



# PLANNING AND ENVIRONMENTAL QUALITY COMMISSION

Regular PEQC Meeting Notice and Agenda

**Website:** [www.cityofgardena.org](http://www.cityofgardena.org)

**Tuesday, July 21, 2026, 7:00 PM**

Council Chamber at City Hall

1700 W. 162nd Street, Gardena, California

**If you would like to participate in this meeting, you can participate via the following options:**

1. **VIEW THE MEETING live on SPECTRUM CHANNEL 22 or ONLINE** at [youtube.com/CityofGardena](https://youtube.com/CityofGardena)
2. **PARTICIPATE BEFORE THE MEETING** by emailing the Gardena Board/Commission/Committee at [publiccomment@cityofgardena.org](mailto:publiccomment@cityofgardena.org) two (2) hours before the meeting starts on the day of the meeting and write "Public Comment" in the subject line. Written public comments will be provided to the Planning Environmental Quality Commission and will be part of the record but will not be read aloud.
3. **ATTEND THE MEETING IN PERSON**  
**PUBLIC COMMENT:** The Gardena Board/Commission/Committee will hear from the public on any item on the agenda or any item of interest that is not on the agenda at the following times:
  - Agenda Items - At the time the Board/Commission/Committee considers the item or during Public Comment.
  - If you wish to address the Gardena Board/Commission/Committee, please complete a "Speaker Request" form and present it to staff. You will be called to the podium by name when it is your turn to address the Board/Commission/Committee. The Board/Commission/Committee cannot legally take action on any item not scheduled on the Agenda. Such items may be referred for administrative action or scheduled on a future Agenda. Members of the public wishing to address the Board/Commission/Committee will be given three (3) minutes to speak.
4. The City of Gardena, in complying with the Americans with Disabilities Act (ADA), requests individuals who require special accommodations to access, attend and/or participate in the City meeting due to disability, to please contact the City Clerk's Office by phone (310) 217-9565 or email [cityclerk@cityofgardena.org](mailto:cityclerk@cityofgardena.org) at least 24 business hours prior to the scheduled general meeting to ensure assistance is provided. Assistive listening devices are available.

## **STANDARDS OF BEHAVIOR THAT PROMOTE CIVILITY AT ALL PUBLIC MEETINGS**

- Treat everyone courteously;
- Listen to others respectfully;
- Exercise self-control;
- Give open-minded consideration to all viewpoints;
- Focus on the issues and avoid personalizing debate; and

- Embrace respectful disagreement and dissent as democratic rights, inherent components of an inclusive public process, and tools for forging sound decisions

**Thank you for your attendance and cooperation**

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## **1. CALL MEETING TO ORDER**

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## **2. PLEDGE OF ALLEGIANCE**

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## **3. ROLL CALL**

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1. Ronald Wright-Scherr
2. Jules Kanhan
3. Steve Sherman
4. Stephen Langley
5. Deryl Henderson

## **4. APPROVAL OF MINUTES**

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## **5. ORAL COMMUNICATIONS**

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This is the time where the public may address the Planning Commission on items that are not on the agenda, but within the Planning Commission's jurisdiction. Comments should be limited to three minutes.

## **6. PUBLIC HEARING ITEMS**

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Any decision made by the City of Gardena Planning & Environmental Quality Commission during the Public Hearing will be final unless a written request for an appeal is filed, with the appropriate fee, to the City Clerk within ten calendar days from the date of adoption, or City Council calls this matter for review within the same ten-day period.

### **6.A. ZONE TEXT AMENDMENT #3-26, PROPOSED AMENDMENT TO PORTIONS OF TITLE 18 (ZONING) OF THE MUNICIPAL CODE RELATING TO THE REVIEW PROCESS AND STANDARDS FOR MECHANICAL/ROBOTIC PARKING STRUCTURES**

Recommendation to the City Council on adoption of Zone Text Amendment #3-26 to amend Title 18 (Zoning) of the Gardena Municipal Code relating to the review process and development/design standards for mechanical/robotic parking structures

Environmental Consideration: The Zone Text Amendment is statutorily exempt from CEQA under Section 15061(b)(3) of the CEQA Guidelines, which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment. The ordinance would not result in physical change in the environment and does not involve any construction or additions to any existing structures.

**6.B. ZONE TEXT AMENDMENT #2-26, PROPOSED AMENDMENT TO CHAPTER 18.13 OF THE GARDENA MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS (ADUS) AND JUNIOR ACCESSORY DWELLING UNITS (JADUS)**

Recommendation to the City Council on adoption of Zone Text Amendment No. 2-26 to amend Chapter 18.13 of the Gardena Municipal Code relating to Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs)

Environmental Consideration: The Zone Text Amendment and Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.17 which exempts ordinances implementing accessory dwelling unit ordinances.

**7. OTHER ITEMS**

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**8. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

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**9. PLANNING & ENVIRONMENTAL QUALITY COMMISSIONERS' REPORTS**

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**10. ADJOURNMENT**

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The Planning and Environmental Quality Commission will adjourn to the next meeting at 7:00pm on Tuesday, August 4, 2026.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted in the City Hall lobby not less than 72 hours prior to the meeting. A copy of said Agenda is available on our website at [www.CityofGardena.org](http://www.CityofGardena.org).

/s/ GREG TSUJIUCHI

GREG TSUJIUCHI, Secretary

Planning and Environmental Quality Commission

*Date Posted: July 17, 2026*



# City of Gardena

## Gardena Planning and Environmental Quality Commission Meeting AGENDA REPORT SUMMARY

Agenda Item No. 6A.  
Section: PUBLIC  
HEARING ITEMS  
Meeting Date: July 21,  
2026

TO: Members of the Planning & Environmental Quality Commission

AGENDA TITLE: ZONE TEXT AMENDMENT #3-26, PROPOSED AMENDMENT TO PORTIONS OF TITLE 18 (ZONING) OF THE MUNICIPAL CODE RELATING TO THE REVIEW PROCESS AND STANDARDS FOR MECHANICAL/ROBOTIC PARKING STRUCTURES

### **PROJECT DESCRIPTION:**

The proposed Zone Text Amendment #3-26 is being considered to amend Title 18 (Zoning) of the Gardena Municipal Code relating to the review process and development/design standards for mechanical/robotic parking structures.

**Environmental Consideration:** The Zone Text Amendment is statutorily exempt from CEQA under Section 15061(b)(3) of the CEQA Guidelines, which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment. The ordinance would not result in physical change in the environment and does not involve any construction or additions to any existing structures.

**Project Location:** City Wide

### **STAFF RECOMMENDATION:**

Staff recommends holding a public hearing for Zone Text Amendment #3-26 where the Commission will:

1. Conduct the public hearing;
2. Receive testimony from the public; and
3. Adopt Resolution No. PC 9-26, recommending that the City Council adopt an Ordinance for Zone Text Amendment #3-26

APPROVED:

Greg Tsujiuchi, Community Development Director

**Attachments**

[Staff Report](#)

[Attachment No. 1 - Resolution PC No. 9-26](#)

[Exhibit A - Draft Ordinance](#)

[Attachment No. 2 - Resolution No. PC 3-26 Adopted 01-20-26](#)

**CITY OF GARDENA**  
**PLANNING AND ENVIRONMENTAL QUALITY COMMISSION**  
**STAFF REPORT**

**ZONE TEXT AMENDMENT #3-26**

Agenda Item No. 6.A

DATE: July 21, 2026

TO: Chair Wright-Scherr and Members of the Planning and Environmental Quality Commission

FROM: Greg Tsujiuchi, Community Development Director

PREPARED BY: Jo-Anne Burns, Assistant Community Development Director

LOCATION: Citywide

REQUEST: Recommendation to the City Council on adoption of Zone Text Amendment #3-26 to amend Title 18 (Zoning) of the Gardena Municipal Code relating to the review process and development/design standards for mechanical/robotic parking structures.

**BACKGROUND/SETTING**

The Community Development Department has received applications proposing multifamily residential developments that rely on robotic or mechanical parking structures to satisfy the City's off-street parking requirements. Currently, robotic or mechanical parking structures are permitted by right, with wall screening as the only development standard specific to these facilities. Continuing to allow these facilities to be constructed by right limits the City's ability to address potential operational, safety, and compatibility impacts on adjacent residential properties, including issues that may arise after construction, because the City lacks discretionary authority to impose performance standards or require corrective measures.

The draft Ordinance would require approval of a Conditional Use Permit for robotic or mechanical parking structures and would establish clear design and operational performance standards. These changes would provide the City with the necessary oversight to ensure such facilities are compatible with surrounding uses and to address potential impacts over time.

***Previous Planning and Environmental Quality Commission Review***

The Planning and Environmental Quality Commission initially reviewed the proposed code amendment as Zone Text Amendment #3-25 on January 20, 2026, and voted 3-0 (two Commissioners were absent) to recommend City Council approval of the draft ordinance. Zone Text Amendment previously included revisions to Gardena Municipal Code (GMC) Sections 18.20 and 18.40 which proposed deleting the provisions allowing

the payment of a one-time in-lieu fee to be allowed to expand or change the land-use to more intensive use without providing the amount of off-street parking spaces required by the GMC.

### ***City Council Review***

On April 14, 2026, the City Council reviewed the proposed ordinance and zone text amendment and directed staff to bring the item back to the Planning Commission to separate the code amendment pertaining to robotic parking from that of the proposed deletion of the in-lieu parking fee for businesses located within Downtown Gardena.

## **PROJECT DESCRIPTION AND ANALYSIS**

Zone Text Amendment #3-26 incorporates an Ordinance that will amend certain chapters of Title 18 (Zoning) of the Gardena Municipal Code (GMC) and is included as “Exhibit A” to Resolution No. 9-26 (Attachment No. 1). The proposed ordinance has been revised per the City Council’s direction with minor modifications. The following is an outline of the proposed changes to the GMC:

### **Chapters 18.18A (Very High Density Multifamily Residential Zone R-6) and 18.21 (Housing Overlays)**

- Revised to clarify that the construction of mechanical or robotic parking structures requires approval of a Conditional Use Permit (CUP).
- Cross-references added to Chapters 18.40 (Off-street Parking and Loading) and 18.42 (General Provisions) to improve navigation, avoid repetition of the same development standards throughout the Code, and provide clarity and consistency for the same topic.

### **Chapter 18.42 (General Provisions)**

- New Section 18.42.125 (Mechanical or robotic parking structures) added to provide specific development standards for mechanical or robotic parking structures.
  - Minimum required parking stall dimensions are specified to allow robotic and mechanical parking structures to be able to accommodate a wide range of vehicle types and sizes (compact vehicles to larger pick-up trucks and SUVs).
  - Requires mechanical and robotic parking structures to be screened by the primary multifamily residential structure from the public right-of-way and adjacent residential uses.
  - Requires a noise impact technical report/study for robotic and mechanical parking structures proposed within 50 feet from any residential use or sensitive receptor.

## **GENERAL PLAN CONSISTENCY**

The proposed use is consistent with the City's General Plan. The project is consistent with the following General Plan Goals and Policies:

- Land Use Goal 1: Preserve and protect existing single-family and low/medium density residential neighborhoods while promoting the development of high-quality housing types in the City.
  - Land Use Policy 1.1: Promote sound housing and attractive and safe residential neighborhoods.
  - Land Use Policy 1.2: Protect existing sound residential neighborhoods from incompatible uses and development.
  - Land Use Policy 1.3: Protect the character of lower density residential neighborhoods
  - Land Use Policy 1.5: Provide adequate residential amenities such as open space, recreation, off-street parking and pedestrian features in multi-family residential development
  - Land Use Policy 1.10: Provide adequate off-street parking, open space and landscaping for both residential and business use in all mixed-use developments.
  - Land Use Policy 1.11: Design infill development to be compatible and consistent with the existing low-density character of residential neighborhoods.
  - Land Use Policy 1.12: Require infill development to provide adequate amenities to minimize the impact of such development on the immediate neighborhood and on City services generally, including off-street parking to meet the additional demand placed on street parking.

## **ENVIRONMENTAL CONSIDERATIONS**

Pursuant to the State California Environmental Quality Act (CEQA) Guidelines, the Planning Commission finds and determines that the ordinance is statutorily exempt from CEQA under Section 15061(b)(3) of the CEQA Guidelines, which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment. The ordinance would not result in physical change in the environment and does not involve any construction or additions to any existing structures.

## **NOTICING**

The public hearing notice for Zone Text Amendment #3-26 was published in the Gardena Valley News on June 18, 2026. Notice was also provided to those persons or entities that

have requested notification of CEQA projects. A copy of Proof of Publication is on file in the office of the Community Development Department Room 101, City Hall and is considered part of the administrative record.

### **RECOMMENDATION**

Staff recommends holding a public hearing for Zone Text Amendment #3-26 where the Commission will:

- 1) Conduct the public hearing;
- 2) Receive testimony from the public; and
- 3) Adopt Resolution No. PC 9-26, recommending that the City Council adopt an Ordinance for Zone Text Amendment #3-26

### **ATTACHMENTS**

Attachment No. 1 – Resolution No. PC 9-26

- Exhibit A – Draft Ordinance

Attachment No. 2 – Resolution No. PC 3-26, Adopted 1-20-26

## **RESOLUTION NO. PC 9-26**

### **A RESOLUTION OF THE PLANNING AND ENVIRONMENTAL QUALITY COMMISSION OF THE CITY OF GARDENA, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL APPROVE ZONE TEXT AMENDMENT #3-26, AN ORDINANCE AMENDING PORTIONS OF TITLE 18 (ZONING) OF THE MUNICIPAL CODE RELATING TO THE REVIEW PROCESS AND STANDARDS FOR MECHANICAL/ROBOTIC PARKING STRUCTURES**

#### **RECITALS**

A. Ordinance No. 1848 was adopted on February 28, 2023, which amended Title 18 (Zoning) of the GMC to establish and adopt development standards for Housing Overlays and the Very High Density Multifamily Residential Zone (R-6), which included provisions allowing robotic or mechanical parking structures by right to satisfy the City's off-street parking requirements.

B. It is necessary to amend the GMC to require approval of a Conditional Use Permit for robotic or mechanical parking structures and adopt related development standards to provide the City necessary oversight to ensure such facilities are compatible with surrounding uses and to address potential impacts over time.

C. On July 21, 2026, the Planning and Environmental Quality Commission conducted a duly noticed public hearing as prescribed by law to consider the code amendment, gave all persons interested therein an opportunity to be heard, and voted to recommend the City Council's approval and adoption of the code amendment.

D. Based on review of the State California Environmental Quality Act (CEQA) Guidelines, the Planning and Environmental Quality Commission finds and determines that the ordinance is statutorily exempt from CEQA under Section 15061(b)(3) of the CEQA Guidelines, which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment. The ordinance would not result in physical change in the environment and does not involve any construction or additions to any existing structures.

E. The Planning and Environmental Quality Commission has duly considered all information presented to it, including written staff reports and any testimony provided at the public hearing, with all testimony received being made a part of the public record.

**NOW, THEREFORE, THE PLANNING AND ENVIRONMENTAL QUALITY CONTROL COMMISSION OF THE CITY OF GARDENA DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION NO. 1.** The above recitals are true and correct and are incorporated herein as if set forth in full.

**SECTION NO. 2.** Based on all evidence presented and the findings set forth herein, Zone Text Amendment #3-26 is hereby found to be consistent with the Gardena General Plan and the implementation thereof, and that the public necessity, convenience, general welfare, and good zoning practices require Zone Text Amendment # 3-26.

**SECTION NO. 3.** Pursuant to the State California Environmental Quality Act (CEQA) Guidelines, the Planning Commission finds and determines that the ordinance is statutorily exempt from CEQA under Section 15061(b)(3) of the CEQA Guidelines, which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment. The ordinance would not result in direct or indirect physical change in the environment and does not involve any construction or additions to any existing structures.

**SECTION NO. 4.** The Secretary is instructed to forward a copy of this Resolution to the City Council for their attention in the manner as prescribed by law and this Resolution shall go into force and effect upon its adoption.

**SECTION NO. 5.** Based on all the documents, oral testimony, and other evidence presented in connection with this proceeding and in this Resolution, the Planning and Environmental Quality Commission recommends that the City Council approve Zone Text Amendment # 3-26.

**PASSED, APPROVED, AND ADOPTED this 21<sup>st</sup> day of July 2026.**

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RONALD WRIGHT-SCHERR, CHAIR  
PLANNING AND ENVIRONMENTAL  
QUALITY COMMISSION

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GREG TSUJIUCHI, SECRETARY  
PLANNING AND ENVIRONMENTAL QUALITY COMMISSION

I, Greg Tsujiuchi, Planning and Environmental Quality Commission Secretary of the City of Gardena, do hereby certify that the foregoing Resolution was duly adopted by the Planning and Environmental Quality Commission of the City of Gardena at a regular meeting thereof, held the 21<sup>st</sup> day of July 2026, by the following vote:

AYES:

NOES:

ABSENT:

Attachments:

Exhibit A – Draft Ordinance

**ORDINANCE NO. ###**

**AN ORDINANCE OF THE CITY OF GARDENA, CALIFORNIA, AMENDING PORTIONS OF TITLE 18 (ZONING) OF THE MUNICIPAL CODE RELATING TO THE REVIEW PROCESS AND STANDARDS FOR MECHANICAL/ROBOTIC PARKING STRUCTURES; AND FINDING THE ACTION STATUTORILY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO THE COMMON SENSE EXEMPTION OF CEQA GUIDELINES SECTION 15061(b)(3)**

**WHEREAS**, the City of Gardena has determined that it is necessary to amend Title 18 of the Gardena Municipal Code relating to the review process and development/design standards for mechanical/robotic parking structures; and

**WHEREAS**, on July 21, 2026, the Planning and Environmental Quality Commission conducted a duly noticed public hearing as prescribed by law regarding Zone Text Amendment No. 3-26. At the conclusion of the public hearing, the Planning Commission adopted Resolution No. 9-26, recommending that the City Council adopt this ordinance; and

**WHEREAS**, on \_\_\_\_\_, 2026, the City Council conducted a duly noticed public hearing as prescribed by law regarding this ordinance approving Zone Text Amendment No. 3-26; and

**WHEREAS**, the City Council has duly considered all information presented to it, including written staff reports and any testimony provided at the public hearing, with all testimony received being made a part of the public record.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA DOES ORDAIN AS FOLLOWS:**

**SECTION 1. Amendment to Chapter 18.18A.** Subsection 1.2. of Section 18.18A.040 (Development standards) of Title 18 (Zoning) of the Gardena Municipal Code is hereby amended to read as follows:

2. Tandem and mechanical parking:
  - a. Residential parking may be satisfied by tandem spaces where parking is assigned to a single residential unit. Two-level mechanical vehicle lifts are to be treated as tandem and subject to the same restrictions. Unassigned parking and parking assigned to different units may not be tandem;
  - b. Mechanical or robotic parking structures, other than two-level mechanical vehicle lifts, are may be permitted subject to the approval of a conditional use permit and shall comply with off-street parking standards

set forth in Chapter 18.40 and development standards applicable to residential structures in this chapter and Chapter [18.42](#).

**SECTION 2. Amendment to Chapter 18.21.** Subsection H.2. of Section 18.21.050 (Development standards for all housing overlays) of Title 18 (Zoning) of the Gardena Municipal Code is hereby amended to read as follows:

2. Tandem and mechanical parking:

a. Residential parking may be satisfied by tandem spaces where parking is assigned to a single residential unit. Two-level mechanical vehicle lifts are to be treated as tandem and subject to the same restrictions. Unassigned parking and parking assigned to different units may not be tandem;

b. Mechanical or robotic parking structures that accommodate three or more vehicles ~~are may be~~ permitted subject to the approval of a conditional use permit and shall comply with off-street parking standards set forth in Chapter 18.40 and development standards applicable to a residential structure in this chapter and Chapter 18.42;

**SECTION 3. Amendment to Chapter 18.42.** The Gardena Municipal Code is hereby amended to add Section 18.42.125 (Mechanical or robotic parking structures) to read as follows:

A. Mechanical or robotic parking structures may be permitted in conjunction with a multi-family residential development subject to the approval of a conditional use permit and shall comply with all of the following:

1. Residential development standards applicable to the underlying zone.
2. Off-street parking standards listed in Chapter 18.40.
3. Applicable standards in this chapter.
4. Mechanical and robotic parking structure design and performance standards.
  - a. All automobile parking stalls included in a mechanical lift or robotic parking structure shall meet the minimum dimensions listed in the table below:

| <b>PARKING STALL DIMENSION</b> |        |
|--------------------------------|--------|
| <b>Clear Width (minimum)</b>   | 8'-0"  |
| <b>Clear Height (minimum)</b>  | 7'-0"  |
| <b>Clear Depth (minimum)</b>   | 18'-0" |

- b. The lift equipment or computerized parking structure shall meet any applicable building, mechanical, electrical, and fire code requirements as approved by the Building and Safety Division and the Fire Department.
  - c. The mechanical and robotic parking structure shall be screened by the primary multifamily residential structure from the public right-of-way and/or adjacent single-family residential uses in addition to the required screen walls listed in Chapter 18.40.
5. A noise impact technical report is required for any mechanical or robotic parking structure proposed to be located within 50 feet from any residential use or other use considered as a sensitive receptor such as, but not limited to, schools, parks, libraries, hospitals, care facilities, and religious facilities.

**SECTION 4. CEQA.** Pursuant to the State California Environmental Quality Act (CEQA) Guidelines, the City Council finds and determines that the ordinance is statutorily exempt from CEQA under Section 15061(b)(3) (the commonsense exemption) of the CEQA Guidelines, which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment. The ordinance would not result in direct or indirect physical change in the environment and does not involve any construction or additions to any existing structures.

**SECTION 5. Effective Date.** This Ordinance shall take effect and be in force thirty (30) days from and after the date of its passage.

**SECTION 6. Certification.** The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted in the manner required by law.

**PASSED, APPROVED AND ADOPTED** on the \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
TASHA CERDA, Mayor

ATTEST:

\_\_\_\_\_  
BECKY ROMERO, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
CARMEN VASQUEZ, City Attorney

## **RESOLUTION NO. PC 3-26**

### **A RESOLUTION OF THE PLANNING AND ENVIRONMENTAL QUALITY COMMISSION OF THE CITY OF GARDENA, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL APPROVE ZONE CHANGE NO. 3-25, AN ORDINANCE AMENDING PORTIONS OF TITLE 18 (ZONING) OF THE MUNICIPAL CODE RELATING TO REVIEW PROCESS AND STANDARDS FOR MECHANICAL/ROBOTIC PARKING STRUCTURES, AND ON-SITE PARKING STANDARDS FOR COMMERCIAL USES ON GARDENA BOULEVARD BETWEEN NORMANDIE AVENUE AND VERMONT AVENUE**

#### **RECITALS**

A. Ordinance No. 1693 was adopted on July 10, 2007, which amended Title 18 (Zoning) of the Gardena Municipal Code (GMC) to allow deviation from off-street/on-site parking requirements for commercial uses on Gardena Boulevard between Normandie Avenue and Vermont Avenue (Downtown Gardena) through a one-time payment of a parking in-lieu fee.

B. The practice of many businesses/property owners opting to pay the one-time parking in-lieu fee has resulted in ongoing traffic congestion and circulation issues within the downtown area. Eliminating this exemption is necessary to help ensure that new development more adequately accommodates its parking demand and reduces strain on public streets.

C. Ordinance No. 1848 was adopted on February 28, 2023, which amended Title 18 (Zoning) of the GMC to establish and adopt development standards for Housing Overlays and the Very High Density Multifamily Residential Zone (R-6), which included provisions allowing robotic or mechanical parking structures by right to satisfy the City's off-street parking requirements.

D. It is necessary to amend the GMC to require approval of a Conditional Use Permit for robotic or mechanical parking structures and adopt related development standards to provide the City necessary oversight to ensure such facilities are compatible with surrounding uses and to address potential impacts over time.

E. On January 20, 2026, the Planning and Environmental Quality Commission conducted a duly noticed public hearing as prescribed by law to consider the code amendment, gave all persons interested therein an opportunity to be heard, and voted to recommend the City Council's approval and adoption of the code amendment.

F. Based on review of the State California Environmental Quality Act (CEQA) Guidelines, the Planning and Environmental Quality Commission finds and determines that the ordinance is statutorily exempt from CEQA under Section 15061(b)(3) of the

CEQA Guidelines, which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment. The ordinance would not result in physical change in the environment and does not involve any construction or additions to any existing structures.

G. The Planning and Environmental Quality Commission has duly considered all information presented to it, including written staff reports and any testimony provided at the public hearing, with all testimony received being made a part of the public record.

**NOW, THEREFORE, THE PLANNING AND ENVIRONMENTAL QUALITY CONTROL COMMISSION OF THE CITY OF GARDENA DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION NO. 1.** The above recitals are true and correct and are incorporated herein as if set forth in full.

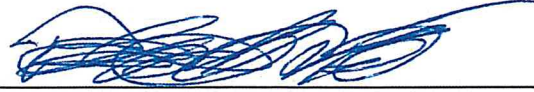
**SECTION NO. 2.** Based on all evidence presented and the findings set forth herein, Zone Text Amendment No. 3-25 is hereby found to be consistent with the Gardena General Plan and the implementation thereof, and that the public necessity, convenience, general welfare, and good zoning practices require Zone Text Amendment No. 3-25.

**SECTION NO. 3.** Pursuant to the State California Environmental Quality Act (CEQA) Guidelines, the Planning Commission finds and determines that the ordinance is statutorily exempt from CEQA under Section 15061(b)(3) of the CEQA Guidelines, which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment. The ordinance would not result in direct or indirect physical change in the environment and does not involve any construction or additions to any existing structures.

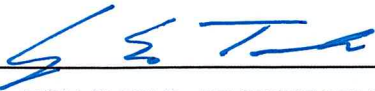
**SECTION NO. 4.** The Secretary is instructed to forward a copy of this Resolution to the City Council for their attention in the manner as prescribed by law and this Resolution shall go into force and effect upon its adoption.

**SECTION NO. 5.** Based on all the documents, oral testimony, and other evidence presented in connection with this proceeding and in this Resolution, the Planning and Environmental Quality Commission recommends that the City Council approve Zone Text Amendment No. 3-25.

**PASSED, APPROVED, AND ADOPTED this 20<sup>th</sup> day of January 2026.**



RONALD WRIGHT-SCHERR, CHAIR  
PLANNING AND ENVIRONMENTAL  
QUALITY COMMISSION



GREG TSUJIUCHI, SECRETARY  
PLANNING AND ENVIRONMENTAL QUALITY COMMISSION

I, Greg Tsujiuchi, Planning and Environmental Quality Commission Secretary of the City of Gardena, do hereby certify that the foregoing Resolution was duly adopted by the Planning and Environmental Quality Commission of the City of Gardena at a regular meeting thereof, held the 20th day of January 2026, by the following vote:

AYES: Wright-Scherr, Kanhan and Sherman

NOES: None

ABSENT: Langley and Henderson

Attachments:

Exhibit A – Draft Ordinance

## EXHIBIT A

### ORDINANCE NO.

#### AN ORDINANCE OF THE CITY OF GARDENA, CALIFORNIA, AMENDING PORTIONS OF TITLE 18 (ZONING) OF THE MUNICIPAL CODE RELATING TO REVIEW PROCESS AND STANDARDS FOR MECHANICAL/ROBOTIC PARKING STRUCTURES, AND ON-SITE PARKING STANDARDS FOR COMMERCIAL USES ON GARDENA BOULEVARD BETWEEN NORMANDIE AVENUE AND VERMONT AVENUE

**WHEREAS**, the City of Gardena has determined that it is necessary to amend Title 18 of the Gardena Municipal Code relating to the review process and development/design standards for mechanical/robotic parking structures, and on-site/off-street parking standards for Gardena Boulevard between Normandie Avenue and Vermont Avenue (the parking in-lieu fee); and

**WHEREAS**, on January 20, 2026, the Planning and Environmental Quality Commission conducted a duly noticed public hearing as prescribed by law regarding Zone Text Amendment No. 3-25. At the conclusion of the public hearing, the Planning Commission adopted Resolution No. 3-26, recommending that the City Council approve Ordinance No. ####; and

**WHEREAS**, on \_\_\_\_\_, the City Council conducted a duly noticed public hearing as prescribed by law regarding this ordinance approving Code Amendment No. \_\_\_\_\_; and

**WHEREAS**, the City Council has duly considered all information presented to it, including written staff reports and any testimony provided at the public hearing, with all testimony received being made a part of the public record.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA DOES ORDAIN AS FOLLOWS:**

**SECTION 1. Amendment to Chapter 18.18A.** Subsection 1.2. of Section 18.18A.040 (Development standards) of Title 18 (Zoning) of the Gardena Municipal Code is hereby amended to read as follows:

2. Tandem and mechanical parking:
  - a. Residential parking may be satisfied by tandem spaces where parking is assigned to a single residential unit. Two-level mechanical vehicle lifts are

- to be treated as tandem and subject to the same restrictions. Unassigned parking and parking assigned to different units may not be tandem;
- b. Mechanical or robotic parking structures, other than two-level mechanical vehicle lifts, ~~are may be~~ permitted subject to the approval of a conditional use permit and shall comply with off-street parking standards set forth in Chapter 18.40 and development standards applicable to residential structures in this chapter and Chapter [18.42](#).

**SECTION 2. Amendment to Chapter 18.20.** Subsection A.6. of Section 18.20.050 (Property development standards) of Title 18 (Zoning) of the Gardena Municipal Code is hereby amended to read as follows:

6. Off-Street Parking.

- a. Residential. Enclosed parking spaces shall be provided at the rate of one space for every studio and one bedroom unit and two spaces for every unit which is two or more bedrooms. In addition, guest parking shall be provided at the rate of one-fourth space per unit and all fractional spaces shall be rounded up to a full parking space.
- b. Commercial. Parking for the commercial portion of any building shall be required at the rate set forth in Chapter [18.40](#), ~~but may be satisfied by paying an in-lieu parking fee in accordance with Section 18.40.120. Parking may be reduced to the extent such reduction is justified by a parking demand study submitted by the applicant and approved by the city.~~
- c. Except as specified herein, all other provisions of Chapter [18.40](#) shall apply.

**SECTION 3. Amendment to Chapter 18.21.** Subsection H.2. of Section 18.21.050 (Development standards for all housing overlays) of Title 18 (Zoning) of the Gardena Municipal Code is hereby amended to read as follows:

2. Tandem and mechanical parking:

- a. Residential parking may be satisfied by tandem spaces where parking is assigned to a single residential unit. Two-level mechanical vehicle lifts are to be treated as tandem and subject to the same restrictions. Unassigned parking and parking assigned to different units may not be tandem;
- b. Mechanical or robotic parking structures that accommodate three or more vehicles ~~are may be~~ permitted subject to the approval of a conditional use permit and shall comply with off-street parking standards set forth in Chapter

18.40 and development standards applicable to a residential structure in this chapter and Chapter 18.42;

**SECTION 4. Amendment to Chapter 18.40.** Section 18.40.120 (Parking for the Gardena Boulevard commercial uses) of Title 18 (Zoning) of the Gardena Municipal Code is hereby amended to read as follows:

New or expanded commercial uses located on Gardena Boulevard between Normandie Avenue and Vermont Avenue may satisfy the parking requirements set forth in Section 18.40.040 as follows:

A. On-site parking shall be provided for spaces required due to increased square footage above and beyond existing square footage, as well as for any parking spaces that were previously provided on site.

~~B. Where the business is short parking spaces based on the original square footage, the deficiency in parking may be met by providing an in-lieu fee for each space in an amount determined by resolution of the city council.~~

~~Funds collected pursuant to this subsection shall be nonrefundable and shall be placed in a special account to be utilized exclusively for providing off-street parking in the area described above in the introductory paragraph.~~

~~CB.~~ No additional parking spaces ~~or in-lieu fees~~ shall be required where there is ~~only~~ a change in business and/or use without an increased intensification of parking requirements for the new business and/or uses and there is no additional square footage being added to the business.

**SECTION 5. Amendment to Chapter 18.42.** The Gardena Municipal Code is hereby amended to add Section 18.42.125 (Mechanical or robotic parking structures) to read as follows:

A. Mechanical or robotic parking structures may be permitted in conjunction with a multi-family residential development subject to the approval of a conditional use permit and shall comply with all of the following:

1. Residential development standards applicable to the underlying zone.
2. Off-street parking standards listed in Chapter 18.40.
3. Applicable standards in this chapter.
4. Mechanical and robotic parking structure design and performance standards.

- a. All automobile parking stalls included in a mechanical lift or robotic parking structure shall meet the minimum dimensions listed in the table below:

| <b>PARKING STALL DIMENSION</b> |        |
|--------------------------------|--------|
| <b>Clear Width (minimum)</b>   | 8'-0"  |
| <b>Clear Height (minimum)</b>  | 7'-0"  |
| <b>Clear Depth (minimum)</b>   | 18'-0" |

- b. The lift equipment or computerized parking structure shall meet any applicable building, mechanical, electrical, and fire code requirements as approved by the Building and Safety Division and the Fire Department.
- c. The mechanical and robotic parking structure shall be screened by the primary multifamily residential structure from the public right-of-way and/or adjacent single-family residential uses in addition to the required screen walls listed in Chapter 18.40.
5. A noise impact technical report is required for any mechanical or robotic parking structure proposed to be located within 50 feet from any residential use or other use considered as a sensitive receptor such as, but not limited to, schools, parks, libraries, hospitals, care facilities, and religious facilities.

**SECTION 6. Effective Date.** This Ordinance shall take effect and be in force thirty (30) days from and after the date of its passage.

**SECTION 7. Certification.** The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted in the manner required by law.

**PASSED, APPROVED AND ADOPTED** on the \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
TASHA CERDA, Mayor  
ATTEST:

\_\_\_\_\_  
MINA SEMENZA, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
CARMEN VASQUEZ, City Attorney



# City of Gardena

## Gardena Planning and Environmental Quality Commission Meeting AGENDA REPORT SUMMARY

Agenda Item No. 6B.  
Section: PUBLIC  
HEARING ITEMS  
Meeting Date: July 21,  
2026

TO: Members of the Planning & Environmental Quality Commission

AGENDA TITLE: ZONE TEXT AMENDMENT #2-26, PROPOSED AMENDMENT TO CHAPTER 18.13 OF THE GARDENA MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS (ADUS) AND JUNIOR ACCESSORY DWELLING UNITS (JADUS)

### **PROJECT DESCRIPTION:**

Proposed Zone Text Amendment #2-26 is being considered to amend Chapter 18.13 of the Gardena Municipal Code relating to Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs).

### **Environmental Consideration:**

The Zone Text Amendment and Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.17 which exempts ordinances implementing accessory dwelling unit ordinances.

### **STAFF RECOMMENDATION:**

Staff recommends holding a public hearing for Zone Text Amendment #2-26 where the Commission will:

1. Conduct the public hearing;
2. Receive testimony from the public; and
3. Adopt Resolution No. PC 10-26, recommending that the City Council adopt an Ordinance for Zone Text Amendment #2-26

APPROVED:

Greg Tsujiuchi, Community Development Director

**Attachments**

[Staff Report](#)

[Attachment No. 1 - Resolution PC No. 10-26](#)

[Exhibit A - Draft Ordinance](#)

[Attachment No. 2 - HCD Letter dated May 8, 2026](#)

[Attachment No. 3 - Resolution No. PC 5-26 Adopted 05-05-26](#)

**CITY OF GARDENA**  
**PLANNING AND ENVIRONMENTAL QUALITY COMMISSION**  
**STAFF REPORT**  
**ZONE TEXT AMENDMENT #2-26**

Agenda Item No. 6.B

DATE: July 21, 2026

TO: Chair Wright-Scherr and Members of the Planning and Environmental Quality Commission

FROM: Greg Tsujiuchi, Community Development Director

PREPARED BY: Jo-Anne Burns, Assistant Community Development Director

LOCATION: Citywide

REQUEST: Recommendation to the City Council on adoption of Zone Text Amendment #2-26 to amend Chapter 18.13 of the Gardena Municipal Code relating to accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) and making a determination that the ordinance is exempt from CEQA pursuant to Public Resources Code Section 21080.17

**BACKGROUND/SETTING**

California State laws regarding Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) have continued to be amended by the State legislature for the past several years. There were two recent bills passed that have impacted accessory dwelling units. AB 1154 and SB 543 made modifications to the statewide regulations for ADU and JADU development standards and controls.

The draft ordinance, as Zone Text Amendment (ZTA) #1-26, was previously reviewed and recommended for City Council approval and adoption by the Planning and Environmental Quality Commission on May 5, 2026. However, on May 8, 2026, the City received a letter from the State of California Department of Housing and Community Development (Attachment No. 2) stating that the Gardena Municipal Code (GMC) currently does not comply with State law. While most of the cited sections were addressed in ZTA #1-26, there were a few outstanding items (#s 4, 5, 6, 7, 8, and 9) identified that needed to be incorporated with the code amendment for Planning Commission reconsideration.

Recommending that the City Council adopt the proposed ordinance (Exhibit A to Attachment No. 1) ensures that the City has in place minimum ADU and JADU development standards and controls that are consistent with State law.

## **PROJECT DESCRIPTION AND ANALYSIS**

Zone Text Amendment # 2-26 incorporates an Ordinance, consistent with AB 1154 and SB 543, and addressing the May 8<sup>th</sup> HCD letter, that will amend Chapter 18.13 of the Gardena Municipal Code (GMC) and is included as “Exhibit A” to Resolution No. 5-26 (Attachment No. 1). The following is an outline of the proposed changes to the GMC:

**18.13.020 Applications – Junior and accessory dwelling units.** (#3 in HCD letter – the proposed changes were incorporated with ZTA #1-26, no additional changes were made)

- Revised the application process to require the City to determine application completion within 15 business days and provide a list of incomplete items and detailed descriptions providing directions on accomplishing a complete application, with resubmittals being subject to the same 15 business day review period.
- Added a process to appeal ADU/JADU applications that are denied or determined to be incomplete to the Planning Commission and renumbered the section to accommodate the appeal process.
- Revised written out larger numbers to its numerical format.

**18.13.025 Unpermitted structures constructed prior to January 1, 2020.**

- Changed the abbreviated ADU and JADU to “accessory dwelling unit” and “junior accessory dwelling unit.”
- Deleted reference to “homeowner applying for a permit” because contractors or other representatives are also able to apply for permits.
- Corrected Government Code Section number referenced (addresses #4 in HCD letter).

**18.13.040 General requirements.**

- Changed the minimum required days for rental from 30 days to 31 days.
- Added changes to clarify that ADUs and JADUs must be permitted on residential zoned lots regardless of lot coverage, open space, floor area ratio, and minimum lot size.
- Revised written out larger numbers to its numerical format.
- Clarified that no impact fees are required for JADUs and ADUs 750 square or less in interior livable area (#4 in HCD letter).

**18.13.050 Development regulations.**

- Added language to clarify the definition of “livable space.”

- Added language to clarify that ADUs may not encroach into any easements unless the easement holder provides written permission.
- Revised written out larger numbers to its numerical format.
- Changed the abbreviated ADU to “accessory dwelling unit.”
- Clarified that the size limitation is for interior livable space not general floor area (#5 in HCD letter).
- Eliminated reference to “legally existing” for an existing accessory structure allowed to be converted into an ADU by right.
- Added reference to the Government Code and mandatory approval section of the GMC (18.13.060) for front setback exceptions (#7 in HCD letter).

#### **18.13.060 Mandatory approvals.**

- Government Code section 66323 contains the provisions for mandatory approvals where more than one unit is required to be approved. Language was added to make clear that applicants get a combination of the listed units. This change codifies HCDs interpretation of the statute for the past several years.
- Changed the minimum required days for rental from 30 days to 31 days.
- Revised written out larger numbers to its numerical format.
- Clarified that additional development or design standards are not required for ministerial approvals (#8 in HCD letter).
- Clarified that mandatory approval is required for new construction ADUs with minimum 4-foot side and rear setbacks for ADUs up to 800 square feet of livable interior space.

#### **18.13.70 Junior accessory dwelling units.**

- The owner-occupancy requirement has been removed for JADUs that have separate sanitation facilities. The owner-occupancy requirement remains in place if the JADU shares sanitation facilities with the existing structure (#10 in HCD letter, this was in ZTA #1-26, no further changes were made).
- Changed the minimum required days for rental from 30 days to 31 days.
- Revised written out larger numbers to its numerical format.
- Eliminated provision requiring JADU exterior entrance to be located on a different side of the home (#9 in HCD letter).

### **GENERAL PLAN CONSISTENCY**

The proposed use is consistent with the City’s General Plan. The project is consistent with the following General Plan Goals and Policies:

- Land Use Goal 1: Preserve and protect existing single-family and low/medium density residential neighborhoods while promoting the development of high-quality housing types in the City.
  - Land Use Policy 1.1: Promote sound housing and attractive and safe residential neighborhoods.
  - Land Use Policy 1.2: Protect existing sound residential neighborhoods from incompatible uses and development.
  - Land Use Policy 1.3: Protect the character of lower density residential neighborhoods
  - Land Use Policy 1.11: Design infill development to be compatible and consistent with the existing low-density character of residential neighborhoods.
- Housing Plan Goal 1.0: Maintain and enhance the stability of the City's housing stock and residential neighborhoods.
  - Housing Plan Policy 1.1: Encourage the upkeep, maintenance, and rehabilitation of existing housing units.
- Housing Plan Goal 3.0: Minimize the impact of governmental constraints on housing construction and cost.
  - Housing Plan Policy 3.1: Periodically review development standards and project review/approval procedures to remove or mitigate constraints to residential development.

## **ENVIRONMENTAL CONSIDERATIONS**

Pursuant to the State California Environmental Quality Act (CEQA) Guidelines, the ordinance is statutorily exempt from CEQA under Section 15061(b)(3) of the CEQA Guidelines, which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment. The ordinance would not result in physical change in the environment and does not involve any construction or additions to any existing structures.

## **NOTICING**

The public hearing notice for Zone Text Amendment #2-26 was published in the Gardena Valley News on June 18, 2025. A copy of Proof of Publication is on file in the office of the Community Development Department Room 101, City Hall and is considered part of the administrative record.

## **RECOMMENDATION**

Staff recommends holding a public hearing for Zone Text Amendment #2-26 where the Commission will:

- 1) Conduct the public hearing;
- 2) Receive testimony from the public; and
- 3) Adopt Resolution No. PC 10-26, recommending that the City Council adopt an Ordinance for Zone Text Amendment #2-26.

## **ATTACHMENTS**

Attachment No. 1 – Resolution No. PC 10-26

- Exhibit A – Draft Ordinance

Attachment No. 2 – HCD letter dated May 8, 2026

Attachment No. 3 – Resolution No. PC 5-26

## **RESOLUTION NO. PC 10-26**

**A RESOLUTION OF THE PLANNING AND ENVIRONMENTAL QUALITY COMMISSION OF THE CITY OF GARDENA, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL APPROVE ZONE TEXT AMENDMENT # 2-26, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA AMENDING CHAPTER 18.13 OF THE GARDENA MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND MAKING A DETERMINATION THAT THE ORDINANCE IS EXEMPT FROM CEQA PURSUANT TO PUBLIC RESOURCES CODE SECTION 21080.17**

**WHEREAS**, State law regarding Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) has been continually amended by the State legislature, including three new bills enacted during the 2025 Legislative session; and

**WHEREAS**, the City of Gardena wishes to amend its provisions on ADUs and JADUs to be compliant with State law; and

**WHEREAS**, On July 21, 2026, the Planning and Environmental Quality Commission conducted a duly noticed public hearing as prescribed by law to consider the code amendment, gave all persons interested therein an opportunity to be heard, and voted to recommend the City Council's approval and adoption of the code amendment; and

**WHEREAS**, based on review of the State California Environmental Quality Act (CEQA) Guidelines, the Planning and Environmental Quality Commission finds and determines that the ordinance is exempt from CEQA pursuant to Public Resources Code Section 21080.17 which exempts ordinances implementing accessory dwelling unit ordinances; and

**WHEREAS**, the Planning and Environmental Quality Commission has duly considered all information presented to it, including written staff reports and any testimony provided at the public hearing, with all testimony received being made a part of the public record.

**NOW, THEREFORE, THE PLANNING AND ENVIRONMENTAL QUALITY CONTROL COMMISSION OF THE CITY OF GARDENA DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION NO. 1.** The above recitals are true and correct and are incorporated herein as if set forth herein in full.

**SECTION NO. 2.** Based on all evidence presented and the findings set forth herein, Zone Text Amendment # 2-26, which is attached hereto as Exhibit A, is hereby found to be consistent with the Gardena General Plan and the implementation thereof, and that the public necessity, convenience, general welfare, and good zoning practices require Zone Text Amendment # 2-26.

**SECTION NO. 3.** Pursuant to the State California Environmental Quality Act (CEQA) Guidelines, the Planning Commission finds and determines that the ordinance is exempt from CEQA pursuant to Public Resources Code Section 21080.17 which exempts ordinances implementing accessory dwelling unit ordinances.

**SECTION NO. 4.** The Secretary is instructed to forward a copy of this Resolution to the City Council for their attention in the manner as prescribed by law and this Resolution shall go into force and effect upon its adoption.

**SECTION NO. 5.** Based on all the documents, oral testimony, and other evidence presented in connection with this proceeding and in this Resolution, the Planning and Environmental Quality Commission recommends that the City Council approve Zone Text Amendment # 2-26.

**PASSED, APPROVED, AND ADOPTED this 21<sup>st</sup> day of July 2026.**

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RONALD WRIGHT-SCHERR, CHAIR  
PLANNING AND ENVIRONMENTAL  
QUALITY COMMISSION

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GREG TSUJIUCHI, SECRETARY  
PLANNING AND ENVIRONMENTAL QUALITY COMMISSION

I, Greg Tsujiuchi, Planning and Environmental Quality Commission Secretary of the City of Gardena, do hereby certify that the foregoing Resolution was duly adopted by the Planning and Environmental Quality Commission of the City of Gardena at a regular meeting thereof, held the 21<sup>st</sup> day of July 2026, by the following vote:

AYES:

NOES:

ABSENT:

Attachments:

Exhibit A – Draft Ordinance

## **ORDINANCE NO.**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA AMENDING CHAPTER 18.13 OF THE GARDENA MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND MAKING A DETERMINATION THAT THE ORDINANCE IS EXEMPT FROM CEQA PURSUANT TO PUBLIC RESOURCES CODE SECTION 21080.17**

**WHEREAS**, State law regarding Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) has been continually amended by the State legislature, including three new bills enacted during the 2025 Legislative session; and

**WHEREAS**, the City of Gardena wishes to amend its provisions on ADUs and JADUs to be compliant with State law; and

**WHEREAS**, on July 21, 2026 the Planning Commission held a duly noticed public hearing at which time it considered all evidence presented, both written and oral; and

**WHEREAS**, at the close of the public hearing the Planning Commission adopted a resolution recommending that the City Council adopt this Ordinance, including the finding that adoption is exempt from CEQA; and

**WHEREAS**, on \_\_\_\_\_, 2026, the City Council held a duly noticed public hearing at which time it considered all evidence presented, both written and oral;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1.** Chapter 18.13 of the Gardena Municipal Code is hereby amended to read as follows:

#### **Chapter 18.13**

#### **ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS**

##### **18.13.010 Purpose.**

A. In enacting this section, it is the intent of the city to encourage the provision of accessory dwelling units to meet a variety of economic needs within the city and to implement the goals, objectives, and policies of the housing element of the general plan. Accessory dwelling units provide housing for extended family members, students, the elderly, in-home health care providers, the disabled, and others, at below market prices within existing neighborhoods. Homeowners who create accessory dwelling units can benefit from added income, and an increased sense of security. Allowing accessory dwelling units in zones allowing residential uses provides needed additional rental

housing. This chapter provides the requirements for the establishment of accessory dwelling units consistent with California Government Code Sections 66310 through 66342.

B. For purposes of this chapter, “primary dwelling” shall mean as follows:

1. In the case of a single-family residential zone, the existing single-family dwelling, or the larger of two proposed units.

2. In the case of any other residential or mixed-use zone in which a single-family dwelling exists on the property, the existing dwelling.

3. In the case of multifamily or mixed-use zone which allows a residential use, the existing or proposed multifamily units.

C. For purposes of this chapter, words and phrases defined in Government Code Sections 66310 through 66342 shall have the same meaning when used in this chapter.

D. In cases of conflict between this chapter and any other provision of this title, the provisions of this chapter shall prevail. To the extent that any provision of this chapter is in conflict with state law, the mandatory requirement of state law shall control, but only to the extent legally required.

#### **18.13.020 Applications – Junior and accessory dwelling units.**

A. Applications – Review. The city shall determine whether an application for an accessory dwelling unit or junior accessory dwelling unit is complete and provide written notice to the applicant within 15 business days of receipt of the application.

1. If the city determines the application is incomplete, it shall provide with the written notice to the applicant a list of incomplete items and a description of how the application may be made complete.

2. If a determination is not made within the 15 business days, the application shall be deemed to be complete.

3. Any resubmitted or additional application is subject to a 15 business day review period and determination as set forth for initial applications.

B. Applications for junior and accessory dwelling units shall be ministerially approved or denied within ~~sixty~~ **60** days of receipt of a complete application and approved if they meet the requirements of this chapter.

1. If the application is submitted in conjunction with an application for a new single-family or multifamily dwelling, the application for the junior or accessory dwelling

unit shall not be acted upon until the application for the new single-family or multifamily dwelling is approved.

2. If the application is denied, the city shall return a full set of comments in writing to the applicant with a list of items that are defective or deficient with a description of how the application can be remedied by the applicant. These comments shall be provided to the applicant within ~~sixty~~ 60 days of a complete application.

3. Appeal. Notwithstanding anything in this code to the contrary, the applicant may appeal a denial of an application or a determination that an application is incomplete directly to the city council. A final written determination shall be provided to the applicant no later than 60 days after the receipt of the written appeal.

~~43.~~ If a detached garage is to be replaced with an accessory dwelling unit, the demolition permit shall be reviewed with the application for the accessory dwelling unit and issued at the same time.

~~54.~~ The city shall grant a delay if requested by the applicant.

~~65.~~ Notwithstanding the above, if the applicant uses a plan for an accessory dwelling unit that has been preapproved by the city or a plan that is identical to a plan used in an application for a detached accessory dwelling unit approved by the city within the current triennial California Building Standards Code cycle, the application shall be approved or denied within 30 days from the date of a complete application.

~~CB.~~ All applications for junior and accessory dwelling units shall be accompanied by an application fee.

~~DG.~~ Junior and accessory dwelling units shall be subject to applicable inspection and permit fees.

~~ED.~~ Neither an application for a junior nor an accessory dwelling unit shall be denied due to the need to correct nonconforming zoning conditions, building code violations, or unpermitted structures that do not present a threat to public health and safety and are not affected by the construction of the unit.

#### **18.13.025 Unpermitted structures constructed prior to January 1, 2020.**

A. Unless the local agency makes a finding that correcting the violation is necessary to comply with the standards specified in Section 17920.3 of the Health and Safety Code, no application or permit shall be denied for an ADUaccessory dwelling unit or JADUjunior accessory dwelling unit that was constructed prior to January 1, 2020, based solely on either of the following:

1. The ADUaccessory dwelling unit is in violation of building standards pursuant to Article 1 of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code (commencing with Section 17960); or

2. The ADUaccessory dwelling unit does not comply with state law or the provisions of the Gardena Zoning Code regulating ADUaccessory dwelling units.

B. The provisions of subsection A shall not apply to a building that is deemed substandard pursuant to Section 17920.3 of the Health and Safety Code.

C. Before submitting an application for a permit, the homeowner may obtain a confidential third-party code inspection from a licensed contractor to determine the unit's existing condition or potential scope of building improvements before submitting an application for a permit.

D. Upon receiving an application to permit a previously unpermitted ADUaccessory dwelling unit or JADUjunior accessory dwelling unit constructed before January 1, 2020, an inspector from the city may inspect the unit for compliance with health and safety standards and provide recommendations to comply with such standards in order to obtain a permit. The city shall not penalize an applicant for having the unpermitted ADUaccessory dwelling unit or JADUjunior accessory dwelling unit and shall approve necessary permits to correct noncompliance with health and safety standards.

E. No impact fees or connection or capacity charges shall be imposed on ~~a homeowner applying for~~ a permit for a previously unpermitted junior or accessory dwelling unit built before January 1, 2020, except when the utility infrastructure is required to comply with Health and Safety Code Section 17920.3 and authorized by Government Code Section ~~66324(e)~~ 66311.5.

F. Enforcement. Until January 1, 2030, the city shall issue a statement along with a notice to correct a violation of any provision of any building standard relating to an accessory dwelling unit that provides substantially as follows:

You have been issued an order to correct violations or abate nuisances relating to your accessory dwelling unit. If you believe that this correction or abatement is not necessary to protect the public health and safety you may file an application with the Community Development Director. If the city determines that enforcement is not required to protect the health and safety, enforcement shall be delayed for a period of five years from the date of the original notice.

#### **18.13.030 Zones/locations allowed.**

A. Accessory dwelling units shall be allowed on all legally existing residentially zoned lots where a single-family dwelling exists or has been proposed.

B. Accessory dwelling units shall be allowed on all legally existing residentially zoned lots where an existing multifamily structure exists or has been proposed.

C. Accessory dwelling units shall be allowed on all legally existing mixed-use zoned lots where an existing single-family or multifamily dwelling exists or has been proposed.

D. Nothing herein is meant to override the provisions of conditions, covenants, and restrictions for a housing development project relating to accessory dwelling units to the extent such restrictions comply with state law.

E. An accessory dwelling unit may be constructed in an attached or detached garage or in an existing accessory structure.

#### **18.13.040 General requirements.**

A. Number. Unless otherwise allowed by Section [18.13.060\(A\)](#), only one accessory dwelling unit or one junior accessory dwelling unit may be allowed per residential lot.

B. Accessory dwelling units shall not be sold separately from the primary dwelling, except to the extent that the sale meets the requirements of Government Code Section 66341 with regard to a qualified nonprofit corporation.

C. Neither the accessory dwelling unit, junior accessory dwelling unit, nor any other residence located on the property, nor any part thereof, shall be rented out for less than ~~thirty-one~~31 consecutive calendar days.

D. *Repealed.*

E. Fees.

1. Impact fees.

a. No impact fee shall be imposed on any junior accessory dwelling unit and/or any accessory dwelling unit ~~less than with~~ 750 square feet or less in of interior livable area size.

b. For accessory dwelling units ~~750 square feet or~~ greater than 750 square feet of interior livable area, impact fees shall be charged proportionately in relation to the square footage of the primary dwelling.

c. All applicable public service and applicable recreation impact fees shall be paid prior to occupancy in accordance with Government Code Sections 66000 et seq. and 66012 et seq.

d. For purposes of this section, “impact fee” shall have the same meaning as set forth in Government Code Section 66324.

2. Connection Fees/Capacity Charges.

a. An accessory dwelling unit shall not be considered to be a new residential use for purposes of calculating connection fees or capacity charges for utilities, including for water and sewer service, unless the accessory dwelling unit is being constructed with a new single-family dwelling.

b. For an accessory dwelling unit contained within a proposed or existing single-family dwelling meeting the requirements of Section [18.13.060A.1](#), the city shall not impose a connection fee or capacity charge, unless the unit is being constructed with a new single-family dwelling. For all other accessory dwelling units, the city shall

charge a connection fee or capacity charge that is proportionate to the burden of the proposed accessory dwelling unit based on the size of the unit or number of plumbing fixtures.

F. Accessory dwelling units are ancillary to the primary dwelling unit. Therefore, accessory dwelling units and junior accessory dwelling units shall not count in determining density ~~or lot coverage~~ and are considered a residential use consistent with the existing general plan and zoning designation for the lot. Accessory dwelling units and/or junior accessory dwelling units shall be permitted on a qualifying residentially zoned lot regardless of applicable lot coverage, open space, floor area ratio, and minimum lot size standards for the underlying zone.

G. When an accessory dwelling unit is being proposed with a new primary dwelling unit, the city shall not issue a certificate of occupancy for an accessory dwelling unit before it issues a certificate of occupancy for the primary dwelling unit.

#### **18.13.050 Development regulations.**

A. Accessory dwelling units shall be required to comply with the objective development standards of the underlying zoning district and the applicable provisions of Chapter 18.42 unless superseded by a provision of this chapter or if such regulation prohibits the construction of an accessory dwelling unit of at least ~~eight hundred~~ 800 square feet.

B. An accessory dwelling unit shall have a separate entrance from the primary dwelling which shall be located on a different plane than the entrance for the primary dwelling in the case of a single-family dwelling.

C. No passageway as defined in Government Code Section 66313 shall be required for the construction of an accessory dwelling unit.

D. Accessory dwelling units shall comply with all applicable building code requirements with the exception that fire sprinklers shall not be required in an accessory dwelling unit if they are not required for the primary dwelling and the construction of an accessory dwelling unit shall not trigger a requirement for sprinklers to be installed in the primary dwelling.

E. Size.

1. The ~~floor area~~ interior livable space of an attached or detached accessory dwelling unit shall not exceed ~~eight hundred fifty~~850 square feet for a studio or one bedroom or ~~one thousand~~1,000 square feet for a unit that contains more than one bedroom.

2. The minimum size of an accessory dwelling unit shall not be less than that allowed for an efficiency unit.

3. The development standards of this section shall be waived to the extent required in order to allow an accessory dwelling unit that is ~~eight hundred~~ 800 square feet, that does not exceed the height requirements set forth in subsection F of this section, and has a minimum of four-foot side and rear yard setbacks.

F. Setbacks. Except as specified below, an accessory dwelling unit shall be required to comply with the setback requirements of the zone in which the unit is to be located.

1. No setback shall be required for an existing living area, or ~~a legally an~~ existing accessory structure, including a garage, that is converted to an accessory dwelling unit or a new accessory dwelling unit constructed in the same location and built to the same dimensions as the existing structure.

2. No setback greater than four feet shall be required for side and rear yard setbacks for all other accessory dwelling units not covered by subsection F.1 of this section.

3. An attached or detached accessory dwelling unit shall be at least six feet from all other buildings on the lot or on any adjacent lot.

4. An attached or detached accessory dwelling unit shall be located behind the front yard setback, unless the accessory dwelling unit is being constructed in the exact location and to the same dimensions as a previously existing approved accessory structure, including an attached or detached garage. This requirement shall not apply to an accessory dwelling unit that is required to be approved pursuant to Section 66323 of the California Government Code and Section 18.13.060 of this Code. This requirement shall also be waived to the extent that it prohibits an accessory dwelling unit of ~~eight hundred~~ 800 square feet from being built with four-foot side and rear yard setbacks in compliance with all other development standards.

5. No portion of an accessory dwelling unit may encroach into any public or private easement such as a utility easement unless the easement holder has provided written permission to construct the accessory dwelling unit in the manner proposed. To establish a rebuttable presumption of compliance with this requirement, the applicant may provide a written declaration under penalty of perjury affirming compliance with this requirement. The declaration shall be in a form acceptable to the city attorney.

G. Height. The height of an accessory dwelling unit shall be as follows:

1. A height of ~~sixteen~~ 16 feet for a detached accessory dwelling unit on a lot with an existing or proposed single-family or multifamily dwelling unit.

2. A height of ~~eighteen~~ 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed single-family or multifamily dwelling unit that is within ~~one-half~~ 1/2 mile walking distance of a major transit stop or a high-quality transit corridor. An additional two feet shall be allowed if required to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit.

3. A height of ~~eighteen~~18 feet for a detached accessory dwelling unit on a lot with an existing or proposed multifamily, multistory dwelling.

4. A height of ~~twenty-five~~25 feet or the height limit of the applicable zone that applies to the primary dwelling, whichever is lower, for an accessory dwelling unit that is attached to a primary dwelling unit or built above an existing garage. In no event shall the accessory dwelling unit exceed two stories.

5. An accessory dwelling unit may be built on top of a garage; provided, that the garage is maintained for parking and the total height of the structure does not exceed ~~twenty-five~~25 feet. If an accessory dwelling unit is built pursuant to this provision, a declaration shall be recorded that the garage must be maintained for parking.

#### H. Parking.

1. Parking shall be required at the rate of one space for each accessory dwelling unit that contains at least one bedroom. No parking spaces shall be required for a studio unit or for an accessory dwelling unit created within an existing living space.

2. Parking spaces may be provided through tandem parking on an existing driveway; provided, that such parking does not encroach into the public sidewalk.

3. Parking spaces for accessory dwelling units may be provided in paved portions of setback areas; provided, that the amount of paving does not exceed the total amount of paving and hardscaped areas that are otherwise allowed by this title.

4. When a garage, carport, uncovered parking space, or covered parking structure is demolished or converted in conjunction with the construction of an accessory dwelling unit, such parking spaces need not be replaced.

5. Tandem parking and parking in setback areas shall not be allowed if the community development director makes specific findings that such parking is not feasible based upon specific site or regional topographical, or fire and life safety conditions.

6. Notwithstanding any other provision of this subsection H, no parking shall be required for the accessory dwelling unit if any of the following conditions apply:

a. The accessory dwelling unit is located within ~~one-half~~1/2 mile walking distance of public transit;

b. The accessory dwelling unit is located within an architecturally and historically significant district;

c. The accessory dwelling unit is part of the proposed or existing primary dwelling or an existing accessory structure;

d. When on-street parking permits are required, but not offered to the occupant of the accessory dwelling unit;

e. When there is a car share vehicle located within one block of the accessory dwelling unit; or

f. When a permit application for an accessory dwelling unit is submitted with a permit application to create a new single-family or multifamily dwelling on the same lot, provided the ADUaccessory dwelling unit or parcel satisfies any other criteria listed in this subsection H.

I. Utilities.

1. All utility installations shall be placed underground.

2. For an accessory dwelling unit contained within an existing single-family dwelling meeting the requirements of Section 18.13.060(A)(1), the city shall not require the installation of a new or separate utility connection between the accessory dwelling unit and the utility unless the accessory dwelling is being constructed with a new single-family dwelling.

3. For all other accessory dwelling units other than those described in subsection (I)(2) of this section, the city shall require a new or separate utility connection between the accessory dwelling unit and the utility.

J. The number of curb cuts allowed shall be governed by the underlying zoning regulations.

K. An applicant may turn an existing single-family dwelling into the accessory dwelling unit and develop a new primary residence elsewhere on the lot if both structures meet all requirements of this chapter and the R-1 zone, including size limitations.

L. All references to square footage of an accessory dwelling unit or junior accessory dwelling unit in this chapter are based on the square footage of the interior livable space. Livable space includes but is not limited to bedrooms, bathrooms, kitchens, laundry rooms, closets, and interior stairs.

M. No portion of an accessory dwelling unit may encroach into any public or private easement such as a utility easement unless the easement holder has provided written permission to construct the accessory dwelling unit in the manner proposed. To establish a rebuttable presumption of compliance with this requirement, the applicant may provide a written declaration under penalty of perjury affirming compliance with this requirement. The declaration shall be in a form acceptable to the city attorney.

N. Affordability Information (RHNA). Applicants shall provide the city with all information reasonably requested by the city to allow the city to classify the ADUaccessory dwelling unit by income category for the city's annual housing report.

### 18.13.060 Mandatory approvals.

A. Notwithstanding any other provision of this chapter, the city shall ministerially approve an application for any combination of the following accessory dwelling units within a residential or mixed-use zone. Accessory dwelling units and junior accessory dwelling units qualifying for mandatory approval under this section shall not be subject to any development or objective design standards except those expressly authorized by Government Code Section 66323 and set forth in this chapter.

1. One accessory dwelling unit and one junior accessory dwelling unit within the existing or proposed space of a single-family dwelling or accessory structure.

a. An expansion of up to ~~one hundred fifty~~ 150 square feet shall be allowed in an accessory structure solely for the purposes of accommodating ingress and egress.

b. The junior or accessory dwelling unit shall have exterior access separate from the existing or proposed single-family dwelling.

c. The side and rear setbacks shall be sufficient for fire and safety.

d. If the unit is a junior accessory dwelling unit, it shall comply with the requirements of Section 18.13.070.

2. One ~~new~~ detached new construction accessory dwelling unit with minimum four-foot side and rear yard setbacks on a lot with an existing or proposed single-family dwelling; provided, that the unit shall not be more than ~~eight hundred~~ 800 square feet interior livable space and shall not exceed the height requirements set forth in Section 18.13.050(G)(1) through (3).

~~a. A junior accessory dwelling unit may be developed in conjunction with this type of detached accessory dwelling unit, provided it complies with the requirements of subsection (A)(1) of this section.~~

3. On a lot with a multifamily dwelling structure, up to ~~twenty five~~ 25 percent of the existing total multifamily dwelling units, but no less than one unit, shall be allowed within the portions of the existing structure that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages; provided, that each unit complies with state building standards for dwellings.

4. On a lot with a proposed multifamily dwelling structure, up to two detached units; provided that neither unit exceeds the height requirements set forth in Section 18.13.050(G)(1) through (3) and has at least four-foot side and rear yard setbacks.

5. On a lot with an existing multifamily dwelling structure, up to eight detached units, but in no event more than the number of existing units on the lot, provided that

neither unit exceeds the height requirements set forth in Section 18.13.050(G)(1) through (3) and has at least four-foot side and rear yard setbacks.

6. Accessory dwelling units and junior accessory dwelling units approved under this section may not be combined with any other accessory dwelling unit or junior accessory dwelling unit unless otherwise authorized by this chapter.

B. For those junior/or accessory dwelling units which require mandatory approval, the city shall not require the correction of nonconforming zoning conditions.

C. The installation of fire sprinklers shall not be required in an accessory dwelling unit approved under this section if fire sprinklers are not required for the primary residence.

D. No unit approved under this section shall be rented for a period of ~~30 days or~~ less than 31 days.

#### **18.13.070 Junior accessory dwelling units.**

A. One junior accessory dwelling unit shall be allowed in an existing or proposed single-family dwelling, including in an attached garage. A junior accessory dwelling unit may also be allowed on the same lot as an accessory dwelling unit permitted under Section 18.13.060A.1 or 2.

B. The junior accessory dwelling unit shall be required to contain at least an efficiency kitchen which includes a sink, cooking appliances and a food preparation counter and storage cabinets that are of reasonable size in relation to the junior accessory dwelling unit.

C. The junior accessory dwelling unit shall be required to have a separate entrance from the primary dwelling ~~which shall be located on a different side of the home than the front door of the primary dwelling~~.

D. The junior accessory dwelling unit may, but is not required to, include separate sanitation facilities. If separate sanitation facilities are not provided, the junior accessory dwelling unit shall share sanitation facilities with the single-family residence and shall have direct access to the single-family residence from the interior of the dwelling unit.

E. No additional parking shall be required for a junior accessory dwelling unit.

F. Junior accessory dwelling units shall be required to comply with applicable building standards, except that fire sprinklers shall not be required if they were not required for the single-family residence.

G. The city shall not require the correction of a nonconforming zoning condition as a requirement for the junior accessory dwelling unit.

H. A deed restriction shall be required to be recorded on the property on which a junior accessory dwelling unit is constructed, which deed restriction shall run with the land. The deed restriction shall provide for the following:

1. A prohibition on the sale of the junior accessory dwelling unit separate from the sale of the single-family residence;
2. A restriction that prohibits the junior accessory dwelling unit from being enlarged beyond ~~five hundred~~500 square feet;
3. A restriction from renting either the junior accessory dwelling unit or the single-family dwelling or any part thereof for less than ~~thirty-one~~31 consecutive calendar days;
4. If the junior accessory dwelling unit has shared sanitation facilities with the primary unit, a restriction that the owner resides in either the single-family dwelling or the junior accessory dwelling unit. Notwithstanding the foregoing, this restriction shall not apply if the owner of the single-family ~~residence~~dwelling is a governmental agency, land trust, or housing organization;
5. A statement that the deed restrictions may be enforced against future purchasers;
6. A statement that the city shall be entitled to all legal and equitable remedies available under the law upon the default of any covenant in the deed restriction; and
7. A statement that the prevailing party shall be entitled to reimbursement of its reasonable attorneys' fees and costs.

I. For the purposes of applying any fire or life protection ordinance or regulation, or providing service water, sewer, or power, including a connection fee, a junior accessory dwelling unit shall not be considered to be a separate or new dwelling unit.

**SECTION 2.** CEQA. This Ordinance is exempt from CEQA pursuant to Public Resources Code Section 21080.17 which exempts ordinances implementing accessory dwelling unit ordinances.

**SECTION 3.** Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

**SECTION 4.** Certification. The City Clerk shall certify the passage of this ordinance and shall cause the same to be entered in the book of original ordinances of said city; shall

make a minute passage and adoption thereof in the records of the meeting at which time the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published as required by law, in a publication of general circulation.

**SECTION 5.** Effective Date. This Ordinance shall not become effective or be in force until thirty (30) days from and after the date of its adoption.

**SECTION 6.** HCD. The City Clerk shall send a copy of this Ordinance to the Department of Housing and Community Development within 60 days of adoption as required by State law.

Passed, approved, and adopted this \_\_\_\_ day of \_\_\_\_\_, 2026.

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TASHA CERDA, Mayor

ATTEST:

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MINA SEMENZA, City Clerk

APPROVED AS TO FORM:

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CARMEN VASQUEZ, City Attorney

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF HOUSING POLICY DEVELOPMENT**

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May 8, 2026

Greg Tsujiuchi, Director  
Community Development Department  
City of Gardena  
1700 West 162<sup>nd</sup> Street,  
Gardena, CA 90247

Dear Greg Tsujiuchi:

**RE: Review of Gardena's Accessory Dwelling Unit (ADU) Ordinance under State ADU Law (Gov. Code, §§ 66310 – 66342)**

Thank you for submitting the City of Gardena's (City) ADU Ordinance No. 1883 (Ordinance), adopted June 10, 2025, to the California Department of Housing and Community Development (HCD). The Ordinance was received on June 17, 2025. HCD has reviewed the Ordinance and submits these written findings pursuant to Government Code section 66326, subdivision (a). HCD finds that the Ordinance fails to comply with State ADU Laws in the manner noted below. Pursuant to Government Code section 66326, subdivision (b)(1), the City has up to 30 days to respond to these findings. Accordingly, the City must provide a written response to these findings no later than June 7, 2026, with a plan to either amend the current Ordinance or adopt a resolution with findings.<sup>1</sup> Responses should be submitted formally on agency letterhead.

The Ordinance addresses many statutory requirements; however, HCD finds that the Ordinance does not comply with State ADU Law as follows:

1. *Statutory Numbering* - The Ordinance contains several references to code sections that were deleted by SB 477, effective March 25, 2024. These include Government Code sections 65852.2, 65852.22 and 65852.26. The contents of these sections were relocated to Government Code, Title 7, Division 1, Chapter 13. The County must amend the Ordinance to reference the correct Government Code sections.
2. Please note, there is recent legislation that amended State ADU Law. Language relevant to these changes should be incorporated into the Ordinance as it is updated. The bills referenced below are relevant to State ADU Law:

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<sup>1</sup> Gov. Code, § 66326, subd. (b)(2)(B).

- Assembly Bill (AB) 130 – Effective June 30, 2025
  - AB 462 – Effective October 10, 2025
  - AB 1154 – Effective January 1, 2026
  - Senate Bill (SB) 9 – Effective January 1, 2026
  - SB 543 – Effective January 1, 2026
3. Section 18.13.020 A. – *Application Process* – The Ordinance states, “[a]pplications for junior and accessory dwelling units shall be ministerially approved or denied within sixty days of receipt of a complete application...” and further provides for denial comments within sixty days. However, Government Code sections 66317 and 66335 now require additional process streamlining.

Government Code section 66317, subdivision (a)(2)(A) states, “A permitting agency shall determine whether an application to create or serve an accessory dwelling unit is complete and provide written notice of this determination to the applicant not later than **15** business days after the permitting agency received the application.” If the permitting agency determines an application is incomplete, the permitting agency shall provide the applicant with a list of incomplete items.<sup>2</sup> Moreover, the Ordinance is missing additional protections under Section 66317 including: “(C) After receiving a notice that the application was incomplete, an applicant may cure and address the items that are deemed to be incomplete by the permitting agency. (D) In the review of an application submitted pursuant to subparagraph (C), the permitting agency shall not require the application to include an item that was not included in the list required by subparagraph (B). (E) If an applicant submits an application pursuant to subparagraph (C), the permitting agency shall determine whether the additional application has remedied all incomplete items listed in the determination issued pursuant to subparagraph (B). This additional application is subject to the timelines and requirements specified in subparagraph (A). (F) If a permitting agency does not make a timely determination as required by this paragraph, the application or resubmitted application shall be deemed to be complete for the purposes of this section.”<sup>3</sup>

State ADU Law also requires, “The permitting agency shall either approve or deny the application to create or serve an accessory dwelling unit within 60 days from the date the permitting agency receives a **completed** application...” (Emphasis added).<sup>4</sup> Similar timeframes are required for junior accessory dwelling units (JADUs).<sup>5</sup> The City must amend the application section of the Ordinance to incorporate the required timelines for both ADUs and JADUs pursuant to sections 66317 and 66335, respectively.

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<sup>2</sup> Gov. Code, § 66317, subd. (a)(2)(B)

<sup>3</sup> Gov. Code, § 66317, subd. (a)(2)(C) – (F)

<sup>4</sup> Gov. Code, § 66317, subd. (a)(3)

<sup>5</sup> Gov. Code, § 66335

The City must also provide for an appeals process under Government Code section 66317, subdivision (d): "(1) If a permit application is determined to be incomplete under paragraph (2) of subdivision (a) or denied under paragraph (3) of subdivision (a), the permitting agency shall provide a process for the applicant to appeal that decision in writing to the governing body of the agency or, if there is no governing body, to the director of the agency, as provided by that agency. A city or county shall provide that the right of appeal is to the governing body or, at their option, the planning commission, or both. (2) A permitting agency on the appeal shall provide a final written determination by not later than 60 business days after receipt of the applicant's written appeal. The fact that an appeal is permitted to both the planning commission and to the governing body does not extend the 60-business-day period."

Similarly, State JADU Law requires due process if a permit application is determined to be incomplete or denied consistent with Government Code section 66335, subdivision (e). Gardena's Ordinance omits required due process. The City must amend the Ordinance to include due process consistent with State ADU and JADU Law.

4. Section 18.13.025 E. – *Fees* – The Ordinance states, "No impact fees or connection or capacity charges shall be imposed on a homeowner applying for a permit for a previously unpermitted junior or accessory dwelling unit built before January 1, 2020, except when the utility infrastructure is required to comply with Health and Safety Code Section 17920.3 and authorized by Government Code Section 66324(e)." The Ordinance references an incorrect, nonexistent citation. In addition, Government Code section 66332, subdivision (e) has been re-chaptered to Government Code section 66311.5, subdivision (e). State ADU Law measures impact-fee exemptions by interior livable space, and provides that a local agency, special district, or water corporation shall not impose any impact fee on an ADU with 750 square feet of interior livable space or less or a JADU with 500 square feet of interior livable space or less.<sup>6</sup> The Ordinance does not reflect current State ADU Law. The City must amend the Ordinance to replace the erroneous reference and update all fee provisions to reflect interior-livable-space thresholds applicable to ADUs and JADUs.
5. Sections 18.13.050 E.1. and 18.13.060 A.2. – *Size* – The Ordinance states, "The floor area of an attached or detached accessory dwelling unit shall not exceed eight hundred fifty square feet for a studio or one bedroom or one thousand square feet for a unit that contains more than one bedroom." It also states, for the detached single-family unit in Section 18.13.060 A.2., that the unit "shall not be more than eight hundred square feet." However, Government Code section 66321, subdivision (b)(2), authorizes 850 square feet of interior livable space, or 1,000 square feet of interior livable space for an ADU with more than one bedroom, and Government Code section 66323, subdivision (a)(2)(A), authorizes

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<sup>6</sup> Gov. Code, § 66311, subd. (c)

up to 800 square feet of interior livable space for a detached new construction ADU on a lot with a proposed or existing single-family dwelling. The Ordinance's use of "floor area" must be removed and the Ordinance amended to include interior livable space. Moreover, "eight hundred square feet" is more restrictive than State ADU Law; therefore, the Ordinance must be amended to precisely reflect state law.

6. Section 18.13.050 F.1. – *"Legally Existing" Accessory Structures* – The Ordinance states, "No setback shall be required for an existing living area, or a legally existing accessory structure, including a garage, that is converted to an accessory dwelling unit or a new accessory dwelling unit constructed in the same location and built to the same dimensions as the existing structure." However, Government Code section 66314, subdivision (d)(7) provides, "No setback shall be required for an existing living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit, and a setback of no more than four feet from the side and rear lot lines shall be required for an accessory dwelling unit that is not converted from an existing structure or a new structure constructed in the same location and to the same dimensions as an existing structure." The Ordinance's limitation to "legally existing accessory structures" is more restrictive than State ADU Law and is therefore unlawful. The City must amend the Ordinance to reflect State ADU Law.
7. Section 18.13.050 F.4. – *Front Setbacks* – The Ordinance states, "An attached or detached accessory dwelling unit shall be located behind the front yard setback, unless the accessory dwelling unit is being constructed in the exact location and to the same dimensions as a previously existing approved accessory structure, including an attached or detached garage. This requirement shall be waived to the extent that it prohibits an accessory dwelling unit of eight hundred square feet from being built with four-foot side and rear yard setbacks in compliance with all other development standards." However, units authorized by Government Code section 66323 are not subject to any objective development or design standard that is not authorized by that section upon any unit that meets the requirements of any of paragraphs (1) to (4), inclusive, of subdivision (a) of section 66323.<sup>7</sup> The Ordinance must be amended to reflect State ADU Law.
8. Section 18.13.060 A. – *Mandatory Approval ADUs* – The Ordinance states, "Notwithstanding any other provision of this chapter, the city shall ministerially approve an application for any of the following accessory dwelling units within a residential or mixed-use zone," and then lists the categories of units the City will approve under that section, and additional standards applicable to such units. However, Government Code section 66323, subdivision (b), provides that "[a] local agency shall not impose any objective development or design standard that is not authorized by this section upon any accessory dwelling unit that meets the

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<sup>7</sup> Gov. Code, § 66323, subd. (b)

requirements of any of paragraphs (1) to (4), inclusive, of subdivision (a).” Although the Ordinance correctly begins by stating that these units shall be approved notwithstanding other provisions of the chapter, the Ordinance references standards in Section 18.13.050 that are unauthorized by State ADU Law. Therefore, the City must amend Section 18.13.060 to include clarity that no local development or design standard shall be imposed on units approved under that section except those standards expressly authorized by Government Code section 66323.

9. Section 18.13.070 C. – *JADU Entrance Location* – The Ordinance states, “The junior accessory dwelling unit shall be required to have a separate entrance from the primary dwelling which shall be located on a different side of the home than the front door of the primary dwelling.” However, Government Code section 66333, subdivision (e), requires only that “a JADU include a separate entrance from the main entrance to the proposed or existing single-family residence, and, if the JADU does not include a separate bathroom, the permitted JADU shall include a separate entrance from the main entrance to the structure, with an interior entry to the main living area.”. State law does not authorize the City to require the JADU entrance to be located on a different side of the home from the front door. The City must amend the Ordinance to delete the entrance-location requirement.
10. Section 18.13.070 H.4. – *JADU Owner Occupancy* – The Ordinance requires a deed restriction stating “...that the owner resides in either the single-family dwelling or the junior accessory dwelling unit,” subject only to the exception for a governmental agency, land trust, or housing organization. However, Government Code section 66333, subdivision (b), provides that owner-occupancy may be required only if the JADU has shared sanitation facilities with the existing structure. Owner-occupancy shall not be required if the JADU has separate sanitation facilities, or if the owner is another governmental agency, land trust, or housing organization. The Ordinance’s owner-occupancy requirement is inconsistent with State law. The City must amend the Ordinance to specifically limit owner-occupancy to JADUs with shared sanitation facilities.

The City has two options in response to this letter.<sup>8</sup> The City can either 1) amend the Ordinance to comply with State ADU Law<sup>9</sup> or 2) adopt the Ordinance without changes and include findings in its resolution accompanying the Ordinance that explain the reasons the City believes that the Ordinance complies with State ADU Law despite HCD’s findings.<sup>10</sup> If the City fails to take either course of action, or if HCD finds that the newly adopted Ordinance remains out of compliance with State ADU Law despite the City’s findings and explanations, HCD must notify the City and may notify the California Office of the Attorney General that the City is in violation of State ADU Law.<sup>11</sup>

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<sup>8</sup> Gov. Code, § 66326, subd. (b)(2).

<sup>9</sup> Gov. Code, § 66326, subd. (b)(2)(A).

<sup>10</sup> Gov. Code, § 66326, subd. (b)(2)(B).

<sup>11</sup> Gov. Code, § 66326, subd. (c)(1).

HCD appreciates the City's efforts in the preparation and adoption of the Ordinance and welcomes the opportunity to assist the City in fully complying with State ADU Law. Please feel free to contact Mike McLaughlin, [michael.mclaughlin@hcd.ca.gov](mailto:michael.mclaughlin@hcd.ca.gov), if you have any questions or wish to discuss any of HCD's findings.

Sincerely,

A handwritten signature in cursive script that reads "Jamie Candelaria".

Jamie Candelaria  
Section Chief, ADU Policy  
Housing Accountability Unit

## **RESOLUTION NO. PC 5-26**

**A RESOLUTION OF THE PLANNING AND ENVIRONMENTAL QUALITY COMMISSION OF THE CITY OF GARDENA, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL APPROVE ZONE TEXT AMENDMENT NO. 1-26, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA AMENDING CHAPTER 18.13 OF THE GARDENA MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND MAKING A DETERMINATION THAT THE ORDINANCE IS EXEMPT FROM CEQA PURSUANT TO PUBLIC RESOURCES CODE SECTION 21080.17**

**WHEREAS**, State law regarding Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) has been continually amended by the State legislature, including three new bills enacted during the 2025 Legislative session; and

**WHEREAS**, the City of Gardena wishes to amend its provisions on ADUs and JADUs to be compliant with State law; and

**WHEREAS**, On May 5, 2026, the Planning and Environmental Quality Commission conducted a duly noticed public hearing as prescribed by law to consider the code amendment, gave all persons interested therein an opportunity to be heard, and voted to recommend the City Council's approval and adoption of the code amendment; and

**WHEREAS**, based on review of the State California Environmental Quality Act (CEQA) Guidelines, the Planning and Environmental Quality Commission finds and determines that the ordinance is exempt from CEQA pursuant to Public Resources Code Section 21080.17 which exempts ordinances implementing accessory dwelling unit ordinances; and

**WHEREAS**, the Planning and Environmental Quality Commission has duly considered all information presented to it, including written staff reports and any testimony provided at the public hearing, with all testimony received being made a part of the public record.

**NOW, THEREFORE, THE PLANNING AND ENVIRONMENTAL QUALITY CONTROL COMMISSION OF THE CITY OF GARDENA DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION NO. 1.** The above recitals are true and correct and are incorporated herein as if set forth herein in full.

**SECTION NO. 2.** Based on all evidence presented and the findings set forth herein, Zone Text Amendment No. 1-26, which is attached hereto as Exhibit A, is hereby found to be

consistent with the Gardena General Plan and the implementation thereof, and that the public necessity, convenience, general welfare, and good zoning practices require Zone Text Amendment No. 1-26.

**SECTION NO. 3.** Pursuant to the State California Environmental Quality Act (CEQA) Guidelines, the Planning Commission finds and determines that the ordinance is exempt from CEQA pursuant to Public Resources Code Section 21080.17 which exempts ordinances implementing accessory dwelling unit ordinances.

**SECTION NO. 4.** The Secretary is instructed to forward a copy of this Resolution to the City Council for their attention in the manner as prescribed by law and this Resolution shall go into force and effect upon its adoption.

**SECTION NO. 5.** Based on all the documents, oral testimony, and other evidence presented in connection with this proceeding and in this Resolution, the Planning and Environmental Quality Commission recommends that the City Council approve Zone Text Amendment No. 1-26.

**PASSED, APPROVED, AND ADOPTED this 5<sup>th</sup> day of May 2026.**



RONALD WRIGHT-SCHERR, CHAIR  
PLANNING AND ENVIRONMENTAL  
QUALITY COMMISSION



GREG TSUJIUCHI, SECRETARY  
PLANNING AND ENVIRONMENTAL QUALITY COMMISSION

I, Greg Tsujiuchi, Planning and Environmental Quality Commission Secretary of the City of Gardena, do hereby certify that the foregoing Resolution was duly adopted by the Planning and Environmental Quality Commission of the City of Gardena at a regular meeting thereof, held the 5th day of May 2026, by the following vote:

AYES: Wright-Scherr, Kanhan, Sherman, Henderson and Langley

NOES: None

ABSENT: None

Attachments:

Exhibit A – Draft Ordinance

## **ORDINANCE NO.**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA AMENDING CHAPTER 18.13 OF THE GARDENA MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND MAKING A DETERMINATION THAT THE ORDINANCE IS EXEMPT FROM CEQA PURSUANT TO PUBLIC RESOURCES CODE SECTION 21080.17**

**WHEREAS**, State law regarding Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) has been continually amended by the State legislature, including three new bills enacted during the 2025 Legislative session; and

**WHEREAS**, the City of Gardena wishes to amend its provisions on ADUs and JADUs to be compliant with State law; and

**WHEREAS**, on May 5, 2026 the Planning Commission held a duly noticed public hearing at which time it considered all evidence presented, both written and oral; and

**WHEREAS**, at the close of the public hearing the Planning Commission adopted a resolution recommending that the City Council adopt this Ordinance, including the finding that adoption is exempt from CEQA; and

**WHEREAS**, on \_\_\_\_\_, 2026, the City Council held a duly noticed public hearing at which time it considered all evidence presented, both written and oral;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1.** Chapter 18.13 of the Gardena Municipal Code is hereby amended to read as follows:

#### **Chapter 18.13**

#### **ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS**

##### **18.13.010 Purpose.**

A. In enacting this section, it is the intent of the city to encourage the provision of accessory dwelling units to meet a variety of economic needs within the city and to implement the goals, objectives, and policies of the housing element of the general plan. Accessory dwelling units provide housing for extended family members, students, the elderly, in-home health care providers, the disabled, and others, at below market prices within existing neighborhoods. Homeowners who create accessory dwelling units can benefit from added income, and an increased sense of security. Allowing accessory dwelling units in zones allowing residential uses provides needed additional rental

housing. This chapter provides the requirements for the establishment of accessory dwelling units consistent with California Government Code Sections 66310 through 66342.

B. For purposes of this chapter, “primary dwelling” shall mean as follows:

1. In the case of a single-family residential zone, the existing single-family dwelling, or the larger of two proposed units.

2. In the case of any other residential or mixed-use zone in which a single-family dwelling exists on the property, the existing dwelling.

3. In the case of multifamily or mixed-use zone which allows a residential use, the existing or proposed multifamily units.

C. For purposes of this chapter, words and phrases defined in Government Code Sections 66310 through 66342 shall have the same meaning when used in this chapter.

D. In cases of conflict between this chapter and any other provision of this title, the provisions of this chapter shall prevail. To the extent that any provision of this chapter is in conflict with state law, the mandatory requirement of state law shall control, but only to the extent legally required.

#### **18.13.020 Applications – Junior and accessory dwelling units.**

A. Applications – Review. The city shall determine whether an application for an accessory dwelling unit or junior accessory dwelling unit is complete and provide written notice to the applicant within 15 business days of receipt of the application.

1. If the city determines the application is incomplete, it shall provide with the written notice to the applicant a list of incomplete items and a description of how the application may be made complete.

2. If a determination is not made within the 15 business days, the application shall be deemed to be complete.

3. Any resubmitted or additional application is subject to a 15 business day review period and determination as set forth for initial applications.

B. Applications for junior and accessory dwelling units shall be ministerially approved or denied within ~~sixty~~ 60 days of receipt of a complete application and approved if they meet the requirements of this chapter.

1. If the application is submitted in conjunction with an application for a new single-family or multifamily dwelling, the application for the junior or accessory dwelling

unit shall not be acted upon until the application for the new single-family or multifamily dwelling is approved.

2. If the application is denied, the city shall return a full set of comments in writing to the applicant with a list of items that are defective or deficient with a description of how the application can be remedied by the applicant. These comments shall be provided to the applicant within ~~sixty~~ 60 days of a complete application.

3. Appeal. Notwithstanding anything in this code to the contrary, the applicant may appeal a denial of an application or a determination that an application is incomplete directly to the city council. A final written determination shall be provided to the applicant no later than 60 days after the receipt of the written appeal.

~~43.~~ If a detached garage is to be replaced with an accessory dwelling unit, the demolition permit shall be reviewed with the application for the accessory dwelling unit and issued at the same time.

~~54.~~ The city shall grant a delay if requested by the applicant.

~~65.~~ Notwithstanding the above, if the applicant uses a plan for an accessory dwelling unit that has been preapproved by the city or a plan that is identical to a plan used in an application for a detached accessory dwelling unit approved by the city within the current triennial California Building Standards Code cycle, the application shall be approved or denied within 30 days from the date of a complete application.

~~CB.~~ All applications for junior and accessory dwelling units shall be accompanied by an application fee.

~~DC.~~ Junior and accessory dwelling units shall be subject to applicable inspection and permit fees.

~~ED.~~ Neither an application for a junior nor an accessory dwelling unit shall be denied due to the need to correct nonconforming zoning conditions, building code violations, or unpermitted structures that do not present a threat to public health and safety and are not affected by the construction of the unit.

#### **18.13.025 Unpermitted structures constructed prior to January 1, 2020.**

A. Unless the local agency makes a finding that correcting the violation is necessary to comply with the standards specified in Section 17920.3 of the Health and Safety Code, no application or permit shall be denied for an ADUaccessory dwelling unit or JADUjunior accessory dwelling unit that was constructed prior to January 1, 2020, based solely on either of the following:

1. The ADUaccessory dwelling unit is in violation of building standards pursuant to Article 1 of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code (commencing with Section 17960); or

2. The ADUaccessory dwelling unit does not comply with state law or the provisions of the Gardena Zoning Code regulating ADUaccessory dwelling units.

B. The provisions of subsection A shall not apply to a building that is deemed substandard pursuant to Section 17920.3 of the Health and Safety Code.

C. Before submitting an application for a permit, the homeowner may obtain a confidential third-party code inspection from a licensed contractor to determine the unit's existing condition or potential scope of building improvements before submitting an application for a permit.

D. Upon receiving an application to permit a previously unpermitted ADUaccessory dwelling unit or JADUjunior accessory dwelling unit constructed before January 1, 2020, an inspector from the city may inspect the unit for compliance with health and safety standards and provide recommendations to comply with such standards in order to obtain a permit. The city shall not penalize an applicant for having the unpermitted ADUaccessory dwelling unit or JADUjunior accessory dwelling unit and shall approve necessary permits to correct noncompliance with health and safety standards.

E. No impact fees or connection or capacity charges shall be imposed on a homeowner applying for a permit for a previously unpermitted junior or accessory dwelling unit built before January 1, 2020, except when the utility infrastructure is required to comply with Health and Safety Code Section 17920.3 and authorized by Government Code Section 66324(e).

F. Enforcement. Until January 1, 2030, the city shall issue a statement along with a notice to correct a violation of any provision of any building standard relating to an accessory dwelling unit that provides substantially as follows:

You have been issued an order to correct violations or abate nuisances relating to your accessory dwelling unit. If you believe that this correction or abatement is not necessary to protect the public health and safety you may file an application with the Community Development Director. If the city determines that enforcement is not required to protect the health and safety, enforcement shall be delayed for a period of five years from the date of the original notice.

#### **18.13.030 Zones/locations allowed.**

A. Accessory dwelling units shall be allowed on all legally existing residentially zoned lots where a single-family dwelling exists or has been proposed.

B. Accessory dwelling units shall be allowed on all legally existing residentially zoned lots where an existing multifamily structure exists or has been proposed.

C. Accessory dwelling units shall be allowed on all legally existing mixed-use zoned lots where an existing single-family or multifamily dwelling exists or has been proposed.

D. Nothing herein is meant to override the provisions of conditions, covenants, and restrictions for a housing development project relating to accessory dwelling units to the extent such restrictions comply with state law.

E. An accessory dwelling unit may be constructed in an attached or detached garage or in an existing accessory structure.

#### **18.13.040 General requirements.**

A. Number. Unless otherwise allowed by Section [18.13.060\(A\)](#), only one accessory dwelling unit or one junior accessory dwelling unit may be allowed per residential lot.

B. Accessory dwelling units shall not be sold separately from the primary dwelling, except to the extent that the sale meets the requirements of Government Code Section 66341 with regard to a qualified nonprofit corporation.

C. Neither the accessory dwelling unit, junior accessory dwelling unit, nor any other residence located on the property, nor any part thereof, shall be rented out for less than ~~thirty-one~~31 consecutive calendar days.

D. *Repealed.*

E. Fees.

1. Impact fees.

a. No impact fee shall be imposed on any accessory dwelling unit less than 750 square feet in size.

b. For accessory dwelling units 750 square feet or greater, impact fees shall be charged proportionately in relation to the square footage of the primary dwelling.

c. All applicable public service and applicable recreation impact fees shall be paid prior to occupancy in accordance with Government Code Sections 66000 et seq. and 66012 et seq.

d. For purposes of this section, "impact fee" shall have the same meaning as set forth in Government Code Section 66324.

2. Connection Fees/Capacity Charges.

a. An accessory dwelling unit shall not be considered to be a new residential use for purposes of calculating connection fees or capacity charges for utilities, including for water and sewer service, unless the accessory dwelling unit is being constructed with a new single-family dwelling.

b. For an accessory dwelling unit contained within a proposed or existing single-family dwelling meeting the requirements of Section [18.13.060A.1](#), the city shall not impose a connection fee or capacity charge, unless the unit is being constructed with a new single-family dwelling. For all other accessory dwelling units, the city shall charge a connection fee or capacity charge that is proportionate to the burden of the

proposed accessory dwelling unit based on the size of the unit or number of plumbing fixtures.

F. Accessory dwelling units are ancillary to the primary dwelling unit. Therefore, accessory dwelling units and junior accessory dwelling units shall not count in determining density ~~or lot coverage~~ and are considered a residential use consistent with the existing general plan and zoning designation for the lot. Accessory dwelling units and/or junior accessory dwelling units shall be permitted on a qualifying residentially zoned lot regardless of applicable lot coverage, open space, floor area ratio, and minimum lot size standards for the underlying zone.

G. When an accessory dwelling unit is being proposed with a new primary dwelling unit, the city shall not issue a certificate of occupancy for an accessory dwelling unit before it issues a certificate of occupancy for the primary dwelling unit.

#### **18.13.050 Development regulations.**

A. Accessory dwelling units shall be required to comply with the objective development standards of the underlying zoning district and the applicable provisions of Chapter 18.42 unless superseded by a provision of this chapter or if such regulation prohibits the construction of an accessory dwelling unit of at least ~~eight hundred~~ 800 square feet.

B. An accessory dwelling unit shall have a separate entrance from the primary dwelling which shall be located on a different plane than the entrance for the primary dwelling in the case of a single-family dwelling.

C. No passageway as defined in Government Code Section 66313 shall be required for the construction of an accessory dwelling unit.

D. Accessory dwelling units shall comply with all applicable building code requirements with the exception that fire sprinklers shall not be required in an accessory dwelling unit if they are not required for the primary dwelling and the construction of an accessory dwelling unit shall not trigger a requirement for sprinklers to be installed in the primary dwelling.

E. Size.

1. The floor area of an attached or detached accessory dwelling unit shall not exceed ~~eight hundred fifty~~850 square feet for a studio or one bedroom or ~~one thousand~~1,000 square feet for a unit that contains more than one bedroom.

2. The minimum size of an accessory dwelling unit shall not be less than that allowed for an efficiency unit.

3. The development standards of this section shall be waived to the extent required in order to allow an accessory dwelling unit that is ~~eight hundred~~ 800 square

feet, that does not exceed the height requirements set forth in subsection F of this section, and has a minimum of four-foot side and rear yard setbacks.

F. Setbacks. Except as specified below, an accessory dwelling unit shall be required to comply with the setback requirements of the zone in which the unit is to be located.

1. No setback shall be required for an existing living area, or a legally existing accessory structure, including a garage, that is converted to an accessory dwelling unit or a new accessory dwelling unit constructed in the same location and built to the same dimensions as the existing structure.

2. No setback greater than four feet shall be required for side and rear yard setbacks for all other accessory dwelling units not covered by subsection F.1 of this section.

3. An attached or detached accessory dwelling unit shall be at least six feet from all other buildings on the lot or on any adjacent lot.

4. An attached or detached accessory dwelling unit shall be located behind the front yard setback, unless the accessory dwelling unit is being constructed in the exact location and to the same dimensions as a previously existing approved accessory structure, including an attached or detached garage. This requirement shall be waived to the extent that it prohibits an accessory dwelling unit of ~~eight-hundred~~ 800 square feet from being built with four-foot side and rear yard setbacks in compliance with all other development standards.

5. No portion of an accessory dwelling unit may encroach into any public or private easement such as a utility easement unless the easement holder has provided written permission to construct the accessory dwelling unit in the manner proposed. To establish a rebuttable presumption of compliance with this requirement, the applicant may provide a written declaration under penalty of perjury affirming compliance with this requirement. The declaration shall be in a form acceptable to the city attorney.

G. Height. The height of an accessory dwelling unit shall be as follows:

1. A height of ~~sixteen~~16 feet for a detached accessory dwelling unit on a lot with an existing or proposed single-family or multifamily dwelling unit.

2. A height of ~~eighteen~~18 feet for a detached accessory dwelling unit on a lot with an existing or proposed single-family or multifamily dwelling unit that is within ~~one-half~~1/2 mile walking distance of a major transit stop or a high-quality transit corridor. An additional two feet shall be allowed if required to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit.

3. A height of ~~eighteen~~18 feet for a detached accessory dwelling unit on a lot with an existing or proposed multifamily, multistory dwelling.

4. A height of ~~twenty-five~~25 feet or the height limit of the applicable zone that applies to the primary dwelling, whichever is lower, for an accessory dwelling unit that is attached to a primary dwelling unit or built above an existing garage. In no event shall the accessory dwelling unit exceed two stories.

5. An accessory dwelling unit may be built on top of a garage; provided, that the garage is maintained for parking and the total height of the structure does not exceed ~~twenty-five~~25 feet. If an accessory dwelling unit is built pursuant to this provision, a declaration shall be recorded that the garage must be maintained for parking.

#### H. Parking.

1. Parking shall be required at the rate of one space for each accessory dwelling unit that contains at least one bedroom. No parking spaces shall be required for a studio unit or for an accessory dwelling unit created within an existing living space.

2. Parking spaces may be provided through tandem parking on an existing driveway; provided, that such parking does not encroach into the public sidewalk.

3. Parking spaces for accessory dwelling units may be provided in paved portions of setback areas; provided, that the amount of paving does not exceed the total amount of paving and hardscaped areas that are otherwise allowed by this title.

4. When a garage, carport, uncovered parking space, or covered parking structure is demolished or converted in conjunction with the construction of an accessory dwelling unit, such parking spaces need not be replaced.

5. Tandem parking and parking in setback areas shall not be allowed if the community development director makes specific findings that such parking is not feasible based upon specific site or regional topographical, or fire and life safety conditions.

6. Notwithstanding any other provision of this subsection H, no parking shall be required for the accessory dwelling unit if any of the following conditions apply:

a. The accessory dwelling unit is located within ~~one-half~~1/2 mile walking distance of public transit;

b. The accessory dwelling unit is located within an architecturally and historically significant district;

c. The accessory dwelling unit is part of the proposed or existing primary dwelling or an existing accessory structure;

d. When on-street parking permits are required, but not offered to the occupant of the accessory dwelling unit;

e. When there is a car share vehicle located within one block of the accessory dwelling unit; or

f. When a permit application for an accessory dwelling unit is submitted with a permit application to create a new single-family or multifamily dwelling on the same lot, provided the ADUaccessory dwelling unit or parcel satisfies any other criteria listed in this subsection H.

I. Utilities.

1. All utility installations shall be placed underground.

2. For an accessory dwelling unit contained within an existing single-family dwelling meeting the requirements of Section 18.13.060(A)(1), the city shall not require the installation of a new or separate utility connection between the accessory dwelling unit and the utility unless the accessory dwelling is being constructed with a new single-family dwelling.

3. For all other accessory dwelling units other than those described in subsection (I)(2) of this section, the city shall require a new or separate utility connection between the accessory dwelling unit and the utility.

J. The number of curb cuts allowed shall be governed by the underlying zoning regulations.

K. An applicant may turn an existing single-family dwelling into the accessory dwelling unit and develop a new primary residence elsewhere on the lot if both structures meet all requirements of this chapter and the R-1 zone, including size limitations.

L. All references to square footage of an accessory dwelling unit or junior accessory dwelling unit in this chapter are based on the square footage of the interior livable space. Livable space includes but is not limited to bedrooms, bathrooms, kitchens, laundry rooms, closets, and interior stairs.

M. No portion of an accessory dwelling unit may encroach into any public or private easement such as a utility easement unless the easement holder has provided written permission to construct the accessory dwelling unit in the manner proposed. To establish a rebuttable presumption of compliance with this requirement, the applicant may provide a written declaration under penalty of perjury affirming compliance with this requirement. The declaration shall be in a form acceptable to the city attorney.

N. Affordability Information (RHNA). Applicants shall provide the city with all information reasonably requested by the city to allow the city to classify the ADUaccessory dwelling unit by income category for the city's annual housing report.

### **18.13.060 Mandatory approvals.**

A. Notwithstanding any other provision of this chapter, the city shall ministerially approve an application for any combination of the following accessory dwelling units within a residential or mixed-use zone:

1. One accessory dwelling unit and one junior accessory dwelling unit within the existing or proposed space of a single-family dwelling or accessory structure.

a. An expansion of up to ~~one hundred fifty~~150 square feet shall be allowed in an accessory structure solely for the purposes of accommodating ingress and egress.

b. The junior or accessory dwelling unit shall have exterior access separate from the existing or proposed single-family dwelling.

c. The side and rear setbacks shall be sufficient for fire and safety.

d. If the unit is a junior accessory dwelling unit, it shall comply with the requirements of Section 18.13.070.

2. One new detached accessory dwelling unit with minimum four-foot side and rear yard setbacks on a lot with an existing or proposed single-family dwelling; provided, that the unit shall not be more than ~~eight hundred~~ 800 square feet and shall not exceed the height requirements set forth in Section 18.13.050(G)(1) through (3).

~~a. A junior accessory dwelling unit may be developed in conjunction with this type of detached accessory dwelling unit, provided it complies with the requirements of subsection (A)(1) of this section.~~

3. On a lot with a multifamily dwelling structure, up to ~~twenty five~~25 percent of the existing total multifamily dwelling units, but no less than one unit, shall be allowed within the portions of the existing structure that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages; provided, that each unit complies with state building standards for dwellings.

4. On a lot with a proposed multifamily dwelling structure, up to two detached units; provided that neither unit exceeds the height requirements set forth in Section 18.13.050(G)(1) through (3) and has at least four-foot side and rear yard setbacks.

5. On a lot with an existing multifamily dwelling structure, up to eight detached units, but in no event more than the number of existing units on the lot, provided that neither unit exceeds the height requirements set forth in Section 18.13.050(G)(1) through (3) and has at least four-foot side and rear yard setbacks.

6. Accessory dwelling units and junior accessory dwelling units approved under this section may not be combined with any other accessory dwelling unit or junior accessory dwelling unit unless otherwise authorized by this chapter.

B. For those junior/or accessory dwelling units which require mandatory approval, the city shall not require the correction of nonconforming zoning conditions.

C. The installation of fire sprinklers shall not be required in an accessory dwelling unit approved under this section if fire sprinklers are not required for the primary residence.

D. No unit approved under this section shall be rented for a period of ~~30 days or~~ less than 31 days.

#### **18.13.070 Junior accessory dwelling units.**

A. One junior accessory dwelling unit shall be allowed in an existing or proposed single-family dwelling, including in an attached garage. A junior accessory dwelling unit may also be allowed on the same lot as an accessory dwelling unit permitted under Section 18.13.060A.1 or 2.

B. The junior accessory dwelling unit shall be required to contain at least an efficiency kitchen which includes a sink, cooking appliances and a food preparation counter and storage cabinets that are of reasonable size in relation to the junior accessory dwelling unit.

C. The junior accessory dwelling unit shall be required to have a separate entrance from the primary dwelling which shall be located on a different side of the home than the front door of the primary dwelling.

D. The junior accessory dwelling unit may, but is not required to, include separate sanitation facilities. If separate sanitation facilities are not provided, the junior accessory dwelling unit shall share sanitation facilities with the single-family residence and shall have direct access to the single-family residence from the interior of the dwelling unit.

E. No additional parking shall be required for a junior accessory dwelling unit.

F. Junior accessory dwelling units shall be required to comply with applicable building standards, except that fire sprinklers shall not be required if they were not required for the single-family residence.

G. The city shall not require the correction of a nonconforming zoning condition as a requirement for the junior accessory dwelling unit.

H. A deed restriction shall be required to be recorded on the property on which a junior accessory dwelling unit is constructed, which deed restriction shall run with the land. The deed restriction shall provide for the following:

1. A prohibition on the sale of the junior accessory dwelling unit separate from the sale of the single-family residence;

2. A restriction that prohibits the junior accessory dwelling unit from being enlarged beyond ~~five hundred~~500 square feet;

3. A restriction from renting either the junior accessory dwelling unit or the single-family dwelling or any part thereof for less than ~~thirty-one~~31 consecutive calendar days;

4. If the junior accessory dwelling unit has shared sanitation facilities with the primary unit, a restriction that the owner resides in either the single-family dwelling or the junior accessory dwelling unit. Notwithstanding the foregoing, this restriction shall not apply if the owner of the single-family residencedwelling is a governmental agency, land trust, or housing organization;

5. A statement that the deed restrictions may be enforced against future purchasers;

6. A statement that the city shall be entitled to all legal and equitable remedies available under the law upon the default of any covenant in the deed restriction; and

7. A statement that the prevailing party shall be entitled to reimbursement of its reasonable attorneys' fees and costs.

I. For the purposes of applying any fire or life protection ordinance or regulation, or providing service water, sewer, or power, including a connection fee, a junior accessory dwelling unit shall not be considered to be a separate or new dwelling unit.

**SECTION 2. CEQA.** This Ordinance is exempt from CEQA pursuant to Public Resources Code Section 21080.17 which exempts ordinances implementing accessory dwelling unit ordinances.

**SECTION 3. Severability.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

**SECTION 4. Certification.** The City Clerk shall certify the passage of this ordinance and shall cause the same to be entered in the book of original ordinances of said city; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published as required by law, in a publication of general circulation.

**SECTION 5. Effective Date.** This Ordinance shall not become effective or be in force until thirty (30) days from and after the date of its adoption.

**SECTION 6. HCD.** The City Clerk shall send a copy of this Ordinance to the Department of Housing and Community Development within 60 days of adoption as required by State law.

Passed, approved, and adopted this \_\_\_\_ day of \_\_\_\_\_, 2026.

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TASHA CERDA, Mayor

ATTEST:

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MINA SEMENZA, City Clerk

APPROVED AS TO FORM:

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CARMEN VASQUEZ, City Attorney