

**CLERK OF THE BOARD OF SUPERVISORS
EXHIBIT/DOCUMENT LOG**

MEETING DATE & AGENDA NO. 03/04/2026 #5

STAFF DOCUMENTS (Numerical)

No.	Presented by:	Description:
1.	Staff	20-page PowerPoint Presentation
2.		
3.		
4.		

PUBLIC DOCUMENTS (Alphabetical)

No.	Presented by:	Description:
A.		
B.		
C.		
D.		



County of San Diego



ADU Zoning Ordinance Amendment including Separate Sale of ADUs

Board of Supervisors

March 4, 2026

Agenda Item 5

Project Outcomes

Compliance with Mandatory State Law

- Supports periodic Zoning Ordinance updates
- Reorganizes ordinance for clear public guidance

Separate Sale of ADUs

- Supports attainable homeownership opportunities
- Supports aging in place and generational wealth building

**ADU Zoning
Ordinance
updates to align
with State Law**



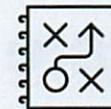
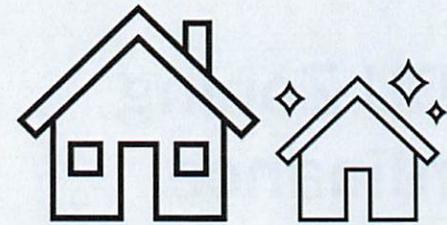
Draft ADU Zoning Ordinance Changes

Benefits of ADUs

- Increased housing supply
- Easy integration into existing neighborhoods
- Multigenerational living opportunities

Summary of Ordinance Changes:

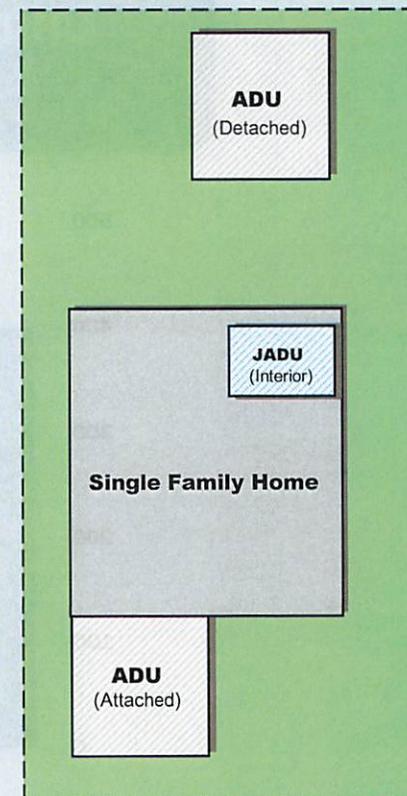
- Updated language to reflect new mandatory State laws from 2023 and 2024
- Improved clarity and public guidance



ADU Development Allowed Today

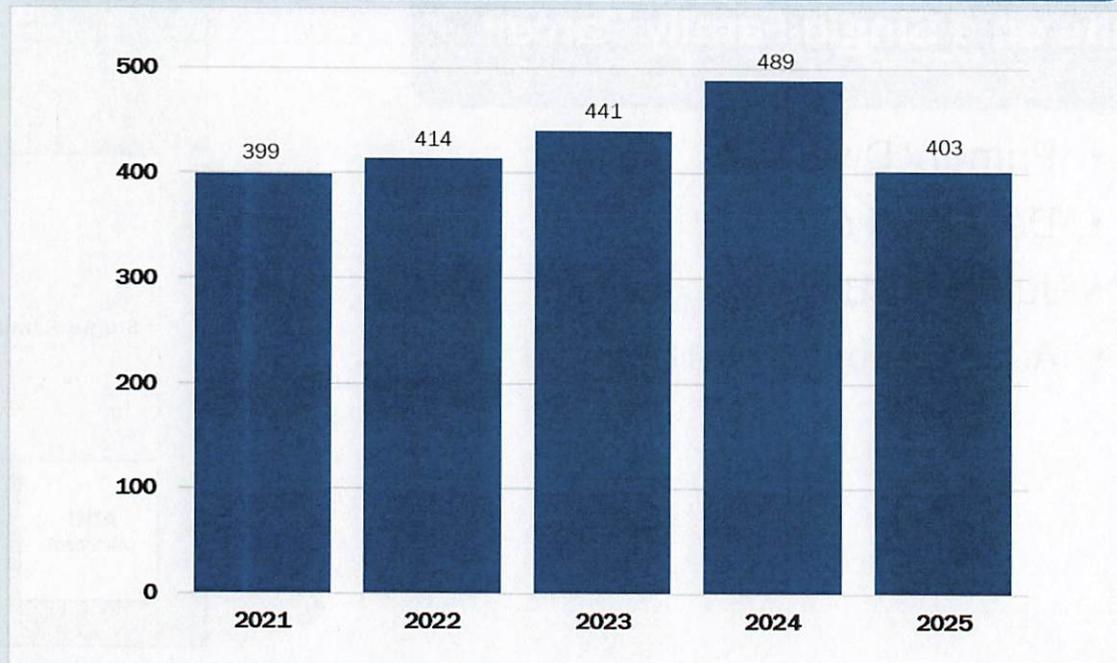
4 Units on a Single-Family Parcel:

- Primary Dwelling
- Detached ADU
- Junior ADU (JADU)
- Attached or Converted ADU



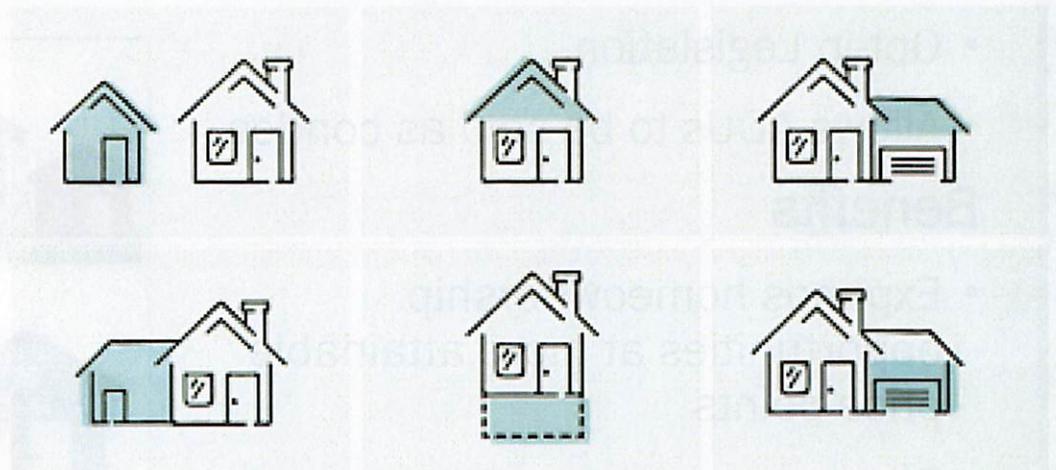
Unincorporated County Permitted ADUs

Unincorporated County Permitted ADUs 2021-2025



Accessory Dwelling Units as Homeownership Opportunities

AB 1033 – Opt-in State Legislation



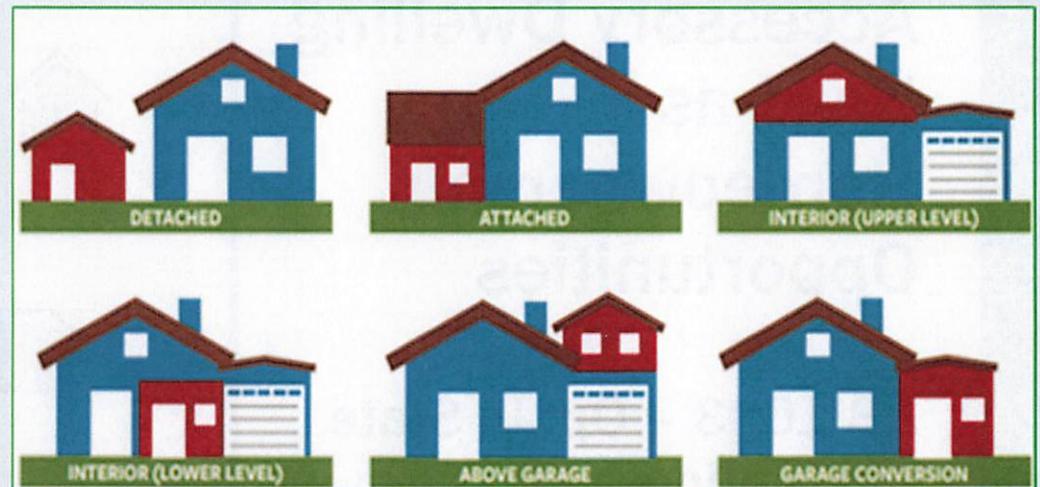
Separate Sale of ADUs – AB 1033

Assembly Bill 1033 (2023):

- Opt-in Legislation
- Allows ADUs to be sold as condos

Benefits

- Expands homeownership opportunities at more attainable price points
- Supports housing access across a wider range of income levels
- Provides options to downsize, helping seniors age in place



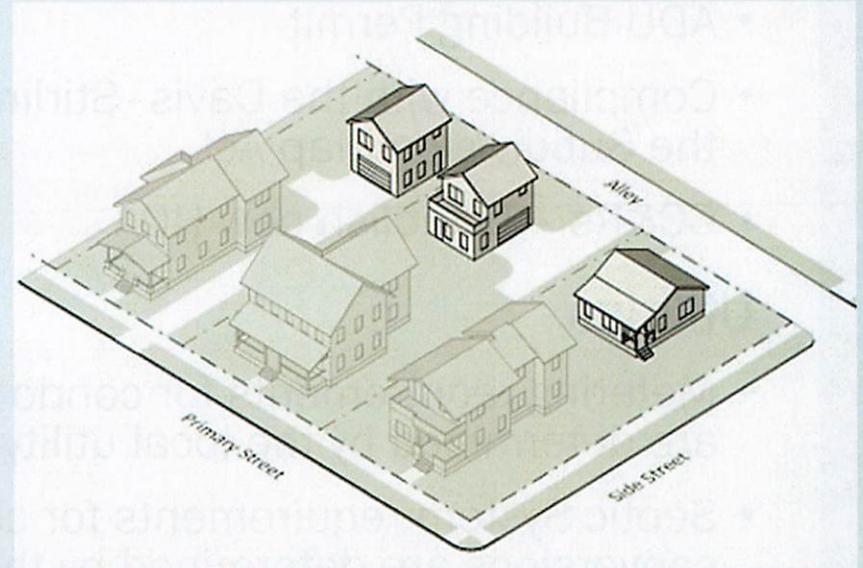
Separate Sale of ADUs – Board Direction

Board Direction:

- March 2024: Evaluate AB 1033.
- October 2024: Directed staff to move forward with development of local program for separate sale of ADUs.

Local Program:

- Locally tailored eligibility criteria for the unincorporated area.
- Public input will shape draft options for local eligibility criteria.



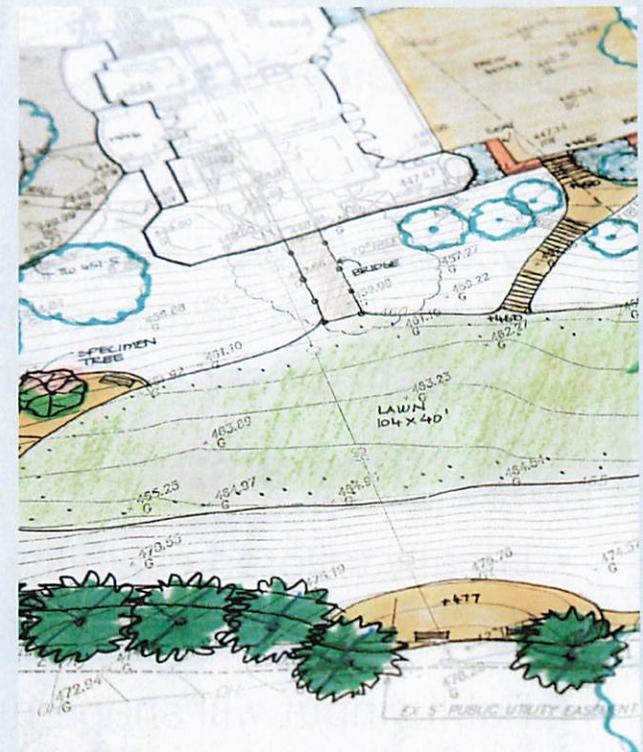
Separate Sale of ADUs – Condos

Condo Creation Requirements

- ADU Building Permit
- Compliance with the Davis–Stirling Act and the Subdivision Map Act
- CC&Rs – Establish new HOA

Utilities

- Metering requirements for condo conversions are determined by the local utility provider.
- Septic System requirements for condo conversions are determined by the Department of Environmental Health and Quality.



Community Engagement



Community Engagement

Stakeholder Groups

- County Residents
- Building Industry
- Environmental Groups
- Housing Advocates
- County Departments

Engagement Activities

- Public Webinars
- Community Planning Groups
- Small Group Discussions

CPG/CSG Presentations

- Lakeside
- Valley Center
- Spring Valley
- Sweetwater
- Crest/ Dehesa/ Harbison Canyon/ Granite Hills
- Warner Springs
- Campo/Lake Morena
- Rainbow
- Fallbrook
- Valle de Oro
- CPSG All Chairs Quarterly

Stakeholder Feedback



**Development
Requirements &
Approvals**

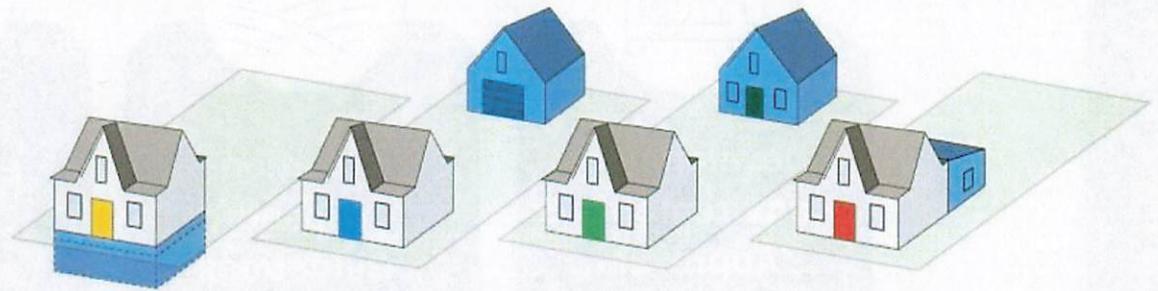
**Location-
Based
Guidelines**

**Fire Severity
Zones**

**Impacts on
Affordability**

State law defines how these concepts apply to ADUs.
The separate sale of ADUs would not create new
rights to build ADUs or prevent ADU construction.

Program Options for Local Eligibility Criteria

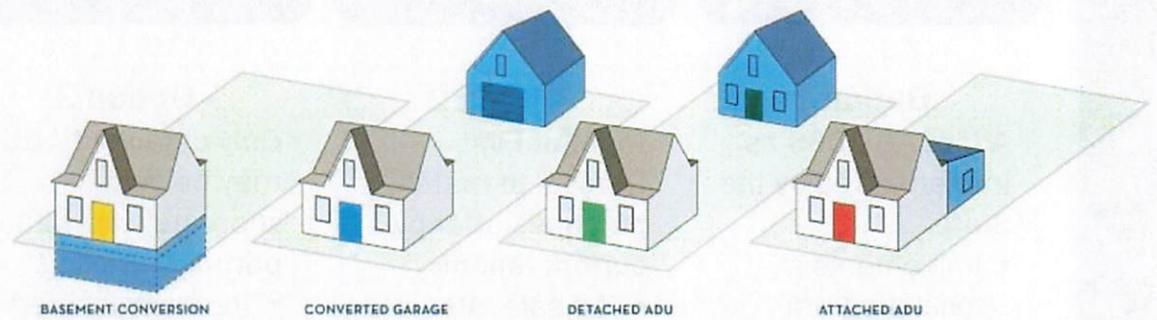


Program Options for Local Eligibility Criteria

State Framework	Right of First Refusal	Detached ADUs Only	New Construction Only	Do not Opt In to AB 1033
Option 1 Adopt AB 1033 as implemented by the State. <ul style="list-style-type: none">• Implements a local program consistent with State law, with no additional local criteria.	Option 2 Right of First Refusal to match purchase offer by a current tenant. <ul style="list-style-type: none">• If a sale offer is received, the right-holder has 60 days to match.	Option 3 Only detached ADUs may be sold separately from the primary dwelling. <ul style="list-style-type: none">• Reducing shared infrastructure easements management for owners.	Option 4 Only ADUs that have been constructed as condos may be sold as condos <ul style="list-style-type: none">• New ADUs may better account for shared spaces and parking	Option 5 The County would not adopt provisions allowing the separate sale of ADUs. <ul style="list-style-type: none">• Existing regulations would remain in place.



Recommendations



Planning Commission

Planning Commission Hearing

- Adopt a local program for the separate sale of ADUs as written under AB 1033
- No additional local eligibility criteria
- Most flexible and expansive option for implementing program



Community Planning and Sponsor Groups

5 CPSG Submitted Comment Letters

- Valley Center, Fallbrook, Hidden Meadows, Bonsall, and Pine Valley

2 CPGs took a vote

- Valley Center and Fallbrook voted to have the County to opt-out of creating a local program under AB 1033



Request for the Board

Find the ordinance is exempt from CEQA.

Consider and adopt zoning ordinance updates to align the existing ADU ordinance with mandatory State law.

Consider zoning ordinance updates to allow the separate sale of ADUs and provide direction regarding local eligibility criteria.



County of San Diego



ADU Zoning Ordinance Amendment including Separate Sale of ADUs

Board of Supervisors

March 4, 2026

Agenda Item 5