

DSD in the Community

# Accessory Dwelling Unit Regulations in the City of San Diego

August 2024

## Presentation Topics

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



## What is considered an ADU?

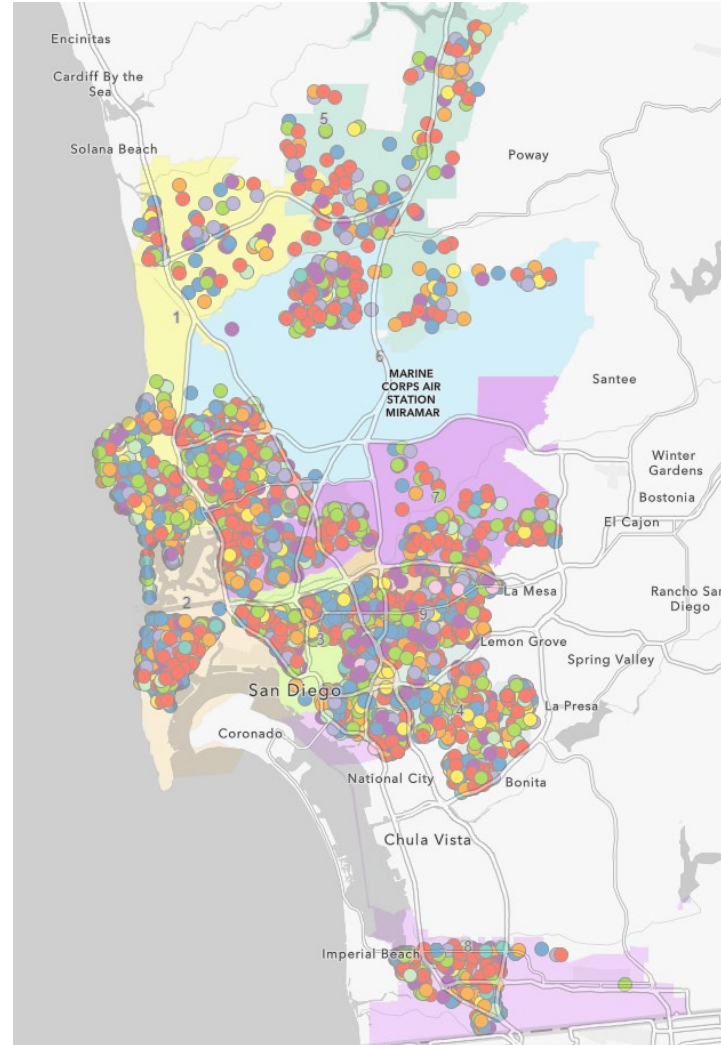
- Attached or detached residential unit
- Provides complete independent living facilities
- Located on a lot with a single unit or multiple units



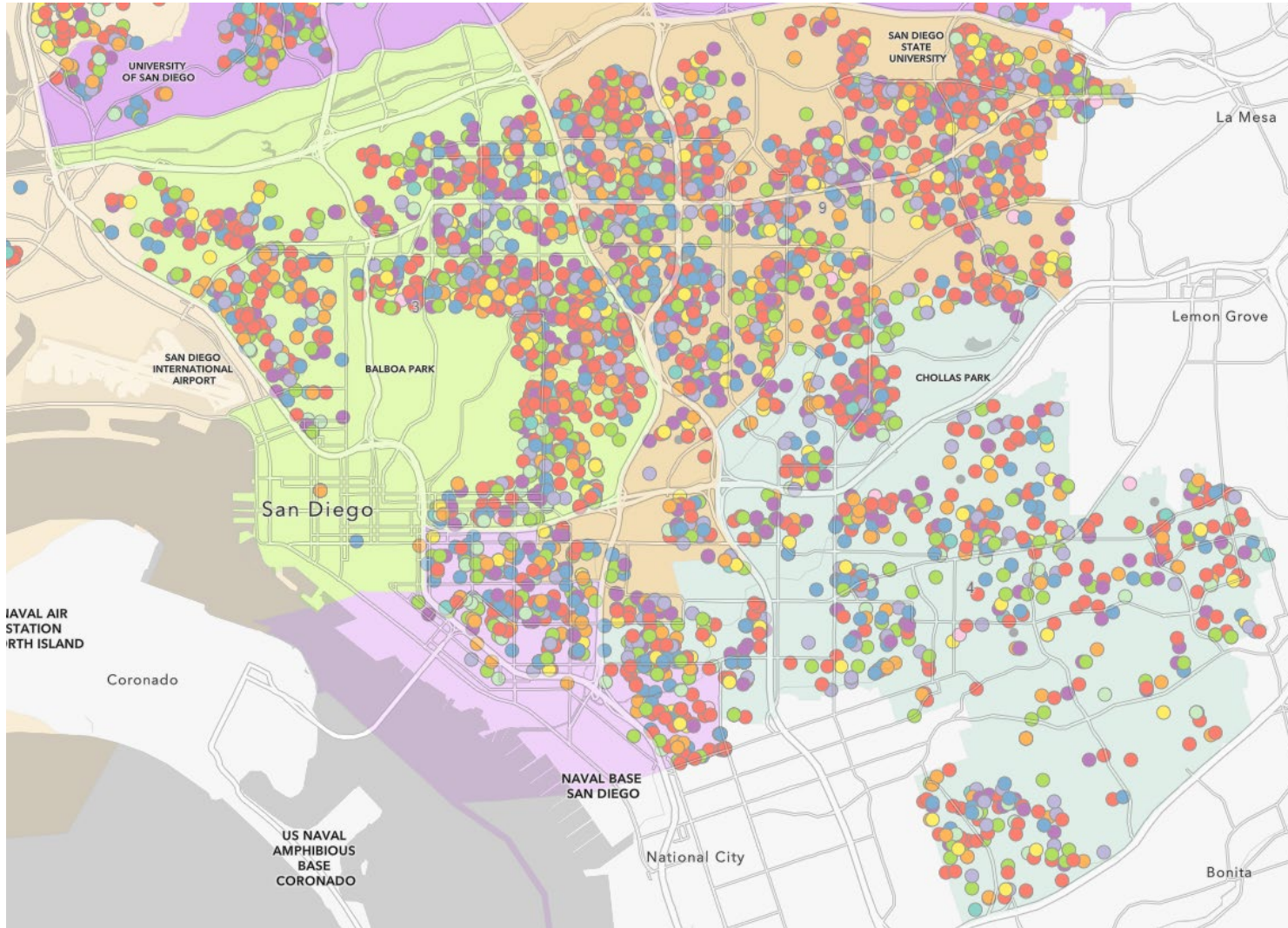
# Where are ADUs being built?

# Accessory Units approved in the City

- **Steady increase in permits since 2018**
- **Application activity across the City**

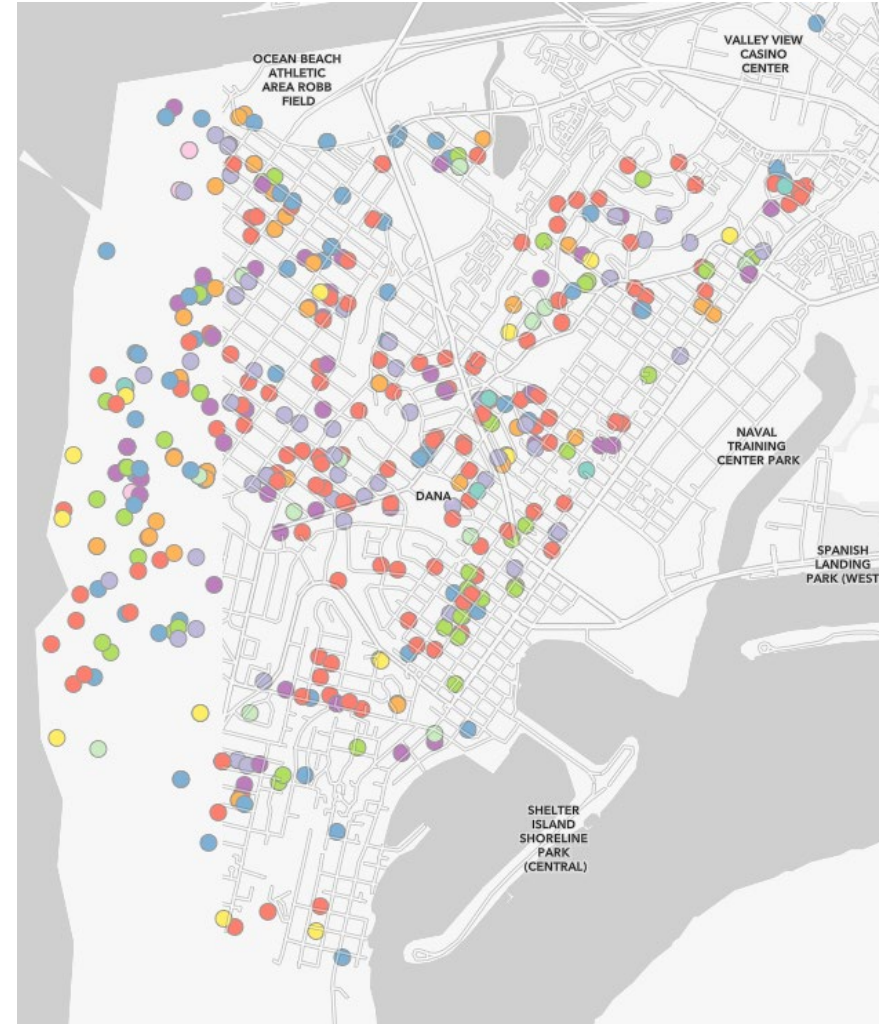
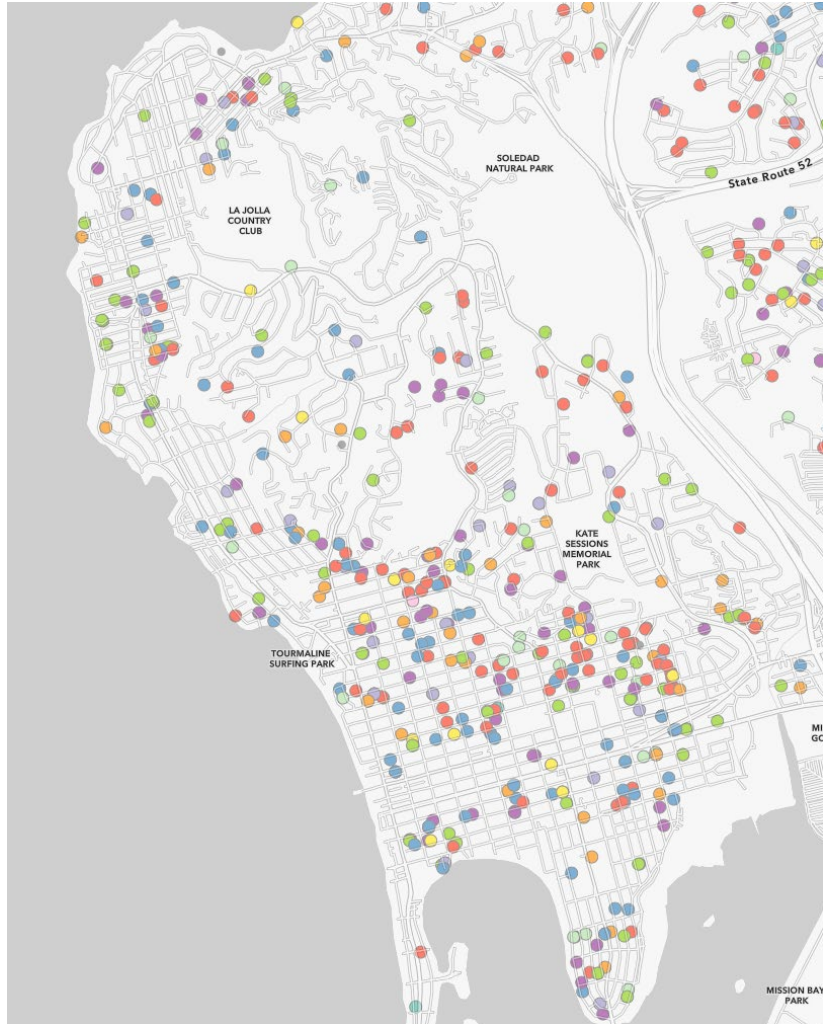


# Snapshot – Accessory Units in Central San Diego





# Snapshot – Accessory Units in the Coastal San Diego

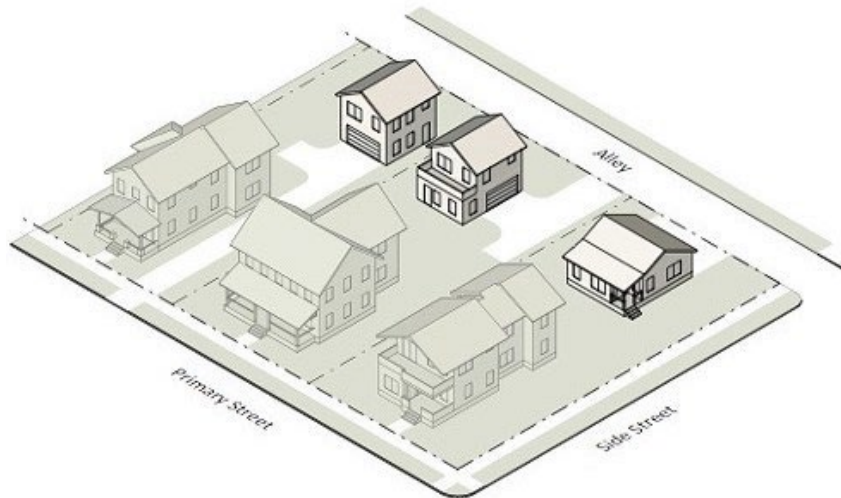


# Overview of ADU Regulations



# Where can an ADU be built?

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



San Diego Municipal Code  
(4-2022)

Chapter 14: General Regulations

## Article 1: Separately Regulated Use Regulations

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

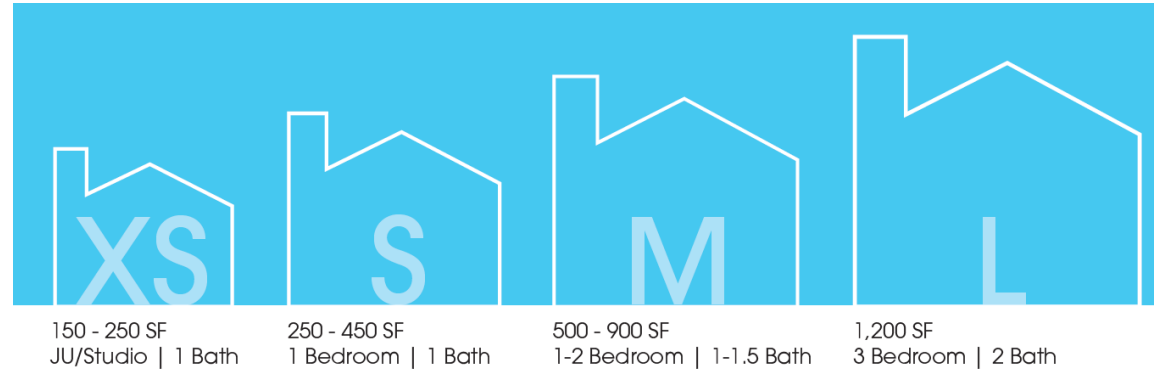
#### §141.0302 *Accessory Dwelling Units and Junior Accessory Dwelling Units*

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

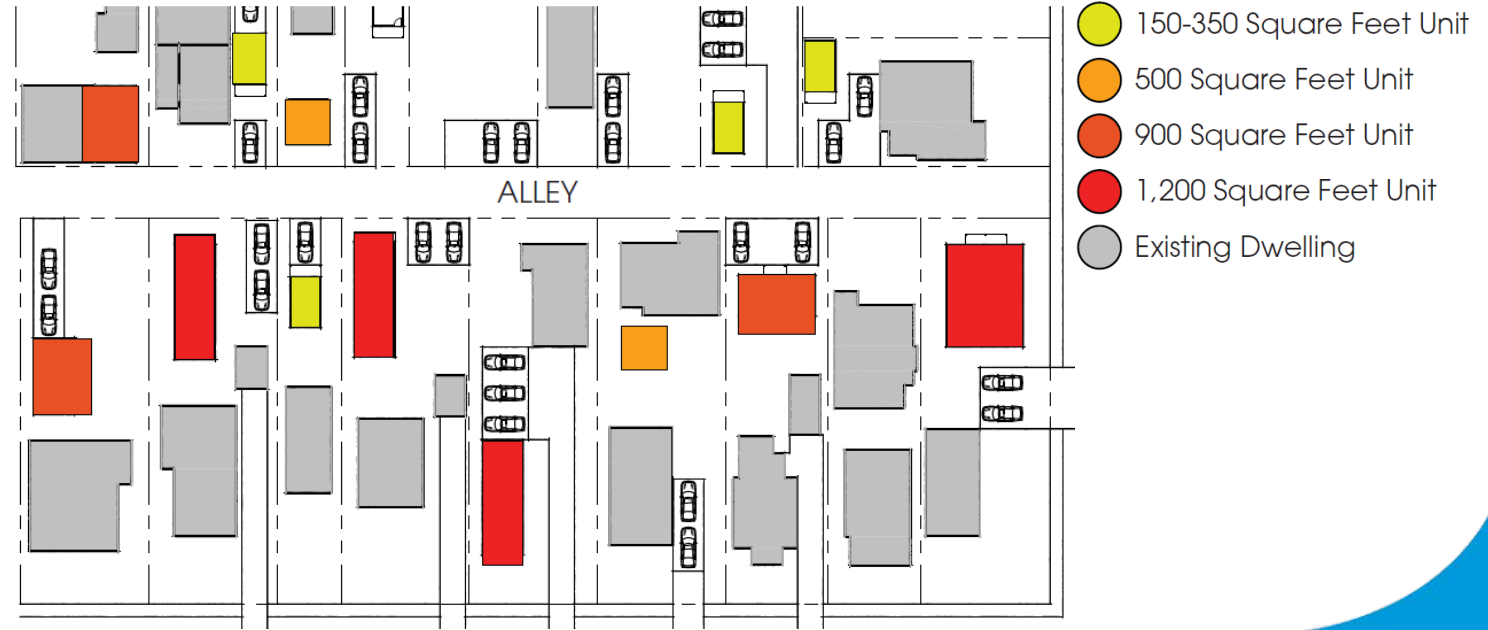
<http://docs.sandiego.gov/municode/MuniCode/Chapter14/Ch14Art01Division03.pdf>

# What are the SIZE requirements for ADUs?

- Minimum 150 sf
- Maximum 1200 sf



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



# How many ADUs can be built on one lot?

## Single Dwelling-Unit Zones

- 1 detached ADU
- 1 ADU converted from existing space
- 1 JADU

## Multi-Dwelling Unit Zones

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

## Bonus ADU provisions

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



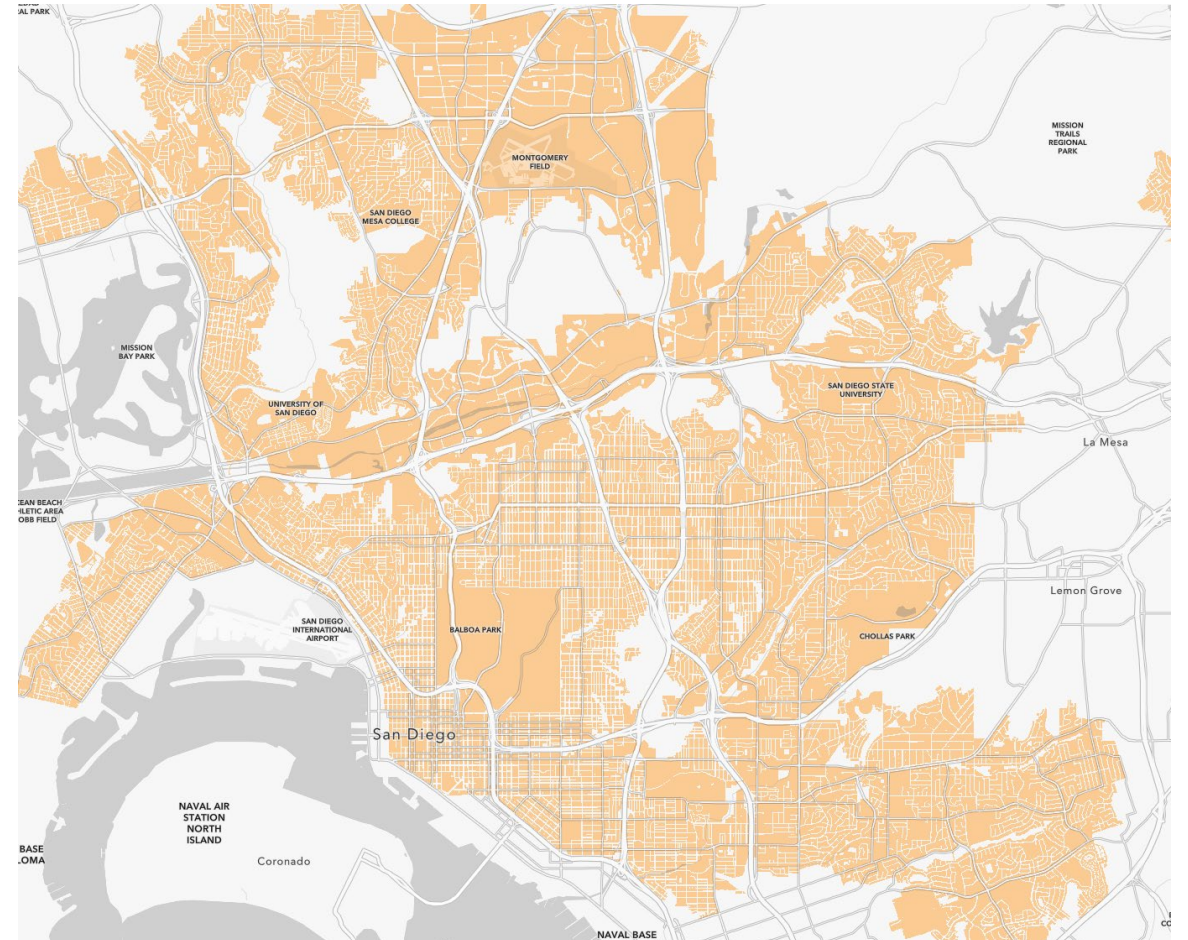
## Bonus ADU provisions

### Sustainable Development Area (SDA)

- Based on walking distance to a major transit stop

### Bonus ADUs in an SDA

- ‘No limit’ to bonus ADUs
- Must comply with maximum FAR

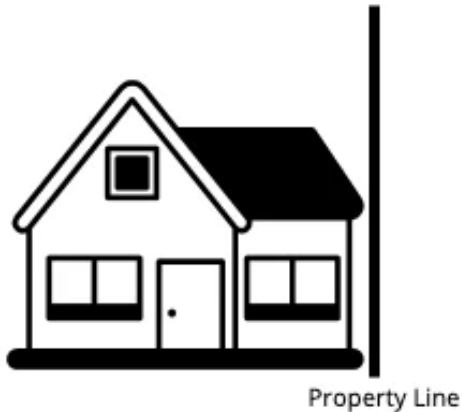


**Sustainable Development Area**

# What are the **SETBACK** requirements for ADUs? New Structures or Additions

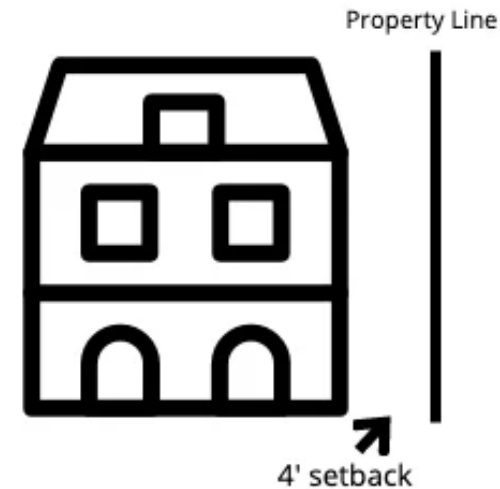
## Short ADU

No setback is necessary on the rear and side yard from the property line if the building height is under 16 feet.



## Tall ADU

4' setback from property lines on required side yards and rear yards if ADU / JADU height exceeds 16 feet and it is next to residential.



## Conversion/Reconstruction of Existing Structure

- May observe setback of existing structure

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

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



*Garage Conversion to ADU*

## What is considered a Junior ADU (JADU)?

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



# What are the requirements for JADUs? – NEW!!!

## Location: Single Dwelling-Unit Zones Only

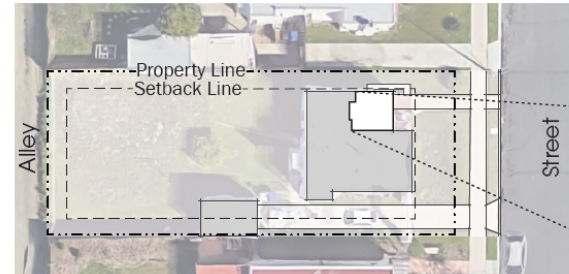
- Only allowed within the walls of an existing or proposed dwelling unit, or attached garage

## Size Requirements

- Minimum of 150 sf
- Maximum of 500 sf

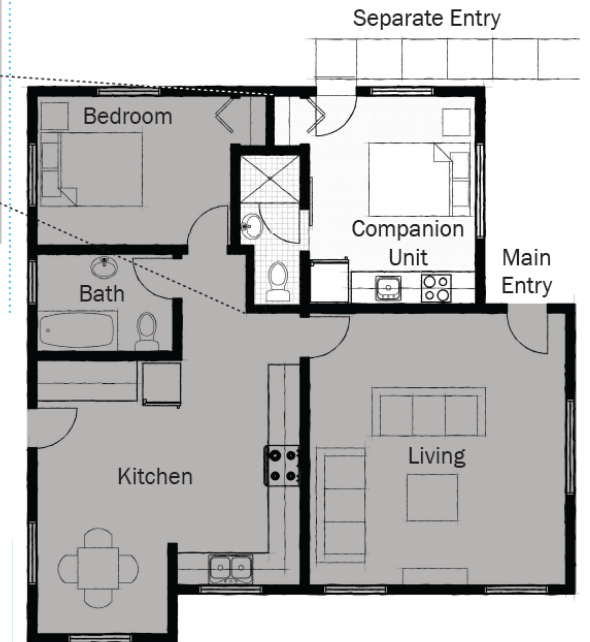
## Other Regulations

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



Site Context

Example Junior Unit  
175 sf





# Important Considerations for ADUs/JADUs

## Rental Timeframe

- Minimum rental of 31 days or more


## Solar Requirements

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




## What are the process requirements?

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

 City of San Diego Development Services <a href="http://www.sandiego.gov/development-services/">www.sandiego.gov/development-services/</a>		<b>Submittal Requirements Matrix</b> <b>Construction Permits – Single Dwelling Units/Duplexes, Townhomes, and Accessory Structures</b>														
		<b>APPROVAL TYPE</b>														
See Minimum Submittal Requirements Checklist, Construction Permits – Single- Dwelling Unit/Duplex and Accessory Structures for detailed submittal requirements. Note: Some documentation and plan information may be combined into single documents or shown on the same plans if the required information is clearly identified.		<b>SUBMITTAL REQUIREMENTS</b> (See Legend at Bottom of Page)														
		1.0	2.0	3.0	4.0	5.0	6.0	7.0	8.0	9.0	10.0	11.0	12.0	13.0	14.0	15.0
		General Application Package	Historical Resources Information	General Requirements - All Plans	Site Plan Package	Architectural Package	Structural Package	Landscape Construction Package	Brush Management Plan	California Energy Documentation	Structural Calculations	Truss Plans and Calculations	Residential Fire Sprinkler System	Geotechnical Investigation Report	Other Technical Studies	Fees [B01]
<b>COMBINATION BUILDING PERMIT (129.0202)</b>																
Accessory Structure (Retaining Wall, Fence, etc.)		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Residential-Factory Built Housing (Title 24)/ Manufactured Homes (Title 25)/ Modular Homes (Title 25)		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Residential – Single Dwelling/Duplex and Townhouses		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Residential – Additions/Remodels (other than 1-story Single Dwelling/Duplexes)		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Residential – Single Dwelling/Duplex Additions and Remodels (1-story)		See <a href="#">Information Bulletin 140, "How to Obtain a Permit to Build a Residential Addition/Alteration"</a>														
Residential – Master Plans		See <a href="#">Information Bulletin 114, "How to Establish and Permit Residential Units per Master Plan"</a>														
<b>LEGEND:</b> ✓ □ = Required if project meets the conditions as identified within the Minimum Submittal Requirements Checklist ✓ = Applies to all Plans Required    0 (142.0402) = Land Development Code Section Reference																

## What are the Fees Required?

- Plan Check
- Inspection
- School fees
- RTCIP
  - Only waved for first ADU
  
- ***General Plan Maintenance Fee***
- ***Development Impact Fees – for projects with more than 2 ADUs***

	<b>Construction Permits - Structures</b> City of San Diego Development Services Department	INFORMATION BULLETIN <b>501</b> January 2022
	This Information Bulletin lists the fees collected by the City of San Diego for construction permits for structures (building permits). Also listed are some, but not necessarily all, fees that may be required from agencies other than the City of San Diego. The tables within this bulletin are designed to assist applicants in estimating construction permit fees. For project submittal requirements, see Land Development Manual Project Submittal Requirements, Section 2.	
	<b>FEE TABLES</b>	
	<b>Fee Tables</b>	<b>Page</b>
	Table 501A—Building Plan Check & Inspection.....	7
	Table 501B—Partial Permit Plan Check/Inspection.....	10
	Table 501C—Miscellaneous Items Plan Check/Inspection.....	12
	Table 501D—Water-Sewer Plan Check.....	15
<p><b>I. WHEN FEES ARE PAID</b></p> <p>The fees associated with Building Permits may be collected during different points of the permitting process: at project submittal, during review, at permit issuance, and during inspection. There are also enhanced/optional services for which fees are collected. The following sections of this fee bulletin describe what fees are collected and when in the process they are collected.</p> <p>The following fees are required to be paid prior to review unless otherwise indicated below. For your convenience, DSD offers on-line payments through OpenDSD. Payment may also be made in person by cash, check, debit card, Visa or Master credit cards. Checks shall be in the exact amount, drawn on US banks, and made payable to the "City Treasurer."</p> <p><b>Please note that plan check fees and some administrative fees are non-refundable. Inspection fees may be refundable. See Refund Policy noted within Refund Application Form DS-721 for additional refund information.</b></p>		
<p><b>II. SUBMITTAL FEES</b></p> <p><b>A. General Plan Maintenance Fee</b></p> <p>This fee provides funding for the maintenance of the City's General Plan and is collected on behalf of the Planning Department. It is non-refundable and is collected once per project at the time of application. Projects that do not require plan review are not subject to the fee.</p> <p>General Plan Maintenance Fee.....\$451.00</p> <p><b>B. Mapping Fee</b></p> <p>This fee is collected to fund automation efforts and on-line GIS data and mapping for Development Services. It is charged when there are plans, drawings, maps or other geographical documents utilized for project review.</p> <p>Mapping Fee.....\$10.00</p> <p><b>C. Plan Check Fees</b></p> <p>Fee Tables 501A, 501B, 501C and 501D list the plan check fees. This information is taken from the plans at project submittal. The information is then verified during project review and updated as appropriate. Changes made during project review may result in additional plan check fees which may require payment prior to subsequent reviews.</p>		

# Recent ADU regulatory changes

# What are recent changes to ADU/JADU regulations?

## March 2024 – Housing Action Package 2.0

### *Junior Accessory Dwelling Unit Changes*

- JADUs now restricted to be within an attached garage or within an existing or proposed single dwelling unit
- 4' Setback required for ADUs of 16 feet or more that abut residential

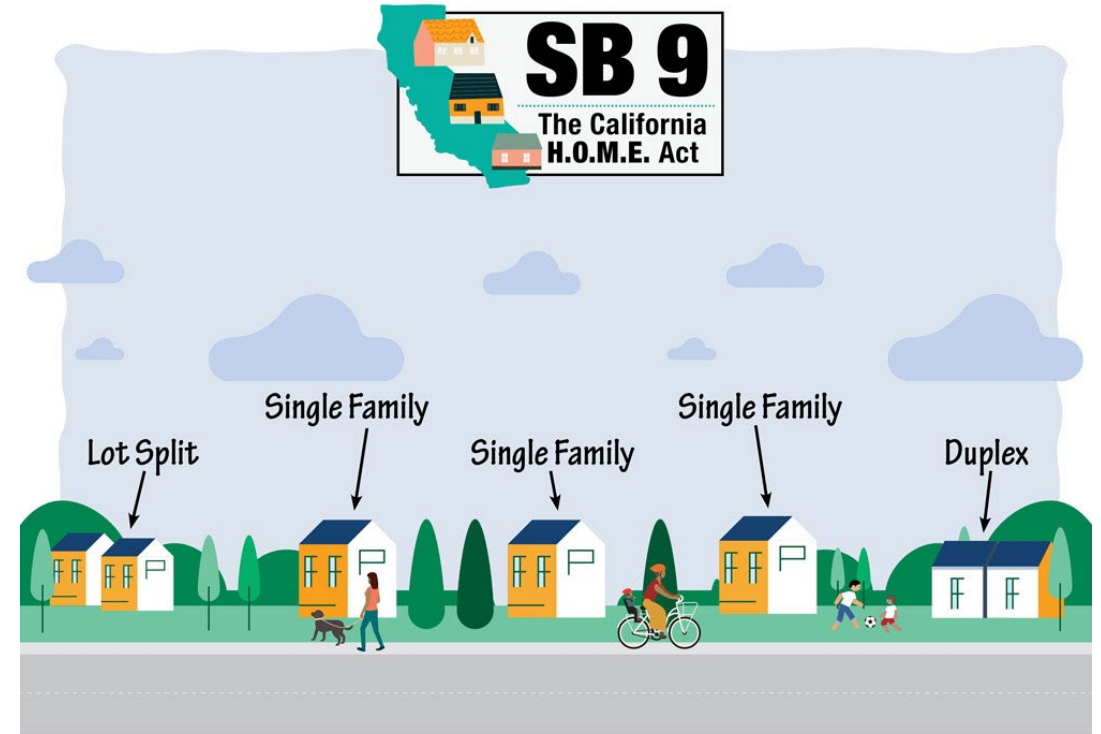
### *New Accessible ADU Bonus Allowance*

- One (1) additional market rate accessible ADU will be permitted when at least two (2) affordable ADUs are proposed.
- The bonus accessible ADU must be:
  - located on an accessible route;
  - meet the requirements of Chapter 11A of the California Building Code; and
  - it shall include at least one (1) accessible bathroom, one (1) accessible kitchen, and one (1) accessible bedroom

# Other Topics

## How does this relate to SB 9?

- SB 9 allows up to 4 dwelling units on a single dwelling unit lot
- ADUs can be built in conjunction with SB 9, with limitations
- No more than 4 total units on a lot or across two lots created through an Urban Lot Split



## Inclusionary Housing Requirements

- ADUs/JADUs are NOT exempt from the City's Inclusionary Affordable Housing Regulations (SDMC Ch. 14, Article 2, Division 13).
  - Projects proposing one or more ADU that results in 10 or more total dwelling units (or five or more total dwelling units in the Coastal Overlay Zone) are subject to Inclusionary Housing requirements.
- Projects that propose to pay the Inclusionary In Lieu Fee are subject to the requirements of §142.1306.
- Affordable ADUs proposed in accordance with §141.0302(c)(2)(D) are NOT exempt from the net building area calculations of the In Lieu Fee unless the units are deed restricted for 55 years at 60% of the area median income (or lower).



# Resources and Zoning Information

# Relevant Municipal Code Sections

**SDMC §141.0302  
ADUs and JADUs**

**SDMC §131.0401  
Residential Base Zones**

**SDMC §132.0401  
Coastal Overlay Zone**

**SDMC §143.0101  
Environmentally Sensitive Lands Regulations**

**SDMC §143.0201  
Historical Resources Regulations**

**SDMC §143.1305  
ADUs and JADUs in conjunction with SB 9**





# ADU Resources and Information on DSD Website

The screenshot shows the DSD website page for 'Accessory Dwelling Unit/Junior Accessory Dwelling Unit'. The page features a navigation menu with categories like Home, Permits, Zoning, Codes, Forms, Public Hearings, Fees, Records, and Building & Land Use Enforcement. The main content area includes a title, a news update for August 2024, a list of links for further information, and two detailed sections: 'Accessory Dwelling Unit' and 'Junior Accessory Dwelling Unit'. A QR code is located on the right side of the page.

**Development Services**

DSD Home | Permits, Approvals & Inspections | News & Programs | Zoning | Codes & Regulations | Forms & Publications | Public Hearings, Meetings & Notices | Fees | Records | Building & Land Use Enforcement

## Accessory Dwelling Unit/Junior Accessory Dwelling Unit

ADU/JADU Updates | August 2024

- View the [regulations outside the Coastal Overlay Zone effective March 15, 2024](#), including an accessible bonus ADU allowance and JADU location requirements.
- Have questions about building an ADU on your property? Schedule a free virtual [Planning and Zoning appointment](#).
- Want to legalize your unpermitted ADU? [Learn how](#).
- ADUs in the non-appealable areas of the [Coastal Overlay Zone](#) are now eligible for Process 1 review and approval. [Learn more](#).

On this page:

- [Permit Application Process and Requirements](#)
- [ADU vs JADU Comparison](#)
- [ADU Bonus Program](#)
- [Accessible Bonus ADU](#)
- [Setback Compliance](#)
- [Encroachments](#)
- [Resources](#)
- [Videos](#)
- [Frequently Asked Questions](#)

**Accessory Dwelling Unit**

An Accessory Dwelling Unit or **ADU** is an attached or detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It must include permanent provisions for living, sleeping, eating, cooking and sanitation on the same lot as the primary residence.

**Junior Accessory Dwelling Unit**

A Junior Accessory Dwelling Unit or **JADU** is a unit that is no more than 500 square feet in size and contained entirely within a single-family residence located in a single-family zone. A JADU may include separate sanitation facilities or may share sanitation facilities with the existing structure. The JADU or single-family residence must be owner-occupied.



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

# Zoning Information and Resources

The City of San Diego Development Services Department website navigation and content. The main heading is 'Development Services' with a sub-heading 'Zoning'. A blue callout box highlights the 'Zoning and Parcel Information Portal (ZAPP)' link. Below this, there are sections for 'Complete Communities', 'Zoning Designations', 'Base Zones Types', 'Overlay Zones and Other Site Criteria', and 'Additional Outside Agency Resources'. A 'Sign up to receive meeting agendas, news and updates' button is also visible.

## Interactive Web map

The Zoning and Parcel Information Portal (ZAPP) interactive web map. The map shows a grid of parcels with various zoning designations. A pop-up window displays the 'Planning Area' details for a selected parcel, including options like 'Community Plan Area (CPA)', 'Specific Plan Area (SPA)', 'Business Improvement District (BID)', etc. The map interface includes a search bar, navigation controls, and a sidebar with 'How-To' instructions.

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

# Additional Resources

## Book a Virtual or In-Person Appointment

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



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

## Preliminary Review

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

INFORMATION  
BULLETIN

400

September 2022

## Accessory Dwelling Unit/Junior Accessory Dwelling Unit

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

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

Questions?