

Revision of San Diego's ADU Ordinance

Update

La Jolla Community Planning Association
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NEIGHBORSFORABETTERSANDIEGO.ORG

Key differences between state law and San Diego's ADU code

CALIFORNIA

1 ADU

16-Foot Height

4-Foot Side/Rear Setbacks



SAN DIEGO

3 ADUs*/Unlimited ADUs**

Allows Heights of 30 feet

Zero Side/Rear Setbacks



Anywhere in San Diego/Within a half-mile of transit*

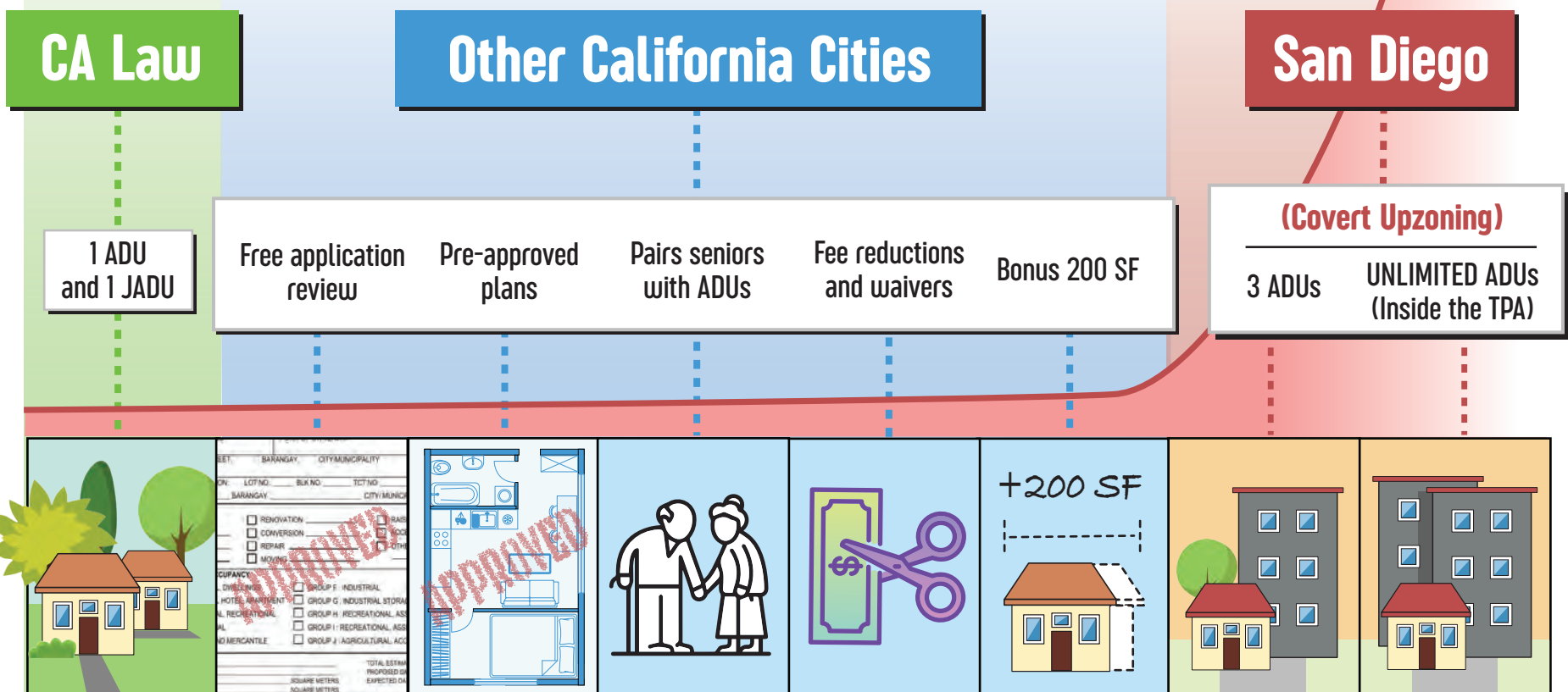
NFABSD's Recommendations to San Diego City Council

Change San Diego ADU code to:

- *1 ADU only – replace unit bonus with size bonus*
- *4-foot side and backyard setbacks*
- *Height limit 16 feet*
- *Fee waivers only as required by CA or if deeded affordable*
- *Exempt ADUs based on high-risk fire hazard*
- *"4 means 4" - no more than 4 total units on a lot split under SB9*

There are acceptable alternatives to San Diego's ADU Incentives

IMPACT ON NEIGHBORHOODS



Source: ADUs in California: A Revolution in Progress, Oct 2020, Center for Community Innovation (CCI) at UC Berkeley
<https://www.hcd.ca.gov/policy-research/accessorydwellingunits.shtml>
https://turnercenter.berkeley.edu/wp-content/uploads/pdfs/Jumpstarting_the_Market_-_ULI.pdf

San Diego's "Middle Squeeze"

Housing Unit Shortages:

- Extremely Low Income (45,700 RHU)
- Very Low Income (1,200 RHU)
- Above Moderate Income (39,200 RHU)

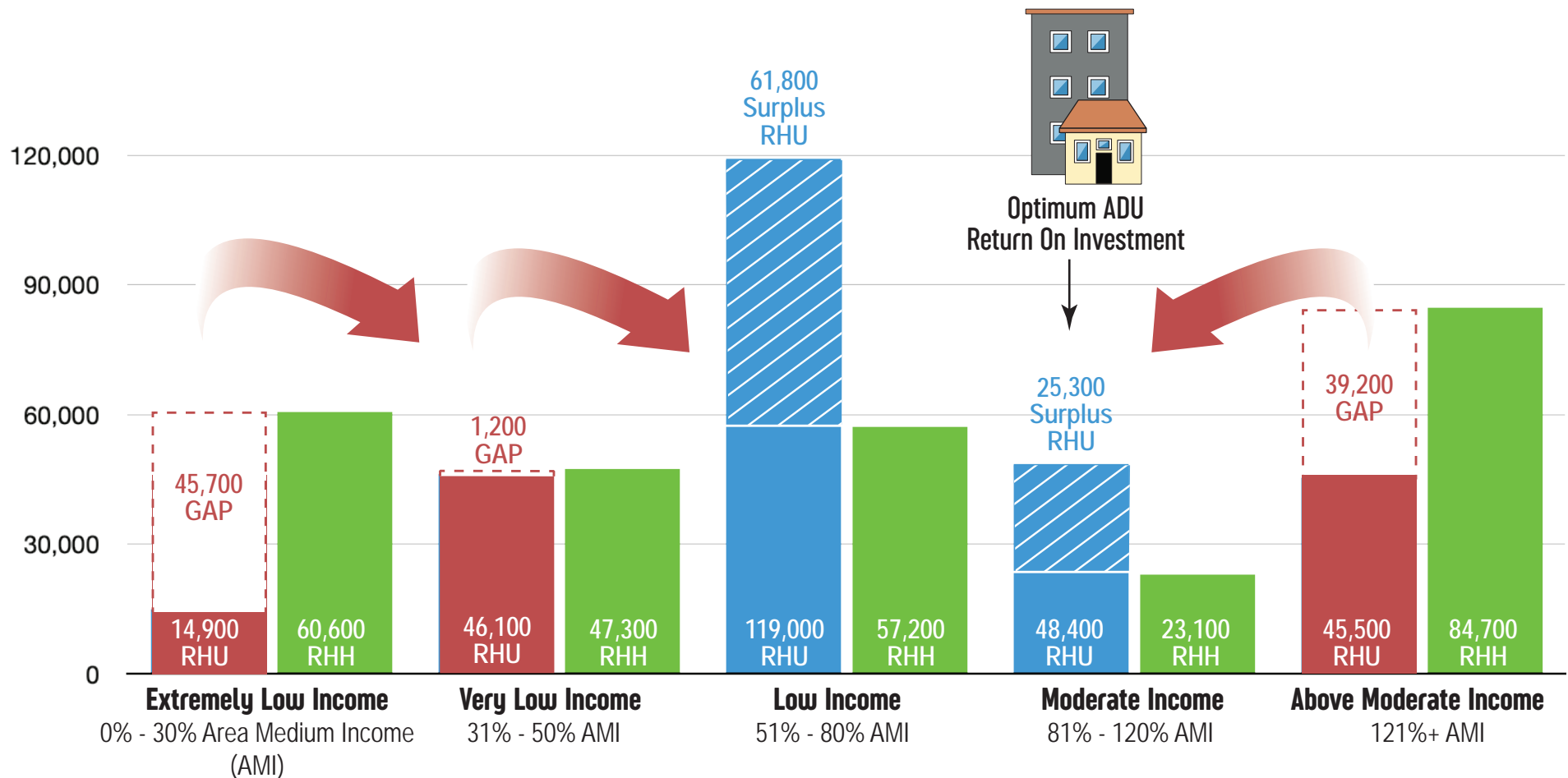
Housing Unit Surplus:

- Low Income (61,800 RHU)
- Moderate Income (25,300 RHU)

 Rental Housing Units - Shortage

 Rental Housing Units - Surplus

 Renter Households



San Diego Transit Priority Map

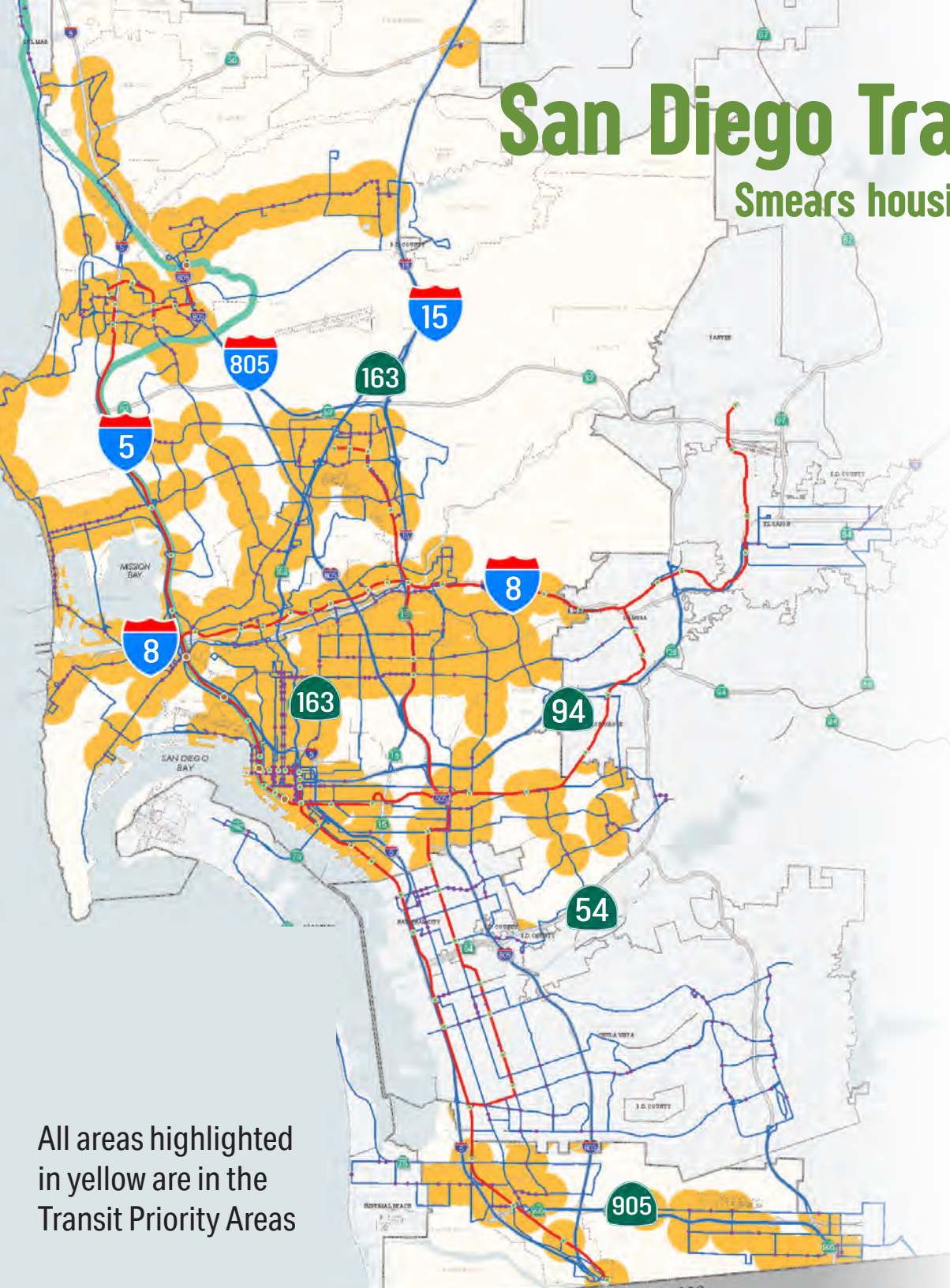
Smears housing everywhere instead of focusing development at transit stops

Yellow highlights are areas inside the TPA

The TPA includes ~60% of all San Diego neighborhoods

San Diego defines TPA as any area within 1/2 mile from a major transit stop “as the crow flies”

All areas highlighted in yellow are in the Transit Priority Areas



NFABSD Proposed Code Changes

Affordability

- Reduce square footage of market-rate ADUs to no more than 1,000 sf
- Replace ADU density bonus with 200 sf size bonus irrespective of TPA
- Restrict affordability incentives to Very Low (50% AMI) and Low (60%) Income households
- Increase affordability deed restriction from 15 years to 30 years
- Waive DIF on ADU greater than 750 sf if deeded affordable

Ministerial Envelope

- Increase interior side yard and rear yard setbacks on new ADU and JADU structures to 4 feet
- Limit ADU/JADU heights to no more than 16 feet
- Pre-approved architectural plans
- Anticipates SB 9 implementation

NFABSD Proposed Code Changes (cont.)

Other Revisions

- Restrict fee waiver to (single) ADU less than 750 sf
- Clarify requirement for record (property) owner to live on premises of ADUs permitted after January 1, 2025
- Exclude ADUs in Very High Fire Hazard Severity Zones
- Fire Safety Setbacks for JADUs
- Define Transit Priority Area (TPA) by walking distance rather than projected Euclidean distance (also eliminated as criterion for ADU permitting)
- No more than 4 units (2x2) on a lot split under the authority of Section 65852.21 or 66411.7 of the Government Code (Senate Bill 9)

Councilmember Elo-Rivera's Proposal

Increased Affordability

- Lowers income level to 80% AMI (from 120%) for 15-year deed, 90% AMI for 20-year

Urban Tree Canopy Preservation

- Tree replacement in parkway or elsewhere in community planning area

Privacy

- Taller fences on side and rear yards (above 9 feet)

Councilmember Elo-Rivera's Proposal

Future Considerations

Additional Affordability Programs

- Senior housing
- Forgivable loan (up to \$75,000 for new construction) for housing formerly homeless

Enforcement

- Resident-led Code Compliance Volunteer Program

Maintenance Assessment District Fees

- Assess on ADUs greater than 750 sf

Speculation Mitigation

- Waive DIFs for owner-occupants, but not corporate entities

Infrastructure

- Future federal programs

Councilmember Elo-Rivera's Proposal

Future Considerations (cont.)

Parking Policies

- Permit parking by parcel

Analyze Effective City Communication & Community Education

- Communicate the truth about policies
- Combat disinformation
- *"...intentionally study how we can better keep our constituents informed of policy changes, embody transparency, and empower constituents to be active members of City government"*

Community Character

- Central Urbanized Planned District (CUPD)

College Area

- Advisory group

Elo-Rivera / NFABSD Proposals

Summary Comparison

NFABSD Proposal

- Addresses core issues by simplifying the code rather than trying to patch its defects
- Replaces Density Bonus with size bonus that doesn't depend on (flawed) TPAs
- Aligns height and setback requirements with the state's ministerial envelope (4-foot setbacks and 16-foot height)

Elo-Rivera Proposal

- Leaves density Bonus in place, proposes complex workarounds for investor speculation, parking burden, and loss of urban canopy
- Pushes real solutions to the future rather than addressing them now
- Offloads code enforcement to residents

Next Steps

In order to get the mayor and council to revise the ADU code, we need:

- A council member to sponsor our proposal to revise ADU code
- Pressure from planning groups and residents to make this a priority
- Openness of staff to improving the code

Community Groups That Support Amending San Diego's ADU Code

Community Planners Committee

Chollas Valley Community Planning Group
Eastern Area Communities Planning Committee

El Cerrito Community Council

Kensington/Talmadge Planning Group

La Jolla Community Planning Association

Rancho Bernardo Community Planning Group

SanYsidro Community Planning Group

Scripps Miramar Ranch Planning Group

Serra Mesa Planning Group

Skyline Paradise Hills Community Planning Committee

University Community Planning Group

Two Visions of Planning





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— for a **BETTER** —
SAN DIEGO

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