

INFORMATION
BULLETIN

400

August 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 regulations and guidelines outlined below 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-21254](#) and [O-21439](#) and [O-21461](#). For Coastal Overlay Zone Projects applying prior to California Coastal Commission certification, refer to the legacy version of the San Diego Municipal Code located [here](#).*

I. Accessory Dwelling Unit (ADU)

A. What is an ADU?

An Accessory Dwelling Unit is an attached or detached residential dwelling unit that is:

- 1,200 square feet in size or less;
- Provides complete independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation; and
- Is located on a lot with a proposed or existing single dwelling unit or multiple dwelling units.

B. ADUs Allowable Locations

ADUs are permitted in Zones where Use Regulation Tables identify ADUs as allowable Limited Uses. Generally, ADUs are allowed in Zones that permit Residential Uses.

- Base Zone Designations: Use Regulation Tables in [SDMC Chapter 13, Article 1, Divisions 1 through 7](#)
- Planned District Ordinance Zone Designations: Use Regulation Tables in [SDMC Chapter 15, Articles 2 through 20](#)
- Find your Zone Designation:
 - [Zoning and Parcel Information Portal \(ZAPP\)](#)
 - [Zoning Address Look-Up](#)

C. Number of Allowed ADUs

1. Single Dwelling Unit Zones

A Single Dwelling Unit Zone is a zone that allows a maximum of one dwelling unit on a single lot.

a) Permitted within Single Dwelling Unit zones:

- 1 Single Primary Dwelling Unit
- 1 Accessory Dwelling Unit
- 1 Junior Accessory Dwelling Unit

- b) **Single Dwelling Unit Zone Exception for Existing Multi-Dwelling Unit Buildings**
Within Single Dwelling Unit Zones, where a legally permitted, previously conforming multi-dwelling unit structure exists, ADUs may be constructed in accordance with the Multiple Dwelling Unit Zone provisions outlined below in C.2 Multiple Dwelling Units Zones.
- c) **Other Allowances**
In addition to the Dwelling Units, Guest Quarters and Non-Habitable Accessory Structures are also allowable.

ADUs proposed in conjunction with the City's implementation of California Senate Bill 9 (2021-2022) are subject to the provisions of §143.1305(c). The provisions contained with SDMC Chapter 14, Article 3, Division 13 will also require a signed affidavit from the Record Owner.

2. Multiple Dwelling Unit Zones

A Multiple Dwelling Unit Zone is a zone that allows more than one dwelling unit on a single lot.

- a) **Conversions or Interior Alterations of Existing Structures**
- **Existing Habitable Area:** The maximum number of ADUs permitted within the habitable areas of an existing multiple dwelling unit structure is 25% of the total number of existing dwelling units. 1 ADU is permitted where the percentage calculation yields less than 1 ADU.
 - **Existing Non-habitable Area:** The number of ADUs permitted within the non-habitable areas of an existing multiple dwelling unit structure is unlimited. Examples include storage rooms, boiler rooms, passageways, attics, basements, and garages.
- b) **Addition of Floor Area to Existing Structures**
New additional floor area to an existing multiple dwelling unit structure may not be used for the creation of ADUs.
- c) **Construction of New Detached Structures**
A maximum of 2 detached ADUs are permitted on premises with an existing multiple dwelling unit structure. The 2 ADUs may be within one structure or two separate structures.
- d) **Multiple Dwelling Unit Zones with an existing Single Dwelling Unit Building**
Within Multiple Dwelling Unit zones, where a legally permitted single-dwelling unit structure exists, the premises may construct ADUs in accordance with the Multiple Dwelling Unit Zone provisions outlined above in C.2.a through c.

The premises may construct the ADU(s) without a requirement to construct any other additional standard dwelling units

D. ADU Size Regulations

1. The minimum gross floor area for an attached or detached ADU is 150 square feet.

2. The maximum gross floor area for an attached or detached ADU is 1,200 square feet.
3. The gross floor area of an ADU is included in the total gross floor area of a premises.
4. An ADU may exceed the total gross floor area of a premises, however the ADU shall be limited to a maximum of 800 square feet of gross floor area.
5. Minimum room dimension requirements contained within the California Building Standards Code are applicable.

E. ADU Setback Regulations

1. **Conversions or Interior Alterations of Existing Structures**
Where an existing structure is converted to an ADU, the ADU may continue to observe the setbacks of the existing structure.
2. **Demolition and Reconstruction of Existing Structures**
Where an existing structure is demolished and reconstructed as an ADU, the ADU may continue to observe the setbacks of the original structure. The reconstruction must be at the same location, and to the same dimensions as the original structure.
3. **Addition of Floor Area to Existing Structures**
Where an addition to an existing structure is proposed for an ADU, the ADU must observe the Front Yard and Street-Side Yard Setbacks of the Zone. The ADU may encroach into the Side Yard and Rear Yard Setbacks of the Zone, including up to the Property Line, if the structure height is 16 feet or less.

If the side or rear property line abuts another premises that is residentially zoned or developed with exclusively residential uses, an ADU with a structure height that exceeds 16 feet, or is multi-story, shall observe a 4-foot Interior-Side Yard and Rear Yard setbacks.
4. **Construction of New Detached Structures**
Where a new structure is proposed as an ADU, the ADU must observe the Front and Street-Side Setbacks of the Zone. The ADU may encroach into the Side and Rear Setbacks of the Zone, including up to the Property Line.
5. ADUs must comply with all requirements in the California Building Standards Code, including requirements for fire separation distance, opening protection, allowable height, and allowable area.

F. ADU Parking Regulations

1. No parking spaces are required for ADUs.
2. The conversion or demolition of a garage, carport, or covered parking structure does not require the replacement of parking spaces. If the construction of an ADU or JADU 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 to the satisfaction of the City Engineer.

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3. Where off-street parking spaces are provided, parking spaces may be within setback areas, and in any configuration including tandem configurations and mechanical lifts.
4. Where off-street parking spaces are provided, parking spaces must be entirely within the property line of a premises, and must conform to the dimension standards of SDMC [Chapter 14, Article 2, Division 5](#).

G. ADU Other Regulations

1. The property owner is not required to live on-site.
2. An ADU may not be leased for a term of less than 31 consecutive days. An ADU may not be used for Transient Lodging.

H. ADU Fire Sprinkler Systems

Reference [Technical Bulletin RESD 3-4](#) for fire sprinkler requirements in ADUs.

I. ADU Solar Photovoltaic Systems

1. Newly constructed ADUs are subject to the California Energy Code requirement to provide solar panels if the unit(s) is a newly constructed, non-manufactured, detached ADU. Per the California Energy Commission (CEC), the panels can be installed on the ADU or on the primary dwelling unit.
2. ADUs that are constructed within existing space, or as an addition to existing homes, including detached additions where an existing detached building is converted from non-residential to residential space, are not subject to the California Energy Code requirement to provide solar panels.

J. ADU Bonus Program

1. For Lease Affordable Program
 - a) Inside of Transit Priority Areas, for every qualifying on-site deed-restricted ADU ([Table 141-03A](#)), one additional non-deed-restricted bonus ADU is allowed. The development is required to comply with the maximum floor area ratio and maximum lot coverage requirements of the underlying zone.
 - b) Inside of Transit Priority Areas, where a Project proposes qualifying on-site deed-restricted ADUs ([Table 141-03A](#)), the maximum number of bonus ADUs is unlimited. The development is required to comply with the maximum floor area ratio, maximum lot coverage requirements, and other applicable development standards of the underlying zone.
 - c) Outside of Transit Priority Areas, where a Project proposes qualifying on-site deed-restricted ADUs ([Table 141-03A](#)), the maximum number of bonus ADUs is one.
 - d) Reference SDMC [§141.0302\(c\)\(1\)\(B\)](#) for program details.
2. For Sale Affordable Program
For qualifying 501(c)(3) Developers, reference SDMC [§141.0302\(c\)\(1\)\(B\)](#) for program details.

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II. Junior Accessory Dwelling Unit (JADU)

A. What is a JADU?

A Junior Accessory Dwelling Unit (JADU) is a dwelling unit that is not less than 150 square feet and not more than 500 square feet within an existing or proposed single dwelling unit, attached or detached garage, or attached or detached ADU, on a residential single dwelling unit lot. A JADU may include separate sanitation facilities or may share sanitation facilities with the single dwelling unit.

B. JADUs Allowable Locations

JADUs are permitted in Zones where Use Regulation Tables identify JADUs as allowable Limited Uses. Generally, JADUs are allowed in Single Dwelling Unit Zones.

1. Base Zone Designations - SDMC [Chapter 13](#), Article 1, Divisions 1 through 7.
2. Planned District Ordinance Zone Designations - Use Regulation Tables: SDMC [Chapter 15](#), Articles 2 through 20.
3. Find your Zone Designation:
 - [Zoning and Parcel Information Portal \(ZAPP\)](#)
 - [Zoning Address Look-Up](#)

C. JADU Number Allowed

1. Single Dwelling Unit Zones

A Single-Family Zone is a zone that allows a maximum of one dwelling unit on a single lot.

a. Permitted within Single Dwelling Unit Zones:

- 1 Single Primary Dwelling Unit
- 1 Accessory Dwelling Unit
- 1 Junior Accessory Dwelling Unit

b. 1 JADU may be constructed within an existing or proposed:

- Single Primary Dwelling Unit
- ADU that is attached to a Single Primary Dwelling Unit
- ADU that is detached from a Single Primary Dwelling Unit
- Garage attached to an ADU or Single Primary Dwelling Unit
- Garage detached from an ADU or Single Primary Dwelling Unit

c. Other Allowances:

In addition to the Dwelling Units, Guest Quarters and Non-Habitable Accessory Structures are also allowable.

2. Multiple Dwelling Unit Zones

- a. A Multiple Dwelling Unit Zone is a zone that allows more than one dwelling unit on a single lot.
- b. JADUs are not permitted within Multiple Dwelling Unit Zones.

D. JADU Size

1. The minimum gross floor area for a JADU is 150 square feet.

2. The maximum gross floor area for a JADU is 500 square feet.
3. The gross floor area of an JADU is included in the total gross floor area of a premises.
4. Minimum room dimension requirements contained within the California Building Standards Co are applicable.

E. JADU Size

1. **Conversions or Interior Alterations of Existing Structures**
Where an existing structure is converted to a JADU, the JADU may continue to observe the setbacks of the existing structure.et.
2. **Demolition and Reconstruction of Existing Structures**
Where an existing structure is demolished and reconstructed as an JADU, the JADU may continue to observe the setbacks of the original structure. The reconstruction must be at the same location, and to the same dimensions as the original structure.
3. **Addition of Floor Area to Existing Structures**
Where an addition to an existing structure is proposed for a JADU, the JADU must observe the Front and Street-Side Setbacks of the Zone. The JADU may encroach into the Side and Rear Setbacks of the Zone, including up to the Property Line.
4. **Construction of New Detached Structures**
Where a new structure is proposed as an JADU, the JADU must observe the Front and Street-Side Setbacks of the Zone. The JADU may encroach into the Side and Rear Setbacks of the Zone, including up to the Property Line.

If the side or rear property line abuts another premises that is residentially zoned or developed with exclusively residential uses, a JADU with a structure height that exceeds 16 feet, or multi-story ADU or JADU, shall observe a 4-foot Interior-Side Yard setback and a 4-foot Rear Yard setback.

5. JADUs must comply with all requirements in the California Building Standards Code, including requirements for fire separation distance, opening protection, allowable height, and allowable area

F. JADU Parking Regulation

1. No parking spaces are required for JADUs.
2. The conversion or demolition of a garage, carport, or covered parking structure does not require the replacement of parking spaces.
3. Where off-street parking spaces are provided, parking spaces may be within setback areas, and in any configuration including tandem configurations and mechanical lifts.

4. Where off-street parking spaces are provided, parking spaces must be entirely within the property line of a premises, and must conform to the dimension standards of SDMC [Chapter 14, Article 2, Division 5](#).

G. JADU Parking Regulation

1. A JADU shall have a separate exterior entry from an attached Single Primary Dwelling Unit or attached ADU.
2. A JADU shall provide a separate independent kitchen or efficiency kitchen from a Single Primary Dwelling Unit or ADU.
3. A JADU may include separate independent sanitation facilities or may share sanitation facilities with an attached Single Primary Dwelling Unit or attached ADU.
4. Where a JADU is detached from a Single Primary Dwelling Unit or ADU, the JADU shall provide independent sanitation facilities within the JADU.
5. Where a JADU exists on a premises, the property owner is required to live on-site.
6. The property owner may live in any of the on-site dwelling units.
7. A JADU may not be leased for a term of less than 31 consecutive days. A JADU may not be used for Transient Lodging.

H. JADU Fire Protection Systems

1. Where a primary dwelling unit is provided with a fire sprinkler system, the JADU will be required to install a fire sprinkler system. The JADU may be required to fire rate the walls that are shared with the primary unit, or ensure that the sprinkler system in the primary dwelling unit communicates with the sprinkler system in the JADU.

Where a primary dwelling unit is not required to provide a fire sprinkler system, a proposed JADU will not be required to install a fire sprinkler system. However, the JADU may be required to construct a fire rated wall when sharing a wall with an existing or proposed single-family dwelling.

I. JADU Solar Photovoltaic Systems

JADUs are not required to provide a solar photovoltaic system.

J. JADU Agreement Required

Prior to issuance of a Building Permit, a [Junior Unit Agreement](#) is required that neither the primary dwelling unit nor the junior unit may be sold or conveyed separately and that the record owner shall reside in either the primary dwelling unit, ADU or JADU.

III. Permit Application Process

A. Building Permit Required

A Building Permit is required to create an ADU or JADU. There are no exemptions.

B. Coastal Development Permit Required

1. A Coastal Development Permit (CDP) is required for the creation of all ADUs within the Coastal Overlay Zone.
2. The requirement to obtain a CDP for any ADU within the Coastal Overlay Zone is effective until the California Coastal Commission certifies modifications to NS O-21254.
3. Upon California Coastal Commission certification of modifications to NS O-21254, certain CDP administrative criteria may apply to qualifying ADU projects. CDP exemption criteria can be found in SDMC [§126.0704](#). This section will be updated upon certification of the administrative criteria.
4. The creation of a JADU within the Coastal Overlay Zone does not categorically require a CDP. Qualifying JADU projects within the Coastal Overlay Zone meeting the exemption criteria of SDMC [§126.0704](#) may be permitted without a CDP.

C. Coastal Development Permit Required

1. Single Primary Dwelling Units with ADUs or JADUs (R3 Occupancy Classifications): [Project Submittal Manual Section 2A](#)
2. Multiple Dwelling Units with ADUs or JADUs (All Other Occupancy Classifications): [Project Submittal Manual Section 2](#)

Minimum submittal requirements for each ADU or JADU includes the following:

1. Plans / Calculations:
 - a. Site Plan and Vicinity Map (See [Information Bulletin 122](#)).
 - b. Floor Plans and Roof Plans.
 - c. Elevations and Sections (as applicable).
 - d. Structural plans and details.
 - e. Structural calculations and/or truss calculations (as applicable).
 - f. Title 24 Energy calculations.
2. Forms
 - a. [General Application](#), DS-3032
 - b. [Water Meter Data Card](#), DS-16
 - c. [Storm Water Applicability Checklist](#), DS-560

IV. Fees**A. ADU and JADU Fees**

1. For a complete list of all fees that may apply, reference [Information Bulletin 501](#).
2. ADUs and JADUs are subject to payment of School Fees. For detailed information of when this fee applies, reference [Information Bulletin 146](#).

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3. Beginning August 9, 2022 the General Plan Maintenance Fee applies to all ADU and JADUs.
4. ADUs are subject to Development Impact Fee requirements in accordance with SDMC [§142.0640\(b\)\(1\)](#)
5. Projects proposing more than one ADU will be required to pay the Regional Transportation Congestion Improvement Program Fees

V. How to Apply

Applications for Accessory Dwelling Units and Junior Accessory Dwelling Units are now being accepted in digital paperless formats through an [Online Permitting Account](#). Payments may also be made in person at the Development Services Department. For additional information, please visit our [Fees](#) page on the DSD website.

A. Digital Application Portal

1. Navigate to the Development Services Application Portal.
 - a. For new Permit Applications, request: "Building Permit"
 - b. For changes to existing issued Permits (under construction), request: "Construction Change to a Building Permit."

Reference Table

- [General Application](#), DS-3032
- [Information Bulletin 122](#), "How to Prepare a Site Plan and Vicinity Map"
- [Information Bulletin 146](#), "School Fees"
- [Information Bulletin 501](#), "Fee Schedule for Construction Permits-Structures"
- [San Diego Municipal Code](#) (SDMC)
- [Storm Water Applicability Checklist](#), DS-560
- [Water Meter Data Card](#), DS-16
- [Zoning Address Look-Up](#)
- [Zoning and Parcel Information Portal \(ZAPP\)](#)

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