

AGENDA
SPECIAL MEETING OF THE CITY COUNCIL
LAND USE / ECONOMIC DEVELOPMENT SUBCOMMITTEE
Agoura Hills City Hall - City Manager's Conference Room
30001 Ladyface Court, Agoura Hills, California 91301
Monday, October 6, 2025
3:00 PM

Please silence all cell phones and other electronic devices during the meeting.

NOTE: *The Subcommittee and City staff will be participating in this meeting in-person in the City Manager's Conference Room. Members of the public have the opportunity to participate in-person in the conference room. For public participation on items listed on this Agenda, refer to "Public Comments" below.*

PUBLIC PARTICIPATION (PUBLIC COMMENT)

Option A: To provide public comments in-person at the meeting

Members of the public have an opportunity to attend the meeting in-person and speak or submit a written comment on any item listed on this Agenda. Public testimony is limited to three (3) minutes per speaker; a speaker's time may not be transferred to another speaker. Written public comments submitted at the meeting are not read aloud by staff.

To request to speak in-person at the meeting. *The Subcommittee will open the floor for public comment and any in-person attendee who raises their hand will have the opportunity to speak. Public testimony is limited to three (3) minutes per speaker; a speaker's time may not be transferred to another speaker.*

Option B: To submit written public comments by e-mail (prior to the meeting)

Members of the public have an opportunity to submit email correspondence on any item listed on the Agenda by sending an email to: comments@agourahillscity.gov. All public correspondence received by 2:00 p.m. on the meeting date will be provided to the Subcommittee prior to the meeting. Public comments are not read into the record. Any public comments received after 2:00 p.m. on the meeting day will not be considered as part of the Subcommittee's deliberations or entered into the official record, but will be provided to the Subcommittee the next day.

CALL TO ORDER

ROLL CALL

Mayor Penny Sylvester
Councilmember Deborah Klein Lopez

APPROVAL OF AGENDA

PUBLIC COMMENTS

(This section is reserved for persons wishing to address items not listed on the Agenda that are under the subject matter jurisdiction of the City Council. Please refer to "Public Participation" above for full details on how to speak or submit written public comments under this category.)

DISCUSSION ITEMS

- 1. Draft ADU Ordinance Amendment
- RECOMMENDATION: Review the draft ADU Ordinance and provide directions to staff.

SUBCOMMITTEE OR STAFF COMMENTS

ADJOURNMENT

Date Posted: October 6, 2025



REPORT TO LAND USE ECONOMIC DEVELOPMENT SUBCOMMITTEE

DATE: OCTOBER 6, 2025

TO: HONORABLE MEMBERS OF THE LAND USE / ECONOMIC DEVELOPMENT SUBCOMMITTEE

FROM: NATHAN HAMBURGER, CITY MANAGER

BY: KATRINA GARCIA, ASSOCIATE PLANNER
ROBBY NESOVIC, PRINCIPAL PLANNER

SUBJECT: DRAFT ADU ORDINANCE AMENDMENT

BACKGROUND

On August 25, 2021, the City Council adopted Ordinance No. 21-456, replacing the previous ADU Ordinance (No. 17-434) to reflect changes in state law related to Accessory Dwelling Units (ADUs) and Junior ADUs (JADUs). Ordinance No. 21-456 was submitted to the California Department of Housing and Community Development (HCD) for review, and on February 3, 2023, HCD issued a letter to the City identifying several sections that did not comply with state law (then under Government Code §§ 65852.2 and 65852.22). Since receiving the HCD letter, numerous additional amendments to state law have rendered portions of Ordinance No. 21-456 outdated or inconsistent. In May 2025, HCD sent a follow-up letter identifying additional conflicts resulting from the legislative changes.

The Draft ADU Ordinance Amendment ("Ordinance") presented in this report addresses the compliance issues raised in HCD's 2023 and 2025 letters, along with other recent state-level updates, and how the City proposes to address the legislative changes. The purpose of this item is to discuss and receive feedback on the draft policy language in the Ordinance.

DISCUSSION

Over the past four years, the Government Code pertaining to ADUs has undergone significant revisions. These changes have affected both the substance and organization of the applicable regulations, prompting the need for a comprehensive update to the City's ADU Ordinance. In response, staff proposes to repeal and replace the existing ADU Ordinance (§ 9283 through 9283.6 of Article IX of the Agoura Hills Municipal Code). A draft of the Ordinance is attached to this report as Exhibit A.

The Ordinance has been reorganized to improve clarity, consistency with state law, and ease of use for both applicants and City staff. In particular, the Ordinance now distinguishes more clearly between state-exempt ADUs and Junior ADUs (JADUs), and those that are subject to local development standards. This structure is intended to give both applicants and staff a clearer understanding of development standards, legal deadlines and procedural expectations earlier in the review process.

Key changes between the current ordinance and the proposed amendment include:

- Clear separation between state-exempt and non-exempt ADUs and JADUs
- Deed restrictions and covenant requirements now apply only to JADUs
- Removal of discretionary fire safety review provisions

- Development standards for state-exempt ADUs and JADUs defer to the Government Code
- Measurement changes from gross floor area to interior livable space

A dedicated section has been added for state-exempt ADUs and JADUs (§ 9283.2). These units, which are protected under state law, include those up to 800 square feet with rear and side setbacks of four feet or less (See attached Exhibit B for additional state-exempt ADUs). Rather than restating these protections throughout the ordinance, they are consolidated in one section for clarity. Much of the development criteria for state-exempt units directly references state law. This approach ensures the ordinance remains enforceable even if the state modifies its ADU regulations in the future. One recent state-level change allows up to eight detached ADUs on existing multi-family properties, provided the number of ADUs does not exceed the number of existing units on the lot.

Provisions related to deed restrictions and covenants now apply exclusively to JADUs. These requirements include a minimum rental term of 30 consecutive days, a prohibition on separate sale or conveyance from the primary dwelling, and a mandate for owner occupancy in either the JADU or the main structure. The City can no longer impose covenant requirements on non-exempt ADUs but must continue to enforce the minimum 30-day rental term. Staff proposes to monitor compliance with this requirement using the City's short-term rental tracking software, Avenu. To align the ADU Ordinance with the Short-Term Rental Ordinance, staff proposes an amendment to paragraph A of Agoura Hills Municipal Code § 61005. This change will enable the City to regulate rental terms for ADUs that are not subject to deed restrictions or covenants.

A separate section for non-exempt ADUs and JADUs (§ 9283.3) retains local development standards for units that exceed 800 square feet, such as regulations concerning lot coverage, front yard setbacks, equestrian overlays, oak tree protection, and certain architectural design elements.

One of the most notable changes in the Ordinance is the removal of the fire safety review currently found in § 9283.2. This section previously allowed the Community Development Director to impose additional fire safety measures—such as setbacks, parking, sprinklers, or hydrants—on properties proposing more than one ADU or JADU that lacked two points of vehicular access. However, HCD has determined that cities cannot impose such discretionary limitations on the number of ADUs allowed on a lot. Staff has removed this provision in response to HCD's letter and state law requirements.

In anticipation of SB 543's approval, the proposed amendment also clarifies how ADUs and JADUs are measured. Under the current ordinance, the City uses gross floor area, which includes all space within the exterior walls. SB 543, however, redefines the measurement to include only interior livable space. As a result, structures may be physically larger, since non-habitable areas such as interior walls, mechanical rooms, and stairwells would no longer count toward the size limit.

In summary, staff believes the proposed amendments will bring the City's ADU Ordinance into full compliance with the requirements of HCD and the Government Code, and will reduce or eliminate the need for the City to continuously revise our ADU regulations. The revisions will also improve clarity and usability by clearly distinguishing which regulations the City is authorized to enforce, making implementation more straightforward for current and future staff.

NEXT STEPS

Staff will update the Ordinance based on any comments received from the LUEDC. The Ordinance will then be presented to the Planning Commission and subsequently to the full City Council.

FISCAL IMPACT

The City's Fiscal Year 2025-26 Budget will not be impacted by the ADU Ordinance. Staff time would be used to enforce the regulations of the ADU Ordinance.

RECOMMENDATION

Staff recommends the LUEDC review the draft ADU Ordinance and provide comments and directions to staff.

Attachments

[Exhibit A - Draft ADU Ordinance 25-XXX.pdf](#)

[Exhibit B - State Exempt ADUs.pdf](#)

DRAFT ORDINANCE NO. 25-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING ARTICLE IX (ZONING) OF THE AGOURA HILLS MUNICIPAL CODE TO REPEAL AND REPLACE THE ADU REGULATIONS IN SECTION 9283, AMEND RELATED DEFINITIONS IN SECTION 9120 CONSISTENT WITH STATE LAW, AND AMEND SECTION 61005 TO CLARIFY SHORT-TERM RENTAL PROHIBITIONS; AND MAKING A DETERMINATION OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

WHEREAS, the California Legislature has adopted Senate Bill 477 (2024), an urgency statute that repealed and replaced Government Code Sections 65852.2, 65852.22, and related provisions governing accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs); and

WHEREAS, SB 477 consolidated and reorganized the State's Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU) laws into Chapter 13 (commencing with Section 66310) of Division 1 of Title 7 of the Government Code, now codified as Government Code Sections 66310 through 66342; and

WHEREAS, these statutory changes require all California cities, including charter cities, to amend their local ADU ordinances to ensure consistency with the updated state framework and avoid statutory preemption; and

WHEREAS, on August 25, 2021, the City Council of the City of Agoura Hills adopted Ordinance No. 21-456, updating local standards for ADUs in accordance with then-existing provisions of Government Code Sections 65852.2 and 65852.22; and

WHEREAS, the amendments to state law enacted since 2021 have rendered portions of the City's existing ADU ordinance obsolete, necessitating its repeal and replacement to maintain compliance with current state requirements; and

WHEREAS, the City Council desires to adopt updated ADU regulations that align with Government Code Sections 66310 through 66342, while also preserving local objectives related to neighborhood character, infrastructure capacity, and the City's General Plan goals; and

WHEREAS, the updated ordinance reflects the City's commitment to supporting housing affordability, infill development, and sustainable land use in a manner consistent with state law and local priorities; and

WHEREAS, the Planning Commission held a duly noticed public hearing on October 16, 2025 to consider the proposed Ordinance as required by law, at which the Planning Commission received testimony from City staff and all interested parties regarding the proposed Municipal Code amendments. Following the close of the public hearing the Planning Commission adopted Resolution No. 25-_____ recommending approval of the Ordinance; and

WHEREAS, the City Council held a duly noticed public hearing on _____, received public comment, considered the staff report and recommendations, and finds

that the adoption of this Ordinance is in the interest of public health, safety, and welfare and consistent with the City's General Plan and Housing Element.

NOW, THEREFORE, the City Council of the City of Agoura Hills, California hereby ordains as follows:

Section 1. The facts set forth in the recitals of this Ordinance are true and correct.

Section 2. The proposed Ordinance aligns with the objectives of Article IX (Zoning) of the Agoura Hills Municipal Code and is consistent with the City's General Plan. It supports Goal H-3 of the General Plan Housing Element, which promotes providing a variety of housing options to meet the diverse lifestyle needs and income levels of Agoura Hills residents. In particular, the Ordinance advances Policy H-3.5 by encouraging the development of new accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) across all residential zones, helping to distribute smaller, more affordable housing units throughout the community.

Section 3. Zoning Code Amendment. The definitions of "Accessory dwelling unit" and "Junior accessory dwelling unit" in Sections 9120.1 (A) and 9120.5 (E) of Part 3 (Definitions) of Chapter 1 (Introduction) of Article (IX) Zoning of the Agoura Hills Municipal Code are hereby amended to read as follows, with deleted language shown in ~~strikeout~~ and new language shown in underline; with all other definitions to remain unchanged:

"Accessory dwelling unit. "Accessory dwelling unit" or "ADU" means a detached or attached residential dwelling unit that provides complete, independent living facilities for one (1) or more persons and is located on a lot with a proposed or existing primary residence. The unit shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An ADU also includes the following:

1. An efficiency unit, as defined by Section 17958.1 of the California Health and Safety Code and the California Building Code; and
2. A manufactured home, as defined by Section 18007 of the California Health and Safety Code."

"Junior accessory dwelling unit. "Junior accessory dwelling unit" or "JADU" means a unit that is no more than five hundred (500) square feet of interior livable space in size and contained entirely within a single-family residence, ~~excluding an attached garage~~. A junior accessory dwelling unit may include separate sanitation facilities or may share sanitation facilities with the existing structure. A junior accessory dwelling unit must have exterior access that is independent of that for the single-family dwelling."

Section 4. Zoning Code Amendment. Paragraph "A" of Section 61005 (Prohibitions) of Chapter 10 (Short-term rental regulations) of Article VI (Taxes; Licenses; Business Regulations) of the Agoura Hills Municipal Code is hereby amended to read as follows, with deleted language shown in ~~strikeout~~ and new language shown in underline; with all other provisions of that section to remain unchanged:

"A structure may not be used as a short-term rental unit if it is subject to use limitations imposed by any applicable law, the property has a recorded covenant, deed restriction, or agreement restricting its use, including but not limited to accessory dwelling units (ADU), junior accessory dwelling units (JADU), units constructed under the provisions of Senate Bill 9, and affordability covenants."

Section 5. Zoning Code Amendment. Sections 9283 - 9283.6 of Part 9 (Special Residential Use Standards) of Chapter 2 (Residential Land Use Districts) of Article IX (Zoning) of the Agoura Hills Municipal Code are hereby repealed and replaced in their entirety with the following:

"9283. Accessory dwelling units and junior accessory dwelling units: Purpose.

This section provides standards for the development and maintenance of accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs), in accordance with Chapter 13 of the California Government Code (Sections 66310 – 66342).

9283.1 ADUs and JADUs: Approval timeline.

An application that contains all required information listed on the City's submittal checklist for ADUs and JADUs shall be processed within the following timelines:

- A. *Completeness.* An application for an ADU or JADU shall be reviewed for completeness by the community development director (or the director's designee) in accordance with the deadlines and procedures identified in state law.
- B. *Approval.* An application for an ADU or JADU shall be ministerially approved by the community development director (or the director's designee) within sixty (60) days after receipt of a complete application consistent with state law, if all objective criteria has been met.
- C. *Notice of Inconsistency.* If an application for an ADU or JADU is denied, the Community Development Director or their designee shall provide the applicant with a written notice of inconsistency within sixty (60) days after receipt of a complete application. The notice shall include a detailed list of defects or deficiencies in the application and describe how the application may be corrected or brought into compliance, consistent with state law.
- D. *Delayed Action.* When an application to create an ADU or JADU is submitted concurrently with an application for a permit to construct a new single-family or multi-family dwelling on the same lot, the City may defer action on the ADU or JADU application until a decision is made on the primary dwelling permit. Notwithstanding such deferral, the ADU or JADU application shall be considered ministerially, without discretionary review or a public hearing.

9283.2 State Exempt ADUs and JADUs

State-exempt ADUs and JADUs are those that meet the specific criteria set forth in California Government Code Section 66323 and Article 3 (commencing with 66333. All ADUs and JADUs that meet the criteria for state exemption shall be permitted ministerially subject to the following requirements.

- A. *Permitted locations.* ADUs and JADUs are permitted in any zoning designation where residential development is allowed (including mixed-use zones), except that JADUs are only permitted on lots with existing or proposed single-family residences.
- B. *Code Compliance.* ADUs and JADUs shall comply with all applicable building, fire, and health safety codes, as permitted under state law.
- C. *Rental term.* All ADUs and JADUs approved under this section shall not be rented for less than 30 days.
- D. *Sale or conveyance.*
1. A JADU shall not be sold or otherwise conveyed separately from the single-family residence.
 2. Except as otherwise allowed by Government Code section 66341, an ADU shall not be sold or otherwise conveyed separately from the primary dwelling of a single-family lot or, in the case of a multi-family lot, from all dwellings on that lot.
- E. *Owner-occupancy for JADUs.* The property owner shall reside in the JADU or the remaining portion of the dwelling, unless the owner is another governmental agency, land trust, or housing organization. Owner occupancy is not required for approved ADUs.
- F. *Deed restrictions for JADUs.* A declaration of restrictions, approved by the City Attorney, shall be recorded by the property owner, against the title of the property, in the County Recorder's office. A copy of the recorded document shall be filed with the Community Development Department, prior to the issuance of a Certificate of Occupancy. The declaration of restrictions shall specify the size and attributes of the JADU, and places the following restrictions on the property, the property owner, and all successors in interest:
1. The JADU shall be rented only for terms longer than thirty (30) consecutive days;
 2. The JADU shall not be sold or conveyed separately from the primary residence;
 3. The property owner (other than a governmental entity, land trust, or housing organization) shall reside in either the JADU or in the remaining portion of the single-family residence;
 4. The JADU and the property shall be maintained in accordance with all applicable laws, and
 5. Any violation will be subject to penalties as provided in the Municipal Code
- G. *Utility connections and related impact fees.*
1. State-exempt ADUs and JADUs are not required to have a new or separate utility connection directly between the ADU or JADU and the utility, except that ADUs constructed concurrently with a new single-family dwelling, or

ADUs conveyed separately pursuant to state law, shall be subject to standard utility connection requirements and associated fees.

2. If the ADU will use a private sewage disposal system, the property owner shall obtain approval by the local environmental health officer prior to receiving approval from the City.
 3. The city shall not impose any development impact fees upon the development of an accessory dwelling unit with seven hundred fifty (750) square feet of interior livable space or less. Any development impact fees charged for an accessory dwelling unit that has more than seven hundred fifty (750) square feet of interior livable space shall be charged proportionately in relation to the square footage of the primary dwelling.
- H. If an automatic sprinkler system is required for the primary residence, the ADU or JADU shall also have an automatic sprinkler system.

9283.3 All Other ADUs

All ADUs that do not meet the specific criteria set forth in California Government Code Section 66323 (Non-exempt ADUs) are subject to additional local development standards as provided in this section.

- A. *Permitted Locations.* ADUs are permitted in any zoning designation where residential development is allowed.
- B. *Lot size.* All new ADUs are exempt from compliance with the minimum lot size requirements.
- C. *Lot coverage.* All new ADUs shall conform to the lot coverage requirements for the zoning district in which the ADU is located.
- D. *Size.* The maximum gross floor area of any new ADU shall not exceed the following:
 1. *New detached ADU:* Up to eight hundred fifty (850) square feet of interior livable space for a studio or one (1)-bedroom unit; or one thousand (1,000) square feet of interior livable space for an ADU with more than one (1) bedroom.
 2. *New attached ADU:* Up to eight hundred fifty (850) square feet of interior livable space for a studio or one (1)-bedroom unit; or one thousand (1,000) square feet of interior livable space for an ADU with more than one (1) bedroom; or fifty (50) percent of the primary residence's living area, whichever is less.
- E. *Conversion of existing legally established accessory structures:* An ADU that involves the conversion of a legally established accessory structure, but does not qualify as a state-exempt ADU under Government Code Section 66323, may occupy the full area of the existing structure. Any expansion beyond the existing structure shall comply with this section and shall not result in an ADU exceeding 1,000 square feet of interior livable space in total floor area.
- F. *Height.* The maximum height of any new ADU shall not exceed the following:

1. *New detached ADU:* A new detached ADU shall not exceed a roof peak height of sixteen (16) feet above grade or up to eighteen (18) feet as allowed by Government Code 66321(b)(4).
 2. *New attached ADU:* A new attached ADU shall not exceed the height limit applicable to the primary residence or twenty-five (25) feet above grade, whichever is less.
- G. *Setbacks.* An ADU shall comply with all front yard setback requirements applicable to the lot's primary residence. Unless otherwise provided in this section, any new attached or detached ADUs shall have a minimum setback of four (4) feet from the rear property line and four (4) feet from the side property line.
1. Notwithstanding these provisions, in the Old Agoura Design Overlay District, a detached ADU may be erected in the required minimum front yard provided it does not exceed more than twenty-five (25) percent of the minimum required front yard.
 2. Notwithstanding the above, no setback shall be required for an ADU that is within an existing structure or constructed in the same location and within the same dimensions as an existing legally established structure.
 3. A detached ADU must maintain a ten (10)-foot separation from any primary dwelling unit on the lot.
- H. *Design and other improvements.*
1. The ADU's exterior building materials, colors, and finishes shall match those of the primary dwelling.
 2. All exterior light fixtures on the ADU shall be fully shielded and directed downward to prevent light spillover onto adjacent properties and residential structures.
 3. All exterior equipment associated with the ADU shall comply with the requirements in section 9606.1.
 4. If an automatic sprinkler system is required for the primary residence, the ADU shall also have an automatic sprinkler system.
 5. Attached ADUs shall have exterior access that is independent from the primary dwelling. No internal access between the attached ADU and the primary residence is allowed.
 6. ADUs shall be constructed on a permanent foundation and shall be built in compliance with the California Building Code or California Residential Code.
- I. *Parking requirements.* One (1) off-street parking space shall be provided for an ADU, in addition to the parking required for the primary residence. No parking shall be required for a JADU. The required parking space for the ADU may be provided as tandem parking on an existing driveway.

1. *Parking exemption.* Notwithstanding all applicable parking requirements, no additional parking spaces are required for an ADU meeting the criteria of California Government Code Section 66322(a).
 2. *Replacement parking.* When an existing garage, carport, covered parking structure, or uncovered parking space is demolished in conjunction with the construction an ADU or is converted into an ADU, replacement parking for the primary dwelling unit shall not be required.
- J. *Horse-keeping area.* To endeavor to minimize impacts of ADUs on horse keeping uses located in the Equestrian Overlay Zone, notwithstanding section 9592(a), the community development director shall have the discretion to make the minimum horse keeping area optional if the size of the lot is under ten thousand eight hundred ninety (10,890) square feet or if the lot has an average slope over twenty-five (25) percent.
- K. Notwithstanding the standards pertaining to allowable lot coverage, allowable site coverage, minimum side and rear yard setback distances, and minimum horse-keeping area, one (1) ADU up to 800 square feet in gross floor area, with a height up to sixteen (16) feet from above grade, and at least four (4)-foot side and rear yard setbacks shall be allowed, pursuant to Government Code 66321.
- L. *Rental Term.* The ADU shall not be rented for less than 30 days. Short-term rentals of fewer than 30 days are prohibited.
- M. *Sale or Conveyance.* Except as otherwise required by Government Code section 66341, an ADU shall not be sold or otherwise conveyed separately from the primary dwelling of a single-family lot or, in the case of a multi-family lot, from all dwellings on that lot.
- N. *Very High Fire Hazard Severity Zones.* Detached ADUs in Very High Fire Hazard Severity Zones shall maintain a minimum ten (10)-foot separation from other structures, unless doing so would preclude the construction of an ADU up to eight hundred (800) square feet of interior livable space with four (4)-foot side and rear yard setbacks, in which case reduced separation shall be allowed if the ADU complies with applicable California Building Code fire-resistance standards.
- O. *Utility connections and related impact fees.*
1. Non-exempt ADUs require a new, separate sewer connection directly between the ADU and the utility. The connection is subject to a connection fee or capacity charge that is proportionate to the burden created by the ADU, based on either the gross floor area or the number of drainage-fixture unit (DFU) values, as defined by the Uniform Plumbing Code, upon the water or sewer system. The fee or charge may not exceed the reasonable cost of providing this service.
 2. If the ADU will use a private sewage disposal system, the property owner shall obtain approval by the local environmental health officer prior to approval from the City.

3. The city shall not impose any development impact fees upon the development of an accessory dwelling unit seven hundred fifty (750) square feet of interior livable space or less. Any development impact fees charged for an accessory dwelling unit that has more than seven hundred fifty (750) square feet of interior livable space shall be charged proportionately in relation to the square footage of the primary dwelling.”

Section 6. California Environmental Quality Act (CEQA). Pursuant to the California Environmental Quality Act, City staff determined that the adoption of the proposed Ordinance is exempt from environmental review under CEQA pursuant to Public Resource Code Section 21080.17, and Title 14, Section 15282(h) of the California Code of Regulations, which apply to “The adoption of an ordinance regarding second units in a single-family or multifamily residential zone by a city or county to implement the provisions of Section 65852.1 and 65852.2 [now codified as Chapter 13 of Division 1 of Title 7, Section 66310 – 66342] of the Government Code as set forth in Section 21080.17 of the Public Resources Code.”

Section 7. Severability Clause. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or its application to any person or circumstances, is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or circumstance. The City Council declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause, phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

Section 8. Effective Date. This Ordinance shall take effect thirty (30) days after passage.

Section 9. Certification. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same or a summary thereof to be published and posted in the manner required by law.

PASSED, APPROVED, AND ADOPTED this ____ day of _____, 2025, by the following vote to wit.

AYES: ()
NOES: ()
ABSENT: ()
ABSTAIN: ()

Penny Sylvester, Mayor

ATTEST:

Kimberly M. Rodrigues, MMC, City Clerk

APPROVED AS TO FORM:

Candice K. Lee, City Attorney

EXHIBIT B

State-exempt ADUs (Accessory Dwelling Units) (Government Code § 66323)

1. Junior ADU (JADU)
 - a. Not more than 500 sq. ft. contained entirely within the SFD (including attached garages)
 - b. May include separate sanitation facilities or shared with main residence
 - i. If shared, access to the interior of the main residence is required.
 - c. A separate entrance from the main entrance of the existing or proposed SFD is required.
2. *Conversions on Single-Family lots.* One ADU or JADU within the proposed or existing space of a single-family dwelling (SFD), or accessory structure and may include an expansion of 150 sq. ft. of less to accommodate for ingress/egress
 - a. Space has exterior access from the proposed or existing SFD
 - b. Side and rear setbacks sufficient for fire and safety
3. *New detached ADU on Single-Family Lots.* One detached, new construction ADU on a lot with a proposed or existing SFD (Can be combined with a JADU).
 - a. 800 sq. ft. max.
 - b. Side and rear yard setbacks of at least 4 ft.
 - c. Height: 16 ft maximum, and an allowance of an additional two feet to accommodate the roof pitch on the ADU that aligns with the roof pitch of the primary dwelling
4. *Conversions on Multi-Family lots.* Multiple ADUs within portions of existing multifamily dwelling structures that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, if each converted ADU complies with state building standards for dwellings. The applicant may build at least one ADU within an existing multifamily dwelling, and up to the number of ADUs that equals twenty-five (25) percent of the existing number of multifamily dwelling units in the structure.
5. *New detached ADUs on Multi-Family Lots.*
 - a. Existing Multi-family dwelling - Not more than eight (8) detached ADUs, but not to exceed the number of the existing units on the lot
 - i. Side and rear setbacks of at least 4 ft.
 - ii. Height: 16 ft max. or 18 ft. if the existing multi-family dwelling is multi-story
 - b. Proposed Multi-family dwelling – Not more than two detached accessory dwelling units
 - i. Side and rear setbacks of at least 4 ft.
 - ii. Height: 16 ft max. or 18 ft. if the proposed multi-family dwelling is multi-story