being very large in Equation (1).¹² Alternatively, income growth may be correlated with positive housing demand shocks in more elastic cities, which would make house price growth in those cities look similar to less elastic cities. Both theories imply that income growth predicts large differences in quantity growth across more and less elastic cities.

In Figure VIII, we check if there is evidence that housing constraints affect the relationship between growth in housing quantities and income growth. Since growth in total income reflects growth in population as well as growth in average income there will be a tight relationship between housing quantities and total income growth. But if local labor market models are correct, then relatively unconstrained cities should see more growth in housing quantities for the same change in total income compared to relatively constrained cities. These figures show that this is not the case. Across all of the measures of constraints, relatively constrained cities show the same growth in housing quantities in response to higher income growth as relatively unconstrained cities. Interestingly, there is not even a gap in the average housing quantity growth across the two types of cities.

Through the lens of the housing demand-and-supply model in Section 2, these figures imply that differences in housing supply elasticities across cities are quantitatively not important for explaining how income growth, or housing demand growth more generally, affect house price and house quantity growth. We next confirm this insight in regression form and then show that it is a robust conclusion.

4.2 Regression Results

We estimate various regressions along the lines of (4), where we create an indicator for a city being less constrained if the relevant measure is above the sample median (again, all variables have been constructed so that a larger value indicates the city is relatively unconstrained). The coefficient of interest is the interaction of total income growth with the indicator for being less constrained and where standard theory predicts this coefficient should be negative for house prices and positive for housing quantities. In contrast, we find that the coefficients are small, statistically insignificant, and often of the wrong sign, which implies that differences in housing supply are quantitatively not important for explaining differences in house price and quantity growth across cities (Section 2).

¹²Another implication of this perspective is that the elasticity of supply (ψ_i) would also be very large to accommodate the changes in population driven by migration so that there is also a large quantity response in Equation (2).

Table II reports the results for house prices where panel A uses the Corelogic house price index and panel B uses the median home value. Total income growth is strongly correlated with house price growth: a one percentage point increase in total income growth predicts a 60 basis point increase in house price growth. Most importantly, the interaction term with the housing supply elasticity is essentially zero and statistically insignificant for both measures of house prices and across all measures of the elasticity. In other words, the correlation between house price growth and total income growth is the same across cities regardless of the measured constraints on housing supply. We again see that less constrained areas tend to have less house price growth on average (although this result is not robust across all specifications), which we discuss in detail in **Section 4.5**.

Table III changes the outcome variable to housing quantity growth. Panel A uses at the growth in the number of housing units and panel B uses population growth. Across all of the specifications only the regulatory index seems to have a slight positive effect on growth in housing units and population. Even taking this small effect at face value, note that **Table II** showed that there is essentially no effect on prices as one would expect from a supply-centric view. The Saiz, Baum-Snow and Han, and building share of value measures all have no effect on the correlation between quantities and income growth and mostly have the wrong sign. Thus, while less constrained places tend to show less price growth on average, we find no evidence for relatively more growth in housing quantities in less constrained areas for any of the constraint measures.

Panel C uses the change in the average number of rooms per person as an alternative measure of housing quantity outcomes. If housing markets are responding on the intensive margin (for example, larger homes) more than the extensive margin (more homes) then this variable should capture some of the differential response. Here total income growth is negatively correlated with the change in rooms per person, suggesting that cities that are growing become more crowded or less spacious. But this correlation is completely unaffected by the measure of housing constraints. Given a level of income growth, having a housing market that is more or less constrained does not affect the quantity of housing per person.

Together these results show that neither prices nor quantities exhibit the kind of differential correlation with income growth that we would expect if housing supply constraints matter in the way standard theory posits. To summarize this point we estimate instrumental variable specifications along the lines of (5), where we interact growth in house prices with the indicator for being less constrained and then instrument for that variable with total income growth interacted with the same indicator. This allows us to estimate the supply elasticity directly and focuses the threats to identification to just differential correlations between supply shocks and income growth.

[Table IV](#) reports estimates for growth in the quantity of housing with panel A using the house price index and panel B using the median home value. The coefficients on price growth give the estimated elasticities of housing quantity with respect to price growth for each type of city. We report the Chi-squared test for rejecting the hypothesis that the estimated elasticities across more- and less-constrained cities are the same. In none of the specifications can we reject that the elasticities are equal at standard levels of significance. Only the regulatory index displays a lower supply elasticity in more constrained cities that is at least somewhat economically meaningful. But the difference in the relationship is simply quantitatively too small to be able to say with any precision that less regulated cities have a meaningfully different response in the quantity of housing units. [Table V](#) runs the regressions replacing housing unit growth with population growth and finds essentially the same results. We do not find any evidence that supply constraints are economically or statistically significant determinants of variation in the growth of house prices relative to house quantities.

4.3 Conditioning on a Housing Demand Shock

We believe our analysis is particularly attractive because, as we lay out in [Section 2](#), we do not require exogenous variation in housing demand to determine whether differences in housing supply elasticities across U.S. cities are quantitatively important for explaining differences in house price growth.

But if we had such exogenous variation, it should also show that higher housing demand causes equally large house price and quantity growth across U.S. cities, similar to our baseline analysis. We now test this claim using the shift to working from home shock in [Mondragon and Wieland \(2022\)](#), who show that it is a plausibly exogenous shock to local housing demand. Specifically, we construct an indicator for having above-median exposure to WFH, identified using the employment share of WFH from 2015-2019 which is strongly correlated with the increase in WFH over the pandemic. We then interact this indicator with each of the indicators for being less constrained (above median). Whereas standard theory predicts that the less constrained cities experience less house price growth and more house quantity growth given the same WFH shock, our previous results predict that these locations should see similar house price and quantity growth.

[Table VI](#) reports the results where we look at growth from 2019 to 2023, the most recent year for which we have all the total income growth. In panel A we put total income growth as the outcome to check if growth in more- and less-constrained cities load equally on the WFH shocks. We actually see some evidence that growth is higher in places that are less constrained according to the Baum-Snow and Han elasticity and the regulatory index,

implying there is some heterogeneity in the treatment effect. This is not informative about the role of supply constraints in the housing market, but instead helps scale the demand shock across these different cities. Panel B turns to house prices and finds that remote work does increase house prices, but there is no evidence that house prices grew less in cities that were less constrained. The one statistically significant estimate, on the regulatory constraint, in fact has the wrong sign but that might primarily reflect the additional income growth shown in Panel A. Finally, Panel C looks at the cumulative growth in the number of units permitted.¹³ We use permitted units instead of actual units because the quantity of housing measure we use in other specifications is only available in census years.

First, these estimates show that the increase in housing demand due to WFH had a large effect on permit growth, about three times larger than that on house prices. This larger response relative to the change in total housing is intuitive since permits represent the response of housing investment, which is smaller and more volatile than the overall stock of housing. Critically, these estimates show that none of the constraint measures had any affect on quantity of permits issued in response to the increase in housing demand. Even in cities with relatively lenient regulatory environments and where house price growth was actually rather high, there is no evidence of a larger response in permits. In fact, the sign on the interaction of WFH with the regulatory constraint has the wrong sign, although the estimate is very imprecise.

In short, we show that even in an episode that is out of sample and where we have isolated plausibly exogenous variation, these measures of housing constraints do not affect the relative growth of house prices and house quantities across cities. Once again we conclude that differences in housing supply elasticities are quantitatively unimportant for explaining differences in house price and house quantity growth.

4.4 Robustness

In this section we show robustness exercises that continue to show that income growth has the same effect on house price growth and housing quantity growth irrespective of the measured local supply elasticity. First, we extend the sample to 1980-2020. Second, we look at just the 1980-2000 subsample. Third, we use quartiles of the housing constraint measure rather than a binary indicator to check if we are obscuring effects in parts of the distributions of constraint measures. Fourth, we exclude cities that are not growing or growing very slowly to make sure we are not biasing the results since housing supply constraints should not be

¹³Since permits are quite volatile we calculate the cumulative growth in permits by summing all permits from 2020 to 2023 and comparing that to the sum of permits issued from 2016 to 2019 and then annualizing that growth rate.

relevant when demand is not increasing. Finally, we check if our results are being driven by small cities. All of these results show that our finding is a robust feature of the data since at least 1980.

One important question is if the results that we document are unique to the years 2000 to 2020. In [Table IX](#) we extend the sample to 1980 and run the reduced form price regressions. We still find that the constraints have no effect on the correlation between house prices and income growth. [Table VIII](#) turns to housing quantities and finds the same result: local constraints have no meaningful effect on the correlation between income growth and growth in housing quantities. Even the small effect of regulatory constraints on quantity growth found in [Table III](#) is not present in these estimates. The longer sample confirms that there is little evidence that housing supply constraints explain variation in housing quantity growth or house price growth at least since 1980.

A related concern might be that the supply elasticities had more relevance in the period before 2000, which would correspond with much of the sample used to estimate the elasticities from [Saiz \(2010\)](#) and [Baum-Snow and Han \(2024\)](#). To test for this possibility we restrict the sample to the years from 1980 to 2000 and run the same reduced form regressions. [Table IX](#) reports the price results. Again we find no evidence that less constrained cities experience less house price growth, instead we even find in Panel B that all the measures seem to increase the correlation between income growth and house prices, some even with statistical significance. Interestingly, the two house price measures display different correlations with income growth, with the house price index seemingly uncorrelated with income growth and with the constraint measures. This is in contrast with the median home value measure, which shows the standard correlations with both income and constraints, suggesting that the price index may be subject to some measurement error in this earlier sample.

[Table X](#) turns to housing quantities and again finds no evidence that the constraints are associated with more growth in housing quantities. Consistent with panel B of [Table IX](#), panel B shows that the less constrained cities actually had less population growth for a given level of income growth. So while the comovement of prices and quantities is in line with the supply-centric view, low growth in population and high growth in prices is happening in the less constrained cities—the opposite of what that view predicts.

Our results so far have focused on comparing cities above and below the median of the constraints measures. If supply constraints are the single most important factor affecting housing market dynamics, then this is likely sufficient to reveal these effects. However, these constraints are measured with noise, which may make it difficult to estimate effects, and it is theoretically possible that the economically meaningful effects are only apparent at the margins of the distribution (for example, by comparing Grand Forks, ND to San Francisco,

CA). To check for this possibility we re-run our baseline analyses, but this time we split cities into quartiles based on the measured constraints and then interact income growth with these quartiles. [Table A1](#) reports the results for house prices and [Table A2](#) does the same for house quantities. Once again, we find no evidence that income growth leads to lower house price growth even when comparing the most constrained quartile to the least constrained quartile. We also check this specification for prices and quantities in the 1980 to 2020 ([Table A3](#) and [Table A4](#)) and 1980 to 2000 ([Table A5](#) and [Table A6](#)) subsamples. None of these estimates show robust evidence that housing supply constraints matter as they should according to the supply-centric view.

[Glaeser and Gyourko \(2005\)](#) show that housing supply should be relatively inelastic as demand falls. In other words, the housing supply curve is “kinked.” Therefore, areas that are declining or growing very slowly will not be informative about the mechanisms we outline in [Section 2](#), which apply only to increases in demand. To check if such low-growth cities are biasing our results, we drop the cities in the bottom quartile of the distribution of total income growth and re-run our baseline analysis. The price results are reported in [Table XI](#) and finds broadly the same results, although some interaction estimates now have the wrong sign. [Table XII](#) reports the quantity effects and again we find that measured constraints have no effect on the correlation with income. These results show that low-growth cities are not biasing our baseline estimates.

Finally, we check if our results are caused by cities of a certain size. While it would be unexpected for supply elasticities to only matter in cities of a certain size, it is possible that these constraints are measured with more measurement error in relatively small cities. If small cities have disproportionally high income growth and a low supply elasticity, then this would cause attenuation bias in our estimates of the effects of supply constraints on the correlation with income. To check for this possibility we split each of the elasticity samples into small and large cities based on the median city size and then we construct new indicators of being less constrained based on the median constraint value within each of these subsamples. We then estimate our baseline regressions in [\(4\)](#) within each of these subsamples and report the interaction term.

Panels A and B of [Table A8](#) show that our baseline finding that supply constraints do not matter for how income growth translates into house price growth holds true in both small and large cities. Among housing quantity outcomes, only the Wharton regulatory index displays a small positive effect for both small and large cities, similar to our baseline results. But like our baseline result, that effect disappears once we drop low-growth cities ([Table A9](#)). Thus, we do not find evidence that measurement error in constraints for small cities is confounding our results.

4.5 Residual Importance of Housing Supply Elasticity

Our main focus has been on how price growth and quantity growth is explained by the interaction between supply constraints and income growth because that is where our housing market model predicts supply constraints will matter (Equations (1) and (2)). In practice, these interactions are always small and insignificant, implying a minor role for supply constraints in explaining how housing market dynamics respond to rising housing demand. However, in our house price figures (Figure VII) and regressions (Table II) we do find a statistically significant level effect of supply constraints on house price growth holding fixed income growth. We now argue that this effect is quantitatively small and unlikely to reflect a causal effect from the supply elasticity on house price growth.

To quantify the role of supply constraints, we regress growth in house prices and quantities on growth in total income and each of the constraint measures. By conditioning on income growth we will be absorbing any demand and supply shocks correlated with income growth. Table XIII reports the estimates for house price growth. To help quantify the economic magnitudes, we also report the share of the gap in price growth between San Francisco and Houston explained by the constraint effect since these two cities are often used to represent polar opposites of housing supply conditions. Every constraint enters with a negative and statistically significant effect on house price growth. But as the calculations demonstrate, the economic magnitudes tend to be quite modest with the exception of building share of value and the regulatory index in panel B. However, this appears to reflect the fact that both of these constraints are measured after 2000, which is the start of our sample, with the regulatory constraints being measured around 2004 and the building share of value being measured in 2012. To demonstrate this, we re-run this specification just using the years 2012 to 2020 (chosen to match the land share data measurement year) and find that these constraints explain none of the variation in price growth over that period. Therefore, even setting aside potential endogeneity of the constraint measures, we conclude that there is little evidence that adjusting these constraints would have meaningfully changed house price dynamics.

Of course, house prices are only one side of the mechanism, we should also expect these constraints to affect growth in housing quantities. Table XIV reports these estimates. Panels A and B look at growth in units and population and find no evidence that these elasticities have any effect conditional on the change in total income. In no specification does changing the elasticity shrink the gap between San Francisco and Houston by even one percentage point, and at times the sign is actually incorrect.¹⁴ This suggests that the house price effect

¹⁴We do see more evidence of a relationship with the change in rooms per person in this table, but this

captured by the supply elasticities is not actually due to restrictive supply. Furthermore when we estimate the regression using quartiles in [Table A1](#), the house price effects are not monotonic in the housing supply elasticity. Thus, we suspect that the house price effect reflects a failure of the exclusion restriction for the housing supply elasticity.

5 CONCLUSION

This paper revisits the standard view that housing supply constraints significantly influence local house price and quantity growth. We estimate how shifts in income growth and remote work exposure translate into changes in housing prices and quantities across U.S. cities with varying housing supply elasticities. Contrary to prevailing beliefs and influential policy narratives, our empirical results consistently demonstrate that higher income growth predicts similar growth in house prices, housing quantities, population, and living space per person across more and less housing constrained cities.

Through the lens of a standard demand-and-supply equilibrium housing model, in which we allow for arbitrary correlations of income growth with other housing demand or supply shocks, our estimates imply that differences in housing supply elasticities across U.S. cities are small and quantitatively not important for explaining differences in house price and quantity growth. Our findings challenge the consensus that relaxing regulatory constraints would substantially lower housing prices and meaningfully expand housing quantities. This research thus calls for a reevaluation of our understanding of housing supply, echoing the call by [DiPasquale \(1999\)](#) more than 25 years ago, and of policy prescriptions that hope to improve housing affordability primarily through the relaxation of housing regulations.

effect is not particularly robust as it is not present in our baseline results [Table III](#).

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FIGURES

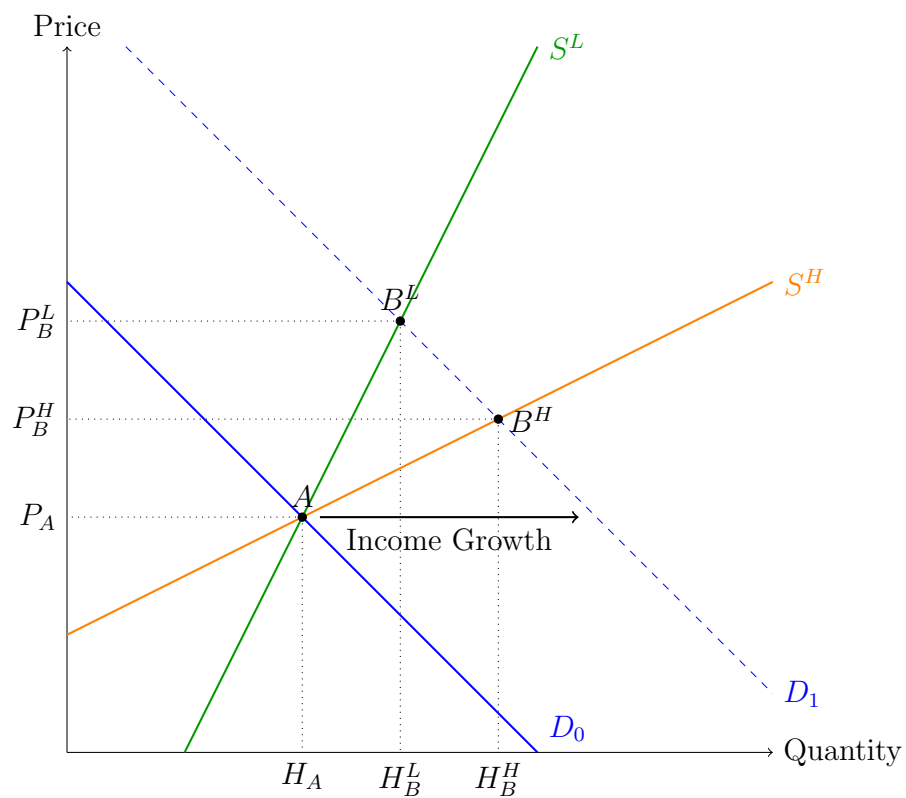


FIGURE I
The Differential Effect of Income Growth on House Prices and Quantities When Supply Elasticities Differ Across Cities

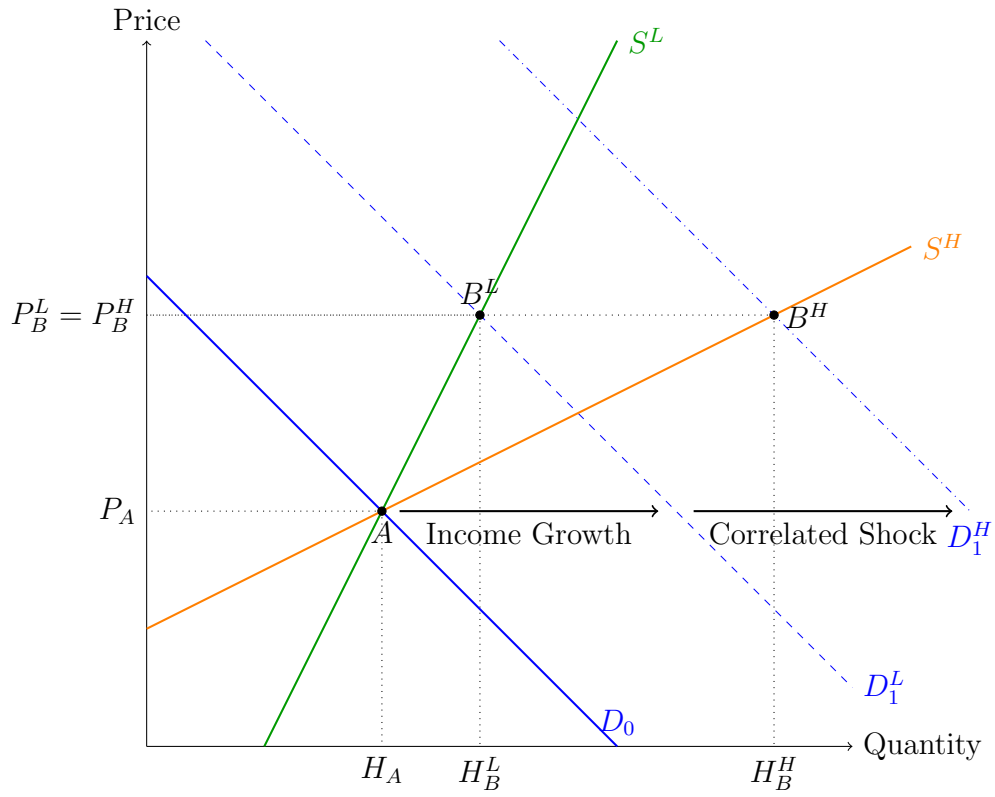


FIGURE II

The Differential Effect of Income Growth on House Prices and Quantities When Demand Shocks Are Positively Correlated With Income Growth in More Elastic Cities

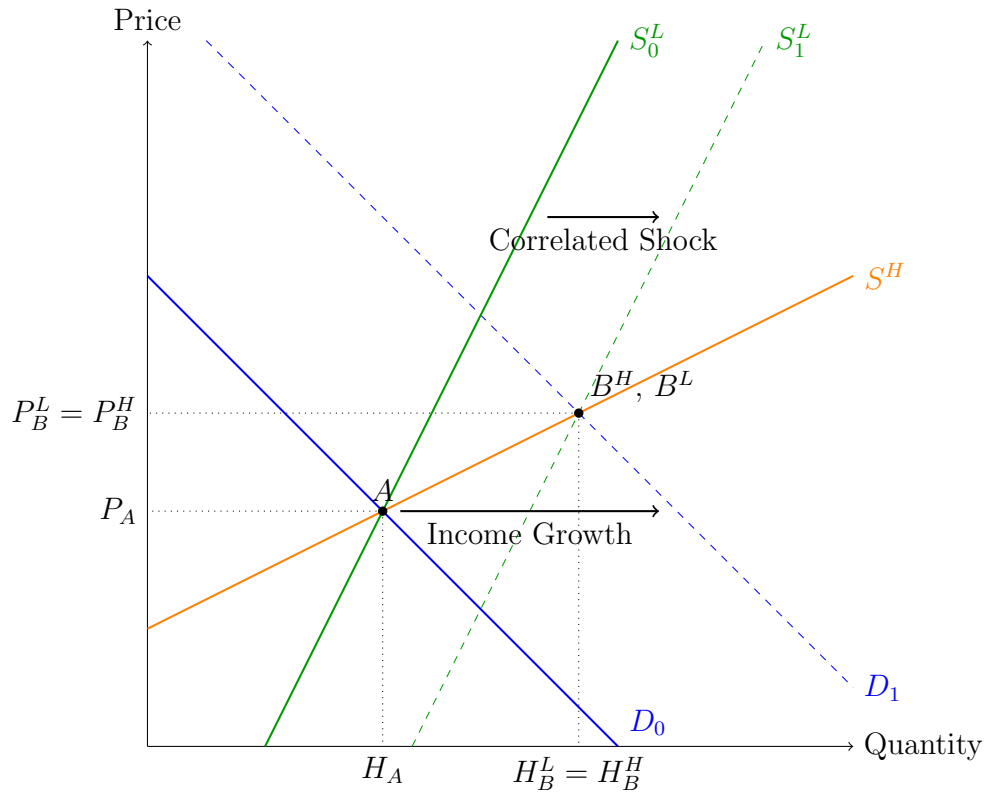
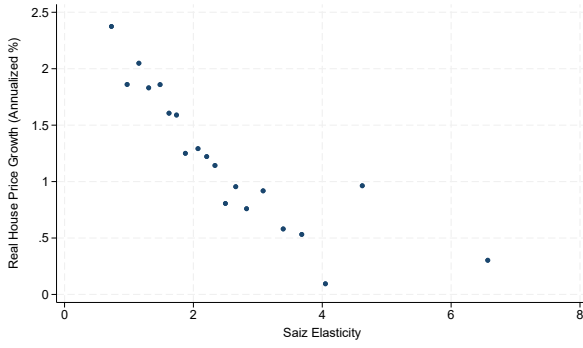
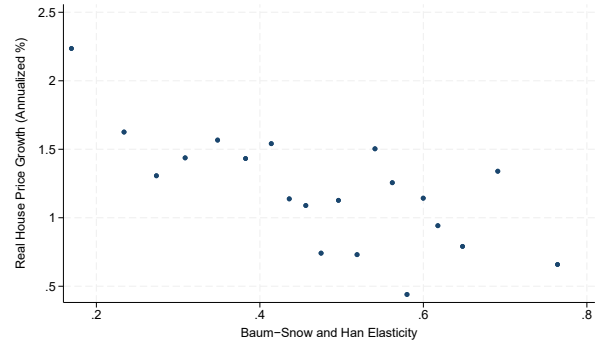


FIGURE III

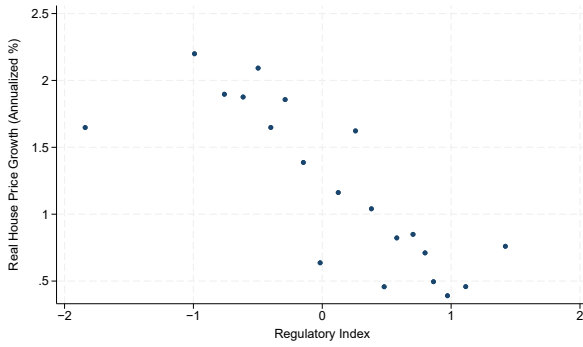
The Differential Effect of Income Growth on House Prices and Quantities When Supply Shocks Are Positively Correlated With Income Growth in Less Elastic Cities



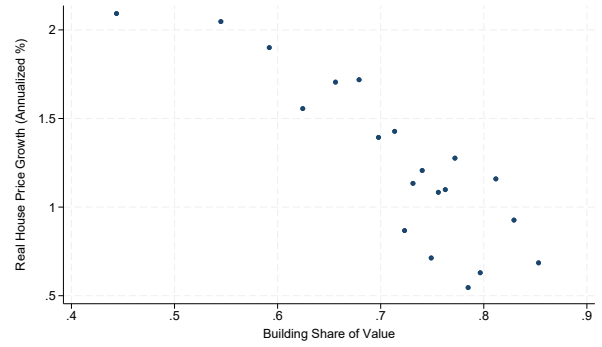
A. Elasticity
(Saiz, 2010)



B. Elasticity
(Baum-Snow and Han, 2024)



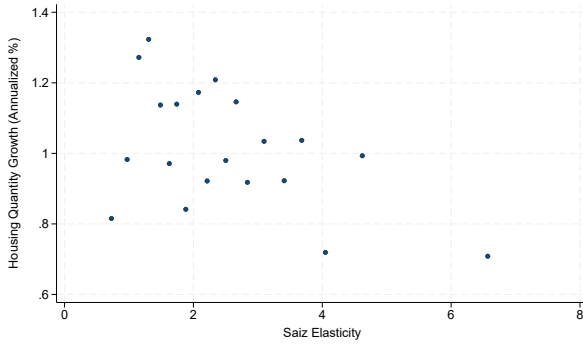
C. Regulatory Index
(Gyourko et al., 2008)



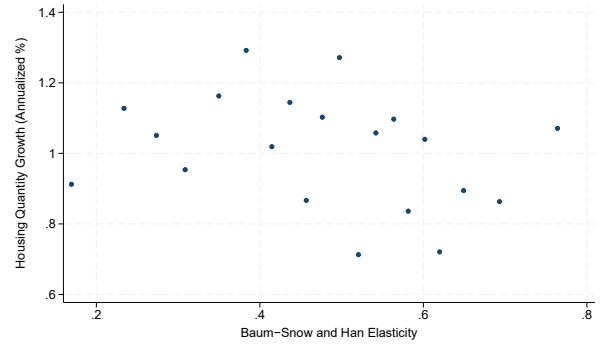
D. Building Share of Value
(Davis et al., 2021)

FIGURE IV
House Price Growth and Housing Constraints (2000-2020)

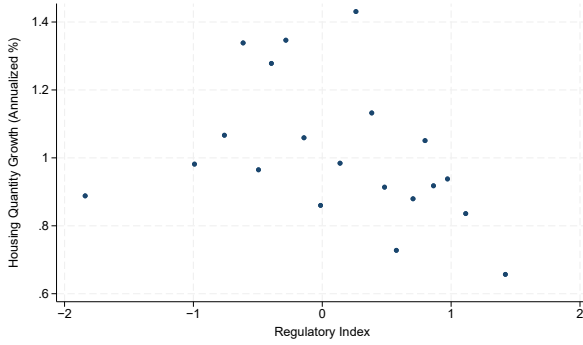
NOTE.—This figure splits MSAs into ventiles of each measure of housing constraints and then reports the mean growth in real house prices. We multiply the regulatory index by minus one so that regulations are becoming more relaxed as it increases. We calculate building share of value by subtracting the land share of value from one.



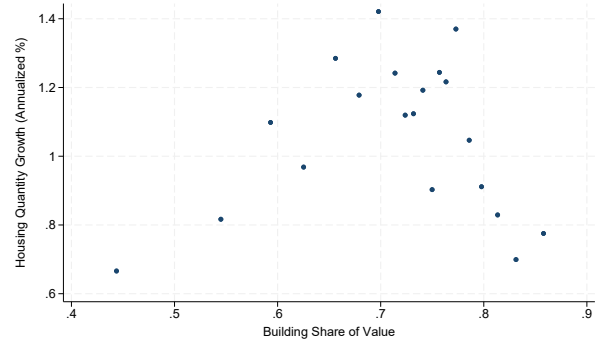
A. Elasticity
(Saiz, 2010)



B. Elasticity
(Baum-Snow and Han, 2024)



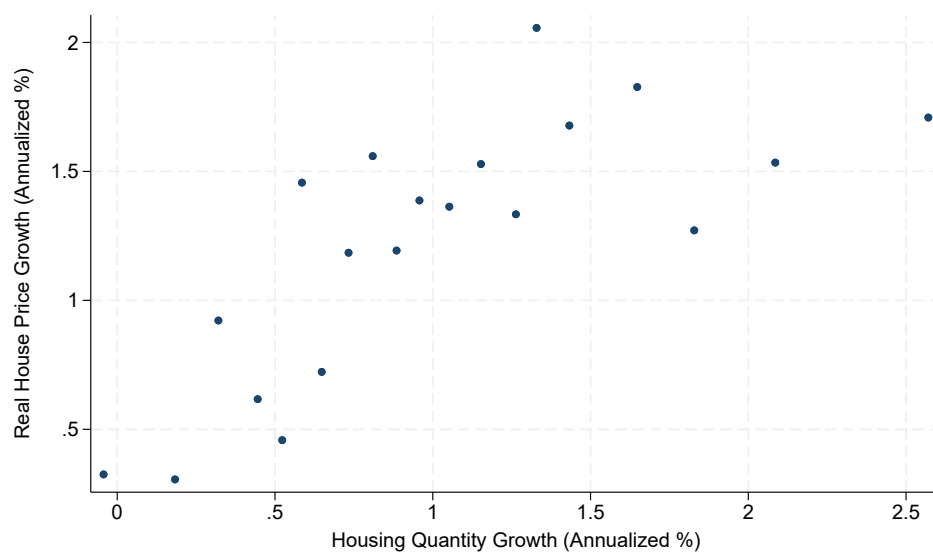
C. Regulatory Index
(Gyourko et al., 2008)



D. Building Share of Value
(Davis et al., 2021)

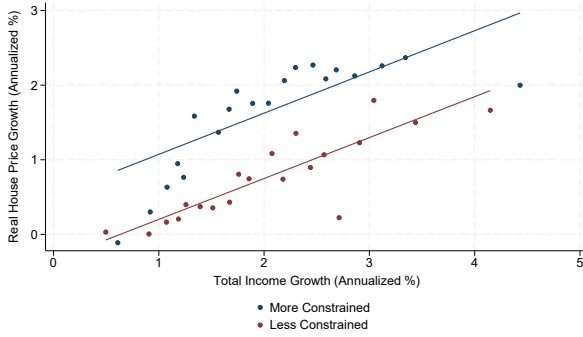
FIGURE V
Housing Quantity Growth and Housing Constraints (2000-2020)

NOTE.—This figure splits MSAs into ventiles of each measure of housing constraints and then reports the mean growth in real house prices. We multiply the regulatory index by minus one so that regulations are becoming more relaxed as it increases. We calculate building share of value by subtracting the land share of value from one.

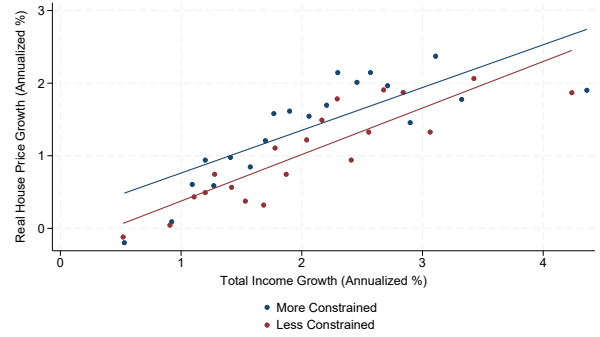


NOTE.—This figure splits MSAs into ventiles of house quantity growth and then reports the mean growth of real house prices within each bin.

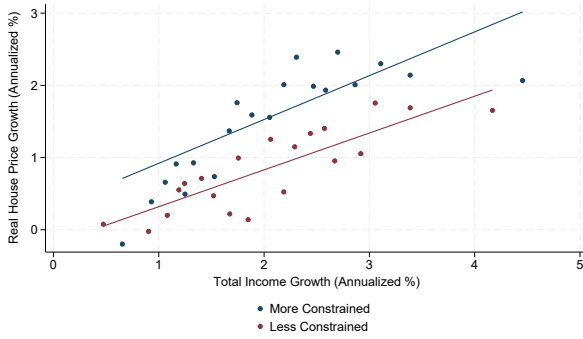
FIGURE VI
House Price and Quantity Growth (2000-2020)



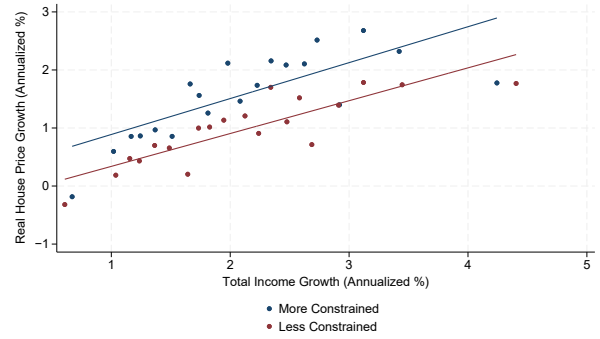
A. Elasticity
(Saiz, 2010)



B. Elasticity
(Baum-Snow and Han, 2024)



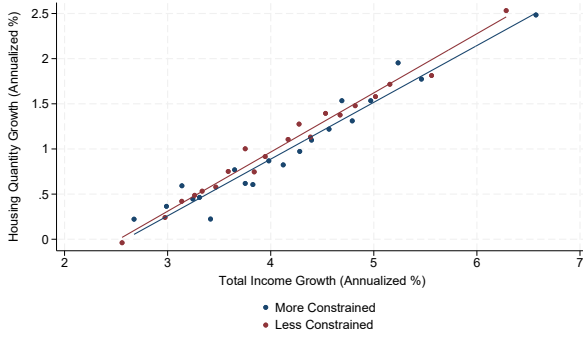
C. Regulatory Index
(Gyourko et al., 2008)



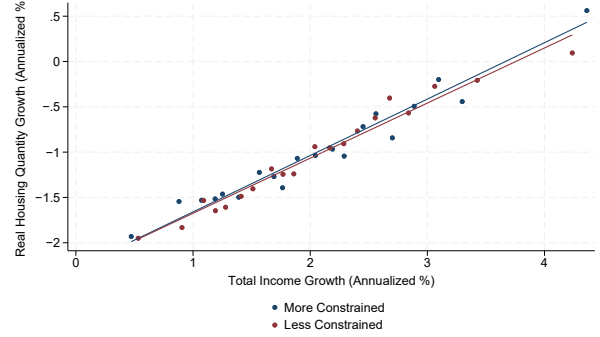
D. Land Share of Value
(Davis et al., 2021)

FIGURE VII
House Price and Income Growth

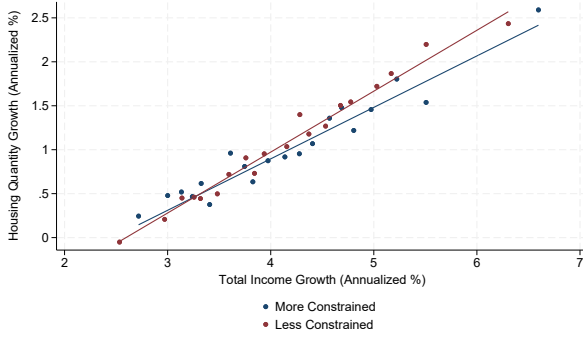
NOTE.—This figure splits MSAs into groups above and below the relevant measure of local housing markets and then reports the mean growth of real house prices and total income for ventiles of each group. The lines give the linear fit within each group.



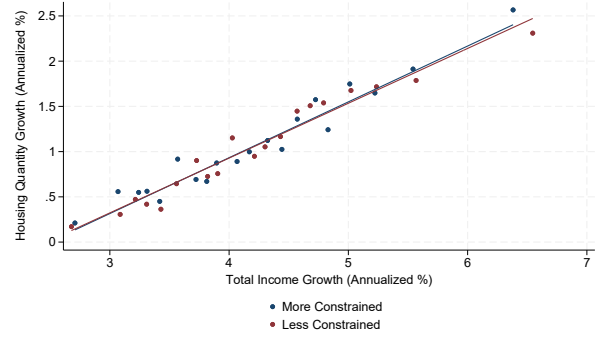
A. Elasticity
([Saiz, 2010](#))



B. Elasticity
([Baum-Snow and Han, 2024](#))



C. Regulatory Index
([Gyourko et al., 2008](#))



D. Land Share of Value
([Davis et al., 2021](#))

FIGURE VIII
House Quantity and Income Growth (2000-2020)

NOTE.—This figure splits MSAs into groups above and below the relevant measure of local housing markets and then reports the mean growth of housing units and total income within ventiles of each group. The lines give the linear fit within each group.

TABLES

TABLE I
SUMMARY STATISTICS

	Observations	Mean	SD	25th Pct	50th Pct	75th Pct
<i>Panel A. 2000-2020</i>						
Real House Price Growth (Annualized %)	321	1.22	1.05	0.47	1.21	1.97
Real Median House Value Growth (Annualized %)	321	1.44	1.00	0.77	1.36	2.22
Real Total Income Growth (Annualized %)	323	4.18	0.93	3.45	4.09	4.76
House Quantity Growth (Annualized %)	323	1.01	0.65	0.54	0.91	1.37
Population Growth (Annualized %)	323	0.81	0.74	0.26	0.70	1.26
Change in Average Rooms per Person	321	0.47	0.20	0.33	0.47	0.59
<i>Panel B. 1980-2020</i>						
Real House Price Growth (Annualized %)	321	0.99	0.87	0.40	0.92	1.51
Real Median House Value Growth (Annualized %)	321	1.13	0.67	0.66	1.08	1.57
Real Total Income Growth (Annualized %)	323	5.41	1.01	4.73	5.33	6.00
House Quantity Growth (Annualized %)	322	1.26	0.75	0.72	1.18	1.67
Population Growth (Annualized %)	323	0.97	0.85	0.35	0.94	1.49
Change in Average Rooms per Person	163	0.87	0.25	0.68	0.87	1.04
<i>Panel C. 1980-2000</i>						
Real House Price Growth (Annualized %)	321	0.77	1.26	-0.13	0.62	1.44
Real Median House Value Growth (Annualized %)	323	0.81	0.89	0.26	0.79	1.27
Real Total Income Growth (Annualized %)	323	6.65	1.32	5.72	6.61	7.44
House Quantity Growth (Annualized %)	322	1.51	0.93	0.85	1.44	1.95
Population Growth (Annualized %)	323	1.14	1.06	0.38	1.03	1.77
Change in Average Rooms per Person	163	0.43	0.12	0.36	0.44	0.51

Notes: This table reports summary statistics for key variables in the analysis for three distinct samples. See the text for more details.

TABLE II
HOUSE PRICE GROWTH (2000-2020)

	(1)	(2)	(3)	(4)
	Saiz	BS-H	WRLURI	Building
<i>Panel A. Real House Price Growth (Annualized %)</i>				
Less Constrained \times Income Growth	-0.038 (0.122)	0.070 (0.111)	-0.053 (0.118)	-0.043 (0.116)
Income Growth	0.581*** (0.104)	0.591*** (0.080)	0.591*** (0.093)	0.630*** (0.089)
Less Constrained	-0.759*** (0.273)	-0.498** (0.240)	-0.580** (0.262)	-0.501* (0.257)
R2	0.47	0.35	0.42	0.37
Number of Observations	268	308	268	306
<i>Panel B. Real Median House Value Growth (Annualized %)</i>				
Less Constrained \times Income Growth	0.044 (0.122)	-0.090 (0.118)	-0.102 (0.122)	0.066 (0.123)
Income Growth	0.580*** (0.106)	0.713*** (0.094)	0.664*** (0.101)	0.601*** (0.098)
Less Constrained	-0.673** (0.260)	-0.108 (0.247)	-0.201 (0.263)	-0.499* (0.264)
R2	0.47	0.41	0.43	0.38
Number of Observations	267	309	267	307

This table reports estimates of house price growth (panel A) and median home value growth (panel B) regressed on total income growth, an indicator for an MSA having an above-median constraint measure (less constrained), and the interaction of the two. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE III
HOUSE QUANTITY GROWTH (2000-2020)

	(1) Saiz	(2) BS-H	(3) WRLURI	(4) Building
<i>Panel A. Housing Quantities Growth (Annualized %)</i>				
Less Constrained \times Income Growth	0.015 (0.048)	-0.029 (0.050)	0.100** (0.050)	-0.023 (0.053)
Income Growth	0.649*** (0.034)	0.642*** (0.030)	0.604*** (0.034)	0.636*** (0.033)
Less Constrained	0.044 (0.092)	0.028 (0.095)	-0.118 (0.096)	0.042 (0.102)
R2	0.79	0.77	0.80	0.76
Number of Observations	269	310	269	308
<i>Panel B. Population Growth (Annualized %)</i>				
Less Constrained \times Income Growth	-0.007 (0.054)	-0.011 (0.054)	0.083 (0.055)	-0.004 (0.057)
Income Growth	0.760*** (0.043)	0.721*** (0.034)	0.712*** (0.038)	0.712*** (0.039)
Less Constrained	0.037 (0.108)	-0.067 (0.103)	-0.131 (0.107)	-0.016 (0.111)
R2	0.81	0.80	0.82	0.78
Number of Observations	269	310	269	308
<i>Panel C. Change in Average Rooms per Person</i>				
Less Constrained \times Income Growth	0.019 (0.024)	0.027 (0.022)	0.022 (0.023)	-0.003 (0.023)
Income Growth	-0.060*** (0.016)	-0.060*** (0.016)	-0.058*** (0.016)	-0.042*** (0.016)
Less Constrained	0.042 (0.052)	0.027 (0.048)	0.066 (0.050)	0.075 (0.049)
R2	0.11	0.10	0.15	0.08
Number of Observations	267	309	267	307

This table reports estimates of house quantity growth (panel A) and population growth (panel B), and the change in average rooms per person (panel C) regressed on total income growth, an indicator for an MSA having an above-median constraint measure (less constrained), and the interaction of the two. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE IV
HOUSING SUPPLY ELASTICITY ESTIMATES (2000-2020)

	(1) Saiz	(2) BS-H	(3) WRLURI	(4) Building
<i>Panel A. Real House Price Growth (Annualized %)</i>				
More Constrained \times Price Growth	1.117*** (0.204)	1.087*** (0.170)	1.023*** (0.191)	1.009*** (0.165)
Less Constrained \times Price Growth	1.220*** (0.169)	0.924*** (0.122)	1.308*** (0.177)	1.039*** (0.153)
Less Constrained	0.933** (0.380)	0.519* (0.274)	0.555 (0.355)	0.566* (0.301)
Chi-Squared Test P-value	0.70	0.43	0.27	0.89
CD F-stat	54.04	58.23	53.82	63.99
Number of Observations	268	308	268	306
<i>Panel B. Real Median Home Value Growth (Annualized %)</i>				
More Constrained \times Price Growth	1.119*** (0.205)	0.901*** (0.128)	0.913*** (0.155)	1.060*** (0.184)
Less Constrained \times Price Growth	1.058*** (0.112)	0.979*** (0.144)	1.245*** (0.143)	0.919*** (0.131)
Less Constrained	0.798** (0.387)	0.138 (0.272)	0.066 (0.321)	0.559 (0.351)
Chi-Squared Test P-value	0.79	0.69	0.11	0.53
CD F-stat	53.50	81.89	59.25	53.36
Number of Observations	267	309	267	307

This table reports estimates of house quantity growth regressed on house price growth (panel A) and median home value growth (panel B), where price growth is interacted with an indicator for being less constrained (above median). We instrument for house price growth with growth in total income interacted with the same constraint indicator. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE V
POPULATION ELASTICITY ESTIMATES (2000-2020)

	(1) Saiz	(2) BS-H	(3) WRLURI	(4) Building
<i>Panel A. Real House Price Growth (Annualized %)</i>				
More Constrained \times Price Growth	1.367*** (0.241)	1.217*** (0.170)	1.168*** (0.192)	1.147*** (0.181)
Less Constrained \times Price Growth	1.381*** (0.193)	1.120*** (0.150)	1.567*** (0.233)	1.260*** (0.171)
Less Constrained	1.219*** (0.454)	0.421 (0.298)	0.527 (0.386)	0.568* (0.336)
Chi-Squared Test P-value	0.96	0.67	0.19	0.65
CD F-stat	54.36	58.06	47.54	63.04
Number of Observations	268	308	268	306
<i>Panel B. Real Median Home Value Growth (Annualized %)</i>				
More Constrained \times Price Growth	1.309*** (0.227)	1.003*** (0.126)	1.073*** (0.161)	1.180*** (0.197)
Less Constrained \times Price Growth	1.207*** (0.124)	1.142*** (0.159)	1.415*** (0.171)	1.065*** (0.139)
Less Constrained	0.903** (0.432)	0.032 (0.288)	0.077 (0.350)	0.553 (0.377)
Chi-Squared Test P-value	0.70	0.49	0.15	0.63
CD F-stat	53.81	84.53	59.70	55.02
Number of Observations	267	309	267	307

This table reports estimates of population growth regressed on house price growth (panel A) and median home value growth (panel B), where price growth is interacted with an indicator for being less constrained (above median). We instrument for house price growth with growth in total income interacted with the same constraint indicator. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE VI
EFFECT OF WORK FROM HOME SHOCK (2019-2023)

	Saiz		BS-H		WRLUR		Building	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<i>Panel A. Real Total Income Growth (Annualized %)</i>								
High WFH \times Less Constrained		-0.368 (0.271)		0.606** (0.279)		1.102*** (0.297)		0.253 (0.289)
High WFH	0.959*** (0.137)	1.203*** (0.187)	0.855*** (0.128)	0.643*** (0.172)	0.959*** (0.137)	0.529*** (0.199)	0.828*** (0.127)	0.730*** (0.171)
Less Constrained		0.314* (0.164)		-0.051 (0.166)		-0.214 (0.187)		-0.060 (0.160)
R2	0.15	0.16	0.12	0.15	0.15	0.21	0.12	0.12
Number of Observations	269	269	310	310	269	269	308	308
<i>Panel B. Real House Price Growth (Annualized %)</i>								
High WFH \times Less Constrained		-0.085 (0.552)		0.682 (0.500)		1.237** (0.545)		0.328 (0.568)
High WFH	0.792*** (0.267)	0.656 (0.429)	0.958*** (0.250)	0.819** (0.325)	0.792*** (0.267)	0.141 (0.379)	1.042*** (0.254)	0.814** (0.403)
Less Constrained		-0.379 (0.394)		0.206 (0.329)		-0.667* (0.353)		-0.300 (0.392)
R2	0.03	0.04	0.05	0.06	0.03	0.05	0.05	0.05
Number of Observations	268	268	308	308	268	268	306	306
<i>Panel C. Cumulative Permit Growth (Annualized %)</i>								
High WFH \times Less Constrained		0.489 (1.622)		1.869 (1.755)		-0.805 (1.514)		2.681 (1.811)
High WFH	3.668*** (0.860)	4.011*** (1.063)	2.856*** (0.863)	2.883*** (1.030)	3.668*** (0.860)	4.755*** (1.077)	3.181*** (0.866)	2.991** (1.214)
Less Constrained		1.187 (1.114)		1.594 (1.218)		2.168** (1.087)		1.321 (1.304)
R2	0.07	0.08	0.04	0.06	0.07	0.08	0.04	0.08
Number of Observations	257	257	299	299	257	257	296	296

This table reports estimates of total income growth (panel A), house price growth (panel B), and permit growth (panel C) regressed on an indicator for above median exposure to WFH, an indicator for being less constrained (above median), and the interaction of the two indicators. Each column uses a different measure of housing constraints where column 1 uses the elasticity from Saiz (2010), column 2 uses an elasticity from Baum-Snow and Han (2024), column 3 uses the regulation index Gyourko et al. (2008), and column 4 uses the land share of value Davis et al. (2021). See the text for more details.

TABLE VII
HOUSE PRICE GROWTH (1980-2020)

	(1) Saiz	(2) BS-H	(3) WRLURI	(4) Building
<i>Panel A. Real House Price Growth (Annualized %)</i>				
Less Constrained \times Income Growth	-0.067 (0.090)	0.085 (0.088)	-0.039 (0.087)	-0.088 (0.091)
Income Growth	0.193*** (0.071)	0.203*** (0.065)	0.194*** (0.067)	0.250*** (0.069)
Less Constrained	-0.478* (0.251)	-0.536** (0.232)	-0.492** (0.237)	-0.275 (0.251)
R2	0.22	0.13	0.20	0.17
Number of Observations	268	308	268	306
<i>Panel B. Real Median House Value Growth (Annualized %)</i>				
Less Constrained \times Income Growth	0.082 (0.072)	0.107 (0.074)	0.075 (0.076)	-0.012 (0.075)
Income Growth	0.264*** (0.062)	0.290*** (0.060)	0.270*** (0.064)	0.305*** (0.062)
Less Constrained	-0.672*** (0.197)	-0.513*** (0.193)	-0.576*** (0.201)	-0.382* (0.207)
R2	0.41	0.33	0.37	0.35
Number of Observations	267	309	267	307

This table reports estimates of house price growth (panel A) and median home value growth (panel B) regressed on total income growth, an indicator for an MSA having an above-median constraint measure (less constrained), and the interaction of the two. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE VIII
HOUSE QUANTITY GROWTH (1980-2020)

	(1) Saiz	(2) BS-H	(3) WRLURI	(4) Building
<i>Panel A. Housing Quantities Growth (Annualized %)</i>				
Less Constrained \times Income Growth	-0.001 (0.036)	0.015 (0.037)	0.025 (0.040)	0.052 (0.039)
Income Growth	0.730*** (0.031)	0.713*** (0.030)	0.715*** (0.029)	0.705*** (0.026)
Less Constrained	0.146* (0.084)	0.098 (0.086)	0.078 (0.090)	0.009 (0.094)
R2	0.88	0.87	0.88	0.86
Number of Observations	268	309	268	307
<i>Panel B. Population Growth (Annualized %)</i>				
Less Constrained \times Income Growth	-0.031 (0.041)	-0.034 (0.040)	-0.003 (0.045)	0.076* (0.042)
Income Growth	0.849*** (0.035)	0.840*** (0.033)	0.831*** (0.034)	0.796*** (0.027)
Less Constrained	0.134 (0.098)	0.085 (0.094)	0.024 (0.105)	-0.108 (0.100)
R2	0.90	0.90	0.90	0.89
Number of Observations	269	310	269	308
<i>Panel C. Change in Average Rooms per Person</i>				
Less Constrained \times Income Growth	-0.014 (0.040)	0.050 (0.037)	-0.015 (0.036)	-0.014 (0.039)
Income Growth	-0.093*** (0.025)	-0.132*** (0.023)	-0.082*** (0.028)	-0.110*** (0.025)
Less Constrained	0.128 (0.100)	-0.064 (0.091)	0.191* (0.097)	0.082 (0.099)
R2	0.21	0.21	0.27	0.20
Number of Observations	140	159	140	158

This table reports estimates of house quantity growth (panel A) and population growth (panel B), and the change in average rooms per person (panel C) regressed on total income growth, an indicator for an MSA having an above-median constraint measure (less constrained), and the interaction of the two. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE IX
HOUSE PRICE GROWTH (1980-2000)

	(1) Saiz	(2) BS-H	(3) WRLURI	(4) Building
<i>Panel A. Real House Price Growth (Annualized %)</i>				
Less Constrained \times Income Growth	-0.015 (0.115)	0.042 (0.115)	-0.075 (0.113)	-0.105 (0.115)
Income Growth	-0.006 (0.086)	0.056 (0.092)	0.033 (0.091)	0.106 (0.086)
Less Constrained	-0.446 (0.385)	-0.487 (0.362)	-0.266 (0.377)	-0.170 (0.375)
R2	0.04	0.03	0.04	0.05
Number of Observations	268	308	268	306
<i>Panel B. Real Median House Value Growth (Annualized %)</i>				
Less Constrained \times Income Growth	0.221*** (0.084)	0.232*** (0.083)	0.144 (0.089)	0.088 (0.091)
Income Growth	0.139** (0.060)	0.159** (0.063)	0.164** (0.064)	0.184*** (0.060)
Less Constrained	-0.969*** (0.265)	-0.886*** (0.260)	-0.741*** (0.274)	-0.754*** (0.285)
R2	0.22	0.21	0.21	0.23
Number of Observations	269	310	269	308

This table reports estimates of house price growth (panel A) and median home value growth (panel B) regressed on total income growth, an indicator for an MSA having an above-median constraint measure (less constrained), and the interaction of the two. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE X
HOUSE QUANTITY GROWTH (1980-2000)

	(1) Saiz	(2) BS-H	(3) WRLURI	(4) Building
<i>Panel A. Housing Quantities Growth (Annualized %)</i>				
Less Constrained \times Income Growth	-0.071 (0.045)	-0.005 (0.048)	0.019 (0.051)	0.053 (0.049)
Income Growth	0.701*** (0.036)	0.661*** (0.040)	0.656*** (0.037)	0.646*** (0.033)
Less Constrained	0.351*** (0.128)	0.268** (0.136)	0.067 (0.143)	0.076 (0.143)
R2	0.80	0.77	0.79	0.76
Number of Observations	268	309	268	307
<i>Panel B. Population Growth (Annualized %)</i>				
Less Constrained \times Income Growth	-0.118*** (0.045)	-0.093** (0.045)	0.010 (0.053)	0.041 (0.052)
Income Growth	0.803*** (0.035)	0.783*** (0.037)	0.735*** (0.037)	0.734*** (0.032)
Less Constrained	0.349** (0.142)	0.292** (0.139)	-0.126 (0.166)	0.002 (0.156)
R2	0.81	0.78	0.80	0.77
Number of Observations	269	310	269	308
<i>Panel C. Change in Average Rooms per Person</i>				
Less Constrained \times Income Growth	-0.010 (0.021)	0.011 (0.017)	-0.022 (0.018)	0.001 (0.017)
Income Growth	-0.025** (0.010)	-0.037*** (0.011)	-0.019 (0.012)	-0.034*** (0.012)
Less Constrained	0.059 (0.060)	-0.042 (0.052)	0.099* (0.056)	-0.016 (0.055)
R2	0.11	0.09	0.12	0.09
Number of Observations	140	159	140	158

This table reports estimates of house quantity growth (panel A) and population growth (panel B), and the change in average rooms per person (panel C) regressed on total income growth, an indicator for an MSA having an above-median constraint measure (less constrained), and the interaction of the two. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE XI
HOUSE PRICE GROWTH WITHOUT LOW GROWTH CITIES (2000-2020)

	(1) Saiz	(2) BS-H	(3) WRLURI	(4) Building
<i>Panel A. Real House Price Growth (Annualized %)</i>				
Less Constrained \times Income Growth	0.375*** (0.119)	0.202 (0.136)	0.148 (0.140)	0.158 (0.131)
Income Growth	0.156** (0.079)	0.354*** (0.089)	0.328*** (0.098)	0.333*** (0.101)
Less Constrained	-1.944*** (0.297)	-0.853** (0.343)	-1.185*** (0.360)	-1.089*** (0.333)
R2	0.45	0.18	0.32	0.26
Number of Observations	197	231	197	239
<i>Panel B. Real Median House Value Growth (Annualized %)</i>				
Less Constrained \times Income Growth	0.392*** (0.135)	0.049 (0.171)	-0.032 (0.156)	0.334** (0.167)
Income Growth	0.211** (0.104)	0.518*** (0.127)	0.462*** (0.125)	0.321** (0.129)
Less Constrained	-1.660*** (0.341)	-0.500 (0.421)	-0.406 (0.395)	-1.243*** (0.418)
R2	0.36	0.24	0.24	0.25
Number of Observations	196	231	196	238

This table reports estimates of house price growth (panel A) and median home value growth (panel B) regressed on total income growth, an indicator for an MSA having an above-median constraint measure (less constrained), and the interaction of the two. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE XII
HOUSE QUANTITY GROWTH WITHOUT LOW GROWTH CITIES
(2000-2020)

	(1) Saiz	(2) BS-H	(3) WRLURI	(4) Building
<i>Panel A. Housing Quantities Growth (Annualized %)</i>				
Less Constrained \times Income Growth	-0.050 (0.070)	-0.090 (0.072)	0.067 (0.071)	-0.096 (0.071)
Income Growth	0.698*** (0.050)	0.680*** (0.041)	0.635*** (0.045)	0.688*** (0.046)
Less Constrained	0.242 (0.156)	0.212 (0.162)	-0.012 (0.161)	0.259 (0.158)
R2	0.71	0.68	0.72	0.69
Number of Observations	197	231	197	239
<i>Panel B. Population Growth (Annualized %)</i>				
Less Constrained \times Income Growth	-0.072 (0.080)	-0.039 (0.076)	0.055 (0.077)	-0.045 (0.077)
Income Growth	0.788*** (0.065)	0.731*** (0.048)	0.723*** (0.051)	0.739*** (0.056)
Less Constrained	0.231 (0.185)	0.027 (0.174)	-0.038 (0.176)	0.113 (0.176)
R2	0.73	0.71	0.73	0.70
Number of Observations	197	231	197	239
<i>Panel C. Change in Average Rooms per Person</i>				
Less Constrained \times Income Growth	0.036 (0.034)	0.043 (0.030)	0.048 (0.032)	0.006 (0.031)
Income Growth	-0.046** (0.021)	-0.051** (0.021)	-0.055** (0.022)	-0.031 (0.022)
Less Constrained	-0.007 (0.084)	-0.023 (0.075)	-0.010 (0.080)	0.042 (0.076)
R2	0.06	0.06	0.10	0.03
Number of Observations	196	231	196	238

This table reports estimates of house quantity growth (panel A) and population growth (panel B), and the change in average rooms per person (panel C) regressed on total income growth, an indicator for an MSA having an above-median constraint measure (less constrained), and the interaction of the two. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE XIII
IMPLIED EFFECTS OF CONSTRAINT MEASURES ON PRICES (2000-2020)

	(1) Saiz	(2) BS-H	(3) WRLURI	(4) Building
<i>Panel A. Real House Price Growth (Annualized %)</i>				
Elasticity Measure	-0.262*** (0.064)	-1.729*** (0.294)	-0.470*** (0.060)	-3.875*** (0.452)
Income Growth	0.544*** (0.057)	0.624*** (0.055)	0.549*** (0.054)	0.610*** (0.057)
Share of SF-Houston Gap	0.0724	0.0157	0.0882	0.1813
R2	0.44	0.39	0.45	0.43
Number of Observations	268	308	268	306
<i>Panel B. Real Median House Value Growth (Annualized %)</i>				
Elasticity Measure	-0.170*** (0.046)	-1.438*** (0.315)	-0.344*** (0.055)	-2.407*** (0.633)
Income Growth	0.593*** (0.059)	0.658*** (0.056)	0.590*** (0.056)	0.636*** (0.062)
Share of SF-Houston Gap	0.1428	0.0391	0.1963	0.3516
R2	0.44	0.44	0.46	0.40
Number of Observations	267	309	267	307

This table reports estimates of house price growth (panel A) and median home value growth (panel B) regressed on total income growth and the constraint measure. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE XIV
IMPLIED EFFECTS OF CONSTRAINT MEASURES ON QUANTITIES
(2000-2020)

	(1) Saiz	(2) BS-H	(3) WRLURI	(4) Building
<i>Panel A. Housing Quantity Growth (Annualized %)</i>				
Elasticity Measure	0.021 (0.014)	-0.019 (0.122)	0.057*** (0.021)	0.479*** (0.180)
Income Growth	0.657*** (0.024)	0.627*** (0.027)	0.660*** (0.024)	0.626*** (0.028)
Share of SF-Houston Gap	0.0002	-0.0000	0.0003	0.0007
R2	0.79	0.77	0.80	0.77
Number of Observations	269	310	269	308
<i>Panel B. Population Growth (Annualized %)</i>				
Elasticity Measure	0.007 (0.015)	-0.241* (0.130)	0.031 (0.026)	0.409** (0.198)
Income Growth	0.756*** (0.027)	0.716*** (0.027)	0.760*** (0.027)	0.713*** (0.029)
Share of SF-Houston Gap	0.0001	-0.0001	0.0002	0.0006
R2	0.81	0.80	0.81	0.79
Number of Observations	269	310	269	308
<i>Panel C. Change in Average Rooms per Person</i>				
Elasticity Measure	0.017 (0.011)	0.339*** (0.072)	0.051*** (0.018)	0.514*** (0.104)
Income Growth	-0.051*** (0.012)	-0.044*** (0.011)	-0.048*** (0.012)	-0.044*** (0.011)
Share of SF-Houston Gap	0.0966	0.0612	0.1994	0.5286
R2	0.08	0.13	0.11	0.12
Number of Observations	267	309	267	307

This table reports estimates of house quantity growth (panel A) and population growth (panel B), and the change in average rooms per person (panel C) regressed on total income growth and the constraint measure. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

APPENDIX

APPENDIX TABLES

TABLE A1
HOUSE PRICE GROWTH (2000-2020): QUARTILES

	(1) Saiz	(2) BS-H	(3) WRLURI	(4) Building
<i>Panel A. Real House Price Growth (Annualized %)</i>				
Qtl 2 Constraint	-0.549 (0.468)	-0.514 (0.347)	-0.757** (0.376)	-0.628 (0.393)
Qtl 3 Constraint	-1.028*** (0.379)	-0.887** (0.351)	-1.091*** (0.354)	-0.861** (0.406)
Qtl 4 Constraint	-1.161*** (0.389)	-0.630* (0.378)	-0.964*** (0.358)	-0.714* (0.374)
Qtl 2 Constraint \times Income Growth	0.032 (0.205)	0.018 (0.162)	0.106 (0.165)	0.027 (0.183)
Qtl 3 Constraint \times Income Growth	0.047 (0.162)	0.165 (0.166)	0.128 (0.166)	-0.001 (0.179)
Qtl 4 Constraint \times Income Growth	-0.050 (0.169)	0.000 (0.173)	-0.092 (0.162)	-0.092 (0.172)
Income Growth	0.528*** (0.138)	0.579*** (0.131)	0.500*** (0.127)	0.624*** (0.139)
R2	0.51	0.38	0.47	0.41
Number of Observations	268	308	268	306
<i>Panel B. Real Median Home Value Growth (Annualized %)</i>				
Qtl 2 Constraint	-0.409 (0.479)	-0.523 (0.420)	-0.728* (0.404)	-0.501 (0.440)
Qtl 3 Constraint	-1.069** (0.425)	-0.636 (0.400)	-0.652* (0.385)	-0.516 (0.426)
Qtl 4 Constraint	-0.797* (0.420)	-0.131 (0.396)	-0.622* (0.353)	-0.926** (0.394)
Qtl 2 Constraint \times Income Growth	-0.014 (0.216)	0.038 (0.195)	0.068 (0.181)	0.070 (0.197)
Qtl 3 Constraint \times Income Growth	0.140 (0.181)	0.087 (0.186)	0.025 (0.180)	0.011 (0.185)
Qtl 4 Constraint \times Income Growth	-0.019 (0.183)	-0.215 (0.184)	-0.116 (0.168)	0.181 (0.178)
Income Growth	0.558*** (0.162)	0.691*** (0.164)	0.595*** (0.142)	0.573*** (0.154)
R2	0.49	0.45	0.48	0.40
Number of Observations	267	309	267	307

This table reports estimates of house price growth (panel A) and median home value growth (panel B) regressed on total income growth, quartiles of the constraint measure, and the interaction of income growth with each quartile. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE A2
HOUSE QUANTITY GROWTH (2000-2020): QUANTILES

	(1) Saiz	(2) BS-H	(3) WRLURI	(4) Building
<i>Panel A. Housing Quantity Growth (Annualized %)</i>				
Qtl 2 Constraint	-0.021 (0.148)	-0.011 (0.119)	-0.050 (0.158)	-0.131 (0.124)
Qtl 3 Constraint	0.009 (0.135)	0.083 (0.150)	-0.177 (0.173)	0.095 (0.113)
Qtl 4 Constraint	0.098 (0.110)	-0.043 (0.110)	-0.171 (0.154)	-0.072 (0.164)
Qtl 2 Constraint \times Income Growth	0.046 (0.074)	0.027 (0.060)	0.071 (0.075)	0.164*** (0.059)
Qtl 3 Constraint \times Income Growth	0.057 (0.066)	-0.023 (0.080)	0.152* (0.089)	0.025 (0.054)
Qtl 4 Constraint \times Income Growth	-0.004 (0.053)	-0.006 (0.056)	0.142* (0.075)	0.066 (0.094)
Income Growth	0.634*** (0.040)	0.628*** (0.038)	0.558*** (0.066)	0.560*** (0.039)
R2	0.80	0.78	0.80	0.79
Number of Observations	269	310	269	308
<i>Panel B. Population Growth (Annualized %)</i>				
Qtl 2 Constraint	-0.125 (0.179)	-0.091 (0.134)	-0.062 (0.172)	-0.192 (0.145)
Qtl 3 Constraint	-0.093 (0.147)	-0.076 (0.159)	-0.208 (0.175)	-0.012 (0.118)
Qtl 4 Constraint	0.079 (0.137)	-0.158 (0.118)	-0.157 (0.165)	-0.126 (0.168)
Qtl 2 Constraint \times Income Growth	0.103 (0.089)	0.042 (0.068)	0.056 (0.081)	0.199*** (0.070)
Qtl 3 Constraint \times Income Growth	0.082 (0.070)	0.012 (0.085)	0.133 (0.089)	0.072 (0.056)
Qtl 4 Constraint \times Income Growth	-0.022 (0.066)	0.011 (0.058)	0.104 (0.081)	0.080 (0.094)
Income Growth	0.718*** (0.052)	0.699*** (0.042)	0.676*** (0.065)	0.621*** (0.043)
R2	0.82	0.80	0.82	0.81
Number of Observations	269	310	269	308
<i>Panel C. Change in Average Rooms per Person</i>				
Qtl 2 Constraint	0.109 (0.067)	0.183*** (0.064)	0.166** (0.074)	0.017 (0.067)
Qtl 3 Constraint	0.161** (0.076)	0.158** (0.067)	0.206*** (0.079)	0.129* (0.071)
Qtl 4 Constraint	0.072 (0.082)	0.087 (0.077)	0.134* (0.073)	0.015 (0.069)
Qtl 2 Constraint \times Income Growth	-0.005 (0.029)	-0.049 (0.031)	-0.051 (0.034)	0.033 (0.030)
Qtl 3 Constraint \times Income Growth	-0.013 (0.034)	-0.005 (0.031)	-0.031 (0.036)	-0.018 (0.030)
Qtl 4 Constraint \times Income Growth	0.031 (0.037)	0.006 (0.035)	0.008 (0.034)	0.064** (0.032)
Income Growth	-0.050** (0.025)	-0.034 (0.025)	-0.023 (0.027)	-0.058** (0.023)
R2	0.15	0.14	0.17	0.13
Number of Observations	267	309	267	307

This table reports estimates of house quantity growth (panel A) and population growth (panel B), and the change in average rooms per person (panel C) regressed on total income growth, quartiles of the constraint measure, and the interaction of income growth with each quartile. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE A3
HOUSE PRICE GROWTH (1980-2020): QUANTILES

	(1) Saiz	(2) BS-H	(3) WRLURI	(4) Building
<i>Panel A. Real House Price Growth (Annualized %)</i>				
Qtl 2 Constraint	-0.520 (0.434)	-0.679* (0.390)	-0.773** (0.391)	-0.802* (0.411)
Qtl 3 Constraint	-0.703* (0.388)	-1.152*** (0.402)	-0.949** (0.396)	-0.599 (0.416)
Qtl 4 Constraint	-1.097*** (0.377)	-0.859** (0.402)	-0.962** (0.421)	-0.597 (0.439)
Qtl 2 Constraint \times Income Growth	0.025 (0.141)	0.080 (0.138)	0.092 (0.136)	0.018 (0.144)
Qtl 3 Constraint \times Income Growth	-0.017 (0.128)	0.249* (0.144)	0.080 (0.139)	-0.062 (0.144)
Qtl 4 Constraint \times Income Growth	0.002 (0.134)	0.099 (0.148)	-0.024 (0.154)	-0.179 (0.160)
Income Growth	0.117 (0.105)	0.120 (0.123)	0.102 (0.120)	0.228* (0.124)
R2	0.29	0.17	0.26	0.27
Number of Observations	268	308	268	306
<i>Panel B. Real Median Home Value Growth (Annualized %)</i>				
Qtl 2 Constraint	-0.624* (0.376)	-0.622* (0.332)	-0.447 (0.341)	-0.675* (0.372)
Qtl 3 Constraint	-0.931** (0.361)	-1.178*** (0.308)	-0.683** (0.327)	-0.628* (0.380)
Qtl 4 Constraint	-1.141*** (0.357)	-0.728** (0.298)	-1.074*** (0.322)	-0.806** (0.373)
Qtl 2 Constraint \times Income Growth	0.077 (0.124)	0.083 (0.117)	0.024 (0.122)	0.079 (0.128)
Qtl 3 Constraint \times Income Growth	0.126 (0.118)	0.296*** (0.109)	0.071 (0.117)	0.007 (0.132)
Qtl 4 Constraint \times Income Growth	0.149 (0.123)	0.098 (0.110)	0.164 (0.119)	0.043 (0.136)
Income Growth	0.189* (0.107)	0.211** (0.095)	0.231** (0.103)	0.255** (0.117)
R2	0.46	0.39	0.43	0.41
Number of Observations	267	309	267	307

This table reports estimates of house price growth (panel A) and median home value growth (panel B) regressed on total income growth, quartiles of the constraint measure, and the interaction of income growth with each quartile. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE A4
HOUSE QUANTITY GROWTH (1980-2020): QUANTILES

	(1) Saiz	(2) BS-H	(3) WRLURI	(4) Building
<i>Panel A. Housing Quantity Growth (Annualized %)</i>				
Qtl 2 Constraint	0.130 (0.163)	0.321* (0.166)	0.354** (0.162)	-0.031 (0.120)
Qtl 3 Constraint	0.252* (0.143)	0.340** (0.160)	0.348** (0.164)	0.126 (0.135)
Qtl 4 Constraint	0.283* (0.151)	0.291* (0.170)	0.257 (0.158)	-0.136 (0.135)
Qtl 2 Constraint \times Income Growth	0.018 (0.064)	-0.038 (0.065)	-0.084 (0.064)	0.110** (0.045)
Qtl 3 Constraint \times Income Growth	-0.003 (0.053)	-0.031 (0.064)	-0.055 (0.066)	0.058 (0.054)
Qtl 4 Constraint \times Income Growth	-0.028 (0.062)	-0.018 (0.069)	-0.008 (0.064)	0.166*** (0.058)
Income Growth	0.740*** (0.050)	0.752*** (0.059)	0.779*** (0.054)	0.654*** (0.040)
R2	0.89	0.88	0.89	0.89
Number of Observations	268	309	268	307
<i>Panel B. Population Growth (Annualized %)</i>				
Qtl 2 Constraint	0.051 (0.183)	0.309* (0.164)	0.197 (0.168)	-0.058 (0.118)
Qtl 3 Constraint	0.103 (0.163)	0.297** (0.146)	0.153 (0.165)	0.077 (0.135)
Qtl 4 Constraint	0.300* (0.171)	0.271* (0.152)	0.167 (0.154)	-0.300** (0.129)
Qtl 2 Constraint \times Income Growth	0.027 (0.072)	-0.065 (0.067)	-0.063 (0.066)	0.109** (0.045)
Qtl 3 Constraint \times Income Growth	0.005 (0.061)	-0.078 (0.061)	-0.043 (0.067)	0.063 (0.053)
Qtl 4 Constraint \times Income Growth	-0.080 (0.069)	-0.085 (0.062)	-0.053 (0.063)	0.189*** (0.057)
Income Growth	0.849*** (0.057)	0.889*** (0.052)	0.875*** (0.051)	0.745*** (0.035)
R2	0.90	0.90	0.90	0.91
Number of Observations	269	310	269	308
<i>Panel C. Change in Average Rooms per Person</i>				
Qtl 2 Constraint	-0.040 (0.142)	0.089 (0.124)	0.347** (0.171)	-0.013 (0.142)
Qtl 3 Constraint	0.146 (0.164)	0.032 (0.127)	0.462** (0.178)	0.047 (0.161)
Qtl 4 Constraint	0.109 (0.127)	-0.082 (0.141)	0.374** (0.172)	0.089 (0.129)
Qtl 2 Constraint \times Income Growth	0.029 (0.054)	-0.009 (0.049)	-0.095 (0.062)	0.030 (0.052)
Qtl 3 Constraint \times Income Growth	-0.011 (0.060)	0.048 (0.046)	-0.101 (0.062)	0.004 (0.059)
Qtl 4 Constraint \times Income Growth	-0.010 (0.051)	0.043 (0.057)	-0.053 (0.065)	0.008 (0.051)
Income Growth	-0.101*** (0.032)	-0.122*** (0.033)	-0.013 (0.055)	-0.123*** (0.038)
R2	0.22	0.25	0.30	0.22
Number of Observations	140	159	140	158

This table reports estimates of house quantity growth (panel A) and population growth (panel B), and the change in average rooms per person (panel C) regressed on total income growth, quartiles of the constraint measure, and the interaction of income growth with each quartile. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE A5
HOUSE PRICE GROWTH (1980-2000): QUANTILES

	(1) Saiz	(2) BS-H	(3) WRLURI	(4) Building
<i>Panel A. Real House Price Growth (Annualized %)</i>				
Qtl 2 Constraint	-0.507 (0.620)	-0.905 (0.663)	-0.431 (0.627)	-0.736 (0.607)
Qtl 3 Constraint	-0.704 (0.586)	-1.279* (0.651)	-0.395 (0.619)	-0.263 (0.637)
Qtl 4 Constraint	-1.194** (0.588)	-1.027 (0.657)	-0.594 (0.651)	-0.704 (0.611)
Qtl 2 Constraint \times Income Growth	0.015 (0.169)	0.113 (0.197)	-0.027 (0.187)	-0.070 (0.176)
Qtl 3 Constraint \times Income Growth	0.028 (0.162)	0.211 (0.190)	-0.084 (0.180)	-0.168 (0.189)
Qtl 4 Constraint \times Income Growth	0.084 (0.181)	0.109 (0.201)	-0.077 (0.201)	-0.166 (0.188)
Income Growth	-0.080 (0.129)	-0.061 (0.171)	0.031 (0.158)	0.116 (0.153)
R2	0.07	0.06	0.07	0.14
Number of Observations	268	308	268	306
<i>Panel B. Real Median Home Value Growth (Annualized %)</i>				
Qtl 2 Constraint	-0.962** (0.417)	-0.934** (0.448)	0.262 (0.460)	-0.875** (0.411)
Qtl 3 Constraint	-1.193*** (0.410)	-1.688*** (0.442)	-0.207 (0.448)	-1.207*** (0.434)
Qtl 4 Constraint	-1.917*** (0.445)	-1.406*** (0.440)	-1.056** (0.459)	-1.326*** (0.490)
Qtl 2 Constraint \times Income Growth	0.174 (0.113)	0.154 (0.129)	-0.130 (0.135)	0.084 (0.118)
Qtl 3 Constraint \times Income Growth	0.238** (0.115)	0.400*** (0.130)	-0.044 (0.135)	0.128 (0.129)
Qtl 4 Constraint \times Income Growth	0.444*** (0.137)	0.326** (0.134)	0.252* (0.140)	0.182 (0.175)
Income Growth	0.020 (0.096)	0.027 (0.109)	0.246** (0.114)	0.124 (0.101)
R2	0.26	0.24	0.24	0.28
Number of Observations	269	310	269	308

This table reports estimates of house price growth (panel A) and median home value growth (panel B) regressed on total income growth, quartiles of the constraint measure, and the interaction of income growth with each quartile. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE A6
HOUSE QUANTITY GROWTH (1980-2000): QUANTILES

	(1) Saiz	(2) BS-H	(3) WRLURI	(4) Building
<i>Panel A. Housing Quantity Growth (Annualized %)</i>				
Qtl 2 Constraint	0.391* (0.223)	0.613** (0.269)	-0.009 (0.266)	0.025 (0.230)
Qtl 3 Constraint	0.722*** (0.209)	0.791*** (0.268)	0.076 (0.261)	0.126 (0.231)
Qtl 4 Constraint	0.580** (0.239)	0.668** (0.272)	-0.001 (0.260)	0.119 (0.277)
Qtl 2 Constraint \times Income Growth	-0.043 (0.068)	-0.072 (0.085)	0.033 (0.081)	0.086 (0.069)
Qtl 3 Constraint \times Income Growth	-0.134** (0.063)	-0.123 (0.085)	0.025 (0.084)	0.090 (0.072)
Qtl 4 Constraint \times Income Growth	-0.110 (0.085)	-0.050 (0.088)	0.064 (0.085)	0.078 (0.101)
Income Growth	0.747*** (0.059)	0.740*** (0.079)	0.638*** (0.069)	0.610*** (0.061)
R2	0.80	0.80	0.79	0.78
Number of Observations	268	309	268	307
<i>Panel B. Population Growth (Annualized %)</i>				
Qtl 2 Constraint	0.432* (0.227)	0.570** (0.254)	-0.407 (0.331)	-0.023 (0.231)
Qtl 3 Constraint	0.632*** (0.212)	0.763*** (0.245)	-0.429 (0.328)	0.245 (0.243)
Qtl 4 Constraint	0.647*** (0.227)	0.635** (0.251)	-0.355 (0.314)	-0.110 (0.275)
Qtl 2 Constraint \times Income Growth	-0.101 (0.064)	-0.099 (0.076)	0.101 (0.089)	0.078 (0.066)
Qtl 3 Constraint \times Income Growth	-0.177*** (0.061)	-0.204*** (0.075)	0.096 (0.095)	0.026 (0.070)
Qtl 4 Constraint \times Income Growth	-0.196** (0.079)	-0.148* (0.079)	0.051 (0.088)	0.083 (0.103)
Income Growth	0.866*** (0.053)	0.865*** (0.068)	0.663*** (0.079)	0.700*** (0.053)
R2	0.81	0.79	0.81	0.78
Number of Observations	269	310	269	308
<i>Panel C. Change in Average Rooms per Person</i>				
Qtl 2 Constraint	-0.076 (0.075)	0.043 (0.079)	0.144* (0.085)	0.022 (0.086)
Qtl 3 Constraint	-0.007 (0.086)	-0.034 (0.067)	0.244*** (0.084)	-0.035 (0.092)
Qtl 4 Constraint	0.077 (0.084)	-0.013 (0.083)	0.128 (0.085)	0.013 (0.079)
Qtl 2 Constraint \times Income Growth	0.020 (0.020)	-0.014 (0.026)	-0.028 (0.024)	-0.005 (0.025)
Qtl 3 Constraint \times Income Growth	0.014 (0.026)	0.012 (0.020)	-0.051** (0.024)	0.004 (0.027)
Qtl 4 Constraint \times Income Growth	-0.037 (0.029)	-0.001 (0.026)	-0.029 (0.027)	0.001 (0.023)
Income Growth	-0.035** (0.015)	-0.031** (0.013)	0.002 (0.018)	-0.031 (0.019)
R2	0.14	0.10	0.18	0.10
Number of Observations	140	159	140	158

This table reports estimates of house quantity growth (panel A) and population growth (panel B), and the change in average rooms per person (panel C) regressed on total income growth, quartiles of the constraint measure, and the interaction of income growth with each quartile. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE A7
IMPLIED EFFECTS OF CONSTRAINT MEASURES ON PRICES (2012-2020)

	(1)	(2)	(3)	(4)
	Saiz	BS-H	WRLURI	Building
<i>Panel A. Real House Price Growth (Annualized %)</i>				
Elasticity Measure	-0.156** (0.069)	-1.673*** (0.488)	-0.298** (0.120)	-1.353* (0.785)
Income Growth	1.124*** (0.086)	1.183*** (0.075)	1.126*** (0.086)	1.183*** (0.079)
Share of SF-Houston Gap	0.0101	0.0035	0.0132	0.0158
R2	0.56	0.58	0.56	0.56
Number of Observations	268	308	268	306
<i>Panel B. Real Median House Value Growth (Annualized %)</i>				
Elasticity Measure	-0.010 (0.088)	-1.186* (0.640)	0.004 (0.134)	1.570 (1.020)
Income Growth	1.153*** (0.105)	1.131*** (0.094)	1.160*** (0.107)	1.179*** (0.097)
Share of SF-Houston Gap	0.0015	0.0055	-0.0004	-0.0420
R2	0.44	0.44	0.44	0.42
Number of Observations	267	309	267	307

This table reports estimates of house quantity growth (panel A) and population growth (panel B), and the change in average rooms per person (panel C) regressed on total income growth and the constraint measure. Each column uses a different measure of housing constraints where column 1 uses the elasticity from [Saiz \(2010\)](#), column 2 uses an elasticity from [Baum-Snow and Han \(2024\)](#), column 3 uses the regulation index [Gyourko et al. \(2008\)](#), and column 4 uses the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE A8
EFFECTS BY POPULATION (2000-2020)

	Saiz		BS-H		WRLURI		Building	
	(1) Below	(2) Above	(3) Below	(4) Above	(5) Below	(6) Above	(7) Below	(8) Above
<i>Panel A. Real House Price Growth (Annualized %)</i>								
Less Constrained \times Income Growth	0.157 (0.163)	-0.059 (0.178)	-0.032 (0.152)	0.052 (0.168)	-0.062 (0.156)	-0.031 (0.182)	-0.108 (0.163)	-0.072 (0.180)
R2	0.36	0.59	0.30	0.41	0.36	0.50	0.33	0.40
Number of Observations	134	134	154	154	134	134	153	153
<i>Panel B. Real Median House Value Growth (Annualized %)</i>								
Less Constrained \times Income Growth	0.132 (0.134)	0.064 (0.189)	-0.207 (0.140)	-0.076 (0.190)	-0.009 (0.151)	0.009 (0.192)	0.216 (0.165)	-0.078 (0.187)
R2	0.37	0.55	0.42	0.44	0.36	0.52	0.35	0.44
Number of Observations	134	133	155	154	134	133	154	153
<i>Panel C. Housing Quantity Growth (Annualized %)</i>								
Less Constrained \times Income Growth	0.003 (0.060)	0.019 (0.067)	0.023 (0.070)	0.012 (0.062)	0.126** (0.057)	0.204*** (0.066)	0.038 (0.070)	0.027 (0.067)
R2	0.82	0.77	0.79	0.76	0.82	0.80	0.77	0.77
Number of Observations	135	134	155	155	135	134	154	154
<i>Panel D. Population Growth (Annualized %)</i>								
Less Constrained \times Income Growth	-0.051 (0.072)	0.007 (0.065)	0.039 (0.069)	0.040 (0.060)	0.112 (0.071)	0.200*** (0.060)	0.024 (0.077)	0.085 (0.065)
R2	0.83	0.81	0.81	0.80	0.83	0.82	0.79	0.81
Number of Observations	135	134	155	155	135	134	154	154
<i>Panel E. Change in Average Rooms per Person (Annualized %)</i>								
Less Constrained \times Income Growth	0.095*** (0.036)	-0.012 (0.028)	-0.012 (0.035)	-0.013 (0.028)	0.010 (0.041)	-0.016 (0.031)	0.017 (0.035)	-0.034 (0.028)
R2	0.12	0.25	0.04	0.26	0.05	0.34	0.04	0.20
Number of Observations	134	133	155	154	134	133	154	153

This table reports the estimates of the interaction term for house price growth (panel A), median home value growth (panel B), house quantity growth (panel C), population growth (panel D), and the change in average rooms per person (panel E) regressed on total income growth, an indicator for an MSA having an above-median constraint measure (less constrained), and the interaction of the two for cities with above and below median population size in 2000. Each group of columns uses a different measure of housing constraints where columns 1-2 use the elasticity from [Saiz \(2010\)](#), columns 3-4 use an elasticity from [Baum-Snow and Han \(2024\)](#), columns 5-6 use the regulation index [Gyourko et al. \(2008\)](#), and columns 7-8 use the land share of value [Davis et al. \(2021\)](#). See the text for more details.

TABLE A9
EFFECTS BY POPULATION WITHOUT LOW GROWTH CITIES (2000-2020)

	Saiz		BS-H		WRLURI		Building	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	Below	Above	Below	Above	Below	Above	Below	Above
<i>Panel A. Real House Price Growth (Annualized %)</i>								
Less Constrained \times Income Growth	0.406** (0.178)	0.324* (0.180)	0.163 (0.194)	0.195 (0.189)	0.278* (0.161)	0.041 (0.260)	0.143 (0.200)	0.073 (0.214)
R2	0.33	0.56	0.19	0.27	0.34	0.35	0.27	0.25
Number of Observations	99	98	116	115	99	98	120	119
<i>Panel B. Real Median House Value Growth (Annualized %)</i>								
Less Constrained \times Income Growth	0.313* (0.171)	0.433* (0.219)	-0.217 (0.204)	0.022 (0.273)	-0.083 (0.179)	-0.044 (0.286)	0.422* (0.215)	0.099 (0.259)
R2	0.26	0.48	0.29	0.27	0.23	0.35	0.26	0.24
Number of Observations	98	98	116	115	98	98	119	119
<i>Panel C. Housing Quantity Growth (Annualized %)</i>								
Less Constrained \times Income Growth	-0.016 (0.079)	-0.016 (0.095)	0.043 (0.095)	0.005 (0.090)	-0.003 (0.078)	0.125 (0.119)	-0.000 (0.093)	0.010 (0.097)
R2	0.74	0.73	0.67	0.72	0.74	0.73	0.68	0.73
Number of Observations	99	98	116	115	99	98	120	119
<i>Panel D. Population Growth (Annualized %)</i>								
Less Constrained \times Income Growth	-0.063 (0.084)	-0.056 (0.096)	0.033 (0.094)	0.023 (0.095)	0.015 (0.089)	0.066 (0.117)	0.048 (0.106)	0.102 (0.099)
R2	0.76	0.74	0.70	0.74	0.76	0.74	0.71	0.75
Number of Observations	99	98	116	115	99	98	120	119
<i>Panel E. Change in Average Rooms per Person (Annualized %)</i>								
Less Constrained \times Income Growth	0.066 (0.051)	0.017 (0.044)	0.011 (0.046)	-0.005 (0.041)	0.084* (0.047)	-0.028 (0.049)	0.039 (0.047)	-0.045 (0.039)
R2	0.04	0.25	0.01	0.19	0.05	0.36	0.01	0.14
Number of Observations	98	98	116	115	98	98	119	119

This table reports the estimates of the interaction term for house price growth (panel A), median home value growth (panel B), house quantity growth (panel C), population growth (panel D), and the change in average rooms per person (panel E) regressed on total income growth, an indicator for an MSA having an above-median constraint measure (less constrained), and the interaction of the two for cities with above and below median population size in 2000 after dropping cities with total income growth in the bottom quartile. Each group of columns uses a different measure of housing constraints where columns 1-2 use the elasticity from [Saiz \(2010\)](#), columns 3-4 use an elasticity from [Baum-Snow and Han \(2024\)](#), columns 5-6 use the regulation index [Gyourko et al. \(2008\)](#), and columns 7-8 use the land share of value [Davis et al. \(2021\)](#). See the text for more details.

EXHIBIT D



The City of San Diego

Staff Report

DATE ISSUED: 9/9/2020
TO: City Council
FROM: Planning
SUBJECT: Housing Legislation Code Update to the Municipal Code and Local Coastal Program

Primary Contact: Kelley Stanco Phone: (619) 236-6545
Secondary Contact: Brian Schoenfisch Phone: (619) 533-6457
Council District(s): Citywide

OVERVIEW:

The Housing Legislation Code Update Package addresses California State housing law requirements, including a number of bills passed at the end of 2019. These include changes to State density bonus, housing for the homeless, and accessory dwelling unit laws, along with other miscellaneous housing laws. The Housing Legislation Code Package will provide amendments to the City's Municipal Code and Local Coastal Program that are required to implement and comply with State law, as well as additional amendments tailored to address local needs.

PROPOSED ACTIONS:

Approve the proposed Housing Legislation Code Update to the Municipal Code and Local Coastal Program.

DISCUSSION OF ITEM:

The Land Development Code (LDC) provides the City's regulations for the development and use of property within the City of San Diego and provides information on zoning, subdivisions, grading and other related land use activities. The LDC is updated regularly through comprehensive updates that promote in-fill development and streamline the permitting process, and through single-issue or topic-specific updates as needed.

The California state legislature passed a number of land use and housing laws in 2019 that became effective January 1, 2020. These laws primarily address accessory dwelling units, affordable housing, and supportive housing for the homeless, as well as requirements to preserve dwelling units and "protected dwelling units" affordable to very low- and low-income households. Local implementation of these laws is mandatory and amending the LDC to reflect the requirements of these laws will provide clarity for staff, applicants, decision-makers and the public at large. Additionally, while reviewing the applicable state laws and drafting the proposed LDC amendments, staff identified some areas where the LDC is no longer in conformance with the latest state law provisions and the Housing Legislation Code Update package addresses those issues. Lastly, where permitted, the package also includes adaptations and incentives to address local housing needs.

The Housing Legislation Code Update Package is grouped into four issue areas: Housing for the Homeless, Affordable Housing Regulations, Accessory Dwelling Units and Junior Accessory Dwelling Units, and Miscellaneous Housing Items. A brief summary of the proposed amendments is provided below.

I. Housing for the Homeless

The following LDC amendments address items related to housing for the homeless:

- Low Barrier Navigation Centers

Assembly Bill (AB) 101, passed in 2019, requires local jurisdictions to permit Low Barrier Navigation Centers that connect individuals experiencing homelessness with transitional housing by-right in mixed-use and commercial zones that permit multi-family. The Housing Legislation Code Update Package would amend the LDC to define Low Barrier Navigation Centers as a new Separately Regulated Residential Use and permit them, by-right, as a Limited Use in all zones required by AB 101.

- Emergency Shelters

Senate Bill 2, passed in 2007, requires local jurisdictions to identify a zone or zones where emergency shelters are allowed by-right without a conditional use or other discretionary permit. The zones which permitted emergency shelters as a by-right use were located primarily within the Midway-Pacific Highway Community, which was rezoned with the recent comprehensive update to the Community Plan. The Housing Legislation Code Update Package would amend the Community Commercial (CC) base zone tables to permit emergency shelters by-right as a Limited Use in all CC zones in order to provide adequate capacity in compliance with SB 2.

- Transitional Housing and Permanent Supportive Housing

AB 2162, passed in 2018, requires local jurisdictions to permit Transitional Housing Facilities (THF) and Permanent Supportive Housing (PSH) by-right in all zones that permit multi-family development. The City implemented the requirements of AB 2162 in 2019 with the 12th Update to the LDC, Phase 1; however, staff has subsequently identified several zones that were inadvertently excluded. The Housing Legislation Code Update Package would amend the RM Base Zone Use Table to permit THF in the RM-5-12 zone; the Industrial Base Zone Use Table to permit THF by-right as a Limited Use in the IP-3-1 base zone and clarify that THF and PSH are subject to the requirements of footnote 15 related to residential development; and the Mixed-Use Base Zone Use Table to permit THF and PSH by-right as Limited Uses.

II. Affordable Housing Regulations (AHR)

The following LDC amendments address items related to the City's Affordable Housing Regulations:

- Density Bonus for 100% Affordable Projects (Pre-Density Bonus)

AB 1763, passed in 2019, requires local jurisdictions to provide a new density bonus program that grants a density bonus of 80% outside of Transit Priority Areas (TPAs) and an unlimited bonus within TPAs to projects that construct at least 100% of the pre-density bonus units as affordable to very low income and low income households, except that 20% may be reserved for moderate income households. Eligible projects are also required to receive 4 incentives and within TPAs, 3 additional stories or 33' in height. Waivers are not permitted with this program. The Housing Legislation Code Update Package would amend

the City's Affordable Housing Regulations to provide this required incentive, with a local adaptation to allow 5 incentives as opposed to 4 in accordance with the City's more permissive allowances for incentives.

- Density Bonus for 100% Affordable Projects (Total Project)

This proposed amendment is not mandated by state law; rather, this amendment is a local adaptation of AB 1763 intended to provide a similar bonus to projects within TPAs that are fully affordable to very low, low, and moderate income households. The Housing Legislation Code Update Package would amend the City's Affordable Housing Regulations to provide an unlimited density bonus, 5 incentives, and an additional 3 stories or 33 feet to projects within TPAs that provide 100% of the total pre-density bonus and post-density bonus units as affordable to very low, low, and moderate income households in any combination.

- Density Bonus for Lower Income Student Housing

SB 1227, passed in 2017, requires a local jurisdiction to provide a density bonus of 35% to projects that provide 20% of the pre-density bonus units as affordable to lower income students, as defined by the bill. The Housing Legislation Code Update Package would amend the City's Affordable Housing Regulations to provide this required incentive, with a local adaptation to allow 2 incentives where none are provided by state law in accordance with the City's more permissive allowances for incentives.

- Micro Unit Density Bonus

This proposed amendment is not mandated by state law; rather, this amendment provides regulatory relief for an existing City density bonus program for micro units, which must average no more than 600 square feet with no dwelling unit exceeding 800 square feet. The Housing Legislation Code Update Package would amend the City's Affordable Housing Regulations to eliminate the requirement that micro unit density bonus projects comply with height and setback requirements, and would allow use of the program within the Downtown Community Planning Area once a project either maximizes the use of other bonus programs or earns a 3.0 FAR through other bonus programs, whichever is less, ensuring that other FAR Bonus programs specific to Downtown continue to be utilized.

- Density Bonus on FAR-Based Density Sites

This proposed amendment is not mandated by a modification to state law; rather, it is a correction to the City's regulations to clarify how density bonuses are calculated within zones where the density is controlled by floor area ratio, including Downtown and the recently adopted mixed-use base zones. The Housing Legislation Code Update Package would amend the City's Affordable Housing Regulations to clarify the method by which density bonuses are calculated for FAR-based density zones where the adopted land use plan includes an allowable density range in dwelling units per acre (i.e. the mixed use zones) and those that include only a maximum FAR (i.e. Downtown). Additionally, the amendments will clarify that incentives cannot be used to increase floor area ratio in such zones, which would result in an additional density bonus.

Within Downtown, the proposed amendments would change how affordable housing density bonuses are calculated, since Downtown only regulates intensity through FAR limits and not dwelling units/acre. Currently, such bonuses are based on the Base Maximum FAR permitted in Figure H of the Centre City Planned District Ordinance (CCPDO). Under the

proposed change, the density bonus would be calculated based on the actual project's FAR up to the Maximum FAR permitted in Figure L of the CCPDO. For instance, if a project with a Base Maximum FAR of 6.0 earned an additional 4.0 FAR from other FAR bonus programs provided Downtown to achieve a total 10.0 FAR, then the bonus for affordable housing would be added on top of the 10.0 FAR rather than the 6.0 FAR. This can result in the production of additional affordable and market rate units, as illustrated in this table utilizing the Affordable Housing Regulations:

	FAR	UNITS	AFFORDABLE UNITS
EXISTING REGULATIONS			
BASE MAXIMUM FAR	6.0	180	
MAXIMUM FAR	10.0	300	
AHR BONUS (60%)	3.6	108	
TOTAL	13.6	408	27
PROPOSED REGULATIONS			
MAXIMUM FAR	10.0	300	
AHR BONUS (60%)	6.0	180	
TOTAL	16.0	480	45

- Miscellaneous AHR Clean-Up Items

The Housing Legislation Code Update Package would amend the City's Affordable Housing Regulations to provide additional clean-up items to ensure compliance with state density bonus law, including minor language edits and updates to the parking table.

III. Accessory Dwelling Units and Junior Accessory Dwelling Units

The following LDC amendments address items related to Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs):

- Replacement of the Companion Unit, Junior Unit and Movable Tiny Homes Regulations with New Accessory Dwelling Unit and Junior Accessory Dwelling Unit Regulations in Order to Implement New State ADU and JADU Legislation

Several bills were passed at the end of 2019 which addressed ADUs and JADUs, including AB 68, AB 587, AB 881, and SB 13. In addition to providing increased allowances for ADUs in conjunction with multiple dwelling unit development, prohibiting the requirement of replacement parking when garages or carports are converted to ADUs or JADUs, prohibiting the rental of ADUs and JADUs for less than 31 days, and requiring local jurisdictions to permit at least 1 ADU on a premises regardless of maximum lot coverage, maximum floor area ratio, or minimum opens space requirements, the state legislation also required local ADU and JADU ordinances to be reviewed by the California Department of Housing and Community Development (HCD) for consistency with the state regulations. In order to best align our local regulations with state regulations, the Housing Legislation Code Update Package proposes to strike the existing "Companion Unit, Junior Unit and Movable Tiny Houses" regulations in Section 141.0302 in their entirety, and replace them with new "Accessory Dwelling Unit and Junior Accessory Dwelling Unit Regulations that fully comply with and exceed the requirements of state law. As part of this overhaul of the existing regulations, the local defined terms "companion unit" and "junior unit" will be

replaced with "Accessory Dwelling Unit (ADU)" and "Junior Accessory Dwelling Unit (JADU)", respectively, and their definitions will be aligned with state law. The new regulations will exceed the requirements of state law in regard to setbacks, by allowing ADUs to encroach into interior side and rear yard setbacks up to the property line, where state law allows the City to require a 4-foot setback in these locations. HCD reviewed the initial draft of the new regulations, and the proposed amendments reflect comments and edits received by HCD. Lastly, the recently adopted Movable Tiny Houses, which do not fall within the state ADU laws, will be pulled out and established as their own Separately Regulated Residential Use.

- Affordable ADU Incentives

AB 671, passed in late 2019, requires local jurisdictions to incentivize the construction of deed-restricted affordable ADUs, without specific parameters or direction as to what those incentives should be. The Housing Legislation Code Update Package would include in the Accessory Dwelling Unit and Junior Accessory Dwelling Unit regulations a new affordable ADU incentive that would allow the construction of 1 additional ADU for every ADU deed-restricted to very low, low, or moderate income households for a period of 15 years. Outside of TPAs the number of bonus ADUs is limited to 1, and within TPAs there is no limit on the number of bonus ADUs permitted.

- ADU and JADU Parking

State law, specifically Government Code Section 65852.2(d), prohibits the City from requiring parking for ADUs in any of the following instances:

- within one-half mile walking distance of public transit;
- within a designated historic district;
- when the ADU is part of the proposed or existing primary residence or an accessory structure (i.e. if it is attached to an existing structure);
- when on-street parking permits are required but not offered to the occupant of the ADU;
- when there is a car share vehicle within one block of the ADU.

If the above don't apply, then State law allows the City to require parking that does not exceed 1 space per ADU or per bedroom, whichever is less (Gov Code Section 65852.2(a)(1)(D)(x)). Due to the highly limited circumstances in which the City is allowed to require parking, and given the City's desire to encourage both the construction of ADUs and JADUs and use of alternative mobility options, the Housing Legislation Code Update Package will exceed the requirements of state ADU and JADU law by simply eliminating parking requirements for ADUs and JADUs.

IV. Miscellaneous Housing Items

The following LDC amendments address miscellaneous housing items:

- Employee Housing (6 or Fewer)

California Health and Safety Code Section 17021.5(b) requires Employee Housing for 6 or fewer employees to be permitted by-right in all zones that permit single-family. The Housing Legislation Code Update Package would amend the LDC to permit Employee

Housing (6 or Fewer) by-right as a Limited Use in all zones that permit single dwelling units.

- Residential Development Consistent with the Land Use Plan

This proposed amendment is not mandated by state law; rather, this amendment was identified by staff as a means to provide regulatory relief and streamline the permitting process. The Housing Legislation Code Update Package would amend the General Rules for Base Zones to allow residential and residential mixed-use development that exceeds the allowable density of the base zone but complies with the density identified in the adopted land use plan to be permitted by-right with a construction permit, rather than through a Planned Development Permit process. The amendment would allow sites to develop in accordance with the density planned and mitigated for through the land use planning process. This streamlining provision also requires clean-up amendments to the regulations related to Neighborhood Development Permits, Site Development Permits, Planned Development Permits, and Affordable, In-Fill Development and Sustainable Buildings.

- Dwelling Unit Protection Regulations

SB 330, known as the Housing Crisis Act of 2019, requires local jurisdictions to ensure that the number of dwelling units present on a site is not reduced as a result of a single-family, multi-family, residential mixed-use (with at least 2/3 residential), transitional housing, or permanent supportive housing project. It further requires that “protected dwelling units” affordable to very low income and low income households (including both deed-restricted units and units occupied by such households without a deed-restriction in place) be replaced with deed-restricted units affordable to very low income and low income households. The legislation also includes provisions for relocation assistance and right of first refusal in limited circumstances. The Housing Legislation Code Update Package would amend the LDC to include a new Division 12 in Chapter 14, Article 3 entitled the “Dwelling Unit Protection Regulations.” The Dwelling Unit Protection Regulations implement the dwelling unit and protected dwelling unit replacement provisions of SB 330 precisely, with no additional regulations or requirements. The new division would sunset on January 1, 2025, consistent with the sunset of SB 330.

The Housing Legislation Code Update Package was presented to stakeholder groups that included City staff in implementing departments, land development professionals, housing advocates, community planning representatives, and members of the public who participated in the meetings. The actions taken by these stakeholders and the Planning Commission are as follows:

- Housing Legislation Code Update Package Ad Hoc Working Group: In 2019, in accordance with Charter Section 43(b), the Technical Advisory Committee (TAC) and its subcommittee, the Code Monitoring Team (CMT) were disbanded as a recommending body with a vote presented to decision makers. Instead, the Technical Advisory Committee (TAC) modified its operational framework to become a monthly Ad Hoc Committee for a one-year period advising the Development Services on a variety of process improvements. Additionally, members of the former CMT are invited to serve on project-specific, temporary citizens’ working groups to advise the Planning Department on LDC updates.

The Housing Legislation Code Update Package Ad Hoc Working Group was formed in early June 2020, and the proposed package of amendments was reviewed at virtual workshops on June 12th

and 26th. The working group discussed the items in the Housing Legislation Code Update Package and provided feedback on the amendment language as presented. Understanding that the majority of the proposed amendments are mandated by state law, comments were limited and minor and have been incorporated into the package wherever possible. Consistent with the group's function as an Ad Hoc Working Group, no vote or action was taken.

- Community Planners Committee (CPC): On July 28, 2020 the Housing Legislation Code Update Package was presented to the Community Planners Committee. The CPC voted 19-5-5 to recommend approval of all proposed amendments with the exception of two: 1.) a proposed development incentive for multi-family development within transit priority areas on sites less than 0.5 acre (this item has subsequently been withdrawn); and 2.) the elimination of parking requirements for all ADUs and JADUs. On August 25, 2020 the CPC discussed the elimination of parking requirements for all ADUs and JADUs and voted 14-8-4 to recommend approval of the amendment as proposed.
- The Downtown Community Planning Council (DCPC): On July 15, 2020 the Downtown Community Planning Council (DCPC) reviewed the Housing Legislation Code Update and tabled discussion of the item to their August meeting. On August 19, 2020 the DCPC voted 20-0-0 to recommend approval of the proposed amendments.
- The Planning Commission: On August 27, 2020 the Planning Commission reviewed the Housing Legislation Code Update to the Municipal Code and Local Coastal Program and recommended that the City Council adopt the update as presented by a vote of 6-0-1 with Commissioner Austin recusing. While not part of the motion, a request from Commissioner Whalen that the maximum size of an Accessory Dwelling Unit be included in the defined term has been incorporated into the proposed amendments.

The Housing Legislation Code Update Package implements California state housing and land development laws and includes several local adaptations and provisions that address local needs to streamline housing construction. The proposed amendments have been reviewed by stakeholders, including CPC and DCPC, and the Planning Commission, and all recommending bodies have supported adoption of the amendments as proposed. Therefore, staff recommends that the City Council approve the proposed Housing Legislation Code Update to the Municipal Code and Local Coastal Program.

City Strategic Plan Goal(s)/Objective(s):

Goal #3: Create and sustain a resilient and economically prosperous City. Objective #1: Create dynamic neighborhoods that incorporate mobility, connectivity, and sustainability. Objective #4: Prepare and respond to climate change. Objective #7: Increase the net supply of affordable housing.

Fiscal Considerations:

None. Costs associated with implementation of this ordinance would be covered by project applicants.

Charter Section 225 Disclosure of Business Interests:

N/A; there is no contract associated with this action.

Environmental Impact:

The CEQA and Environmental Policy Section of the Planning Department has reviewed the Housing Legislation Code Update amendments and conducted a consistency evaluation pursuant to CEQA Guidelines Section 15162. Implementation of this project's actions would not result in new significant direct, indirect, or cumulative impacts over and above those disclosed in the previously certified Environmental Impact Report (EIR) for the 2008 General Plan EIR No. 104495/SCH No. 2006091032, certified by the City Council on March 10, 2008, Resolution No. R-303473; the 2020 Addendum to the 2008 General Plan EIR No. 104495/SCH No. 2006091032 for the General Plan Housing Element Update, certified by the City Council on June 18, 2020, Resolution No. R-313099; and the following documents, all referred to as the "CAP

FEIR": FEIR for the City of San Diego Climate Action Plan (CAP) (EIR No. 4106603/SCH No. 2015021053), certified by the City Council on December 15, 2015 (City Council Resolution R-310176), and the Addendum to the CAP, certified by the City Council on July 12, 2016 (City Council Resolution R-310595). The 2008 General Plan EIR and CAP FEIR are both "Program EIRs" prepared in compliance with California Environmental Quality Act (CEQA) Guidelines Section 15168.

Previous Council and/or Committee Actions:

This item will be heard at the Land Use and Housing Committee prior to Council.

Key Stakeholders and Community Outreach Efforts:

Key Stakeholders include neighborhood and community planning groups, residents, visitors and property owners.

Mike Hansen

Department Director

Erik Caldwell

Deputy Chief Operating Officer, Smart & Sustainable Communities

EXHIBIT E

FORM

DS-3031

November 2022

Development Permit/ Environmental Determination Appeal Application

In order to ensure your appeal application is successfully accepted and processed, you must read and understand Information Bulletin [\(IB\) 505, "Development Permits/Environmental](#)

[Determination Appeal Procedure."](#)

1. Type of Appeal: ☐ Appeal of the Project
☐ Appeal of the Environmental Determination
2. Appellant: Please check one ☐ Applicant ☐ Officially recognized Planning Committee
☐ "Interested Person"
[\(Per San Diego Municipal Code \(SDMC\) § 113.0103\)](#)

Name:

E-mail:

Address:

City:

State:

Zip Code:

Telephone:

3. Project Name:

4. Project Information:

Permit/Environmental Information Determination and Permit/Document No:

Date of Decision/Determination:

City Project Manager:

Decision (Describe the permit/approval decision):

5. Ground for Appeal (Please check all that apply):

☐

Factual Error

☐

New Information

☐

Conflict with other Matters

☐

City-wide Significance (Process four decisions only)

☐

Findings Not Supported

Description of Grounds for Appeal (Please relate your description to the allowable reasons for appeal as more fully described in the [SDMC § 112.0501](#). Attach additional sheets if necessary.)

Visit our website: sandiego.gov/DSD.

Upon request, this information is available in alternative formats for persons with disabilities. DS-3031 (11-22)

6. Applicant's Signature: I certify under penalty of perjury that the foregoing, including all names and addresses, is true and correct.

Signature: Katie Pitt Date: _____

Note: Faxed appeals are not accepted.

Reference Table

- [San Diego Municipal Code](#) (SDMC)
- [Development Permits/Environmental Determination Appeal Procedure](#) (IB-505)

Visit our website: sandiego.gov/DSD.

Upon request, this information is available in alternative formats for persons with disabilities. DS-3031 (11-22)

Overview of Reasons for Appeal

In addition to the reasons described in our previous letters to the City (attached as Exhibit 1), there is further new information, factual error, and conflicts, which we were informed of yesterday by the City, via a letter attached as Exhibit 2.

The City Building and Land Use Enforcement informed us that on May 2, “DSD Senior Civil Engineer informed SDRE that PRJ-1087445 **will not be issued** until the building plans are revised to accurately reflect the storm drain improvements and a grading permit is submitted that reflects the current site conditions.” Despite being told this, on the same day, “SDRE pulled their building permit (PRJ-1087445).”

We were informed by BLUE yesterday that this was in error, as they were not able to stop the permit approval and issuance in time. Despite the applicant illegally grading the site, the building permit was approved before obtainment of a grading permit, and before restoration of the illegal grading. Thus, there is factual error in the building plans, as well as new information about the project’s impacts to the sensitive canyon, among other impacts, as described in Exhibit 1.

Further, approval of PRJ-1087445 conflicts with City municipal code. In particular, §121.0312 (b) mandates: “The City Manager shall order the restoration of grading undertaken without a permit, unless technically infeasible. The restoration shall be conducted in accordance with Section 142.0150. **No further permits for the premises shall be processed until the restoration has been completed** and specified performance criteria have been met as required by the City.” Despite the City’s confirmation that illegal grading occurred, the building permits were improperly approved, resulting in a clear violation of the City’s own municipal code.

Additionally, as described in our letters, and as found by the outstanding January 2024 Civil Notice issued by the City Land Use Enforcement to the applicant, a Site Development Permit (“SDP”) is required of the Project. To the extent that DSD now claims an SDP is not required, this only underscores that the Project is no longer ministerial, as described below. An SDP is required of the Project, and has not yet been obtained.

Finally, we appeal the City’s environmental determination that the project is ministerial under the California Environmental Quality Act (“CEQA”). Under CEQA: “If a nonelected decisionmaking body of a local lead agency ... determines that a project *is not subject to this division*, that certification, approval, or determination may be appealed to the agency’s election decisionmaking body, if any.” (Pub. Resources Code section 21151(c), emphasis added.)

As described in our letters to the City, the project is subject to CEQA and is not ministerial, given its significant impacts—which were underscored by the City’s own engineers, internally—as well as the amount of discretion exhibited by City staff during the review process, including the waiver of the City’s defensible space requirements for alternative “mitigation.”

CEQA mandates that the City provide an appeal of the Project’s environmental determinations.

Exhibit 1



Chatten-Brown Law Group, APC

Josh Chatten-Brown | Partner
325 W. Washington Street, Suite 2193
San Diego, CA 92103
jcb@chattenbrownlawgroup.com
Phone: (619) 940-4522

April 29, 2024

Via email to Ms. Jennifer Campbell (JenniferCampbell@sandiego.gov)

Jennifer Campbell
San Diego City Councilmember, District 2
202 C Street, 10th Floor
San Diego, CA 92101

Re: Unpermitted and Illegal Development at 4578 Jicarillo Avenue

Dear Councilmember Campbell:

We represent Friends of Bayo in relation to the proposed 12-unit apartment complex at 4578 Jicarillo Avenue (“Project”), and the applicant SDRE Homebuyer’s (“SDRE”) persistent illegal and unpermitted development activities on the site.

SDRE continues to flout the law and repeated commands to cease work from the City of San Diego (“City”) Building and Land Use Enforcement (“BLUE”), including several Civil Notices and Stop Work orders, despite *not having received all permits*.

Further, we have presented overwhelming evidence of the Project’s environmental impacts:

- Illegal grading of land mapped by the City as sensitive vegetation,
- Illegal placement of drainage pipes to discharge into the canyon and steep hillsides,
- Inadequate egress in a very high fire severity zone, and
- Failure to incorporate the required 100 feet defensible space, among other impacts.

Our client has informed us that when they spoke with Councilmember Campbell about this project in late 2023, she commented that there was no way this project would be approved, given the narrow egress of the site. Yet, we have been informed by Development Services that the City will continue to process the project as ministerial. The City’s treatment of the Project as ministerial, and response to the applicant’s illegal behavior violates the City’s own municipal codes and the California Environmental Quality Act.

We call on the City Council to correct course, and minimize the City’s legal liabilities by effectively enforcing its own laws, and requiring adequate environmental review and conformance with City municipal code requirements.

Finally, we note that the Bonus ADU Program was presented as a way to improve housing affordability for San Diego residents. Yet, SDRE's website reports that it consistently purchases lots for under \$1 million, only to flip and sell the lots for over \$3 million. The Project site is now owned by 4578 JICARILLO AVE B LLC and 4578 JICARILLO AVE LLC, who are in turn managed by Weona Properties, LLC and PRIMARIUS PROPERTIES 1, LLC, who are in turn managed by Work Appropriate Entity, LLC and MATCHSTICK PROPERTIES, LLC, two Limited Liability Corporations registered in Wyoming.

Thus, affordable lots across the City are being purchased as investment properties by out-of-State companies, whose sole focus is maximizing returns at the expense of compliance with the City and State's environmental laws.

I. The Applicant Has Persistently and Illegally Developed the Property Without All Required Permits Despite Repeated Warnings from the City

On August 24, 2023, Michael Gomez, a Senior Combination Building Inspector, visited the Project site and noted that **all vegetation had been removed**, despite the fact that the entire property had been flagged as a potential ESL zone and no permits had been issued to authorize development. Mr. Gomez ordered the work to be ceased until the permits were issued. The next day, Mr. Gomez posted an Administrative Citation Warning to stop work. (**Exhibit A.**) A City internal status note reveals that work was stopped because ESL was located on the property. (**Exhibit B.**)

Displeased with the stop work order, SDRE's CEO sent numerous emails to the City's planning department over the next week stating that he does not "need permits to remove trees" and that he does not believe the stop work order to be legally valid, so he plans to give his team "the green light . . . unless [he] hear[s] otherwise." (**Exhibit C**, pp. 5, 8.) A City Junior Planner responded on September 6, 2023, explicitly telling SDRE that "**no work is to commence** on the aforementioned property until permits are obtained." (**Exhibit C**, p. 3.) SDRE's team resumed work the very next day, resulting in Mr. Gomez receiving three phone calls alerting him that SDRE was still grading.

Also on September 7, 2023, the City planning department accepted SDRE's contention that there was no ESL onsite, without providing any evidence for this conclusion. Further, Mr. Gomez had already reviewed the site and confirmed that all vegetation had been removed by August 24, 2023; the City did not explain its determination further and did not address the possibility that any ESL had already been unlawfully removed. Moreover, even the initial staff determination that there was no ESL on the site did not clear the SDRE to continue development, because still, **no permit** had been issued. By September 12 and 13, SDRE had continued to develop the lots, with no permit.

On September 15, 2023, the City issued a Civil Penalty Notice and Order (“CPNO”) (*see Exhibit D*). Once the CPNO was issued, SDRE was told it must halt “all unpermitted work” until the violations were corrected. No permits have been issued, yet the development has continued to date.



Unpermitted development that occurred on the Project site. (Sept. 15, 2023)

When SDRE continued work and removed the chain link along the canyon at the rear of the property site, Building and Land Use Enforcement issued another Civil Penalty Notice and Order on January 22, 2024, identifying ESL encroachment and grading without a permit, among other violations. (**Exhibit E**.) SDRE was directed to apply for a Site Development Permit

Starting in the beginning of April 2024, SDRE yet *again* began work without *any* permits. No permits have been issued, yet the development has continued. The applicant has demonstrated a blatant disregard for the City’s laws and orders. And we were informed by City staff that this is a recurring issue with SDRE. In one email to City staff, SDRE stated: “I will not accept being shut down, and have given my contractor the green light to keep moving until we have been given a code case showing what we need to solve. **I am going to keep building throughout the city as I have 37 more projects to finish.**” (**Exhibit C**, p. 1–2; See also **Exhibit F**, NY Times Article [SDRE founder commenting that he was previously “busted for tearing out the kitchen without a permit.”])

II. The Project Fails to Comply with City Defensible Space Requirements and Would Result in Significant Impacts to Evacuation Routes

The site is located in a Very High Fire Severity Zone (“VHFSV”) alongside a canyon, an abundant fuel source. On the map, below, the VHFSV is illustrated in red and the property is denoted by the gray dot near the center of the map:



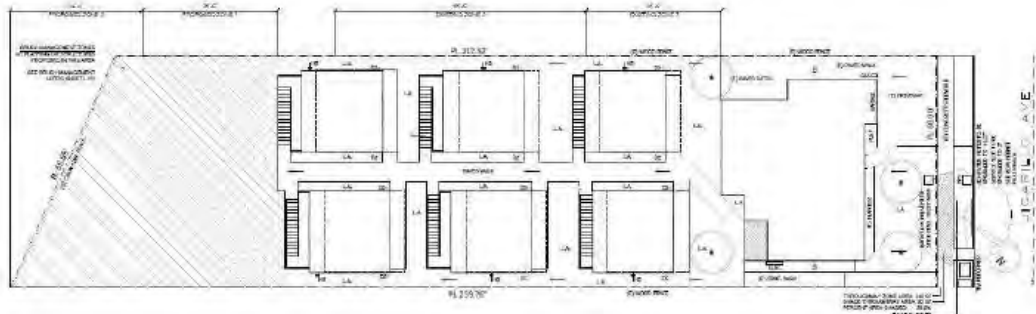
(City of San Diego, [Very High Fire Severity Zone Map](#))

Where a property is located in a VHFSZ, CEQA requires a project applicant to evaluate various impacts to wildfire safety, including impairments to emergency evacuation plans, the exacerbation of wildfire risks given unique site conditions such as slope or wind patterns, or the requirement of additional firefighting infrastructure that may impact the environment. (2024 CEQA Guidelines, App’x G, section XX.) Each of these risks could be implicated by the Project; yet, the City has elected to process the permit application as ministerial, precluding further environmental review. Ministerial projects are those which involve no discretion or subjective judgment, and rather rely on fixed standards. (CEQA Guidelines, § 15369.) Examples of ministerial permits include automobile registrations and marriage licenses. (*Id.*)

Building permits *may* be ministerial, but only where the public official making the determination merely decides whether applicable zoning allows the structure to be built on the site and whether the structure would comply with the Uniform Building Code. (*Id.*) There is discretion in the

approval or denial of a permit for this Project. Development on this site requires a Site Development Permit (“SDP”), as discussed in further detail in Part III. SDPs for this type of development must be decided in accordance with Process Three, which the City’s own website categorizes as a discretionary decision. (S.D. Muni. Code § 126.0502; City of San Diego, [Decision Process](#).) This Project is **not ministerial**, but discretionary, and requires further review for all impacts, including wildfire safety.

Additionally, Government Code section 51182 requires lands located on or adjacent to designated VHFSZs to provide at least 100 feet of defensible space. Similarly, the City’s own municipal code requires that properties along wild and urban interfaces provide a 100-foot brush management zone. (S.D. Muni. Code § 142.0412.) Minimum widths for each section of the brush management zone are provided in Table 142-04H of the Municipal Code. However, the project plans indicate that less than seventy feet of defensible or brush management space would be provided:



Project plans revealing lack of required defensible space.

A fire department official commented on the “reduced defensible space” and need for review of “Alternative Compliance mitigation,” further underscoring that this Project is not ministerial.

Furthermore, the Project could add over thirty-six residents to an already narrow cul de sac with limited egress:



Top Left: View of street width near Project, taken from opposite side of the street

Top Right: Project site denoted by red target. [Google Maps](#), 2024

Bottom: Street view of unusually narrow street

The streets in this area are already uncharacteristically narrow. The twelve-fold increase of the site's density could significantly impact evacuation, for both new residents and existing neighbors.

This Project would result in significant risk to residents during wildfires because it fails to provide the required amount of defensible space, would greatly increase density in an area with limited emergency egress routes, and backs up directly to a slope and canyon filled with fuel for wildfires.

III. The Project Violated the City's ESL Regulations

A. SDRE Illegally Graded an Area Mapped by the City as Sensitive Vegetation

The Project site is mapped as containing Chaparral/Coastal Sage-Chaparral Scrub, which is categorized as sensitive vegetation, per the City's MHPA Interactive Map and a Rose Canyon Watershed Report.¹ See **Exhibit G**, a letter we previously submitted to the City regarding this project on behalf of Friends of Bayho, for these maps illustrating the presence of sensitive vegetation.

BLUE identified ESL violations on two occasions and ultimately issued a CPNO on September 15, 2023, which is attached as **Exhibit D**. The CPNO informed SDRE that BLUE had observed the following violations: (1) unpermitted demolition of the garage; (2) unpermitted addition of a mini-split air conditioning system to the main house; (3) unpermitted electric modifications to facilitate the use of the mini-split system; (4) unpermitted gas line modifications; (5) conducted unpermitted grading activities² on a steep hillside; (6) the **areas of impact are adjacent to and within Environmentally Sensitive Lands (ESL)**; (7) failure to install and maintain storm water Best Management Practices (BMPs) and erosion control measures; and (8) 40 cubic yard dumpsters have been placed in the Public Right-of-Way without required permits. BLUE then issued another CPNO in January 2024, as mentioned earlier, again finding ESL encroachment.

Yet, after the issuance of the CPNO, DSD informed us that BLUE would not continue to enforce the order. (*See* attached emails, **Exhibit H**.) DSD further directed BLUE to only enforce building and grading violations moving forward, and to not enforce any ESL violations. In defense of this change in position, DSD asserts that the project is exempt from ESL regulations because a fence is present on the site.

In a meeting with DSD staff, we were told that this is the City's policy. In the City's view, the presence of a fence leads to the presumption that the property was previously legally graded, and

¹<https://webmaps.sandiego.gov/portal/apps/webappviewer/index.html?id=d77da895df084249b1ae7a2c10794470>;

<https://webmaps.sandiego.gov/portal/apps/webappviewer/index.html?id=d77da895df084249b1ae7a2c10794470>.

² Note that the hillside being graded is the area of the property known to contain ESL.

therefore exempt from any ESL Regulations. However, the City has been unable to provide any permits for prior grading or any evidence to indicate that this grading was in fact legal.

This interpretation—that any site enclosed by a fence is exempt, regardless of the presence of ESL—is arbitrary, capricious, and dangerously misguided as applied to both this project and future MSCP implementation.³ The City is required to implement ESL regulations pursuant to the City’s MSCP Subarea Plan and the associated Implementation Agreement; it cannot bow out of regulating any property with a fence.

Additionally, even if the premises were legally graded, that does not exempt the site from the ESL Regulations. Site Development Permits (“SDPs”) are only **not** required for properties containing ESL if the development meets *all* of the following conditions:

- (A) Would not encroach into *environmentally sensitive lands* during or after construction;
- (B) Would not expand brush management Zone One into *environmentally sensitive lands*;
- (C) Would comply with the *MHPA* adjacency guidelines as applicable;
- (D) Would maintain a minimum 40 foot *setback* from the *coastal bluff edge* of a *sensitive coastal bluff*; **and**
- (E) Would either:
 - (i) Maintain at least a 100 feet separation distance from *sensitive biological resources* and at least a 20 feet separation distance from the top of slope of *steep hillsides*; or
 - (ii) Locate *development* in a legally graded or developed portion of the *premises* separated from *environmentally sensitive lands* by an existing *fence* or other physical barrier.⁴

The inclusion of the word “and” in section 143.0110(c)(2)(D) clearly indicates that **each** of these elements, (A) through (E), with (E) being satisfied through either sub. (i) or (ii), must be met in order for the property to be exempted. The City continues to assert that the lot is exempt merely because it was “legally graded,” which it only assumes to be true because a fence is present on the site. The Project is not exempted, even if it complies with section 143.0110(c)(2)(E)(ii), which has yet to be proven.

DSD and BLUE also pointed to the applicant’s conclusory biology report. Yet, attempts at compliance were half-hearted at best. The developer conducted a biology report only after illegally grading the entire site, and being ordered to stop work and alerted to the presence of ESL on the site. Furthermore, the report states that grading and leveling had already occurred—illegally—which altered the landscape of the site. (Biology Report, p. 5.) ESL was reported on

³ DSD had directed BLUE to remove the ESL charge from the first CNPO as well for this same reason, resulting in an October 2023 CNPO. (**Exhibit I.**)

⁴ S.D. Muni. Code § 143.0110(c)(2).

site by the City's maps and inspectors. Because this biology report was conducted after grading had already taken place, it should be presumed that the sensitive vegetation was removed while the developer engaged in illegal grading, and mitigation should be required.

B. Applicant Illegally Installed Drainage Discharging into A Steep Hillside

As discussed in Section III.B, the City's own maps reveal Chaparral on site. The biology report for the Project further confirms the presence of Chaparral and Sage Scrub in the vicinity of the site. (Biology Report, p. 6.) The site was part of, and slopes directly into, a steep canyon, which would categorize the site as containing a "steep hillside" and ESL.



Steep hillside into the canyon behind the Project site. (Sept. 15, 2023)

The biology report claims that the slope does not qualify as a steep hillside because of the "shallow angle of repose," yet the report further states that the development will require grading on a "natural slope that is 25% or greater." (Biology Report, p. 4, 9.) If the project site is located at more than a 50-foot vertical elevation above the canyon, this 25% slope would categorize the site as a steep hillside, despite the Developer's claims to the contrary. (S.D. Muni. Code § 143.0110.) Topography maps that we provided in our prior letter indicate that the property sits at over 50 feet of elevation above the canyon floor, and thus is part of a steep hillside system. Furthermore, the City's Steep Hillside Guidelines state that if a site "contains steep hillsides but does not have 50 feet of vertical elevation, an off-site analysis of the adjacent property(s) must be made to determine whether the steep hillsides on the subject site are part of a steep hillside

system that extends off-site and exceeds the 50-foot elevation.” (S.D. Muni. Code § 143.0113.) This required analysis was not conducted.

Imagery provided by the applicant’s own biology report demonstrate the stark contrast between the current site, and the surrounding sites that conform to the ESL regulations and respect the canyons. The City’s approach to this Project is a threat to San Diego’s unique urban canyon systems.



Moreover, “steep hillsides shall be preserved in their natural state” and “[a]ny increase in runoff resulting from the development of the site shall be directed away from any steep hillside areas . . .” (S.D. Muni. Code § 143.0142(a), (f), emphasis added.) The Biology Report notes that project runoff will go “through a concrete or rip-rap diffuser ditch to discharge onto the slope.” (Biology Report, p. 4.) As of two weeks ago, the developer had installed a pipeline to discharge runoff directly into the canyon, pictured below, and into environmentally sensitive lands in violation of section 143.0142. BLUE confirmed with us that this drainage feature is not listed in

the project plans. Yet, when alerted to this, BLUE informed us that they would merely have the applicant incorporate the drainage feature into the plans, but did not appear to question the feature's legality. Any increased runoff **must** be directed away from the canyon behind the site, making the construction of a drainage feature directly into the canyon unlawful under the City's Municipal Code.



Illegal drainage feature at 4578 Jicarillo Ave.

SDRE's self-reporting on its stormwater plans has been inadequate. The biology report explicitly states, "The project is a redevelopment of the site that creates and/or replace 5,000sq ft or more of impervious surfaces to an existing site of 10,000 sq ft or more of impervious surfaces." (Biology Report, p. 4.) However, SDRE checked "no" on its stormwater plan when asked if the project is a "Redevelopment project that creates and/or replaces 5,000 square feet or more of impervious surfaces on an existing site of 10,000 square feet or more of impervious surfaces." (SDRE Stormwater Requirements Applicability Checklist, p. 3.) SDRE has consistently failed to self-report accurately and has now installed an unreported drainage feature directly into the steep hillsides abutting the property, which is in direct violation of the City's ESL Regulations.

Internal emails from City engineers voiced similar concerns. One City engineer stated in an email to another City staff member in November 2023: "12 ADUs in the backyard of an 8,000 SF lot seems excessive. The impacts to the surrounding environment (increased flows to an

environmentally sensitive steep canyon) and neighborhood (parking) **are significant.**”
(Emphasis added.)

IV. The Project Should Not Be Permitted Until Resolution of the Pending Litigation Challenging Sustainable Development Areas

The City recently transitioned away from the use of Transit Priority Areas (“TPAs”) in favor of the more expansive Sustainable Development Areas (“SDAs”). Sites beyond SDAs may only have one ADU, with one additional bonus ADU if it is an affordable ADU. Sites located within an SDA may be developed with unlimited bonus ADUs. The lot was not within a TPA,⁵ but is now designated as being located within an SDA.

A local organization, Livable San Diego, has initiated a lawsuit in the Superior Court challenging the City’s approval of the SDA expansion, arguing that it was the product of insufficient planning, and that the City failed to conduct the required environmental review under the California Environmental Quality Act.⁶ The outcome of this lawsuit may alter or eradicate SDAs altogether. The City has continued pushing through approvals for ADU development in SDAs while awaiting the result of the litigation. The lot in question would only be permitted two ADUs if the SDA plan is overturned. It is premature to begin approving projects under the SDAs until completion of the litigation to resolve the question of whether the City violated CEQA in approving the SDA plan.

Further, as we detailed in our previous letter to the City, the Project is not serviced by two high frequency transit stops.

V. The City Fails to Enforce Mandatory Duties, Including the Requirement for a Site Development Permit

Code of Civil Procedure section 1085(4)(a) declares that a writ may be issued “by any court . . . to any inferior tribunal, corporation, board or person, to compel the performance of an act which the law specially enjoins, as a duty resulting from an office, trust, or station” The availability of writ relief to compel a public agency to perform an act prescribed by law has long been recognized. (See, e.g., *Berkeley Sch. Dist. v. City of Berkeley* (1956) 141 Cal.App.2d 841, 849 [297 P.2d 710] [mandamus appropriate against city auditor to release funds to schools pursuant to city charter provision].) (*Santa Clara County Counsel Attys. Assn. v. Woodside* (1994) 7 Cal.4th 525, 539.)

⁵ <https://www.sandiego.gov/sites/default/files/geo25.pdf>.

⁶ <https://fox5sandiego.com/news/local-news/local-organization-fights-back-against-city-of-san-diego-housing-plan-with-lawsuit/>.

The City is failing to perform the following clear, mandatory, ministerial requirements prescribed by its own municipal codes. Per San Diego Municipal Code section 126.0502(a)(2), a Site Development Permit is required for “multiple unit residential development on a premises containing environmentally sensitive lands” The City must follow its own procedures and require a SDP.

Furthermore, when a person “maintain[s], use[s], or develop[s] any premises” without a SDP where one is required, the violation is to be treated as a strict liability offense and subject to City enforcement as provided in Chapter 12, Article 1 of the San Diego Municipal Code. (S.D. Muni. Code § 126.0506.) One such enforcement mechanism requires the City Manager to “order the restoration of grading undertaken without a permit, unless technically infeasible . . . No further permits for the premises shall be processed until the restoration has been completed” (S.D. Muni. Code § 121.0312.) The City has not adequately prevented SDRE from continuing to grade without a permit, nor have they ordered the required restoration of the site.

As discussed above, the developer has been illegally discharging, and apparently plans to continue discharging, runoff into the slope area of the site. Violations for provisions such as this “**shall be enforced** pursuant to Chapter 12, Article 1, Division 2.” (S.D. Muni. Code § 143.0160.) The Project’s Biology Report notes that runoff will go “through a concrete or rip-rap diffuser ditch to discharge onto the slope.” This confirms that the project plans on channeling runoff into the steep hillsides and canyon below, yet the City has failed to enforce its own municipal code to rectify the violation.

In each instance listed above, the City has failed to enforce its municipal code and ESL Regulations, allowing a developer to proceed with a dangerous and unpermitted project.

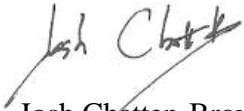
VI. Conclusion

SDRE has engaged in repeated violations of the law and has continued to develop this Project, despite lacking any authority to do so. This Project would pose a significant risk being sited in a VHFSZ without providing the required 100 feet of defensible space, and endangers ESL and the steep hillside and canyon behind the site. SDRE should not be granted a development permit until an SDP is obtained, as it is clear that SDRE illegally removed ESL, graded the property, and installed pipes to discharge into the canyon with sensitive vegetation. Additionally, pending litigation may eradicate SDAs altogether; if this occurs, this Project would be limited to two ADUs. Approving this Project prior to the resolution of this litigation would be premature.

We urge the City to require an SDP, process the application as discretionary, and require compliance with the Municipal Code and ESL Regulations.

Campbell
April 29, 2024
Page 14

Sincerely,

A handwritten signature in black ink, appearing to read "Josh Chatten-Brown". The signature is written in a cursive, slightly slanted style.

Josh Chatten-Brown
Kathryn Pettit
Isabella Coye

cc:

City Attorney
City Planning Director
Director, Development Services Department

Exhibit A



Development Services

Code Enforcement Division
1222 First Avenue, 5th Floor, M.S. 511
San Diego, CA 92101-4101

MAILED

AUG 29 2023

BUILDING AND LAND USE
ENFORCEMENT DIVISION

Citation#: 75711

Date Issued: 8/25/23

CED#: 0525044

GL#: _____

BP#: _____

CA#: _____

Invoice#: _____

Administrative Citation

Violation Observed: Date: 8/24/23 Time: _____ Invoice#: _____

☒ Warning (Not Appealable) ☐ Citation Amount: \$ _____

Payment is due upon receipt of invoice sent via separate mailing (see reverse side for payment instructions).

RESPONSIBLE PERSON/PARTY CITED: <u>4578 JICARILLO AVE / 4578 JICARILLO AVE B / DANIEL FORDE</u>	RELATION TO VIOLATION <u>AGENT FOR SERVICE</u>
MAILING ADDRESS, CITY, STATE, ZIP CODE <u>3033 FIFTH AVE SUITE 400 SAN DIEGO, CA 92103</u>	BUSINESS NAME (If any) <u>SDRE HOMES</u>
VIOLATION ADDRESS, CITY, STATE, ZIP CODE <u>4578 JICARILLO AVE SAN DIEGO, CA 92117</u>	ASSESSOR'S PARCEL NUMBER <u>359-331-0500</u>

Please refer to the San Diego Municipal Code section cited for additional information available via: <https://www.sandiego.gov/city-clerk>

MUNI.CODE SECTION VIOLATION:	VIOLATION DESCRIPTION:
SDMC 129.0202	When a building permit is required.
SDMC 121.0308	No permission to violate codes
SDMC 121.0302	Required Compliance with Land Development Code
(a)(b)(2)	

Corrections indicated below are required by Immediately. If you fail to make the indicated corrections by this date, another citation may be issued. Other enforcement action may result if compliance is not achieved.

CORRECTIVE ACTION REQUIRED:

* Obtain all required permits before commencing any work
* Cease all work on-site including grubbing of rear yard
any grading & public right of way work.

* Further enforcement action is applicable.

Name of City Official: Michael Gomez

Work Phone: 619-533-6265

Email: Megomez@sandiego.gov

[Signature]
Signature of City Official

cc: SDRE HOMES CHRISTIAN SPIZER 4901 MORENA BLVD SD, CA 92117

Name

Mailing Address

Signature of Responsible Person

Reinspection Fees: Reinspection fees are assessed for each inspection after the issuance of a violation notice in accordance with San Diego Municipal Code section 13.0103. An invoice will be sent following each inspection until compliance is achieved. Current reinspection fees range between \$264 and \$295. The City of San Diego's User Fee Schedule is available at: <https://www.sandiego.gov/city-clerk>

Administrative Citations

City of San Diego Municipal Code, Chapter 1, Articles 1 and 2 provide the authority and process for the issuance of administrative citations for violations of the Municipal Code. The fines, as indicated on the citation, can be up to \$1,000. These fines can be cumulative. ***A warning, if issued, does not incur a fine and, therefore is not appealable.***

How to Pay Fine

The amount of the fine is indicated on the front of this administrative citation. An invoice for this amount will be sent via separate mailing. Invoices may be paid by mail or in person at the Office of the City Treasurer, 1200 Third Avenue, Suite 100, San Diego, CA 92101. Payment can be made by personal check, cashier's check or money order, payable to the **City Treasurer**. Please write the invoice number on your check or money order. If you choose to make payment before an invoice is issued, please write the violation address on your check or money order.

If the citation is not appealed within 10 calendar days, you will receive an invoice from the City Treasurer's Office. Please follow the instructions on the invoice to ensure proper processing of your payment. If you do not pay the fine by the indicated due date, there is a 10% penalty fee. Payment of the fine shall not excuse the failure to correct the violation nor shall it bar further enforcement by the City.

Consequences of Failure to Pay the Fine

The failure of any person to pay the invoice within the time specified may result in a claim with the Small Claims Court or any legal remedy to collect such money. The City has the authority to collect all costs associated with the filing of such actions.

Rights of Appeal

You have the right to appeal this administrative citation when there is a fine indicated within 10 calendar days from the date the citation was issued. If the citation was mailed, the appeal must be made within 10 calendar days from the date the citation was mailed. An appeal must be made in writing to the address on the front of this citation and to the attention of the **Hearing Coordinator**. An appeal will result in an administrative hearing. The administrative hearing will follow the procedures set forth in Division 4, Article 2, Chapter 1 of the San Diego Municipal Code. The appeal must include the name, phone number and valid address of the person filing the appeal. **You are responsible for notifying the department of any change in address.**

Failure of any person to properly file a written appeal within 10 calendar days shall constitute a waiver of his or her right to an administrative hearing and adjudication of the administrative citation or any portion thereof and the total amount of the fine.

Administrative Costs

The Hearing Officer is authorized to assess reasonable administrative costs. Administrative costs may include, but are not limited to: staff time to investigate and document violations; laboratory, photographic, and other expenses incurred to document or establish the existence of a violation; scheduling and processing of the administrative hearing; and all related actions. Any determination that documented costs are not reasonable must be supported by written findings.

Consequences of Failure to Correct Violations

There are numerous enforcement options that can be used to encourage the correction of violations. These options include, but are not limited to: civil penalties, abatement, criminal prosecution, civil litigation, recording the violation with the County Recorder and forfeiture of certain State tax benefits for substandard residential rental property. These options can empower the City to collect fines up to \$400,000.00, to demolish structures or make necessary repairs at the owner's expense, and to incarcerate violators. Any of these options or others may be used if the administrative citations do not achieve compliance.

Exhibit B

Code Enforcement Case

Record Number: [CE-0525044](#)

Page 5 of 14

Recorded Date -
Land Doc Type -
Certificate of Occupancy -
HideMe -

WORKFLOW HISTORY

8/8/2023

Task: [Case Opened](#) Status: [Note](#) Due Date: [08/07/2023](#)
Staff: [Brian Anthony](#)

Comment: 8.08.2023 BRA - PRJ-1087445 has the building plans for the active permit. Property has been going through multiple permits including 2" water line upgrade and plans for 6 additional structures in the rear yard each containing two (1) one bedroom apartments.

Task: [Case Opened](#) Status: [Assigned](#) Due Date: [08/29/2023](#)
Staff: [Jahmal Robbins](#)

8/9/2023

Task: [Prep Research](#) Status: [Note](#) Due Date: [08/29/2023](#)
Staff: [Brian Anthony](#)

Comment: 8.9.2023 BRA - Phone call from [REDACTED] Neighbors are all upset about the development and she stated she heard the contractor talk about removing the garage and they want to confirm it is permitted. She was informed that Code Enforcement is just starting the research portion of the investigation and will either confirm the permits are valid.

Task: [Prep Research](#) Status: [Note](#) Due Date: [08/29/2023](#)
Staff: [Brian Anthony](#)

Comment: 8.09.2023 BRA - P/C from [REDACTED] complaint about potential development of 6 ADUs and 12 Units in rear of the property.

8/24/2023

Task: [Prep Research](#) Status: [Note](#) Due Date: [08/29/2023](#)
Staff: [Jahmal Robbins](#)

Comment: JAR-8.24.23- RP called stating that the PO was conducting construction in the rear of the property. I returned the RP phone call but there was no response.

Task: [Prep Research](#) Status: [Note](#) Due Date: [08/29/2023](#)
Staff: [Jahmal Robbins](#)

Comment: JAR-8.24.23- RP [REDACTED] called to notify me that active construction is being placed. RP stated that he will send a video. Based if the video is sent I will contact the PO to question what is being done at the site. Video will be saved to S Drive when obtained.

Task: [Prep Research](#) Status: [Note](#) Due Date: [08/29/2023](#)
Staff: [Jahmal Robbins](#)

Comment: JAR-8.24.23 RP [REDACTED] sent some videos and pictures and from the rear of the RP back yard it appears that the PO where the violation is has hired someone to cut down a tree in their backyard. Photos and videos saved to case folder

Task: [Prep Research](#) Status: [Note](#) Due Date: [08/29/2023](#)
Staff: [Jahmal Robbins](#)

Comment: JAR-8.24.23-I Called the PO of the property based off a video/photos the PO is taking down trees.

Task: [Prep Research](#) Status: [Note](#) Due Date: [08/29/2023](#)
Staff: [Michael Gomez](#)

Comment: MXG 8/24/23 Conducted a site inspection based on number of complainants and messages received off this property. Met with CEO Christian Spicer from SDRE Homes and CEO Jody Watkins of Vertical MVM. Explained to them no permits have been obtained to start work, lack of BMP's and heavy machinery on-site grubbing and moving dirt. Cease work because ESL on the property. Photos on S drive

8/25/2023

Task: [Prep Research](#) Status: [Note](#) Due Date: [08/29/2023](#)
Staff: [Michael Gomez](#)

Comment: MXG 8/25/23 ACW issued for discontinuance of work including grubbing, grading and demolition of garage without obtaining approvals and permits.

Exhibit C

From: [Gomez, Michael](#)
To: [Poston, Lisa](#)
Subject: FW: [EXTERNAL] Fwd: 4578 Jicarillo Ave PRJ-1087445
Date: Thursday, September 14, 2023 5:10:00 PM

FYI

From: Christian Spicer <christian.j.spicer@gmail.com>
Sent: Thursday, September 14, 2023 4:46 PM
To: Gomez, Michael <MEGomez@sandiego.gov>
Cc: Sennett, Leslie <LSennett@sandiego.gov>; Geiler, Gary <GGeiler@sandiego.gov>; Vergara, Jose <JVergara@sandiego.gov>; Jesse Leon <jesse@procaldesign.com>; Jody Watkins <jody@verticalmvmmt.com>
Subject: Re: [EXTERNAL] Fwd: 4578 Jicarillo Ave PRJ-1087445

****This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.****

Hello,
Hate to bother you guys again. But I have been verbally shut down by the city from a complaint.

This is starting to get very frustrating.

To put it plain and simple....

1. If the neighbors complain and you comply with their complaint they will KEEP CALLING!
2. Again I am not violating anything in the land development code by any means. Recompressing soil for concrete pour does not require a permit. If I am wrong please give me the code.
3. We were shut down without a code violation given. I have reached out to be given the code so I can solve it and I have yet to be informed of the code that we have violated.
4. The garage demo permit we have agreed to do a construction change once the permit is given to demo and reconstruct the garage back to original as requested.
5. I am only doing what I told you I was going to do which was take down the trees, take out the grub and recompress the soil. If I was digging my footings I would understand.
6. What if I dug my footings but told you it was for irrigation??? Im not doing that but come on guys work with me.

With this info, unless given proper information, I am telling my crew to start back up tomorrow am. I would appreciate it very much if you would call me vs just show up and try to shut me down while i am away.

My phone number is 619-368-9956.

I will not accept being shut down, and have given my contractor the green light to keep moving until we have been given a code case showing what we need to solve.

I know you guys are doing your job, and I assume that you will get this call throughout the whole

project. You guys know me. I am a respectful human being that works with you. I am a very knowledgeable developer that has treated you guys with the utmost respect. Can you please stop listening to the crazy neighbors and start working with me. Im not doing anything that violates any code. I am going to keep building throughout the city as I have 37 more projects to finish.

Jody,

Green light unless we have a code case and given official notice and my approval to stop. If they show up tomorrow, you hold them there till I show up. I leave at 2pm to go to arizona.

Thanks

Christian Spicer
Source Group Realty
BRE #01921619
619-368-9956
Christian.j.spicer@gmail.com

On Thu, Sep 7, 2023 at 2:42 PM Christian Spicer <christian.j.spicer@gmail.com> wrote:

Hey Michael,
I appreciate you bringing this to my attention. After reviewing I understand where you are coming from.

Once the plans come back from the city approved(that email from planning cleared the last bit of comments) we will do a construction change showing the garage removal and rebuild. We have already passed historical so this should be an easy change internally.

The existing structure is shored up and im happy to meet out there to show you if you would like for safety purposes.

Thank you. Happy to continue to help and work with you, just let me know what we can do.

Christian Spicer
Source Group Realty
BRE #01921619
619-368-9956
Christian.j.spicer@gmail.com

On Wed, Sep 6, 2023 at 11:58 PM Gomez, Michael <MEGomez@sandiego.gov> wrote:

Dear Mr. Spicer,

I hope this message finds you well. Firstly, I would like to bring to your attention the Administration Citation Warning (ACW) that was issued on August 25, 2023, for the property

located at 4578 Jicarillo Ave.

Due to the conditions set forth by the ACW, I regret to inform you that **no work is to commence** on the aforementioned property until all permits are obtained.

Secondly, it has come to my attention that the attached garage at the main residence has been demolished without obtaining the necessary approvals, permits and inspections. Such actions not only violate San Diego Municipal Codes but also raise safety concerns for the structure of the existing home. (see photo)

Your understanding and compliance with this directive is crucial to ensure that all procedures are followed and to avoid any potential fines or liabilities.

Should you have any questions or need further clarifications regarding the ACW, please do not hesitate to contact me. Thank you for your attention to this matter.

Best Regards,


Michael Gomez

Senior Combination Building Inspector

City of San Diego

Development Services Department /

Building Land Use Enforcement (BLUE)

 619-533-6265

megomez@[san-diego.gov](mailto:megomez@san-diego.gov)

SanDiego.gov/DSD

Want a second opinion on my interpretation, or need to contact my supervisor for further assistance?

Supervisor name and title:

Lisa Poston / Program Manager

Phone: 619-236-7706

Email: lposton@san-diego.gov

What's the latest? Visit san-diego.gov/dsd-email to sign up to get the latest news and updates.

Need to know current processing times? You can now check on [permit processing timelines](#) for intake and issuing a permit.

CONFIDENTIAL COMMUNICATION

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From: Christian Spicer <christian.j.spicer@gmail.com>

Sent: Wednesday, September 6, 2023 7:11 PM

To: Sennett, Leslie <LSennett@sanidiego.gov>; Gomez, Michael <MEGomez@sanidiego.gov>

Cc: Geiler, Gary <GGeiler@sanidiego.gov>; Vergara, Jose <JVergara@sanidiego.gov>; Jesse Leon <jesse@procaldesign.com>; Jody Watkins <jody@verticalmvmmt.com>

Subject: Fwd: [EXTERNAL] Fwd: 4578 Jicarillo Ave PRJ-1087445

****This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.****

Leslie/ Michael/ Jose,

Just wanted to let you know the update. My boys are back on the ground tomorrow. We responded to the issues he brought up with explanations and exemptions you can see. I warned that I would start back up from the illegal shut down tomorrow am if no response was given to why I cannot restart in the emails below. Expect phone calls from the neighbors etc. But as I have said before.... we are cutting down trees in preparation for the work that will commence and I dont need a permit to do so. We are not affecting the ESL as we are building over 30 feet from the fence and not affecting the ESL behind the fence.

The neighbors are going to hoot and holler but what I am doing is by right and if I was doing landscaping on this property you could not shut me down.

Please dont appeal to them. They have threatened me, lied to you about me continuing to work on site when I wasnt etc. I get it.... I truly do as I live in Clairemont myself. Jose tried to throw every obstacle he could at us(and jose I know why because of the intense pressure those neighbors are giving you- I dont blame you- you have a job to do)... but the faster I can get in and out of this neighborhood the better.

I do appreciate all of you and I know you have a crazy intense job appealing to the public and also trying to appeal me at the same time and thats impossible. Just remember I am easy to work with, will listen and work with you to help mitigate the neighbors as much as possible. Please dont punish me because Karen next door(yes thats her name- no irony there) has nothing better to do but complain to you.

I promise I will just remove the trees and grub, compact the soil in preparation for my build. We should be submitting the last final review tomorrow and should not have any issues pulling inspections.

My cell number is below. The CEO of the construction company is Jody Watkins and his cell number is 760-908-5541.

Call me and lets chat if there is anything I can help you with the neighbors. We will work with you as long as we dont get stopped again. I lost over 10K to this and cant afford anymore.

Thank you for your time.

Christian Spicer
Source Group Realty
BRE #01921619
619-368-9956
Christian.j.spicer@gmail.com

----- Forwarded message -----

From: **Vergara, Jose** <JVergara@sanidiego.gov>
Date: Wed, Sep 6, 2023 at 11:55 AM
Subject: RE: [EXTERNAL] Fwd: 4578 Jicarillo Ave PRJ-1087445
To: Christian Spicer <christian.j.spicer@gmail.com>, Jesse Leon <jesse@procaldesign.com>

Hello,

I'm currently reviewing the documents and aim to have an answer by the end of the day.

Best,

Jose Vergara
Junior Planner
City of San Diego
Development Services Department
(619) 687-5922
jvergara@sanidiego.gov

From: Christian Spicer <christian.j.spicer@gmail.com>
Sent: Tuesday, September 5, 2023 7:35 PM
To: Jesse Leon <jesse@procaldesign.com>
Cc: Vergara, Jose <JVergara@sanidiego.gov>
Subject: Re: [EXTERNAL] Fwd: 4578 Jicarillo Ave PRJ-1087445

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Jose,
Can you please respond? I'm losing 1k a day right now with the equipment sitting on the property that I'm being stopped for no reason. I'm going to give them the green light for Thursday unless I hear otherwise because I don't think I'm violating anything and I think this

stop is not legal. I just want to get my project done asap and get out of that neighborhood.

Please help!

On Fri, Sep 1, 2023 at 3:39 PM Jesse Leon <jesse@procaldesign.com> wrote:

Jose,

Did you have a chance to take a look at this? We are hoping to get the landscape company back out on Tuesday to remove the trees and clean up the site. Not going anywhere close to the back fence line. If you could let me know that we are correct and can proceed with removing the trees since we don't need a permit for that.

Thank you,
Jesse Leon

On Fri, Sep 1, 2023 at 6:36 AM Jesse Leon <jesse@procaldesign.com> wrote:

Good Morning Jose,

There are two issues on this project. One being the stop work order for removing trees. I know that isn't your department and have nothing to do with it, but removing the trees my client is removing should not trigger any violations. Attached is a picture of the trees being removed on the property for the build that is coming up. I'm not sure if any email from you saying there is no issue would help clear the violation, but just seeing what can be done.

The 2nd item is the ESL. Below was the first email you sent me with the comments on the property. These pretty much coincide with the new comment list. The new comment list is just expanded. I have attached the updated plans showing the zone 1 and zone 2 areas on the landscape. Planning, landscape, and fire are all going to look at this one and have to be in unison. Fire shouldn't have any issues as we have a 40' wide zone 1. They may require alternative measures on the building, which wouldn't impact anything for planning. Landscape will defer to fire and yourself. From planning they are going to confirm our zone 1 is okay. Per the exemptions SDMC 143.0110(c), section e Locate development in a legally graded or developed portion of the premises separated from environmentally sensitive lands by an existing fence or other physical barrier, this would put our zone 1 up to the fence line and zone 2 behind it. We still have minor structural updates to do, but will be resubmitting shortly. Could you please let me know if you want to see any additional items on the plans. The overhead image I attached is pretty clear that nothing is going on in the back yard up to the fence line regarding ESL.

Hello,

Thank you for reaching out, I was unaware of the issues affecting EPR and the comments page.

The initial comments were the following:

1.) Subject property is outside of the Transit Priority Area and falls in the RS-1-7 zone. Per section 141.0302(2)(G)(ii), one bonus ADU is permitted outside a transit priority area. As a result, the proposed work to construct 12 ADUs—6 market rate and 6 deed-restricted—is not permitted. Please revise plans, update scope of work to reflect conformance with SDMC.

2.) On the site plan, show the full extent of the property. Show and label all the required yards: front, sides, and rear.

3). Please show and label the existing fence that will remain.

Disregard the first comment, as the subject property is now in the Sustainable Development Area and can utilize the Bonus ADU ordinance.

Please do address the following comments, as internal records show potential sensitive vegetation on site.

Thank you for reaching out and reach out again if you experience additional issues.

Best,

Jose Vergara
Junior Planner
City of San Diego
Development Services Department
(619) 687-5922
jvergara@sandiego.gov

On Wed, Aug 30, 2023 at 1:36 PM Vergara, Jose <jvergara@sandiego.gov> wrote:

Hello Christian,

City records show that previous building permit PTS#131396 established BMZ Zone 1 and Zone 2. As proposed, the development does not meet the exemptions for an NDP, as the Project would encroach into environmentally sensitive lands during or after construction, and would expand brush management Zone One into environmentally sensitive lands per SDMC section 143.0110(c)(2)(A). As it stands, the project would expand the brush management Zone One into environmentally sensitive lands and expand the proposed development area into environmentally sensitive lands in accordance with SDMC section 143.0110(c)(2).

It must be noted that at the initial review of this project, the subject property was outside of the Transit Priority Area (TPA) and the Sustainable Development Area (SDA) was not yet implemented. As a result, the proposed development was not allowed. That changed with the passing of SDA in early May which resulted in the property inside of an SDA. With the implementation of SDA, a second review of

the project was completed, and the new comments are reflected and are accessible via Accela, in addition, I've attached the most recent comments. Please be sure to address the most recent round of comments when resubmitting. Please reach out for any additional questions or if you would like to meet to discuss.

Best,

Jose Vergara

Junior Planner
City of San Diego
Development Services Department
(619) 687-5922
jvergara@san Diego.gov

From: Christian Spicer <christian.j.spicer@gmail.com>

Sent: Tuesday, August 29, 2023 5:29 PM

To: Vergara, Jose <JVergara@san Diego.gov>

Cc: Geiler, Gary <GGeiler@san Diego.gov>; Jesse Leon <jesse@procaldesign.com>

Subject: Re: [EXTERNAL] Fwd: 4578 Jicarillo Ave PRJ-1087445

****This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.****

Thank you Jose,

I just spoke with the designer and it will be tomorrow or thursday worst case scenario. I really just need to get rid of the stop work order notice which I believe is a fault of nothing I have done wrong as I don't need permits to remove trees but as a fault of pressure by the neighbors who have told me that they will do anything to stop my build. I just would like to get this job going and done asap so I don't have to deal with the neighbors anymore.

Please help.

Thanks

Christian Spicer
Source Group Realty
BRE #01921619
619-368-9956
Christian.j.spicer@gmail.com

Exhibit D



MAILED

SEP 15 2023

BUILDING AND LAND USE
ENFORCEMENT DIVISION

September 15, 2023

CIVIL PENALTY NOTICE AND ORDER

Location: 4578 Jicarillo Avenue, San Diego, CA 92117

APN No.: 359-331-05-00

**Property Owner/
Responsible Person:
Address:** 4578 Jicarillo Avenue, B, LLC
PO Box 624
Solana Beach, CA 92075

**Property Owner/
Responsible Person:
Agent for Service:
Address:** 4578 Jicarillo Ave B, LLC
Daniel Forde
3033 Fifth Avenue, Suite 400
San Diego, CA 92013

Zoning Designation: RS-1-7, Sensitive Vegetation, Steep Slopes, Clairemont Mesa
height Limit Overlay Zone,

You are hereby notified that the property identified above is in violation of the San Diego Municipal Code (SDMC). On **August 25th, August 30th and September 11, 2023**, the following violations were observed at the property and must be corrected:

- Unpermitted demolition of the garage.
- Unpermitted addition of a mini-split air conditioning system to the main house.
- Unpermitted electrical modification to facilitate the use of the mini-split system.
- Unpermitted gas line modifications.
- Conducted unpermitted grading activities on a steep hillside, consisting of excavation greater than 5 feet vertically, and altering drainage patterns without a grading permit.
- The areas of impact are adjacent to AND within Environmental Sensitive Lands (ESL).
- Failure to install and maintain storm water Best Management Practices (BMPs) and erosion control measures.
- 40 cubic yard dumpsters have been placed in the Public Right-of-Way without required permits.

These are violations of the following code section(s):

<u>Code Section</u>	<u>Violation Description</u>
• SDMC §129.0202	When a Demolition/Removal Permit is Required
• SDMC §129.0202	When a Building Permit is Required
• SDMC §129.0402	When a Plumbing/Mechanical permit is required.
• SDMC §129.0602	When a Grading Permit is Required
• SDMC §142.0103	When a Permit Is Required for Grading
• SDMC §142.0144	Grading Within Environmentally Sensitive Lands (ESL)
• SDMC §142.0147	Revegetation Requirements
• SDMC §142.0146	Erosion, Sedimentation and Water Pollution Control (Storm Water)
• SDMC §143.0112	Authorization Required Prior to Submittal of Required Development Permit(s)
• SDMC §§121.0202–121.0203	provides the authority regarding enforcement of the Land Development Code.
• SDMC §121.0302	requires compliance with the Land Development Code, specifies these violations are not permitted, and provides authority for the abatement of public nuisances.

If you correct the above violations as identified below, you will not be subject to any administrative civil penalties.

In order to avoid administrative civil penalties, you must correct the violations by as follows:

IMMEDIATELY:

- **CEASE ALL UNPERMITTED WORK.** Including grading, compaction, earth moving, building and Public-Right-of -way storage of construction materials and equipment.

By September 29, 2023, or prior to a rain event, should one occur:

- Install all necessary erosion and sedimentation control measures, incorporating storm water Best Management Practices (BMPs), necessary to protect all exposed slopes and pads. These BMPs must eliminate the potential for a discharge of sediments and other pollutants in and adjacent to native habitat and properties. BMPs must be maintained until the exposed soils and slopes are stabilized.
- Contact **Jahmal Robbins, Zoning Investigator** at (619)687-5966 to schedule for inspection of BMPs.

By January 31, 2024:

- Obtain required Grading Permit(s) to restore OR keep unpermitted work and successfully complete all the required permit field inspections and receive final inspection.
- Obtain required Electrical Permit and successfully complete all required inspections.
- Obtain required Plumbing/Mechanical Permit(s) and successfully complete all required inspections.
- Obtain required demolition permit and complete all required inspections.

General application, project plans, scope of work etc., shall reference this Civil Penalty Notice and Order and case number 0525044.

All applications for permits must be submitted online. Please go to <https://www.sandiego.gov/development-services> and click on apply for a permit online. Be advised that Building and Land Use Enforcement Division will be reviewing the submitted plans for enforcement compliance.

Reinspection fees are assessed for each inspection after the issuance of a violation notice in accordance with the SDMC §13.0103. An invoice will be sent following each inspection until compliance is achieved. Current reinspection fees range between \$264 and \$295.

Please refer to the San Diego Municipal Code sections cited for additional information via <https://www.sandiego.gov/city-clerk/>.

Additional forms and documents to assist in your compliance efforts are available at: <https://www.sandiego.gov/ced/forms>.

Failure to Comply with Notice and Order

If you fail to comply with this Notice and Order in the time and manner set forth above, you are subject to civil administrative penalties pursuant to SDMC §§12.0801–12.0810. The penalty rate for the above listed violation(s) has been established in accordance with SDMC §§12.0801–12.0810 at **\$1,000.00** per violation per day and shall be an ongoing assessment of penalties at the daily rate until the violations are corrected. Administrative civil penalty amounts are established by the Development Services Director.

The following factors were used in determining the amount:

- the duration of the violation
- the nature and seriousness of the violation
- whether the offense impacted environmentally sensitive lands
- the willfulness of Responsible Person's misconduct

Page 4
Civil Penalty Notice and Order
4578 Jicarillo Avenue
September 15, 2023

- the impact of the violation upon the community

Pursuant to SDMC §12.0805(a), in determining the date on which civil penalties shall begin to accrue, the Development Services Director considers the date when the Building Land Use Enforcement Division first discovered the violations as evidenced by the issuance of a Notice of Violation or any other written correspondence. The date on which the civil penalties began to accrue is **September 11, 2023**, and shall end on the date that the violation(s) has been corrected to the satisfaction of the Development Services Director or the Enforcement Hearing Officer.

Civil Penalties Hearing

If you fail to comply with the Notice and Order, written notice of the time and place of an administrative enforcement hearing will be served on you at least 10 calendar days prior to the date of the hearing in accordance with SDMC §12.0403. At the hearing, you may present evidence concerning the existence of the violation(s) and whether the amount of administrative civil penalties assessed was reasonable in accordance with SDMC §12.0808. Failure to attend an administrative enforcement hearing will constitute a waiver of your rights to an administrative hearing and administrative adjudication of the violation(s) set forth above.

Administrative Costs

The Development Services Director or Enforcement Hearing Officer is authorized to assess administrative costs. Administrative costs may include but are not limited to: staff time to investigate and document violations; laboratory, photographic, and other expenses incurred to document or establish the existence of a violation; and scheduling and processing of the administrative hearing and all actions.

Failure to Comply with Administrative Enforcement Order

If you fail, neglect, or refuse to obey an order to correct the violations, administrative civil penalties will continue to accrue on a daily basis until the violation is corrected. The unpaid amount of administrative civil penalties will be referred to the City Treasurer for collection, recorded as a code enforcement lien against the property in accordance with SDMC §§13.0201-13.0204, and may be referred to the City Attorney to file a court action to recover the unpaid amount. Failure to correct the violations may also result in referral to the City Attorney for further enforcement action.

If you have any questions concerning this Notice and Order, or to schedule a compliance inspection, please contact **Jahmal Robbins, Zoning Investigator**, at (619) 687-5966 or email at jarobbins@sanidiego.gov OR **Michael Gomez, Senior Combination Building Inspector**, at (619)533-6265 or email at megomez@sanidiego.gov.

MXG/JAR/mmb

Case No. 0525044

Cc: SDRE Home Buyers
Attn: Christian Spicer
4901 Morena Boulevard, Suite 601
San Diego, CA 92117

This information will be made available in alternative formats upon request.

0525044_4578_JicarilloAv_blue105_J.Robbins

Exhibit E

January 24, 2024

Revised CIVIL PENALTY NOTICE AND ORDER

Location: 4578 Jicarillo Avenue, San Diego, CA 92117

APN No.: 359-331-05-00

**Property Owner/
Responsible Person:
Address:** 4578 Jicarillo Ave B LLC
4578 Jicarillo Ave
San Diego, CA 92117

**Property Owner/
Responsible Person:
Address:** 4578 Jicarillo Ave B, LLC
PO Box 624
Solana Beach, CA 92075

**Property Owner/
Responsible Person:
Address:** 4578 Jicarillo Ave B LLC
4901 Morena Boulevard #601
San Diego CA 92117

**Property Owner/
Responsible Person:
Agent for Service:
Address:** 4578 Jicarillo Ave B LLC
Daniel Ford
3033 Fifth Avenue, Suite 400
San Diego CA 92103

Zoning Designation: RS-1-7, Slopes 25% or greater, Sensitive Vegetation

You are hereby notified that the property identified above is in violation of the San Diego Municipal Code (SDMC). On August 25th, August 30th, September 11, and December 18, 2023 the following violations were observed at the property and must be corrected:

- Encroachment in environmentally sensitive lands.

- Unpermitted demolition of the garage.
- Unpermitted addition of a mini-split air conditioning system to main house.
- Unpermitted electrical modifications to facilitate the use of the mini-split system
- Unpermitted gas line modifications.
- Conducting unpermitted grading activities on a steep hillside, consisting of excavation greater than five vertically, and altering drainage patterns without a grading permit.
- Failure to install and maintain storm water Best Management Practices (BMPs) and erosion control.
- 40 cubic yard dumpsters have been placed in the Public Right-of-Way without required permits.

This is a violation of the following code section(s):

Code Section	Violation Description
--------------	-----------------------

- | | |
|----------------------------|---|
| SDMC §126.0502 | - When a Site Development Permit is required. |
| SDMC §129.0202 | - When a Demolition/Removal Permit is Required. |
| SDMC §129.0202 | - When a Building Permit is Required. |
| SDMC §129.0402 | - When a Plumbing/Mechanical permit is required. |
| SDMC §143.0110 | - When Environmentally Sensitive Lands Regulations Apply. |
| SDMC §129.0602 | - When a Grading Permit is Required. |
| SDMC §142.0103 | - When a Permit Is Required for Grading. |
| SDMC §142.0147 | - Revegetation Requirements. |
| SDMC §142.0146 | - Erosion, Sedimentation and Water Pollution Control (Storm Water) |
| SDMC §143.0112 | - Authorization Required Prior to Submittal of Required |
| Development Permit(s). | |
| SDMC §§121.0202 - 121.0203 | provides the authority regarding enforcement of the Land Development Code. |
| SDMC §121.0302 | requires compliance with the Land Development Code, specifies these violations are not permitted, and provides authority for the abatement of public nuisances. |

If you correct the above violations as identified below, you will not be subject to any administrative civil penalties.

In order to avoid administrative civil penalties, you must correct the violations by as follows:

IMMEDIATELY:

CEASE ALL UNPERMITTED WORK. Including grading, compaction, earth moving, building and Public-Right-of-Way storage of construction materials and equipment.

Prior to a rain event, should one occur:



Civil Penalty Notice and Order
4578 Jicarillo Avenue
January 24, 2024

- Install all necessary erosion and sedimentation control measures, incorporating storm water Best Management Practices (BMPs), necessary to protect all exposed slopes and pads. These BMPs must eliminate the potential for a discharge of sediments and other pollutants in and adjacent to native habitat and properties. BMPs must be maintained until the exposed soils and slopes are stabilized.
- Contact Jahmal Robbins, Zoning Investigator at (619) 687-5966 to schedule for inspection of BMPs.

By July 22, 2024:

- Obtain required Site Development Permit.
- Obtain required demolition permit and complete all required inspections.
- Obtain required Electrical Permit and successfully complete all required inspections.
- Obtain required Plumbing/Mechanical Permit(s) and successfully complete all required inspections.
- Obtain required Grading Permit(s) to restore OR keep unpermitted work and successfully complete all the required permit field inspections and receive final inspection.

General application, project plans, scope of work etc., shall reference this Civil Penalty Notice and Order and case number 0525044.

All applications for permits must be submitted online. Please go to <https://www.sandiego.gov/development-services> and click on apply for a permit online. Be advised that Building and Land Use Enforcement Division will be reviewing the submitted plans for enforcement compliance.

Reinspection fees are assessed for each inspection after the issuance of a violation notice in accordance with the SDMC §13.0103. An invoice will be sent following each inspection until compliance is achieved. Current reinspection fees range between \$264 and \$295.

Please refer to the San Diego Municipal Code sections cited for additional information via <https://www.sandiego.gov/city-clerk/>.

Additional forms and documents to assist in your compliance efforts are available at: <https://www.sandiego.gov/ced/forms>.

Failure to Comply with Notice and Order

If you fail to comply with this Notice and Order in the time and manner set forth above, you are subject to civil administrative penalties pursuant to SDMC §§12.0801-12.0810. The penalty rate for the above listed violation(s) has been established in accordance with SDMC §§12.0801-12.0810 at \$200.00 per violation per day and shall be an ongoing



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Civil Penalty Notice and Order

4578 Jicarillo Avenue

January 24, 2024

assessment of penalties at the daily rate until the violations are corrected. Administrative civil penalty amounts are established by the Development Services Director.

The following factors were used in determining the amount:

- the nature and seriousness of the violation
- whether the offense impacted environmentally sensitive lands
- the good faith effort by the Responsible Person to comply
- the impact of the violation upon the community
- any other factors that justice may require

Pursuant to SDMC §12.0805(a), in determining the date on which civil penalties shall begin to accrue, the Development Services Director considers the date when the Building Land Use Enforcement Division first discovered the violations as evidenced by the issuance of a Notice of Violation or any other written correspondence. The date on which the civil penalties began to accrue is September 11, 2023 and shall end on the date that the violation(s) has been corrected to the satisfaction of the Development Services Director or the Enforcement Hearing Officer.

Civil Penalties Hearing


If you fail to comply with the Notice and Order, written notice of the time and place of an administrative enforcement hearing will be served on you at least 10 calendar days prior to the date of the hearing in accordance with SDMC §12.0403. At the hearing, you may present evidence concerning the existence of the violation(s) and whether the amount of administrative civil penalties assessed was reasonable in accordance with SDMC §12.0808. Failure to attend an administrative enforcement hearing will constitute a waiver of your rights to an administrative hearing and administrative adjudication of the violation(s) set forth above.

Administrative Costs

The Development Services Director or Enforcement Hearing Officer is authorized to assess administrative costs. Administrative costs may include but are not limited to: staff time to investigate and document violations; laboratory, photographic, and other expenses incurred to document or establish the existence of a violation; and scheduling and processing of the administrative hearing and all actions.

Failure to Comply with Administrative Enforcement Order

If you fail, neglect, or refuse to obey an order to correct the violations, administrative civil penalties will continue to accrue on a daily basis until the violation is corrected. The unpaid amount of administrative civil penalties will be referred to the City Treasurer for collection, recorded as a code enforcement lien against the property in accordance with SDMC §§13.0201-13.0204, and may be referred to the City Attorney to file a court action to recover the unpaid amount. Failure to correct the violations may also result in referral to the City Attorney for further enforcement action.

Photo 

Done

Page 5
Civil Penalty Notice and Order
4578 Jicarillo Avenue
January 24, 2024

If you have any questions concerning this Notice and Order, or to schedule a compliance inspection, please contact Jahmal Robbins, Zoning Investigator, at (619) 687-5966 or email at jarobbins@sanidiego.gov OR Micheal Gomez, Senior Combination Building Inspector at (619) 533-6265 or email at megomez@sanidiego.gov

JMS/JAR/ao

CE# 0525044

This information will be made available in alternative formats upon request.

0525044_4578_JicarilloAv_Revised_blueprint_J.Robbins



Exhibit F

Christian Spicer discovered accessory dwelling units after a fortuitous encounter with a city inspector, and it led to a new line of business. Sandy Huffaker for The New York Times

Christian Spicer, 34, began his real estate career in the throes of the Great Recession, when millions of families were being foreclosed on and investors were buying homes on courthouse steps. He was the guy who showed up at people's doors to tell them, in the nicest way possible, that their property belonged to someone else and that they had to work out a rental agreement or find another place to live.

Mr. Spicer is a mellow presence who speaks in a voice that could get him cast in a movie about people who like to get high and surf ("I'm definitely on the chill vibe of things"). But he is also 6-foot-3 and 250 pounds. The home buyers he worked for during the recession thought this made him a good candidate for house calls — in case anyone got mad, which of course people often did. Most of the time this manifested in a profane version of the words "screw you," but once someone stabbed him in the arm with a pen. He went to his next appointment in a bloody shirt.

"It didn't feel great," Mr. Spicer said of the job. "The fun part was now I got to go in and turn the unit. I got to decide the color of the cabinets and clean it up, put the flooring in, and I'd have this product I was proud to go and lease."

His professional life has ever since been dictated by a cold calculation of which sorts of properties are generating the best returns for his investors. He was part of the national frenzy to turn foreclosures into single-family rentals. After the housing bust, when the economy and the real estate business improved, he shifted toward house flips and "value-add" apartment deals, a euphemism for buying a run-down complex, clearing out the tenants, then renovating and raising the rent.

It's an equation of risk versus profit: In a world in which the need for housing is high but it's hard to build, upscaling properties is a safer way to make money than trying to develop new ones.

Mr. Spicer discovered backyard units after a serendipitous encounter with a city inspector. The inspector came by to check the electrical work at a house he was renovating (and planned to flip), then busted him for tearing out the kitchen without a permit. Mr. Spicer had to pay a year of extra mortgage payments while the work was stalled for city approval. During the wait, a drafter he had hired suggested that he convert the detached garage into a separate unit, which would increase the purchase price.

It was so easy to build and the permitting so fast, Mr. Spicer said, he followed the returns to a new line of business. Now, for the first time in his career, he is trying to make money by building new housing instead of by making existing housing more expensive.

Delivering Apartments on a Truck

The accessory dwelling unit at 5120 Baxter Street. Sandy Huffaker for The New York Times

During a visit to some of his projects, Mr. Spicer drove around town in a dusty black Tesla that had uncashed checks scattered around the center console. Dressed in shorts and a T-shirt, he played a version of an HGTV host, taking me through recently purchased houses and using a mix of imagination and finger points to explain how, with a wall here and door there and two units back there, the rental value could be multiplied several times over.

Instead of hunting for easy house flips, Mr. Spicer said, he's on the lookout for homes on abnormally large lots with a flat, neglected yard that is primed to start building on. Anything with a pool is out of the question, he said. A home with an elaborate garden can work but costs extra to rip out.

"If it's all dirt back there, that's the golden ticket," he said.

Mr. Spicer's turn of fortune was a byproduct of California's efforts to fill its housing shortage. Over the past five years the Legislature has passed a half-dozen laws that make it vastly easier to build accessory dwelling units (A.D.U.s) — a catchall term for homes that are more colloquially known as in-law units and granny flats.

Cities have lost most of their power to prevent backyard units from being built, and state legislators have tried to speed construction by reducing development fees, requiring cities to permit them within a few weeks and prohibiting local governments from requiring dedicated parking spots. In contrast to the battles over S.B. 9 — this year's duplex law, which was branded a bill of "chaos" that would "destroy neighborhoods" and be "the beginning of the end of homeownership in California" — the A.D.U. laws passed with no comparable controversy.

"'Granny units' doesn't sound intimidating," said Bob Wieckowski, a state senator from the Bay Area city of Fremont, who has passed three A.D.U. bills since 2016.

Last year, San Diego's City Council voted unanimously to expand on state law by allowing bonus units, sometimes as many as a half-dozen per lot, if a portion are set aside for moderate-income households. Development has exploded on cue.

California cities issued about 13,000 permits for accessory units in 2020, which is a little over 10 percent of the state's new housing stock and up from less than 1 percent eight years ago. The effect is already visible throughout Southern California: four-unit buildings rising behind one-story bungalows; prefabricated studio apartments being hoisted into backyards via crane; blocks where a new front-yard apartment sits across the street from a new backyard apartment down the way from a new side-yard apartment.

In response to the new legislation, entrepreneurs have started a host of companies that specialize in helping people plan, design and build backyard units and the coming wave of duplexes. Venture capitalists have put hundreds of millions of dollars into start-ups like Abodu, which is based in Redwood City, Calif., and builds backyard units in a factory, then delivers them on a truck. Until recently, their business was driven by homeowners building A.D.U.s on their property. But over the past year there has been a surge in interest from upstart developers like Mr. Spicer, according to interviews with planners, lenders and contractors.

Scrawled across a whiteboard in Mr. Spicer's office, just past three Red Bull-quaffing employees who sit in front of double-screen computers searching for property and managing renovations, was a list of 32 new units that were finished or being worked on. That's the equivalent of a midsize apartment building. Except

unlike a midsize apartment building, which could take years of permitting and environmental reviews before construction even started, Mr. Spicer's projects require about the amount of bureaucracy of a kitchen and bath remodel.

His company bought 5120 Baxter Street for \$700,000. He estimates the house would rent for \$3,300 a month with a few renovations. Instead he spent about \$400,000 building the new units and splitting the house, and believes he will get between \$9,000 and \$10,000 a month in rent across the property.

That return would increase the property's value to about \$1.7 million. The price would be galling to an aspiring homeowner who might have outbid another family before losing to Mr. Spicer and now feels cheated out of the American dream. But of course the 10 to 12 people who move in are unlikely to think the world would be better off if their homes had remained dirt and only one family lived there. Housing is complicated.

Neighbors for a Better San Diego

No backyard apartment buildings.

Exhibit G



Chatten-Brown Law Group, APC

Kathryn Pettit | Associate
325 W. Washington Street, Suite 2193
San Diego, CA 92103
kmp@chattenbrownlawgroup.com
Phone: (619) 393-1440

September 12, 2023

Via email

Director Elyse Lowe (ELowe@sandiego.gov)
Development Services Department
1222 First Ave
San Diego, CA 92101

Re: Proposed Project and Unpermitted Development at 4578 Jicarillo Avenue

Dear Ms. Lowe:

We represent Friends of Bayho in relation to the proposed project at 4578 Jicarillo Avenue in the Bayho neighborhood of San Diego (“the Project”). Friends of Bayho is comprised of over thirty families from the community.

Friends of Bayho spoke with two representatives of Mayor Todd Gloria’s office at the Clairemont City Hall this past Thursday, on September 7, 2023 to apprise them of the Project and the applicant SDRE Homebuyer’s behavior in relation to the Project. This includes the commencement of construction without necessary permits on a site with Environmentally Sensitive Lands (“ESL”). Mayor Gloria’s representatives, Kohta Zaiser and Christopher Ackerman-Avila, agreed that SDRE Homebuyers has acted inappropriately. Yesterday, we received another update that SDRE Homebuyers is *still* developing beyond their permits.

Friends of Bayho also discussed the Project with Councilmember Jenn Campbell, who indicated she did not support the Project, and that this type of Project was not her intention in recent related votes.

We request consideration of the comments below and swift corrective action of the deficiencies identified. These deficiencies include:

- Applicant SDRE Homebuyer’s failure to obtain all necessary permits from the City of San Diego (“City”);
- Presence of ESL on the site, which includes and abuts canyon lands, and SDRE Homebuyer’s failure to comply with the City’s ESL regulations;
- The Project site is not located in a Sustainable Development Area; and
- The Project’s failure to provide the required 100-foot Fuel Modification Zone and inappropriate request for alternative compliance.

Thank you very much in advance for your consideration of these comments.

I. Background

SDRE Homebuyers (“SDRE”) recently purchased the lot at 4578 Jicarillo Avenue, San Diego, CA 92117, which features one home on the rim of a canyon.



Image of site from ParcelQuest

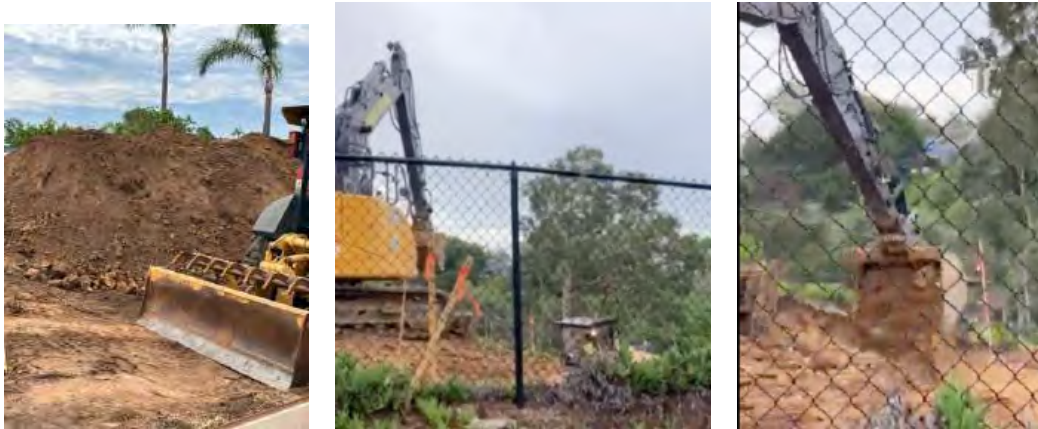
SDRE applied for a Combination Building Permit (Record PMT-3209901), initially for the addition of six ADUs and six moderate income ADUs to the existing home, under the City’s Bonus ADU program. On August 11, 2023, the application was updated with a “Scope Clarification,” stating, “Combination Permit for an addition to an existing 1-story single dwelling unit and the construction of (4) detached 2-story buildings, each with 2 ADUs, deck and and [sic] exterior stairs.”

Friends of Bayho was informed that at the time SDRE purchased the site, it represented to the seller and community it would only construct one ADU. Therefore, when SDRE requested an easement to use the neighboring parcel for construction, and revealed its true construction plans to the neighbor, the neighbor refused.

In response, SDRE bulldozed the garage and began construction before final approval of the Project. We have been informed that SDRE destroyed vegetation and mature trees in the backyard, which was unimproved and part of the canyon.

Friends of Bayho contacted City enforcement. The Record Status (Record CE-0525044) indicates Active Enforcement. Our firm called and confirmed that SDRE began construction without all final approvals. We were told the Project is in the approval process, and has not been approved or denied, but the applicant would be allowed to do “light landscaping,” with the rationale that they would be able to perform light landscaping on their own property regardless.

Yesterday, on September 11, 2023, Friends of Bayho notified us that SDRE yet again commenced unpermitted development, including the use of earth moving equipment. This was confirmed by the two investigators on the case. The work went well beyond the “light landscaping” SDRE was allowed to perform.



Photos taken on September 11, 2023, canyon shown in background of two photos on the right

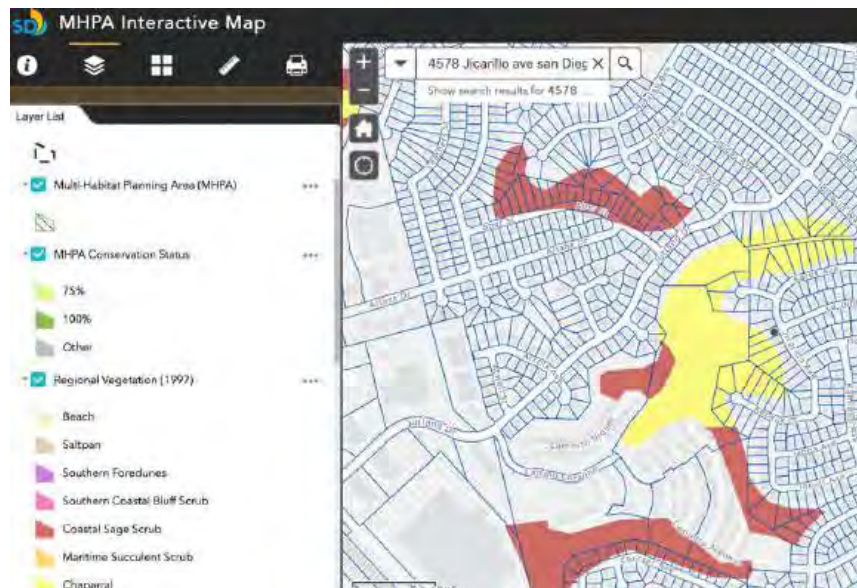
We request an update on the status of the enforcement and investigation, status of environmental review of the Project, a copy of the City cycle review comments, and a copy of the current site plans.

II. The Project Must Comply with the City’s Environmentally Sensitive Lands Regulations

Under San Diego Municipal Code (“SDMC”) Section 143.0110, the City’s environmentally sensitive lands regulations apply when “any portion of the premises” contains “[s]ensitive biological resources.”

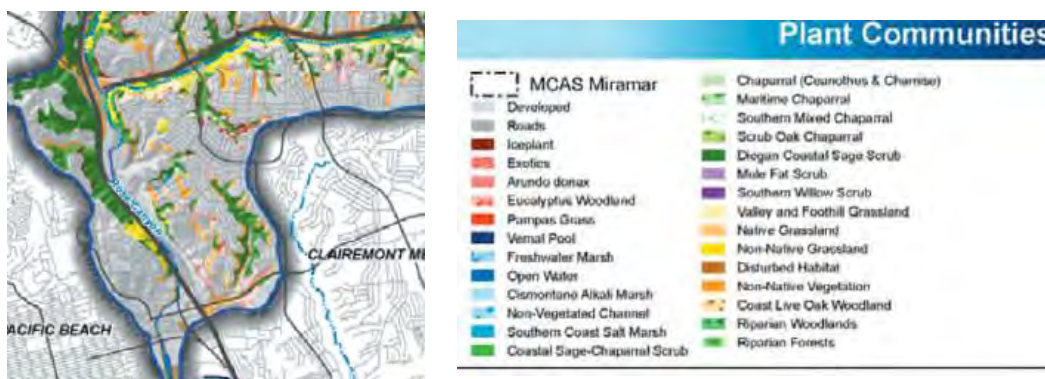
Multiple sources have indicated the presence of sensitive biological resources (and thus, ESL) on the site. The Project’s applications on the City Citizen Access Portal admit the presence of sensitive vegetation or potential sensitive vegetation. Likewise, the City’s Zoning and Parcel Information Portal (ZAPP) indicates “Yes” for “Sensitive Vegetation” on the site. Parcel Quest reports “scrub and chapparal” on the site. (**Exhibit A.**)

Additionally, the City’s own Multi-Habitat Planning Area (“MHPA”) maps report chapparal on the site, as well as coastal sage scrub within the same canyon system.



City MHPA Interactive Map, site indicated with small black circle.¹

Further, a Rose Canyon Watershed report prepared for San Diego Earthworks maps Coastal Sage-Chaparral Scrub right near/on the site.²



The report also notes the presence of the federally protected California Gnatcatcher in the Rose Creek watershed, supporting reports to the City of the presence of gnatcatchers on sites along the canyon rim, including the Project site.³ Gnatcatcher habitat includes coastal sage-chaparral scrub, which Parcel Request reported as existing on the site. (Id. at p. 95, see Exhibit A.)

¹<https://webmaps.sandiego.gov/portal/apps/webappviewer/index.html?id=d77da895df084249b1ae7a2c10794470>.

² http://www.rosecreekwatershed.org/docs/oppassessment/RCW_Chap3.pdf, at p. 9.

³ http://www.rosecreekwatershed.org/docs/existing_conditions/RCW_Existing_Conditions.pdf, at pp. 19, 90.

San Diego Municipal Code Section 143.0113 requires the following:

In connection with any permit application for development on a parcel, the applicant shall provide the information used to determine the existence and location of environmentally sensitive lands in accordance with Section 112.0102(b).

Based on a project-specific analysis and the best scientific information available, the City Manager shall determine the existence and precise location of environmentally sensitive lands on the premises.

(SDMC §143.0113, subd. (a), (b).)

There are various further requirements in respect to the protection of ESL, which must be applied to this site. This includes the following requirement:

All development occurring in sensitive biological resources is subject to a site-specific impact analysis conducted by a qualified Biologist, in accordance with the Biology Guidelines in the Land Development Manual. The impact analysis shall evaluate impacts to sensitive biological resources and CEQA sensitive species. The analysis shall determine the corresponding mitigation, where appropriate, and the requirements for protection and management.

(SDMC §143.0141, subd. (a)(1).)

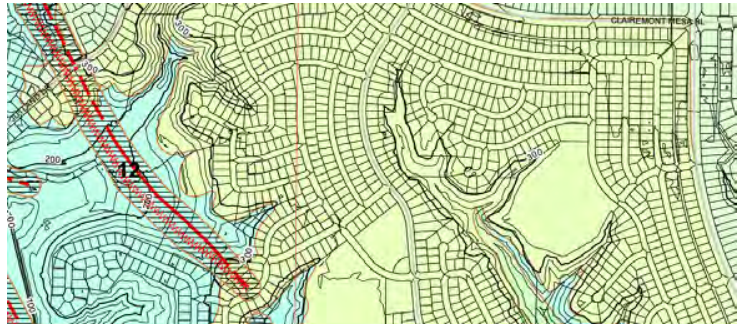
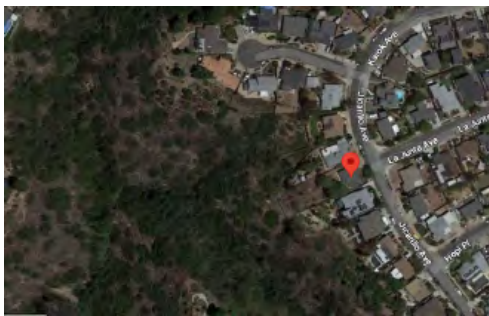
When ESL exists on a portion of the premises, a “Neighborhood Development Permit or Site Development Permit is required for all types of development proposals listed, in accordance with the indicated decision process.” (SDMC §143.0110(b)(1).) Of particularly important relevance here:

It is unlawful to begin development on a premises that contains environmentally sensitive lands without submitting required documentation and obtaining the applicable development permit, or an exemption as required pursuant to this division. If unlawful development occurs on property containing environmentally sensitive lands and an enforcement action has been commenced by the City pursuant to Section 143.0160, a development permit application **shall not be processed for the premises until the enforcement action has been concluded**, or the City Manager determines a development permit is necessary to resolve the enforcement action.

(SDMC §143.0112, emphasis added.)

As described earlier, SDRE began development without securing all permits and approvals, and likely without the required biology reports. We request information about the status of the enforcement action, the status of the sensitive vegetation on site, and how the City plans to ensure compliance with its ESL regulations.

Additionally, the site includes and is adjacent to parts of the canyon. Further ESL regulations apply where parts of the premises contain “steep hillsides.” (SDMC §143.0110.) Topographic maps indicate the site is part of a canyon system that likely has a vertical elevation of over 50 feet, which would require application of the City’s steep hillside requirements. (City Hillside Guidelines §143.0113 (B).)



Google Maps Image of Site next to City Topography Map Showing Elevations of 200 to 300 feet⁴

Therefore, we request measurements of the site’s topography, and a determination from the City of whether the steep hillside regulations apply to the site.

III. The Project Site Is Not Located in a Sustainable Development Area

The site was originally outside of any Transit Priority Area (“TPA”).⁵ The City recently eliminated the use of TPAs for its local density programs, in favor of City-defined “Sustainable Development Areas” (“SDAs”). The City now designates the site as within an SDA.

⁴ Map accessed at: <https://www.sandiego.gov/sites/default/files/geo25.pdf>.

⁵ Defined as “an area within one-half mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program.”



City Map of SDAs versus TPAs over the site

The City defines an SDA as “the area within a defined walking distance along a pedestrian path of travel from a major transit stop that is existing or planned, if the planned major transit stop is included in a transportation improvement program or applicable regional transportation plan.” (SDMC §113.0103.) For this site, the City used the defined walking distance of 1.0 mile.

Major transit stop “means a site as defined in California Public Resources Code section 21064.3,⁶ as may be amended, or a site that contains an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of **15 minutes or less** during the morning and afternoon peak commute periods.” (SDMC §113.0103, Emphasis added.)

We first note that SANDAG identifies the site’s Traffic Area Zone as “100% to 125%” of the regional mean for Vehicle Miles Travelled, for use with legislation (Senate Bill 743) designed to target development in areas that are 85% of the regional mean.⁷

Additionally, the City maps the intersection of Clairemont Mesa Boulevard and Clairemont Drive as a “major transit stop” with a cross section of “high frequency” bus routes.⁸ We assume this intersection is the reason the site is considered within an SDA. The City’s Metropolitan Transit System (“MTS”) Regional Transit Map labels these two bus routes as the 43 and the 105. (**Exhibit B.**) The 105 only provides service every 30 minutes, half of the frequency required to be considered a “major transit stop.” (**Exhibit C** [MTS Route Schedule for 105; *compare Exhibit D* [Example of 15 minute interval route].)

⁶ Under Public Resources Code section 21064.3, “Major transit stop” means a site containing any of the following: (a) An existing rail or bus rapid transit station. (b) A ferry terminal served by either a bus or rail transit service. (c) The intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

⁷ <https://sandag.maps.arcgis.com/apps/webappviewer/index.html?id=bb8f938b625c40cea14c825835519a2b>

⁸ <https://www.sandiego.gov/sites/default/files/transit-priority-map.pdf>

Typically, only “[o]ne ADU and one JADU are permitted on a premises located within a Single Dwelling Unit Zone with an existing or proposed single dwelling unit.” (SDMC §141.0302 (b)(1)(A).) *One* bonus ADU is permitted outside a Sustainable Development Area, if the applicant provides an affordable ADU. Under the City’s Bonus ADU Program, there is no limit on the number of bonus ADUs within a SDA.

Therefore, it is imperative to ensure that properties are accurately labeled as within SDAs, given the major increase in units granted through City incentive programs. If the site is not truly near a major transit stop, these projects will only increase GHGs.

Finally, City code specifies that the Climate Action Plan (“CAP”) Consistency Regulations apply to all projects that result in three or more total dwelling units on a premises. (SDMC §143.1403). Please provide confirmation that the Project complies with the CAP regulations, and that the Project will comply with the most recent 2022 CalGreen Building Standards Code.⁹

IV. The Project Should Not Be Granted Alternative Compliance from City and State Fire Hazard Regulations

The site is located in a Very High Fire Severity Zone. Further, the Project abuts a canyon, a large fuel source.

Government Code Section 51182 require lands located on or adjacent to designated Very High Fire Severity Zone areas to provide 100 feet of defensible space. Likewise, the City requires 100 feet of brush management zone width. (SDMC §142.0412, Table 142-04H.)

The Project requests “alternative compliance,” from the 100 foot defensible space requirement, alleging that it meets the three conditions for alternative compliance. (Applicant L101 Landscape and Brush Management Plan, Submitted June 2023.)

The site as currently configured can meet the 100 foot defensible space requirement. However, SDRE Homebuyers now proposes a Project that expands deep into the 100 feet of defensible space.

Under Municipal Code section §142.0412 (i), an applicant may only request approval of alternative compliance for brush management if *all* of the following conditions exist:

- (1) The proposed alternative compliance provides sufficient defensible space between all structures on the premises and contiguous areas of native or naturalized vegetation as demonstrated to the satisfaction of the Fire Chief based on documentation that addresses

⁹ The SDRE Project Site Plans that we reviewed only indicated plans to comply with the 2019 CalGreen Building Standards Code.

- the topography of the site, existing and potential fuel load, and other characteristics related to fire protection and the context of the proposed development.
- (2) The proposed alternative compliance minimizes impacts to undisturbed native or naturalized vegetation where possible while still meeting the purpose and intent of Section 142.0412 to reduce fire hazards around structures and provide an effective fire break.
 - (3) The proposed alternative compliance is not detrimental to the public health, safety, and welfare of persons residing or working in the area.

Friends of Bayho urges the City to reject the applicant's request for alternative compliance. The lot configuration – a thin rectangle along the canyon rim - and location – very high fire severity zone – was clearly not meant for the Project layout proposed by SDRE. We urge the City to consider the precedent of waiving these requirements along the canyon. Further, SDRE does not minimize impacts to undisturbed native or naturalized vegetation on the site.

City Municipal Code requires approval of alternative compliance by the Fire Chief before construction. We request information on the status of the permit processing.

V. Conclusion

Thank you very much for your consideration of these comments. We request a written response to the questioned and points addressed herein. In the alternative, we request a meeting with Development Services to discuss these comments.

We look forward to hearing from you.

Sincerely,



Kathryn Pettit

cc: Mayor Todd Gloria, Councilmember Jennifer Campbell, Raynard Abalos, Leslie Sennett, California Department of Fish and Wildlife, United States Fish and Wildlife Services

Exhibit H

On Thu, Apr 11, 2024 at 11:05 AM Jacala, Barbara <BJacala@sandiego.gov> wrote:

Good Morning Ms. Pettit,

Thanks for your phone call this morning. As mentioned, the SDP and ESL violations no longer apply since a third-party bio study was submitted to DSD. Per DSD Planning Review:

The applicant submitted a biology report to further assess the proposed project's conformance with the Environmentally Sensitive Lands regulations. The findings of the report affirmed the staff's determination that no ESL exists on the premises and no ESL has been disturbed adjacent to the project site. The project, which proposes to construct 12 detached ADUs and a bathroom addition to the primary residence, can proceed through a ministerial review and approval process and is exempt from the requirement to obtain a development permit pursuant to SDMC 143.0110(c)(2)(E).

Attached is a copy of the bio report for reference. Any further questions you may have on the review or determination should be directed to Michael Prinz.

Moving forward, BLUE will not enforce the ESL violations nor amend the CPNO to remove SDP or ESL language. BLUE will continue to monitor and enforce the building and grading violations only. For any inquiries on the investigation of case CE-0525044 or to provide additional information, please continue to contact Zoning Investigator Jahmal Robbins directly at JARobbins@sandiego.gov.

Regards,

Suki Jacala

Program Manager
City of San Diego
Development Services Department

☎: 619.446.5303

SanDiego.gov/DSD

Exhibit I



MAILED
OCT 20 2023
BUILDING AND LAND USE
ENFORCEMENT DIVISION

October 20, 2023

REVISED CIVIL PENALTY NOTICE AND ORDER

Location: 4578 Jicarillo Avenue, San Diego, CA, 92117

APN No.: 359-331-05-00

**Property Owner/
Responsible Person:
Address:** 4578 Jicarillo Ave B LLC
4578 Jicarillo Avenue
San Diego, CA 92117

**Property Owner/
Responsible Person:
Address:** 4578 Jicarillo Ave B, LLC
PO Box 624
Solana Beach, CA 92075

**Property Owner/
Responsible Person:
Address:** 4578 Jicarillo Ave B LLC
4901 Moreno Avenue, #601
San Diego, CA 92117

**Property Owner/
Responsible Person:
Agent for Service:
Address:** 4578 Jicarillo Ave B LLC
Daniel Forde
3033 Fifth Avenue, Suite 400
San Diego, CA 92103

Zoning Designation: RS-1-7, Steep Slopes

You are hereby notified that the property identified above is in violation of the San Diego Municipal Code (SDMC). On **August 25th, August 30th and September 11, 2023**, the following violations were observed at the property and must be corrected:

- Unpermitted demolition of the garage.

- Unpermitted addition of a mini-split air conditioning system to the main house.
- Unpermitted electrical modification to facilitate the use of the mini-split system.
- Unpermitted gas line modifications.
- Conducted unpermitted grading activities on a steep hillside, consisting of excavation greater than 5 feet vertically, and altering drainage patterns without a grading permit.
- Failure to install and maintain storm water Best Management Practices (BMPs) and erosion control measures.
- 40 cubic yard dumpsters have been placed in the Public Right-of-Way without required permits.

These are violations of the following code section(s):

- | <u>Code Section</u> | <u>Violation Description</u> |
|--------------------------|---|
| SDMC §129.0202 | - When a Demolition/Removal Permit is Required. |
| SDMC §129.0202 | - When a Building Permit is Required. |
| SDMC §129.0402 | - When a Plumbing/Mechanical permit is required. |
| SDMC §129.0602 | - When a Grading Permit is Required. |
| SDMC §142.0103 | - When a Permit Is Required for Grading. |
| SDMC §142.0147 | - Revegetation Requirements. |
| SDMC §142.0146 | - Erosion, Sedimentation and Water Pollution Control (Storm Water). |
| SDMC §143.0112 | - Authorization Required Prior to Submittal of Required Development Permit(s). |
| SDMC §§121.0202-121.0203 | provides the authority regarding enforcement of the Land Development Code. |
| SDMC §121.0302 | requires compliance with the Land Development Code, specifies these violations are not permitted, and provides authority for the abatement of public nuisances. |

If you correct the above violations as identified below, you will not be subject to any administrative civil penalties.

In order to avoid administrative civil penalties, you must correct the violations by as follows:

IMMEDIATELY:

- **CEASE ALL UNPERMITTED WORK.** Including grading, compaction, earth moving, building and Public-Right-of -Way storage of construction materials and equipment.

Prior to a rain event, should one occur:

- Install all necessary erosion and sedimentation control measures, incorporating storm water Best Management Practices (BMPs), necessary to protect all exposed slopes and pads. These BMPs must eliminate the potential for a discharge of sediments and other pollutants in and adjacent to native habitat and properties. BMPs must be maintained until the exposed soils and slopes are stabilized.
- Contact **Jahmal Robbins, Zoning Investigator at (619) 687-5966** to schedule for inspection of BMPs.

By January 31, 2024:

- Obtain required demolition permit and complete all required inspections.
- Obtain required Electrical Permit and successfully complete all required inspections.
- Obtain required Plumbing/Mechanical Permit(s) and successfully complete all required inspections.
- Obtain required Grading Permit(s) to restore OR keep unpermitted work and successfully complete all the required permit field inspections and receive final inspection.

General application, project plans, scope of work etc., shall reference this Civil Penalty Notice and Order and case number 0525044.

All applications for permits must be submitted online. Please go to <https://www.sandiego.gov/development-services> and click on apply for a permit online. Be advised that Building and Land Use Enforcement Division will be reviewing the submitted plans for enforcement compliance.

Reinspection fees are assessed for each inspection after the issuance of a violation notice in accordance with the SDMC §13.0103. An invoice will be sent following each inspection until compliance is achieved. Current reinspection fees range between \$264 and \$295.

Please refer to the San Diego Municipal Code sections cited for additional information via <https://www.sandiego.gov/city-clerk/>.

Additional forms and documents to assist in your compliance efforts are available at: <https://www.sandiego.gov/ced/forms>.

Failure to Comply with Notice and Order

If you fail to comply with this Notice and Order in the time and manner set forth above, you are subject to civil administrative penalties pursuant to SDMC §§12.0801–12.0810. The penalty rate for the above listed violation(s) has been established in accordance with SDMC §§12.0801–12.0810 at **\$300.00** per violation per day and shall be an ongoing assessment of penalties at the daily rate until the violations are corrected. Administrative civil penalty amounts are established by the Development Services Director.

The following factors were used in determining the amount:

- the duration of the violation
- the nature and seriousness of the violation
- the willfulness of Responsible Person's misconduct
- the impact of the violation upon the community

Pursuant to SDMC §12.0805(a), in determining the date on which civil penalties shall begin to accrue, the Development Services Director considers the date when the Building Land Use Enforcement Division first discovered the violations as evidenced by the issuance of a Notice of Violation or any other written correspondence. The date on which the civil penalties began to accrue is **September 11, 2023**, and shall end on the date that the violation(s) has been corrected to the satisfaction of the Development Services Director or the Enforcement Hearing Officer.

Civil Penalties Hearing

If you fail to comply with the Notice and Order, written notice of the time and place of an administrative enforcement hearing will be served on you at least 10 calendar days prior to the date of the hearing in accordance with SDMC §12.0403. At the hearing, you may present evidence concerning the existence of the violation(s) and whether the amount of administrative civil penalties assessed was reasonable in accordance with SDMC §12.0808. Failure to attend an administrative enforcement hearing will constitute a waiver of your rights to an administrative hearing and administrative adjudication of the violation(s) set forth above.

Administrative Costs

The Development Services Director or Enforcement Hearing Officer is authorized to assess administrative costs. Administrative costs may include but are not limited to: staff time to investigate and document violations; laboratory, photographic, and other expenses incurred to document or establish the existence of a violation; and scheduling and processing of the administrative hearing and all actions.

Page 5

Revised Civil Penalty Notice and Order

4578 Jicarillo Avenue

October 20, 2023

Failure to Comply with Administrative Enforcement Order

If you fail, neglect, or refuse to obey an order to correct the violations, administrative civil penalties will continue to accrue on a daily basis until the violation is corrected. The unpaid amount of administrative civil penalties will be referred to the City Treasurer for collection, recorded as a code enforcement lien against the property in accordance with SDMC

§§13.0201-13.0204, and may be referred to the City Attorney to file a court action to recover the unpaid amount. Failure to correct the violations may also result in referral to the City Attorney for further enforcement action.

If you have any questions concerning this Notice and Order, or to schedule a compliance inspection, please contact **Jahmal Robbins, Zoning Investigator**, at (619) 687-5966 or email at jarobbins@sandiego.gov OR **Michael Gomez, Senior Combination Building Inspector**, at (619) 533-6265 or email at megomez@sandiego.gov

MXG/JAR/mmb

Case No. 0525044

This information will be made available in alternative formats upon request.

0525044_4578_JicarilloAv_Revised_blue105_J.Robbins

Exhibit 2



Development Services Department

DATE: May 15, 2024

TO: Chatten-Brown Law Group
Josh Chatten-Brown
Katie Pettit
Isabella Coye

Friends of Bay Ho
Frank Fennessey

FROM: Suki Jacala
Program Manager
Building and Land Use Enforcement Division

SUBJECT: 4578 Jicarillo Avenue (Case CE-0525044)
Unpermitted and Illegal Development

Good Afternoon All,

Up until May 02, 2024, all the work at 4578 Jicarillo Avenue was performed and/or completed **without permits**. Per the Civil Penalty Notice and Order (CPNO) issued on January 24, 2024, the property owner (SDRE) is required to obtain building and grading permits to correct the following violations:¹

- Unpermitted demolition of the garage
- Unpermitted addition of a mini-split air conditioning system to the main house
- Unpermitted electrical modifications to facilitate the use of the mini-split system
- Unpermitted gas line modifications
- Unpermitted grading activities on a steep hillside, consisting of excavation greater than five feet vertically, and altering drainage patterns without a grading permit
- Failure to install and maintain stormwater Best Management Practices (BMPs) for erosion control
- 40 cubic yard dumpsters placed in the public right-of-way without the required permits

Below is an abbreviated chronology of only BLUE's inspections (in bold), enforcement, and activities:

- On August 7, 2023, BLUE opened a case (CE-0525044) for unpermitted work at this location.
- On **August 8, 2023**, BLUE Zoning Investigator (ZI) Jahmal Robbins conducted the first inspection from the public right-of-way and observed no unpermitted work violations.
- On **August 24, 2023**, Senior Building Inspector (BI) Michael Gomez conducted an inspection and observed clearing, grubbing, and earthwork with no construction BMPs (silt fence, fiber rolls, etc). The garage to the residence was demolished without permits. BI Gomez spoke with Mr. Christian Spicer of SDRE on-site and directed him to cease work immediately due

¹ There is also an Environmentally Sensitive Lands violation listed; that topic is addressed further below.

Development Services Department

- to Environmentally Sensitive Lands (ESL) on the property. Mr. Spicer was notified that proper permits are required to continue with the work and an Administration Citation Warning (ACW) would be issued. The ACW was posted on the property on August 25, 2023.
- On **August 30, 2023**, BLUE performed a third inspection of the property where BI Lance Schlager observed that an air conditioning unit was installed without permits. The existing chain link fence remained around the perimeter of the rear yard and BMPs were in place at the top of the slope.
 - On **September 6, 2023**, Mr. Spicer emailed BLUE that the property was ESL exempt and he would resume construction. BLUE reminded Mr. Spicer that he must cease all work until the proper permits are obtained. BI Gomez conducted an inspection the same day to ensure that no construction was occurring on-site and found a 40 CY dumpster on the street in front of the property with no active Traffic Control Permit.
 - On **September 11, 2023**, BI Schlager observed grading in the rear yard near the canyon with no BMPs in place. The chain link fence that separated the property from the canyon was removed.
 - On **September 13, 2023**, ZI Robbins observed work being performed in the rear yard and along the northwest corner of the site with no BMPs or chain link fence.
 - On **September 14, 2023**, during the seventh follow-up inspection, BLUE observed ongoing work on the property. The contractors were told to stop work immediately and leave the site. They were reminded that permits are required to perform any work.
 - On **September 15, 2023**, BLUE posted a CPNO at the property which included the building, grading, right-of-way, erosion control BMPs, and ESL violations. BLUE also sought clarification from LDR as to the ESL regulations that pertain to this property.
 - On **September 27, 2023**, BLUE conducted an inspection for BMP compliance. ZI Robbins observed a silt fence around the perimeter of the rear yard, but it was improperly installed. It also appeared that work had stopped since the last inspection.
 - On **October 2, 2023**, ZI Robbins contacted the contractor to remind them to install the BMPs per the City's stormwater guidelines.
 - On **October 11, 2023**, a City Civil Engineer informed SDRE's designer that a grading permit is required for the earthwork done on the rear slope of the property. The designer requested a second opinion and site inspection to explain the work being performed.
 - On **October 20, 2023**, based on input from LDR staff that the ESL regulations had not been violated, BLUE posted the revised CPNO which removed the ESL violation.
 - On **November 6, 2023**, BLUE ZIs and a City Civil Engineer met with SDRE for another follow-up inspection and to offer a second opinion on the grading violations. At the time, ZI Robbins observed that the BMP violations were corrected.
 - On **December 12, 2023**, the City Civil Engineer's memo was provided to SDRE and designer. The memo concluded that a grading permit is required for the modified slope and altered drainage pattern.
 - On **December 15, 2023**, SDRE informed LDR that the chain link fence was removed and replaced with silt fence. LDR explained that the chain link fence needed to remain in place, as it was the basis for the ESL exemption per SDMC [143.0110\(c\)\(2\)\(E\)\(ii\)](#).
 - On **December 18, 2023**, ZI Robbins performed an inspection to confirm that the chain link fence at the rear of the property was still removed.
 - On **January 8, 2024**, SDRE's engineer confirmed that the reconstruction of the rear slope qualifies for a grading permit.
 - On **January 17, 2024**, ZI Robbins left a voicemail for SDRE that the CPNO would be revised and reissued to include ESL violations once again.

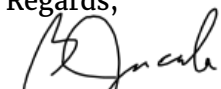
Development Services Department

- On January 24, 2024, the revised CPNO was posted at the property.
- On March 18, 2024, BLUE received a third-party biology report from SDRE which claimed that the property did not have ESL. BLUE informed SDRE that the report would need to be reviewed and approved by LDR to address the ESL violation.
- On March 20, 2024, LDR staff accepted the conclusions of the biology report confirming that no ESL is present on the property, which resolved the alleged ESL violations.
- On March 27, 2024, SDRE informed BLUE that they would start grubbing, recompacting the soil, and removing vegetation that had grown in the backyard. BLUE reminded SDRE that they could not work on the property without permits per the CPNO.
- On **April 4, 2024**, BI Schlager observed grading being performed with heavy equipment to grade three building pads.
- On **April 11, 2024**, ZI Robbins observed grading in the yard. Storm drain pipes and appurtenances had been installed with an outlet directed toward the canyon. The BMPs along the west property line were removed. ZI Robbins notified SDRE that they are not in compliance with the CPNO and permits are required for the proposed work.
- On April 12, 2024, an Administrative Citation (AC) was posted at the property instructing SDRE to cease all grading, compacting, earth moving, and building and install the proper BMPs.
- On **April 18, 2024** and **April 25, 2024**, BLUE conducted compliance inspections. No active work was observed on the property at either time.
- On **April 30, 2024**, BLUE conducted an inspection and observed work being done in the rear yard. ZI Robbins informed SDRE's designer that no work may be performed without issued permits. BLUE will mail an AC to the property owner on May 8, 2024.
- On **May 2, 2024**, BLUE conducted its 16th compliance inspection and observed additional earthwork had been performed. BLUE will mail an AC to the owner on May 10, 2024. DSD Senior Civil Engineer informed SDRE that PRJ-1087445 will not be issued until the building plans are revised to accurately reflect the storm drain improvements and a grading permit is submitted that reflects the current site conditions.

On the afternoon of May 2nd, SDRE pulled their building permit (PRJ-1087445). As with any project, ESL, access, and defensible space were reviewed and verified by City staff prior to permit issuance. SDRE will be allowed to work on the property as long as it falls within the permitted scope of the building permit, which does not include the private drainage system or additional grading. DSD Engineering has placed a Tier 3 hold on the building permit to ensure the drainage and grading violations are resolved prior to final inspection and occupancy.

BLUE will continue to conduct regular inspections of the property for any unpermitted work and as-needed inspections in response to complaints received. An AC will be issued for each day that work is being performed without a permit or outside the permit's scope. Each AC will impose a financial penalty of \$1,000. Since BLUE started issuing ACs in conjunction with the CPNO, SDRE has made a concerted effort to correct their violations. SDRE's failure to comply with the CPNO by the compliance date of July 22, 2024 will also result in a Civil Penalty Hearing and additional penalty fees.

Regards,



Suki Jacala

EXHIBIT F



Chatten-Brown Law Group, APC

Kathryn Pettit | Associate
325 W. Washington Street, Suite 2193
San Diego, CA 92103
kmp@chattenbrownlawgroup.com
Phone: (619) 354-8896

April 16, 2025

Via email to Ms. Fuentes

City of San Diego
Office of the City Clerk
Diana J.S. Fuentes (cityclerk@sandiego.gov)
202 C Street, Second Floor
San Diego, CA 92101

Re: Request for Notice — Proposed Project at 2596 Chalcedony Street

Dear Ms. Fuentes:

We represent Neighbors for a Better Pacific Beach in relation to the Proposed Project at 2596 Chalcedony Street, San Diego, CA 92109 (“Project”), including the following Project applications: PRJ-1132073, PMT-3218945, DWG-0100868, PRJ-1092822, PTS-0705886, and PTS-0696726.

We request that the City inform us by email to kmp@chattenbrownlawgroup.com of the publication and/or filing of any California Environmental Quality Act notices, determinations and documents for public review, including any Initial Study, Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report, pursuant to the CEQA Guidelines Section 15072 and Public Resources Code section 21092.2. We further request prior notice of any public hearings in relation to the Project, any Project-related approvals, and the filing of any Notice of Determination or Notice of Exemption for the Project.

Finally, we request copies of any Notice of Decision, as well as any Notice of Future Decision, issued by the City in relation to the Project.

Sincerely,

A handwritten signature in blue ink that reads 'Kathryn Pettit'.

Kathryn Pettit

ccs: Anna Najeeb (ANajeeb@sandiego.gov); Yuen Tran (ytran@sandiego.gov); Grecia Aceves (GAceves@sandiego.gov)

EXHIBIT G



March 24, 2025

Via Email

Honorable Mayor Todd Gloria
202 C Street, 11th Floor
San Diego, CA 92101

Via Email

Honorable Council President Joe LaCava, District 1
Honorable Councilmember Dr. Jennifer Campbell, District 2
Honorable Councilmember Stephen Whitburn, District 3
Honorable Councilmember Henry Foster III, District 4
Honorable Councilmember Marni von Wilpert, District 5
Honorable Councilmember Kent Lee, District 6
Honorable Councilmember Raul Campillo, District 7
Honorable Councilmember Vivian Moreno, District 8
Honorable Councilmember Sean Elo-Rivera, District 9
202 C Street, 10th Floor
San Diego, CA 92101

Honorable Governor Gavin Newsom
c/o Honorable State Senator Dr. Akilah Weber Pierson
Governor, State of California
State Capitol
Sacramento, CA 95814

**RE: SAN DIEGO BONUS ADU COMPLIANCE WITH AFFIRMATIVELY
FURTHERING FAIR HOUSING, THE AMERICANS WITH DISABILITIES ACT,
AND SAN DIEGO MUNICIPAL CODE SECTION §113.0103**

On February 9, 2025, the Chollas Valley Community Planning Group (CVCPG) submitted a detailed letter outlining serious concerns regarding the San Diego Bonus ADU program. To date, we have not received any official written response from the City. This continued silence is deeply concerning to communities like ours that have historically experienced systemic neglect. If the City is truly committed to Affirmatively Furthering Fair Housing (AFFH), we believe it must demonstrate that commitment through transparency, trust-building, and respectful

engagement. Unfortunately, the burden of communication has fallen solely on CVCPG, reinforcing the impression that the voices and perspectives of our community are not being afforded due consideration.

We have observed that Bonus ADU projects lacking required pedestrian pathways have been submitted—and in some cases, approved—by the Development Services Department. Such approvals may be inconsistent with the San Diego Municipal Code and appear to contradict statements made by the City's Planning Director to the City Council, both in writing and during public testimony. If developers are being allowed to proceed without adhering to basic safety and accessibility requirements, this may undermine the goals of equity and fair housing. These actions may reflect a troubling pattern of prioritizing developer interests over resident well-being.

We urge in the strongest terms that the City undertake immediate action to evaluate compliance and transparency and recommit to the principles underlying its own housing and planning regulations. The following projects are of particular concern:

- PRJ-1126312, 6845 Broadway (RS-1-2): 44 ADUs
- PRJ-1127220, 1348 Tarbox (RS-1-2): 43 ADUs
- PRJ-1129702, 731 Stork (RX-1-1): 30 ADUs
- PRJ-1128374, 1450 1/3 Hilger (RS-1-2): 23 ADUs
- PRJ-1130479, 1426 Hilger (RS-1-2): 22 ADUs
- PRJ-1106540, 5662/5664 Cervantes (RS-1-4): 11 ADUs
- PRJ-1125787, 543 61st Street (RX-1-1): 8 ADUs
- PRJ-1099232, 608 Stork (RX-1-1): 7 ADUs
- PRJ-1128125, 704 Selma Pl (RS-1-6): 6 ADUs
- PRJ-1073142, 6466/6426 Madrone Ave (RS-1-7): 5 ADUs
- PRJ-1125286, 6475/6426 Scimitar (RS-1-2): 4 ADUs
- PRJ-1117829, 470/471 66th Street (RS-1-7): 4 ADUs
- PRJ-1110620, 6822 Brooklyn (RS-1-6): 16 ADUs
- PRJ-1123939, 1405 Mariposa (RS-1-7): 22 ADUs
- PRJ-1095516, 5129/5131 Coban (RS-1-7): 5 ADUs

The requirement for pedestrian pathways is clearly stated in San Diego Municipal Code section §113.0103, and reaffirmed in the February 28, 2025 memorandum from Planning Director Heidi Vonblum. This requirement was also verbally reiterated by Ms. Vonblum during testimony to the City Council on March 4, 2025.

In light of the apparent absence of compliant pedestrian pathways at the projects listed above, we urge in the strongest terms that the City issue a temporary halt on Bonus ADU construction at these sites, pending a thorough evaluation of their compliance with applicable municipal code provisions.

Should this review confirm instances of non-compliance, we respectfully request a written response outlining the basis for these project approvals, especially where fundamental requirements may not have been met. Approving such projects without verifying key elements like pedestrian access may undermine public trust and raise legitimate questions about the City's

commitment to fair housing and regulatory integrity—especially in historically underserved communities like ours.

We further reiterate our concern that the City may be out of compliance with the Americans with Disabilities Act (ADA) by not requiring ADA-compliant pedestrian pathways for Bonus ADU projects. As stated in our February 9, 2025 letter, we renew our request that the City Attorney conduct a formal review of the City's obligations under federal ADA law to ensure full compliance.


For ease of reference, we have attached our February 9th letter to this correspondence.

Thank you for your attention to this urgent matter. We look forward to your timely response and to a corrective course of action that restores community trust and upholds the integrity of the City's housing policies.

Andrea Hetheru, Chair
Chollas Valley Community Planning Group



Vinetia Jones, Corresponding Secretary
Chollas Valley Community Planning Group



Enclosure: February 9, 2025 letter from CVCPG

EXHIBIT H

From: [Joes, Vicky](#)
To: [Reuter, Abbey](#)
Subject: FW: *URGENT* requesting immediate injunction on DSD approved - Non-compliant Bonus ADU project Encanto
Date: Tuesday, April 1, 2025 9:18:00 AM
Attachments: [image.png](#)
[San Diego Bonus ADU program 3_24_2025\[45\].pdf](#)

From: Robert Campbell <robert.campbell.encanto@gmail.com>
Sent: Friday, March 28, 2025 9:04 PM
To: Lowe, Elyse <ELowe@sandiego.gov>
Cc: Gloria, Todd <MayorToddGloria@sandiego.gov>; Taylor, Korral <TaylorK@sandiego.gov>; SDAT City Attorney <CityAttorney@sandiego.gov>; Vonblum, Heidi <VonblumH@sandiego.gov>; Horton, Daniel <HortonD@sandiego.gov>; CouncilMember Henry Foster <HenryFoster@sandiego.gov>; neighborsforencanto@gmail.com; ChollasValleyCPG@gmail.com; CouncilMember Joe LaCava <JoeLaCava@sandiego.gov>; Councilmember Jennifer Campbell <JenniferCampbell@sandiego.gov>; Councilmember Stephen Whitburn <StephenWhitburn@sandiego.gov>; CouncilMember Marni von Wilpert <MarnivonWilpert@sandiego.gov>; CouncilMember Kent Lee <KentLee@sandiego.gov>; CouncilMember Raul Campillo <RaulCampillo@sandiego.gov>; Councilmember Vivian Moreno <VivianMoreno@sandiego.gov>; CouncilMember Sean Elo-Rivera <SeanEloRivera@sandiego.gov>; Joes, Vicky <VCJoes@sandiego.gov>; Molina, Venus <VMMolina@sandiego.gov>; Gloria, Liezl <LGloria@sandiego.gov>; O'Neill, Jacob <JacobO@sandiego.gov>; Darsey, Ryan <RDarsey@sandiego.gov>; Garver, Justin <JGarver@sandiego.gov>; Johnston, Katherine <KatherineJ@sandiego.gov>; Rowan, Makana <RowanM@sandiego.gov>; Kamiab, Sara <SKamiab@sandiego.gov>; Simonsen, Michael <MSimonsen@sandiego.gov>; Patton, Summer <PattonS@sandiego.gov>; Ramirez Borja, Gerardo <GRamirezBorj@sandiego.gov>; Smith, Kevin <KSSmith@sandiego.gov>; Trahin, Patricia <PTrahin@sandiego.gov>; Weber, Molly <MollyW@sandiego.gov>; Rosas, Maya <RosasM@sandiego.gov>
Subject: [EXTERNAL] Re: *URGENT* requesting immediate injunction on DSD approved - Non-compliant Bonus ADU project Encanto

****This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.****

Dear Ms. Lowe and City Attorney Ferbert,

I am urgently raising the alarm to prevent potential city liability regarding the improper approval of Bonus ADUs that appear to be in direct violation of Section 113.0103 of the municipal code. This matter is of utmost concern and requires immediate attention. 15 such projects have been identified (attached letter) thus far.

Thank you for taking the time to provide a detailed explanation of your situation and responsibilities for your department. I appreciate the significant workload that the

Development Services Department manages and the constraints placed on staff and resources.

I understand that DSD's primary focus is processing development permits and that there are established procedures in place for public records requests and project status inquiries, I do my best to follow established procedures when they work. In this instance, the process of approving Bonus ADU's in areas without pedestrian pathways is broken and requires deviation from the "norm."

I also recognize the challenges that come with balancing transparency, public engagement, and operational efficiency. Please know that my intention has always been to seek clarity on behalf of the community while being mindful of the department's constraints. If you have a more efficient way to raise the alarm on immediate issues and more efficient ways to access ministerial documents, please let me know so I may do so. As much as it pains you to have me make public records requests, it pains me more as a city resident and taxpayer.

I have attached a letter from the Chollas Valley Community Planning Group that identifies 15 potential Bonus ADU permits either approved or in the approval process without pedestrian pathways of travel. It is specific in nature regarding pedestrian pathways and apparent approvals of Bonus ADU projects in lieu of the pedestrian pathway requirement within municipal code. This is not only of concern to me, but also the community at large. **I know you must have grave concerns if your staff is permitting projects in error, contrary to municipal code and why I'm brining this to your urgent attention.**

Can you please provide a point of contact within the department regarding the projects and non-conformity referenced?

Thank you for your time and for the work you and your team do in serving our city.

Sincerely,
Rob Campbell
(619) 708-8895

From: Lowe, Elyse <ELowe@sandiego.gov>

Date: Monday, March 17, 2025 at 12:08 PM

To: Robert Campbell <robert.campbell.encanto@gmail.com>

Cc: Gloria, Todd <MayorToddGloria@sandiego.gov>, Taylor, Korral <TaylorK@sandiego.gov>, SDAT City Attorney <CityAttorney@sandiego.gov>, Vonblum,

Heidi <VonblumH@sandiego.gov>, Horton, Daniel <HortonD@sandiego.gov>, CouncilMember Henry Foster <HenryFoster@sandiego.gov>, neighborsforencanto@gmail.com <neighborsforencanto@gmail.com>, ChollasValleyCPG@gmail.com <ChollasValleyCPG@gmail.com>, CouncilMember Joe LaCava <JoeLaCava@sandiego.gov>, Councilmember Jennifer Campbell <JenniferCampbell@sandiego.gov>, Councilmember Stephen Whitburn <StephenWhitburn@sandiego.gov>, CouncilMember Marni von Wilpert <MarnivonWilpert@sandiego.gov>, CouncilMember Kent Lee <KentLee@sandiego.gov>, CouncilMember Raul Campillo <RaulCampillo@sandiego.gov>, Councilmember Vivian Moreno <VivianMoreno@sandiego.gov>, CouncilMember Sean Elo-Rivera <SeanEloRivera@sandiego.gov>, Joes, Vicky <VCJoes@sandiego.gov>, Molina, Venus <VMMolina@sandiego.gov>, Gloria, Liezl <LGloria@sandiego.gov>, O'Neill, Jacob <JacobO@sandiego.gov>, Darsey, Ryan <RDarsey@sandiego.gov>, Garver, Justin <JGarver@sandiego.gov>, Johnston, Katherine <KatherineJ@sandiego.gov>, Rowan, Makana <RowanM@sandiego.gov>, Kamiab, Sara <SKamiab@sandiego.gov>, Simonsen, Michael <MSimonsen@sandiego.gov>, Patton, Summer <PattonS@sandiego.gov>, Ramirez Borja, Gerardo <GRamirezBorj@sandiego.gov>, Smith, Kevin <KSSmith@sandiego.gov>, Trahin, Patricia <PTrahin@sandiego.gov>, Weber, Molly <MollyW@sandiego.gov>, Rosas, Maya <RosasM@sandiego.gov>

Subject: Re: *URGENT* requesting immediate injunction on DSD approved - Non-compliant Bonus ADU project Encanto

Mr. Campbell:

Thank you for your emails.

DSD is a cost-recoverable department, and due to current and future budget projections that show DSD expenses are exceeding revenues, responses to public requests for information for active permits in the process are not always able to be responded to in a fast timeframe. It is unsustainable for the DSD Enterprise Department employees, including myself, to continue researching and answering questions for thousands of public information requests via continuing email conversations when the Department's main focus (and how our fees are structured) is to process development permits.

The Development Services Department simply can't respond to every public inquiry on every permit status all the time. We even direct our customers to utilize Accela Community Access to log in to get their project status instead of emailing the Department due to the workload volume that we process, which is 70,000 approvals per year.

DSD staff is not structured in a way that I or other staff have the time to go over every project interpretation, decision and detail at any time for whomever in the public is asking for any length of time they desire. It is not a reasonable request based on the requirements of the California Public Records Act and with the amount of work DSD processes and the time pressure staff are under to perform to industry standards, in addition to financial feasibility and staff capacity. Due to the large volume of emails I personally receive on a daily basis, while overseeing the second largest building department in the State of California, please recognize that while your email as a member of the community is important, it's not feasible to confirm the receipt of every email I receive nor am I always able to answer in a timely manner.

When DSD receives public requests for information, the Department policy is to route the requests to our Public Record Act Request team, which is made up of 10 staff in our Records Division. We receive thousands of requests annually.

DSD has the highest number of PRAs of any Department in the City every month, and it's often difficult to keep up. When Code interpretation is needed, the City directs requestors to open an account at DSD and submit specific questions via the Preliminary Review process. This helps DSD more effectively track questions and responses and be cost-recoverable by charging staff time to research, review and prepare a response.

It is not feasible for DSD employees or me to update every person who emails us on the status of a permit. While I realize this is a sensitive issue for your community, please understand that I am just trying to level set on how DSD communications will be handled as I don't believe it's feasible for me to provide the level of service you are requesting.

Elyse W. Lowe

[Development Services Director](#)

City of San Diego

(619) 446-5423

SanDiego.gov/DSD

For scheduling and signatures, please contact my Executive Assistant, Ms. Kathryn Martindale at kmartindale@sandiego.gov.

Need project help? Book a [free virtual appointment](#) to schedule assistance from DSD staff.

How long do permits take?

See [permit processing timelines](#) on our website. These are real time averages for Intake, Review and Submittal.

EXHIBIT I

From: [Becca Batista Studio](#)
To: [Councilmember Vivian Moreno](#)
Subject: [EXTERNAL] Haven't heard from Henry yet
Date: Thursday, January 16, 2025 5:18:52 PM

****This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.****

Hi Mrs. Moreno,

<https://bonusadubadforsd.com/>

Thank you for listening to my neighbors and I last night. We have not heard from our Council Member, Mr. Foster yet, so I thought I would reach out to the other representatives and try my luck. We urge you to help us stop these projects in Encanto and to put an end to this Bonus ADU program that does nothing to benefit San Diegans. After the LA fires, we hope that you understand our concern when our Fire station 51 is literally a tent and a trailer. You cannot think that allowing these tinderbox, 500 squarefoot (apartments) are a safe idea for any of our neighborhoods.

Consider Project #1127220 at 1348 Tarbox Street in Encanto as an example. This one-acre lot, located in the RS-1-2 zone, is currently under review by DSD for the construction of 21 new two-story ADUs, resulting in a total of 43 dwelling units. According to our Community Plan, the Environmental Impact Report already evaluated this site for RS-1-2 buildout and identified significant, unmitigated issues. This location falls within the Environmental Justice area defined in the General Plan adopted in July 2024, poor air quality, poor health outcomes. Yet, despite these considerations, we are poised to receive 43 dwelling units on a lot designed for a maximum density of 4 DU. A **1,075%** density increase and around a **2,150%** density increase over the base zone of RS-1-2.

Developers are exempt of impact fees, environmental studies, parking, and any community improvements. We have F rated streets, no curbs or sidewalks. We will not be silenced until these projects are stopped and the loopholes end.

Thank you for your concern and any help you can provide.

Becca Batista
1445 Gibson Street

EXHIBIT J

From: [Margarat Nee](#)
To: [Councilmember Vivian Moreno](#)
Subject: [EXTERNAL] Please Pause and Review Bonus ADUs
Date: Saturday, February 8, 2025 4:49:08 PM

****This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.****

Dear Councilmember Moreno,

As a concerned resident of the Encanto neighborhood, I appreciate the city council's recent steps to repeal "footnote 7." It is clear that it was unethical in its origins (an investigation is needed), and as such **I also urge you to halt all projects that originated under and took advantage of this problematic footnote.**

Additionally, I strongly oppose the Bonus ADU program and request an immediate pause in ADU permitting and building as this deeply flawed program is examined and redesigned to fit the standards put forth by the state.

This "bonus" program does not align with our community's land use plan, but most of all, if you come to see the reality of its implementation in Encanto and other communities in Southeast, you will see how dangerous and flawed it really is. Our community simply does not have the necessary infrastructure to support the untenable increase in density that currently proposed "ADU Complexes" will bring.

I am not against standard ADUs (as described by the state). Keep in mind that the "A" stands for "Accessory" because they are intended to be part of a homeowner's existing home property. If the homeowner is living in their home and wants to add an ADU and a JADU that makes sense.

In contrast, projects proposed under the "bonus" program are essentially substandard apartment complexes put on properties owned by investment businesses who have no concern for our neighborhoods. These properties will never again be bought as homes, but will only be investment properties for absentee landlords. Encanto has been designated a Sustainable Development Area, but there is nothing sustainable about UNLIMITED ADUs strewn throughout our neighborhood.

There are two currently proposed within one block of my home, both cramming double-digit ADUs onto basic home properties. Specifically, one has **17 two-story structures resulting in 33 ADUs**, and the other has **8 two-story structures resulting in 16 ADUs**. These have **zero off-street parking (for 50+ tenants)**, not to mention **zero support for the infrastructure of the neighborhood where streets are already the worst in the city.**

From my own point of view on Brooklyn Avenue I just wonder about basics like parking, trash pickup, sewer infrastructure, pedestrian safety, and the condition of our roads, because they aren't required to follow the same rules as zoned-for and standardized apartment buildings, including paying fees to address some of these issues. They don't pay fees so where does the money come from to address the infrastructure upkeep? From taxes paid by resident homeowners like myself!

90% of our streets in Encanto lack sidewalks, yet they expect these additional tenants to use mass transit and **walk up to a mile** to reach an actual or simply *proposed* Major Transit Stop, making these projects **non-compliant with the Americans with Disabilities Act (ADA)**.
Please come to Encanto and consider walking home, uphill, at night, on a street without sidewalks (you may even have to walk home on a dirt road!).

Were you aware that **Encanto failed fire safety egress** guidelines back in 2015, and since then nothing has been done to improve that? How can the city in good conscience cram more people deep within this neighborhood?

Encanto is a high fire-risk area, not to mention a high-flood risk area, and these risks will not get better as climate change has shown us. These proposed developments would put all of District 4 at increased risk, jeopardizing the safety of residents.

Come see for yourself. [Visit the addresses listed on this webpage](#) and imagine if you lived on that block.

Sincerely,
Margarat Nee
6857 Brooklyn Ave, San Diego, 92114

May 1, 2025

Dear Planning Commissioners:

Please stop the Mayor's bonus ADU scheme by voting in opposition this horrible policy.

Bonus ADU's are a disaster in the making on top of already bad policy enacted in SB9 & SB10.

My personal experience with this problem is a house next door to mine which had two homes on one lot. A year ago one of the two houses (119 year old historic house) was torn down and the entire half acre lot completely clear-cut of all trees and bushes all the way into a canyon in the backyard. Trees that had been growing for one hundred years are lost. This seems to be in preparation for multiple units to be built on this lot in a rural single family zoned neighborhood. This will change my neighborhood forever and for the worse.

The Bonus ADU scheme is an overreaction to the current housing shortage and is not the solution in the long term. Please vote it down.

In certain situations, the bonus ADU policies allows up to 14-unit buildings, three stories high in residential neighborhoods a full mile (and sometimes more) away from existing or future transit stops. It exceeds the density of most of San Diego's apartment zoning.

Bonus ADU's trample common sense by encouraging dense development far away from transit. Numerous studies have shown that few people will use transit if they have to walk more than one-half mile to a bus or trolley.

Excessive bonus ADU's will reduce permeable land and increase run-off. Mature trees will be clear-cut and landscaping will never be replaced given the minimal open area left by these setbacks. Our city has many other zoning codes in place that allow dense residential development that is more respectful of San Diego's environment and Climate Action goals.

Properties with market incentives to turn for-sale homes into multi-unit rentals will reduce San Diego's inventory of for-sale homes and drive up the prices of remaining single-family homes, depriving San Diegans of access to starter homes and family home equity. Housing units constructed under the bonus ADU policies can and will remain rental units forever and shatter community involvement with transient residents.

The bonus ADU policies cause massive block structures that are out of scale with surrounding buildings, with building volumes (FARs) that are 6 times larger than what is allowed on a typical single-family zoned lot.

This kind of density will overwhelm our over-burdened infrastructure, lower water pressure, and the added vehicles parked on the streets will impede fire response in high-risk areas while increasing the likelihood that fires will spread rapidly.

This is not about providing housing for more San Diegans. NFABSD estimates that San Diego already has the allowed capacity to build over 2 million homes — 19 times what is required for our housing goals (RHNA). The City needs to explain why this overcapacity has failed to spur sufficient development before introducing new housing programs that can't be reversed, undermine climate action, and put homeownership further out of reach for most San Diego residents. This is reckless and irresponsible for future generations.

For these reasons, please reject the Mayor's misdirected effort to impose bonus ADU's in San Diego. Our city deserves a sustainable, walkable, community-driven approach to housing.

Ken Hunrichs

Resident of Encanto

https://www.neighborsforabettersandiego.org/2025-sd-adu-revisions?utm_campaign=8302f7c6-90ac-4003-bcdc-4fe198905b85&utm_source=so&utm_medium=mail&cid=6b12f18c-1c9a-45b2-882f-70abcfab1440

April 30, 2025

Julian Silvas and Marie Razon
1426 Woodrow Avenue
San Diego, CA 92114

City of San Diego
202 C Street
San Diego, CA 92101

Dear San Diego City Planning Commision,

We are writing to express our strong opposition to the proposed 12-unit Accessory Dwelling Unit (ADU) project at 1441 Woodrow Avenue in San Diego, CA 92114. The residential neighborhood of Woodrow Avenue is in a RS 1-7 zone, and the street itself has a narrow downhill curve that goes straight out to Lisbon Street. When we heard about the plans for a 12-unit ADU project on the property of 1441 Woodrow Avenue, we, along with our concerned neighbors immediately thought about the adverse effects on our safety.

We all understand that there is a "need" for affordable housing but a developer whose sole purpose is to make more money does not care if the home they are placing on a dilapidated property would be affordable. What they care about is how they can maximize their profit by constructing multiple so-called ADU units in the middle of a residential neighborhood. During our neighborhood meeting two weeks ago, it came to our attention that the developer stated on their application that the property on 1441 Woodrow Avenue was an empty plot of land, that is a lie. If you google the actual property, you will see there is an actual house sitting on that property. It may be vacant, but it is not an empty lot, there is a difference. And if you drive through Woodrow Avenue, you will see that the property has been in a dilapidated state due to the squatters who took over the home two years ago.

If you approve this development, there will be an increase demand on parking, especially street parking since the developers do not intend to have parking on the property. This will not only ruin the quietness of this neighborhood but will cause an increase in traffic flow and an increase in vehicles parking on the street; which will be a

huge safety issue, especially when a medical emergency occurs and paramedics cannot park on the street; this will lead them to block the road which can cause an accident. Furthermore, the proposed twelve ADU units will increase the traffic flow in our neighborhood which will be dangerous since the street is narrow and majority of the residents in this area like to go for a walk with their dogs or jog; this will deter these same residents from doing these activities due to the unsafe road conditions.

The value of the homes surrounding this proposed development will decrease because who will want to buy a home in a residential area where an apartment building disguised as an “ADU” unit was built in the middle of a neighborhood and there is congestion of vehicles parked on the street. Not every neighborhood in San Diego needs to have ADU units or apartments disguised as ADU units.

As stated, we understand that there is a need for “affordable” housing in San Diego, however, the safety concerns that will arise if this proposed development occurs are substantial and valid. And as public servants, we do hope that you empathize with the residents that are and will be affected by this type of development.

Respectfully,

Julian Silvas Marie Razon

Julian Silvas and Marie Razon

April 30, 2025

Julian Silvas and Marie Razon
1426 Woodrow Avenue
San Diego, CA 92114

City of San Diego
202 C Street
San Diego, CA 92101

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We all understand that there is a "need" for affordable housing but a developer whose sole purpose is to make more money does not care if the home they are placing on a dilapidated property would be affordable. What they care about is how they can maximize their profit by constructing multiple so-called ADU units in the middle of a residential neighborhood. During our neighborhood meeting two weeks ago, it came to our attention that the developer stated on their application that the property on 1441 Woodrow Avenue was an empty plot of land, that is a lie. If you google the actual property, you will see there is an actual house sitting on that property. It may be vacant, but it is not an empty lot, there is a difference. And if you drive through Woodrow Avenue, you will see that the property has been in a dilapidated state due to the squatters who took over the home two years ago.

If you approve this development, there will be an increase demand on parking, especially street parking since the developers do not intend to have parking on the property. This will not only ruin the quietness of this neighborhood but will cause an increase in traffic flow and an increase in vehicles parking on the street; which will be a

huge safety issue, especially when a medical emergency occurs and paramedics cannot park on the street; this will lead them to block the road which can cause an accident. Furthermore, the proposed twelve ADU units will increase the traffic flow in our neighborhood which will be dangerous since the street is narrow and majority of the residents in this area like to go for a walk with their dogs or jog; this will deter these same residents from doing these activities due to the unsafe road conditions.

The value of the homes surrounding this proposed development will decrease because who will want to buy a home in a residential area where an apartment building disguised as an “ADU” unit was built in the middle of a neighborhood and there is congestion of vehicles parked on the street. Not every neighborhood in San Diego needs to have ADU units or apartments disguised as ADU units.

As stated, we understand that there is a need for “affordable” housing in San Diego, however, the safety concerns that will arise if this proposed development occurs are substantial and valid. And as public servants, we do hope that you empathize with the residents that are and will be affected by this type of development.

Respectfully,

Julian Silvas Marie Razon

Julian Silvas and Marie Razon



DELANO & DELANO

April 17, 2025

Elyse Lowe, Director
Angela Orias, Planner
Development Services Department
City of San Diego
1222 First Ave.
San Diego, CA 92101

Re: 4591 Pescadero Avenue Project (PRJ-1131969 and PRJ-1106002)

Dear Development Services Department:

This letter is submitted on behalf of Ocean Beach for Responsible Development regarding a proposed project located at 4591 Pescadero Ave (“Project”).

The Project involves two permit applications: (1) for the construction of a 3-story building with 9 Accessory Dwelling Units (ADUs) and (2) the remodeling of the existing structure to convert a portion of the property into an ADU and add one bedroom and one bathroom to the existing structure. Considered together, the Project proposes a 12-unit housing development on the 0.16-acre lot which currently consists of a two-bedroom, one-bathroom single family dwelling.

As proposed, the Project is inconsistent with the community character and violates the Municipal Code and the Peninsula Community Plan. In addition, the City failed to provide public involvement in decision-making regarding the Project.

I. The Project Review Does Not Comply with Municipal Code

The Project is in the Coastal Overlay Zone and requires a Coastal Development Permit. The City’s review of the permit applications for this Project is inconsistent with the Municipal Code provisions. In addition, as the evidence demonstrates, the planning review administrative findings are inadequate.

The Municipal Code provides: “A Coastal Development Permit issued by the City is required for all coastal development of a premises within the Coastal Overlay Zone described in Chapter 13, Article 2, Division 4, unless exempted by Section 126.0704...” Municipal Code §126.0702. Section 126.0707(g) provides the applicable decision process on “an application for a City-issued Coastal Development Permit for an *Accessory Dwelling Unit* or *Junior Accessory Dwelling Unit* in the *non-appealable* area of the Coastal Overlay Zone.” Municipal Code §126.0707(g). The City failed to apply the

correct provision triggering the appropriate review process to issue the required permit. This development is not appropriately processed as a Process One application under Section 126.0707(g)(1).

Section 126.0707(g)(2) states: "If the proposed coastal development involves any of the activities in Section 126.0704(a)(1)-(2) or Section 126.0704(a)(4)-(8), a Coastal Development Permit shall be required in accordance with a Process Two as specified in Section 126.0707(a)." Further, Municipal Code Section 126.0708(c) requires administrative findings that demonstrate how the project does not involve activities described in Section 126.0704(a)(1)-(2) or Section 126.0704(a)(4)-(8). The City has not provided evidence to support such findings. "[R]egardless of whether the local ordinance commands that the [] board set forth findings, that body must render findings sufficient both to enable the parties to determine whether and on what basis they should seek review and, in the event of review, to apprise a reviewing court of the basis for the board's action." *Topanga Assn. for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506, 514. The Planning Review report indicates findings that "the proposed ADU does not involve any of the activities in Section 126.0704(a)(1)-(2) or Section 126.0704(a)(4)-(8)." Planning Review Report, Finding #4. This finding is incorrect and not supported by any evidence.

The proposed development involves activities described in Section 126.0704(a)(2), which requires Process Two review according to Section 126.0707(g)(2). The project constitutes an "improvement to a structure that would result in an increase of 10 percent or more of interior floor area" under Section 126.0704(a)(2). The Project proposed 9 ADUs, 5 units at 402 square feet each and 4 units at 411 each. The proposed 3-story ADU building will add approximately 3,645 square feet (1,215 sf per floor × 3 floors) to a property with an existing structure of only 1,417 square feet. This represents a 257% increase in floor area, far exceeding the 10% threshold that triggers Process Two review.

The City also failed to consider the proposed remodeling of the existing structure which was submitted simultaneously as a separate permit application (PRJ-1106002). Under Section 126.0707(e), when multiple permits or approvals are required for a single development, "the applications shall be consolidated and the action of the decision maker shall be considered one consolidated action." The remodeling of the existing structure should be considered together with the 9-unit ADU building as a single 12-unit development project, which increases the interior floor area already exceeding the 10% threshold. In fact, the public records show that the Project was initially submitted as a 12-unit Process Two application and was reviewed as a discretionary project which was then "cancelled" and piecemealed as two separate applications reviewed under Process One review instead of Process Two.

The developer's apparent attempt to segment this project into separate applications appears to be an effort to circumvent the more rigorous Process Two review

required by the Municipal Code. The applications should be viewed as what they truly are: a single development project that transforms a single-family dwelling into a 12-unit complex.

The Project may also include activities outlined in Section 126.0704(a)(6) or (8), however, the City made no assessment in this regard. The City's review does not indicate whether the Project involves "the expansion or construction of water wells or septic systems." Section 126.0704(a)(6).

Furthermore, the City failed to produce any existing permits issued for the Project site or confirm whether a Coastal Development Permit was issued for the existing structure. The Review reports indicate no assessment of whether a "Coastal Development Permit issued for the original structure indicated that any future improvements would require a development permit." Section 126.0704(a)(8).

The Project cannot be exempt from a proper review for approval of a Coastal Development Permit. The scale of this development—increasing from a single residential unit to 12 units—represents a significant intensification of use as described in Section 126.0704(a)(4) that warrants the more thorough review process contemplated by the Municipal Code for substantial coastal zone developments.

Additionally, the site is zoned RM-1-1 (Residential – Multiple Unit 1-1). "The RM zones individually accommodate developments with similar densities and characteristics." Municipal Code §131.0406. The Project as proposed is not consistent with the densities and characteristics of the neighborhood and its zoning.

II. The Project Is Inconsistent with ADU Bonus Requirements

There is insufficient evidence to support that the Project complies with ADU bonus requirements pursuant to Municipal Code Chapter 14, Article 1, Division 3. The Housing Commission report regarding the proposed 9-unit ADUs (PRJ-1131969) dated March 20, 2025, states: "the underlying zoning allows for 3 ADUs by-right (per zoning – 2 detached & 1 accessible bonus). However, the property is located within the Sustainable Development Area and the applicant desires to obtain an ADU Bonus in exchange for Affordable ADUs ... The applicant shall restrict 3 affordable bonus ADUs to moderate income households... As a result, the applicant is eligible to build an additional 3 unrestricted bonus ADUs for a cumulative total of 9 ADUs." Housing Commission Report at 1. However, staff emails obtained through Public Records Act request indicate that the site is "only in Transit Priority Area and not in SDA, they cannot propose 8 ADUs and can only have the 2 additional ADUs outside of the existing SDU."

III. The Project is Inconsistent with the Community Plan

The Project is inconsistent with the community character and the goals of the Community Plan. The Project is in the Coastal Overlay Zone within the Peninsula Community Plan area, Ocean Beach Highlands neighborhood. “This neighborhood consists of single- and multifamily structures, many of which predate World War II.” Peninsula Community Plan at 7. Overall Community Goals outlined in the Peninsula Community Plan include among others to “conserve character of existing single-family neighborhood including the very low density character of certain neighborhoods.” Peninsula Community Plan at 11. Moreover, “the basic concept of this Plan is that the existing stable residential neighborhoods which comprise most of Peninsula should be conserved.” Peninsula Community Plan at 13.

According to the Peninsula Community Plan, “the Ocean Beach Highlands area should continue to provide a mix of single-family and low-density multifamily residential development. The half block east of Froude from Muir to Del Monte and Pescadero to Point Loma Avenue ... should be designated for a maximum density of 15 du/acre...” Peninsula Community Plan at 28. By proposing a 12-unit development on a 0.16-acres lot, the Project violates the maximum density envisioned in the Community Plan.

IV. The City Failed to Provide Public Involvement

A significant concern with the City's handling of this project is the lack of public involvement in the decision-making process. By incorrectly processing this project as a Process One application, the City failed to comply with Municipal Code and failed to provide adequate opportunity for public involvement despite the concerns raised by the residents in the area.

The City has effectively eliminated the opportunity for public notice and comment that would normally accompany a development of this scale in the Coastal Overlay Zone. Process Two review provides essential opportunities for community input and public oversight, particularly for projects that substantially alter the character of a neighborhood. The conversion of a single-family residence to a 12-unit development represents a significant change that warrants public participation in the review process. Indeed, the City’s website notes that Community Planning Groups “provide formal mechanisms for community input in the decision-making processes. They give citizens with an opportunity for involvement in advising the City Council, the Planning Commission, and other decision makers on development projects, General or Community Plan amendments, rezonings and public facilities projects.”

The City staff also failed to adequately address questions and concerns raised by the members of the public and failed to provide adequate access to Project-related documents.

V. Conclusion

For the foregoing reasons, Ocean Beach for Responsible Development respectfully requests that the Development Services Department reconsider the review process for this project and apply the appropriate process as required by the Municipal Code, and provide opportunities for public input for a Project this size.

Thank you for your attention to this matter.

Sincerely,



Ezgi Kuyumcu



April 30, 2025

City of San Diego Planning Commission
1222 First Ave.
San Diego, CA 92101



Re: Proposed Revisions to City Bonus ADU Program

Dear Planning Commissioners:

On April 25, the Carmel Valley Community Planning Board considered the Planning Department's February 28th letter, and the Community Planning Committee's (CPC) proposed revisions to the current San Diego Bonus ADU Program. Our CPC representative actively participated in the regular CPC meetings and their Ad Hoc subcommittee, leading up to the formation of their recommended revisions to this Bonus Program. After considerable discussion, we agree with most of the CPC recommendations. However, we believe that the City should administer a program that uses the State standard for ADU development and does not allow any extra bonus units.

Our board represents a wide range of housing and zoning throughout Carmel Valley, Pacific Highlands Ranch and the surrounding neighborhoods. We have received input from many single family residents and multi-family residents. Our desire was to address the pros and cons associated with all major aspects of both the single family and multi-family ADU programs.

Our Board feels it is important that the character of our communities be maintained and that all development, including ADU units, pay their fair share towards necessary infrastructure. We believe ADU's serve a purpose by providing additional housing units, but that their development shouldn't put further strain on our neighborhood resources or negatively impact existing residents.

We appreciate the acknowledgment that changes need to be made to the City's Bonus ADU Program and we hope that our viewpoint will be taken into consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michelle Strauss', with a long, sweeping horizontal line extending to the right.

Michelle Strauss
Chair, Carmel Valley Community Planning Board

cc: Council President Joe LaCava
Deputy Director Heidi Vonblum
Andrea Schlageter, CPC Chair

Honorable Mayor Gloria and the Planning Commission and City Council of the City of San Diego

Dear Mayor Gloria, City Council, Planning director and Planning Commissioners,

It is time to address the excesses of the Bonus ADU program. Allowing unlimited ADUs on single-family lots violates the principles of gentle density and missing middle housing.

I support the recommendations of the Community Planners Committee, Neighbors For A Better San Diego, and other groups in aligning the Bonus ADU program more closely to state law, including removing the unlimited bonus within the Sustainable Development Area (SDA) and applying the regulations outside the SDA citywide. These reasonable changes would still allow the majority of Bonus ADU projects to continue at an appropriate scale.

I also object to rushing the proposed amendments through the Planning Commission and City Council, after it was promised that there would be public workshops and presentation of the amendments to the Community Planners Committee before going to the Planning Commission and City Council for approval.

These measures would allow homeowners, not investors, to benefit from ADU's while keeping the neighborhoods for neighbors. You cannot continue to allow multiple ADU's without also requiring rent controls for those that live in the ADU's since all this does is keep housing unaffordable for those who need it and put dollars into the pockets of the investors that are keeping single family prices so high that families cannot compete.

This inflated housing market is being caused in part by you, Mr. Gloria, and the only logical explanation is that the investor groups must be paying you to do so. You need to backoff on this craziness.

My wife and I were forced to move out of our neighborhood in the college-area because of the elimination of parking requirements and the abhorrent behavior and lack of respect for the properties lived in by students. Trash cans that never get put away, Trash everywhere, elimination of vital air quality improving trees and landscaping, overwhelming noise, drugs, alcohol and parties, and threats of physical harm by drunken students. It is a travesty that you alone are responsible for creating and you should be

ashamed of yourself for ruining what was once the greatest City in the USA and is now rivaling San Francisco for the being the worst.

It is my sincere hope that you lose the next election to someone that will be more favorable to the hardworking, law abiding, responsible families and individuals that have made this City what it once was and no longer is because of you and your socialist cohorts.

Paul Quill,
10734 Escobar Drive
San Diego, CA 92124

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AB1033 – HOW TO IMPLEMENT NEW STATE ADU CONDOMINIUM LAW

Today, nearly 20% of housing units built in California are accessory dwelling units (“ADUs”). According to the California Association of Realtors Housing Affordability Index, only 17% of households can afford a single-family home, less than half of the national average. In many States across the country, ADU condo conversion projects are re-enabling a generation of home buyers to live in the communities of their choice near work and family. The State of Washington recently required all local agencies to allow conversions of a primary unit and ADU to condominiums for sale. Consequently, in Seattle and Portland 40% to 50% of ADUs constructed are sold as condominiums to new homebuyers, where they are bought for approximately half the value of a stand-alone single-family home. Such ADU condo conversion purchases are eligible for federally guaranteed mortgages, making them easy to finance for ordinary homebuyers.

The California State Legislature recently adopted a new law, AB1033, that creates affordable options for homeownership by allowing ADU’s to be sold separately from a primary unit. AB1033 removes the previous State law prohibition against mapping and selling a single-family home and its ADU as condominiums. Even though this prohibition on condo conversion has been eliminated, it is up to Local Agencies to amend their codes to allow these entry-level home ownership opportunities.

WHAT NEEDS TO BE DONE TO ALLOW SALE OF ADUS?

Respecting local control, the Legislature left it up to Local Agencies to amend their municipal code(s) to allow these entry-level home ownership opportunities through the sale of ADUs. The Casita Coalition and Reuben, Junius, and Rose, LLP have developed this guidance to encourage your Local Agency to make the following changes to your code(s), procedures and policies to re-enable Californians priced out of many of our communities to once again have a dream of buying a home by enabling more naturally-affordable condominiums for sale.

RECOMMENDED STEPS TO IMPLEMENT SALE OF ADUS

1. **Eliminate Sale Restrictions.** Remove all provisions in your municipal code that prohibits the sale or other conveyance of an ADU. These restrictions are typically included in local Condominium Codes and Zoning Codes.
2. **Adopt Legislation Expressly Allowing ADU Sales.** To align local rules with State law, adopt changes to the municipal code that allow conversion of a home and its ADU into condominiums subject to the requirements of the Davis Sterling Common Interest Development Act (Cal. Govt. Code Sec. 66410-66499.40.) Appropriate amendment text will differ depending on the existing municipal code, but AB1033 requires a list of express provisions be included in such local ordinance, attached at the end of this document.
3. **Publish ADU Checklists.** Provide a comprehensive checklist for any ADU building permit and for ADU condominium/subdivision projects, indicating Subdivision Map Act compliance and lender subordination information.
4. **First Right of Offer to Owner Occupants.** To further encourage new homeownership, consider including a condition of approval for establishing condominiums of a primary unit and ADU giving a first right of offer for a period of 45 days on publicly accessible databases, e.g., MLS, to buyers

indicating an intent to live in the property (either themselves or their immediate family). To avoid issues with lenders, however, do not require owner occupancy.

5. **Create “Grow Homeownership” Program.** Establish a program with dedicated staff that expedites ADU condominium processing with first comments to be issued within 45 days of submission of a complete application.
 - Consider waiving or reducing application and impact fees otherwise applied to condominiums.
 - The Grow Homeownership Program could be paired with other funding programs your jurisdiction may have, e.g., through SB2 (2017) funds.

UPDATE: CITY OF SAN JOSE FIRST TO OPT-IN

In June 2024, the City of San Jose’s City Council voted to approve and incorporate the new state provisions into their local ordinance.

Documents and resources developed by the city of San Jose are included in Appendix B of this memo as examples of one city’s ordinance language and applicant materials.

- Approved ordinance Section 20.80.185 ADU Condominium Requirement
- ADU Condominium Checklist
- AB 1033 Parcel Map Checklist
- AB 1033 Parcel Map Application
- Development Services page for ADU condominium conversions
 - <https://www.sanjoseca.gov/businesses/development-services-permit-center/accessory-dwelling-units-adus/adu-condominium-conversions>

Note: San Jose’s City Council did not choose to include our recommended provision for a 45-day exclusive listing of ADU condos to owner occupant purchasers, citing



the urgency of their housing shortage and the desire to keep additional requirements to a minimum.

If you have any questions or would like to discuss any of the above, please do not hesitate to reach out to Justin A. Zucker from Reuben, Junius & Rose, LLP at 415.656.6489 or jzucker@reubenlaw.com.

Next:

Appendix A: Required Ordinance Language (Reuben, Junius & Rose LLP)

Appendix B: Example Local Ordinance and Applicant Materials

Appendix A

AB1033 – Required Text in ADU Condominium Ordinances – Cal. Govt. Code Sec. 65852.2(a)(10)

(A) The condominiums shall be created pursuant to the Davis-Stirling Common Interest Development Act (Part 5 (commencing with Section 4000) of Division 4 of the Civil Code).

(B) The condominiums shall be created in conformance with all applicable objective requirements of the Subdivision Map Act (Division 2 (commencing with Section 66410)) and all objective requirements of a local subdivision ordinance.

(C) Before recordation of the condominium plan, a safety inspection of the accessory dwelling unit shall be conducted as evidenced either through a certificate of occupancy from the local agency or a housing quality standards report from a building inspector certified by the United States Department of Housing and Urban Development.

(D) (i) Neither a subdivision map nor a condominium plan shall be recorded with the county recorder in the county where the real property is located without each lienholder's consent. The following shall apply to the consent of a lienholder:

(I) A lienholder may refuse to give consent.

(II) A lienholder may consent provided that any terms and conditions required by the lienholder are satisfied.

(ii) Prior to recordation of the initial or any subsequent modifications to the condominium plan, written evidence of the lienholder's consent shall be provided to the county recorder along with a signed statement from each lienholder that states as follows:

"(Name of lienholder) hereby consents to the recording of this condominium plan in their sole and absolute discretion and the borrower has or will satisfy any additional terms and conditions the lienholder may have."

(iii) The lienholder's consent shall be included on the condominium plan or a separate form attached to the condominium plan that includes the following information:

(I) The lienholder's signature.

(II) The name of the record owner or ground lessee.

(III) The legal description of the real property.

(IV) The identities of all parties with an interest in the real property as reflected in the real property records.

(iv) The lienholder's consent shall be recorded in the office of the county recorder of the county in which the real property is located.

(E) The local agency shall include the following notice to consumers on any accessory dwelling or junior accessory dwelling unit submittal checklist or public information issued describing requirements and permitting for accessory dwelling units, including as standard condition of any accessory dwelling unit building permit or condominium plan approval:

"NOTICE: If you are considering establishing your primary dwelling unit and accessory dwelling unit as a condominium, please ensure that your building permitting agency allows this practice. If you decide to establish your primary dwelling unit and accessory dwelling unit as a condominium, your condominium plan or any future modifications to the condominium plan must be recorded with the County Recorder. Prior to recordation or modification of your subdivision map and condominium plan, any lienholder with a lien on your title must provide a form of written consent either on the condominium plan, or on the lienholder's consent form attached to the condominium plan, with text that clearly states that the lender approves recordation of the condominium plan and that you have satisfied their terms and conditions, if any.

In order to secure lender consent, you may be required to follow additional lender requirements, which may include, but are not limited to, one or more of the following:

(a) Paying off your current lender.

You may pay off your mortgage and any liens through a refinance or a new loan. Be aware that refinancing or using a new loan may result in changes to your interest rate or tax basis. Also, be aware that any subsequent modification to your subdivision map or condominium plan must also be consented to by your lender, which consent may be denied.

(b) Securing your lender's approval of a modification to their loan collateral due to the change of your current property legal description into one or more condominium parcels.

(c) Securing your lender's consent to the details of any construction loan or ground lease.

This may include a copy of the improvement contract entered in good faith with a licensed contractor, evidence that the record owner or ground lessee has the funds to complete the work, and a signed statement made by the record owner or ground lessor that the information in the consent above is true and correct."

(F) If an accessory dwelling unit is established as a condominium, the local government shall require the homeowner to notify providers of utilities, including water, sewer, gas, and electricity, of the condominium creation and separate conveyance.

(G) (i) The owner of a property or a separate interest within an existing planned development that has an existing association, as defined in Section 4080 of the Civil Code, shall not record a condominium plan to create a common interest development under Section 4100 of the Civil Code without the express written authorization by the existing association.

(ii) For purposes of this subparagraph, written authorization by the existing association means approval by the board at a duly noticed board meeting, as defined in Section 4090 of the Civil Code, and if needed pursuant to the existing association's governing documents, membership approval of the existing association.

(H) An accessory dwelling unit shall be sold or otherwise conveyed separate from the primary residence only under the conditions outlined in this paragraph or pursuant to Section 65852.26.

Appendix B: City of San Jose Local Ordinance and Applicant Materials

NVF:TLC:KML
06/7/2024

SECTION 9. A new Part is added to Chapter 20.80 of Title 20 of the San José Municipal Code, to be numbered, entitled, and to read as follows:

Part 2.76

Accessory Dwelling Unit Condominium

20.80.181 Purpose and Applicability

This Part implements Government Code Section 66342, herein referred to as Assembly Bill 1033 (AB 1033). The purpose of this Part is to apply objective local development standards for subdivisions covered by AB 1033. This Part is applicable only so long as AB 1033 is operative.

Where this Part or AB 1033 conflict with any other provisions of this Code, this Part and AB 1033 shall control. Any development standard or requirement not specifically addressed by this Part or AB 1033 must conform to all other provisions of this Code and all other objective policies and requirements governing subdivisions.

20.80.183 Permit Required

Pursuant to Government Code Section 66342, this Section provides for the streamlined approval for conversion of existing or new Accessory Dwelling Units (ADU) into condominiums. These condominiums shall be sold or otherwise conveyed separate from the primary residence only under the conditions outlined in this Part or pursuant to Government Code Section 66341. No condominium conversion to a project shall be permitted in any district unless permitted in such district and without obtaining approval of a Parcel Map pursuant to the provisions of this Title and Title 19 of the San José Municipal Code.

20.80.185 ADU Condominium Requirements

Subject to the provisions of Section 20.80.180, to achieve the purposes of this Chapter, all projects shall conform to the following requirements:

- A. A maximum of two ADU condominium units shall be allowed on lots that presently allow ADUs, and could include an attached Accessory Dwelling Unit and/or a detached Accessory Dwelling Unit built in accordance with Part 2.75, (Accessory Dwelling Units), Chapter 20.80. In conjunction with the ADU condominium, the parcel map approved pursuant with this section may also include the subdivision of up to two primary dwelling units, in conformance with Part 8, Senate Bill 9 implementation, into condominiums. This allowance shall not exceed a total of four condominium units on each single-family, two-family or multi-family lot under any circumstances.
- B. All structures and buildings included as part of a condominium project shall conform to the building and zoning requirements applicable to the zoning district in which the project is proposed to be located. Designation of individual

condominium units shall not be deemed to reduce or eliminate any of the building and zoning requirements applicable to any such buildings or structures.

C. The condominium shall be created pursuant to the Davis-Stirling Common Interest Development Act (Part 5 (commencing with Section 4000) of Division 4 of the Civil Code).

D. The condominium shall be created in conformance with all applicable objective requirements of the Subdivision Map Act (Division 2 (commencing with Section 66410)) and all other objective requirements of this Part.

1 Neither a subdivision map nor a condominium plan shall be recorded with the county recorder without each lienholder's consent. The following shall apply to the consent of a lienholder:

a. A lienholder may refuse to give consent.

b. A lienholder may consent provided that any terms and conditions required by the lienholder are satisfied.

2. Prior to recordation of the initial or any subsequent modifications to the condominium plan, written evidence of the lienholder's consent shall be provided to the county recorder along with a signed statement from each lienholder that states as follows:

"(Name of lienholder) hereby consents to the recording of this condominium plan in their sole and absolute discretion and the borrower has or will satisfy any additional terms and conditions the lienholder may have."

3. The lienholder's consent shall be included on the condominium plan, or attached to the condominium plan that includes the following information:
 - a. The lienholder's signature.
 - b. The name of the record owner or ground lessee.
 - c. The legal description of the real property.
 - d. The identities of all parties with an interest in the real property as reflected in the real property records.
 - e. The lienholder's consent shall be recorded in the office of the county recorder of the county in which the real property is located.
- E. An Accessory Dwelling unit shall be sold or otherwise conveyed separate from the primary residence only under the conditions outlined in this Part and of Title 19 of the San José Municipal Code. Prior to approval of a parcel map, a home or property owners' association or similar entity shall be formed for any condominium project. The association shall, at a minimum, provide for the administration, management and maintenance of all common areas including landscaping, drive aisles and parking areas, maintenance of the exterior of all buildings, pool or common roof, the collection of dues, payment of public utilities not billed separately to each unit, and enforcement of standards within the project.
 1. The owner of a property or a separate interest within an existing planned development that has an existing association, as defined in Section 4080 of the Civil Code, shall not record a condominium plan to create a common interest development under Section 4100 of the Civil Code without the express written authorization by the existing association.

2. For purposes of this subparagraph, written authorization by the existing association means approval by the board at a duly noticed board meeting, as defined in Section 4090 of the Civil Code, and if needed pursuant to the existing association's governing documents, membership approval of the existing association.
- F. The applicant shall prepare a declaration of covenants, conditions and restrictions (CC&Rs) which shall be recorded and apply to each owner of a condominium unit within the project. The CC&Rs shall be recorded at, or prior to, the time of parcel map approval, and shall include all applicable conditions of approval and requirements of the City. The CC&Rs shall, at a minimum, provide:
1. That any amendment to the CC&Rs related to the conditions of approval or other requirements of this Chapter may not be approved without prior consent of the City.
 2. That there shall be an entity created (e.g., a property or homeowners' association) which shall be financially responsible for and shall provide for the effective establishment, operation, management, use, repair and maintenance of all common areas and facilities.
 3. A provision containing information regarding the conveyance of units and any assignment of parking, an estimate of any initial assessment fees anticipated for maintenance of common areas and facilities, and an indication of appropriate responsibilities for maintenance of all utility lines and services for each unit.
 4. A provision addressing the payment of utilities including water, sewer, gas and electricity by the homeowner or through the association.

5. A provision requiring that any owner who rents his/her condominium unit shall conform to the homeowners' association which is responsible for management of the common areas and enforcement of the CC&Rs.
- G. In addition to such covenants, conditions, and restrictions that may be required by the Department of Real Estate of the State of California pursuant to Title 6 (Condominiums) of the Civil Code or other State laws or policies, the organization documents shall provide for the following:
1. Conveyance of units.
 2. Management of common areas within the project where common areas exist.
 3. A proposed annual operating budget containing a reserve fund to pay major anticipated maintenance, repair, or replacement expenses where shared common area infrastructure exists; and indicating the association fees needed for the operating budget and reserve fund.
 4. FHA regulatory agreement, if any.
- H. If an accessory dwelling unit is established as a condominium, the homeowner shall notify providers of utilities, including water, sewer, gas, and electricity, of the condominium creation and separate conveyance.
- I. The ADU shall comply with all applicable technical codes including the California Building and Fire Codes. Prior to approval of the parcel map, a safety inspection of the ADU shall be conducted as evidenced through issuance of a final Building

Permit or a housing quality standards report from a building inspector certified by the United States Department of Housing and Urban Development.

J. In addition to other application submittal requirements, the following information shall be provided:

1. Statement regarding current ownership of all improvements and underlying land.
2. A site plan and boundary map showing the location of all existing easements, structures, mature and/or scenic trees, and other improvements upon the property.
3. Dimensions and location of each building or unit and the location of all fences and walls.
4. The location, size, and design for all common areas, including all facilities and amenities provided within the common areas for use by unit owners.
5. Location and condition for all paved areas, including pedestrian walkways.
6. Maintenance plan of all buildings and common areas and facilities.

SECTION 10. Section 20.90.060 of Chapter 20.90 of Title 20 of the San José Municipal Code is amended to read as follows:

20.90.060 Parking Spaces

A. Off-Street Vehicle Spaces.

ADU CONDOMINIUM CHECKLIST

If you are seeking to sell or otherwise convey your accessory dwelling unit (ADU) as a property separate from a primary residence, you must first apply for a condominium conversion of the residence and ADU. Use this checklist to ensure your project qualifies for a condominium conversion under the following provisions:

- State law [AB 1033](#), effective January 2024, enables condominium conversions of ADUs and [California Code Section 66342](#) enables cities to adopt local ordinances to allow for conveyance of an ADU as a condominium.
- In June 2024, the San José City Council approved and incorporated state provisions into San José [Ordinance No. 31095](#), specifying that permitted ADUs that meet all conditions may be conveyed through a Parcel Map as issued by the Public Works Department.

Only projects that meet all conditions of this checklist and that can provide the required documentation may proceed to submit a Parcel Map application.

For questions: Email ZoningQuestions@sanjoseca.gov or speak with a City Planner at **408-535-3555** during Planning's [phone service hours](#).

Para información en español, comuníquese con un Planificador de la ciudad al **408-793-4100**.

Để được hỗ trợ, nói chuyện với Người lập kế hoạch thành phố tại **408-793-4305**.

INSTRUCTIONS

To fill out this checklist on a computer, download it and follow the [Digital Forms](#) instructions. For Part 1, find property information at www.SJPermits.org by clicking on "Permits & Property Information." Then enter your address. On the next screen, click on your property and select "Property Information." A list of designations will appear.

QUESTIONS

YES NO

PART 1. PROPERTIES THAT QUALIFY

<p>1. Is the property in San José? Use SJPermits.org as instructed above. At the "Incorporated" field, "yes" means the property is in San José; "no" means the property is in a different jurisdiction.</p> <p>> If yes, proceed with this checklist. If no, contact the jurisdiction where your property is located.</p>		
<p>2. Is there a finalized building permit for the ADU/s? Use SJPermits.org to determine an ADU's building permit status. This condominium process is available only to ADUs with a building permit that has been issued by the City as finalized.</p> <p>> If yes, proceed with this checklist. If no, contact the Building Division for assistance with obtaining a finalized building permit; email BuildingPermits@sanjoseca.gov.</p>		
<p>3. Does your proposal comply with the maximum allowed number of converted units? The number of converted units is limited, as follows:</p> <ul style="list-style-type: none"> ▪ For single-family, duplex, or multifamily properties - Is there a maximum conversion of one primary residence and up to two ADUs? ▪ For a duplex project under SB 9 - Is there a maximum conversion of up to two primary residences and up to two ADUs? <p>> If yes, proceed with this checklist. If no, refer to the Zoning Ordinance provisions or email a Planner at ZoningQuestions@sanjoseca.gov or call 408-535-3555 during Planning's phone service hours.</p>		

continued >

PART 2. OWNERSHIP AND AUTHORIZATION

4. Are you the owner of the property or do you have written authorization from the property owner to proceed with a Parcel Map application?

> If yes, proceed with this checklist.

5. Do you have your lienholder's written permission for the conversion? For any existing lien, loan, or mortgage secured by the property, you must get the lienholder's written permission for the condominium conversion. Attach the lienholder's consent to the condominium plan when submitting the Public Works application. The consent should include:

- Lienholder's signature.
- Name of the owner of record or ground lessee.
- Legal description of the real property.
- Identities of all parties with an interest in the real property as reflected in the real property records.

> If yes, proceed with this checklist.

6. Is your ADU property located in an existing Homeowners Association (HOA)? If yes, do you have written authorization to proceed with a condominium conversion?

> If applicable, you must provide the written authorization from the existing HOA to proceed with your application for a condominium conversion.

PART 3. PARCEL MAP APPLICATION REQUIREMENTS

7. Does the condominium proposal conform to State Law? Is the condominium created pursuant to the Davis-Stirling Common Interest Development Act, [Civil Code Division 4, Part 5](#), commencing with Section 4000? And does it conform with all applicable objective requirements of Division 2 of the [Subdivision Map Act](#), commencing with Section 66410?

> If yes, proceed with this checklist.

8. Do you have a Condominium Plan for the new property? A Condominium Plan is necessary to form a Homeowners Association. The plan must be created by a licensed Surveyor or Civil Engineer and, at minimum, must incorporate the following requirements:

- Establish the legal boundaries and legal description of each unit and any common areas.
- Conveyance of any common or private outdoor space.

> If yes, proceed with this checklist.

9. Do you have a Site Plan for the new condominiums? The Site Plan must show:

- Existing buildings and structures on the subject property.
- Distances between buildings/structures to property lines.
- On-site utilities servicing existing buildings and structures and the proposed condominiums.

> If yes, proceed with this checklist.

10. Have you notified utility providers of the condominium creation? For each ADU or unit to be conveyed as a separate condominium, the property owner must notify all utility providers (including water, sewer, gas, and electricity). Please contact your utility provider if you need help obtaining additional meters or new lines of service. If you propose to segregate the utilities, please provide a copy of the building permit and/or Public Works permit approval as needed.

> If yes, proceed with this checklist.

- 11. Do you have CC&Rs prepared for each condominium unit?** The HOA bylaws and declaration of covenants, conditions and restrictions (CC&Rs) must be recorded following recordation of the Parcel Map, and apply to each owner of a condominium unit within the project at the time of Parcel Map approval. It is highly recommended that these documents are prepared in consultation with an attorney. At minimum, this documentation must include:
- a. There shall be an entity created, e.g., a homeowners association, which shall be financially responsible for and provide for the effective establishment, operation, management, use, repair and maintenance of all common areas and facilities.
 - b. Designate board members and delineate processes for resolution of potential conflicts and issues and enforcement of standards within the project. For a small association with three or fewer members, you may opt for an unincorporated association pursuant to Civil Code Section 4800, in which case you would not have a board of directors.
 - c. Insurance for any common areas and/or facilities.
 - d. Establishment of dues to be collected for maintenance of utilities, common space, and shared facilities such as shared roofs, pool, driveways, fencing, landscaping, exteriors, etc., and payment of public utilities that are not billed separately to each unit.
 - e. A provision addressing the payment of utilities including water, sewer, gas and electricity by the homeowner or through the association.
 - f. A provision containing information regarding the conveyance of units and any assignment of parking; an estimate of any initial assessment fees anticipated for maintenance of common areas and facilities; and an indication of appropriate responsibilities for maintenance of all utility lines and services for each unit.
 - g. A provision requiring that any owner who rents his/her condominium unit shall conform to the homeowners association which is responsible for management of the common areas and enforcement of the CC&Rs.

> If yes, proceed with this checklist.

If you meet all conditions and have all documentation specified in the checklist, you may proceed to complete the [AB 1033 Parcel Map application](#) for submittal to the Public Works Department.

SUMMARY OF REQUIRED DOCUMENTATION

Include the following with your AB 1033 Parcel Map application; see the checklist item number for details.

- ☐ #4 - Property owner's written and signed authorization if applicant is other than the property owner
- ☐ #5 - Lienholder's written consent if property has a lien, loan, or mortgage (*attach to Condominium Plan*)
- ☐ #6 - HOA's written authorization if there is an existing HOA
- ☐ #8 - Condominium Plan
- ☐ #9 - Site Plan (*attach to Condominium Plan*)
- ☐ #10 - Proof of notification to all utility providers used by the property
- ☐ #11 - Bylaws and CC&Rs prepared and that apply to each owner of a condominium unit within the project

IMPORTANT LAST STEP: OBTAIN NEW ADU ADDRESSES

A condominium conversion requires new addresses for the ADUs; they can no longer be designated as "Unit 2" or "Unit 3." After recordation of the Parcel Map, Condominium Plan, HOA documentation, and CC&Rs, follow these instructions:

Complete [Form #302-Address Assignment Request](#) - Include the ADU finalized permit number and list the approved AB1033 Parcel Map application. You will email the form and documentation as outlined on the form to: Addressing@sanjoseca.gov



Public Works Number: ____ - ____ / 3- ____

Department of Public Works
Development Services
200 East Santa Clara Street
San Jose, California 95113
(408) 535-7802

APPLICATION FOR ASSEMBLY BILL 1033 (AB 1033) PARCEL MAP

Applicant	Phone Number	Fax Number
Street Address	City	State Zip Code
Surveyor / Civil Engineer	Phone Number	Fax Number
Street Address	City	State Zip Code
State License Number	City Business License number	
Main Contact Person	Phone Number	Fax Number
Street Address	City	State Zip Code
E-mail Address:		

Use of this application is for a proposed residential housing development proposing no more than three condominiums (maximum of one residential condo and maximum two ADU condos) OR four condominiums (maximum of two residential condos for an SB9 Duplex site and maximum 2 ADU condos) within a single-family, two-family or multi-family lot. If your submittal does not meet the requirements under AB1033, submit using the standard application and instructions. Refer to the specific AB1033 Instructions for all required documents needed to constitute a complete submittal.

General Questions

____ **Yes**, I have read the Planning ADU Condo Conversion Checklist and my property qualifies under AB1033

Site Information

Assessor Parcel Number(s)	Gross Acres	Net Acres
---------------------------	-------------	-----------

Existing Land Use Information

No. of Lots	No. & Type of Units	Land Use
-------------	---------------------	----------

Proposed Land Use Information

No. of Lots	No. & Type of Units	Land Use
-------------	---------------------	----------

MAKE SURE TO INCLUDE ALL REQUIRED DOCUMENTS WITH YOUR AB1033 APPLICATION

AB 1033 PARCEL MAP CHECKLIST

Please Note: This checklist summarizes major and typical topics of review. Site specific issues can and will produce additional comments.

Project ID / Description:					
Reviewer / Date:					
	<u>Yes</u>	<u>No</u>	<u>N/A</u>		<u>ITEM OR DESCRIPTION</u>
MAP SUBMITTAL PACKAGE REVIEW					
					PDF of AB1033 Parcel Map processed without a Tentative Map
					PDF of the current title report (Dated within last 90 days)
					Closure calculations (<u>signed & sealed by LLS or RCE</u>)
					PDF sets of <u>all</u> easements, deeds and maps listed in the Title Report
					PDF sets of any other maps and deeds used to the prepare map
					PDF of Planning Planning ADU Condo Conversion Checklist filled out
					PDF of all documents required in the Planning ADU Condo Conversion Checklist
					All Map Review Fees
MAP REVIEW (Non-compliance with bold items can trigger rejection of submittal)					
<i>Formatting Requirements</i>					
C					Map sheets 18" X 26" with 1" border from edge?
C/T					Map includes a Scale?
C/T					Map includes complete Standard Legend? (Include all found and set pipes and monuments-Include "As Noted")
C					Map Statements formatted correctly? (Ownership statements adjacent to left margin, Engineers' Statements, Clerk's and Recorder's Certificates adjacent to right margin)
C					Title block must be at the top of the page either centered or at upper right of each sheet. Should be designated as "Parcel Map for a Residential and Accessory Dwelling Unit Condominium For a Maximum of X Residential Condo(s) and X ADU Condo(s) (AB1033)", numbered one of three, etc. and contain the description of property such as "BEING A PORTION OF THE ...ETC."
C					Date of Map (Month and Year) shown?

AB 1033 PARCEL MAP CHECKLIST

[illegible]

AB 1033 PARCEL MAP CHECKLIST

	Yes	No	N/A	ITEM OR DESCRIPTION
<i>Technical Requirements</i>				
C				Map conforms to Tentative Map, Planning conditions, Map Act and City Muni Code?
C/T				Distinctive Border Line shown? (Distinctive Border Line around property to be subdivided-easements and ROW dedicated by this map to be within the distinctive border line)
T				Basis of Bearing indicated? (Basis of Bearing: Must be between two found monuments of record and include distance and bearing. Provide TIE to boundary with bearing and distance)
C				Lots designated by numbers or letters?
C				Adjoining property owners names shown for unsubdivided property, or record map reference with lot or parcel number and book and page?
C/T				Map references shown?
C				Public Street Dedication shown?
C				Public Service Easements and other public easements shown?
C				Private easements shown?
C				Restricted Access required/shown?
C				Geologic Set Back Zone required/shown?
C				All streets shown and ROW dimensioned?
C				All streets (public, private) named?
T				Curve data for all curves?
T				Radial Bearings for all non-tangent curves?
T				Parcel tie to next sheet?
T				Subdivision boundary monumentation complies with Muni Code Section 19.24.010?
T				Existing / found monuments verified by Record Maps?
T				Witness monuments shown?
T				Map agrees with Record Data? (Adjoining record maps or records of survey-(give record data and provide copies of documents))
T				Record and measured data shown and differentiated?

AB 1033 PARCEL MAP CHECKLIST

	<u>Yes</u>	<u>No</u>	<u>N/A</u>	ITEM OR DESCRIPTION
T				Closure calculations comply with Muni Code Section 19.24.010?
T				Closure calculations indicate area? (Survey Closure Calculations must include: gross area within Distinctive Border line, individual lot areas and public street areas dedicated by this map)
C				Property borders County or another City? (If the property is next to city boundary with county or other city, show and label it)
C	-	Conformance items reviewed by Development Services staff		
T	-	Technical items reviewed by the City Land Surveyor and her staff		
C/T	-	Conformance/Technical items reviewed by both groups		

Announcements	Issue Date
Announcement SEL-2021-03	April 07, 2021
Announcement SEL-2021-02	March 03, 2021
Announcement SEL-2020-07	December 16, 2020
Announcement SEL-2020-04	August 05, 2020
Announcement SEL-2020-03	June 03, 2020
Announcement SEL-2019-07	August 07, 2019
Announcement SEL-2019-06	July 03, 2019
Announcement SEL-2018-08	October 02, 2018
Announcement SEL-2018-07	September 04, 2018
Announcement SEL-2018-06	August 07, 2018
Announcement SEL-2018-05	June 05, 2018
Announcement SEL-2018-01	January 30, 2018

B4-2.1-02, Waiver of Project Review (07/05/2023)

Introduction

This topic contains information on the waiver of project reviews, including:

- [Transactions Eligible for a Waiver of Project Review](#)
- [Requirements that Apply When the Project Review is Waived](#)

- [Project Review Requirements for High LTV Refinance Loans](#)

Transactions Eligible for a Waiver of Project Review

Fannie Mae does not require a thorough project review for the project types and transactions described in the following table.

Project or Transaction Type	Requirements
Detached condo unit	A detached condo is defined as any condo unit that is completely detached from other condo units in the project. The unit may share no adjoining walls, ceilings, floors, or other attached architectural elements (such as breezeways or garages) with any neighboring unit. A detached condo unit may be in a project consisting solely of detached units or in a development containing a mixture of attached and detached units. Site condos in which the unit owner owns the detached condo unit and the land upon which the unit is built are a type of detached condo. The waiver of project review applies for new and established projects.
Unit in a two- to four-unit condo project	Project review is waived for new and established condo projects that consist of no more than four units.
Unit in a PUD project	See B4-2.3-01, Eligibility Requirements for Units in PUD Projects , for the requirements that apply.
Fannie Mae to Fannie Mae limited cash-out refinance	Project review is waived for units in condo projects for Fannie Mae-owned loans that are refinanced as a limited cash-out refinance with a maximum loan-to-value ratio of 80% (CLTV or HCLTV ratios may be higher). (The waiver is not applicable to units in co-op projects.)

Exception to the waiver policy: If the property is a manufactured home or the project contains any manufactured homes, such property or project is not eligible for a review waiver and must be reviewed based on the applicable manufactured home project review requirement.

Requirements that Apply When the Project Review is Waived

Comments on 2025 02 28 City Planning Department Memo on ADU Home Density Bonus Program

By Richard Brusch

bruschr@gmail.com

858 997-7307

1. Option-In-Fee: Great idea; I support this concept.

2. Development Scale:

a. **Floor Area Ratio:** The memorandum states, "...require the floor area ratio to be calculated based only on the land that is allowed to be developed outside of environmentally sensitive lands or other preserved open space and canyon lands." The above statement is quite vague on exactly how the lot area available for development would be computed. On lots that extend in canyons how would you compute the percentage of the lot that is environmentally sensitive land and/or a Paleontological Sensitivity Area and/or canyon lands? What data bases are readily available to aid in making this determination? I would recommend using the percentage of the lot that has a slope greater than 25 degrees, since there is a data base for this.

b. **Zones which don't allow Bonus ADU development:** The memorandum states, "Additionally, reduce the ADU Bonus Program applicability in very low-density residential zones, such as RS-1-1, RS-1-2, RS-1-3, RS-1-8, RS-1-9 and RS-1-10 since such zones have not been comprehensively planned for increases in density and have typically been zoned for low density due to the constrained developability of the land in those instances,"

Discussions during the March 4 presentation to the City Council, centered in part on why Zones RS-1-4 through RS-1-7 were not part of the exclusion. RS-1-3 and RS-1-10 are included in the proposed zones excluding Bonus ADUs and both have minimum lot sizes of 15,000 square feet (ft²). RS-1-4 through RS-1-7 and RS-1-11 through RS-1-14 all have minimum lot sizes less than 15,000 ft². This implies that lot sizes greater than 15,000 ft² can be abused by the Bonus ADU program and therefore won't be eligible for the Bonus ADU Program. According to the San Diego Union article, during the discussions the city stated that "lots are small enough in RS 1-5, RS 1-6 and RS 1-7 that outlier lots are extremely rare — or might not even exist at all." The implication is that above 3 zones that were not included in the recommendation to exclude the Bonus ADU program, because the small lot size would naturally limit the number of bonus ADUs that could be built.

Using available city maps containing lot size data, I spent hours examining every lot in Clairemont and Linda Vista west of both I-163 and I-805 for lots with an area greater than 15,000 ft². The vast majority of the lots in this study were zoned RS-1-7. **I found 684 lots with an area > 15,000 ft². So lots that can be abused by the bonus ADU Program with an area > 15,000 ft² in this small portion of San Diego are NOT “extremely rare or even non-existent.”**

This study argues for a more refined view of limiting abusive Bonus ADU development. Instead of using the "sledge hammer" of zoning to exclude or include the Bonus ADU Program, ignoring the variability of lot size, backing on canyons, and fire risk within a particular zone, we should consider limiting the Bonus ADU Program on a lot-by-lot set of factors.

In examining the study data, a few other general conclusions could be made:

1. The majority of the RS-1-7 lots with areas greater than 15,000 ft² occurred on cul-de-sacs or back onto canyons.
2. By correlation with canyons, the majority of these lots were also are categorized as "Very High Fire Hazard Severity Zone (VHFSZ)."
3. By correlation with canyons, the majority of these lots have very small front footage and extend deep into a canyon.
4. Many are categorized as "Paleontological Sensitivity Areas" and/or Environmentally Sensitive Lands.

My recommendation would be to exclude lots in Zones RS-1-5, RS-1-6 and RS-1-7 from the applicability of the Bonus ADU program on a lot-by-lot basis if they have an area > 15,000 ft² and back into a canyon. Lots > 15,000 ft² on a cul-de-sac backing into a canyon are especially vulnerable due to limited accessibility by emergency vehicles and fire trucks, when a Bonus ADU Program increases on street parking.

3. Parking: I support your recommendations as a big step in the right direction. Many of the safety issues associated with the Bonus ADU Program are directly related to an increase in on-street preventing emergency vehicles and fire trucks adequate access to properties in the vicinity of a Bonus ADU development (see below). This is especially true on cul-de-sacs. However, I would go even further and require one parking place for every bedroom in a Bonus ADU development. Because of the high housing costs, students and young singles frequently rent a property together, and outside of the TPS zone, each of them has a car and their own bedroom. And that's not counting

guests. I have anecdotal first-hand evidence in our neighborhood on Ottawa Ave.

4. Compliance: I support your recommendation.

5. Adequate Evacuation Routes: The devil is in the details. I think everyone, not just those in High and Very High Fire Hazard Severity Zones, deserves to have sufficient emergency vehicle and fire truck access. Of course this is especially true in those zones you mentioned. The memorandum states that ADU Bonus Program should not be applicable "unless adequate standards for... fire rescue (ingress and egress) exist and unless the entirety of the evacuation route meets City streets standards and/or have sufficient emergency access." The problem here is that the City Street minimum standards for street width and cul-de-sac turn-radius are unrealistic for emergency vehicle access when vehicles are parked on both sides of the street or around the cul-de-sac.

The City of San Diego | Street Design Manual | March 2017 Edition, Section 1.3.1 Cut-De-Sac shows Figure 1-3



And Figure 1.4

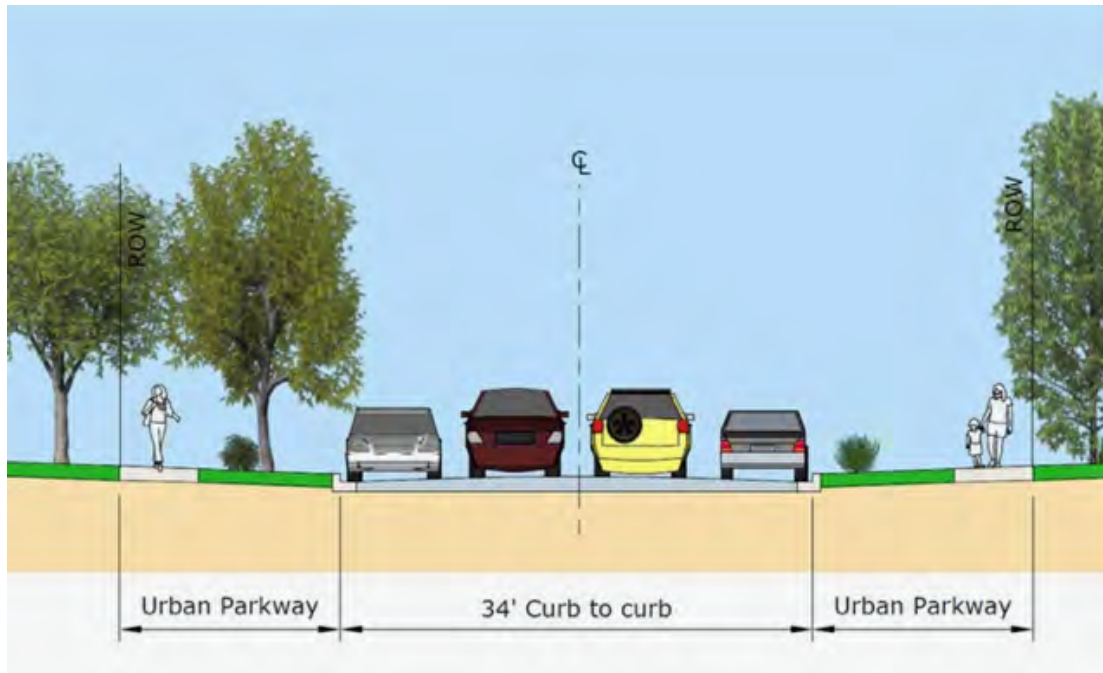


FIGURE 1-4. SECTION A-A: CUL-DE-SAC

This illustration pretends to show that two vehicles can pass side-by-side on a street with curb width of 32 feet. Elsewhere the design manual states that the standard vehicle width for planning purposes is 8ft. Since vehicles do not actually park exactly on the curb and no one wants to chance damaging their cars or parked vehicles, two cars cannot actually pass going in opposite directions on a street with a 34 foot curb-to-curb width. In fact, on the Ottawa Ave cul-de-sac with a curb-to-curb width of 50 feet, two cars cannot safely pass when the street is parked up on both sides. Therefore, fire trucks accessing properties on streets with 50 foot curb-to-curb width on a dead-end would have to back out and could not pass another emergency vehicle.

Further more on the Ottawa Ave cul-de-sac with a turn radius of 40 feet, when the cut-de-sac is parked up fire trucks cannot turn around. With cars parked up around the cul-de-sac the effective turning radius is $40 - 8 = 32$ feet assuming cars actually park right on the curb (they don't). Trash collection trucks regularly have to do a 3 point turn or back out.

The City of SD Fire and Hazard Prevention Service Policy - Appendix B Design Standards, drawing FHPS-101 shows **required minimum turn radii for cul-de-sacs** of **50 feet** for access streets greater than 300 feet in length and **35 feet** for access streets from 150 to 300 feet in length. A cul-de-sac with a turning radius of 40 feet meets none of these standards when the cul-de-sac is parked up. Fire trucks cannot turn around in these cases.

6. Fire Code: I support your recommendation.

7. Set Backs: I support your recommendation.

8. SDA vs. TPA. I am opposed to the current Bonus ADU Program being applied to the Sustainable Development Area (SDA). I strongly recommend that the Program only apply to the Transportation Priority Area (TPA). Instead of ½ mile from Transportation hubs, the SDA extends the radius to 1 mile from transportation hubs. Do you really think people are going to walk for 30 to 40 minutes to get to transportation? Almost everyone one mile from a public transportation hub, would decided they need a car, defeating the concept of ADUs as high density housing near transportation hubs. Further, many of us living above the Balboa, Clairemont, Morena or Techolote Road trolley stations face an elevation change of up to 200 feet making the walk even more foreboding. The SDA is not a state requirement for good reason.

9. I strongly support the Community Planners Committee proposal, with the lot-by-lot recommendation suggested in **2.b** above as a viable back up.

Investigation of the Existence of lots in RS-1-7 Zones Subject to Bonus ADU Program Abuse

By Richard Brusch

bruschr@gmail.com

858 997-7307

I am writing in response to the City Planning Director's February 28 Memorandum titled "Accessory Dwelling Unit (ADU) Home Density Bonus Program" discussed at the City Council meeting of March 4 have been following the crescendo of abuses of the Bonus ADU program for the past year. We're not NIBYs, and would be happy to see the regular ADU program continue.

I read the March 4 San Diego Union Tribune article reporting on the San Diego City Council meeting and the above City Memorandum. I was especial disappointed to find that zone RS-1-7 was not included in those Zones which the city is tentatively planning to eliminate the Bonus ADU program.

The SD Union news article reporting on the March 4 council meeting stated that the City Planning Director, said *"lots are small enough in RS 1-5, RS 1-6 and RS 1-7 that outlier lots are extremely rare — or might not even exist at all."* The implication is that above 3 zones that were not included in the recommendation to exclude the Bonus ADU program, because the small lot size would naturally limit the number of bonus ADUs that could be built. **This is simply not true!** I have one exception right next door (3404 Ottawa Ave, 5 ADUs proposed, project PMT-3261096) where the lot size is 33,455 square feet (ft²). I decided to find out if there were any other "outliers" like the lot next to mine where the Bonus ADU program is being abused.

I have spent hours going over the available maps that I could find that had lot size data available. I used the "TSP" map with the TSP highlighting removed and manually looked at every lot south of the San Diego Northern Railway transit inland and North of I-8 and East of I-5 and West of both I-163 and I-805; in common parlance this is University City, Clairemont and Linda Vista. Almost all of this map area is zoned as RS-1-7. On the map I added a marker for every lot exceeding 15,000 ft². Here and below "ft²" means "square feet." The results are shown in the images below. Not including University City, there were **684 lots with areas greater than 15,000 ft²!**

I used the lot size threshold of 15,000 ft² because the City Planning Director's Memorandum recommended "Additionally, reduce the ADU Bonus Program applicability in very low-density residential zones, such as RS-1-1, RS-1-2, RS-1-3, RS-1-8, RS-1-9 and RS-1-10...." RS-1-3 explicitly designates 15,000 ft² as the minimum lot size. By including them in City's proposed zones for eliminating the applicability of the Bonus ADU program, the memorandum confirms that lots > 15,000 ft² can be abused by the Bonus ADU program.

Here are my takeaways:

- 1) In the map areas below **South of CA-52** (aka, excluding University City) **there are 684 lots with an area greater than 15,000 ft²!!** This seems to contradict the hypothesis that "lots are small enough in RS 1-5, RS 1-6 and **RS 1-7** that **outlier lots are extremely rare — or might not even exist at all.**" This was one of the rationales given for **why RS-1-7 should not be included** in the 2025 Land Development Code Update. **Clearly this argument is wrong!** 684 lots in a small portion of San Diego's RS-1-7 zoning is far from "extremely rare - or might not even exist at all."
- 2) The majority of the RS-1-7 lots with areas greater than 15,000 ft² occurred on cul-de-sacs or back onto canyons.
- 3) By correlation, the majority of these lots also are categorized as "Very High Fire Hazard Severity Zone (VHFSZ)."
- 4) By correlation, the majority of these lots have very small front footage and extend deep into a canyon.
- 5) Many are categorized as "Paleontological Sensitivity Areas" and/or Environmentally Sensitive Lands.

Taken together 2) and 4) above imply that these lots have very little, if any, existing on street parking since most also have a driveway taking up 12+ feet of the front footage. Therefore, if the Bonus ADU program would be allowed for these lots, it would significantly increase on-street parking, and in many cases limit emergency vehicle access. Including 3) above, the increased on-street parking may limit fire truck access or make fire truck turn-around impossible (depending on the radius of the cul-de-sac turn around).

This is especially true for many of lots on cul-de-sacs with turn radii ≤ 40 feet in Figure 1 below, since a majority with lot size > 15,000 on cul-de-sacs are on canyon edges in Very High Fire Hazard Severity Zones. The increased on-street parking on the cul-de-sac due to allowing the Bonus ADU program to apply to Zone RS-1-7 prevents fire trucks from being able to turn around (this case is documented elsewhere)



Figure 1. The above map is a reduced fidelity version of the entire area.

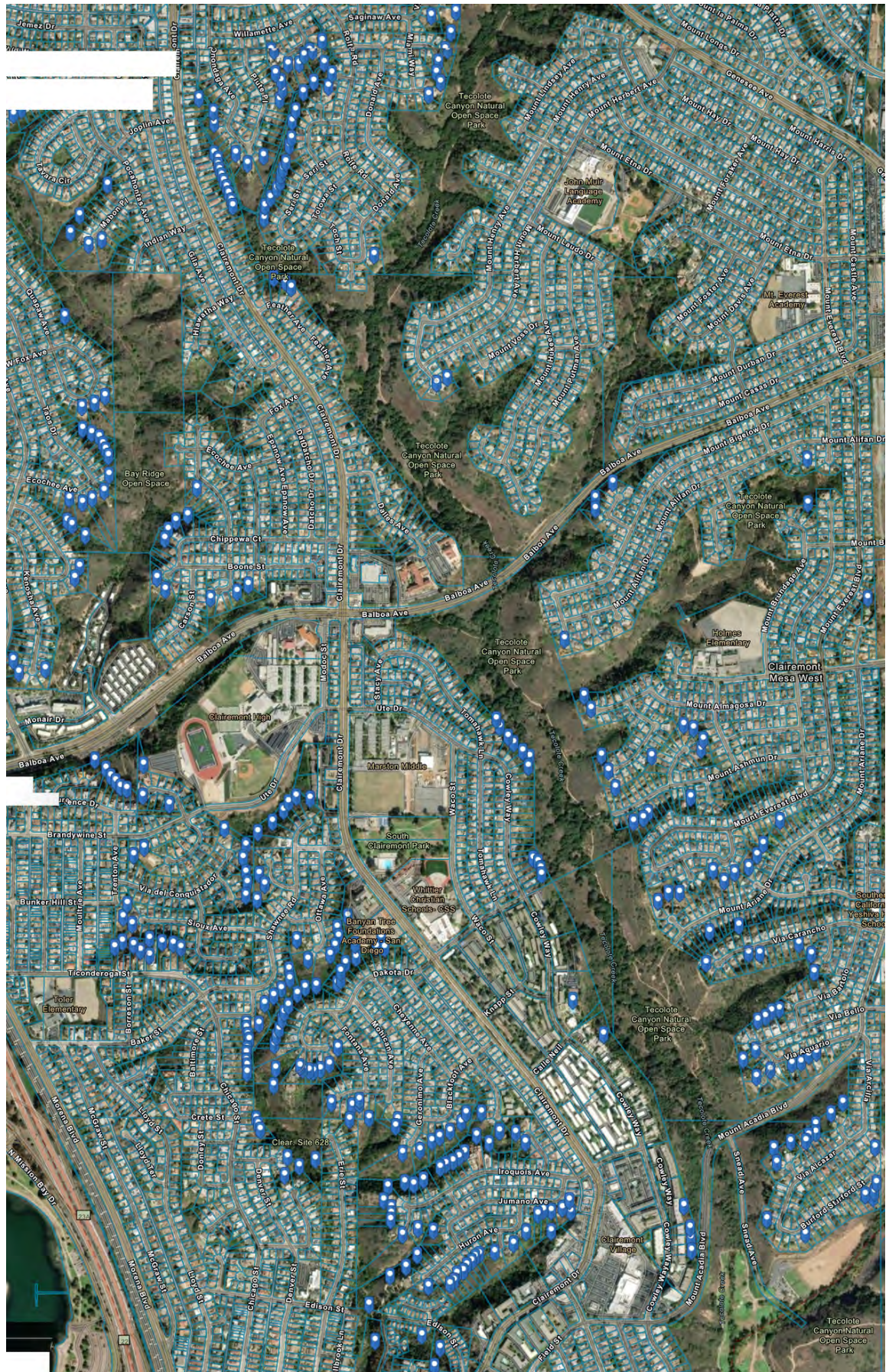


Figure 2 High Resolution Close-up Lots > 15,000 ft2 West Clairemont

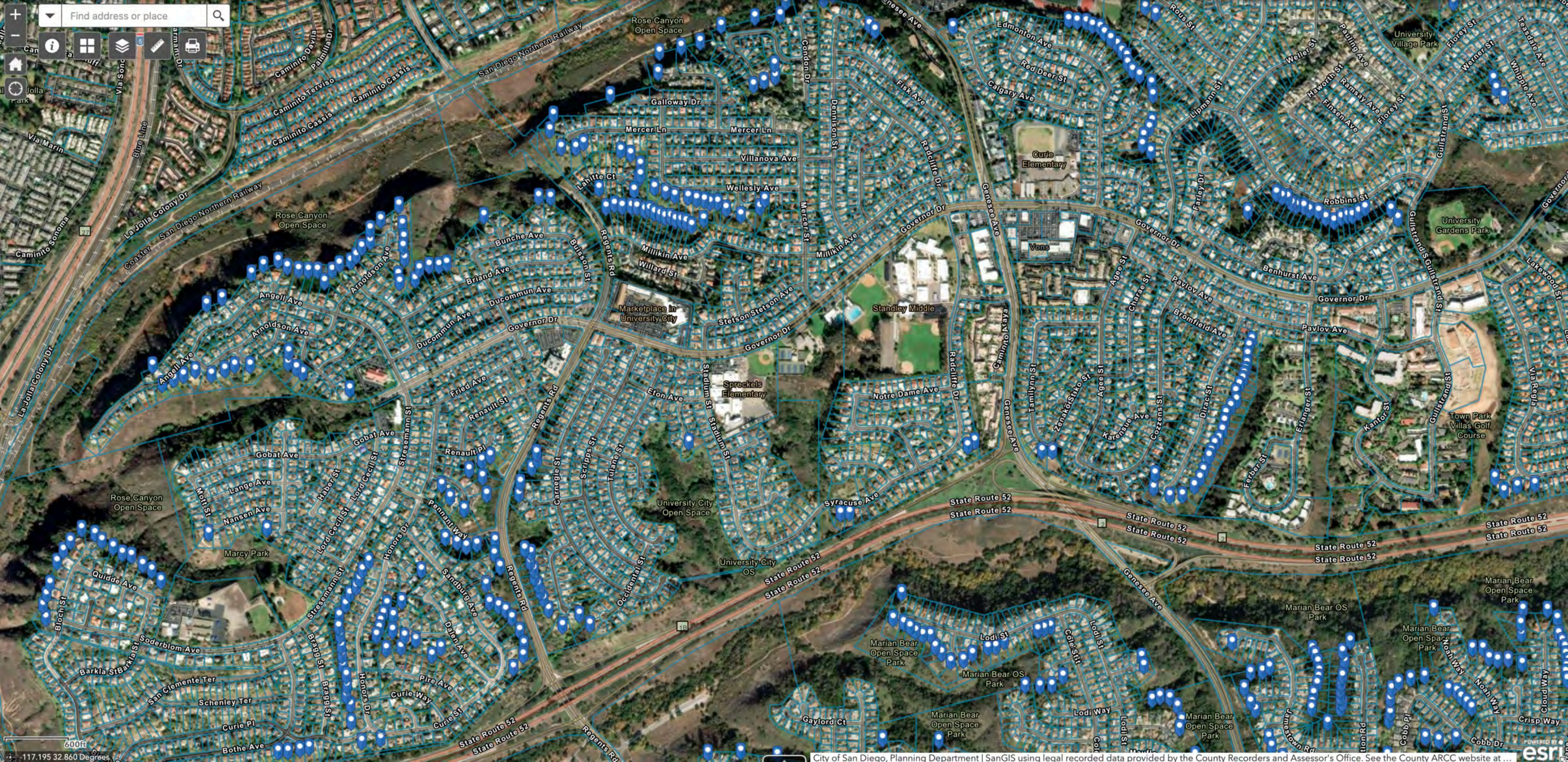
Download a full resolution map of the entire area from University City to Linda Vista described in 1) above at

<https://www.dropbox.com/scl/fi/i37co64za31fnutz23oi/2025-03-09-Lots-15-000-ft2-From-University-City-to-Tecolote-Canyon.jpg?rlkey=7zjrv30ebqxmldr4xhq5wcir&dl=0>

The full resolution version is not included here because it would make this document over 10 MB.

I think I have made a good case for eliminating the ADU Bonus program in RS-1-7 (along with the RS-1-1, RS-1-2, RS-1-3, RS-1-8, RS-1-9 and RS-1-10 proposed in the Feb 28 Memorandum) in the 2025 Land Development Code Update.

If the Bonus ADU program is not eliminated from RS-1-7 zoning, then it should at least be forbidden on cul-de-sacs and lots backing onto canyons with more than 15,000 ft² in Very High Fire Hazard Severity Zone (VHFSZ) areas



CPC ADU SUBCOMMITTEE

RS/RX Zoning Proposal

APRIL 10, 2025

RS/RX Zoning Proposal	CPC Recommendation	Existing Rules/Interpretations
Sunset Clause	Sunset program with Housing Element (2029)	None - Permanent
Density		
Qty/Lot	<p>4 Maximum (regardless of SDA) 1 primary + 2 state market rate units + 1 bonus (affordable)</p> <p>1. 4 = SB9's "4 means 4" 2. 4 is the dividing line between SF and MF for many regulations (HUD) 3. 4 divides City trash service from contracting out 4. 4 is under coastal inclusionary regs limit 5. Financing regulations differ between 4 and 5.</p>	<p>(in SDA) (house + 1-2 state ADUs) + (unlimited bonus pairs) = ∞ units + JADU (outside SDA) (house + 1-2 state ADUs) + (2 Bonus ADUs) = 4-5 total units + JADU</p>
Qty/Lot (lot size based)	Support City proposal, however other CPC proposals mostly moot this regulation.	(in SDA) City proposing total ban on bonus ADUs in zones with a lot minimum of > 10k
FAR	Support City proposal for Environmentally Sensitive Lands	All FAR in Base Zoning is usable - except on Open Space/ESL
Zones	RS-1-1 through RS-1-14 Zones RX Zones	City proposal only exempts: RS-1-1, RS-1-2, RS-1-3, RS-1-4, RS-1-8, RS-1-9, RS-1-10, RS-1-11

Scale		
Height	16-18 ft detached; 25 ft attached; All ADUs follow state height rule.	30 ft for both state and bonus ADUs
Stories	2 (both story & height limit apply)	No restriction
Square Ft	1200 max – 150 min	1200 max – 150 min
Setbacks (Rear/Side)	4 ft side/rear setback. No change to street side yard setbacks.	0 ft; or 4 ft when above 16 ft ht/2 stories and abuts residential property. Must comply with required street side yard setbacks.
Brush Mgmt Setback	No Comment	5 ft brush management setback proposed by city (AB1379?)
Exterior Space		
Private Exterior Space	Require private exterior space similar to RM zones with 4 units or less	Currently not required in RS zones, yet is a requirement for RM zones. (see §131.0455 for RM rules for fewer than 4 units)
Common Open Space	Limit RS lots to 4 units or less, so common open space rules don't apply.	Currently not required in RS zones, yet is a requirement for RM zones. (see §131.0456 for RM rules for greater than 4 units)
Parking Regulations	Support recommendation for 1 parking space per unit outside of ½ mile from any transit, as opposed to high quality transit. While parking can't be required for the state ADUs per state law, inside the ½ mile walking distance Transit Parking Standards zone, within RS zones, require parking for the <i>single</i> City Bonus ADU.	0 spaces (in SDA) / 0 spaces (outside SDA) – (state allows 1 space > ½ mile walk to any transit, not just high-quality transit)
SDA Size	SDA no longer applies	1 mile walking distance
Compliant Pedx Path	SDA no longer applies	Yes – (in SDA)
SDA Transit Program	SDA no longer applies	RTP Long Term 2050 Plan (uses 2035 Subset, but 2035 is not funded)

VHFHSZ (Fire Zones)	No bonus ADUs in VHFHSZs, and all cul de sacs and loops with single point of ingress/egress.	State law recommends ‘other safety improvements’ for > 30 units PRC §4290.5
Affordability		
Deed Length	55 years	15 Years – (10 yrs)
Income (AMI %)	To Affirmatively Further Fair Housing - Bonus Unit AMI by CTCAC zone: Highest – up to 30% AMI High – up to 60% AMI Moderate – up to 80% AMI Low – up to 110% AMI	110% Moderate – (other current limits 60%, 50%)
STVR	Do not allow parcels with a/any Bonus ADU to rent out <u>any</u> units, including primary house, for less than 31 days.	ADU can’t be STVR’d, but main house is allowed to STVR. No net gain in housing supply.
Individual Sale	Support staff proposal	Currently only charities – State/City proposing to allow individual sale
DIFs		
State Units (2)	No Change/No Comment	DIF can apply when > 750 sf (but City has no DIF so as to = local SB9 rules)
City Bonus Units (1)	No Change/No Comment	DIF can apply when > 750 sf / proposing “Opt-in Fee” in lieu of DIF

CPC ADU SUBCOMMITTEE

RM Zoning Proposal

April 10, 2025

RM Zoning Proposal	CPC Recommendation	Existing Rules/Interpretations
Sunset Clause		None - Permanent
Density		
Qty/Lot	<p>See attached document for 3 proposals for consideration by CPC.</p> <p>All City Bonus Units would be 100% deeded affordable and follow the same rules proposed for the RS Zones.</p>	<p>Unlimited Bonus in an SDA One Bonus ADU outside an SDA (SB1211) State law now allows a minimum of 2 ADUs or 1 ADU for every existing unit on the lot, up to 8. Also, up to 25% of an existing dwelling unit structure can be converted to an ADU. All uninhabitable space may be converted to an ADU regardless of quantity.</p>
FAR	Support City proposal for Environmentally Sensitive Lands	All FAR in Base Zoning is usable - except on Open Space/ESL Minimum FAR is 1.25
Height	Follow municipal code	Municipal code
Exterior Space		
Private Exterior Space	Require private exterior space as required by RM code.	See §131.0455 for RM rules.
Common Open Space	Require common open space when there are 4 units or more.	See §131.0456 for RM rules for greater than 4 units.
Parking Regulations	Support recommendation for 1 parking space outside of ½ mile from any transit	0 spaces (in SDA) / 0 spaces (outside SDA) – (state allows 1 space > ½ mile walk to any transit, not just high-quality transit)
STVR	Do not allow parcels with a/any Bonus ADU to rent out <u>any</u> units for less than 31 days.	ADU can't be STVR'd, but main house is allowed to STVR
Individual Sale	Support staff proposal	Currently only charities – State/City proposing to allow individual sale
DIFs		
	Charge DIF for all units greater than 750	DIF can apply when > 750 sf
	Support opt-in fee	Opt-in Fee when using the Bonus ADU program > 750 sf

BONUS ADU PROPOSALS FOR RM ZONES

NOTES:

Current state law mandates cities allow 1 ADU for every unit currently on a parcel, with an absolute minimum of 2 and an absolute maximum of 8.

Density = # units allowed on a lot of that size and zone.

FAR = is a ratio between lot size and overall allowed floor space (think of it as volume or building mass).

DIF = State law also states that state-mandated ADUs smaller than 750sf must be DIF free. The City interprets this to mean that ALL ADUs smaller than 750sf must be DIF free, not just state-mandated ADUs.

PROPOSAL 1

Keep RM City Affordable Bonus ADU program as is. This program is entirely controlled by the capacity of the FAR not the density of units. In recent years, at the lower end, RM-1-1 and RM-1-2, the state has mandated an increase in FAR by 33% - 67%.

PROPOSAL 2

On a parcel that has unused density, allow construction of City Bonus ADUs (as an alternative to regular dwelling units) up to the allowed density, and within the FAR for that size and zoned lot (excluding the 800sf FAR-buster unit). This is in addition to the state mandated By-Right ADUs.

The state units are based upon the number of existing units, up to a flexible number of 2-8. 2 regardless of how few units exist; 8 regardless of how many.

When built as ADUs, the City's interpretation of law allows the developer to avoid paying DIFs on all the units under 750 sf. All City Bonus ADUs will be deeded affordable.

PROPOSAL 3

Allow 2 City Bonus Affordable ADUs on every RM lot if allowed by the FAR. Excluded from the City Bonus Affordable ADU program would be lots which have maxed out, or even over-built their unit density allowance. These lots, along with all others will still allow State ADUs, up to 8.

BONUS PROGRAM EXAMPLES

 = Existing Unit

 = Unused Potential Density

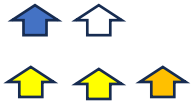
 = State Mandated ADU

 = City Bonus Affordable ADU

CITY AFFORDABLE BONUS ADUS LIMITED TO POTENTIAL DENSITY ON RM LOTS (PROPOSAL 2)

2 UNIT LOTS

1 BUILT UNIT – 2 STATE ADUS – 1 CITY AFFORDABLE ADU = 4 UNITS

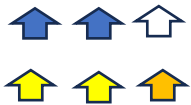


3 UNIT LOTS

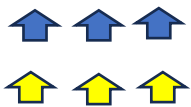
1 BUILT UNIT – 2 STATE ADUS – 1 CITY AFFORDABLE ADU = 5 UNITS



2 BUILT UNITS – 2 STATE ADUS – 1 CITY AFFORDABLE ADU = 5 UNITS

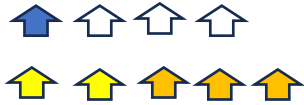


3 BUILT UNITS – 3 STATE ADUS – 0 CITY AFFORDABLE ADUS = 6 UNITS



4 UNIT LOTS

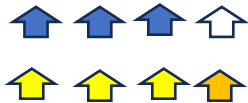
1 BUILT UNIT – 2 STATE ADU – 3 CITY AFFORDABLE ADUS = 5 UNITS



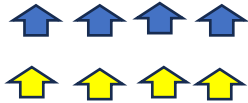
2 BUILT UNITS – 2 STATE ADUS – 2 CITY AFFORDABLE ADUS = 6 UNITS



3 BUILT UNITS – 3 STATE ADUS – 1 CITY AFFORDABLE ADU = 7 UNITS



4 BUILT UNITS – 4 STATE ADUS – 0 CITY AFFORDABLE ADUS = 8 UNITS



6 UNIT LOTS

2 BUILT UNITS – 2 STATE ADUS – 4 CITY AFFORDABLE ADUS = 8 UNITS



4 BUILT UNITS – 4 STATE ADUS – 2 CITY AFFORDABLE ADUS = 10 UNITS



8 UNIT LOTS

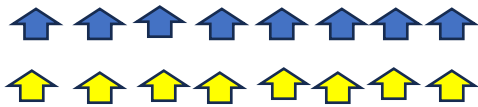
2 BUILT UNITS – 2 STATE ADUS – 6 CITY BONUS AFFORDABLE UNITS = 10 UNITS



4 BUILT UNITS – 4 STATE ADUS – 4 CITY BONUS AFFORDABLE UNITS = 12 UNITS

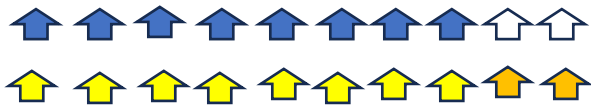


8 BUILT UNITS – 8 STATE ADUS – 0 CITY BONUS AFFORDABLE UNITS = 16 UNITS

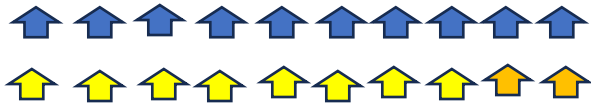


10 UNIT LOTS

8 BUILT UNITS – 8 STATE ADUS – 2 CITY AFFORDABLE ADUS = 18 UNITS



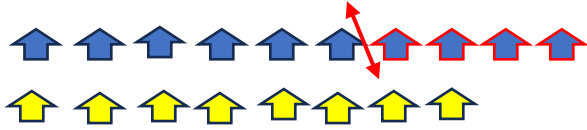
10 BUILT UNITS – 8 STATE ADUS – 2 CITY AFFORDABLE ADUS = 20 UNITS



LOTS BUILT BEYOND CURRENT ZONING

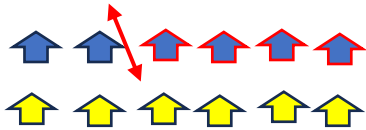
6 UNIT LOT

10 BUILT UNITS (4 BUILT BEYOND ZONING) – 8 STATE ADUS – 0 BONUS ADUS = 18 UNITS



2 UNIT LOT

6 BUILT UNITS (4 BUILT BEYOND ZONING) – 6 STATE ADUS – 0 BONUS ADUS = 12 UNITS



CITY AFFORDABLE BONUS ADUS LIMITED TO 2 ON EVERY RM LOT

PROPOSAL 3

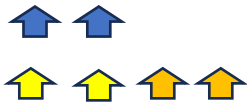
2 UNIT LOTS

1 BUILT UNIT – 2 STATE ADUS – 2 CITY AFFORDABLE ADU = 5 UNITS



2 UNIT LOTS

2 BUILT UNITS – 2 STATE ADUS – 2 CITY AFFORDABLE ADU = 6 UNITS



3 UNIT LOTS

1 BUILT UNIT – 2 STATE ADUS – 2 CITY AFFORDABLE ADU = 5 UNITS



2 BUILT UNITS – 2 STATE ADUS – 2 CITY AFFORDABLE ADU = 6 UNITS



3 BUILT UNITS – 3 STATE ADUS – 2 CITY AFFORDABLE ADUS = 8 UNITS



4 UNIT LOTS

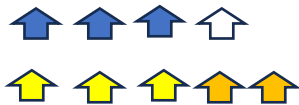
1 BUILT UNIT – 2 STATE ADUS – 3 CITY AFFORDABLE ADUS = 5 UNITS



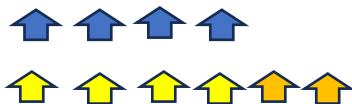
2 BUILT UNITS – 2 STATE ADUS – 2 CITY AFFORDABLE ADUS = 6 UNITS



3 BUILT UNITS – 3 STATE ADUS – 2 CITY AFFORDABLE ADU = 8 UNITS



4 BUILT UNITS – 4 STATE ADUS – 2 CITY AFFORDABLE ADUS = 10 UNITS



6 UNIT LOTS

2 BUILT UNITS – 2 STATE ADUS – 2 CITY AFFORDABLE ADUS = 6 UNITS



4 BUILT UNITS – 4 STATE ADUS – 2 CITY AFFORDABLE ADUS = 10 UNITS

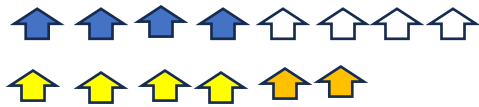


8 UNIT LOTS

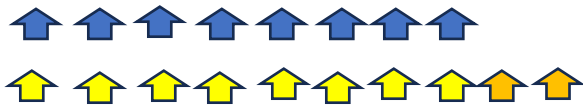
2 BUILT UNITS – 2 STATE ADUS – 2 CITY BONUS AFFORDABLE UNITS = 6 UNITS



4 BUILT UNITS – 4 STATE ADUS – 4 CITY BONUS AFFORDABLE UNITS = 12 UNITS

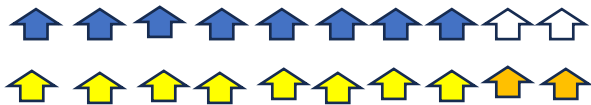


8 BUILT UNITS – 8 STATE ADUS – 2 CITY BONUS AFFORDABLE UNITS = 18 UNITS

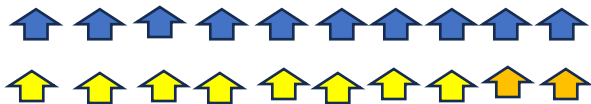


10 UNIT LOTS

8 BUILT UNITS – 8 STATE ADUS – 2 CITY AFFORDABLE ADUS = 18 UNITS



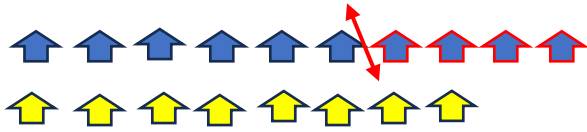
10 BUILT UNITS – 8 STATE ADUS – 2 CITY AFFORDABLE ADUS = 20 UNITS



LOTS BUILT BEYOND CURRENT ZONING

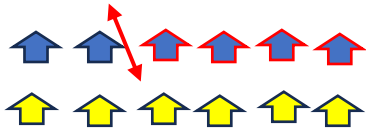
6 UNIT LOT

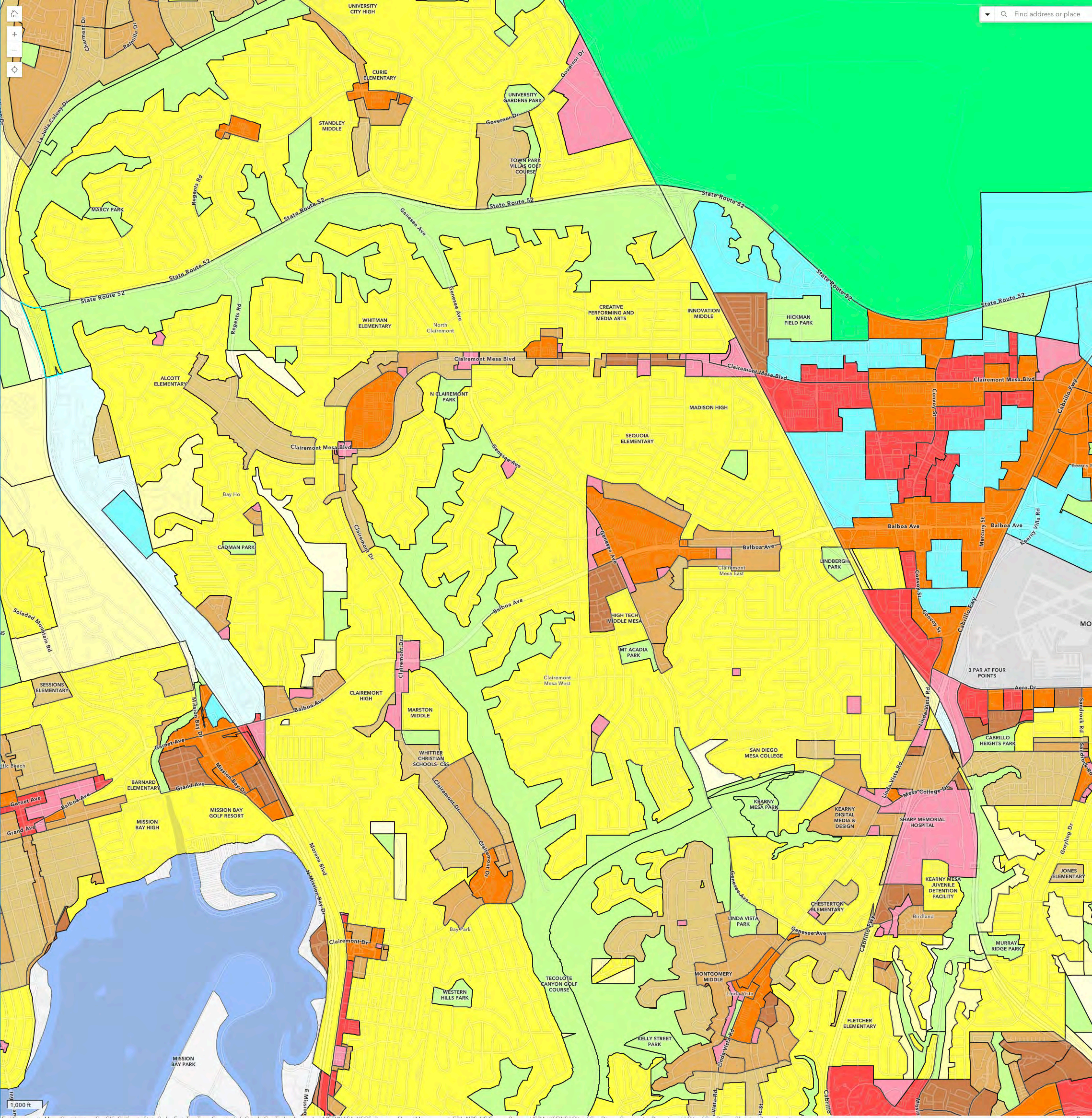
10 BUILT UNITS (4 BUILT BEYOND ZONING) – 8 STATE ADUS – 0 BONUS ADUS = 18 UNITS



2 UNIT LOT

6 BUILT UNITS (4 BUILT BEYOND ZONING) – 6 STATE ADUS – 0 BONUS ADUS = 12 UNITS





Scott Grier



Honorable Chairperson Moden, Vice Chairperson Boomhower, & Commission Members

City of San Diego

202 C St, 12th Floor

San Diego, CA 92101

**RE: ITEM 1 - ACCESSORY DWELLING UNIT (ADU) AND JUNIOR ACCESSORY DWELLING UNIT (JADU) REGULATION
AMENDMENTS TO THE SAN DIEGO MUNICIPAL CODE AND LOCAL COASTAL PROGRAM AMENDMENT**

Honorable Chairperson Moden, Vice Chairperson Boomhower, & Commission Members,

I am writing to express strong support for the **ADU Bonus Program** and to respectfully urge you to reject or revise several of the proposed amendments to the San Diego Municipal Code and Local Coastal Program that would undermine the program's success. San Diego faces a profound housing affordability crisis, and the ADU Bonus Program has proven to be one of the most effective tools in our toolbox.

What's Working: Since its inception, the ADU Bonus Program has helped San Diego build **875 homes**, including **368 deed-restricted affordable homes**—an unprecedented leap compared to the mere **three moderate-income homes built citywide over the prior seven years**. These homes are making it possible for teachers, nurses, students, and working families to live in communities where they would otherwise be priced out. And crucially, this program has operated **without taxpayer subsidies**—a major success as the City grapples with a budget deficit.

I urge you to consider that every affordable ADU built through this program is a home for someone who needs it—someone who might otherwise be commuting from Riverside or facing displacement.

Oppose the Following Proposed Changes:

1. Community Enhancement Fee (Item 22) –

Oppose. The proposed new “opt-in” fee on ADUs smaller than 750 square feet violates the spirit of state law, which prohibits impact fees on these smaller units. Adding fees will make affordable ADU projects financially infeasible, especially when margins are already thin. This fee would **deter participation** in the program and is counterproductive to our housing and equity goals.

2. New Parking Requirements (Item 18 & 12) –

Oppose. These requirements conflict with state law and would add unnecessary costs. The proposal would mandate off-street parking in areas outside of Transit Priority Areas and require **replacement parking** for demolished spaces in Beach Impact Zones. State law clearly limits such requirements and San Diego's current no-parking standard has helped enable more affordable units. Adding parking mandates would waste valuable land and **undermine the very affordability we seek to create**.

3. ADU Ban on Cul-de-Sacs and Single Access Roads (Item 15) –

Oppose. This blanket prohibition on ADUs in High Fire Severity Zones or on lots with a single point of ingress/egress (such as cul-de-sacs) is overly broad. Instead, the City should adopt **site-specific fire safety criteria**. A cul-de-sac in Clairemont is very different from one in a remote canyon. These overgeneralizations reduce housing in precisely the neighborhoods where access to opportunity is greatest.

4. Bonus Program Prohibition in Low-Density Zones (Item 14) –

Oppose. Prohibiting ADU bonuses in RS-1 zones (like RS-1-1 and RS-1-2) blocks the program in some of the most exclusionary, **high-resource neighborhoods**. The program was designed specifically to integrate affordable housing into areas that have historically resisted it. Cutting these zones out of the program undermines fair housing and the city's climate and equity goals.

Support the Following Reforms:

1. AB 1033 Implementation (Item 23) –

Support. I support the provision allowing ADUs to be **sold separately** from the primary home. This is a major step toward enabling affordable homeownership, especially for first-time buyers and multigenerational families. San Diego should follow San Jose’s lead in proactively implementing **AB 1033** and ensure there are clear pathways and checklists to convert eligible ADUs into for-sale condominiums.

2. Deed Restriction Enforcement –

Support. I support stronger penalties for non-compliance with affordable rent deed restrictions. Ensuring accountability will protect the integrity of the Bonus Program and prevent misuse.

3. Fire Safety Enhancements (with Nuance) –

Support with caveats. Aligning setbacks with fire code and requiring sprinklers makes sense **as long as** they do not create de facto bans on ADUs. Avoid overly broad rules; adopt a **case-by-case safety review** process instead.

Legal Conflicts with State Law (from CalHDF analysis):

- **Setbacks:** The City’s proposal for larger setbacks in fire zones may **violate Gov. Code §65852.2(c)**, which mandates that qualifying ADUs be allowed with just 4-foot setbacks.
- **Parking:** State law **prohibits replacement parking requirements** and mandates **no parking be required** in TPAs or for units under 750 sq ft.
- **Impact Fees:** Fees on small ADUs directly **contravene state limits**.
- **Size Limitations:** The proposed 1,200 sq ft size cap for ADUs on multifamily lots may violate **Gov. Code §66323(a)(4)**.

Final Thoughts:

This is a moment of truth for San Diego’s housing future. Let’s not turn back the clock on one of the most successful affordability tools our city has ever seen. Instead, let’s refine it, target improvements, and lead the state in ADU innovation. The ADU Bonus Program is not perfect, but its potential is too great to squander.

I urge the Planning Commission to:

- **Protect the ADU Bonus Program** by rejecting regressive changes,
- **Support legal and feasible reforms** like AB 1033 implementation,
- **Focus on expanding access in high-opportunity areas**, not restricting it,
- **Ensure all changes comply with state law** and HCD guidance.

Thank you for your consideration and for your continued commitment to housing solutions that work for all San Diegans.

Sincerely,

Wesley Morgan

Homeowner, District 3



YIMBY Democrats of
San Diego County
info@yimbydemssd.com

Our Leadership Team

President
Manny Rodriguez

Vice President
Eadie Demarcus

Secretary
Krishna Hammond

Treasurer
Wesley Morgan

President Emeritus
Jordan Latchford

Policy
Catherine Ferguson

Advocacy & Comms
Saad Asad

Endorsements
Thomas DeFranco

Member Relations
Evan Strawn

April 30, 2025

Honorable Chairperson Moden, Vice Chairperson Boomhower,
& Commission Members
City of San Diego
202 C St, 12th Floor
San Diego, CA 92101

**RE: ITEM 1 - ACCESSORY DWELLING UNIT (ADU)
AND JUNIOR ACCESSORY DWELLING UNIT (JADU)
REGULATION AMENDMENTS TO THE SAN DIEGO
MUNICIPAL CODE AND LOCAL COASTAL PROGRAM
AMENDMENT**

Honorable Chairperson Moden, Vice Chairperson Boomhower,
& Commission Members,

On behalf of the YIMBY Democrats of San Diego County - everyday residents who share your recognition of our City's dire housing shortage - **we urge you to deny certain proposed amendments to the City's ADU/JADU regulations and ADU bonus program.** At a time when average rent in San Diego is \$2,700, and half of renters are cost-burdened, we need more affordable, market-driven options.

We believe every San Diegan deserves a home they can afford. For many, the median single-family home price of \$1.04M is out of reach. ADUs provide a "missing-middle" choice for residents, workers, and families who want to stay in the City but lack other viable housing options. At a time when we face a severe housing crisis, it is unwise to roll back policies that are successfully spurring infill development, helping us meet both our housing and climate goals.

In 2024 alone, the ADU Bonus Program created 787 homes, including 312 deed restricted units—while the City previously approved only 3 moderate-income homes in the seven years before this program existed. This program has proven exceptionally effective at providing affordable housing in otherwise "locked" neighborhoods, with about a third of these new homes located in wealthier areas that have historically lacked affordable options.

We support the ADU Bonus Program and some of the proposed amendments, including the increase in fees for failure to abide by Affordability Agreements and the creation of the ability to separately convey the ADUs from the primary residence. The separate conveyance of ADUs provides for more affordable and attainable for-sale housing options for every day San Diegans.

However, pursuant to the Staff Report provided for this meeting, we urge the Commission revise or deny the following proposed amendments:

Item 22 - Community Enhancement Fee: We urge the Commission to reject this amendment as it **likely violates State law regarding the application of development impact fees (DIFs) to small-size ADUs**. CA Government Code section 66324 prohibits the application of DIFs to any ADU under 750sf. It states, "A local agency, special district, or water corporation *shall not impose any impact fee upon the development of an accessory dwelling unit less than 750 square feet*. Any impact fees charged for an accessory dwelling unit of 750 square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling unit." The State Law does not differentiate between those units built by right and those built under a bonus program. It clearly prohibits this type of fee. Additionally, calling the fee a "Community Enhancement Fee" does not avoid the application of this law. Impact Fees are defined as "*any monetary exaction other than a tax or special assessment that is charged by a local agency in connection with the approval of an ADU for the purpose of defraying all or a portion of the cost of public facilities relating to the ADU.*" (CA Gov. Code, §§ 66324, subd. (a); 66000.) Here, the Staff Report states that the Community Enhancement Fee would be to "support neighborhood infrastructure improvements." This is clearly meant to be a fee to defray the impacts of the ADU on public facilities and, therefore, would be considered an Impact Fee. As such, we urge the Commission to reject this proposed amendment as contrary to State Law.

Item 18 - Parking: We urge the Commission to reject this amendment as it is contrary to the City's Climate Action Plan which calls for the City to reduce or eliminate parking requirements. This is also contrary to the City's Sustainable Development Areas (SDA) policy which does not require off-street parking for projects within SDAs. Additionally, State Law and Policies regarding affordable housing make it clear that parking is a burden for affordable housing.¹ The off-street parking would take up valuable square footage that could be used to provide housing units. This is especially alarming when paired with the other proposed amendments regarding lot size, height, and FAR, which will reduce developable land and make it difficult, if not impossible, for many projects to be feasible..

¹ California Department of Housing and Community Development. *AB 2097 Technical Assistance: Parking Requirements for Residential and Commercial Development Near Public Transit*. Sacramento, CA: California HCD, 2023, 2. <https://www.hcd.ca.gov/sites/default/files/docs/policy-and-research/ab-2097-ta.pdf>.



info@yimbydemssd.com
www.yimbydemssd.com

Item 15 - Evacuation Routes: We urge the Commission to amend this proposed amendment to remove the prohibition of the ADU Bonus Program on parcels which front cul-de-sacs or only have one point of ingress or egress. We would recommend that those parcels be required to show adequate fire evacuation pursuant to the State Fire Code, rather than a blanket prohibition on all such parcels. This would allow flexibility for those parcels which could safely house additional units without sacrificing the fire safety goals of this proposal.

Item 17 - Required Automatic Fire Sprinkler System: We urge the Commission to amend this proposed amendment to require fire sprinkler systems only in those ADUs for which the primary home would require fire sprinklers, as required by State Law. The proposed amendment, as written, potentially violates CA Government Code Section 66314. We would urge the Commission to amend this requirement in line with State Law.

While we understand the desire for proposed amendments to the program, those listed in this letter would severely harm the success this program has seen and be detrimental to the City's purported goals of home development and affordability. Additionally, they would be contrary to the stated intent of State housing laws, potentially putting the City's Housing Element at risk of decertification and risking losing critical funding, removing the City's ability to deny certain development proposals, jeopardizing its Prohousing Designation, and potentially triggering Builder's Remedy laws.

We respectfully urge you to reject or amend the selected changes to the ADU bonus program and remain open to thoughtful reforms addressing community concerns while maintaining its benefits.

Thank you for your time and leadership,

A handwritten signature in blue ink, appearing to read "CF", written over a horizontal line.

Catherine Ferguson, Policy Chair
Shane Larimer, Policy Co-Chair

I wholeheartedly support the ADU Density Bonus Program, recognizing it as an essential mechanism for achieving our Housing Element and Prohousing objectives. However, I believe it requires careful refinement rather than outright elimination.

I understand the community's apprehensions regarding non-owner, investment-driven ADU developments, yet I share concerns about the sweeping measures being proposed—such as the removal of large lot designations, even in Strategic Development Areas (SDAs). Furthermore, introducing additional parking requirements, sprinkler systems, and enhancement fees could render the program ineffective.

Even more troubling is the proposal to eliminate zones that feature medium-sized lots in walkable neighborhoods. For instance, consider the compounded effects of (1) removing large lot zones and (2) making the construction of bonus ADUs on medium-sized lots (RS-1-7) less viable by imposing additional parking requirements and costs. What will be the net impact on the acreage eligible for this program?

It is clear that we need more housing options for low- and middle-income families. Before moving forward with these decisions, I strongly urge you to assess the repercussions of the proposed changes in each zone. Let's concentrate on fine-tuning the program to foster the production of housing that enhances affordability, walkability, and public safety—ultimately benefiting both resident homeowners and ADU tenants.



AB 168: Tribal Scoping Consultation Requirements for Projects Seeking Review Under the Streamlined Ministerial Approval Process (SB 35)

AB 168 (Aguiar-Curry, 2020) created a process for tribal scoping consultation ("consultation") for housing development proposals seeking review under the streamlined ministerial approval process created by SB 35 (Wiener, 2017). Developers are now required to submit a preliminary application with key project details (found in Government Code §65913.4(b)(1)(A)) and engage in tribal scoping consultation that potentially influences the project's eligibility for ministerial approval.

This document provides an overview of this new process pursuant to AB 168 and answers some common questions related to this new law. This document specifically focuses on the scoping consultation requirement related to SB 35's streamlined ministerial approval process and not consultation requirements that may be required by other laws unless otherwise noted.

This document provides guidance only and should not be construed as legal advice. OPR provides this technical advisory as a resource for the public to use at their discretion. OPR is not enforcing or attempting to enforce any part of the recommendations or information contained herein.

When does AB 168 take effect?

Immediately. AB 168 contained an urgency clause, which means that the bill took effect on **September 25, 2020**, when the Governor signed the bill. This law does not apply to any projects that obtained ministerial approval under SB 35 by the local government prior to this date (Government Code §65913.4(b)(8)).

The Governor's Office of Planning and Research (OPR) advises that projects with pending applications under review should engage in this tribal consultation to ensure compliance with the requirements of AB 168.

What information must be included in a preliminary application?

Before submitting an application for SB 35 approval, development proponents must now submit a notice of intent to submit an application, which includes a preliminary application. The preliminary application and its requirements are described in existing statute (Government Code §65941.1); it is also the same preliminary application referenced in SB 330 (Statutes of 2019).

The California Department of Housing and Community Development (HCD) has developed a standardized form that applicants for housing development projects may use for the purpose of satisfying the requirements for submittal of a preliminary application if a local agency has not developed its own application form. The form and more information on the SB 330 preliminary application can be found at <https://www.hcd.ca.gov/community-development/accountability-enforcement/statutory-determinations.shtml>

A preliminary application must include all of the following information:

1. The project's location, including the parcel number, a legal description, and address, as applicable
2. The existing uses of the site and the identification of major physical alterations to the property
3. A site plan showing the location of the property; as well as the massing, height, approximate square footage, and elevations showing design, color, and material of each building to be occupied
4. The proposed land uses by number of units and square feet of residential and nonresidential development using the applicable categories in the applicable zoning ordinance
5. The proposed number of parking spaces
6. Any proposed point sources of air or water pollutants

7. Any species of special concern known to occur on the property
8. Whether a portion of the property is located within any of the following:
 - a. A very high wildfire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Government Code Section 51178
 - b. Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993)
 - c. A hazardous waste site listed pursuant to Government Code Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Health and Safety Code Section 25356
 - d. 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 in any official maps published by the Federal Emergency Management Agency
 - e. 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 (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2
 - f. A stream or other resource that may be subject to a streambed alteration agreement pursuant to Chapter 6 (commencing with Section 1600) of Division 2 of the Fish and Game Code
9. Any historic or cultural resources known to exist on the property
10. The number of proposed below market rate units and their affordability levels
11. The number of bonus units and any incentives, concessions, waivers, or parking reductions pursuant to Density Bonus Law (Government Code Section 65915)
12. Whether any approvals under the Subdivision Map Act (Division 2 of Title 7 (commencing with Section 66410) of the Government Code), including, but not limited to, a parcel map, tentative map, or condominium map, are being requested
13. The applicant's contact information, and, if the applicant does not own the property, the property owner's consent to submit the application

14. For a housing development proposed to be located within the coastal zone, whether any portion of the property contains any of the following:
 - a. Wetlands, as defined by subdivision (b) of Section 13577 of Title 14 of the California Code of Regulations
 - b. Environmentally sensitive habitat areas, as defined by Public Resources Code Section 13577
 - c. A tsunami run-up zone
 - d. Use of the site for public access to or along the coast
15. The number of existing residential units on the project site that will be demolished and whether each unit is occupied or unoccupied
16. A site map showing a stream or other resource that may be subject to a streambed alteration agreement pursuant to Chapter 6 (commencing with Section 1600) of Division 2 of the Fish and Game Code and an aerial site photograph showing existing site conditions of environmental site features that would be subject to regulations by a public agency, including creeks and wetlands
17. The location of any recorded public easement, such as easements for storm drains, water lines, and other public rights of way

How are Tribes identified for scoping consultation?

Upon receipt of a development proponent's preliminary application, the local government must "engage in ... consultation regarding the proposed development with any California Native American Tribe that is traditionally and culturally affiliated with the geographic area, as described in Section 21080.3.1 of the Public Resources Code" and "contact the Native American Heritage Commission for assistance in identifying any California Native American Tribe" (Government Code §65913.4(b)(1)(A)(ii)).

What is the timeline for consultation?

The statute adopts a 30-30-30 timeline. Within **30 calendar days** of receiving the developer's preliminary application, the local government must provide formal notice for each Tribe traditionally and culturally affiliated with the geographic area of the project site (Government Code §65913.4(b)(1)(A)(ii)). The formal notice must include the location and a description of the proposed development, and an invitation to engage in scoping consultation (Government Code §65913.4(b)(1)(A)(iii)(I)(ia-ic)).

Each Tribe that receives this notice has **30 calendar days** to accept the invitation to engage in consultation (Government Code §65913.4(b)(1)(A)(iii)(II)).

The local government must initiate consultation within **30 calendar days** of a Tribe's acceptance of the invitation to engage in consultation (Government Code §65913.4(b)(1)(A)(iii)(III)).

Who participates in the consultation?

The local government and any California Native American Tribe that is traditionally or culturally affiliated with the geographic area of the project site may participate in the consultation. In cases where more than one Tribe participates in consultation, the local government must grant separate consultation with a Tribe if individual consultation is requested (Government Code §65913.4(b)(1)(C)).

The development proponent and its consultants may participate in consultation if they agree to respect the principles established in AB 168, engage in good faith, and the Tribe approves of the proponent's participation. **The Tribe may revoke this approval at any time during the consultation process** (Government Code §65913.4(b)(1)(C)).

AB 168 requires that consultation must recognize that California Native American Tribes traditionally and culturally affiliated with a geographic area have knowledge and expertise concerning the resources at issue, and shall take into account the cultural significance of the resource to the Tribe (Government Code §65913.4(b)(1)(B)).

What confidentiality requirements apply to the consultation process?

Consultation must comply with the confidentiality requirements established in Government Code Section 6254(r), Government Code Section 6254.10, Public Resources Code Section 21082.3(c), and California Code of Regulations, Title 14, Section 15120(d). Additionally, the Tribe may adopt any additional confidentiality requirements applicable to the consultation (Government Code §65913.4(b)(1)(D)).

Does the California Environmental Quality Act (CEQA) apply to the consultation process?

No, the tribal consultation required pursuant to AB 168 is not considered a project under CEQA (Government Code §65913.4(b)(1)(E)).

When does tribal consultation conclude?

Tribal consultation concludes either 1) upon documentation of an enforceable agreement regarding the treatment of tribal resources at the project site (Government Code §65913.4(b)(2)(D)(i)), or 2) one or more parties to the consultation, **acting in good faith and after a reasonable effort**, conclude that a mutual agreement cannot be achieved (Government Code §65913.4(b)(2)(D)(ii)).

What are the potential outcomes of the tribal consultation?

If the parties participating in tribal consultation determine that there is no potential impact to tribal cultural resources resulting from the project, then the development proponent may submit an application for ministerial approval pursuant to SB 35 (Government Code §65913.4(b)(2)(A)).

If the tribal consultation identifies a potential impact to tribal cultural resources resulting from the project, then the parties must document an enforceable agreement regarding the methods, measures, and conditions for treatment of tribal cultural resources. **This agreement must be a condition of approval** for the project application for SB 35 approval (Government Code §65913.4(b)(2)(B)).

If the parties are unable to reach an enforceable agreement regarding treatment of tribal cultural resources that may be present on the project site, then the development proponent is ineligible for ministerial approval under SB 35 (Government Code §65913.4(b)(2)(C)).

What is now required for a project to qualify for SB 35 ministerial approval?

A project is **eligible** for the ministerial approval established under SB 35 if **any** of the following conditions apply:

1. A Tribe that received notice of the developer's submission of a pre-application did not respond to the invitation to engage in consultation within 30 days (Government Code §65913.4(b)(3)(A));

2. A Tribe accepted an invitation to engage in tribal consultation but failed to engage after repeated attempts by the local government to initiate consultation (Government Code §65913.4(b)(3)(B));
3. The consultation concluded that there is no potential harm to tribal cultural resources resulting from the project (Government Code §65913.4(b)(3)(C)); OR
4. The consultation identified potential impacts to tribal cultural resources, and the parties committed to a documented, enforceable agreement regarding the treatment of potential resources (Government Code §65913.4(b)(3)(D))

Pursuant to AB 168, what might disqualify a project from ministerial approval under SB 35?

A project would be **ineligible** for ministerial approval pursuant to SB 35 if **any** of the following conditions apply:

1. The project site contains a tribal cultural resource that is listed on a national, tribal, state, or local historic register (Government Code §65913.4(b)(4)(A));
2. The parties to scoping consultation do not agree on whether the project will impact tribal cultural resources (Government Code §65913.4(b)(4)(B)); OR
3. A potential tribal cultural resource would be affected by the proposed project, and the parties to scoping consultation were unable to document an enforceable agreement regarding the treatment of potential tribal resources (Government Code §65913.4(b)(4)(C))

What documentation is required upon conclusion of the tribal consultation?

If the consultation concludes that the project would not affect potential tribal cultural resources, **no further documentation is required** and the development proponent may proceed with submission of its application for ministerial approval under SB 35 (Government Code §65913.4(b)(2)(A)).

If the consultation results in documentation of an enforceable agreement regarding the treatment of potential tribal resources, that **agreement must be attached** to the local government's approval of the application for SB 35 ministerial approval (Government Code §65913.4(b)(20)(B)).

If the consultation results in disqualification of the project from SB 35's streamlined ministerial approval process, the **local government must provide written documentation** of the fact, with an explanation for the project's ineligibility, to the development proponent and the Tribe or Tribes participating in the consultation (Government Code §65913.4(b)(5)(A)). The documentation provided to the development proponent must also include information on how to seek a conditional use permit or other discretionary approval of the project from the local government (Government Code §65913.4(b)(5)(B)).

What happens if the project changes after the conclusion of tribal consultation?

If the development or environmental setting substantially changes after the consultation, the local government must notify the Tribe of the change and engage in a **subsequent consultation if requested** by the Tribe or Tribes (Government Code §65913.4(b)(2)(E)).

While the bill does not specify a timeline for this subsequent notification and consultation, OPR recommends adhering to the 30-30-30 timeline required for the initial consultation.

For the purposes of this consultation, OPR advises that a project or environmental setting may "substantially change" if 1) those changes will require major revisions to the environmental impact report, or 2) if new information that was not available or could not have been known during preparation of the environmental impact report becomes available (see Public Resources Code §21166).

petition Stop Investment Developers From Building More Than 2 ADUs/JADUs on Single Parcels of Land

Lisa Becerra
1455 Gibson street

92114 San Diego,, Vereinigte Staaten

TO: San Diego City Council District 4- Councilmember Henry L. Foster III; State Assembly Woman - LaShae Sharp-Collins; State Senator - Dr. Akilah Weber Pierson

Petition:

Please join Neighbors for Encanto members in fighting back against greedy real estate investor/developers who are trying to use loopholes to create apartment style complexes out of ADU's (Accessory Dwelling Units). Say NO! to these investors who have never lived in our neighborhood, and whose construction and permit costs will not include any funding to improve our neighborhoods while they cram 40+ of these ADUs onto parcels zoned for single family dwellings, and expect our inadequate crumbling infrastructure to provide enough parking, road safety, traffic control, trash pickup, water and electricity.

Sign this petition to tell these investor/developers we will not stand for them ruining our quiet neighborhoods. Tell them NO! They cannot build these units on Tarbox, they cannot build these units on Hilger and they cannot build these units on Plover.

Reason:

How would you feel if out of the blue and with ZERO notice an apartment complex was being built next door to you? Our Neighbors for Encanto members were shocked and appalled to realize that this is exactly what investor/developers have applied to do at multiple locations, all on connecting streets. Currently we are looking at [the proposed building for 1348 Tarbox St](#), and at least 2 properties on Hilger, and 1 at least property on Plover.

With no notice, no public hearing, no postings of proposed building plans, an investor/developer has filed permit number PMT-3326620 Project ID PRJ-1127220 with the city to build 43 ADUs (Accessory Dwelling Unit) and one Single Family Dwelling right in the middle of a neighborhood where the lots sizes are close to a half acre or more all zoned for single family housing.

We don't want anyone in our neighborhood to feel we are against owners constructing an ADU. An ADU is what many of us know as a granny flat - a smaller detached dwelling that many people choose to build for an older parent, other relative, or to rent in order to help with their family finances. Recent changes to the laws have allowed each homeowner the ability to build 1 ADU unit and one JADU (junior accessory dwelling unit) on their properties. This is not the type of construction proposed for 1348 Tarbox St. The permit was not for 1 Single Family Dwelling, 1 ADU and 1 JADU.

How is it legal then? As part of an incentive to push [AB 671](#) (approved by Governor Newsom on October 9th, 2019) which required cities to plan to "incentivize and promote the creation of accessory dwelling units that can be offered at affordable rent for very low, low, or moderate-income households". The incentive San Diego came up with was the bonus ADU unit. Where - if you build one ADU or JADU, you may build an additional unit to rent to a very low, low, or moderate income person. On top of this, our city has decided that if an owner's property is within a [Sustainable Development Area](#) instead of just 1 additional ADU/JADU, you may build however many you desire (space permitting, with no height restrictions).

[According to the city](#), the Sustainable Development Area has replaced the Transit Priority Area of the original plan, and allows properties with unlimited bonus ADUs/JADUs "if the development is

petition Stop Investment Developers From Building More Than 2 ADUs/JADUs on Single Parcels of Land

accessible to a major public transit stop up to a 1-mile walk." Per the city this means that now these projects can reach an additional 5,200 acres of neighborhood land.

1348 Tarbox St. is more than 1 mile in walking distance to both of the nearest trolley stops (Encanto/62 Street & Massachusetts Avenue); and it is over 1 mile away again in walking distance from both of the intersections with 2 MTS Bus Routes as there is only **1 MTS Bus Route** that serves this community - the 916/917. And the **916/917 bus route** does not run every fifteen (15) minutes or less during the morning and afternoon as specified in the Transit Priority Area definition.

So it's not legal. And they still want to do it because they think we're not looking, and won't be able to organize ourselves and afford to pay to fight back against them like other communities are doing in higher socioeconomic communities. Yes, we are middle class families, and yes, we deserve to live in the neighborhood we invested in when we purchased our properties - not what some investor/developer wants us to have to "put up with".

Even if this were a legal project, that doesn't mean it's good for our community. Imagine it, 43 additional housing units filled with occupants walking around our unmarked and undefined dilapidated streets that have little to no lighting during the morning and evening hours. Not to mention their additional cars that they will expect to be able to park on a street (the ADU building does NOT require them to provide off street parking) with no defined curbs, no designated parking spaces, without designated no parking zones for public safety.

Most housing construction projects have to take into the account the impact the construction will have on traffic patterns, storm and drain water, the environment, wildlife, and the neighborhood as a whole - and if approved stipulations require them to bringing their property and the surrounding area up to code for the proposed building density, and property taxes are assessed in order to ensure our schools, parks, police and other community service needs are able to keep up with the demand of the increased population in the neighborhood. This bonus ADU program allows builders to drop ADU apartments into our neighborhood and walk away with the residents absorbing all the negative repercussions, and dealing with the fallout. This is not a win-win this is a big LOSS for Encanto. Add your name to tell these investor/developers NO. We DON'T want your ADU Apartment Complexes!

On behalf of all signatories:

+++ Attention +++ Signature lists with personal data are not intended for publication +++ For internal use only +++

No.	Full Name	Address	City	Date	Signature	Notice
1	Lisa Becerra	1455...	92114 San Diego	01/06/2025	LISA BECERRA	
2	Rebecca Batista	1445...	92114 San Diego	01/06/2025	REBECCA BATISTA	
3	Hazel Jean Rubes	1455...	92114 San Diego	01/07/2025	HAZEL JEAN RUBES	
4	Joanne Hankee	2507...	92110 San Diego	01/07/2025	JOANNE HANKEE	
5	Thiago Batista	1445...	92114 San Diego	01/07/2025	THIAGO BATISTA	
6	66770920	secret	secret	secret	secret	
7	Jennifer Siegwart	3280...	92104 San Diego	01/07/2025	JENNIFER SIEGWART	
8	Sloane Wormser	1605...	92103 San Diego	01/07/2025	SLOANE WORMSER	
9	Kizzy Ezirio	2122...	92009 Carlsbad	01/07/2025	KIZZY EZIRIO	
10	Gloria Tebelman	2808...	92084 Vista	01/07/2025	GLORIA TEBELMAN	
11	Mary Kathryn Medenwald	9275...	92040 Lakeside	01/07/2025	MARY KATHRYN MEDENWALD	
12	Hannah Nguyen	8812...	92071 Santee	01/07/2025	HANNAH NGUYEN	
13	Robert Campbell	6370...	92114 San Diego	01/07/2025	ROBERT CAMPBELL	
14	Sonja Reid	6132...	92114 San Diego	01/07/2025	SONJA REID	
15	Xuchi Naungayan	6755...	92114 San Diego	01/07/2025	XUCHI NAUNGAYAN	

petition Stop Investment Developers From Building More Than 2 ADUs/JADUs on Single Parcels of Land

	Eggleton				EGGLETON
16	Griselda Arroyos	6207...	92114 San diego	01/07/2025	GRISELDA ARROYOS
17	Noah babin	1359...	92078 San Marcos	01/07/2025	NOAH BABIN
18	66771195	secret	secret	secret	secret
19	Roisin ONeill	5739...	83646 Meridian	01/07/2025	ROISIN ONEILL
20	Breanna Finch	6438...	92114 San Diego	01/07/2025	BREANNA FINCH
21	Daniela Fernandes Salles	4060...	92117 - San Diego	01/07/2025	DANIELA FERNANDES SALLES
22	66771433	secret	secret	secret	secret
23	Kayla Teal	3483...	92104 San diego	01/07/2025	KAYLA TEAL
24	Anne stewart	Scim...	92114 San Diego	01/07/2025	ANNE STEWART
25	Jessica Meyer	2608...	92102 San Diego	01/07/2025	JESSICA MEYER
26	Tony Butler	1420...	92114 San Diego	01/07/2025	TONY BUTLER
27	Kevin Vo	1530...	92114 San Diego	01/07/2025	KEVIN VO
28	David Castellon	1567...	92114 San Diego	01/07/2025	DAVID CASTELLON
29	Damian Serrano	Scim...	92114 San Diego	01/07/2025	DAMIAN SERRANO
30	Cleyce bertoloti	4488...	92117 San Diego	01/07/2025	CLEYCE BERTOLOTI
31	Alice C. Mickelsen	6323...	92114 San Diego	01/07/2025	ALICE C. MICKELSEN
32	Marge Wurgel	6448...	92114 San Diego	01/07/2025	MARGE WURGEL
33	Sammy Sayjai	6383...	92114 San Diego	01/07/2025	SAMMY SAYJAI
34	Beth Calarco	6260...	92114 San Diego	01/07/2025	BETH CALARCO
35	Sydney Goodwin	1848...	92110 San Diego	01/07/2025	SYDNEY GOODWIN
36	Iman Amini	1134...	92114 San Diego	01/07/2025	IMAN AMINI
37	Katherine Griffiee	1747...	92114 San Diego	01/07/2025	KATHERINE GRIFFEE
38	Tamara Teal	1570...	92064 Poway	01/07/2025	TAMARA TEAL
39	Jonathan Reyes	6835...	92114 San Diego	01/07/2025	JONATHAN REYES
40	Michael Jackson	6305...	92114 San Diego	01/07/2025	MICHAEL JACKSON
41	Kevin Horsch	1411...	92114 Dan Diego	01/07/2025	KEVIN HORSCH
42	Annie Rios	541...	92114 San Diego	01/07/2025	ANNIE RIOS
43	Klaudia Jackson	6305...	92114 San diego	01/07/2025	KLAUDIA JACKSON
44	Enrique Martinez	1557...	92114 San Diego	01/08/2025	ENRIQUE MARTINEZ
45	Scott Gaboury	1460...	92114 San Diego	01/08/2025	SCOTT GABOURY
46	Brandi Gaboury	1460...	92114 San Diego	01/08/2025	BRANDI GABOURY
47	Jennifer Wald	2152...	92114 San Diego	01/08/2025	JENNIFER WALD
48	Chao Lao	1390...	92114 San Diego	01/08/2025	CHAO LAO
49	66782463	secret	secret	secret	secret
50	Gillian Flynn	1238...	92014 Del Mar	01/08/2025	GILLIAN FLYNN
51	Janice Buchanan	...		01/08/2025	JANICE BUCHANAN
52	Marcelino Da Silva	1467...	92114 San Diego	01/08/2025	MARCELINO DA SILVA
53	Madi Teal	...		01/08/2025	MADI TEAL
54	Ashley Selis-Meyers	9234...	91977 Spring Valley	01/08/2025	ASHLEY SELIS-MEYERS
55	Paul Krueger	4871...	92115 San Diego	01/08/2025	PAUL KRUEGER
56	Maria Conrad	1847...	92114 San Diego	01/08/2025	MARIA CONRAD
57	Mark Schumacher	1137...	83686 Nampa	01/08/2025	MARK SCHUMACHER
58	Fernando D Sandoval	1359...	92114 San Diego	01/09/2025	FERNANDO D SANDOVAL
59	Hadi Alavi	1525...	92114 San Diego	01/09/2025	HADI ALAVI
60	Sonia Sandoval	1359...	92114 San Diego	01/09/2025	SONIA SANDOVAL
61	Fernando Sandoval	1359...	92114 San Diego	01/09/2025	FERNANDO SANDOVAL
62	Anthony Stewart	1315...	92114 San Diego	01/09/2025	ANTHONY STEWART
63	Dolores Covarrubias	1315...	92114 San Diego	01/09/2025	DOLORES COVARRUBIAS

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64	Andrea Canela	1337...	92139 San diego	01/09/2025	ANDREA CANELA
65	Vanessa Luquen	1544...	92114 San Diego	01/09/2025	VANESSA LUQUEN
66	Gloria Cardona	1544...	92114 San Diego	01/09/2025	GLORIA CARDONA
67	Giovanni Correa	1544...	92114 San Diego	01/09/2025	GIOVANNI CORREA
68	Francisco Vasquez	1370...	92114 San Diego, Encanto Ca	01/09/2025	FRANCISCO VASQUEZ
69	Rhianna Hernandez	1203...	92114 San Diego	01/09/2025	RHIANNA HERNANDEZ
70	Renata Perim	...		01/09/2025	RENATA PERIM
71	Ryan Beck	1649...	92114 San Diego	01/10/2025	RYAN BECK
72	Miranda Wise	1932...	91945 Lemon Grove	01/10/2025	MIRANDA WISE
73	Janet Klauber	6540...	92114 San Diego	01/10/2025	JANET KLAUBER
74	Fermin Becerra	1455...	92114 San Diego	01/10/2025	FERMIN BECERRA
75	Kenneth R Key	5888...	92114 San Diego	01/10/2025	KENNETH R KEY
76	Erik becerra	1455...	92114 San diego	01/10/2025	ERIK BECERRA
77	Sophia Suarez	5252...	92117 San Diego	01/10/2025	SOPHIA SUAREZ
78	Chad Gray	6320...	92114 San Diego	01/10/2025	CHAD GRAY
79	Aaron Pores	6515...	92114 San Diego	01/10/2025	AARON PORES
80	Kathy Long	1808...	92114 San Diego	01/10/2025	KATHY LONG
81	James C Melli	6540...	92114 San Diego	01/10/2025	JAMES C MELLI
82	Natalie Sanchez	1390...	92114 San Diego	01/10/2025	NATALIE SANCHEZ
83	Mark Hartzell	1640...	92114 San Diego	01/10/2025	MARK HARTZELL
84	Rosaline A Cook	5780...	92114 San Diego	01/10/2025	ROSALINE A COOK
85	Marie Hunrichs	6530...	92114 San Diego	01/10/2025	MARIE HUNRICHS
86	66809298	secret	secret	secret	secret
87	Louis Andrew Ramirez	6370...	92114 San Diego	01/10/2025	LOUIS ANDREW RAMIREZ
88	Steven Fronczak	4250...	92104 San Diego	01/10/2025	STEVEN FRONCZAK
89	Eric Fearn	7570...	91942 La Mesa	01/10/2025	ERIC FEARN
90	Victoria Estrella	6518...	92114 San Diego	01/10/2025	VICTORIA ESTRELLA
91	Eric Bjorkman	1203...	92114 San Diego	01/10/2025	ERIC BJORKMAN
92	Lorraine Hernandez	1203...	92114 San Diego	01/10/2025	LORRAINE HERNANDEZ
93	Erika Beltran	645...	92114 San Diego	01/10/2025	ERIKA BELTRAN
94	Nick Tegers	822...	92114 San Diego	01/10/2025	NICK TOGERS
95	Johnny Gillham	1567...	92114 -2114	01/11/2025	JOHNNY GILLHAM
96	Angel Galarza	6545...	92114 San Diego	01/11/2025	ANGEL GALARZA
97	Derek Rendon	1479...	92114 San Diego	01/11/2025	DEREK RENDON
98	Sanam Pasiлова	6374...	92114 San Diego	01/11/2025	SANAM PASILOVA
99	Karen R Doyle	1724...	92114 San Diego	01/11/2025	KAREN R DOYLE
100	Andrea Hetheru	311...	92114 San Diego	01/11/2025	ANDREA HETHERU
101	Yurika Riggert	2035...	92114 San Diego	01/11/2025	YURIKA RIGGERT
102	Letitia Flynn	1855...	92105 San Diego	01/11/2025	LETITIA FLYNN
103	Raymond J. Brooks. Jr	1735...	92114 San Diego, CA	01/11/2025	RAYMOND J. BROOKS. JR
104	Kimberly N Gullette	1716...	92114 San Diego	01/11/2025	KIMBERLY N GULLETTE
105	Ernie Cook	6414...	92114 San Diego	01/11/2025	ERNIE COOK
106	Handwritten signature	Spread sheet 123285-1 line 1	92114	01/11/2025	See collector's sheet 123285-1 Line 1
107	Handwritten signature	Spread sheet 123285-1 line 3	92114	01/11/2025	See collector's sheet 123285-1 Line 3
108	Handwritten signature	Spread sheet 123285-1 line 4	92114	01/11/2025	See collector's sheet 123285-1 Line 4
109	Handwritten signature	Spread sheet 123285-1 line 5	92114	01/11/2025	See collector's sheet 123285-1 Line 5
110	Handwritten signature	Spread sheet	92114	01/11/2025	See collector's sheet

petition Stop Investment Developers From Building More Than 2 ADUs/JADUs on Single Parcels of Land

		123285-1 line 6			123285-1 Line 6
111	Handwritten signature	Spread sheet 123285-1 line 7	92114	01/11/2025	See collector's sheet 123285-1 Line 7
112	Handwritten signature	Spread sheet 123285-1 line 8	92114	01/11/2025	See collector's sheet 123285-1 Line 8
113	Handwritten signature	Spread sheet 123285-1 line 9	92114	01/11/2025	See collector's sheet 123285-1 Line 9
114	Handwritten signature	Spread sheet 123285-2 line 1	92114	01/11/2025	See collector's sheet 123285-2 Line 1
115	Handwritten signature	Spread sheet 123285-2 line 2	92114	01/11/2025	See collector's sheet 123285-2 Line 2
116	Handwritten signature	Spread sheet 123285-2 line 3	92114	01/11/2025	See collector's sheet 123285-2 Line 3
117	Handwritten signature	Spread sheet 123285-3 line 1	91977	01/11/2025	See collector's sheet 123285-3 Line 1
118	Handwritten signature	Spread sheet 123285-3 line 2	92114	01/11/2025	See collector's sheet 123285-3 Line 2
119	Handwritten signature	Spread sheet 123285-3 line 3	92114	01/11/2025	See collector's sheet 123285-3 Line 3
120	Handwritten signature	Spread sheet 123285-3 line 4	92114	01/11/2025	See collector's sheet 123285-3 Line 4
121	Handwritten signature	Spread sheet 123285-3 line 5	92114	01/11/2025	See collector's sheet 123285-3 Line 5
122	Handwritten signature	Spread sheet 123285-3 line 6	92114	01/11/2025	See collector's sheet 123285-3 Line 6
123	Handwritten signature	Spread sheet 123285-3 line 7	92114	01/11/2025	See collector's sheet 123285-3 Line 7
124	Handwritten signature	Spread sheet 123285-3 line 8	92114	01/11/2025	See collector's sheet 123285-3 Line 8
125	Handwritten signature	Spread sheet 123285-3 line 9	92114	01/11/2025	See collector's sheet 123285-3 Line 9
126	Handwritten signature	Spread sheet 123285-3 line 10	92114	01/11/2025	See collector's sheet 123285-3 Line 10
127	Christin Rees	1949...	92114 San Diego	01/12/2025	CHRISTIN REES
128	Janet D Staats	1711...	92114 San Diego	01/12/2025	JANET D STAATS
129	Karen Beck Scheffler	6391...	92114 San Diego	01/12/2025	KAREN BECK SCHEFFLER
130	Yolanda Rendon	1320...	92114 San Diego	01/12/2025	YOLANDA RENDON
131	66835367	secret	secret	secret	secret
132	Ian Woodward	1108...	92114 San Diego	01/12/2025	IAN WOODWARD
133	Consuelo Cuervo	1502...	92114 San Diego	01/12/2025	CONSUELO CUERVO
134	Dana Griffin	1040...	92129 San Diego	01/12/2025	DANA GRIFFIN
135	Paul I livingston	6320...	92114 San Diego	01/12/2025	PAUL L LIVINGSTON
136	Maria smith	1404...	92114 San Diego	01/12/2025	MARIA SMITH
137	Susan Baldwin	4878...	92116 San Diego	01/12/2025	SUSAN BALDWIN
138	Margarat Nee	6857...	92114 San Diego	01/12/2025	MARGARAT NEE
139	Harold F Harper jr.	910...	91950 National City	01/12/2025	HAROLD F HARPER JR.
140	James White	1808...	92114 San Diego	01/12/2025	JAMES WHITE
141	Gabrielle Mulvaney	3336...	92113 San Diego	01/12/2025	GABRIELLE MULVANEY
142	MaryAnn Zimmer	4785...	92117 San Diego	01/12/2025	MARYANN ZIMMER
143	Dorene Dias	7465...	92114 San Diego	01/12/2025	DORENE DIAS
144	Amy nichols	1355...	92114 San Diego	01/12/2025	AMY NICHOLS
145	Jon Salunga	1729...	92114 San Diego	01/12/2025	JON SALUNGA
146	Steven Ward	1256...	92114 San Diego	01/12/2025	STEVEN WARD
147	Trisha David	5746...	92114 San Diego	01/12/2025	TRISHA DAVID
148	Maria E Perez	6303...	92139 San Diego	01/12/2025	MARIA E PEREZ
149	Madelyn David	6822...	92114 San Diego	01/12/2025	MADELYN DAVID

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150	Carmen Vertullo	5877...	92114 San Diego	01/12/2025	CARMEN VERTULLO
151	Lory Beck	1649...	92114 San Diego	01/12/2025	LORY BECK
152	Jason Sanford	1550...	92114 San Diego	01/13/2025	JASON SANFORD
153	Edgar Rojas	1154...	92114 San Diego	01/13/2025	EDGAR ROJAS
154	Debra Toth Ward	1256...	92114 San Diego	01/13/2025	DEBRA TOTH WARD
155	Rosalinda Rodriguez	6779...	92122 San Diego	01/13/2025	ROSALINDA RODRIGUEZ
156	Maricarmen Cervantes	1429...	92114 San Diego	01/13/2025	MARICARMEN CERVANTES
157	Julio Cervantes	1429...	92114 San Diego	01/13/2025	JULIO CERVANTES
158	Rogelio Oseguera	6779...	92122 San Diego	01/13/2025	ROGELIO OSEGUERA
159	Gilbert Benavidez	1666...	92114 San Diego	01/13/2025	GILBERT BENAVIDEZ
160	Pamela Jo Sulzbach	1836...	92114 San Diego	01/13/2025	PAMELA JO SULZBACH
161	Katherine Balow	Buck...	91902 Bonita	01/13/2025	KATHERINE BALOW
162	Marissa Pabis	6780...	92108 San Diego	01/13/2025	MARISSA PABIS
163	Sierra R Balow	906...	91902 Bonita	01/13/2025	SIERRA R BALOW
164	Cynthia Rojas	1281...	92114 San Diego	01/13/2025	CYNTHIA ROJAS
165	Rebecca Wilder	6220...	92114 San Diego	01/13/2025	REBECCA WILDER
166	Antoinette Hodges	6750...	92114 San Diego	01/13/2025	ANTOINETTE HODGES
167	Michael Shefcik	...		01/13/2025	MICHAEL SHEFCIK
168	Mike Guerrero	1602...	92114 San Diego	01/13/2025	MIKE GUERRERO
169	Robert Dennis Thompson	...		01/13/2025	ROBERT DENNIS THOMPSON
170	Artielia Robinson	5467...	92114 San Diego	01/13/2025	ARTIELIA ROBINSON
171	Diana Estrella	...		01/13/2025	DIANA ESTRELLA
172	Willie Jones	820...	92114 San Diego	01/13/2025	WILLIE JONES
173	Saige gonzales walding	1470...	92114 San diego	01/13/2025	SAIGE GONZALES WALDING
174	Sam King	1470...	92114 San Diego	01/13/2025	SAM KING
175	Nikolas walding	1470...	92114 San Diego	01/13/2025	NIKOLAS WALDING
176	Elizabeth Hardy	4512...	92116 San diego	01/13/2025	ELIZABETH HARDY
177	April Grewell-Meek	1603...	92065 Ramona	01/13/2025	APRIL GREWELL-MEEK
178	Hannah Albright	8612...	92119 San Diego	01/13/2025	HANNAH ALBRIGHT
179	Emery campen	4436...	92115 San Diego	01/13/2025	EMERY CAMPEN
180	Sierra Joseph	1760...	92109 San Diego	01/13/2025	SIERRA JOSEPH
181	Maya Ramirez	...		01/13/2025	MAYA RAMIREZ
182	Vicente Cuervo-Contreras	1502...	92114 San Diego	01/14/2025	VICENTE CUERVO-CONTRERAS
183	Belinda Espana	1617...	92114 San Diego	01/14/2025	BELINDA ESPANA
184	000 Hoyt John 60	4625...	91941 la Mesa	01/14/2025	000 HOYT JOHN 60
185	Samuel Stewart	1316...	92114 San Diego	01/14/2025	SAMUEL STEWART
186	Kathleen Ann Kitchenka	1420...	92114 San Diego	01/14/2025	KATHLEEN ANN KITCHENKA
187	Elisabeth Dalton	9220...	91977 Spring Valley	01/14/2025	ELISABETH DALTON
188	Nylah Garibay	Hilg...	92114 San Diego	01/15/2025	NYLAH GARIBAY
189	Jill polese	1231...	92107 San Diego	01/15/2025	JILL POLESE
190	Sonia Alvarado	6337...	92114 San Diego	01/15/2025	SONIA ALVARADO
191	Matthew Stewart	1315...	92114 San Diego	01/15/2025	MATTHEW STEWART
192	Jessica T Smitherman	610...	92026 Escondido	01/15/2025	JESSICA T SMITHERMAN
193	Courtney Boatman	1360...	92115 San Diego	01/15/2025	COURTNEY BOATMAN
194	Herb Soto	1233...	91732 El Monte	01/15/2025	HERB SOTO
195	66865739	secret	secret	secret	secret
196	Rachel Stephens	1522...	92114 San Diego	01/15/2025	RACHEL STEPHENS
197	Sarah Dexheimer	516...	92084 Vista	01/15/2025	SARAH DEXHEIMER
198	Meherbani Khalsa	1238...	92103 San diego	01/15/2025	MEHERBANI KHALSA

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199	Naomi Irani	6255...	92114 San Diego	01/15/2025	NAOMI IRANI
200	Peter Walding	1470...	92114 San Diego	01/15/2025	PETER WALDING
201	Louis G Stewart	1315...	92114 San Diego	01/15/2025	LOUIS G STEWART
202	Robert L Stewart	1315...	92114 San Diego	01/15/2025	ROBERT L STEWART
203	Dagoberto Duenas	828...	92114 San Diego	01/15/2025	DAGOBERTO DUENAS
204	Tim Dodd	1491...	91901 Alpine	01/16/2025	TIM DODD
205	66875491	secret	secret	secret	secret
206	Connor j stewart	5609...	92115 San Diego	01/16/2025	CONNOR J STEWART
207	Virginia Stewart	1315...	92114 San Diego	01/16/2025	VIRGINIA STEWART
208	Mona Nesheim	1026...	92040 Lakeside	01/16/2025	MONA NESHEIM
209	Carol Gabrielson	6150...	91942 La Mesa	01/16/2025	CAROL GABRIELSON
210	Shayla Jacobs	284...	92114 San Diego	01/16/2025	SHAYLA JACOBS
211	Meri Jo Petrivelli	1088...	92020 El Cajon	01/16/2025	MERI JO PETRIVELLI
212	Teresa Sparhawk	4312...	92115 San Diego	01/16/2025	TERESA SPARHAWK
213	Leticia Cervantes	6767...	92114 San Diego	01/16/2025	LETICIA CERVANTES
214	Heather Carroll	5757...	92114 San Diego	01/16/2025	HEATHER CARROLL
215	66875770	secret	secret	secret	secret
216	Juan Carlos Alejandro Meraz Díaz	1507...	92114 San Diego	01/16/2025	JUAN CARLOS ALEJANDRO MERAZ DÍAZ
217	66875948	secret	secret	secret	secret
218	66885755	secret	secret	secret	secret
219	Vera Villa	5958...	92114 -1323	01/16/2025	VERA VILLA
220	Zulema Diaz	6157...	92114 San Diego	01/16/2025	ZULEMA DIAZ
221	Sue Ellen Hanes	6741...	92114 San Diego	01/16/2025	SUE ELLEN HANES
222	Lyssette Romero	1356...	92114 San Diego	01/17/2025	LYSSETTE ROMERO
223	Carol Ito	305...	92114 San Diego	01/17/2025	CAROL ITO
224	George Ito	305...	92114 San Diego	01/17/2025	GEORGE ITO
225	Monique Motley	6418...	92114 San Diego	01/17/2025	MONIQUE MOTLEY
226	Yazmin perez	1518...	92114 San Diego CA	01/17/2025	YAZMIN PEREZ
227	Lois Kosiba	1860...	92114 San diego	01/17/2025	LOIS KOSIBA
228	Kimberly j Díaz Vargas	1312...	92114 California	01/17/2025	KIMBERLY J DÍAZ VARGAS
229	Terrence Pesta	7465...	92114 San Diego	01/17/2025	TERRENCE PESTA
230	Connie Espinoza Reyes	1373...	92114 San Diego	01/17/2025	CONNIE ESPINOZA REYES
231	Daniel Widener	5081...	92116 San Diego	01/17/2025	DANIEL WIDENER
232	66898783	secret	secret	secret	secret
233	Gregory Mitchell	1531...	92114 San Diego	01/18/2025	GREGORY MITCHELL
234	Ricardo varela rios	812...	91114 San Diego	01/18/2025	RICARDO VARELA RIOS
235	Anne Lilleberg	1422...	92102 San Diego	01/18/2025	ANNE LILLEBERG
236	Jose R Garcia	526...	92114 San Diego	01/18/2025	JOSE R GARCIA
237	Francine Maxwell	214...	92114 San diego	01/18/2025	FRANCINE MAXWELL
238	CeCe Gilmour	1632...	91945 Lemon Grove	01/18/2025	CECE GILMOUR
239	66909298	secret	secret	secret	secret
240	Dolores Hernandez	Tarb...	92114 San Diego	01/18/2025	DOLORES HERNANDEZ
241	Nirinjan Khalsa	3657...	92103 San Deigo	01/18/2025	NIRINJAN KHALSA
242	Jessica Wight-Carter	1050...	92114 San Diego	01/19/2025	JESSICA WIGHT-CARTER
243	Katherine Troxler	6009...	92114 san Diego	01/19/2025	KATHERINE TROXLER
244	Derrell collins	6166...	92114 San Diego	01/19/2025	DERRELL COLLINS
245	Francisco Gonzalez	5725...	92114 Ca	01/19/2025	FRANCISCO GONZALEZ
246	Judy B Harrington	4884...	92116 San Diego	01/19/2025	JUDY B HARRINGTON
247	Jaimie Galvez	6387...	92114 San Diego	01/19/2025	JAIMIE GALVEZ

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248	Christine Wilson	6549...	92114 Encanto	01/19/2025	CHRISTINE WILSON
249	Adrian Sandoval	Tarb...	92114 San Diego	01/19/2025	ADRIAN SANDOVAL
250	66912347	secret	secret	secret	secret
251	Richard Carr	848...	92114 San Diego	01/19/2025	RICHARD CARR
252	Andrea Harris	2107...	92114 San Diego CA	01/19/2025	ANDREA HARRIS
253	Ken king	69 S...	91945 Lemon grove.	01/19/2025	KEN KING
254	Diana L Peter	1854...	92139 San Diego	01/19/2025	DIANA L PETER
255	Kathi Copeland	4641...	92115 San Diego	01/19/2025	KATHI COPELAND
256	66919143	secret	secret	secret	secret
257	Theresa Beatty	6858...	92114 San Diego	01/19/2025	THERESA BEATTY
258	Amy Wilson	6805...	92114 -2935 San Diego	01/19/2025	AMY WILSON
259	Andraya Elise Marie Wilson	6805...	92114 San Diego	01/19/2025	ANDRAYA ELISE MARIE WILSON
260	Robert Clarence Ard	2061...	92105 San Diego	01/19/2025	ROBERT CLARANCE ARD
261	Payton Wilson	6805...	92114 San Diego	01/19/2025	PAYTON WILSON
262	Pamela Martinez	6601...	92114 San Diego	01/19/2025	PAMELA MARTINEZ
263	A Robin Vasquez	6323...	92114 San Diego	01/19/2025	A ROBIN VASQUEZ
264	Andres Sandoval	1359...	92114 San Diego	01/20/2025	ANDRES SANDOVAL
265	66921534	secret	secret	secret	secret
266	Erica Vasquez	6540...	92114 San Diego	01/20/2025	ERICA VASQUEZ
267	Matthew Hollis	1820...	92114 San Diego	01/20/2025	MATTHEW HOLLIS
268	Judy Wong	6315...	92114 San Diego	01/20/2025	JUDY WONG
269	Maria Collazo	5772...	92114 San Diego	01/20/2025	MARIA COLLAZO
270	66921257	secret	secret	secret	secret
271	Rhonda Hatcher-Malone	2636...	91977 Spring Valley	01/20/2025	RHONDA HATCHER-MALONE
272	MartaElena C Davila	154...	92114 SanDiego	01/20/2025	MARTAELENA C DAVILA
273	Tanisha Gilleylen	825...	92114 San Diego	01/20/2025	TANISHA GILLEYLEN
274	John Alexander	...		01/20/2025	JOHN ALEXANDER
275	Brienneth Durazo	4755...	92116 San Diego	01/20/2025	BRIENNETH DURAZO
276	Joy Boatman	1415...	92102 San Diego	01/20/2025	JOY BOATMAN
277	Yvonne Jones	4634...	92115 San Diego	01/20/2025	YVONNE JONES
278	Patty Ducey-Brooks	2448...	92103 San Diego	01/20/2025	PATTY DUCEY-BROOKS
279	Hali Mangano	4616...	92116 San Diego	01/20/2025	HALI MANGANO
280	Adriana Gomez	1022...	92114 San Diego	01/20/2025	ADRIANA GOMEZ
281	Georgia Grieser	1427...	93102 San Diego	01/20/2025	GEORGIA GRIESER
282	Danna Givot	4669...	92115 San Diego	01/20/2025	DANNA GIVOT
283	Adam Taylor	1263...	92114 San Diego	01/21/2025	ADAM TAYLOR
284	Stephanie Taylor	1263...	92114 San Diego	01/21/2025	STEPHANIE TAYLOR
285	Kathy McClelland	4990...	92115 San Diego	01/21/2025	KATHY MCCLELLAND
286	Steve McClelland	4990...	92115 San Diego	01/21/2025	STEVE MCCLELLAND
287	Leigh Ann O'Reilly	5224...	92116 San Diego	01/21/2025	LEIGH ANN O'REILLY
288	Martha Abraham	5622...	92114 San Diego	01/21/2025	MARTHA ABRAHAM
289	Ed Saunders	1122...	92106 San Diego	01/21/2025	ED SAUNDERS
290	Tisa Aguero	6836...	92114 San Diego	01/21/2025	TISA AGUERO
291	Darlene Gifford	869...	92106 San Diego	01/21/2025	DARLENE GIFFORD
292	Christine Smith	4424...	92107 San Diego	01/21/2025	CHRISTINE SMITH
293	Carmen Flowerree	6615...	92114 San Diego	01/21/2025	CARMEN FLOWERREE
294	Amy Willson	1776...	92114 San Diego	01/21/2025	AMY WILLSON
295	Harold Reed	1802...	91945 Lemon Grove	01/21/2025	HAROLD REED
296	Veronica Perales	918...	92114 San Diego	01/21/2025	VERONICA PERALES

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297	Alan Conrad	1847...	92114 San Diego	01/21/2025	ALAN CONRAD
298	Newell Booth	5602...	92115 San Diego	01/22/2025	NEWELL BOOTH
299	Michael P Washburn	814...	92114 San Diego	01/22/2025	MICHAEL P WASHBURN
300	Mark Schwarz	1774...	92114 San Diego	01/22/2025	MARK SCHWARZ
301	Robert Aebi	5275...	92115 San Diego	01/22/2025	ROBERT AEBI
302	Pamela Brock	3521...	92116 San Diego	01/22/2025	PAMELA BROCK
303	Ernesto Garcia	559...	92114 San Diego	01/22/2025	ERNESTO GARCIA
304	Handwritten signature	Spread sheet 123285-4 line 1	92114	01/22/2025	See collector's sheet 123285-4 Line 1
305	Handwritten signature	Spread sheet 123285-4 line 2	92114	01/22/2025	See collector's sheet 123285-4 Line 2
306	Handwritten signature	Spread sheet 123285-4 line 3	92114	01/22/2025	See collector's sheet 123285-4 Line 3
307	Handwritten signature	Spread sheet 123285-4 line 4	92114	01/22/2025	See collector's sheet 123285-4 Line 4
308	Handwritten signature	Spread sheet 123285-4 line 5	92114	01/22/2025	See collector's sheet 123285-4 Line 5
309	Handwritten signature	Spread sheet 123285-4 line 6	92114	01/22/2025	See collector's sheet 123285-4 Line 6
310	Handwritten signature	Spread sheet 123285-4 line 7	92114	01/22/2025	See collector's sheet 123285-4 Line 7
311	Handwritten signature	Spread sheet 123285-4 line 8	92114	01/22/2025	See collector's sheet 123285-4 Line 8
312	Handwritten signature	Spread sheet 123285-4 line 9	92114	01/22/2025	See collector's sheet 123285-4 Line 9
313	Handwritten signature	Spread sheet 123285-5 line 1	92114	01/22/2025	See collector's sheet 123285-5 Line 1
314	Handwritten signature	Spread sheet 123285-5 line 2	92114	01/22/2025	See collector's sheet 123285-5 Line 2
315	Handwritten signature	Spread sheet 123285-5 line 3	92114	01/22/2025	See collector's sheet 123285-5 Line 3
316	Handwritten signature	Spread sheet 123285-5 line 4	92114	01/22/2025	See collector's sheet 123285-5 Line 4
317	Handwritten signature	Spread sheet 123285-5 line 5	92114	01/22/2025	See collector's sheet 123285-5 Line 5
318	Handwritten signature	Spread sheet 123285-5 line 6	92114	01/22/2025	See collector's sheet 123285-5 Line 6
319	Handwritten signature	Spread sheet 123285-5 line 7	92114	01/22/2025	See collector's sheet 123285-5 Line 7
320	Handwritten signature	Spread sheet 123285-5 line 8	92114	01/22/2025	See collector's sheet 123285-5 Line 8
321	Handwritten signature	Spread sheet 123285-5 line 9	92114	01/22/2025	See collector's sheet 123285-5 Line 9
322	Handwritten signature	Spread sheet 123285-5 line 10	92114	01/22/2025	See collector's sheet 123285-5 Line 10
323	Handwritten signature	Spread sheet 123285-6 line 1	92114	01/22/2025	See collector's sheet 123285-6 Line 1
324	Handwritten signature	Spread sheet 123285-6 line 2	92114	01/22/2025	See collector's sheet 123285-6 Line 2
325	Handwritten signature	Spread sheet 123285-6 line 3	92114	01/22/2025	See collector's sheet 123285-6 Line 3
326	Handwritten signature	Spread sheet 123285-6 line 4	92114	01/22/2025	See collector's sheet 123285-6 Line 4
327	Handwritten signature	Spread sheet 123285-6 line 6	92114	01/22/2025	See collector's sheet 123285-6 Line 6
328	Handwritten signature	Spread sheet 123285-6 line 7	92114	01/22/2025	See collector's sheet 123285-6 Line 7
329	Handwritten signature	Spread sheet 123285-6 line 8	92114	01/22/2025	See collector's sheet 123285-6 Line 8
330	Handwritten signature	Spread sheet	92114	01/22/2025	See collector's sheet

petition Stop Investment Developers From Building More Than 2 ADUs/JADUs on Single Parcels of Land

		123285-6 line 9			123285-6 Line 9
331	Handwritten signature	Spread sheet 123285-6 line 10	92114	01/22/2025	See collector's sheet 123285-6 Line 10
332	Handwritten signature	Spread sheet 123285-7 line 1	92114	01/22/2025	See collector's sheet 123285-7 Line 1
333	Handwritten signature	Spread sheet 123285-7 line 2	92114	01/22/2025	See collector's sheet 123285-7 Line 2
334	Handwritten signature	Spread sheet 123285-7 line 3	92114	01/22/2025	See collector's sheet 123285-7 Line 3
335	Handwritten signature	Spread sheet 123285-7 line 4	92114	01/22/2025	See collector's sheet 123285-7 Line 4
336	Handwritten signature	Spread sheet 123285-7 line 5	92114	01/22/2025	See collector's sheet 123285-7 Line 5
337	Handwritten signature	Spread sheet 123285-7 line 6	92105	01/22/2025	See collector's sheet 123285-7 Line 6
338	Handwritten signature	Spread sheet 123285-7 line 7	92139	01/22/2025	See collector's sheet 123285-7 Line 7
339	Handwritten signature	Spread sheet 123285-7 line 8	92114	01/22/2025	See collector's sheet 123285-7 Line 8
340	Handwritten signature	Spread sheet 123285-7 line 9	92114	01/22/2025	See collector's sheet 123285-7 Line 9
341	Handwritten signature	Spread sheet 123285-7 line 10	92114	01/22/2025	See collector's sheet 123285-7 Line 10
342	Handwritten signature	Spread sheet 123285-8 line 1	92114	01/22/2025	See collector's sheet 123285-8 Line 1
343	Handwritten signature	Spread sheet 123285-8 line 2	92114	01/22/2025	See collector's sheet 123285-8 Line 2
344	Handwritten signature	Spread sheet 123285-8 line 3	92114	01/22/2025	See collector's sheet 123285-8 Line 3
345	Handwritten signature	Spread sheet 123285-8 line 4	92114	01/22/2025	See collector's sheet 123285-8 Line 4
346	Handwritten signature	Spread sheet 123285-8 line 5	92114	01/22/2025	See collector's sheet 123285-8 Line 5
347	Handwritten signature	Spread sheet 123285-8 line 6	92114	01/22/2025	See collector's sheet 123285-8 Line 6
348	Handwritten signature	Spread sheet 123285-8 line 7	92114	01/22/2025	See collector's sheet 123285-8 Line 7
349	Handwritten signature	Spread sheet 123285-8 line 8	92114	01/22/2025	See collector's sheet 123285-8 Line 8
350	Handwritten signature	Spread sheet 123285-8 line 9	92114	01/22/2025	See collector's sheet 123285-8 Line 9
351	Handwritten signature	Spread sheet 123285-8 line 10	92103	01/22/2025	See collector's sheet 123285-8 Line 10
352	Handwritten signature	Spread sheet 123285-9 line 10	92114	01/22/2025	See collector's sheet 123285-9 Line 10
353	Handwritten signature	Spread sheet 123285-9 line 1	92114	01/22/2025	See collector's sheet 123285-9 Line 1
354	Handwritten signature	Spread sheet 123285-9 line 2	92114	01/22/2025	See collector's sheet 123285-9 Line 2
355	Handwritten signature	Spread sheet 123285-9 line 3	92114	01/22/2025	See collector's sheet 123285-9 Line 3
356	Handwritten signature	Spread sheet 123285-9 line 4	92114	01/22/2025	See collector's sheet 123285-9 Line 4
357	Handwritten signature	Spread sheet 123285-9 line 5	92114	01/22/2025	See collector's sheet 123285-9 Line 5
358	Handwritten signature	Spread sheet 123285-9 line 6	92114	01/22/2025	See collector's sheet 123285-9 Line 6
359	Handwritten signature	Spread sheet 123285-9 line 8	92114	01/22/2025	See collector's sheet 123285-9 Line 8
360	Handwritten signature	Spread sheet 123285-9 line 9	92114	01/22/2025	See collector's sheet 123285-9 Line 9

petition Stop Investment Developers From Building More Than 2 ADUs/JADUs on Single Parcels of Land

361	Handwritten signature	Spread sheet 123285-10 line 1	92114	01/22/2025	See collector's sheet 123285-10 Line 1
362	Handwritten signature	Spread sheet 123285-10 line 2	92114	01/22/2025	See collector's sheet 123285-10 Line 2
363	Handwritten signature	Spread sheet 123285-10 line 3	92114	01/22/2025	See collector's sheet 123285-10 Line 3
364	Handwritten signature	Spread sheet 123285-10 line 4	92114	01/22/2025	See collector's sheet 123285-10 Line 4
365	Handwritten signature	Spread sheet 123285-10 line 5	92114	01/22/2025	See collector's sheet 123285-10 Line 5
366	Handwritten signature	Spread sheet 123285-10 line 6	92114	01/22/2025	See collector's sheet 123285-10 Line 6
367	Handwritten signature	Spread sheet 123285-10 line 7	92114	01/22/2025	See collector's sheet 123285-10 Line 7
368	Handwritten signature	Spread sheet 123285-10 line 8	92114	01/22/2025	See collector's sheet 123285-10 Line 8
369	Handwritten signature	Spread sheet 123285-10 line 9	92114	01/22/2025	See collector's sheet 123285-10 Line 9
370	Handwritten signature	Spread sheet 123285-10 line 10	92114	01/22/2025	See collector's sheet 123285-10 Line 10
371	Handwritten signature	Spread sheet 123285-11 line 1	92114	01/22/2025	See collector's sheet 123285-11 Line 1
372	Handwritten signature	Spread sheet 123285-11 line 2	92114	01/22/2025	See collector's sheet 123285-11 Line 2
373	Handwritten signature	Spread sheet 123285-11 line 3	92114	01/22/2025	See collector's sheet 123285-11 Line 3
374	Handwritten signature	Spread sheet 123285-11 line 4	92114	01/22/2025	See collector's sheet 123285-11 Line 4
375	Handwritten signature	Spread sheet 123285-11 line 5	92114	01/22/2025	See collector's sheet 123285-11 Line 5
376	Handwritten signature	Spread sheet 123285-11 line 6	92114	01/22/2025	See collector's sheet 123285-11 Line 6
377	Handwritten signature	Spread sheet 123285-11 line 7	92114	01/22/2025	See collector's sheet 123285-11 Line 7
378	Handwritten signature	Spread sheet 123285-11 line 8	92114	01/22/2025	See collector's sheet 123285-11 Line 8
379	Handwritten signature	Spread sheet 123285-11 line 9	92114	01/22/2025	See collector's sheet 123285-11 Line 9
380	Handwritten signature	Spread sheet 123285-11 line 10	92114	01/22/2025	See collector's sheet 123285-11 Line 10
381	Handwritten signature	Spread sheet 123285-12 line 1	92114	01/22/2025	See collector's sheet 123285-12 Line 1
382	Handwritten signature	Spread sheet 123285-12 line 2	92114	01/22/2025	See collector's sheet 123285-12 Line 2
383	Handwritten signature	Spread sheet 123285-12 line 3	92114	01/22/2025	See collector's sheet 123285-12 Line 3
384	Handwritten signature	Spread sheet 123285-12 line 4	92114	01/22/2025	See collector's sheet 123285-12 Line 4
385	Handwritten signature	Spread sheet 123285-12 line 5	92114	01/22/2025	See collector's sheet 123285-12 Line 5
386	Handwritten signature	Spread sheet 123285-12 line 6	92114	01/22/2025	See collector's sheet 123285-12 Line 6
387	Handwritten signature	Spread sheet 123285-12 line 7	92114	01/22/2025	See collector's sheet 123285-12 Line 7
388	Handwritten signature	Spread sheet 123285-12 line 8	92114	01/22/2025	See collector's sheet 123285-12 Line 8
389	Handwritten signature	Spread sheet 123285-12 line 9	92114	01/22/2025	See collector's sheet 123285-12 Line 9
390	Handwritten signature	Spread sheet 123285-12 line 10	92114	01/22/2025	See collector's sheet 123285-12 Line 10
391	Alejandro Alvarado	6839...	92114 San Diego	01/22/2025	ALEJANDRO ALVARADO

petition Stop Investment Developers From Building More Than 2 ADUs/JADUs on Single Parcels of Land

392	Donald Reed	6717...	92114 San Diego	01/23/2025	DONALD REED
393	Carmen Huerta	1727...	92114 San Diego	01/23/2025	CARMEN HUERTA
394	66954297	secret	secret	secret	secret
395	Jennifer Mauldin	6802...	92120 San Diego	01/23/2025	JENNIFER MAULDIN
396	Julia Hill	3694...	92104 San Diego	01/23/2025	JULIA HILL
397	Gelsamina Merritt	6529...	92114 San Diego	01/23/2025	GELSAMINA MERRITT
398	Ann E Cook	6414...	92114 San Diego	01/23/2025	ANN E COOK
399	Anthony Merritt	6529...	92114 San Diego	01/24/2025	ANTHONY MERRITT
400	Taylor Gingrich	1470...	92114 San Diego	01/24/2025	TAYLOR GINGRICH
401	Raina Inez Shapiro	1470...	92114 San diego	01/24/2025	RAINA INEZ SHAPIRO
402	David Herschel	1088...	92126 San Diego	01/24/2025	DAVID HERSCHEL
403	Francine Garcia	8637...	91977 Spring Valley	01/24/2025	FRANCINE GARCIA
404	Ralph Waxman	...		01/24/2025	RALPH WAXMAN
405	Jonathan Austin	...		01/24/2025	JONATHAN AUSTIN
406	Leo De Jesus	...		01/24/2025	LEO DE JESUS
407	Jorge Ramirez	1612...	92114 San Diego	01/24/2025	JORGE RAMIREZ
408	Susan Bugbee	1724...	92102 San Diego	01/24/2025	SUSAN BUGBEE
409	Scott Case	1603...	92103 San Diego	01/25/2025	SCOTT CASE
410	66968486	secret	secret	secret	secret
411	Frank Rogozienski	3419...	92103 San Diego	01/25/2025	FRANK ROGOZIENSKI
412	Yadira millan	2703...	92139 San Diego	01/25/2025	YADIRA MILLAN
413	66973195	secret	secret	secret	secret
414	Karlo Roshnaye	6751...	91942 La mesa	01/25/2025	KARLO ROSHNAYE
415	Vanessa Rickett	6104...	92120 San Diego	01/25/2025	VANESSA RICKETT
416	Natalie Bunma	1414...	92114 San Diego	01/26/2025	NATALIE BUNMA
417	Yahilyn Lopez	649...	92114 San Diego	01/26/2025	YAHILYN LOPEZ
418	Virgil A Abueg	6333...	92114 San Diego	01/26/2025	VIRGIL A ABUEG
419	Rita Ward	940...	92114 San Diego	01/26/2025	RITA WARD
420	Nicole Bunma	1414...	92114 San Diego	01/26/2025	NICOLE BUNMA
421	Bette Kosich-Hammang	2468...	92139 San Diego	01/26/2025	BETTE KOSICH-HAMMANG
422	Matt Luttio	6758...	92114 San Diego	01/26/2025	MATT LUTTIO
423	Laura Canela	5500...	91942 La Mesa	01/26/2025	LAURA CANELA
424	Samuel Garcia Jr.	7828...	92114 San Diego	01/26/2025	SAMUEL GARCIA JR.
425	Handwritten signature	Spread sheet 123285-13 line 1	92114	01/26/2025	See collector's sheet 123285-13 Line 1
426	Handwritten signature	Spread sheet 123285-13 line 2	91945	01/26/2025	See collector's sheet 123285-13 Line 2
427	Handwritten signature	Spread sheet 123285-13 line 3	92114	01/26/2025	See collector's sheet 123285-13 Line 3
428	Handwritten signature	Spread sheet 123285-13 line 4	92114	01/26/2025	See collector's sheet 123285-13 Line 4
429	Handwritten signature	Spread sheet 123285-13 line 5	92114	01/26/2025	See collector's sheet 123285-13 Line 5
430	Handwritten signature	Spread sheet 123285-13 line 6	92114	01/26/2025	See collector's sheet 123285-13 Line 6
431	Handwritten signature	Spread sheet 123285-13 line 7	92114	01/26/2025	See collector's sheet 123285-13 Line 7
432	Handwritten signature	Spread sheet 123285-13 line 8	92114	01/26/2025	See collector's sheet 123285-13 Line 8
433	Handwritten signature	Spread sheet 123285-14 line 1	92114	01/26/2025	See collector's sheet 123285-14 Line 1
434	Handwritten signature	Spread sheet 123285-14 line 2	Unterschriftsbogen	01/26/2025	See collector's sheet 123285-14 Line 2

petition Stop Investment Developers From Building More Than 2 ADUs/JADUs on Single Parcels of Land

435	Handwritten signature	Spread sheet 123285-14 line 3	92114	01/26/2025	See collector's sheet 123285-14 Line 3
436	Handwritten signature	Spread sheet 123285-14 line 4	92114	01/26/2025	See collector's sheet 123285-14 Line 4
437	Handwritten signature	Spread sheet 123285-14 line 5	92114	01/26/2025	See collector's sheet 123285-14 Line 5
438	Handwritten signature	Spread sheet 123285-14 line 6	92114	01/26/2025	See collector's sheet 123285-14 Line 6
439	Handwritten signature	Spread sheet 123285-14 line 7	92114	01/26/2025	See collector's sheet 123285-14 Line 7
440	Handwritten signature	Spread sheet 123285-14 line 8	92114	01/26/2025	See collector's sheet 123285-14 Line 8
441	Handwritten signature	Spread sheet 123285-14 line 9	92114	01/26/2025	See collector's sheet 123285-14 Line 9
442	Handwritten signature	Spread sheet 123285-14 line 10	92114	01/26/2025	See collector's sheet 123285-14 Line 10
443	Handwritten signature	Spread sheet 123285-15 line 1	92114	01/26/2025	See collector's sheet 123285-15 Line 1
444	Handwritten signature	Spread sheet 123285-15 line 2	92114	01/26/2025	See collector's sheet 123285-15 Line 2
445	Handwritten signature	Spread sheet 123285-15 line 3	92114	01/26/2025	See collector's sheet 123285-15 Line 3
446	Handwritten signature	Spread sheet 123285-15 line 4	92114	01/26/2025	See collector's sheet 123285-15 Line 4
447	Handwritten signature	Spread sheet 123285-15 line 5	92114	01/26/2025	See collector's sheet 123285-15 Line 5
448	Handwritten signature	Spread sheet 123285-15 line 6	91977	01/26/2025	See collector's sheet 123285-15 Line 6
449	Handwritten signature	Spread sheet 123285-15 line 7	92114	01/26/2025	See collector's sheet 123285-15 Line 7
450	Handwritten signature	Spread sheet 123285-15 line 8	92114	01/26/2025	See collector's sheet 123285-15 Line 8
451	Handwritten signature	Spread sheet 123285-15 line 9	92114	01/26/2025	See collector's sheet 123285-15 Line 9
452	Handwritten signature	Spread sheet 123285-15 line 10	92114	01/26/2025	See collector's sheet 123285-15 Line 10
453	Handwritten signature	Spread sheet 123285-16 line 1	92114	01/26/2025	See collector's sheet 123285-16 Line 1
454	Handwritten signature	Spread sheet 123285-16 line 2	91974	01/26/2025	See collector's sheet 123285-16 Line 2
455	Handwritten signature	Spread sheet 123285-16 line 3	92114	01/26/2025	See collector's sheet 123285-16 Line 3
456	Handwritten signature	Spread sheet 123285-16 line 4	91945	01/26/2025	See collector's sheet 123285-16 Line 4
457	Handwritten signature	Spread sheet 123285-16 line 5	91941	01/26/2025	See collector's sheet 123285-16 Line 5
458	Handwritten signature	Spread sheet 123285-16 line 6	92115	01/26/2025	See collector's sheet 123285-16 Line 6
459	Handwritten signature	Spread sheet 123285-16 line 7	91945	01/26/2025	See collector's sheet 123285-16 Line 7
460	Handwritten signature	Spread sheet 123285-16 line 8	92195	01/26/2025	See collector's sheet 123285-16 Line 8
461	Handwritten signature	Spread sheet 123285-16 line 9	91945	01/26/2025	See collector's sheet 123285-16 Line 9
462	Handwritten signature	Spread sheet 123285-16 line 10	92114	01/26/2025	See collector's sheet 123285-16 Line 10
463	Handwritten signature	Spread sheet 123285-17 line 1	92103	01/26/2025	See collector's sheet 123285-17 Line 1
464	Handwritten signature	Spread sheet 123285-17 line 2	92114	01/26/2025	See collector's sheet 123285-17 Line 2
465	Handwritten signature	Spread sheet 123285-17 line 3	92114	01/26/2025	See collector's sheet 123285-17 Line 3

petition Stop Investment Developers From Building More Than 2 ADUs/JADUs on Single Parcels of Land

466	Handwritten signature	Spread sheet 123285-17 line 4	91945	01/26/2025	See collector's sheet 123285-17 Line 4
467	Handwritten signature	Spread sheet 123285-17 line 5	91945	01/26/2025	See collector's sheet 123285-17 Line 5
468	Handwritten signature	Spread sheet 123285-17 line 6	91951	01/26/2025	See collector's sheet 123285-17 Line 6
469	Handwritten signature	Spread sheet 123285-17 line 7	92227	01/26/2025	See collector's sheet 123285-17 Line 7
470	Handwritten signature	Spread sheet 123285-17 line 8	92114	01/26/2025	See collector's sheet 123285-17 Line 8
471	Handwritten signature	Spread sheet 123285-17 line 9	92114	01/26/2025	See collector's sheet 123285-17 Line 9
472	Handwritten signature	Spread sheet 123285-17 line 10	92114	01/26/2025	See collector's sheet 123285-17 Line 10
473	Handwritten signature	Spread sheet 123285-18 line 1	92114	01/26/2025	See collector's sheet 123285-18 Line 1
474	Handwritten signature	Spread sheet 123285-18 line 2	92114	01/26/2025	See collector's sheet 123285-18 Line 2
475	Handwritten signature	Spread sheet 123285-18 line 3	92942	01/26/2025	See collector's sheet 123285-18 Line 3
476	Handwritten signature	Spread sheet 123285-18 line 4	92113	01/26/2025	See collector's sheet 123285-18 Line 4
477	Handwritten signature	Spread sheet 123285-18 line 5	91977	01/26/2025	See collector's sheet 123285-18 Line 5
478	Handwritten signature	Spread sheet 123285-18 line 6	92104	01/26/2025	See collector's sheet 123285-18 Line 6
479	Handwritten signature	Spread sheet 123285-18 line 7	92105	01/26/2025	See collector's sheet 123285-18 Line 7
480	Handwritten signature	Spread sheet 123285-18 line 8	92114	01/26/2025	See collector's sheet 123285-18 Line 8
481	Handwritten signature	Spread sheet 123285-18 line 9	92114	01/26/2025	See collector's sheet 123285-18 Line 9
482	Handwritten signature	Spread sheet 123285-18 line 10	92114	01/26/2025	See collector's sheet 123285-18 Line 10
483	Handwritten signature	Spread sheet 123285-19 line 1	92114	01/26/2025	See collector's sheet 123285-19 Line 1
484	Handwritten signature	Spread sheet 123285-19 line 2	92114	01/26/2025	See collector's sheet 123285-19 Line 2
485	Handwritten signature	Spread sheet 123285-19 line 3	92114	01/26/2025	See collector's sheet 123285-19 Line 3
486	Handwritten signature	Spread sheet 123285-19 line 4	92114	01/26/2025	See collector's sheet 123285-19 Line 4
487	Handwritten signature	Spread sheet 123285-19 line 5	92114	01/26/2025	See collector's sheet 123285-19 Line 5
488	Handwritten signature	Spread sheet 123285-19 line 6	92114	01/26/2025	See collector's sheet 123285-19 Line 6
489	Handwritten signature	Spread sheet 123285-19 line 7	92114	01/26/2025	See collector's sheet 123285-19 Line 7
490	Handwritten signature	Spread sheet 123285-19 line 8	92114	01/26/2025	See collector's sheet 123285-19 Line 8
491	Handwritten signature	Spread sheet 123285-19 line 9	92114	01/26/2025	See collector's sheet 123285-19 Line 9
492	Handwritten signature	Spread sheet 123285-19 line 10	92114	01/26/2025	See collector's sheet 123285-19 Line 10
493	Nathan DeVader	6080...	92114 San Diego	01/26/2025	NATHAN DEVADER
494	Regina Vernette Greenlee	5888...	92114 San Diego	01/26/2025	REGINA VERNETTE GREENLEE
495	66981395	<i>secret</i>	<i>secret</i>	<i>secret</i>	<i>secret</i>
496	James Caldwell	1202...	92114 San diego	01/26/2025	JAMES CALDWELL
497	Dana Plowman	6610...	92114 San Diego	01/27/2025	DANA PLOWMAN

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498	Yolanda Naungayan	6759...	92114 Encanto	01/27/2025	YOLANDA NAUNGAYAN
499	66983507	secret	California secret	secret	secret
500	Socorro Olvera	950...	92114 San Diego	01/27/2025	SOCORRO OLVERA
501	Monyca Cunningham	6065...	92114 San Diego	01/27/2025	MONYCA CUNNINGHAM
502	Jessica Castillo	6080...	92114 San Diego	01/27/2025	JESSICA CASTILLO
503	Mary Brown	...		01/27/2025	MARY BROWN
504	Jeanine Roche	4949...	92116 San Diego	01/27/2025	JEANINE ROCHE
505	Eric D Overstreet	5906...	92114 San Diego	01/27/2025	ERIC D OVERSTREET
506	James Bell-Torres	6565...	92114 San Diego	01/27/2025	JAMES BELL-TORRES
507	John Fearnow	6042...	92114 San Diego	01/27/2025	JOHN FEARNOW
508	Arthur Jackson	1939...	92114 San Diego	01/27/2025	ARTHUR JACKSON
509	Mike Espinoza	1373...	92114 San Diego	01/27/2025	MIKE ESPINOZA
510	Norma Espinoza	1373...	92114 San Diego	01/28/2025	NORMA ESPINOZA
511	Jocelyn Hernandez	1373...	92114 San Diego	01/28/2025	JOCELYN HERNANDEZ
512	Diana Jones	5858...	92114 San Diego	01/28/2025	DIANA JONES
513	Lucy Margaret Price	6581...	92114 San Diego	01/28/2025	LUCY MARGARET PRICE
514	Michael Goldwater	1061...	92114 San Diego	01/28/2025	MICHAEL GOLDWATER
515	Donna Whitehouse	1927...	92114 San Diego	01/28/2025	DONNA WHITEHOUSE
516	Amanda Acevedo-Grill	851...	92114 San Diego	01/28/2025	AMANDA ACEVEDO-GRILL
517	Mauricio Villanueva	851...	92114 San Diego	01/28/2025	MAURICIO VILLANUEVA
518	Henry Howard Cairns	4613...	92116 San Diego	01/28/2025	HENRY HOWARD CAIRNS
519	67003221	secret	secret	secret	secret
520	Janae Hebets	3040...	92103 San Diego	01/29/2025	JANAE HEBETS
521	Rosa Kirkland	6221...	92114 San Diego	01/29/2025	ROSA KIRKLAND
522	David Perales	918...	92114 San Diego	01/29/2025	DAVID PERALES
523	Vanessa Balles	2054...	92114 San Diego	01/29/2025	VANESSA BALLEs
524	Carolyn J Barrie	1701...	92114 San Diego CA	01/29/2025	CAROLYN J BARRIE
525	Adriana Alvarado	1022...	92114 San Diego	01/29/2025	ADRIANA ALVARADO
526	67012167	secret	secret	secret	secret
527	67012177	secret	secret	secret	secret
528	67012198	secret	secret	secret	secret
529	67012200	secret	secret	secret	secret
530	Colleen C De Maio	755...	92114 San Diego	01/30/2025	COLLEEN C DE MAIO
531	Steven Lambert	5010...	92113 San Diego	01/30/2025	STEVEN LAMBERT
532	Jesse Frost	1510...	92114 San Diego	01/30/2025	JESSE FROST
533	David Tafoya	7094...	91945 lemon Grove	01/30/2025	DAVID TAFOYA
534	Melanie Rynne-Benitez	6863...	92115 San Diego	01/30/2025	MELANIE RYNNE-BENITEZ
535	Amnizziel Estrada	5968...	92114 San Diego	01/30/2025	AMNITZIEL ESTRADA
536	Anibal Benitez	6863...	92115 San Diego	01/30/2025	ANIBAL BENITEZ
537	Lorena Medina Beas	864...	92114 San Diego	01/30/2025	LORENA MEDINA BEAS
538	Sharon Cole	815...	92102 San Diego Ca	01/30/2025	SHARON COLE
539	Brian Thomas Holl	6150...	92114 San Diego	01/30/2025	BRIAN THOMAS HOLL
540	Eduardo Lopez	6776...	92114 San Diego	01/30/2025	EDUARDO LOPEZ
541	Rachael Marquez	6430...	92114 San Diego	01/30/2025	RACHAEL MARQUEZ
542	Alejandro Ortiz	4817...	92115 San Diego	01/31/2025	ALEJANDRO ORTIZ
543	Rosalina Ocampo	6776...	92114 San Diego	01/31/2025	ROSALINA OCAMPO
544	Elizabeth Jimenez	612...	92114 San Diego	01/31/2025	ELIZABETH JIMENEZ
545	67026666	secret	secret	secret	secret
546	Maritza Murphy	Weav...	92114 San Diego	01/31/2025	MARITZA MURPHY

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547	Ana Furby	1560...	92114 San Diego	01/31/2025	ANA FURBY
548	Silvina Rostro	1228...	92114 San Diego	01/31/2025	SILVINA ROSTRO
549	Dan Larkin	2818...	92104 San Diego	01/31/2025	DAN LARKIN
550	Karen Cadiero-Kaplan	1475...	92114 San diego	02/01/2025	KAREN CADIERO-KAPLAN
551	Louie Sarmiento	918...	92114 San Diego	02/01/2025	LOUIE SARMIENTO
552	Mandi Bailey	5545...	92114 San Diego	02/01/2025	MANDI BAILEY
553	JD Dyan Diamond	986...	92114 San Diego	02/01/2025	JD DYAN DIAMOND
554	Darryl charles	...		02/01/2025	DARRYL CHARLES
555	Cristian Gomez	51...	92114 San Diego	02/01/2025	CRISTIAN GOMEZ
556	Aleksandra Chyla	3340...	92105 San Diego	02/01/2025	ALEKSANDRA CHYLA
557	Edward Rynne	6026...	92122 San Diego	02/01/2025	EDWARD RYNNE
558	Maximillian Ignacio Walding	1479...	92114 San Diego	02/01/2025	MAXIMILLIAN IGNACIO WALDING
559	Alex van Frank	3536...	92104 San Diego	02/02/2025	ALEX VAN FRANK
560	Edgar Pulu	6432...	92114 San Diego	02/02/2025	EDGAR PULU
561	67021369	secret	secret	secret	secret
562	Elizabeth Gijon	4158...	92122 San diego	02/02/2025	ELIZABETH GIJON
563	Andrew Celiceo Jr.	622...	92114 San Diego	02/02/2025	ANDREW CELICEO JR.
564	Alida Celiceo	2206...	91945 Lemon Grove	02/02/2025	ALIDA CELICEO
565	Rene Kaprielian	5270...	92115 -1139	02/02/2025	RENE KAPRIELIAN
566	Patricia Coleman	1869...	92114 San Diego	02/02/2025	PATRICIA COLEMAN
567	Saul Maldonado	6634...	92119 San Diego	02/02/2025	SAUL MALDONADO
568	Orlean Mireles	6350...	92114 San Diego	02/02/2025	ORLEAN MIRELES
569	Marian Aste	5020...	92110 San Diego	02/02/2025	MARIAN ASTE
570	Cristal Herrera	4814...	92102 San Diego	02/03/2025	CRISTAL HERRERA
571	Newell O. Booth	5602...	92115 San Diego	02/03/2025	NEWELL O. BOOTH
572	Elspeth Della	1372...	92114 San Diego	02/03/2025	ELSPETH DELLA
573	Eric Bergman	1045...	92114 San Diego	02/03/2025	ERIC BERGMAN
574	Scott Adamson	1451...	92114 San Diego	02/03/2025	SCOTT ADAMSON
575	Beverly Edwards	7134...	92114 San Diego	02/03/2025	BEVERLY EDWARDS
576	Malina Mathouchanh	1705...	92114 San Diego	02/03/2025	MALINA MATHOUCHANH
577	Tam Pham	6295...	92224 San Diego	02/03/2025	TAM PHAM
578	Dave Nicolai	5292...	92115 San Diego	02/03/2025	DAVE NICOLAI
579	Paul Ahlers	6642...	92120 San Diego	02/03/2025	PAUL AHLERS
580	Monique Garcia	2737...	92105 San Diego	02/03/2025	MONIQUE GARCIA
581	Dawn Jurek	4325...	92115 San Diego	02/03/2025	DAWN JUREK
582	Jay Johnson	7001...	92114 San Diego	02/03/2025	JAY JOHNSON
583	Shawnelle Johnson	7001...	92114 San Diego	02/03/2025	SHAWNELLE JOHNSON
584	Handwritten signature	Spread sheet 123285-20 line 1	92114	02/03/2025	See collector's sheet 123285-20 Line 1
585	Handwritten signature	Spread sheet 123285-20 line 2	92114	02/03/2025	See collector's sheet 123285-20 Line 2
586	Handwritten signature	Spread sheet 123285-20 line 3	92114	02/03/2025	See collector's sheet 123285-20 Line 3
587	Handwritten signature	Spread sheet 123285-20 line 4	92114	02/03/2025	See collector's sheet 123285-20 Line 4
588	Handwritten signature	Spread sheet 123285-20 line 5	92114	02/03/2025	See collector's sheet 123285-20 Line 5
589	Handwritten signature	Spread sheet 123285-20 line 6	92114	02/03/2025	See collector's sheet 123285-20 Line 6
590	Handwritten signature	Spread sheet 123285-20 line 7	92114	02/03/2025	See collector's sheet 123285-20 Line 7
591	Handwritten signature	Spread sheet	92114	02/03/2025	See collector's sheet

petition Stop Investment Developers From Building More Than 2 ADUs/JADUs on Single Parcels of Land

		123285-20 line 8			123285-20 Line 8
592	Handwritten signature	Spread sheet 123285-20 line 9	92114	02/03/2025	See collector's sheet 123285-20 Line 9
593	Handwritten signature	Spread sheet 123285-20 line 10	92114	02/03/2025	See collector's sheet 123285-20 Line 10
594	Handwritten signature	Spread sheet 123285-21 line 1	92114	02/03/2025	See collector's sheet 123285-21 Line 1
595	Handwritten signature	Spread sheet 123285-21 line 2	91911	02/03/2025	See collector's sheet 123285-21 Line 2
596	Handwritten signature	Spread sheet 123285-21 line 3	91950	02/03/2025	See collector's sheet 123285-21 Line 3
597	Handwritten signature	Spread sheet 123285-21 line 4	91950	02/03/2025	See collector's sheet 123285-21 Line 4
598	Handwritten signature	Spread sheet 123285-21 line 5	91950	02/03/2025	See collector's sheet 123285-21 Line 5
599	Handwritten signature	Spread sheet 123285-21 line 6	92101	02/03/2025	See collector's sheet 123285-21 Line 6
600	Handwritten signature	Spread sheet 123285-21 line 7	92102	02/03/2025	See collector's sheet 123285-21 Line 7
601	Handwritten signature	Spread sheet 123285-21 line 8	92105	02/03/2025	See collector's sheet 123285-21 Line 8
602	Handwritten signature	Spread sheet 123285-21 line 9	92114	02/03/2025	See collector's sheet 123285-21 Line 9
603	Handwritten signature	Spread sheet 123285-21 line 10	92114	02/03/2025	See collector's sheet 123285-21 Line 10
604	Handwritten signature	Spread sheet 123285-22 line 1	92114	02/03/2025	See collector's sheet 123285-22 Line 1
605	Handwritten signature	Spread sheet 123285-22 line 2	92114	02/03/2025	See collector's sheet 123285-22 Line 2
606	Handwritten signature	Spread sheet 123285-22 line 3	92114	02/03/2025	See collector's sheet 123285-22 Line 3
607	Handwritten signature	Spread sheet 123285-22 line 4	92114	02/03/2025	See collector's sheet 123285-22 Line 4
608	Handwritten signature	Spread sheet 123285-22 line 5	92114	02/03/2025	See collector's sheet 123285-22 Line 5
609	Handwritten signature	Spread sheet 123285-22 line 6	92114	02/03/2025	See collector's sheet 123285-22 Line 6
610	Handwritten signature	Spread sheet 123285-22 line 7	92114	02/03/2025	See collector's sheet 123285-22 Line 7
611	Handwritten signature	Spread sheet 123285-22 line 8	92114	02/03/2025	See collector's sheet 123285-22 Line 8
612	Handwritten signature	Spread sheet 123285-22 line 9	92114	02/03/2025	See collector's sheet 123285-22 Line 9
613	Handwritten signature	Spread sheet 123285-22 line 10	92114	02/03/2025	See collector's sheet 123285-22 Line 10
614	Handwritten signature	Spread sheet 123285-23 line 1	92114	02/03/2025	See collector's sheet 123285-23 Line 1
615	Handwritten signature	Spread sheet 123285-23 line 2	92114	02/03/2025	See collector's sheet 123285-23 Line 2
616	Handwritten signature	Spread sheet 123285-23 line 3	92114	02/03/2025	See collector's sheet 123285-23 Line 3
617	Handwritten signature	Spread sheet 123285-23 line 4	92114	02/03/2025	See collector's sheet 123285-23 Line 4
618	Handwritten signature	Spread sheet 123285-23 line 5	92114	02/03/2025	See collector's sheet 123285-23 Line 5
619	Handwritten signature	Spread sheet 123285-23 line 6	92114	02/03/2025	See collector's sheet 123285-23 Line 6
620	Handwritten signature	Spread sheet 123285-23 line 7	92114	02/03/2025	See collector's sheet 123285-23 Line 7
621	Handwritten signature	Spread sheet 123285-23 line 8	92114	02/03/2025	See collector's sheet 123285-23 Line 8

petition Stop Investment Developers From Building More Than 2 ADUs/JADUs on Single Parcels of Land

622	Handwritten signature	Spread sheet 123285-23 line 9	921114	02/03/2025	See collector's sheet 123285-23 Line 9
623	Handwritten signature	Spread sheet 123285-23 line 10	92114	02/03/2025	See collector's sheet 123285-23 Line 10
624	Handwritten signature	Spread sheet 123285-24 line 1	92114	02/03/2025	See collector's sheet 123285-24 Line 1
625	Handwritten signature	Spread sheet 123285-24 line 2	92114	02/03/2025	See collector's sheet 123285-24 Line 2
626	Handwritten signature	Spread sheet 123285-24 line 3	92114	02/03/2025	See collector's sheet 123285-24 Line 3
627	Handwritten signature	Spread sheet 123285-24 line 4	92114	02/03/2025	See collector's sheet 123285-24 Line 4
628	Handwritten signature	Spread sheet 123285-24 line 5	92114	02/03/2025	See collector's sheet 123285-24 Line 5
629	Handwritten signature	Spread sheet 123285-24 line 6	92114	02/03/2025	See collector's sheet 123285-24 Line 6
630	Handwritten signature	Spread sheet 123285-24 line 7	92114	02/03/2025	See collector's sheet 123285-24 Line 7
631	Handwritten signature	Spread sheet 123285-24 line 8	92114	02/03/2025	See collector's sheet 123285-24 Line 8
632	Handwritten signature	Spread sheet 123285-24 line 9	92114	02/03/2025	See collector's sheet 123285-24 Line 9
633	Handwritten signature	Spread sheet 123285-24 line 10	92114	02/03/2025	See collector's sheet 123285-24 Line 10
634	Barbara Kerr	6214...	92114 San Diego	02/03/2025	BARBARA KERR
635	Rhonda Shephard	...		02/04/2025	RHONDA SHEPHARD
636	Cherlynn Tyler-Mitchell	6635...	92114 San Diego	02/04/2025	CHERLYNN TYLER-MITCHELL
637	Lillian Saluk	6768...	92114 San Diego	02/04/2025	LILLIAN SALUK
638	John Manning	809...	92114 S.d.	02/04/2025	JOHN MANNING
639	Mark David Wolfe	1553...	92114 San Diego	02/05/2025	MARK DAVID WOLFE
640	Beatriz Navarrete	6076...	92114 San Diego	02/05/2025	BEATRIZ NAVARRETE
641	Daniel Pena	6081...	92114 San Diego	02/05/2025	DANIEL PENA
642	Rosalva Pena	6081...	92114 San Diego	02/05/2025	ROSALVA PENA
643	Noralund Cook-Zumaya	6350...	92114 San Diego	02/05/2025	NORALUND COOK-ZUMAYA
644	Leilani Renee Pompa	711...	92114 San Diego	02/05/2025	LEILANI RENEE POMPA
645	Tiffany Chappell	3169...	92009 Carlsbad	02/05/2025	TIFFANY CHAPPELL
646	Janil Lefort	6753...	92114 San Diego	02/05/2025	JANIL LEFORT
647	Sarah Ojeda	6367...	92114 San Diego	02/06/2025	SARAH OJEDA
648	Jeffery J Pekarek	6711...	92114 San Diego	02/06/2025	JEFFERY J PEKAREK
649	MaryAnn Fowler	PO B...	92159 San Diego	02/06/2025	MARYANN FOWLER
650	Hector Duque	4464...	92121 San Diego	02/06/2025	HECTOR DUQUE
651	Esperanza Orozco	4972...	92102 San Diego	02/06/2025	ESPERANZA OROZCO
652	Scott Corsaro	705,...	92114 -2806	02/06/2025	SCOTT CORSARO
653	Dawne Williams	6769...	92114 San diego	02/07/2025	DAWNE WILLIAMS
654	Cleve Jacobs	5899...	92114 San Diego	02/07/2025	CLEVE JACOBS
655	Esmeralda Vara Patlan	630...	92114 San Diego	02/07/2025	ESMERALDA VARA PATLAN
656	Sara Gerardi	4920...	92120 San Diego	02/07/2025	SARA GERARDI
657	Betsy smith	4367...	92107 Dan Diego	02/08/2025	BETSY SMITH
658	Heather McCall	2170...	92114 San Diego	02/08/2025	HEATHER MCCALL
659	Veronica Gomez	6212...	92114 San Diego	02/08/2025	VERONICA GOMEZ
660	Geoffrey Hueter	4602...	92115 San Diego	02/09/2025	GEOFFREY HUETER
661	Raquel Briggs	6387...	92114 San Diego	02/09/2025	RAQUEL BRIGGS
662	Benjamin Smith	651...	92114 San diego	02/10/2025	BENJAMIN SMITH
663	Janet Staats	1711...	92114 San Diego	02/11/2025	JANET STAATS

petition Stop Investment Developers From Building More Than 2 ADUs/JADUs on Single Parcels of Land

664	Alma Escobedo	2035...	92105 San Diego	02/11/2025	ALMA ESCOBEDO
665	Eddie Meyerholz	6828...	92114 San Diego	02/15/2025	EDDIE MEYERHOLZ
666	Shannon Brubaker	4720...	92115 San Diego	02/15/2025	SHANNON BRUBAKER
667	Gerardo Ramirez	5193...	92114 San Diego	02/17/2025	GERARDO RAMIREZ
668	Angela Ojeda	6367...	92114 San Diego	02/17/2025	ANGELA OJEDA
669	Maricela Ramirez	1612...	92114 San Diego	02/17/2025	MARICELA RAMIREZ
670	Jose Castro	6830...	92114 San Diego	02/17/2025	JOSE CASTRO
671	Bob LaRose	3576...	92104 San Diego	02/17/2025	BOB LAROSE
672	Nicole Cook	275...	92114 San diego	02/18/2025	NICOLE COOK
673	Ricardo Pena	1668...	91911 Chula Vista	02/18/2025	RICARDO PENA
674	Liliana Martinez	6806...	92114 san Diego	02/18/2025	LILIANA MARTINEZ
675	67532600	secret	secret	secret	secret
676	Karen Cadiero-Kaplan	...		02/19/2025	KAREN CADIERO-KAPLAN
677	Henrietta J Verduzco	1428...	92114 San Diego	02/20/2025	HENRIETTA J VERDUZCO
678	Mark Crawford	2035...	92114 Encanto	02/21/2025	MARK CRAWFORD
679	Marisol David	7502...	92114 San Diego	02/21/2025	MARISOL DAVID
680	Yudin Munoz	3626...	92105 San Diego	02/22/2025	YUDIN MUNOZ
681	Diana Santos	610...	92114 San Diego	02/22/2025	DIANA SANTOS
682	Mara Iliganooa Savaiinaea	627...	92114 San Diego	02/23/2025	MARA ILIGANOA SAVAIINAEA
683	67642657	secret	secret	secret	secret
684	Alex Zukas	5615...	92115 San Diego	02/23/2025	ALEX ZUKAS
685	Handwritten signature	Spread sheet 123285-25 line 1	92144	02/23/2025	See collector's sheet 123285-25 Line 1
686	Handwritten signature	Spread sheet 123285-25 line 2	92114	02/23/2025	See collector's sheet 123285-25 Line 2
687	Handwritten signature	Spread sheet 123285-25 line 3	92114	02/23/2025	See collector's sheet 123285-25 Line 3
688	Handwritten signature	Spread sheet 123285-25 line 4	92114	02/23/2025	See collector's sheet 123285-25 Line 4
689	Handwritten signature	Spread sheet 123285-25 line 5	94945	02/23/2025	See collector's sheet 123285-25 Line 5
690	Handwritten signature	Spread sheet 123285-25 line 6	92114	02/23/2025	See collector's sheet 123285-25 Line 6
691	Handwritten signature	Spread sheet 123285-25 line 7	92105	02/23/2025	See collector's sheet 123285-25 Line 7
692	Handwritten signature	Spread sheet 123285-25 line 8	92114	02/23/2025	See collector's sheet 123285-25 Line 8
693	Handwritten signature	Spread sheet 123285-25 line 9	92114	02/23/2025	See collector's sheet 123285-25 Line 9
694	Handwritten signature	Spread sheet 123285-25 line 10	92114	02/23/2025	See collector's sheet 123285-25 Line 10
695	Handwritten signature	Spread sheet 123285-26 line 1	92114	02/23/2025	See collector's sheet 123285-26 Line 1
696	Handwritten signature	Spread sheet 123285-26 line 2	92113	02/23/2025	See collector's sheet 123285-26 Line 2
697	Handwritten signature	Spread sheet 123285-26 line 3	92113	02/23/2025	See collector's sheet 123285-26 Line 3
698	Handwritten signature	Spread sheet 123285-26 line 4	92114	02/23/2025	See collector's sheet 123285-26 Line 4
699	Handwritten signature	Spread sheet 123285-26 line 5	92114	02/23/2025	See collector's sheet 123285-26 Line 5
700	Handwritten signature	Spread sheet 123285-26 line 6	92114	02/23/2025	See collector's sheet 123285-26 Line 6
701	Handwritten signature	Spread sheet 123285-26 line 7	92114	02/23/2025	See collector's sheet 123285-26 Line 7
702	Handwritten signature	Spread sheet	92102	02/23/2025	See collector's sheet

petition Stop Investment Developers From Building More Than 2 ADUs/JADUs on Single Parcels of Land

		123285-26 line 8			123285-26 Line 8
703	Handwritten signature	Spread sheet 123285-26 line 9	92114	02/23/2025	See collector's sheet 123285-26 Line 9
704	Handwritten signature	Spread sheet 123285-26 line 10	91950	02/23/2025	See collector's sheet 123285-26 Line 10
705	Handwritten signature	Spread sheet 123285-27 line 1	92114	02/23/2025	See collector's sheet 123285-27 Line 1
706	Handwritten signature	Spread sheet 123285-27 line 2	92114	02/23/2025	See collector's sheet 123285-27 Line 2
707	Handwritten signature	Spread sheet 123285-27 line 3	92114	02/23/2025	See collector's sheet 123285-27 Line 3
708	Handwritten signature	Spread sheet 123285-27 line 4	92114	02/23/2025	See collector's sheet 123285-27 Line 4
709	Handwritten signature	Spread sheet 123285-27 line 5	92114	02/23/2025	See collector's sheet 123285-27 Line 5
710	Handwritten signature	Spread sheet 123285-27 line 6	92114	02/23/2025	See collector's sheet 123285-27 Line 6
711	Handwritten signature	Spread sheet 123285-27 line 7	92114	02/23/2025	See collector's sheet 123285-27 Line 7
712	Handwritten signature	Spread sheet 123285-27 line 8	92114	02/23/2025	See collector's sheet 123285-27 Line 8
713	Handwritten signature	Spread sheet 123285-27 line 9	92114	02/23/2025	See collector's sheet 123285-27 Line 9
714	Handwritten signature	Spread sheet 123285-27 line 10	92114	02/23/2025	See collector's sheet 123285-27 Line 10
715	Handwritten signature	Spread sheet 123285-28 line 1	92114	02/23/2025	See collector's sheet 123285-28 Line 1
716	Handwritten signature	Spread sheet 123285-28 line 2	92114	02/23/2025	See collector's sheet 123285-28 Line 2
717	Handwritten signature	Spread sheet 123285-28 line 3	92114	02/23/2025	See collector's sheet 123285-28 Line 3
718	Handwritten signature	Spread sheet 123285-28 line 4	92114	02/23/2025	See collector's sheet 123285-28 Line 4
719	Handwritten signature	Spread sheet 123285-28 line 5	92114	02/23/2025	See collector's sheet 123285-28 Line 5
720	Handwritten signature	Spread sheet 123285-28 line 6	92114	02/23/2025	See collector's sheet 123285-28 Line 6
721	Handwritten signature	Spread sheet 123285-28 line 7	92114	02/23/2025	See collector's sheet 123285-28 Line 7
722	Handwritten signature	Spread sheet 123285-28 line 8	92114	02/23/2025	See collector's sheet 123285-28 Line 8
723	Handwritten signature	Spread sheet 123285-28 line 9	92114	02/23/2025	See collector's sheet 123285-28 Line 9
724	Handwritten signature	Spread sheet 123285-28 line 10	92114	02/23/2025	See collector's sheet 123285-28 Line 10
725	Handwritten signature	Spread sheet 123285-29 line 1	92114	02/23/2025	See collector's sheet 123285-29 Line 1
726	Handwritten signature	Spread sheet 123285-29 line 2	92114	02/23/2025	See collector's sheet 123285-29 Line 2
727	Handwritten signature	Spread sheet 123285-29 line 3	92114	02/23/2025	See collector's sheet 123285-29 Line 3
728	Handwritten signature	Spread sheet 123285-29 line 4	91945	02/23/2025	See collector's sheet 123285-29 Line 4
729	Handwritten signature	Spread sheet 123285-29 line 5	92114	02/23/2025	See collector's sheet 123285-29 Line 5
730	Handwritten signature	Spread sheet 123285-29 line 6	Unterschriftsbogen	02/23/2025	See collector's sheet 123285-29 Line 6
731	Handwritten signature	Spread sheet 123285-29 line 7	92114	02/23/2025	See collector's sheet 123285-29 Line 7
732	Handwritten signature	Spread sheet 123285-29 line 8	92114	02/23/2025	See collector's sheet 123285-29 Line 8

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733	Handwritten signature	Spread sheet 123285-29 line 9	92105	02/23/2025	See collector's sheet 123285-29 Line 9
734	Handwritten signature	Spread sheet 123285-29 line 10	92114	02/23/2025	See collector's sheet 123285-29 Line 10
735	Preston Raabe	1141...	92114 San diego	02/23/2025	PRESTON RAABE
736	Misael Sandoval	6634...	92114 San Diego, CA	02/24/2025	MISAEEL SANDOVAL
737	Elliott Leib	1821...	92114 San Diego	02/24/2025	ELLIOTT LEIB
738	Miriam Albarran	6027...	92114 San Diego	02/24/2025	MIRIAM ALBARRAN
739	Dani Williams	6769...	92114 San Diego	02/25/2025	DANI WILLIAMS
740	Vaughn Williams	6769...	92114 Encanto	02/25/2025	VAUGHN WILLIAMS
741	Dana Charlson	1909...	92102 San Diego	02/25/2025	DANA CHARLSON
742	Handwritten signature	Spread sheet 123285-30 line 6	92115	02/26/2025	See collector's sheet 123285-30 Line 6
743	Handwritten signature	Spread sheet 123285-30 line 7	92115	02/26/2025	See collector's sheet 123285-30 Line 7
744	Handwritten signature	Spread sheet 123285-30 line 8	92114	02/26/2025	See collector's sheet 123285-30 Line 8
745	Handwritten signature	Spread sheet 123285-30 line 9	92117	02/26/2025	See collector's sheet 123285-30 Line 9
746	Handwritten signature	Spread sheet 123285-30 line 1	92114	02/26/2025	See collector's sheet 123285-30 Line 1
747	Handwritten signature	Spread sheet 123285-30 line 2	92114	02/26/2025	See collector's sheet 123285-30 Line 2
748	Handwritten signature	Spread sheet 123285-30 line 3	92114	02/26/2025	See collector's sheet 123285-30 Line 3
749	Handwritten signature	Spread sheet 123285-30 line 4	92114	02/26/2025	See collector's sheet 123285-30 Line 4
750	Handwritten signature	Spread sheet 123285-30 line 5	92114	02/26/2025	See collector's sheet 123285-30 Line 5
751	Handwritten signature	Spread sheet 123285-30 line 10	92114	02/26/2025	See collector's sheet 123285-30 Line 10
752	Handwritten signature	Spread sheet 123285-31 line 1	92114	02/26/2025	See collector's sheet 123285-31 Line 1
753	Handwritten signature	Spread sheet 123285-31 line 2	92114	02/26/2025	See collector's sheet 123285-31 Line 2
754	Handwritten signature	Spread sheet 123285-31 line 3	92114	02/26/2025	See collector's sheet 123285-31 Line 3
755	Handwritten signature	Spread sheet 123285-31 line 4	92114	02/26/2025	See collector's sheet 123285-31 Line 4
756	Handwritten signature	Spread sheet 123285-31 line 5	92114	02/26/2025	See collector's sheet 123285-31 Line 5
757	Handwritten signature	Spread sheet 123285-31 line 6	92114	02/26/2025	See collector's sheet 123285-31 Line 6
758	Handwritten signature	Spread sheet 123285-31 line 7	92114	02/26/2025	See collector's sheet 123285-31 Line 7
759	Handwritten signature	Spread sheet 123285-31 line 8	92114	02/26/2025	See collector's sheet 123285-31 Line 8
760	Handwritten signature	Spread sheet 123285-31 line 9	92114	02/26/2025	See collector's sheet 123285-31 Line 9
761	Handwritten signature	Spread sheet 123285-31 line 10	92114	02/26/2025	See collector's sheet 123285-31 Line 10
762	Handwritten signature	Spread sheet 123285-32 line 1	92114	02/26/2025	See collector's sheet 123285-32 Line 1
763	Handwritten signature	Spread sheet 123285-32 line 2	92114	02/26/2025	See collector's sheet 123285-32 Line 2
764	Handwritten signature	Spread sheet 123285-32 line 3	Unterschriftsbogen	02/26/2025	See collector's sheet 123285-32 Line 3
765	Handwritten signature	Spread sheet 123285-32 line 4	92114	02/26/2025	See collector's sheet 123285-32 Line 4
766	Handwritten signature	Spread sheet	92114	02/26/2025	See collector's sheet

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		123285-32 line 5			123285-32 Line 5
767	Handwritten signature	Spread sheet 123285-32 line 6	91977	02/26/2025	See collector's sheet 123285-32 Line 6
768	Handwritten signature	Spread sheet 123285-32 line 8	92114	02/26/2025	See collector's sheet 123285-32 Line 8
769	Handwritten signature	Spread sheet 123285-32 line 9	92114	02/26/2025	See collector's sheet 123285-32 Line 9
770	Handwritten signature	Spread sheet 123285-32 line 10	92114	02/26/2025	See collector's sheet 123285-32 Line 10
771	Handwritten signature	Spread sheet 123285-33 line 1	92114	02/26/2025	See collector's sheet 123285-33 Line 1
772	Handwritten signature	Spread sheet 123285-33 line 2	92114	02/26/2025	See collector's sheet 123285-33 Line 2
773	Handwritten signature	Spread sheet 123285-33 line 3	92114	02/26/2025	See collector's sheet 123285-33 Line 3
774	Handwritten signature	Spread sheet 123285-33 line 4	92114	02/26/2025	See collector's sheet 123285-33 Line 4
775	Handwritten signature	Spread sheet 123285-33 line 5	92114	02/26/2025	See collector's sheet 123285-33 Line 5
776	Handwritten signature	Spread sheet 123285-33 line 6	92114	02/26/2025	See collector's sheet 123285-33 Line 6
777	Handwritten signature	Spread sheet 123285-33 line 7	92114	02/26/2025	See collector's sheet 123285-33 Line 7
778	Handwritten signature	Spread sheet 123285-33 line 8	92114	02/26/2025	See collector's sheet 123285-33 Line 8
779	Handwritten signature	Spread sheet 123285-33 line 9	92114	02/26/2025	See collector's sheet 123285-33 Line 9
780	Handwritten signature	Spread sheet 123285-33 line 10	92120	02/26/2025	See collector's sheet 123285-33 Line 10
781	Vincent bombolo	7901...	92123 San diego	02/26/2025	VINCENT BOMBOLO
782	Ivette Licerio	4383...	92113 San Diego	02/26/2025	IVETTE LICERIO
783	Karina stowe	1420...	94123 San Francisco	02/26/2025	KARINA STOWE
784	Giselle Vazquez	63rd...	92119 San Diego	02/26/2025	GISELLE VAZQUEZ
785	Liora Yehushua	3717...	92103 San Diego	02/26/2025	LIORA YEHUSHUA
786	Gregory Jackson	1726...	92114 San Diego	02/27/2025	GREGORY JACKSON
787	Anita Beckmann	4614...	92117 San Diego	02/27/2025	ANITA BECKMANN
788	Ana Martínez	6820...	92114 San Diego	02/28/2025	ANA MARTÍNEZ
789	Tracy Simmons	6105...	92114 San Diego	02/28/2025	TRACY SIMMONS
790	Nicole Lichtenberg	754...	92114 San Diego	03/02/2025	NICOLE LICHTENBERG
791	Robert Flynt	332...	92114 San Diego	03/02/2025	ROBERT FLYNT
792	Fredricka Flynt	332...	92114 San Diego	03/02/2025	FREDRICKA FLYNT
793	Sandra Williams-Brown	6440...	92114 San Diego	03/02/2025	SANDRA WILLIAMS-BROWN
794	Zachary Barrow	4740...	92117 San Diego	03/02/2025	ZACHARY BARROW
795	Shirley Hughes	1431...	92114 San Diego	03/03/2025	SHIRLEY HUGHES
796	Carrie Johnston	2510...	92037 La Jolla	03/03/2025	CARRIE JOHNSTON
797	Tayler Hess	5333...	91942 La Mesa	03/03/2025	TAYLER HESS
798	Cara Jeffrey	3408...	92116 San Diego	03/03/2025	CARA JEFFREY
799	Michelle J Couture	424...	95501 -2857	03/04/2025	MICHELLE J COUTURE
800	Judith Barraza	2595...	92139 San Diego	03/04/2025	JUDITH BARRAZA
801	Jose Garcia	644...	92113 San Diego	03/05/2025	JOSE GARCIA
802	Julieta Verduzco	6727...	92114 San Diego	03/06/2025	JULIETA VERDUZCO
803	Nancy Soto	6749...	92114 San Diego	03/06/2025	NANCY SOTO
804	Gladene Booth	5602...	92115 San Diego	03/08/2025	GLADENE BOOTH
805	Maria Espiritu	7063...	91945 San Diego CA.	03/09/2025	MARIA ESPIRITU
806	Gladys Darling	1844...	91945 Lemon Grove	03/09/2025	GLADYS DARLING

petition Stop Investment Developers From Building More Than 2 ADUs/JADUs on Single Parcels of Land

807	Mirella Flores	972...	92114 San diego	03/10/2025	MIRELLA FLORES
808	Salvador salas-Lopez	972...	92114 San Diego	03/10/2025	SALVADOR SALAS-LOPEZ
809	Krystal Salas	972...	92114 San Diego	03/10/2025	KRYSTAL SALAS
810	Franon Leon	4927...	92102 San Diego	03/12/2025	FRANON LEON
811	Virginia Snyder	627...	92114 San Diego	03/12/2025	VIRGINIA SNYDER
812	Andrew Fosler	235...	92114 San Diego	03/12/2025	ANDREW FOSLER
813	Erika Reyes	621...	92114 San Diego	03/15/2025	ERIKA REYES
814	67948407	secret	secret	secret	secret
815	67948444	secret	secret	secret	secret
816	Katie Visounnaraj	6510...	92114 San Diego	03/20/2025	KATIE VISOUNNARAJ
817	Heaven Morgan	9126...	91977 Spring Valley	03/23/2025	HEAVEN MORGAN
818	Jesus Colis	6756...	92114 San Diego	03/26/2025	JESUS COLIS
819	Erica Dietrich	262...	92114 San Diego	03/27/2025	ERICA DIETRICH
820	Margaret Friend	3629...	92116 San Diego	03/30/2025	MARGARET FRIEND
821	Paul Coogan	3629...	92116 San Diego	03/30/2025	PAUL COOGAN
822	Robert Gracia	361...	92114 Encanto	04/06/2025	ROBERT GRACIA
823	Handwritten signature	Spread sheet 123285-34 line 1	92114	04/06/2025	See collector's sheet 123285-34 Line 1
824	Handwritten signature	Spread sheet 123285-34 line 2	92114	04/06/2025	See collector's sheet 123285-34 Line 2
825	Handwritten signature	Spread sheet 123285-34 line 3	92114	04/06/2025	See collector's sheet 123285-34 Line 3
826	Handwritten signature	Spread sheet 123285-34 line 4	Unterschriftsbogen	04/06/2025	See collector's sheet 123285-34 Line 4
827	Handwritten signature	Spread sheet 123285-34 line 5	92114	04/06/2025	See collector's sheet 123285-34 Line 5
828	Handwritten signature	Spread sheet 123285-34 line 6	92114	04/06/2025	See collector's sheet 123285-34 Line 6
829	Handwritten signature	Spread sheet 123285-34 line 7	92114	04/06/2025	See collector's sheet 123285-34 Line 7
830	Handwritten signature	Spread sheet 123285-34 line 8	92114	04/06/2025	See collector's sheet 123285-34 Line 8
831	Handwritten signature	Spread sheet 123285-34 line 9	92114	04/06/2025	See collector's sheet 123285-34 Line 9
832	Handwritten signature	Spread sheet 123285-34 line 10	Unterschriftsbogen	04/06/2025	See collector's sheet 123285-34 Line 10
833	Handwritten signature	Spread sheet 123285-35 line 1	Unterschriftsbogen	04/06/2025	See collector's sheet 123285-35 Line 1
834	Handwritten signature	Spread sheet 123285-35 line 2	92020	04/06/2025	See collector's sheet 123285-35 Line 2
835	Handwritten signature	Spread sheet 123285-35 line 3	92119	04/06/2025	See collector's sheet 123285-35 Line 3
836	Handwritten signature	Spread sheet 123285-35 line 4	Unterschriftsbogen	04/06/2025	See collector's sheet 123285-35 Line 4
837	Handwritten signature	Spread sheet 123285-35 line 5	92114	04/06/2025	See collector's sheet 123285-35 Line 5
838	Handwritten signature	Spread sheet 123285-35 line 6	92114	04/06/2025	See collector's sheet 123285-35 Line 6
839	Handwritten signature	Spread sheet 123285-35 line 7	92114	04/06/2025	See collector's sheet 123285-35 Line 7
840	Handwritten signature	Spread sheet 123285-35 line 8	92114	04/06/2025	See collector's sheet 123285-35 Line 8
841	Handwritten signature	Spread sheet 123285-35 line 9	92114	04/06/2025	See collector's sheet 123285-35 Line 9
842	Handwritten signature	Spread sheet 123285-35 line 10	92114	04/06/2025	See collector's sheet 123285-35 Line 10
843	Handwritten signature	Spread sheet 123285-36 line 1	92114	04/06/2025	See collector's sheet 123285-36 Line 1

petition Stop Investment Developers From Building More Than 2 ADUs/JADUs on Single Parcels of Land

844	Handwritten signature	Spread sheet 123285-36 line 2	92114	04/06/2025	See collector's sheet 123285-36 Line 2
845	Handwritten signature	Spread sheet 123285-36 line 3	92114	04/06/2025	See collector's sheet 123285-36 Line 3
846	Handwritten signature	Spread sheet 123285-36 line 4	92114	04/06/2025	See collector's sheet 123285-36 Line 4
847	Handwritten signature	Spread sheet 123285-36 line 5	92114	04/06/2025	See collector's sheet 123285-36 Line 5
848	Handwritten signature	Spread sheet 123285-36 line 6	92114	04/06/2025	See collector's sheet 123285-36 Line 6
849	Handwritten signature	Spread sheet 123285-36 line 7	92114	04/06/2025	See collector's sheet 123285-36 Line 7
850	Handwritten signature	Spread sheet 123285-36 line 8	92122	04/06/2025	See collector's sheet 123285-36 Line 8
851	Handwritten signature	Spread sheet 123285-36 line 9	92122	04/06/2025	See collector's sheet 123285-36 Line 9
852	Kristie Chiacano	5074...	92117 San Diego	04/06/2025	KRISTIE CHIACANO
853	Miguel Ascencio	7905...	92114 San Diego	04/09/2025	MIGUEL ASCENCIO
854	Rashida Lavender	1431...	92102 San Diego	04/09/2025	RASHIDA LAVENDER
855	Ken Hunrichs	6530...	92114 San Diego	04/14/2025	KEN HUNRICHS
856	Hugo Guerrero Valdivia	549...	92114 San Diego	04/20/2025	HUGO GUERRERO VALDIVIA
857	Alexandra Aldana Gomez	1331...	92114 San Diego	05/01/2025	ALEXANDRA ALDANA GOMEZ

These signatures were collected via openPetition,

Link to

petition: <https://www.openpetition.org/us/petition/online/stop-investment-developers-from-building-more-than-2-adus-jadus-on-single-parcels-of-land>

Contact to openPetition: info@openpetition.net | openPetition gemeinnützige GmbH | Am Friedrichshain 34 | 10407 Berlin

Comments on the petition: Stop Investment Developers From Building More Than 2 ADUs/JADUs on Single Parcels of Land

Comment by Not public from San diego on 01/07/2025:

These multi unit ADU projects offer no value to our community, while altering the single family design the community plan calls for. I do not want these in my neighborhood.

Comment by Jennifer Wald from San Diego on 01/07/2025:

The city's bonus ADU program will permanently change our community. No parking, no improvements to infrastructure and massive amounts of traffic with no additional grocery stores to accommodate the amount of people moving in. The city council has sold our community out by choosing to support big investors instead of its residents! I highly encourage Council Member Henry Foster to stand up for our District 4 and say NO to this bonus ADU program that will not benefit us!!!

Comment by Enrique Martinez from San Diego on 01/07/2025:

We need to hold county officials accountable for there actions before they start allowing developers to do anything they want in our community.

Comment by Kevin Horsch from Dan Diego on 01/07/2025:

The number of units is beyond excessive. Our neighborhood needs better streets and sidewalks not apartments.

Comment by Robert Campbell from San Diego on 01/06/2025:

Ruins the character of Encanto and provides no impact fees. We have crumbling infrastructure. The Housing Crisis was not caused by Encanto and the city of San Diego can't solve it by destroying Encanto while leaving La Jolla with its similar land untouched. This is a clear cut Fair Housing issue. La Jolla is more than 75% white, non-Hispanic or Latino. Encanto less than 10% white, not Hispanic or Latino. Massive ADU apartment complexes should not be exempt from CEQA or the density requirements of the community plan.

Comment by Ryan Beck from San Diego on 01/09/2025:

Because we do not need more properties like we have on the corner of higher and klauber. Causes nothing but problems for the residents of this area.

Comment by Chao Lao from San Diego on 01/07/2025:

As a resident of the street with a project for 42 ADUs on a single parcel, I am concerned that our crumbling infrastructure is inadequate to accommodate 42 units of ADUs. For instance, the future residents of these 42 units will not have dedicated parking spot and will be forced to find street parking. Tarbox St's width cannot accommodate cars parking both sides of the street. When there are two cars, it is almost impossible for a car to pass and poses a traffic hazard. In addition, the road is not fitted with proper storm drains. Any run off from this future development will be detrimental to the properties adjacent to it. Lastly, the street condition of Tarbox is already bad. The impact of potential traffic will reduce the road into a dirt road, unless the city allocates resources to repair the street, which we already know the city is reluctant to do so.

Comment by Katherine Griffie from San Diego on 01/07/2025:

Our neighborhood is mainly hills (Klauber, Hilger, Plover, Radio Drive, Winnet, Eider St) no sidewalks, poor street conditions, leaking City water projects (Radio Dr). All these plans for density are based on a fallacy re: transit and affordability. The City allows developers to use our neighborhood for their profit, not for the good of our community.

Comment by Anthony Stewart from San Diego on 01/08/2025:

I have lived here since birth, I was born in this neighborhood and home. Our neighborhood is quiet, friendly and family friendly. Our streets can't even take the traffic that comes through as it is already. I don't believe our sewer pipes can handle something like this. We definitely don't have the parking for this. I absolutely think this is a horrible idea for our quiet neighborhood.

Comment by Fernando Sandoval from San Diego on 01/08/2025:

This is quiet single home community, the reason we bought this home !

Comment by Sonia Sandoval from San Diego on 01/08/2025:

It's Very Important To Me Because It Is Right Across My House!

Comment by Hadi Alavi from San Diego on 01/08/2025:

I don't think it is in the interest of residents of Encanto to over populate the neighborhood. Population -over- density will effect all aspects of our lives here.

Comment by Annie Rios from San Diego on 01/07/2025:

My neighborhood and its livelihood is incredibly important to me. While housing is essential it is imperative that we construct mindfully and purposefully.

Comment by Tony Butler from San Diego on 01/07/2025:

I've lived here for 45 years. Encanto has a lot of lower income families so they are trying to let developers overbuild here which will make it a ghetto with no parking.

Comment by Jessica Meyer from San Diego on 01/06/2025:

This is not the community for this type of project. Not everyone wants to live in the city crammed next to each other like sausages, without walkability and the proper infrastructure to support the growth. As stated, this is illegal and irresponsible for all who will be involved.

Comment by Kayla Teal from San diego on 01/06/2025:

Maintain safe, peaceful, quiet, non crowded neighborhoods

Comment by Anne stewart from San Diego on 01/06/2025:

Important to maintain the character of the residential neighborhood. Leave the higher density living spaces to downtown or commercial/high density zoning areas. Leave the established neighborhoods alone. Developers are enriching themselves and adjacent homeowners are experiencing devaluation of their home or having to move out.

Comment by Griselda Arroyos from San diego on 01/06/2025:

This petition is important, because you know we are being taken advantage of as a community by sugar coating it to "benefit" us. San Diego County rather put a bandaid on the situation versus getting in the trenches and actually fixing it problem.

Comment by Rebecca Batista from San Diego on 01/06/2025:

There is a projected 40+ unit project planned next door to my family home. We don't have sidewalks and our little neighborhood is not built for such a large project on less than an acre of land. We live here to have space and quiet and to be away from an urban environment. This project will undermine that for all of Encanto's residents.

Comment by Lisa Becerra from San Diego on 01/05/2025:

Because I don't want to lose the feel for the neighborhood I purchased in - I bought our house in this neighborhood because it was quiet we hear the birds, and watch the wildlife; it's safe, I can walk around without worry, and my kids can play on the street, and I know my neighbors who all watch out for each other.

I also don't want good neighbors to be forced to move because they refuse to live next to ADU apartment complexes

Comment by Vaughn Williams from Encanto on 02/25/2025:

The infrastructure will not support large unit apartments. Relying on street parking is the stupidest idea our city planners could approve.

Comment by Kathy Long from San Diego on 01/09/2025:

I have been a 43 yr home owner in this quiet rural neighborhood which is generally ignored by the city. We have no sidewalks, long standing potholes, and have had major destruction during the flooding which has still not been repaired ie by the trolley tracks at 65th and Imperial. We are a quiet community and ask for very little except to be left as a rural neighborhood that can barely survive as we are, with the lack of parking and and non passable streets when cars are allowed to park on both sides of the street. More people, more cars, more traffic and more density will not be sustainable with our present level of city services. I bought here because of the zoning and i should have some say so in changing it.

Comment by Marcelino Da Silva from San Diego on 01/07/2025:

This is all about money-making, period. Nothing positive will be added to our neighborhood with these destructive land exploitation patterns. This is about improving the bank accounts of the developers behind it, not the neighborhood.

Comment by Scott Gaboury from San Diego on 01/07/2025:

To preserve our neighborhood

Comment by Tamara Teal from Poway on 01/07/2025:

I disagree with overdevelopment in residential areas

Comment by Not public from San Diego on 01/07/2025:

I Don't wish to have Encanto overrun by ADU's beyond the typical limit of one, for we don't have the infrastructure to deal with more residences.

Comment by Alice C. Mickelsen from San Diego on 01/07/2025:

Zoning is compromised for monetary profit

Comment by Daniela Fernandes Salles from - San Diego on 01/06/2025:

Signing this petition helps preserve neighborhood quality of life by preventing overcrowding and strain on local resources like water, traffic, and infrastructure. It ensures responsible urban planning and protects community character and livability. Limiting ADUs avoids overdevelopment and promotes sustainable growth.

Comment by Sloane Wormser from San Diego on 01/06/2025:

For the community!

Comment by Jennifer Siegwart from San Diego on 01/06/2025:

This is greedy developer capitalism, placing overpriced, giant apartment complexes in suburban neighborhoods with zero walkability to anything. No sidewalks, no parking, and no public transit. Single parcels should be just that, single dwelling units with the possibility of one proper ADU on it for the owner of the single family home.

Comment by Not public from San Diego on 01/06/2025:

ADUs should only be for single families not for developers. I'm a home owner and do not want our neighborhood to be overtaken by profit.

Comment by Dana Charlson from San Diego on 02/25/2025:

My family lives next to these lots and it will negatively affect the neighborhood in every way. Less parking, more trash, more noise, potentially more crime. Projects like these should be illegal. We need to protect our neighborhoods.

Comment by Dani Williams from San Diego on 02/25/2025:

Having lived in the Encanto neighborhood for the last 5 years, I was shocked to hear about these "unlimited" ADU developments plans.

It is embarrassingly irresponsible on the part of our elected officials.

Our neighborhood has major infrastructure issues as is.

The flooding last year was devastating.

I have to drive down my street (Brooklyn ave) very strategically each day to avoid the MANY potholes.

I don't feel safe walking my dogs in our neighborhood because we have no curbs or sidewalks. I have to drive (over potholes) to another nearby neighborhood for dog walks.

Those who unanimous passed this "unlimited" adu plan should be ashamed and do better right now.

Just because we have the space doesn't mean we should be taken advantage of.

Of course, we support development and affordable housing plans in our neighborhood- but we want it done RIGHT.

Please plan for affordable housing in a safe and reasonable way.

Please put a cap on the amount of ADU's permitted on a property. "Unlimited" is unreasonable.

Please address our infrastructure problems before approving any new developments.

Comment by Miriam Albarran from San Diego on 02/24/2025:

We are a community that is overpopulating, and the fact that home owners don't find parking if at all, will make it extremely impossible now. NO to ADU Apartment Complex

Comment by Elliott Leib from San Diego on 02/24/2025:

San Diego's Bonus ADU Program would be a boon for developers and threat to the neighborhood character of Encanto. The negative impacts that would flow from implementing this Program would undermine the quality of life and public safety of Encanto's residents.

Comment by Misael Sandoval from San Diego, CA on 02/23/2025:

I grew up in Encanto my entire live. Encanto is an old suburban community; it would feel out of place to have multiple apartment complex in yards. Statistics show that dense areas bring more crime. I am a young person walk to where I need to get to and need to be safe.

Comment by Preston Raabe from San diego on 02/23/2025:

This Is important because this will drastically lower property values, bring more crime and trash, we do not want this!

Comment by Not public from San Diego on 02/22/2025:

Overcrowding, parking, crime

Comment by Mara Iliganoa Savaiinaea from San Diego on 02/22/2025:

No space for parking.

Comment by Yudin Munoz from San Diego on 02/22/2025:

It sounds like a disaster waiting to happen and the community will end up paying for it. I'm all for affordable housing but not at the expense of the community. Seems like the city just wants to facilitate profit for developers without truly investing in Encanto.

Comment by Marisol David from San Diego on 02/21/2025:

We don't want more apartments in encanto

Comment by Mark Crawford from Encanto on 02/21/2025:

we believe in peace and safety in our community

Comment by Thiago Batista from San Diego on 01/06/2025:

It has a direct impact on my kids, future generations and the community I have loved living in for the past 7 years.

Comment by Betsy smith from Dan Diego on 02/07/2025:

Poor planning hurts single family home values. Investors are reaping all the benefits. We are tired of the regulations for housing being flaunted.

Comment by Not public from San Diego on 02/07/2025:

These are apartment complexes- which is not the intended purpose of the ADU programs. It's ruining neighborhoods and straining the infrastructure and developers aren't paying impact fees!

Comment by Dawne Williams from San diego on 02/07/2025:

I don't want this in my neighborhood

I would like to get sign to post in my yard

Please contact me to let me know how to get one

Comment by Scott Corsaro from -2806 on 02/05/2025:

Already have overcrowded street parking. Adu's with no parking would make it worse

Comment by Hector Duque from San Diego on 02/05/2025:

Restricting ADU/JADU development prevents the loss of green space and ensures proper land use planning. Overbuilding can reduce yard space, increase heat retention from excess pavement, and diminish the neighborhood's aesthetic appeal, negatively impacting property values and residents' quality of life.

Comment by Kenneth R Key from San Diego on 01/09/2025:

We do not want reckless housing development concentrated in our community. We want SMART comprehensive construction that parallels with the community's plan. This development plan was voted on in 2015 but never upheld or implemented. It called for expanded green spaces and parks!

Comment by Fermin Becerra from San Diego on 01/09/2025:

Because my grandchildren live here

Comment by Rhianna Hernandez from San Diego on 01/09/2025:

Our area doesn't have sidewalks and there are already so many cars parking on the street. If everyone were to develop land like this we would have even less parking and even more traffic congestion on streets that are failing by city standards yet too costly to repair.

Comment by Francisco Vasquez from San Diego, Encanto Ca on 01/09/2025:

Tarbox St is a very quiet residential/family street we don't need more traffic coming through with the damaged road and poor street lighting

Comment by Vanessa Luquen from San Diego on 01/09/2025:

I live on Tarbox st and know our streets are not up to par for increased traffic. There is lack of sidewalks and lighting

Comment by Hazel Jean Rubes from San Diego on 01/06/2025:

Single family areas should not be inundated with multi family units.

Comment by Karina stowe from San Francisco on 02/25/2025:

I'm all for ADUs in the right places—especially in cities like San Diego where affordable housing is a huge need. But the caveated law allowing unlimited ADUs in this neighborhood is NOT the right approach.

This area already faces flooding, potholes, lack of sidewalks, and a neglected infrastructure that the county under prioritizes. Throwing in an unlimited number of new builds without addressing these issues first is just asking for trouble. It will overcrowd the neighborhood, put even more pressure on roads and utilities, and make the inevitable flooding worse. Without responsible planning, this will turn into a neighborhood thats overcrowded and under resourced.

I'm not against growth, but there's a smarter way to do it. We need a plan that balances housing with proper infrastructure and maintenance to ensure the neighborhood stays safe and livable for all.

There needs to be a solution that works for everyone and doesn't backfire in the long run.

Comment by Ricardo Pena from Chula Vista on 02/17/2025:

My grandparents have owned that property on Broadway in Encanto for over 40 years. I'm a first generation Mexican and that's all we have as an inheritance for people to come in and start exploiting and trying to profit on the housing situation is just not right it's not cool.

Comment by Not public from San Diego on 02/16/2025:

Adding more ADUs in the current state Encanto is (bad roads, flooding, fire hazard) not a good idea. We need to prioritize the safety and infrastructure support we need before even thinking about adding more ADUs and increasing the density of Encanto.

Comment by Alma Escobedo from San Diego on 02/11/2025:

San Diego does not have the infrastructure to support the density building. It's risk to people's safety.

Comment by Benjamin Smith from San diego on 02/10/2025:

Parking is already bad enough, if ADUs of this size are built they should have parking structure to accommodate them.

Comment by Sarah Ojeda from San Diego on 02/05/2025:

I have been raised in the Encanto neighborhood and am disappointed with the influx of people. The parking and roads will be high traffic areas and the infrastructure is not capable of handling it.

Comment by Janil Lefort from San Diego on 02/05/2025:

I live in encanto. We already have a very dense population. A lot of crime happens here already. With more people crammed together in encanto it will only get worse. I have 2 kids and need to make sure they are as safe as they can be.

Comment by Heather McCall from San Diego on 02/05/2025:

To prevent overcrowding in our neighborhoods

Comment by Noralund Cook-Zumaya from San Diego on 02/04/2025:

My husband and I built our home here in 1957. We raised our three children here. It is a beautiful community unique to San Diego. Close to downtown. Our homes are not on top of each other. What the City of San Diego is doing with these Bonus ADU's is ruining our community. I can't imagine what my neighborhood will look like. People on top of people. I afraid this will cause problems with unsavory people moving in. The neighborhood disputes, where will all these people park. I'm 92 years old and this is scary. Your turning Encanto into an unsafe neighborhood

Comment by Belinda Espana from San Diego on 01/13/2025:

I've lived in this street for over 20 I don't want more traffic in my streets. Our street has always been a single family home.

Comment by April Grewell-Meek from Ramona on 01/13/2025:

There are so many dark hearted investors buying properties from homeowners to build tons of housing in places that are traditionally not overpopulated, and it ruins the area and the peacefulness of the area for people who want to have less populated areas

Comment by Nikolas walding from San Diego on 01/13/2025:

I would love to see a new neighbor but the idea of 40 more families just on my street alone seems like a bit much

Comment by Saige gonzales walding from San diego on 01/13/2025:

I live in this beautiful quiet community. The infrastructure cannot support 176 units in a one block radius that is not even 1 mile from the transit advantage of being near the trolley. This is illegal and destroys our sweet community.

Comment by Sam King from San Diego on 01/13/2025:

I live in this neighborhood!! I do not want a mega unit. too much traffic. too many people

Comment by Willie Jones from San Diego on 01/13/2025:

Currently, we don't have enough street parking spots. There will be a increased shortage of street parking spots due to these new ADU's. There are issues not picking up after their dogs. Another concern is increased traffic congestion, I don't want street speed bumps added to the road. I have fears of kids getting hit by cars. The Audubon School is close and people park on Jacumba street.

Comment by Antoinette Hodges from San Diego on 01/12/2025:

I am a multi-generational Encanto resident. This is a working class, peaceful neighborhood that hasn't been properly set up to accommodate multi-unit buildings. This neighborhood was set up for single family dwellings. Changing the laws to suit non-resident investors is stealing from long time residents. We do not feel it is fair to force the cost of city upgrades upon us, especially when our area (flood zone, 2024) has been so ignored and neglected by city officials. We do not want the increased crime, traffic, overcrowding of schools, plumbing, power supply problems and parking issues that will most certainly come from allowing multi-story complexes. The very idea that an increase in multi-story, multi-family complexes will even touch the housing crisis is ridiculous. All this will lead to is more overpriced units that continue to push out the backbone (working class families) and help none but the rich investors. This move would be extremely dishonest on the part of the city who for many years have denied local homeowners the ability to even build a second story onto their homes as it hasn't been zoned for such. Why is it suddenly okay, now that rich investors are interested in making money. Who else is getting paid in this?

Comment by Katherine Balow from Bonita on 01/12/2025:

Keeping neighborhoods safe for families is a top priority for the community

Comment by Gilbert Benavidez from San Diego on 01/12/2025:

Against the ADU's in the Encanto neighborhood.

Comment by Rogelio Oseguera from San Diego on 01/12/2025:

I'm a homeowner with children who values a safe environment with community input for sustainable development.

Comment by Maricarmen Cervantes from San Diego on 01/12/2025:

I believe it will be a public health issue building so many ADU units without parking lot streets will be packed plus the sewer pipes may not be upto take that many waste. I recently buy a house far from apartment units because as former renters we know how bad things can get when many people are together besides parking, sewer pipes age and needs for repairs is safety issue because many people can be around and we are more prompt to robberies and pest issues with all the trash generated from too many units.

Comment by Julio Cervantes from San Diego on 01/12/2025:

I believe it will be a public health issue building so many ADU units without parking lot streets will be packed plus the sewer pipes may not be upto take that many waste.

Comment by Rosalinda Rodriguez from San Diego on 01/12/2025:

It's important to build responsibly, overbuilding in areas without creating proper services and parking is not safe.

Comment by Lory Beck from San Diego on 01/12/2025:

We need street improvements not cramming more people into this small community.

Comment by Not public from San Diego on 01/12/2025:

Stop over crowding of our neighborhood and street parking.

Comment by Not public from San Diego on 01/12/2025:

I want to see small single family neighborhoods protected from developers. When I purchased my home in 1977 I had a choice between a multi townhome community or a single family residence. I opted for and paid extra to purchase a single family residence for better quality of life. I recognize the need for additional housing in San Diego and I support a single ADU as long as it blends in with the appearance of the neighborhood. Single family residences tend to be, as in my case of 47 years, less transient.

Comment by Not public from San Diego on 01/12/2025:

Because we are historically red-lined and continue to be left out of the conversation. Our people are being set aside for profits and when we ask for help, we get nothing.

Comment by Not public from San Diego on 01/12/2025:

Too much change in community with property owners simply profiting from uniquely larger lots in our area

Comment by Dorene Dias from San Diego on 01/12/2025:

Jamacha is a RS 1-7 zone with most parcels over 7,000 sq ft and hundreds over 10,000 sq ft. There are no 5000sq ft single family parcels! I purchased in Jamacha due to it being single family residences, and the more rural environment with nature wildlife, valleys, canyons and open space. I specifically did not purchase a home in North Park nor in City Heights due to the much higher density. It felt like living in a City and had multiple units per parcel. I did not want to live within two miles of so many stores on Unoversity and El Cajon Blvd. The choice was made to live in an area where I would drive or take MTS downtown or to go to other areas for restaurants, and bars on University and El Cajon Blvd. .

Comment by Gabrielle Mulvaney from San Diego on 01/12/2025:

This is irresponsible at least and destructive to our neighbors

Comment by Maria smith from San Diego on 01/11/2025:

Where are they gonna get lights ,the parking the buses don't run in this area.

Comment by Not public from San Diego on 01/11/2025:

I don't want more crowding

Comment by Ian Woodward from San Diego on 01/11/2025:

This neighborhood has been redlined in the last, and now when it's time for capitalism to take hold again, it's being exploited - again. Keep it the way it us for the people in the neighborhood

Comment by Karen Beck Scheffler from San Diego on 01/11/2025:

This area is not designed to support large unit complexes. The city has a long way to go in supporting this area - period. Encanto has largely been ignored when it comes to basic utility infrastructure support and safety services. Putting in a large development that will place strains on a community not designed to support it does not make sense, unless you are only out to make a profit without caring about the impacts to those living in it and around it.

Comment by Janet D Staats from San Diego on 01/11/2025:

Our delapidated streets cannot handle the construction vehicles that will be tearing them up during construction. Also, all the traffic from a 40+ unit, on our "small delapidated" streets is going be a nightmare!! Go build in all the empty store and office buildings. I'm sure they can find a loophole to do that!

Comment by Ernie Cook from San Diego on 01/11/2025:

We enjoy our little piece of paradise and do not want it to turn into an overcrowded, congested neighborhood.

Comment by Amy nichols from San Diego on 01/11/2025:

The streets are not equipt to handle the amount of people that will be added in this area. Additionally the city has spent almost nothing to maintain the roads in the last 10 years in this area. These homes are supposed to be a Minimum of 1/4 acre per lot.

Comment by Not public from San Diego on 01/10/2025:

Protect single family homes and neighborhoods....we don't want congestion, increased traffic, crime and pollution.

Comment by Derek Rendon from San Diego on 01/10/2025:

This area is simply not capable of handling any increase in population. Our community thrives on its low-density atmosphere, and any attempt to overcrowd it jeopardizes our safety. In the face of a natural disaster, we would all be left vulnerable and at risk. We cannot stand idly by while our neighborhood is compromised!

Comment by Angel Galarza from San Diego on 01/10/2025:

It takes away the beauty of communities and not being drowned by over crowding, blocking views. More vehicles means less parking spots or City trying to charge for parking. I am an Electrical Contractor. Yes building means more opportunities to bid on jobs but the cost of getting those bids or not, still outweighs the price we all will pay as a community.

Comment by Johnny Gillham from -2114 on 01/10/2025:

I'm all for investing in our future and helping to build our communities. Being a landlord myself, I welcome those who give others the opportunity to have a home will they save for their first home, if they should choose to. However, I do not believe overloading a community without first ensuring the infrastructure can support such a growth would cause more harm than good. I find it's important to limit how many ADUs can be built for the safety and health of the ones who live in Encanto.

Comment by Victoria Estrella from San Diego on 01/10/2025:

Encanto is a semi-rural community with narrow roads built in the '60s to accommodate the population of that time. Our infrastructure is not designed to serve a dense population. We cannot absorb large ADU projects meant to enrich real estate investors and developers, nor should we be expected to. Building needs to be done logically, with quality of life and community as a guiding principle.

Comment by Eric Fearn from La Mesa on 01/10/2025:

The rules governing this kind of development should ensure that ONLY low income families are eligible to rent. This should be a public-private endeavor in which people are prioritized over profits.

Comment by Louis Andrew Ramirez from San Diego on 01/09/2025:

Too much traffic, roads are already bad. Haven't been fixed in 40 years. Single family homes with 1/4 acre yards minimum would be ok

Comment by Marie Hunrichs from San Diego on 01/09/2025:

Government has become an enabler to developers constructing housing with no regard to neighborhood impacts. City politicians must reassess what they are promoting under the guise of low income housing. Encanto is a unique neighborhood with 11 hills and large lots. However, the roads are poor even for bicycles, sidewalks are few, 1 bus route and few grocery stores. City officials must implement responsible urban planning for all neighborhoods.

Comment by Steven Ward from San Diego on 01/09/2025:

I want to protect the character of our community.

Comment by Rosaline A Cook from San Diego on 01/09/2025:

It is helping to stop those who are trying to circumvent the Single family zoning.

Comment by Natalie Sanchez from San Diego on 01/09/2025:

- current infrastructure cannot handle ADU apartment complexes, road is in terrible condition as is, 40+ residences will only add to already unsafe road conditions
- lack of planned parking for these apartment complexes with poor public transportation options, leading people to require cars

Comment by James White from San Diego on 01/09/2025:

I've lived here in Encanto since 1976 and bought a home here 1983. I purchased here because it is rural and low density. I should be able to vote to keep my property in single family zoning.

Comment by James C Melli from San Diego on 01/09/2025:

Our streets and infrastructure cannot handle the number of proposed units. Those involved in approving large scale development in our area need to visit in person to see for themselves the kind of impact these projects will have on our neighborhood.

Comment by Aaron Pores from San Diego on 01/09/2025:

I live in Encanto and there is no room for this much housing.

Comment by Sophia Suarez from San Diego on 01/09/2025:

Family neighborhoods are being overdeveloped with no oversight.

Comment by Erik Becerra from San Diego on 01/09/2025:

This will destroy Encanto if we can't stop it

Comment by Not public from Nampa on 01/08/2025:

The density is too much for this neighborhood.

Comment by Paul Krueger from San Diego on 01/08/2025:

I agree with the demands of this petition

Comment by Maria Conrad from San Diego on 01/07/2025:

People are building multi family complexes on land zoned for single-family homes. We don't have the infrastructure for this.

Comment by Not public from Del Mar on 01/07/2025:

The lack of architecture and soul

Comment by Brandi Gaboury from San Diego on 01/07/2025:

To preserve our neighborhood

Comment by Jonathan Reyes from San Diego on 01/07/2025:

Cuz it open people to start apartments on single fam properties

Comment by Not public from San Diego on 01/07/2025:

Too congested

Comment by Not public from Meridian on 01/06/2025:

It is unjust not to allow the people who live in the neighborhood, my friends, to have a say in what is being built next to them. Listen to the people who will be affected by these multiple ADUs not developers!!!

Comment by Zachary Barrow from San Diego on 03/02/2025:

It is a ridiculous abuse of the intent of the law and shows why laws should not be hastily thrown together to address complex issues like this without thinking through the consequences of wording and enforcement requirements.

Comment by Jeffery J Pekarek from San Diego on 02/05/2025:

I have lived in Encanto since 1989. It is already an underdeveloped part of the city. Street and utility repairs take years to complete. Water in particular is in dramatic disrepair in our neighborhood, with supply pipes above ground, attached to homes with hoses. Sidewalks are spotty. Adding numerous housing units will only further crush Encanto's poor infrastructure.

Comment by Rosalva Pena from San Diego on 02/04/2025:

It is important to me because next door to my property 12 complexes are reported to be constructed. This will be too many people crammed together. It will generate parking problems, noise, security and will no longer be a quiet neighborhood. I grew up here and everyone knew each other. It was a private home residence with large lots. This construction will just be made for greedy investors who don't care about community and families well being. Today, February 4, 2025 is the first notification I've received regarding construction next to home. I am totally opposed to this construction as I know the neighbors are also opposed to these complexes with ADU's.

Comment by Not public from San Diego on 02/04/2025:

Im agaisn investors adding more apartments complexes, more traffic, less parking.

Comment by John Manning from S.d. on 02/04/2025:

When I purchased my home, living next to a 40 unit apartment complex wasn't part of the deal. I have no problem with someone building a granny flat, as long as they have off street parking.

Comment by Not public from San Diego on 02/03/2025:

I live in Encanto and I agree with the reason for having this petition.

Comment by Shawnelle Johnson from San Diego on 02/03/2025:

It's important to me because this does not solve the housing crisis! We do not have adequate street parking or street repairs, we do not have sufficient stores, schools, or gas stations to accommodate this type of build in our neighborhood. You cannot squeeze a bunch of Adus on properties in our neighborhood that is already lacking basic upgrades to make our neighborhood thrive and ensure safety without addressing more pressing economic issues in our neighborhood. It would impose a fire hazard as well. You haven't even built up our neighborhood to have grocery stores, and other stores other than liquor stores to restore our beautiful neighborhood. The traffic will be out of control and it will raise a safety concerns. No, no, no on this ! Let's not even tslk about the affordability. This is not being done to help decrease homelessness, you want to f D o this because of money. Sad. No we will not stand for this

Comment by Dawn Jurek from San Diego on 02/03/2025:

Apartment complexes do not belong in single family neighborhoods!

Comment by Paul Ahlers from San Diego on 02/03/2025:

The city is allowing developers to build what they want unchecked with no regard to traffic, parking, or how trash will be collected. Not to mention the environmental concerns of runoff and heat islands from paving everything over.

Comment by Not public from San Diego on 02/02/2025:

urban density is needed, but not the way the BONUS ADU PROGRAM is allowing it. It's a free-for-all for developers, and density needs to be where transit IS, not 1/2 , 1 mile away. No one will take it.

Comment by Tam Pham from San Diego on 02/02/2025:

This plan will impact the wildlife that lives in our Community, then will affect the chain of life for our fruits and flowers that rely on the bees that lives in our canyons. The rabbits are the main source of food for the coyotes that helps our pets from getting Eaten by coyotes.

Comment by Not public from San Diego on 02/02/2025:

Because this is my neighborhood

Comment by Not public from San Diego on 02/02/2025:

I care about the community that I live in. I do not want it to be overcrowded. I don't believe this project is productive and helping the homeless or the housing shortage in San Diego..

Comment by Eric Bergman from San Diego on 02/02/2025:

Does not fit this community.

Comment by Cristal Herrera from San Diego on 02/02/2025:

I want what's in the best interest of the community and THIS PLAN is NOT it!!!

Comment by Marian Aste from San Diego on 02/02/2025:

Quality of life for my fellow San Diegans

Comment by Orlean Mireles from San Diego on 02/02/2025:

We love our community just the way it is. To cram all these units into a small lot is ridiculous and unsightly. You get all these little tiny ADU's put into a small area and are once nice community will be turned into a ghetto and slum.

Comment by Patricia Coleman from San Diego on 02/02/2025:

This invested building will cause massive traffic, more need for new roads, fire protection, schools and over crowding. Builders are not providing any funds for these needs, they only want to make a fast profit and disappear. Let's not forget an influx of more crime caused by some of the element moving in or their friends.

Comment by Alida Celiceo from Lemon Grove on 02/02/2025:

Once you allow one development of ADU's, it opens up a floodgate of others Then it will become apartments being developed.

Comment by Andrew Celiceo Jr. from San Diego on 02/02/2025:

Once you allow one development of ADU's, it opens up a floodgate of others Then it will become apartments being developed.

Comment by Not public from San Diego on 02/01/2025:

California legislators and Governor Newsome have audacity to pass SB's that infringe on the rights and quality of life on single family residents. As long as it's not in their neighborhoods, they are trying to promote this Soviet style apartment living that they call smart cities.

"Affordable housing" is not so affordable when government is involved. The only winners are the developers, the bid contractors, and the investors.

Henry Foster, as the 4th district representative of Encanto I implore you to stand against this development. Please don't sell-out Encanto by allowing these Black Rock investors to ruin the charming neighborhood of Encanto.

Comment by Not public from San Diego on 02/01/2025:

Too many residents in an area that needs sidewalks, more storm drains, and general city support.

Comment by Rene Kaprielian from -1139 on 02/01/2025:

Repeal the bonus ADU program

Comment by Maximillian Ignacio Walding from San Diego on 02/01/2025:

They will be build right next to my home, instead of developing a dog park, Park, etc.
to provide a place of gathering to enjoy encanto.. so I'm really not Ok with the developers

Comment by Aleksandra Chyla from San Diego on 02/01/2025:

This isn't the solution. City officials are petting themselves on the back without realizing the full implications of what they've unleashed on our little neighborhoods.

We have tiny tracts home where multigenerational families already live. We're already stretched for resources in these areas. Henry Foster is the first politician to stand up for this and I commend him for it.

These wealthy investors don't care about us and the "low income" ADUs are a joke. Which investors are really going to truly lower the cost of living? I see entry level homes flipped in my area. Maybe the city should focus on that instead. Each flip is another house lost to first time home buyers.

Comment by Carol Ito from San Diego on 01/16/2025:

Parking is already a major problem on the 6300 block of 63rd & Madrone Ave. due to the overflow of cars from the Summit Mobile Lodge. Our streets are in deplorable condition.

Junk trailers over flowing with trash & parked illegally. As an Encanto Homeowner of 51 years, we used to be proud of our neighborhood. It's now an embarrassment.

It's a hard "NO" for me.

Comment by Damian Serrano from San Diego on 01/07/2025:

N/a

Comment by Ashley Selis-Meyers from Spring Valley on 01/06/2025:

More damage to neighborhoods & higher crime rates directly related to increased ADU's all over San Diego.

Major crime and parking issues, neighborhood conflict, increase in crime. Currently the property owners surrounding have children and this also poses potential safety threat on children with increased traffic and crime.

Comment by Mary Kathryn Medenwald from Lakeside on 01/06/2025:

While I am in favor of low rent housing solutions, this is not the answer. Without the supporting infrastructure of roads, parking, schools, public transportation access, etc., this crowding only creates increased congestion and danger for existing neighbors.

Comment by Joanne Hankee from San Diego on 01/06/2025:

Because my family would be disrupted from peace and quiet with so many people

Comment by Sandra Williams-Brown from San Diego on 03/01/2025:

We already do not have enough room for parking in the area adding that many ADU's will make it so much worse.

Comment by Nicole Lichtenberg from San Diego on 03/01/2025:

San Diego City Council needs to immediately work to prevent private interests from risking the health, safety, and prosperity of Encanto residents for financial gain. For too long, historically black and brown neighborhoods have been excluded from municipal services and support, and now, in this case, the City of San Diego is currently choosing to uphold the white supremacist structures that allow for, and even facilitate, the continued exploitation of marginalized communities for external gain. City Council needs to stand up for and stand with all San Diego residents and close the loophole that is allowing private interests to build low-quality, unsafe structures at the expense of the safety and rich history of the Encanto area. Should this exploitative practice continue, when the next wildfire passes through, San Diego leadership and these private interests will be responsible for untold destruction and loss. Now is the chance to do better.

Comment by Jay Johnson from San Diego on 02/03/2025:

I reside in the community and it will be effected by this project.

Comment by Edward Rynne from San Diego on 02/01/2025:

Addition of multiple ADUs on residential property is irresponsible and ruins character and property values of our neighborhoods.

Comment by JD Dyan Diamond from San Diego on 01/31/2025:

I am a resident of Jamacha-Lomita, right next door to Encanto where our consistently underserved Black, brown and economically disadvantaged community does not get fair representation and neighbors are STILL trying to rebuild from the poorly managed flood catastrophe of last year while facing continued and consistent unfair representation compared to more affluent areas of San Diego.

Comment by Mandi Bailey from San Diego on 01/31/2025:

I do not want my community to become an ADU dumping ground, no parking considerations and adding 40 units to one house area is not acceptable for this residential area.

Comment by Not public from San Diego on 01/31/2025:

Because it impacts an already crowded neighborhood and the builders do not care about Encanto.

Comment by Karen Cadiero-Kaplan from San Diego on 01/31/2025:

I own property on Tarbox Street for over 25 years and this development will destroy our quiet community. Also, the infrastructure does not support such large developments.

Comment by Dan Larkin from San Diego on 01/31/2025:

Communities matter

Comment by Cristian Gomez from San Diego on 01/31/2025:

Stop high dense infrastructure in low income neighborhoods for profit! Low income neighborhoods already deal with bad infrastructure, public safety, traffic, parking, bad emergency evacuation, high pollution, less green places and many more issues, this just makes matters worst

Comment by Not public from San Diego on 01/30/2025:

Adding more congestion to the area without repairing the streets and the infrastructure.

Comment by Elizabeth Jimenez from San Diego on 01/30/2025:

Parking and traffic is a growing issue that will only get worse. Nature will also take a toll.

Comment by Rosalina Ocampo from San Diego on 01/30/2025:

Owner neighbor to one of the proposed projects 68th Brooklyn.

Comment by Alejandro Ortiz from San Diego on 01/30/2025:

My neighborhood matters

Comment by Not public from San Diego on 01/30/2025:

Our community is in real need of maintained and upgraded infrastructure. Look at other projects on imperial with added housing right next to a trolley, the cars and parking issues all over that area are terrible and unsafe to park. Was not well prepared for or thought out.

Comment by Eduardo Lopez from San Diego on 01/30/2025:

I live next door to one of the properties.

Comment by Brian Thomas Holl from San Diego on 01/30/2025:

Traffic in and out is already bad and even though they say they have a plan the developers do not care about this.

Single parcels OK, apartments too much

Comment by Not public from San Diego on 01/30/2025:

Cause I live here

Comment by Lorena Medina Beas from San Diego on 01/29/2025:

In California, the primary code governing premises liability is CCP § 1714. This code outlines a property owner's duty to exercise "ordinary care" to maintain their property and prevent injuries to visitors essentially making them liable for any harm caused by their negligence. The City of San Diego would be responsible for liability and homeowners. Encanto is not equipped for ADU/JADU on Single Parcels. Development in Encanto is a liability to the homeowners and the City of San Diego and places both at risk. The Encanto streets do not have sidewalks, or stop signs making unsafe conditions for pedestrians. Vehicles and pedestrians will be at risk and prone to hit-and-run accidents. Encanto does not have available street parking which causes congestion and potential trip and fall accidents. Premises liability lawsuits will be filed against the City of San Diego. Various lawsuits will arise causing the City of San Diego to deficit. I am a homeowner and say NO to building ADUs/JADUs on Single Parcels of Land in the Encanto Community. (Lorena Medina Beas)

Comment by Not public from San Diego on 01/29/2025:

Safety reasons

Already enough nearby

Crowded already

Comment by David Tafoya from lemon Grove on 01/29/2025:

Grinds and family live in encanto and will be adversely affected.

Comment by Jesse Frost from San Diego on 01/29/2025:

I don't want a twice the amount of people and traffic on this street.

Comment by Not public from San Diego on 01/29/2025:

Corporate greed run amok. Oligarchs will do *anything* to wrest private land (and thus, power), from individuals and ensure that this is a country of renters--essentially serfs. Big developers pay off the politicians, they produce relentless propaganda (eg., the "YIMBY" astroturf campaign), they flood major newspapers with unchallenged op-eds by their shills. Owner-occupied single family homes, especially those with large enough lots to enable a measure of self-sufficiency via vegetable gardening, livestock, etc, are a threat to their vision of a country in which everyone is a renter at the whim of Wall Street corporate landlords. Today our elected leaders are undemocratically overriding community plans and zoning without community consent, to placate their major campaign donors. What happens when those same rich developers pressure our elected leaders to employ eminent domain and take the land by force? Without pushback, that's where we're headed. And they're starting with the neighborhoods they think will have the least power to fight back.

Comment by Not public from San Diego on 01/29/2025:

Our quiet neighborhood is inadequate for these new complexes

Comment by Not public from El cajon on 01/29/2025:

i am supporting a friend who lives in the area with their views on the matter

Comment by Adriana Alvarado from San Diego on 01/29/2025:

This has been a rural quiet neighborhood. This will change our lovely neighborhood. Traffic will be challenging.

Comment by Not public from San Diego CA on 01/29/2025:

One is being proposed on a single lot just down the street, plus another home with a large lot across the street has been purchased possibly for similar development. This many low income units, concentrated together, could become hotbeds for drug and criminal activity, destroying a neighborhood where many families have lived for 50-70 years we moved here for open space, not for rampant development that does not improve our infrastructure and does not consider environmental impact or parking.

Comment by Vanessa Balles from San Diego on 01/29/2025:

I live in Encanto. I enjoy the rural aspect and the quietness of the community. There are issues such as the streets are riddled with potholes, no sidewalks and street parking is limited. There has been little to no investment in the infrastructure of the area to support that many residents on such a small lot.

Comment by Not public from San Diego on 01/29/2025:

We have had neighbors on our street build multiple adu's across the street on a single lot. On one property there were no permits for building the units and the city is ignoring complaints on the matter. Why have building codes if you aren't going to enforce them?. The parking is seriously impacted as well as there is a single storm drain for the entire neighborhood that backs up and floods our property. The city has done nothing to fix this infrastructure problem. This will only get worse if nothing is done.

Comment by Mauricio Villanueva from San Diego on 01/28/2025:

I live across the street from the new apartments being built and i am concerned that it the parking problems that already exist will become exponentially worse with apartments being built across the street.

Comment by Amanda Acevedo-Grill from San Diego on 01/28/2025:

I live across the street from the new apartments being built and i am concerned that it will bring too many families to one small area and too much crowding.

Comment by Donna Whitehouse from San Diego on 01/27/2025:

Over crowding, animal habitat destroyed, streets already in disrepair and speeding in 25mph zones.

Comment by Michael Goldwater from San Diego on 01/27/2025:

More crime comes with low income units

Comment by Lucy Margaret Price from San Diego on 01/27/2025:

I am a resident with a home zoned under single family residence. I do not think it is legal for anyone to change zoning without a mandate from the citizens who live in the zip code where multiple dwellings are proposed.

Comment by Not public from San Diego on 01/27/2025:

It's obvious that our neighborhood has been targeted with the Footnote 7 issues. It is NOT what the residents want or need. We can't get potholes fixed, our park is long overdue for upgrades, the traffic in and out of our area is already busier (and in some places dangerous) than most others. PLEASE STOP treating us like we are not important!!!!

Comment by Mike Espinoza from San Diego on 01/27/2025:

The quality of my life depends on it

Comment by Sharon Cole from San Diego Ca on 01/27/2025:

Because, my mother lives across the street from where you're trying to build these apartments. There is no parking in the area and there is already a enormous amount of traffic coming up and down the street

Comment by Arthur Jackson from San Diego on 01/27/2025:

There is not enough parking to support these large developments. Parking is already scarce.

Comment by John Fearnow from San Diego on 01/27/2025:

It will make my neighborhood unlivable. traffic will be gridlock and there is no way to walk for groceries.

Comment by Eric D Overstreet from San Diego on 01/27/2025:

It's a slap in the face of our community. No other community has a Footnote.

Comment by Not public from San Diego on 01/26/2025:

Because I do not agree with people making money this way

Comment by Yolanda Naungayan from Encanto California on 01/26/2025:

We have been here in our home since 1973, our adult children were born here and grew up here and went to school here in our neighborhood and it's very quiet and private, we are against all those outsider developers who want to make apartments and change our neighborhood. My grandkids live here and we all don't want apartments for neighbors!!, Adding more traffic to our quiet streets, !!!

Comment by Regina Vernet Greenlee from San Diego on 01/26/2025:

This is a reckless approach to housing development! Creates too many unnecessary problems for neighborhoods to have to deal with. Ignores the wishes and demands by the very people who put elected officials in office to represent?? Developers do not vote----constituants do.

Comment by Not public from La Mesa on 01/25/2025:

This neighborhood is not in compliance with fire regulations, adding more complexes would worsen an unsafe situation.

Comment by Matt Luttio from San Diego on 01/25/2025:

Doesn't meet the cityzoning code. No parking. Creates more problem than it solves.

Comment by Virgil A Abueg from San Diego on 01/25/2025:

I live in this neighborhood. For over 46 years

Comment by Natalie Bunma from San Diego on 01/25/2025:

My family is very low income at the moment and with this drastic of a change, I believe my family, along with many others, will not be able to live comfortably.

Comment by Vanessa Rickett from San Diego on 01/25/2025:

Unity for the community

Comment by Karlo Roshnaye from La mesa on 01/25/2025:

Family being kicked out of their home.

Comment by Not public from San Diego on 01/24/2025:

Because we need to keep our neighbors from becoming apartment complexes. Parking is hard enough as it is with multi families leaving in one home

Comment by Not public from San Diego on 01/24/2025:

This would bring down the value of my property. One or even two units would be fine but anymore than that is an apartment complex. No way!

Comment by Jorge Ramirez from San Diego on 01/24/2025:

It affects me directly as a home owner. Investors are in it on for free of more money in their pockets. They do not care for street conditions, parking, amount of car traffic in our community.

Comment by Raina Inez Shapiro from San diego on 01/23/2025:

To much congestion
Ruin my morning views

Comment by Taylor Gingrich from San Diego on 01/23/2025:

Congestion. Too many people, not enough space.

Comment by Anthony Merritt from San Diego on 01/23/2025:

Avoid overcrowding, living conditions, and crime.

Comment by Ann E Cook from San Diego on 01/23/2025:

We do not need investor/developers, coming into our neighborhood with no regard to improving the area other than making a quick buck and moving on. The infrastructure cannot support this kind of building. Don't let our city leaders dump this project on Encanto.

Comment by Gelsamina Merritt from San Diego on 01/23/2025:

We live in this neighborhood and on two properties in Encanto. We moved here to grow our family and would like to see the opportunity for others to do the same in the safe community. .Crowding our community with multiplexes would change Encanto forever..our community has declared not on our watch. .our canyons are precious and should be places for us to enjoy and preserve nature. Our children need safety going to and from school. This is yet to be established in Encanto. And here you have those who would turn our neighborhood into a ghetto. Period look how they treat Encanto elementary school. The children cannot even cross the street safely. There are no crosswalks. The children encounter the trolley crossing without safety. How can you increase the numbers of this neighborhood when our elementary school does not compare to others in San Diego. Our children should feel safe and have a clean area to traverse going to and from school. Cleanup Encanto elementary for our children. Please don't spend time spoiling. What's here. Rev Shivadasini, Gelsamina Merritt.

Comment by Not public from San Diego on 01/23/2025:

The Bonus ADU Program allows developers to exploit California's well-intentioned ADU laws. There needs to be consideration of the level of density proposed and the impacts on the local infrastructure.

Comment by Carmen Huerta from San Diego on 01/22/2025:

I don't want my neighborhood to have more traffic or vandalism around.

Comment by Donald Reed from San Diego on 01/22/2025:

No investors on my neighborhood

Comment by Not public from San Diego on 01/22/2025:

I bought here for the rural aspect.
This would destroy the area and a way of life.
(No resident parking required for areas 1 mile away from public transit).
A potential 50-60 units will be built 1 block - half a block from me with No parking required.

Comment by Not public from San Diego on 01/22/2025:

Protect single family homes. Go to this at Eastlake, La Jolla, Poway or Carlsbad

Comment by Robert Aebi from San Diego on 01/21/2025:

I do not want this ADU crap to happen to me or my neighborhood.

Comment by Michael P Washburn from San Diego on 01/21/2025:

Concerned Neighborhood citizen

Comment by Alan Conrad from San Diego on 01/21/2025:

Developers are trying to skirt around zoning requirements with this bogus city code. It must be repealed immediately and all the permits being issued needs to be revoked. Same with all the permits issued under footnote 7. Encanto being prey is over.

Comment by Harold Reed from Lemon Grove on 01/21/2025:

We need to stop developers from coming in to destroy our neighborhoods and communities for greed and gain for themselves.

Comment by Christine Smith from San Diego on 01/21/2025:

Bonus ADU projects are destroying neighborhoods throughout San Diego.

Comment by Tisa Aguero from San Diego on 01/21/2025:

I grew up in Encanto, moved away and returned, bought a home to raise our Children and now our Children are raising their Children in Encanto ! Both our Children have bought a home here as well ♥ Let's keep Encanto a Family Friendly and safe place for future generations, we don't need our streets to become over run with vehicle traffic, as it is now a lot of areas in Encanto have limited parking ! Let's keep ADU's out of our Neighborhood !

Comment by Ed Saunders from San Diego on 01/21/2025:

The Bonus ADU destroys the Encanto neighborhood and impacts the quality of life. The infrastructure was not designed to accommodate multiple units on one lot...increased congestion and use of underserved facilities such as parks. No parking is required for these ADU units.

Comment by Leigh Ann O'Reilly from San Diego on 01/20/2025:

There are many reasons, such as no parking, fire dangers, and it's proved to be not affordable housing. Also, we purchased our homes in single-family neighborhoods, and we didn't want to reside next to apartment complexes.

Comment by Danna Givot from San Diego on 01/20/2025:

The Bonus ADU Program is unnecessary and is not producing truly affordable housing - only moderate deed-restricted ADUs at 110% AMI. 92% of ADUs are being built without the Bonus ADU program. Approximately 40% of Bonus ADU projects are being built in high fire hazard severity zones putting their residents and neighbors at greater risk in the event of a fire. San Diego doesn't need this program. It is producing minimal "affordable" housing and providing almost no family housing and almost no units in high opportunity zones. It is overtaxing our already old and insufficient infrastructure and it is supplying almost no infrastructure funds (development impact fees - DIFs) to cover the costs of growth. It is providing few if any DIFs to support our libraries, parks, needed sewer and water expansions, sidewalk and road improvements, stormwater improvements or new fire or police infrastructure. This program is only adding to our infrastructure burden and deficit and putting density up to a mile or more from transit, where it will not provide the critical mass needed to support either transit or economic development. In Encanto specifically, it is putting large, dense ADU developments in area without sidewalks, which do not qualify as within the SDA because they are not "within a defined walking distance along a pedestrian path of travel from a major transit stop that is existing or planned" because there is no PEDESTRIAN PATH OF TRAVEL. These routes to an existing or planned "major transit stop" do not qualify as a pedestrian path of travel under the American Disability Act. A sidewalk is considered an accessible path of travel and must have at least one accessible route from a passenger loading zone, public street, or accessible parking area. Walking surfaces should have a clear width of at least 36 inches. The Encanto neighborhoods without sidewalks do not meet the ADA requirements for a "pedestrian path of travel" and so are unsuitable for the Bonus ADU Program because they don't qualify to be in the Sustainable Development Area.

Comment by Payton Wilson from San Diego on 01/19/2025:

I want to express my deep concern about the proposed apartment complex in our neighborhood. This is a place that holds so many memories for me—a place where I grew up surrounded by familiar faces and the comfort of a close-knit community. The people who live here have built their lives together over generations, and we've all shared the quiet peace that makes this area so special.

Our neighborhood is more than just a collection of houses; it's a family, a place where everyone knows each other and looks out for one another. The thought of bringing a large-scale development here, with the noise, traffic, and strain on local resources it will inevitably bring, fills me with dread. It feels like an affront to everything that has made this place a haven for so many of us.

We've worked hard to preserve the charm and character of our neighborhood, and we're all invested in keeping it the safe, peaceful place it's always been. The proposed complex would not just change the landscape, but disrupt the way of life that generations have come to cherish. I ask that we consider the long-term impact on our community and whether this is really the best decision for those of us who call this place home. We have every reason to protect what we have and ensure it remains a place where future generations can also grow up with the same sense of belonging and connection we have enjoyed.

Comment by Terrence Pesta from San Diego on 01/17/2025:

These huge complexes on small lots destroy the character of our community. There is not enough parking for all the additional cars, especially with the new bicycle lanes. Overcrowding will put a strain on other resources.

Comment by Alexandra Aldana Gomez from San Diego on 04/30/2025:

One of the locations of this project is right across from my home that overlooks Coronado bridge. With the construction of these ADU homes, the view would be blocked. I've lived in this beautiful and peaceful neighborhood for over 20 years and have never been so upset over a situation like this. As beautiful as this neighborhood is, it just isn't made for disposable home like these

Comment by Not public from San Diego on 04/19/2025:

Preventing more ADUs to be built in the neighborhood.

Comment by Miguel Ascencio from San Diego on 04/09/2025:

Because I am not agree with ADU apartment complexes. It is business and not a way to really solve the housing problem that the city is facing, also these kind of constructions affect to the neighborhood in different ways.

Comment by Kristie Chiacano from San Diego on 04/06/2025:

We can not have these multi unit residencies in our neighborhoods where there is no parking for them! We are just now dealing with the law that does not allow you to park 20 ft by an intersection that is already hampering the parking.

Comment by Robert Gracia from Encanto on 04/05/2025:

not fair

Comment by Paul Coogan from San Diego on 03/30/2025:

This is not the gentle density we were promised. Speculators are also building these large complexes to side step DIF fees and are putting them in areas of fire risk.

Comment by Margaret Friend from San Diego on 03/30/2025:

This plan represents an excessive extension of the ADU program without adequate consideration of infrastructure and safety. There is a similar project planned for my neighborhood in a high fire hazard risk area in spite of the fact that the area would be impossible to evacuate in the event of a wild urban fire like the ones we saw in LA recently.

Comment by Erica Dietrich from San Diego on 03/27/2025:

Fire risks

Comment by Heaven Morgan from Spring Valley on 03/22/2025:

This is a public safety issue and causes many quality of life problems for the community.

Comment by Not public from San Diego on 03/19/2025:

Our neighborhood infrastructure is not built nor is it maintained to accommodate the increasing population and traffic that will result from this bonus multi ADUs.

Comment by Not public from San Diego on 03/17/2025:

This neighborhood cannot support high density housing due to lack of infrastructure and roads not maintained or upgraded no sidewalks

Comment by Not public from San Diego on 03/17/2025:

No Infrastructure or roads for multi unit apartments

Comment by Virginia Snyder from San Diego on 03/11/2025:

Because I live directly across the street from one of these proposed glorified trailer parks on Stork St The parking is already congested on the street currently and it draws crime which we have had several crimes coming from the current tenants at the apartment building on this street. I don't even feel safe with my kids in my front yard, due to crime, drugs and gangs and these kind of buildings are potential for yet more crime. Because of the greed of landowners that buy up the land to line their pockets with money from overcrowding the neighborhoods that they themselves don't or won't live in personally. There are 2 lots on this street with proposed units trying to go in so basically 30 to 40 more families to move on this street with overcrowded lots it is completely devastating to this street and neighborhood. It make it completely undesirable to even live in this area.

Comment by Franon Leon from San Diego on 03/11/2025:

This is just greed otherwise. If you build something don't heavily congest it. If ever in a state of emergency it will only create unneeded panic confusion and congestion. More people invite potentially more dangerous individuals with no added security. Sardine homes are not the way to go.

Comment by Krystal Salas from San Diego on 03/09/2025:

As a future inheritor of a residence that could potentially be impacted it is important to advocate to keep the community I grew up in the same way for future generations

Comment by Salvador salas-Lopez from San Diego on 03/09/2025:

We need to maintain our community lest congested

Comment by Mirella Flores from San diego on 03/09/2025:

This is important because I bought my home where, I would not have to worry about living in a cramped area, and would have to worry about parking.

Comment by Andrew Fosler from San Diego on 03/09/2025:

I don't want a ton of ADUs. I believe we should be limited to keep neighborhoods neighborhoods, and not turn them into apartment complexes.

Comment by Not public from Lemon Grove on 03/08/2025:

Don't allow developers to irresponsibly affect the communities they are trying to do business in!

Comment by Maria Espiritu from San Diego CA. on 03/08/2025:

Porque perjudicarían a mis familiares que viven en esa área, y a mí también porque yo visito a mis familiares y me perjudicaría al no encontrar estacionamiento, que ya de su por si es batayoso.

Comment by Not public from San Diego on 03/04/2025:

To keep my neighborhood from getting out of control with getting overwhelmed with people and cars

Comment by Nancy Soto from San Diego on 03/03/2025:

It directly impacts me because my street will be affected my multiple ADUs and there would be no parking for us. It's a fire hazard and there is no purpose for this here

Comment by Judith Barraza from San Diego on 03/03/2025:

I signed because: My family lives on this street and I grew up in the neighborhood. We are not investors and are a family of hardworking families that deserve what our hard work money represents. Investors are not from our neighborhoods!!!

Comment by Fredricka Flynt from San Diego on 03/01/2025:

I have lived in Encanto for over forty years. This area has grown tremendously with single family homes. The traffic is horrible and parking is the same. Adding over 200 Adu will be a nightmare.

Comment by Robert Flynt from San Diego on 03/01/2025:

Because of the number of units the want to build across from my house.

Comment by Not public from San Diego on 02/27/2025:

Over poblation

Comment by Anita Beckmann from San Diego on 02/27/2025:

I love next to a monstrosity on a culdesac where up to 40 people will live on a Sfu lot with no parking and insane fire risk!

Comment by Gregory Jackson from San Diego on 02/27/2025:

Iv lived here all my life and trying to cram all these adus and no parking is wrong. This is a single family community and ur turning it into a comples community. Aswell the wild life here your building and taking over places that the wild life lives stop building and leave the wild

Life alone we have to take the wold life into consideration aswell.

Comment by Newell Booth from San Diego on 01/20/2025:

Current codes reward developers for building poorly planned small units for rent rather than single-family home ownership, which is the primary path to family wealth

Comment by Patty Ducey-Brooks from San Diego on 01/20/2025:

San Diegans cannot afford to allow investor developers to own the city and destroy the neighborhood character that is essential to a healthy community environment.

Comment by Yvonne Jones from San Diego on 01/20/2025:

The City of San Diego is destroying this neighborhood. Time to halt this destruction!

Comment by Joy Boatman from San Diego on 01/20/2025:

These giant ADU projects are changing the looks of our single family neighbors, adding no upgrades to infrastructure and being passed through with little oversight or input from citizens/voters.

Comment by Georgia Grieser from San Diego on 01/20/2025:

Developers are taking advantage of nice neighborhoods all for Money and not for the good of the the community. Laws need to protect the people not Developers.

Comment by Rhonda Hatcher-Malone from Spring Valley on 01/19/2025:

I grew up in Encanto and currently teacher there. It is the home of my formative years and foundation. I will fight for this neighborhood until I no longer can.

Comment by Matthew Hollis from San Diego on 01/19/2025:

I live here. I don't want adu's.

Comment by Not public from San Diego on 01/19/2025:

I live in Encanto and while I believe ADUs are beneficial I do not agree with adding multiple units within this neighborhood

Comment by A Robin Vasquez from San Diego on 01/19/2025:

I don't think that there is enough opportunity in this area to support more housing. The population is in need of parks, schools. The area could develop hiking and riding trails. Horses should be allowed and a golf course would be something that would help with developing into an area that is attractive to San Diego. The population here deserves to be one that gives support and beauty. It is important to preserve what is here, not to tear it down.

Comment by Not public from San Diego on 01/19/2025:

No apartments. Streets are bad. Traffic is already horrible and unsafe

Comment by Robert Clarence Ard from San Diego on 01/19/2025:

The transformation of Oak Park Community into Oak Park Projects is unacceptable. Oak Park does not have the necessary infrastructure to serve the anticipated influx of residents. (i.e. Parking, water, and sewage). Overcrowding limited space may be profitable to property owners but will attract transit occupants which will enlarge a neighborhood while destroying all the amenities of a community.

Comment by Andraya Elise Marie Wilson from San Diego on 01/19/2025:

These projects have been pushing families who have been living in these neighborhoods for generations. They are not catering to the current residents that you are constantly abandoning and leaving to fend for ourselves

Comment by Amy Wilson from -2935 San Diego on 01/19/2025:

I live across the street from a proposed building site.

Comment by Not public from San Diego on 01/19/2025:

Against the construction for overcrowding communities

Comment by Theresa Beatty from San Diego on 01/19/2025:

This neighborhood is a well established group of long time home owners who have concerns about this change.

Comment by Not public from Spring Valley on 01/19/2025:

This is unfair to the legacy residents. It causes traffic/parking issues & so much more. They tried the "Tiny Homes for the Homeless" literally in our backyard & never let us know beforehand. So shady! Buy new land & build there!

Comment by Diana L Peter from San Diego on 01/19/2025:

I'm supporting Neighbors for Encanto.

Comment by Kathi Copeland from San Diego on 01/19/2025:

No parking. Ruining single family neighborhoods,

Comment by Ken king from Lemon grove. on 01/19/2025:

Too many ADU in one area

Comment by Christine Wilson from Encanto on 01/18/2025:

because we want to keep the neighborhood family oriented not congested and overbuilt

Comment by Judy B Harrington from San Diego on 01/18/2025:

Fire safety

Comment by Francisco Gonzalez from Ca on 01/18/2025:

No more houses

Comment by Derrell collins from San Diego on 01/18/2025:

It is important to me because of my family and why we chose this neighborhood initially

Comment by Katherine Troxler from San Diego on 01/18/2025:

Limit building

Comment by Richard Carr from San Diego on 01/18/2025:

I don't want lots of ADU in a single family land

Comment by Jessica Wight-Carter from San Diego on 01/18/2025:

I am a long term business owner and home owner in District 4 and outrageous what is becoming of our city. This area especially does not need the increase of residents. There aren't even enough services for those of us that live in this community.

Comment by Not public from San Diego on 01/18/2025:

These are NOT for the low income people and these are NOT ADUS but apartment complexes. The streets haven't been paved or fixed in the last 15 years and there's no parking for these apartment complexes disguised as ADU'S

Comment by Jose R Garcia from San Diego on 01/18/2025:

Housing rights are important to me but an actual livable standard of living is preferable to cramming dozens of people that has bee plot of land zoned for a single home. Investors should look to create new housing on exsiting plots of land before trying to sardine a whole neighborhood onto one parcel.

Comment by Anne Lilleberg from San Diego on 01/18/2025:

2 bad things here:

Taking over our neighborhoods for their profit?? No!!

Putting 40 people in one single parcel - not reasonable!!!

Comment by Darlene Gifford from San Diego on 01/18/2025:

Stop ruining San Diego. You say we already don't have enough water and electricity.

Comment by Not public from San Diego on 01/17/2025:

Por la seguridad

Y hay otras cosas que son importantes como la

Calles están con muchos baches y no está muy alumbradas las calles

Comment by Daniel Widener from San Diego on 01/17/2025:

Work in southeast.

Comment by Not public from California on 01/17/2025:

Por nuestra tranquilidad de nuestros hijos

Comment by Lois Kosiba from San diego on 01/17/2025:

I have lived heer for 45 years and have watched the decline of our infrastructure and the lack of decent roads without pot holes, trees not being trimmed etc., while other areas in San Diego are being well maintained. We do not have the roads, schools or resources for this type of poverty warehousing.

Comment by Yazmin perez from San Diego CA on 01/16/2025:

Parking spots

Comment by George Ito from San Diego on 01/16/2025:

Our neighborhood is already overcrowded with no place to park cars, trucks, and junk trailers

Comment by Sue Ellen Hanes from San Diego on 01/16/2025:

There was no public imput for these projects that allow unlimited ADUs to be built in 92114. This will ruin our neighborhoods and the only people that will profit are the developers. The Mayor and City Council pay lip service to protect our rights, while lining up investors that clearly have no interest in our quality of life.

Comment by Zulema Diaz from San Diego on 01/16/2025:

Because I'm very concerned about the state of my neighborhood where rapid development is taking place and no plans to fix the current frail infrastructure. I take pride in the low density of my neighborhood which allows me to ensure the quality of life that I want to live. It's disheartening that the environmental impact nor the increase in traffic pollution is being assessed. What I prefer to see is more investment in developing industries that creates green jobs. We live in a food dessert with an antiquated infrastructure that makes our neighborhood prone to flooding. These outside investors are not interested in solving the housing crisis, but rather finding ways to generate revenue from rentals and/or airbnb.

Comment by Vera Villa from -1323 on 01/16/2025:

These are old streets and not able to withstand more traffic. Can you imagine if there were an emergency and the gridlock to get out.

Comment by Not public from San Diego California on 01/15/2025:

It would be a mess at the parking spots.. traffic

Comment by Not public from San Diego on 01/15/2025:

For safety reasons

Comment by Leticia Cervantes from San Diego on 01/15/2025:

Our neighborhoods need infrastructure improvements to support our current residents before we even begin to discuss major projects. No sidewalks, flooding and lack of police response should be a priority before approving shady ADU permits.

Comment by Shayla Jacobs from San Diego on 01/15/2025:

I live in the area and I disagree with not being given prior notice and not being given the opportunity to vote on this matter as a member of the community.

Comment by Carol Gabrielson from La Mesa on 01/15/2025:

People who live in these areas should not have the disruption of over 2 areas on one property. There is no infrastructure to maintain the people.

Comment by Meri Jo Petrivelli from El Cajon on 01/15/2025:

Because the density makes no sense with no supporting infrastructure.

Comment by Teresa Sparhawk from San Diego on 01/15/2025:

Too many homes in one place!

Comment by Virginia Stewart from San Diego on 01/15/2025:

I have been a resident of Encanto for over 50 years. This neighborhood is not set up with the kind of infrastructure that could support that many additional residents. On top of that we do not want to deal with extra crime, parking issues, more road usage on an already unkept road, nor the additional Plumbing issues that are bound to come along with cramming this many people into an area that is not suited for it. I find it sad and upsetting that long time homeowners were denied the ability to even build a second story on many of these lots to accommodate their own families and yet with what we know is obviously bribery, large companies who have no real investment in our community or our city can come in, grease palms and bypass all of the necessary zoning and construction laws that the rest of us have to follow. This project is poised to ruin our neighborhood, and create a high crime ghetto in the area of San Diego where these kinds of areas generally do not exist.

Comment by Connor J Stewart from San Diego on 01/15/2025:

My grandparents have lived in their house for over 50 years. I lived with them for more than 10 of those years in that house. This will definitely make the neighborhood worse.

Comment by Robert L Stewart from San Diego on 01/15/2025:

Parking and access not acceptable

Comment by Peter Walding from San Diego on 01/15/2025:

Because of the impact it will have on our neighborhood due to the extra people cars dogs etc. We do not have any Infrastructure to accommodate any of this.

Comment by Naomi Irani from San Diego on 01/15/2025:

This is already an under resourced neighborhood without sidewalks or good roads. Additionally, the backyards and canyon spaces are homes to numerous wildlife, trees and plants in the area which would not be the case if the majority of lots maximized the proposed building opportunities.

Comment by Not public from El Monte on 01/14/2025:

It creates congestion and will make the rich double up on neighborhoods. It's the start to a bigger problem.

Comment by Not public from San Diego on 01/14/2025:

Parking is already terrible. Street has never been paved and is in rough shape

Comment by Courtney Boatman from San Diego on 01/14/2025:

We are already in an area that is under-resourced and currently there is no public street parking, nearly an unpaved road on Tarbox, no sidewalks, and no storm drains. Adding multiple ADUs to this neighborhood will cause failure to many old and antiquated services.

Comment by Sonia Alvarado from San Diego on 01/14/2025:

There should be control to avoid abuse.

Comment by Nylah Garibay from San Diego on 01/14/2025:

last thing we need is traffic, speeding, and crime coming from new housing

Comment by Elisabeth Dalton from Spring Valley on 01/14/2025:

Keeping the land from being overdeveloped is better for the environment and the entire ecosystem. New house developments increase the cost of living & hurts local economy.

Comment by Kathleen Ann Kitchenka from San Diego on 01/14/2025:

The developers and public officials have made no allowances for open space, parking or infrastructure updates. There has been no notices or involvement to our community. Such secrecy is criminal. Where is the transparency. Todd Gloria all the way down to Henry Foster are in on this. It's a disgrace to our community.

Comment by Vicente Cuervo-Contreras from San Diego on 01/13/2025:

We do not want the ADU apartments built.

Comment by Not public from San Diego on 01/13/2025:

Privacy

Comment by Cynthia Rojas from San Diego on 01/12/2025:

Keep the peace in the neighborhood.

Comment by Rebecca Wilder from San Diego on 01/12/2025:

It's my neighborhood

Comment by Debra Toth Ward from San Diego on 01/12/2025:

I live in the neighborhood. We appreciate the open land we have. There is not enough public transportation in this area to accommodate all these adu's.

Comment by Jason Sanford from San Diego on 01/12/2025:

Lack of infrastructure and over crowding of small neighborhoods.

Comment by Paul I livingston from San Diego on 01/11/2025:

1/2 acre parcels should be for one home.

Comment by Christin Rees from San Diego on 01/11/2025:

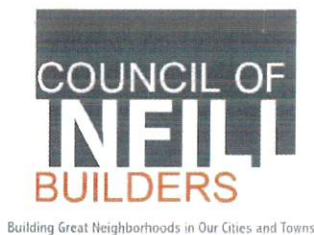
I live here

Comment by Mark Hartzell from San Diego on 01/09/2025:

ADUs are not family friendly

Comment by Elizabeth Hardy from San diego on 01/07/2025:

My friend lives next door to where they want to build. I love that it's a quiet rural neighborhood. It would be sad to see huge apartments go in. It would change the neighborhood in a negative way.



May 1st, 2025

City of San Diego
Planning Commission
202 C Street, 10th Floor
San Diego, CA 92101



Honorable Members of the City Council,

We are writing as a concerned group of housing, mobility, and climate advocates and industry professionals on the recent City Council vote requesting an action item to remove the Accessory Dwelling Unit Bonus Program. If the City Council repeals the program, it will mark the end of years of continuous progress made on housing policy. We encourage the City Council to act sensibly to preserve San Diego's well-earned reputation as a pro-housing city.

One of the primary reasons for San Diego's remarkable increase in housing production is our city's nationally recognized pro-housing policies. In 2023, the Turner Center, a leading housing research institute at UC Berkeley, published a white paper noting San Diego's standout success in spurring missing middle housing¹. The ADU Bonus Program is largely responsible for that success.

The researchers noted that not only has the program increased overall housing supply, but it also aims to "incentivize the creation of deed-restricted housing without public subsidy." The ADU Bonus Program has continued to garner interest and accolades since its inception including winning the national Ivory Prize for Housing Affordability in 2024. The reason for this is simple. The ADU Bonus Program has worked tremendously well at building middle income housing without public subsidies, a category that before the program's inception saw virtually no production.

The framework of the ADU Bonus Program makes sense. The new homes built are all located near transit where additional infill growth helps meet our city's climate and mobility goals. The projects also adhere to building size and height requirements of the zone. About half of the homes are deed-restricted as affordable to lower and moderate-income households. Without these homes, we would have more San Diegans struggling to afford to live in our city.

A lot of good has come from the ADU Bonus Program policy and losing it completely would be a setback on our city's path to providing housing for all income levels.

Respectfully,

Mott Smith, Board Chair
The Council of Infill Builders

Manny Rodriguez, VP
YIMBY Democrats
of San Diego

Lori Holt Pfeiler, President & CEO
BIA San Diego County

Justine Murray, Executive Director
San Diego Regional Chamber
of Commerce

Will Moore, Policy Counsel
Circulate San Diego

Nicole Capretz, Founder/CEO
Climate Action Campaign

Stephen Russell, Executive Director
San Diego Housing Federation

Ricardo Flores, Executive Director
LISC San Diego

¹ San Diego's Success in Spurring Missing Middle Housing: The Accessory Dwelling Unit Bonus Program - Published On February 15, 2023 – [Turner Center](#), UC Berkeley



May 1, 2025

City of San Diego
Planning Commission
202 C Street, 10th Floor
San Diego, CA 92101

RE: HBA Urges the City of San Diego Not to Repeal ADU Bonus Program

Honorable Members of the City Council,

The California Home Building Alliance (HBA) is committed to supporting legislation and administrative actions that will increase housing production in our state, and we are writing to express our concern regarding the City's potential repeal of its Accessory Dwelling Unit Bonus Program. The ADU Bonus Program represents the type of housing incentive program that is needed to combat our state's severe housing crisis. Repeal of the ADU Bonus Program would eliminate a crucial source of local housing production, represent a step back in the statewide battle against housing unaffordability, and damage San Diego's reputation as a housing innovator to be modeled by other jurisdictions.

It is well established that the entire state, including the City of San Diego, is suffering a dramatic housing crisis. The California State Legislature has found that the state needs nearly 2,000,000 homes to address its housing deficit, including at least 180,000 new homes each year.¹ Sadly, the state produces less than 80,000 homes each year. The scarcity of housing has a dramatic impact on renters, with nearly one-third of renter households paying more than 50 percent of their income toward rent, and it has pushed homeownership rates to their lowest level since the 1940s.² Sadly, extreme housing costs have pushed many individuals and families to move out of the state.

Local housing programs that incentivize and streamline infill development around transit hubs are desperately needed to address the lack of statewide housing supply. The ADU Bonus Program is an example of the type of housing program that the state badly needs, and which should be rolled out to other jurisdictions. The ADU Bonus Program allows for increased density near transit to help the City achieve its climate and mobility goals, while requiring that about half of new homes be deed-restricted as affordable to lower or moderate-income households. It is no surprise that the ADU Bonus Program's success at producing missing middle income housing was recognized by the Turner Center for Housing Innovation at UC

¹ Gov. Code § 65589.5(a)(2)(D).

² <https://www.hcd.ca.gov/policy-and-research/addressing-variety-housing-challenges>.

Berkeley³ and earned the City a 2024 Ivory Price for Housing Affordability⁴, a national award recognizing scalable solutions to housing affordability.

The City of San Diego serves as a source of inspiration to other local jurisdictions and the entire state for its innovative housing programs and pro-housing approach to land use planning and development review. We encourage the City to remain a leader on housing creation and to stand by its housing programs that have been celebrated both regionally and nationally. We urge the City not to repeal the ADU Bonus Program so that it may continue to fight the local and statewide housing crisis and serve as a statewide leader in housing production.

Respectfully,



Will Moore
Policy Counsel
Circulate San Diego



Michael Lane
State Policy Director
SPUR



Jordan Panana Carbajal
Legislative Advocate
California YIMBY



Louis Mirante
Vice President of Public Policy
Bay Area Council



Corey Smith
Executive Director
Housing Action Coalition



Mahdi Manji
Director of Public Policy
Inner City Law Center



Robert Apodaca
Co-founder and Executive Director
The Two Hundred for Homeownership

³ <https://turnercenter.berkeley.edu/research-and-policy/san-diego-adu-bonus-program/>.

⁴ <https://ivoryinnovations.org/updatesnews-cards-1/2024-ivory-prize-winners>.