

**Chapter 11: Land Development Reviews**  
**Article 3: Land Development Terms**  
**Division 1: Definitions**

**§113.0103 Definitions**

Companion Unit means an attached or detached dwelling unit that is an accessory use for a single dwelling unit on a residential lot that provides independent living facilities for one or more persons, independent of the primary dwelling unit. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same residential lot.

Junior Unit means a dwelling unit that is 500 square feet, or less, in size and contained entirely within an existing habitable, single dwelling unit. The unit requires a separate exterior entry, with an interior connection to the main living area, and shall include an efficiency kitchen. An efficiency kitchen requires a sink with a maximum waste line diameter of 1.5 inches, a cooking facility with appliances that do not require electrical service of more than 120 volts, or use natural or propane gas, and food preparation counter and storage cabinets. A Junior Unit may include a bathroom, or may share a bathroom with the primary dwelling unit.

*Multiple dwelling unit* means a building containing two or more dwelling units on a single lot. The term does not include, -companion units, junior units or employee housing.

**Article 1: Separately Regulated Use Regulations**

**Division 3: Residential Use Category--Separately Regulated Uses**

*(Added 12-9-1997 by O-18451 N.S.)*

**§141.0301** [No change]

**§141.0302** **Companion Units and Junior Units**

~~A Companion units is a and junior units dwelling unit that is an accessory use for a single dwelling unit on a residential lot that provides complete living facilities, including a kitchen, independent of the primary dwelling unit. Companion units~~ are permitted, as a limited use in accordance with Process One in the zones indicated with an “L” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) and Chapter 15, Article 1, Division 4 (General and Supplemental Regulations), subject to the following regulations:

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- (a) Before a Building Permit may be issued for a ~~companion- junior~~ unit, the record owner shall enter into an agreement with the City in a form that is acceptable to the City Attorney. The agreement shall include the following provisions: that neither the primary dwelling unit nor the ~~companion- junior~~ unit may be sold or conveyed separately from each other and that the record owner shall reside in the primary dwelling unit or the ~~companion- junior~~ unit. The City will submit the agreement to the County Recorder for recordation. The agreement shall run with the land and be coterminous with the life of the ~~companion- junior~~ unit.
- (b) ~~No more than one companion unit is permitted on a premises. A companion unit may not be sold or conveyed separately.~~
- (c) Only one companion unit or junior unit is permitted on a premises. Guest quarters and non-habitable structures shall be permitted in addition to the companion unit or junior unit. All structures shall comply with building spacing requirements in accordance with Section 131.0450.
- ~~(e)~~(d) Within a multiple dwelling unit zone, a companion unit is permitted on any premises that would otherwise be limited to a maximum of ~~one-two~~ single dwelling units or a multiple dwelling unit based on the allowable density and existing area of the premises. Dwelling units on a premises that can accommodate density for multiple dwelling units shall be regulated in accordance with applicable zoning and not subject to Section 141.0302.
- ~~(e) A junior unit shall not exceed 500 square feet and shall be exempt from providing parking.~~
- ~~(f) The gross floor area of the companion unit shall be included in the floor area ratio calculation for the premises. The gross floor area for an attached companion unit shall not exceed 50 percent of the existing habitable dwelling unit. A maximum increase of 1,200 square feet is allowed for an attached or detached companion unit.~~
- ~~(d)~~(g) ~~A companion unit may be attached to or detached from the primary dwelling unit on the premises. No passageway shall be required in conjunction with the construction of a companion unit.~~
- ~~(h) An existing permitted garage or non-habitable accessory structure that is converted to a companion unit may maintain the existing setbacks in compliance with the California Building Code and California Fire Code.~~
- ~~(i) Proposed companion units may encroach within the side and rear yard setbacks up to the property line subject to the following:~~
- (1) A one story shall not exceed a maximum length of 30 feet;

(2) Above one *story*, a maximum 5 foot *setback* is required or the minimum required by the zone, whichever is less.

~~(e)(j)~~ If access from an improved abutting *alley* exists, vehicular access to parking spaces for the *companion unit* shall be from the *alley* unless the *premises* has a garage that accommodates all *off-street parking* required in accordance with this section, except for *premises* located in the Beach Impact Area or any other zones in which vehicular access from the alley is required.

~~(f)~~ ~~If an existing garage is converted to a companion unit, another garage shall be provided on the premises to replace the converted parking spaces.~~

~~(g)(k)~~ Parking for the entire *premises* shall be brought into compliance with Chapter 14, Article 2, Division 5 (Parking Regulations) and with this section: except as otherwise indicated herein.

~~(h)(l)~~ ~~One standard *off-street parking space* is required for each *bedroom* in the companion unit, with a minimum requirement of one *parking space* per companion unit. Replacement parking shall be provided on the *premises* when an existing garage is converted to a *companion unit* or demolished in conjunction with the construction of a *companion unit*;~~

(1) The replacement parking spaces(s) may be located in any configuration within the *setback* areas and may include, covered, uncovered, tandem spaces or mechanical lifts. Each parking space shall provide safe and efficient means of vehicular access to the parking space.

(A) Tandem parking shall be allowed even though the *premises* is not located within the Residential Tandem Parking Overlay Zone.

~~(i)(m)~~ Off-street parking required by this section shall not be located in the area between the *street wall* and the front *property line*. The *companion unit* shall be exempt from providing parking if any of the following apply:

(1) Unit is 500 square feet or less;

(2) Unit is located within the *transit area* or one-half mile of a transit priority area as defined in California Public Resources Code Section 210997;

(3) Unit is located within a *designated historical resource* area;

(4) Unit is part of the existing *single dwelling unit* or an existing permitted habitable *dwelling unit*;

(5) Unit is located within a residential permit parking district;

(6) Unit is one block from a car shared vehicle station;

(7) Unit is one block from a bike share station.

(j)(n) ~~The gross floor area of the companion unit shall be included in the floor area ratio calculation for the premises.~~ Required off-street parking shall be provided at a 0.5 parking space per bedroom, with a minimum requirement of one parking space per companion unit.

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~~(k)~~ — The *gross floor area* of the companion unit shall not exceed 700 square feet.

~~(l)~~(o) One 24-inch box tree shall be planted in the required front *yard* of the *premises* or in the abutting *parkway*. Existing trees that are at least 15 feet high and 15 feet in width may be used to satisfy this requirement.

~~(m)~~ — Maximum *structure height* for companion units:

~~(1)~~ — For companion units located above a garage or other *accessory building*:

~~(A)~~ — The maximum *structure height* for flat-roofed *structures* is 21 feet; and

~~(B)~~ — The maximum *structure height* is 30 feet for sloped-roofed *structures* with a roof pitch of at least 3:12 (3 vertical feet to 12 horizontal feet).

~~(2)~~ — For detached companion units, not above a garage or other *accessory building*:

~~(A)~~ — 15 feet without a chimney or flue, or

~~(B)~~ — 17 feet with a chimney or flue.

~~(n)~~ — Companion unit entrances shall not be located on the building *street wall* or within the front 50 percent of the *structure*.

~~(o)~~(p) Within the Coastal Overlay Zone, *companion units* are subject to the provisions of Chapter 12, Article 6, Division 7.

## §126.0303 When a Conditional Use Permit Is Required

### (a) Conditional Use Permits Decided by Process Three

Agricultural equipment repair shops

Agriculture-related supplies and equipment sales

Alcoholic beverage outlets (under circumstances described in Section 141.0502)

Assembly and entertainment uses, including places of religious assembly (under circumstances described in Section 141.0602)

Automobile service stations

Bed and breakfast establishments (under circumstances described in Section 141.0603)

Child Care Centers

Commercial stables

*Companion units* and *junior units*

Continuing care retirement communities

## §131.0112 Descriptions of Use Categories and Subcategories

(a) 1 and 2 [no change in text]

### (3) Residential Use Category

This category includes uses that provide living accommodations for one or more persons. The residential subcategories are:

(A) *Rooming houses*. *Rooming house* has the same meaning as in San Diego Municipal Code Section 113.0103.

(B) *Mobilehome Parks* — A *premises* with two or more mobilehomes used as dwelling units other than *companion units* and *junior units* or employee housing.

(C) *Multiple Dwelling Units* — Dwelling units where more than one dwelling unit is located on a single *lot*.

(D) *Single Dwelling Units* — Dwelling units where no more than one dwelling unit is located on a *lot*, usually detached, and occupied by a single household unit.

**§132.1510 Noise Compatibility**

Table 132-15D  
Noise Compatibility Criteria

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Aircraft Noise Exposure (dB CNEL)			
	60-65	65-70	70-75	75-80
<b>Separately Regulated Residential Uses</b>				
<i>Boarder &amp; Lodger Accommodations</i>			Classify with primary use	
<i>Companion Units <u>and Junior Units</u></i>	P <sup>2</sup>	-	-	-

**§132.1535 Previously Conforming**

- (a) [no change in text]
- (b) Reconstruction, alteration or expansion of a *previously conforming* use or *structure* may be permitted with a Building Permit as follows:
  - (1) *Previously conforming single dwelling units* and associated *companion units and junior units*, as applicable, may-be reconstructed, altered or expanded in compliance with the development regulations of the underlying base zone.

2 through 4 [no change in text]



**§131.0222 Use Regulations Table for Open Space Zones**

Table 131-02B

Use Regulations Table for Open Space Zones

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones					
	1st & 2nd >>	OP-		OC-	OR <sup>(1)</sup> -		OF <sup>(11)</sup> -
	3rd >>	1-	2-	1-	1-		1-
	4th >>	1	1	1	1	2	1
<b>Separately Regulated Residential Uses:</b>							
<i>Boarder &amp; Lodger Accommodations</i>		-	-	-	L		-
<i>Companion Units <u>and Junior Units</u></i>		-	-	-	CP		-
Continuing Care Retirement Communities		-	-	-	-		-

**§131.0322 Use Regulations Table for Agricultural Zones**

Table 131-03B

Use Regulations Table for Agricultural Zones

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones			
	1st & 2nd >>	AG		AR	
	3rd >>	1-		1-	
	4th >>	1	2	1	2
<b>Separately Regulated Residential Uses</b>					
<i>Boarder &amp; Lodger Accommodations</i>		-		L	
<i>Companion Units <u>and Junior Units</u></i>		-		L	
Continuing Care Retirement Communities		-		-	

**§131.0422 Use Regulations Table for Residential Zones**

Table 131-04B  
Use Regulations Table for Residential Zones

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones																						
	1st & 2nd >>	RE-	RS-												RX-		RT-							
	3rd >>	1-	1-												1-		1-							
	4th >>	1	2	3	1	2	3	4	5	6	7	8	9	10	11	12	13	14	1	2	1	2	3	4
<b>Separately Regulated Residential Uses</b>																								
<i>Boarder &amp; Lodger Accommodations</i>		L	L												L		L							
<i>Companion Units <u>and Junior Units</u></i>		L	L												L		L							
Continuing Care Retirement Communities		-	-												-		-							

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones												
	1st & 2nd >>	RM-												
	3rd >>	1-			2-			3-			4-		5-	
	4th >>	1	2	3	4	5	6	7	8	9	10	11	12	
<b>Separately Regulated Residential Uses</b>														
<i>Boarder &amp; Lodger Accommodations</i>		L	L			L			L		L			
<i>Companion Units <u>and Junior Units</u></i>		L	L			L			L		L			
Continuing Care Retirement Communities		C	C			L			L		L			

**§131.0522 Use Regulations Table for Commercial Zones**

Table 131-05B

Use Regulations Table for Commercial Zones

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones														
	1st & 2nd >>	CN <sup>(1)</sup> -					CR-		CO-			CV-		CP-		
	3rd >>	1-					1-	2-	1-	2-	3-	1-	1-			
	4th >>	1	2	3	4	5	1	1	1	2	1	2	1	2	1	2
<b>Separately Regulated Residential Uses</b>																
<i>Boarder &amp; Lodger Accommodations</i>																
L <sup>(2)</sup> L    -    L    -    -    L <sup>(2)</sup> -																
<i>Companion Units and Junior Units</i>																
-    -    -    -    -    -    -    -																
<i>Continuing Care Retirement Communities</i>																
C <sup>(2)</sup> C    -    C    -    C    C <sup>(2)</sup> -																

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones																								
	1st & 2nd >>	CC-																								
	3rd >>	1-				2-				3-				4-				5-								
	4th >>	1	2	3	1	2	3	4	5	4	5	6	7	8	9	1	2	3	4	5	6	1	2	3	4	5
<b>Separately Regulated Residential Uses</b>																										
<i>Boarder &amp; Lodger Accommodations</i>																										
L    -    L    L    L																										
<i>Companion Units and Junior Units</i>																										
-    -    -    -    -																										
<i>Continuing Care Retirement Communities</i>																										
C    -    C    C    C <sup>(15)</sup>																										

**§131.0622 Use Regulations Table for Industrial Zones**

Legend for Table 131-06B  
Use Regulations Table for Industrial Zones

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones									
	1st & 2nd >>	IP-			IL-			IH-		IS-	IBT-
	3rd >>	1-	2-	3-	1-	2-	3-	1-	2-	1-	1-
	4th >>	1	1	1	1	1	1	1	1	1	1
<b>Separately Regulated Residential Uses</b>											
<i>Boarder &amp; Lodger Accommodations</i>	-	-	-	-	-	-	-	-	-	-	-
<i>Companion Units <u>and Junior Units</u></i>	-	-	-	-	-	-	-	-	-	-	-
Continuing Care Retirement Communities	-	-	L <sup>(17)</sup>	-	-	-	-	-	-	-	-

**§142.0680 Cost Reimbursement District Regulations**

(a) though (f)(1) [No change in text]

(f)(2) Notice and Hearing on Formation of Cost Reimbursement District.

A) [No change in text]

(B) The City Clerk shall cause a notice of the hearing, in substantially the following form, to be published once in a newspaper of general circulation in the City at least ten (10) calendar days prior to the hearing:

**NOTICE OF HEARING**

The City Council of the City of San Diego will hold a public hearing at \_\_\_\_\_ on \_\_\_\_\_ at the City Council Chambers on the 12th Floor of the City Administration Building, 202 C Street, San Diego, California, 92101 to consider the establishment of a reimbursement district for the financing of certain public facilities and related improvements within the City otherwise known as the Cost Reimbursement District No. (\_\_\_\_\_).

Your property is located within the proposed boundaries of the cost reimbursement district and may be subject to a lien to pay a portion of the cost of providing such facilities. If, within a twenty-year period from the date of forming this district, you either file a final map or are issued a building permit, the lien amount will become due and payable. Payment of the lien under these reimbursement proceedings shall not be required in the following circumstances:

(a) [No change in text]

(b) For issuance of a building permit for the addition of accessory structures to an existing dwelling unit provided the accessory structure is not a *companion unit* or junior unit.

(c) through (e) [No change in text]

(f)(2)(C) [No change in text]

(g) [No change in text]

(h) Lien on Property

(1) through (6) [No change in text]

(7) If, during the period following the formation of the cost reimbursement district, any person records a *final map* (subdivision, parcel, or consolidation map) or applies for a building permit for construction on a lot for which a lien for *public improvements* has been established in accordance with section 142.0680, and such person or predecessor in interest has not paid the lien to the City, the established lien shall be paid prior to the earlier of the filing of the *final map* or the issuance of the building permit. Payment of the lien shall not be required in the following circumstances:

(A) For issuance of a building permit for improvements to an existing residential *dwelling unit*.

(B) For issuance of a building permit for the addition of *accessory structures* to an existing *dwelling unit* provided the *accessory structure* is not a *companion unit* or junior unit.

(7)(C) through (E) [No change in text]

### §155.0238 Use Regulations Table of CU Zones

Table 155-02C

#### Use Regulations Table for CU Zones

Use Categories/Subcategories [See Land Development Code Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones									
	1st & 2nd >>	CU-									
	3rd >>	1 <sup>-(1)</sup>		2-			3-				
	4th >>	1	2	3	4	5	3 <sup>(2)(12)</sup>	6	7	8	
Separately Regulated Residential Uses											
<i>Boarder &amp; Lodger Accommodations</i>		L		L			L				
<i>Companion Units <u>and Junior Units</u></i>		L		-			-				
Continuing Care Retirement Communities		C		C			C				

**§1510.0303 Single-Family Zone - Permitted Uses**

(a) through (b) [no change in text]

(c) Boarder and lodger accommodations; *Companion units* and *junior units*; Family day care homes; Garage, yard and estate sales; Guest quarters and habitable accessory buildings; Home occupations; Community gardens; and Temporary real estate sales offices and model homes as a limited use in accordance with the applicable regulations in Chapter 14, Article 1 (Separately Regulated Use Regulations).

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