

ORDINANCE NO. 2099

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GLENDORA AMENDING TITLE 21 (ZONING) OF THE GLENDORA MUNICIPAL CODE TO UPDATE REGULATIONS GOVERNING ACCESSORY DWELLING UNITS, JUNIOR ACCESSORY DWELLING UNITS, AND SB 9 UNITS IN COMPLIANCE WITH STATE LAW

WHEREAS, the City of Glendora (City) has adopted the Glendora Community Plan (General Plan), including the Land Use Element, which establishes the City's long-term framework for the distribution, type, intensity, and location of residential land uses, including housing of varied types and densities; and

WHEREAS, the State of California has declared a statewide housing crisis and has enacted a series of laws to require local governments to affirmatively facilitate the development of housing, including accessory dwelling units (ADUs), junior accessory dwelling units (JADUs), and urban infill housing; and

WHEREAS, Government Code Sections 66310 through 66342 (as reorganized by Senate Bill 477, effective March 26, 2024) govern the creation of ADUs and JADUs, and require local agencies to ministerially approve qualifying ADU and JADU applications, establish maximum development standards local agencies may impose, and specify circumstances under which local ordinances are preempted by state law; and

WHEREAS, Senate Bill 1211, effective January 1, 2025, amended Government Code Sections 66313, 66314, and 66323 to, among other things, increase the number of detached ADUs permitted on lots with an existing multifamily dwelling from two to up to eight, prohibit local agencies from requiring replacement of uncovered parking spaces demolished in connection with ADU construction, and clarify that no local standards other than those specified in state law may be applied to ADUs approved under Government Code Section 66323; and

WHEREAS, Senate Bill 9 (Chapter 162, Statutes of 2021), codified at Government Code Sections 65852.21 and 66411.7, requires local agencies to ministerially approve qualifying two-unit housing developments and urban lot splits on parcels zoned for single-family residential use, and the City's existing regulations governing SB 9 units require updating to reflect subsequent statutory amendments and to address implementation experience; and

WHEREAS, the California Department of Housing and Community Development (HCD) is authorized to review local zoning ordinances for consistency with state housing law and to require corrective action where local regulations do not comply, and the City has received technical assistance identifying provisions of Title 21 requiring amendment to achieve compliance; and

WHEREAS, Title 21 of the Glendora Municipal Code governs ADUs, JADUs, and SB 9 units under Section 21.04.040, and the City Council finds that amendments are necessary to bring those regulations into full conformity with current state law, to eliminate provisions that conflict with or are preempted by state law, and to improve clarity and internal consistency; and

WHEREAS, the City Council finds that the amendments adopted herein are consistent with the General Plan and will facilitate the City's ability to meet its Regional Housing Needs Allocation (RHNA) obligations by removing barriers to the ministerial approval of qualifying housing units; and

WHEREAS, this Ordinance is not subject to the California Environmental Quality Act (“CEQA”) pursuant to Public Resources Code Section 21080.17, Government Code Sections 65852.21(k) and 66411.7(n), and CEQA Guidelines Section 15061(b)(3), because it implements state ADU, JADU, and SB 9 laws and consists of amendments to development standards and administrative procedures required to conform the City’s regulations to state law.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GLENDORA DOES ORDAIN AS FOLLOWS:

SECTION 1. The foregoing recitals are true and correct and are incorporated herein by this reference.

SECTION 2. The City Council finds and determines that this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.17, Government Code Sections 65852.21(k) and 66411.7(n), and CEQA Guidelines Section 15061(b)(3), because it implements state ADU, JADU, and SB 9 laws, consists of amendments to development standards and administrative procedures required to conform the City’s regulations to state law, and it can be seen with certainty that the Ordinance will not result in a significant effect on the environment.

SECTION 3. The following sections of Title 21 (Zoning) of the Glendora Municipal Code (GMC) are hereby added and/or amended as shown below (with unaltered text provided for context and added text in ***bold italic*** and deleted text shown ~~stricken~~ through):

§ 21.04.040 Accessory dwelling units, junior accessory dwelling units and secondary SB 9 units.

A. Purpose. This section is intended to implement provisions of Government Code Sections 66310 through 66342, 65852.21, and 66411.7 and, in case of ambiguity, shall be interpreted to be consistent with such provisions.

B. Applicability.

1. Accessory dwelling units shall be permitted on any lot where single-family or multifamily dwelling units are permitted. Accessory dwelling units do not exceed the allowable density for the lot upon which the accessory dwelling unit is located and will be considered a residential use that is consistent with the existing general plan and zoning designation for the lot.

2. Secondary SB 9 units and primary dwelling units shall be permitted on any lot zoned for single-family residential except as limited herein. Secondary SB 9 units shall not exceed the allowable density for the lot upon which they are located and are considered a residential use that is consistent with the existing general plan and zoning designation for the lot.

C. Accessory Dwelling Units.

1. Location.

a. An accessory dwelling unit shall be located on a lot that is zoned to allow single or multifamily residential uses and includes a proposed or existing dwelling.

b. The accessory dwelling unit is either attached to the existing primary dwelling unit, attached to a secondary SB 9 unit, or detached and located on the same lot.

c. An accessory dwelling unit shall not be permitted in a very high fire hazard severity zone where the lot is not served by a public or private street that meets city standards.

2. Standards.

- a. An accessory dwelling unit must be located on the same lot as the proposed or existing primary dwelling.
- b. An accessory dwelling unit may be either attached or detached from the primary dwelling, attached or detached from any secondary SB 9 units, and in multifamily or mixed-use zones, attached or detached from any other accessory dwelling units.
- c. Attached and detached accessory dwelling units shall comply with the building orientation requirements provided in Chapter 21.15.040B (Site Layout and Building Orientation), **except to the extent application of those requirements is not authorized by state law.**
- d. Accessory dwelling units shall have their address clearly labeled on the main entrance, and if the main entrance is not viewable from the street that the primary dwelling fronts, a corresponding address marking shall be viewable from the street.
- e. The application of zoning standards shall not preclude the construction of an accessory dwelling unit that is up to one thousand two hundred square feet and maintains four-foot side and rear setbacks, and is otherwise in compliance with all other local design, development standards, **except to the extent such standards are not authorized by state law.**
- f. Attached and detached accessory dwelling units shall comply with the Architectural style requirements provided in Chapter 21.15.040F (Building Design), **except to the extent application of those requirements is not authorized by state law.**
- g. An accessory dwelling unit may not be sold or otherwise conveyed separate from the primary dwelling, **except as required or authorized by state law.**
- h. Neither the primary dwelling nor the accessory dwelling unit shall be rented for a period of less than thirty days.
- i. Accessory Dwelling Unit Development Standards:

Location	Attached or detached from an existing dwelling unit.
Size	Minimum size: efficiency unit as defined in the California Health and Safety Code § 17958.1. Maximum size shall be 1,200 square feet.
Setbacks	Front setback shall be the same as the regulatory setback of the zoning district. Minimum side and rear setbacks shall be 4 feet.
Height	Maximum of 2 stories, not to exceed 25 feet in height.
Off-street parking	Not required, but 1 space per dwelling unit recommended.

D. Junior Accessory Dwelling Units.

1. Location.

- a. A junior accessory dwelling unit may be located on a lot within a single-family zone.
- b. A junior accessory dwelling unit shall be constructed within the walls of a proposed or existing single-family residence.

2. Standards.

a. A junior accessory dwelling unit shall not exceed five hundred square feet **of interior livable space** and shall be constructed within the walls of an existing or proposed single-family dwelling. An additional one hundred fifty square feet beyond the physical dimensions of the existing structure is permitted to accommodate ingress and egress to the junior accessory dwelling unit.

b. A junior accessory dwelling ~~units~~**unit** shall comply with the building orientation requirements provided in Chapter 21.15.040B (Building Orientation).

c. A junior accessory dwelling unit shall include at least an efficiency kitchen which shall include all of the following: (i) a cooking facility with appliances; and (ii) a food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.

d. A junior accessory dwelling unit may include separate sanitation facilities or share sanitation facilities with the existing primary dwelling.

~~e. A junior accessory dwelling unit shall require owner-occupancy of the primary dwelling or the junior accessory dwelling unit before permit issuance, the city shall be provided a copy of a recorded deed restriction which shall include: (i) restrictions on the size and attributes of the junior accessory dwelling unit; (ii) prohibition of the sale of the junior accessory dwelling unit separate from the primary dwelling; (iii) if the junior accessory dwelling unit or primary dwelling is rented, the term shall not be for a period of less than thirty days; (iv) requirement that either the junior accessory dwelling or the primary dwelling be occupied by the property owner; and (v) a statement that the deed restriction shall be enforced against future owners.~~ **A junior accessory dwelling unit shall require owner-occupancy only if the junior accessory dwelling unit shares sanitation facilities with the existing structure. If owner-occupancy is required, the owner may reside in either the remaining portion of the structure or the junior accessory dwelling unit. Owner-occupancy shall not be required if the junior accessory dwelling unit has separate sanitation facilities, or if the owner is another governmental agency, land trust, or housing organization. Before permit issuance, the City shall be provided a copy of a recorded deed restriction, which shall run with the land, be filed with the permitting agency, and include: (i) a prohibition on the sale of the junior accessory dwelling unit separate from the sale of the single-family residence, including a statement that the deed restriction may be enforced against future purchasers; and (ii) a restriction on the size and attributes of the junior accessory dwelling unit that conforms with state law. If a junior accessory dwelling unit is rented, the rental term shall be longer than thirty (30) days.**

f. A junior accessory dwelling unit shall include a separate entrance from the main entrance to the proposed or existing single-family residence. If the junior accessory dwelling unit does not include a separate sanitation facility, the junior accessory dwelling unit shall include a separate entrance from the main entrance to the structure, with an interior entry to the main living area.

E. Density and Conversion of Existing Structures.

1. The number of accessory and junior accessory dwelling units shall be permitted as follows:

a. One accessory dwelling unit on a lot located within a single-family zone.

b. One junior accessory dwelling unit on a lot located within a single-family zone.

c. The junior accessory dwelling unit is allowed on the same lot as an accessory dwelling unit and secondary SB 9 unit provided that the junior accessory dwelling unit is within the walls of a proposed or existing primary single-family dwelling.

d. ***Where the existing use is single-family residential, A***an existing detached accessory structure, regardless of size, may be converted to an accessory dwelling unit. No setback is required for the conversion or replacement of an existing living area, garage, or accessory structure to an accessory dwelling unit where the dimensions and location of the existing structure will not change.

~~e. Two accessory dwelling units located on a lot with an existing or proposed multifamily dwelling.~~

~~f. Portions of a multifamily dwelling structure that is not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages may be converted to an accessory dwelling unit if each unit complies with state building standards for dwelling. The number of accessory dwelling units created by converting non-livable space shall not exceed twenty-five percent of the multifamily dwelling units. Where the number of existing dwelling units is seven or less, one accessory dwelling unit by conversion may be created.~~

- e. ***Conversion of Non-Livable Space. Accessory dwelling units may be created within portions of an existing multifamily dwelling structure that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, provided each unit complies with applicable state building standards. Detached accessory structures when the use is multifamily are ineligible for conversion into accessory dwelling units.***
- f. ***Maximum Number – Conversion ADUs. The number of accessory dwelling units created shall not exceed twenty-five (25) percent of the existing multifamily dwelling units on the lot where any fractional unit shall be rounded down to the nearest whole number, and where the existing multifamily dwelling contains seven (7) or fewer dwelling units, at least one (1) conversion accessory dwelling unit shall be permitted.***
- g. ***Detached Accessory Dwelling Units. On a lot with an existing multifamily dwelling, detached accessory dwelling units shall be permitted subject to the following: A maximum of eight (8) detached accessory dwelling units shall be permitted; and the total number of detached accessory dwelling units shall not exceed the number of existing multifamily dwelling units on the lot.***
- h. ***Proposed Multifamily Development. On a lot containing a proposed multifamily dwelling, no more than two (2) detached accessory dwelling units shall be permitted.***

**Number of Permitted ADUs with Multifamily Development
Multifamily Lots – Gov. Code §66323 as amended by SB 1211**

Existing Multifamily Units	Maximum Conversion ADUs (25%)	Maximum Detached ADUs	Total ADUs Possible (Conversion + Detached)
2	0* (min. 1 if ≤7)	2	3
4	1	4	5
8	2	8	10
12	3	8 (cap applies)	11
20	5	8 (cap applies)	13

*** State law allows at least one conversion ADU where seven or fewer units exist.**

F. SB 9 Units.

1. Location.

a. SB 9 lot splits and dwelling units shall be located on a lot within a single-family zone excluding the following:

i. A very high fire hazard severity zone where the lot is not served by a public or private street that meets city standards;

ii. A lot located within the Historic Preservation Overlay Zone (HPOZ);

iii. A property that is on the State Historic Resources Inventory, or a site designated as a city or county landmark, or historic property or district;

iv. Sites in 100-year floodplains and floodways unless a letter of map revision has been issued by FEMA or meets the minimum National Flood Insurance Program requirements as defined by FEMA;

v. Designated habitat for a protected species; or

vi. Undeveloped lots not improved with an existing single-family dwelling are ineligible for an SB 9 lot split.

vi. An SB 9 urban lot split application for an undeveloped parcel shall not be denied solely because the parcel is undeveloped where the application is submitted concurrently with an application for an SB 9 housing development and the applicant submits the required affidavit.

2. Application Eligibility.

a. An applicant for SB 9 lot split must be an individual property owner of record, meaning a natural person holding fee title individually or jointly in the person's own name, or a beneficiary of a trust that holds fee title, ~~verifiably live on the subject project from the time of application, and agree to intend to live on the subject property by signing a legal affidavit under penalty of perjury for false statements, to intend to live on the subject property for three years from the date of the application,~~ **by signing a legal affidavit. This affidavit requirement shall not apply to an applicant that is** may not include any corporation or corporate person of any kind except for a community land trust

or a qualified nonprofit corporation. ***The City shall not impose additional owner-occupancy standards other than those authorized by law.***

b. A completed SB 9 urban lot split application shall be considered and approved or denied within sixty (60) days from the date the City receives the completed application. If the City denies the application, the City shall return in writing a full set of comments to the applicant identifying the defective or deficient items and describing how the application can be remedied, as required by law.

c. Parcels created through a prior SB 9 lot split shall not be further subdivided. Neither the owner of the parcel being divided nor any other person acting in concert with the owner shall have previously subdivided any adjacent parcel under SB 9.

3. Standards.

a. A secondary SB 9 unit must be located on the same lot as the proposed or existing primary dwelling.

b. A secondary SB 9 unit may be either attached or detached from the primary dwelling, attached or detached from any accessory dwelling units.

c. Attached or detached SB 9 dwelling units shall provide a separate entrance from the primary dwelling.

d. SB 9 units shall have their address clearly labeled on the main entrance, and if the main entrance is not viewable from the street that the primary dwelling fronts, a corresponding address marking ***shall be*** viewable from the street.

e. The architectural design and detailing, roof pitch and material, and exterior color and finish materials including trim and windows of an SB 9 unit shall ~~match the primary dwelling or~~ be consistent with the city's adopted objective design standards for residential development.

f. An SB 9 unit shall not be sold or otherwise conveyed separately from the primary dwelling unit sharing the same lot.

g. Neither the primary dwelling nor the SB 9 unit shall be rented for a period of less than thirty days.

h. The application of zoning standards shall not preclude the construction of a secondary SB 9 unit that is up to one thousand two hundred square feet and maintains four-foot side and rear setbacks, and is otherwise in compliance with all other local design, development standards. Secondary SB 9 units are exempt from floor area ratio requirements.

i. If there is a combination of SB 9 units, ADUs, and/or JADU, the parking requirement for each unit shall be according to the standards for that unit in the Glendora Municipal Code.

j. One off-street parking space per SB 9 unit shall be required, outside of the required setbacks abutting a public or private street, according to the standards prescribed in Section 21.03.020, unless:

i. The parcel is located within a one-half mile walking distance of a high-quality transit corridor, or a major transit stop (see definitions in Public Resources Code Sections 21155 and 21064.3);

ii. There is a car share vehicle located within one block of the parcel. For Glendora, the only eligible transit facilities known are Metro's "APU/Citrus" station and the future "Glendora" station.

k. SB 9 Unit Development Standards:

Location	Attached or detached from an existing dwelling unit.
Secondary SB 9 Unit Size	Minimum size: efficiency unit as defined in the California Health and Safety Code § 17958.1. Maximum size shall be 1,200 square feet.
Proposed Primary SB 9 Unit Size on an undeveloped lot created through an SB 9 lot split.	Maximum allowable under the underlying zone's floor area ratio (FAR). For example, on a 10,000-square-foot lot with a 35% FAR, a proposed SB 9 primary unit may be up to 3,500 square feet. On a 5,000-square-foot lot, the primary dwelling unit may be up to 1,750 square feet.
Setbacks	Front setback shall be the same as the regulatory setback of the zoning district. Side and rear setbacks shall be 4 feet.
Height	2 stories, not to exceed 25 feet in height.
Open Space	200 square feet of open space shall be provided per dwelling unit on SB 9 developments. This may be common open space and no dimension shall be less than 10 feet. Parking facilities, driveways, and service areas are not usable open space.
Off-Street Parking	1 off-street parking space, meeting city standards, is required per SB 9 unit, <i>unless an exemption applies under State law</i> . For example, on a development with a primary dwelling unit, an ADU, and a secondary SB 9 unit, two spaces are required (1 for the primary dwelling, and 1 for the secondary SB 9 unit, with ADUs exempt from parking requirements).

~~4. Density and conversion of existing structures. The number of SB 9 units shall be permitted as follows:~~

- ~~a. One primary SB 9 unit on a lot created through an urban lot split.~~
- ~~b. One secondary SB 9 unit on a lot located within a single-family zone.~~
- ~~c. The total number of dwelling units within the area of the original single-family lot shall not exceed four regardless of whether the lot is split or not i.e. SB 9 is not a pathway to get eight units on two lots created from one original lot.~~
- ~~d. Possible residential dwelling unit configurations if lot is not split under SB 9:~~
 - ~~i. Primary dwelling, secondary dwelling~~
 - ~~ii. Primary dwelling, JADU~~
 - ~~iii. Primary dwelling, ADU~~
 - ~~iv. Primary dwelling, ADU, JADU~~
 - ~~v. Primary dwelling, secondary dwelling, ADU~~
 - ~~vi. Duplex (primary and secondary dwelling attached)~~
 - ~~vii. Duplex (primary and secondary dwelling attached), ADU(s)~~
 - ~~viii. Primary dwelling, detached ADU(s), and JADU~~
 - ~~ix. Quadplex (Primary dwelling, secondary dwelling, ADU, and JADU)~~
- ~~e. Possible residential dwelling unit configurations if a lot is split under SB 9:~~
 - ~~i. Primary dwelling, secondary dwelling~~
 - ~~ii. Duplex (one primary and one secondary dwelling attached)~~
 - ~~iii. Primary dwelling with a JADU~~
 - ~~iv. Primary dwelling with an existing ADU (attached or detached)~~

~~v. If a lot already has a primary dwelling, an ADU, and a JADU, then the undeveloped lot can only have a primary dwelling, keeping the total number of structures in the area of the original lot to four.~~

~~f. A primary dwelling unit that was legally established prior to the SB 9 lot split may only be enlarged to the maximum square footage allowable under the FAR. If an existing primary dwelling unit exceeds the allowable FAR, then the primary dwelling unit may not be enlarged.~~

~~g. Unless superseded by state law, the granting of variances for relief from any development standard or requirement for any permit under SB 9 is prohibited.~~

4. Maximum Units on an Original Parcel.

- a. No more than four (4) total dwelling units shall be permitted within the boundaries of an original parcel that existed prior to an urban lot split under SB 9.**
- b. An urban lot split shall not be used to increase the total number of dwelling units beyond four within the area of the original parcel.**
- c. For purposes of this section, all primary dwellings, SB 9 units, accessory dwelling units, and junior accessory dwelling units located on parcels created from the same original lot shall count toward the four-unit (4) maximum.**

5. Development Without an Urban Lot Split. If a parcel is not subdivided under SB 9:

- a. Up to two primary dwelling units may be permitted pursuant to SB 9.**
- b. Accessory dwelling units and junior accessory dwelling units may be permitted in accordance with state ADU and JADU law.**
- c. The combined total of all units on the parcel shall not exceed four (4).**

6. Development With an Urban Lot Split. If a parcel is subdivided pursuant to SB 9:

- a. Each resulting parcel may contain up to two (2) dwelling units.**
- b. Accessory dwelling units and junior accessory dwelling units may be permitted on each resulting parcel in accordance with state ADU and JADU law.**
- c. The total number of dwelling units located within the area of the original parcel shall not exceed four.**

7. Enlargement of Existing Primary Dwelling. A primary dwelling unit that was legally established prior to the SB 9 lot split may only be enlarged to the maximum square footage allowable under the applicable floor area ratio. If an existing primary dwelling unit exceeds the allowable floor area ratio, then the primary dwelling unit may not be enlarged.

8. Variances. Unless superseded by state law, the granting of variances for relief from any development standard or requirement for any permit under SB 9 is prohibited.

(Ord. 2053 § 3, 2020; Ord. 2085, 5/28/2024; Ord. 2090, 10/22/2024; Ord. 2095, 11/12/2025)

SECTION 4. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of this Ordinance would be subsequently declared invalid or unconstitutional.

SECTION 5. Within sixty (60) days after adoption, the City Clerk or Community Development Director, or their designee, shall submit a copy of this Ordinance to the California Department of Housing and Community Development in accordance with Government Code Sections 66326 and 66333.5.

SECTION 6. The City Clerk is directed to certify this Ordinance and cause it to be published in the manner required by law.

SECTION 7. This Ordinance shall become effective thirty days after the date of its adoption.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Glendora this ____ day of ____, 2026.

BY: _____
DAVID FREDENDALL
Mayor

APPROVED AS TO FORM:
Aleshire & Wynder, LLP

DANNY ALESHIRE
City Attorney

CERTIFICATION

I, do hereby certify that the foregoing Ordinance was introduced for first reading on the 25th day of August, 2026. Thereafter, said Ordinance was duly approved and adopted at a regular meeting of the City Council on the ____ day of ____, 2026, by the following roll call vote:

AYES:	MEMBERS:
NOES:	MEMBERS:
ABSENT:	MEMBERS:
ABSTAIN:	MEMBERS:

I further certify that pursuant to Government Code Section 36933(c)(1), said Ordinance Summaries were published as required by law in a newspaper of general circulation in the City of Glendora, California on the ____ day of ____, 2026, and ____ day of ____, 2026.

Dated:

KATHLEEN R. SESSMAN
City Clerk/Communications Director