

Subject: OBPB: ADU item tonight

Date: October 6, 2021 at 12:12 PM



In OB and coastal zones, the laws on Accessory Dwelling Units are currently as follows:

- *limited to 1 per parcel
- *prohibited on parcels zoned for more than 2 dwelling units
- *limited to 50% of the area of the dwelling unit, up to 1200sf and up to 30' height
- *subject to FAR limits
- *exempt from DIF fees
- *no parking required, except when a garage is converted to companion unit
- *parking must be accessed from alley
- *can be built to zero side and rear setback
- *cannot be short term rental
- *tree must be planted in front yard

State laws recently forced cities to modify and loosen their laws on where ADUs were allowed, how many, and loosen building requirements on height, FAR, setbacks, and parking.

So the city passed new ADU laws in 2020 that met but exceeded the state laws. This new law is in effect in non-coastal parts of SD. It will not apply here until/unless certified by the coastal commission.

The summary is below:

<https://www.sandiego.gov/sites/default/files/dsdib400.pdf>

- *2 detached ADUs can be built on any multifamily parcel
- *unlimited bonus ADUs can be added if deed restricted for 15 years as affordable to 110% AMI (about \$73K-\$104K income)
- *can exceed FAR by up to 800sf
- *can be larger than dwelling unit, up to 1200sf
- *no parking required even if existing garage is removed
- *parking can be in front setbacks
- *no new trees required

Some neighborhood groups in D3 and D9 have recently gained attention for trying to push back or delay the new ADU law. They say the city went to far without enough public outreach and should put a moratorium on the bonus ADUs, among other things.

They have a slideshow here:

<https://www.neighborsforabettersandiego.org/>

D9 Councilmember, Sean Elo-Rivera has proposed some reworking of the new ADU law, such as:

- *bonus ADUs should be affordable to 80% AMI (\$68K-\$97K income)
- *require DIF fees for developers/LLCs on ADUs >750SF. Owner-occupied are exempted
- *create parking permits for single family zones in Transit areas, ADUs don't get extra permits
- *require replacement of removed trees

Full Elo-Rivera proposal here:

https://www.sandiego.gov/sites/default/files/2021.09.13_d9_memo_adu_revisions_final.pdf

If I have time I'll look for other planning group recommendations on this issue and share them at the meeting.

Kevin Hastings, P.E.

Vice Chair, Ocean Beach Planning Board

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