



May 15, 2025

To: Land Use & Housing Committee

Re: Item 4 – Accessory Dwelling Unit Regulations

Dear Council Members:

With regard to the proposed JADU/ADU code amendment language, Neighbors For A Better San Diego raises the following questions and apparent omissions in the code:

Treatment of remaining RS Zones for Bonus ADUs

The proposed code language describes regulations for Zones RS-1-1, 2, 3, 4, 8, 9, 10, 11 and Zones RS-1-5,6,7, but does not specifically describe the regulations for the remaining Zones RS-1-12,13,14. Given that Zones RS-1-12,13,14 mirror RS-1-5,6,7, is this an omission or an intended drafting of the code to allow the current SDA bonuses to continue to apply to RS-1-12,13,14?

Counting of JADU square footage towards floor area ratio for the premises

The proposed updated regulations 141.0302(c)(4)(A) state that

(4) Gross Floor Area.

(A) The gross floor area of a JADU shall not be included in the floor area ratio for the premises.

This code needs to be amended, following 141.0302(b)(6)(E), to stipulate that

The gross floor area of a JADU shall not be included in the floor area ratio for the premises, except that it shall be included if the premises includes bonus ADU development as set forth in Section 141.0302(d).

While this aligns the treatment of ADUs and JADUs for the allowance of state-mandated ADUs, NFABSD has pointed out in its previous submission to Land Use & Housing that this is an inaccurate reading of state law, which requires only that an ADU of at least 800 sf be allowed, even if the total floor area of the total development exceeds the allowed floor area ration for the premises.

Respectfully,

Geoffrey Hueter, Chair

Neighbors For A Better San Diego