



**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission
 FROM: Jamie Peltier, Planning Supervisor
 DATE: November 6, 2025
 SUBJECT: **Planning & Zoning Permit No. 23-580-03 (Zone Text Amendment) Relating to Accessory Dwelling Units and Other Minor Zoning Text Amendments**

- 1) **Recommendation:** That the Planning Commission (“Commission”):
 - a) Review and provide comments on the proposed amendments to Chapter 16 of the Oxnard City Code (OCC); and
 - b) Recommend the City Council find the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) (General Rule); and
 - c) Adopt Resolution 2025-XX recommending that the City Council adopt the zone text amendment (ZTA) ordinances (PZ No. 25-580-02), subject to certain findings.

- 2) **Project Description and Applicant:** The project includes amendments to the City’s zoning code (Chapter 16) related to accessory dwelling units (ADU) that reflect compliance with changes to California State ADU law, along with other minor zoning code updates to the definitions and process procedures to streamline single-family residential development. Filed by the City of Oxnard Community Development Department, Planning and Environmental Services Division - 214 South C Street, Oxnard, CA 93030.

- 3) **Background Information:**

The proposed ZTA updates the OCC to comply with current state laws, and also includes minor revisions for internal consistency, clarification on requirements, and other amendments related to current zoning practices and interpretations. Because the ZTA are required to comply with state law or involve inconsequential revisions, they are considered minor in nature. The following is a list of the proposed code revisions:

 - a) Zoning Code Amendments:
 - i) Update OCC Chapter 16, Article V, Division 13 – Accessory Dwelling Units with

- ii) new section numbering, consolidation of standards, and to reflect new State laws; Update OCC Chapter 16, Article II - Definitions with definitions related to ADU law and other minor definition modifications along with new figures and images,
 - iii) Update OCC Chapter 16, Article X, Division 2 - Parking Space and Loading Requirements table of uses and off-street parking ratios to relocate the parking standards for ADUs to Division 13 - ADUs.
 - iv) Streamline provisions of the residential permit procedures in OCC Chapter 16, Article III, Division 2 – Residential Zones by removing repetitive permit requirements sections and changing the Development Design Review (DDR) Permit for a new single-family residence and new manufactured single-family home in the land use matrix to a permitted use;
 - v) Update OCC Chapter 16, Article VII, Division 2 – Development Design Review Permit to reflect proposed changes to exempt single-family residential development from a DDR Permit.
 - vi) Update OCC Chapter 16, Article VII, Division 4 – Modifications to Special Use Permits to be consistent with staff’s procedural application, which allows for the modification of any existing planning entitlement, not only to a Special Use Permit (SUP).
- 4) **Environmental Determination:** Pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines, also known as the “general rule” or “common sense exemption,” activities that will not result in direct or reasonably foreseeable indirect physical change in the environment and can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment are not subject to CEQA. The project is limited to updating the existing sections of the Oxnard City Code and will not directly result in any physical development or authorize new uses.
- 5) **Analysis:** The proposed ordinances will be incorporated into the OCC, Chapter 16 (Zoning Code) to bring the OCC into compliance with state law, the City’s adopted 2021-2022 Housing Element, update other sections to streamline, and to reevaluate evolving zoning interpretations. This section discusses changes made to the existing OCC. The proposed ordinances indicate legislative revisions to the existing code with strikethrough and underline.

Proposed Zoning Code Amendments

The draft ordinances for each proposed ZTA are appended and are summarized below.

a) **Accessory Dwelling Units (Attachment 1a)**

ADUs are infill housing options that provide dwelling units on lots developed with a single-family or multi-family structure. The State of California over the last decade has passed significant legislative actions to allow ADUs with generally less restrictions than the local regulations with the intent to increase housing production. The state continues to amend ADU laws to adjust to different needs of the state, refine regulations, and close the loopholes. The consistent reforms reduce barriers to build ADUs and create additional housing opportunities within residential zones.

The City established an ADU Ordinance in 2016 and has since been modified in 2017, 2019, 2020, and 2023. This proposed update will bring the City’s ADU ordinance up to date by addressing the changes to state law in 2024 and 2025, and the newest legislation for 2026. The City fully revised the ADU ordinance in 2020 to comply with ADU state laws to allow ADUs ministerially and establish the different types of ADUs. Subsequently, in 2023, a minor ADU ordinance amendment was adopted which updated the regulations related to parking and impact fees. After several years of state law updates, and the City modifying its existing ADU ordinance with those changes, this proposed ADU ordinance is a complete overhaul to better mimic the format and language of the ADU Government Code (Sections 66310-66342). This proposed ordinance repeals the previous ADU ordinance and replaces it in its entirety. Updating the zoning code to comply with state law achieves an ongoing task within Program 6 of the 2021-2029 Housing Element (Zoning Code Amendments for recently adopted state laws).

With each update, development standards imposed by the state have reduced local purview to further streamline the review process and timelines. For the City of Oxnard, ADU development has significantly increased in every legislative update since 2016 providing a range of housing opportunities and addressing the housing shortage. ADUs are processed ministerially (i.e. without a separate planning permit or process) only requiring a building permit application through the Building and Engineering Division. In Table 1 below are ADU statistics from the last three years displaying an influx of applications and construction.

Table 1: Oxnard ADU Development

YEAR	BUILDING PERMIT APPLICATIONS RECEIVED	BUILDING PERMITS ISSUED	FINAL INSPECTIONS/CofO
2023	167	191	73
2024	347	251	134
2025*	271	188	138

**Data through September 2025*

To bring the ADU ordinance up to date, the following bills will be incorporated and are discussed further below: SB 477, AB 2533, SB 1211, SB 543, and AB 1154. All ADU Government Code Sections (66310-66342) and recent amendments can be found in Attachment 3. The definitions, numbering, language, and format of the ordinance will be updated in the OCC accordingly.

SB 477

On March 25, 2024, SB 477 went into effect and made changes to the numbering format of the Government Code Sections for ADUs and JADUs. Any existing regulations in the OCC will be updated to reflect the new Government Code sections shown as Cal. Gov't. Code Sections 66310-663342.

AB 2533

AB 2533 was introduced in 2024 and went into effect January 1, 2025 to address ADUs constructed without permits. This bill prohibits a local agency from denying an ADU or JADU permit because it was constructed and unpermitted before January 1, 2020 unless the City can make the finding that correcting the violation is necessary to protect the health and safety of the public or occupants of the structure. These new regulations would prohibit the City from penalizing a property owner or applicant for having an unpermitted ADU and require an approval of the permits to correct any noncompliance with health and safety standards.

SB 1211

Effective January 1, 2025, SB 1211 made changes to the parking requirements and number of ADUs allowed on lots with existing or proposed multi-family structures. Existing ADU regulations prohibit the City from requiring off-street parking spaces to be replaced when a garage, carport or covered parking structure is demolished in conjunction with the construction of, or conversion to, an ADU. SB 1211 amends this prohibition to now also prohibit a city from requiring replacement parking when an uncovered parking space is demolished for or replaced with an ADU.

In addition to the parking, ADU standards on multi-family properties have been updated. The law required the City to ministerially approve ADU permit applications for ADUs within portions of existing multi-family structures not used as livable space; however, livable space was not defined. In this update, a definition of livable space was established, as follows: "Livable space means a space in a dwelling intended for human habitation, including living, sleeping, eating, cooking, or sanitation." SB 1211 increased the number of detached ADUs up to eight (8) on lots with existing multi-family structures. The previous law allowed on lots with existing or proposed multi-family structures up to two (2) detached ADUs. The change differentiated between eight (8) new detached units on a lot with an *existing* multi-family structure and a lot with a *proposed* multi-family structure remaining at two (2) detached ADUs.

AB 1154

In October 2025, AB 1154 was signed into legislation impacting Junior Accessory Dwelling Units. JADUs are separate living units under 500 square feet and constructed entirely within the existing single-family dwelling structure to create a new dwelling unit on the single-family property. Previously state law required the property owner to occupy

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either the main dwelling unit or the JADU. With AB 1154, that owner occupancy would be removed if the JADU does not share a sanitation (bathroom) facility with the main dwelling unit. Additionally, adding language that the rental of JADU be more than 30 days.

This legislation effective January 1, 2026 amends Government Code Section 66333 relating to JADUs and owner occupancy requirements and rental terms. This bill revises the existing language as follows:

Section 66333(b) - ~~Require~~ *If the junior accessory dwelling unit has shared sanitation facilities with the existing structure, require* owner-occupancy in the single family residence in which the junior accessory dwelling unit will be permitted. The owner may reside in either the remaining portion of the structure or the newly created 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.”

Section 66333(g) - (g) Require that a rental of a junior accessory dwelling unit be for a term longer than 30 days.

SB 543

In addition to AB 1154, SB 543 was signed into law and effective January 1, 2026. The ongoing intent of ADU law is to provide more housing options at an easier and faster rate. The new law sets a 15 business day period for the city to review the permit application for an ADU or JADU, clarifies size, safety, and density standards, and provides parameters for a local agency to submit an adopted ordinance to the Department of Housing and Community Development within 60 days after adoption.

Currently, state law specifies that the city is required to either approve or deny a complete application within 60 days of receiving a completed application. SB 543 includes further timelines that each of the reviews to reach a complete application within the 60 days must be no later than 15 days after the application was submitted. Every subsequent building permit revision is subject to the 15 day review period by all reviewers including but not limited to the Planning Division, Fire Department, and Building and Engineering Division.

The clarification item in SB 543 relating to size modifies the state law to specify that the ADUs and JADUs should be calculated using interior livable space square footage only. This is applied to the maximum size identified and when determining impact fees.

SB 543 also renumbered several sections of the Government Code, which will be reflected in the proposed ordinance. The existing California Government Codes relating to ADUs and the amendments from SB 543 and AB 1154 are found in Attachment 3.

ADU Ordinance Format

As proposed, the text format of the ADU ordinance has significantly changed from the existing structure in Chapter 16. The previous ordinance (Attachment 2) established the different ADUs as Types (e.g. Type 1 is a detached ADU, Type 2A is a conversion, etc.) This classification has been removed and simplified to reflect the ADU types as defined in state law. The section numbering and naming conventions of each section will be modified for consistency with the language used in state law and for ease of use. This format will replace in its entirety the existing OCC ADU Division.

ADU Definitions

Updates are proposed to definitions relating to ADU State law and the off-street parking standards in the parking matrix. Below are definitions that currently exist but have been modified by state law, and new definitions.

Definitions related to ADU State Law:

- Updated definitions: ADU, JADU, habitable, space, and tandem parking.
- New definitions: Covenants, Conditions, and Restrictions (CC&Rs), high quality transit corridor, livable space, living area, major transit stop, manufactured home, passageway, and public transit.

The proposed ordinance reflects these changes in OCC Section 16-10 - Definitions, Article V, Division 13, and Sections 16-465 - 16-465.13 - Accessory Dwelling Units..

b) Streamline Single-Family Dwelling Unit Permit Requirements (Attachment 1b)

As part of the ongoing effort to update the zoning code (Chapter 16) and streamline housing opportunities, this proposed amendment includes simplification of code sections related to the single-family residential use permit requirements by eliminating the discretionary review of single-family dwelling units. This amendment proposes to consolidate the residential land use matrix and permit procedures sections of the OCC for consistency, ease of use, and streamlining.

Currently, the zoning code stipulates that all new development must obtain a Development Design Review Permit (DDR) unless a Special Use Permit or other planning permit is required. The proposed amendment updates the Residential Land Use Matrix in Section 16-22 to change this designation from “DDR” to “Permitted (P),” removing the DDR requirement for single-family dwellings, including for manufactured housing, in all residential zones (Table 2). Table 2 shown is only showing the Single-Family land use and the entirety of the Land Use Matrix can be found in the draft ordinance (Attachment 1b).

Table 2: Proposed Land Use Matrix (portion of matrix)

<i>Residential Land Use Matrix</i>						
Key: Blank: Not Allowed X: Prohibited Use						
P: Permitted Use SPR: Site Plan Review						
SUP: Special Use Permit DDR: Development Design Review Permit						
<i>Land Use</i>	<i>Zone District</i>					
	<i>R-1</i>	<i>R-2</i>	<i>R-3</i>	<i>R-4</i>	<i>MH-PD</i>	<i>Notes</i>
Single-family dwelling conventionally built and of a permanent character. (Separate servants' quarters may be established in connection with single-family dwellings of 9 rooms or larger, exclusive of bathrooms, when such dwellings are located on lots of not less than 10,000 sq. ft.). <u>Development Design Review Permit not required.</u>	DDR	DDR	DDR	DDR		
	P	P	P	P		
Manufactured housing consisting of single-family dwellings constructed by modular manufactured methods or mobile homes certified under the National Mobile Homes Construction and Safety Standards Act of 1974, provided such homes are of a permanent character secured to a permanent foundation	DDR	DDR	DDR	DDR	SUP	
	P	P	P	P		

Under the existing process, constructing a new single-family dwelling requires submission of a planning application for a DDR. This involves a review period by the Planning Division and other city departments, a Community Workshop for public input, and a public hearing conducted by the Community Development Director as the review authority, followed by an appeal period. Once approved and after the appeal period ends, the project moves to the Building and Engineering Division for building permit plan check.

By removing the DDR requirement, new single-family dwellings, including manufactured single-family homes, would be submitted directly to the Building and Engineering Division for permits streamlining the process. This change would align the review process for new single-family dwellings with that of additions to single-family dwellings and ADUs/JADUs, which are reviewed ministerially through the building permit process. Changing the process for allowing a single-family dwelling by-right without an

entitlement does not impact the review of the development because single-family dwellings must still comply with zoning code development standards, including setbacks, yard space, and height requirements regardless of the discretionary or ministerial process. Single-family dwellings should be reviewed with objective standards the same way as other housing developments that the state has required under certain laws, such as ADUs. These objective standards already exist in the Residential Development Standards Section 16-23 and 16-24 of the OCC and would already limit the subjective discretion.

Streamlining housing such as single-family dwellings regardless of construction type, and streamlining ADUs/JADUs offers a more predictable review process saving the property owner and applicant time and costs. There would be greater certainty that the project will be reviewed in a timely manner because a separate planning permit and public hearing process would not be required. Like ADUs, increasing housing supply for single-family dwelling units is a goal of the state and the City, therefore, removing the barrier of a separate planning process and public hearing for single-family dwelling units aligns with meeting that goal.

The language in the residential land use matrix removes references to requiring a DDR for all new construction and directs the reader to the permit procedures section of the OCC. Section 16-525 proposes language exempting single-family dwelling units both conventionally built or a manufactured home from a DDR.

c) Definitions, Parking, and Permit Modifications (Attachment 1c)

The Zoning Code in OCC Chapter 16 contains zoning requirements, development standards, and procedures from 1964 with other updates over the years to reflect changes based on state law, specific amendments for development projects, and general plan updates. The zoning code amendments are intended to reflect procedural changes that align with streamlining the development process, reduce confusion, fix ongoing issues, and increase ease of use. The proposed changes below are minor in nature and stay consistent with the 2030 General Plan and general procedures by City staff.

Definitions

The definitions in OCC Section 16-10 apply to any section within the zoning code. This section includes entirely new definitions, modifications to existing definitions, renaming, changes to assist in zoning determinations, and for clarification purposes. In addition to the definitions, new figures with images related to lot types and lot lines are proposed to supplement the written definitions, as follows:

Definitions related to lot configuration:

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- Updated definitions: corner lot, frontage, front lot line, front yard, interior lot, interior yard space, key lot, lot, lot depth, rear lot line, rear yard, required yard, reverse corner lot, side yard, through lot, and yard.
- New definitions and figures: lot area (gross, net), lot (flag), and Figure 1: rear lot lines and Figure 2: lot types.

Miscellaneous Definitions:

- Updated definitions: accessory building, accessory structure, accessory use, detached, family, garage, patio, patio cover, and main building
- New definitions: carport, floor area (gross and net), planning manager, and structure.
- Deleted definitions: babysitting and frontage

Residential Zones (Attachment 1b)

The OCC Section 16-20 Residential Zones contains outdated and repetitive language proposed for consolidation and consistency. The following sections have been amended:

- Section 16-20 - Remove references to second dwelling units for consistency.
- Section 16-21 - Remove repetitive language of individual permit types and refer to Permit Procedures in Article VII.
- Section 16-22 - Land use matrix amendments: Remove babysitting use, remove high-density apartments (refer to multiple family residential), correct typo from traditional to transitional, change manufactured single-family dwelling from DDR to permitted, and changes to single-family home DDR requirement (see section above).
- Section 16-24 - Remove an architectural standard related to colors matching adjacent single family structures to reduce subjectivity on residential development and replace with objective standards. In addition, remove discretionary permit references in the R-1 zone.

ADU Parking Changes

The parking requirements for ADUs are currently located in the parking table in OCC Sec. 16-622. Those parking standards will be struck out in Sec. 16-622 and relocated to the ADU division in OCC Sec. 16-465.9. The parking standards will reflect the precise requirements of ADU State law and the table will direct the user to the ADU section of the OCC. This modification to the table in Sec. 16-622 only applies to the residential ADU off-street parking requirement and the other parking requirements, standards, uses, and ratios remain as is.

Modifications to Planning Permits

Projects that received a discretionary permit are eligible for minor and major modifications to those entitlements pursuant to OCC Chapter 16 Article VII Division 4 Sections 16-560-16-561.1 - Modifications to Special Use Permits. This division indicates

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modifications are only processed for special use permits, however, that is inconsistent with the long standing internal policy procedure to allow for modifications to other permit types beyond special use permits. The amendment opens the minor and major modification process to other permits like Development Design Review Permits, Site Plan Review Permits, and Planned Development Permits. This change demonstrates consistency with how planning staff processes modification permits. The proposed change modifies the language from Special Use Permits to *Planning Permits* in the zoning code. OCC Chapter 16 Article VII Division 4 would be amended to read as *Modifications to Planning Permits*.

This proposed zone text amendment does not change the process for a modification to a permit, rather establishes certainty for city staff and the development community that there is a process in place to modify any planning permit, not just special use permits.

- 6) **General Plan Consistency:** The proposed ZTA calls for updates to address state law and internal inconsistencies demonstrating the project meets several goals and policies included in the 2030 General Plan, and it will implement the code amendments identified in the City’s 2021-2029 Housing Element. The project is determined to be consistent with the General Plan 2030 because all aspects of the project will further the objectives and policies of the General Plan.

The following three consistency classification levels are required for consistency evaluation under the 2030 General Plan Goals and Policies, Chapter 9, Section 9.2 “Consistency Procedure”:

- I. Direct Applicability to a Proposed Project or Program (full text of the policy and an explanation).
- II. Related or Indirect Applicability to the Proposed Project or Program (policy title and an explanation for each or groups of related or indirectly related policies).
- III. No or Distant Applicability to the Proposed Project or Program (all policies not listed as Level I and II are assumed to be consistent).

POLICY	LEVEL	GENERAL PLAN POLICY OR TITLE	EXPLANATION
CD-1.5	I	Housing Variety. Promote the development of a variety of housing types throughout the City including apartments, condominiums, lofts, townhouses, and attached and detached single family units.	The ZTA promotes development of ADUs, a housing type, and affordability levels throughout the City.
CD-1.7	I	Compact Development. Promote the use of development patterns that are more compactly built and use space	The ZTA promotes development of ADUs, which encourage more compact building patterns.

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POLICY	LEVEL	GENERAL PLAN POLICY OR TITLE	EXPLANATION
		in an efficient aesthetic manner as part of the community vision.	
CD-2.1	I	Zoning and General Plan Consistency. Amend the zoning code, zoning map, Coastal Land Use Program, and other land use regulations to make them consistent with the adopted and/or subsequently amended 2030 General Plan.	The ZTA amends zoning regulations to ensure consistency with the Adopted Amended 2021-2029 Housing Element and to comply with State laws.
CD-14.1	I	Design Review Process. In the evaluation of development proposals, continue to ensure that public and private development projects comply with City design policies, plans and guidelines.	Pursuant to Housing Element Program 6, the ZTA updates the OCC to codify the existing process and noticing procedures for Minor Modifications.
CD-16.7	I	Flexibility in Regulation Implementation. Continue to research and amend the zoning code and related regulations in order to allow development to adequately respond to market conditions.	The ZTA amends the zoning code to streamline ordinance provisions, clarify permitting requirements and simplify code requirements.
H-2.7	I	Encourage Accessory Dwelling Units. Allow and encourage development of accessory dwelling units while protecting the character of the surrounding neighborhoods.	Pursuant to Housing Element Programs 6 and 27, the ZTA updates the OCC for consistency with State law.
H-4.3	I	Processing. Provide for streamlined, timely, and coordinated processing of affordable residential development projects to minimize land acquisition, holding costs, and/or upfront project development costs.	The ZTA codifies streamlining the process for single-family dwelling unit development without a DDR, and Minor Modifications to all planning permits to provide greater certainty and transparency for the development community, thereby reducing a barrier to development.

- 7) **Community Outreach:** A notice for the Planning Commission's public hearing considering changes to the OCC was posted in the Ventura County Vida newspaper.
- 8) **Next Steps:** The Planning Commission's action on this matter is advisory to the City Council. The Planning Commission's recommendation will be forwarded to the City Council for consideration.

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Attachments:

1. Planning Commission Resolution for Zoning Code Text Amendments (PZ 23-580-03)
 - a. Draft City Council Ordinance - OCC Section 16-465: Accessory Dwelling Units
 - b. Draft City Council Ordinance - OCC Sections 16-20 through 16-24: Residential Zones and OCC Sections 16-525: Development Design Review Permit
 - c. Draft City Council Ordinance - OCC Section 16-10: Definitions, OCC Sections 16-560 through 16-561.1: Modifications to Special Use Permits and OCC Section 16-622: Schedule Of Vehicle Off-Street Parking Requirements
2. Current ADU OCC Sections 16-465 through 16-469.6
3. ADU Government Code Sections and Amendments
4. Notice of Exemption
5. Staff Presentation

RESOLUTION NO. 2025-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING THAT THE CITY COUNCIL ADOPT THREE ORDINANCES AMENDING OXNARD CITY CODE CHAPTER 16 (ZONING CODE) ARTICLE II (DEFINITIONS), ARTICLE V, DIVISION 13 (ACCESSORY DWELLING UNITS), ARTICLE III, DIVISION 2 (RESIDENTIAL ZONES), ARTICLE VII, DIVISION 2 (DEVELOPMENT DESIGN REVIEW PERMIT), ARTICLE VII, DIVISION 4 (MODIFICATIONS TO SPECIAL USE PERMITS) AND ARTICLE X, DIVISION 2 (PARKING SPACE AND LOADING REQUIREMENTS) TO COMPLY WITH STATE LAW AND TO STREAMLINE AND CLARIFY ZONING REQUIREMENTS. FILED BY THE CITY OF OXNARD, COMMUNITY DEVELOPMENT DEPARTMENT, 214 SOUTH C STREET, OXNARD, CA, 93030.

WHEREAS, the Planning Commission of the City of Oxnard has considered Zone Text Amendment (ZTA) PZ No. 25-580-02, filed by the City of Oxnard Community Development Department Planning & Environmental Services, to amend Chapter 16 of the Oxnard City Code (OCC) to implement the City of Oxnard certified and Adopted Amended 2021-2029 Housing Element Programs 6 and 36 that call for ongoing updates to the City's zoning code to comply with current state housing laws on Accessory Dwelling Units (ADU) and to streamline zoning code requirements to reflect consistent procedures. The ordinances will amend OCC Chapter 16, Article II Section 16-10 (Definitions), Article V, Division 13 Section 16-465 (Accessory Dwelling Units), Article III, Division 2 (Residential Zones), Article VII, Division 2 (Development Design Review Permit), Article VII, Division 4 (Modifications To Special Use Permits), and Article X, Division 2 (Parking Space and Loading Requirements); and

WHEREAS, the State of California has declared that the provision of diverse, affordable, and number of housing units in all communities for all segments of the population is a matter of statewide importance and concern; and

WHEREAS, on November 6, 2025, the Planning Commission of the City of Oxnard ("Planning Commission") conducted a duly noticed public hearing to consider a request to approve Planning and Zoning Permit Number 25-580-02 (Zone Text Amendment); and

WHEREAS, the three Zone Text Amendment ordinances are incorporated by reference and attached as the following exhibits:

- Attachment 1a: Draft City Council Ordinance for Accessory Dwelling Units
- Attachment 1b: Draft City Council Ordinance amending Residential Zones and Development Design Review Permits
- Attachment 1c: Draft City Council Ordinance amending Definitions and Modifications to Special Use Permits and ADU off-street parking requirements; and

WHEREAS, the Planning Commission received written and verbal comments from the public; and

WHEREAS, the Planning Commission finds that the proposed ZTA is in the public interest and reflects the input from residents, stakeholders in the community, and decision-makers. There are no changes recommended under the proposed ZTA that would reduce or compromise existing standards that protect the health, safety or general welfare of the City; and

WHEREAS, the proposed ZTA does not involve any direct physical changes to the environment. There are no changes in landforms or an intensification of land uses as a part of the proposed ZTA, and all public services for existing land uses will remain as-is with no changes and no diminishment of service or safety; and

WHEREAS, the Planning Commission determined that this action is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15060(c)(2) and (3) and 15061(b)(3) as this ZTA is a regulatory action which will not result in direct or reasonably foreseeable indirect physical change in the environment and when it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment are not subject to CEQA; and

WHEREAS, it is in the public interest, consistent with the 2030 General Plan and will further protect the public health, safety, and general welfare; and

WHEREAS, the Planning Commission finds, after due study, deliberation and public hearing, that the proposed ZTA is consistent with the 2030 General Plan.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends to the City Council adoption of the ordinances attached hereto as Attachments 1a, 1b, and 1c.

SECTION 1. The foregoing recitals are true and correct and are hereby incorporated into the operative provisions of this Resolution.

SECTION 2. Based upon the foregoing recitals, the Planning Commission finds, for the above stated reasons, and the reasons set forth in the staff report, that the proposed ZTA herein will not result in any new significant environmental impacts that were not addressed in the 2030 General Plan Program EIR, will not increase the severity of any previously identified impacts, and is exempt from CEQA under Guidelines Sections 15060(c)(2) and (3) and 15061(b)(3).

SECTION 3. The Planning Commission, based on the findings set forth herein, recommends that the City Council of the City of Oxnard adopt the ordinances attached hereto as 1a, 1b, and 1c and incorporated herein by this reference to this Resolution.

SECTION 4. The Secretary shall certify the adoption of this Resolution.

PASSED and ADOPTED by the Planning Commission of the City of Oxnard on this 6th day of November 2025 by the following vote:

Ronald Arruejo, Chair

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Oxnard at a meeting held on the 6th day of November 2025, and carried by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTAIN: Commissioners:

RECUSED: Commissioners:

Joe Pearson II, Secretary

**ATTACHMENT 1a – ACCESSORY DWELLING UNIT STANDARDS
DRAFT CITY COUNCIL ORDINANCE**

CITY COUNCIL OF THE CITY OF OXNARD

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD AMENDING CHAPTER 16 (ZONING) OF THE OXNARD CITY CODE §16-465 ACCESSORY DWELLING UNITS. FILED BY CITY OF OXNARD, COMMUNITY DEVELOPMENT DEPARTMENT, 214 SOUTH C STREET, OXNARD, CA, 93030.

WHEREAS, the City Council of the City of Oxnard has considered Zone Text Amendment (ZTA) PZ No. 25-580-02, filed by the City of Oxnard Community Development Department, to amend Chapter 16 of the Oxnard City Code (OCC). The amendment is to update the Accessory Dwelling Unit (ADU) OCC Sections 16-465-16-465.13 to comply with current State law (Government Code Sections 66310-66342) that repeals and replaces in its entirety the current ADU Ordinance in the zoning code, which changes the format and content of the ADU Ordinance, specifically, demonstrating consistency with state laws Senate (SB) 477, Assembly (AB) 2533, SB 1211, SB 543, and AB 1154; and

WHEREAS, on October 25, 2022 the State of California Department of Housing and Community Development (HCD) certified the City of Oxnard 2021-2029 Housing Element. Programs 6, 9, 22, 27 and 32 of the 2021-2029 Housing Element require the City update Chapter 16 of the Oxnard City Code (OCC) by 2023 to comply with state laws on ADUs; and other ordinance modifications to streamline, clarify and simplify permitting requirements to comply with State regulatory requirements and laws; and

WHEREAS, the California State Legislature approved, and the Governor signed into law, amendments to the state ADU law Senate SB 477 effective March 25, 2024, AB 2533 effective January 1, 2025, SB 1211 effective January 1, 2025, and SB 543 and AB 1154 effective January 1, 2026, and for the City of Oxnard ADU Ordinance to remain valid, it shall be amended to reflect state law; and

WHEREAS, on November 6, 2025 the Planning Commission held a public hearing on the amendments to Chapter 16 of the OCC to implement Zoning Text Amendments (ZTA) and adopted a Resolution recommending that the City Council approve Planning & Zoning Permit No. 25-580-02 (Zone Text Amendment); and

WHEREAS, on _____, the City Council of the City of Oxnard conducted a duly noticed public hearing to consider Planning and Zoning Permit No. 25-580-02 (Zone Text Amendment) in accordance with the OCC, and

WHEREAS, the City Council received written and verbal comments from the public; and

WHEREAS, the City Council finds the proposed Zoning Text Amendment is in the public interest and general welfare by complying with State law and encouraging the orderly development of small accessory structures and/or buildings on residential lots and providing residents with accurate standards to accommodate ADUs. There are no changes recommended under the proposed ZTA that would reduce or compromise existing standards that protect the health, safety or general welfare of the City; and

WHEREAS, the proposed ZTA does not involve any direct physical changes to the environment. There are no changes in landforms or an intensification of land uses as a part of the proposed ZTA and all public services for existing land uses will remain as-is, with no changes and no diminishment of service or safety; and

WHEREAS, the proposed ZTA to Chapter 16 of the OCC would establish specific provisions consistent with the action items and policy directives in the 2030 General Plan; and

WHEREAS, the City Council determined that this action is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15060(c)(2) and (3) and 15061(b)(3) as this ZTA is a regulatory action which will not result in direct or reasonably foreseeable indirect physical change in the environment and when it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment are not subject to CEQA; and

WHEREAS, it is in the public interest, consistent with the 2030 General Plan.

NOW, THEREFORE, the City Council of the City of Oxnard does ordain as follows:

SECTION 1. The Recitals above are true and correct and incorporated herein by this reference.

SECTION 2. The City Council finds that the Zone Text Amendment is internally consistent with all other provisions of the City of Oxnard 2030 General Plan.

SECTION 3. The City Council finds that the Zone Text Amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City and is in the best interests and welfare of the City and its residents.

SECTION 4. Oxnard City Code Chapter 16, Article V, Division 13 entitled “Accessory Dwelling Units” is hereby repealed and readopted to read as provided in Exhibit A.

SECTION 5. In accordance with Government Code Section 66326 and Section 66333.5, the Community Development Department is directed to submit a copy of this Ordinance to the California Department of Housing and Community Development within 60 days after adoption.

SECTION 6. If any section, sentence, clause or phrase of this Ordinance is determined to be invalid, illegal or unconstitutional by a decision or order of any court of competent jurisdiction, then decision or order shall not affect the validity and enforceability of the remaining portions of this Ordinance. The City Council declares that it would have passed and adopted this Ordinance,

and each section, sentence, subsection, clause, phrase, part or portion thereof, regardless of the fact that any one or more sections, sentences, subsections, clauses, phrases, be declared invalid or unconstitutional.

SECTION 7. Cumulative Ordinance. Nothing in this Ordinance shall be interpreted to allow any land use which is not expressly listed as permitted or conditionally permitted within the City’s Zoning Code.

SECTION 8. Accessory Dwelling Unit applications that are submitted on or before the effective date of this ordinance shall remain permitted.

SECTION 9. Exempt from CEQA. The City Council determines and finds that the adoption of this Ordinance is exempt from review under the California Environmental Quality Act (“CEQA”) pursuant to Sections 15060(c)(2) and (3) and 15061(b)(3) of the Guidelines to the California Environmental Quality Act because the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA because the project is limited to updating the existing sections of the Oxnard City Code and will not directly result in any physical development or authorize new uses. Therefore, CEQA does not apply to this action.

SECTION 10. Pursuant to Government Code Section 36933(c)(1), the City Attorney was designated to prepare, and the City Clerk published, a summary of this Ordinance, and a certified copy the Ordinance was posted in the Office of the City Clerk a minimum of five days before the City Council’s adoption of the Ordinance.

SECTION 11. The City Clerk shall certify as to the adoption of this Ordinance and shall cause summary thereof to be published within fifteen calendar (15) days of the adoption and shall post a certified copy of this Ordinance, including for and against the same, in the office of the City Clerk, in accordance with Government Code Section 36933. Ordinance No. _____ was first read on _____, and finally adopted on _____, to become effective thirty (30) days thereafter.

PASSED AND ADOPTED this _____ day of _____ by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSED:

Luis A. McArthur, Mayor

ATTEST:

Luly Lopez, City Clerk

APPROVED AS TO FORM:

Stephen M. Fischer, City Attorney

Exhibit A

Exhibit A

CHAPTER 16: ZONING CODE **ARTICLE V. SPECIFIC USE REQUIREMENTS** **DIVISION 13 ACCESSORY DWELLING UNITS**

- Sec. 16-465. Purpose.
- Sec. 16-465.1. Types Of Accessory Dwelling Units.
- Sec. 16-465.2. Permitting Process.
- Sec. 16-465.3. Permitted Zones.
- Sec. 16-465.4. Number Of Accessory Dwelling Units.
- Sec. 16-465.5. Standards For Accessory Dwelling Units Permitted Pursuant To California Government Code Section 66323.
- Sec. 16-465.6. General Accessory Dwelling Units And Junior Accessory Dwelling Units Requirements.
- Sec. 16-465.7. Accessory Dwelling Unit Development Standards.
- Sec. 16-465.8. Accessory Dwelling Unit Design Standards.
- Sec. 16-465.9. Accessory Dwelling Unit Parking Standards.
- Sec. 16-465.10. Junior Accessory Dwelling Unit Development Standards.
- Sec. 16-465.11. Utility Standards.
- Sec. 16-465.12. Occupancy, Sale, And Rental Of Property.
- Sec. 16-465.13. Conflicting Provisions.

DIVISION 13. ACCESSORY DWELLING UNITS

SEC. 16-465. PURPOSE.

- (A) This Division 13 establishes reasonable regulations for the development of accessory dwelling units (ADU) and junior accessory dwelling units (JADU) as a type of affordable infill housing to meet the needs of existing and future residents within existing neighborhoods, while respecting architectural character.
- (B) The purpose of this Division 13 is to meet the requirements set forth in Cal. Govt Code, Section 66310 et seq. (known as the California ADU Law). If any provision of this Division 13 conflicts with State law, the minimum requirements of State law shall control.

SEC. 16-465.1. TYPES OF ACCESSORY DWELLING UNITS.

For the purposes of this Division 13, the following types of ADU shall have the meanings respectively ascribed to them by this section:

- (A) "Accessory dwelling unit" (ADU; also known as "second unit," "granny flat," "in-law suite," "tiny home" and/or "cottage") are small residential units on a permanent foundation located within, attached to, or detached and adjacent to the primary single-family unit or multifamily structure, and can provide an important source of affordable housing. An ADU shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An ADU also includes the following:
- (1) An efficiency unit, as defined in Section 17958.1 of the California Health and Safety Code.
 - (2) A manufactured home, as defined in Section 18007 of the California Health and Safety Code.
- (B) "ADU permitted pursuant to California Government Code Section 66323" (also known as "66323 Units," "state mandated ADUs" or "state exempt ADUs") are one of the four delineated types of ADUs (and JADUs) that must be permitted ministerially and are subject to reduced standards outlined under California Government Code Section 66323. See Section 16-465.5
- (C) "Attached ADU" is an ADU attached by at least one common wall or ceiling/floor to a primary dwelling unit, and is not fully contained with the primary dwelling unit. The attached ADU includes new construction and conversion of an existing attached accessory building or structure. "Detached ADU" is an ADU that does not share a common wall with the primary dwelling unit. The detached ADU includes new construction and conversion of an existing detached accessory building or structure and can be attached to a detached accessory structure.
- (D) "Junior accessory dwelling unit; JADU" means a unit that is no more than 500 square feet of interior livable space in size and contained entirely within a single-family residence. A JADU may include separate sanitation facilities, or may share sanitation facilities with the existing structure.

SEC. 16-465.2. PERMITTING PROCESS.

A building permit shall be required prior to construction or creation of an ADU or JADU.

(A) Consistency With Development Standards.

- (1) For ADUs or JADUs meeting the requirements of California Government Code Section 66323, Section 16-465.5 of this division will apply. For ADUs not meeting the requirements of California Government Code Section 66323, all other standards of this division are applicable. Any application for an ADU or JADU that complies with this division will be approved ministerially without discretionary review or a public hearing is required.
- (2) A permit application shall receive written notice of determination to be complete or incomplete no later than 15 business days after the application is received. If the

application is determined to be incomplete, the applicant shall be provided a list of incomplete items and a description to address. In the review of the incomplete application, no additional incomplete items shall be included that were not provided in the initial list. Each review of an application shall be 15 business days, otherwise the application or resubmitted application shall be deemed to be complete.

- (3) If a single-family or multifamily dwelling exists on the parcel upon which an ADU or JADU is proposed, the city will approve or deny an application to create an ADU or JADU within 60 days from the date the city receives a completed application. Notwithstanding the above, the director shall ministerially approve or deny within 30 days the application for a detached ADU that utilizes an ADU plan that has been preapproved by the City Building Official. If the applicant requests a delay in writing, the 30-day or 60-day time period will be tolled for the period of the delay.

(a) The city has approved or denied the application within time period if it:

- i. Approves the permit for the ADU or JADU; or
- ii. Provides the applicant a full set of comments in writing with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.

(b) An application deemed incomplete or denied shall be provided a process to appeal that decision in writing pursuant to Government Code Sections 66317 and 66335.

- (4) A Homeowner's Association (HOA) may not influence the City's ministerial approval of an ADU or JADU (California Government Code Section 66317(c)). Additionally, covenants, conditions, and restrictions (CC&Rs) shall not prohibit or unreasonably restrict the construction or use of an ADU or JADU on lots zoned to permit single-family residential uses.

- (5) If the ADU application is submitted with a permit application to create a new single-family or multifamily dwelling on the parcel, the city may delay approving or denying the ADU application until the city approves or denies the permit application for the new single-family or multifamily dwelling.

(B) When Dependent on Separate Construction. When a proposed ADU is dependent on the construction of a new single-family or multifamily dwelling on the same lot which is not a part of the ADU ("separate construction"), the city will either:

- (1) Review and approve or deny the ADU application only after approving or denying an application for the proposed separate construction; or
- (2) Review and approve or deny the ADU application concurrently with the separate construction application, upon written request from the applicant. In this case, the ADU is subject to ministerial review, but both the approval and occupancy of the ADU shall be contingent upon the approval and occupancy for the separate construction. In the case

of a denial, the city will inform the applicant in writing and articulate the changes to the proposed ADU application that are necessary to comply with this chapter.

- (C) Variance from Standards. Should a variance from any requirement of this chapter be requested, review of the application by the planning commission will be required pursuant to Sections 16-565 to 16-569 of this code.
- (D) Unpermitted ADU or Unpermitted JADU. Applications to permit a previously unpermitted ADU or JADU constructed before January 1, 2020 will be processed pursuant to California Government Code Section 66311.7.
- (E) Historic district or historic landmark designation. For an ADU or JADU on or within the California State designated historic district or parcel is subject to the standards set forth in Section 16-465.6.
- (F) Concurrent Application. An ADU or JADU may be proposed and constructed concurrently with construction of an addition to the primary dwelling unit that, by and of itself, meets applicable zoning district development standards for the primary dwelling unit and its addition.
- (G) A nonrefundable fee in the amount set by city council resolution shall be paid upon the filing of an application for an ADU or JADU. Applications may incur additional fees imposed pursuant to this code or other applicable regulations.
- (H) ADU applications submitted on or before the adoption date of this ordinance shall remain permitted.

SEC 16-465.3. PERMITTED ZONES.

ADUs are permitted:

- (A) In any district where single-family or multifamily dwellings are listed as a permitted use and includes a proposed or existing dwelling.
- (B) ADUs are permitted in any other specific plan use designation zones on legal lots that are developed in a manner equivalent to a zone designation where single-family or multifamily dwellings are permitted.

SEC. 16-465.4. NUMBER OF ADU.

The following number of ADUs may be developed on a legal lot zoned to allow for residential uses. The categories of ADUs listed below for each type of parcel may be combined based on site and lot conditions.

(A) Single-Family Lot.

- (1) One internal or attached ADU and one JADU, is permitted per parcel within a proposed or existing single-family dwelling or an existing attached accessory structure; and
- (2) One detached, new construction or conversion of an existing detached structure, ADU is permitted for a parcel with a proposed or existing single-family dwelling. The detached ADU may be combined with a JADU as provided in subsection (A)(1) above.

(B) Multi-family Lot.

1. At least one internal ADU is permitted within an existing multifamily dwelling structure up to a maximum of twenty-five percent of the existing number of multifamily units within the portions of an existing multifamily dwelling structure that are not used as livable space, such as a storage room, boiler room or garage; and
2. On a lot with an existing multifamily dwelling, not more than eight detached ADUs. However, the number of detached ADUs shall not exceed the number of existing units on the lot.
3. Not more than two detached ADUs may be located on a parcel that has a proposed multifamily dwelling.

SEC. 16-465.5 STANDARDS FOR ADU PERMITTED PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 66323.

Notwithstanding all other provisions of this chapter, the city shall ministerially approve an application for a building permit within a residential or mixed-use zone to create any combination of the following ADU units pursuant to California Government Code section 66323:

(A) One ADU and one JADU per lot with a proposed or existing single-family dwelling if all of the following apply:

1. The ADU or JADU is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress. If an expansion of an accessory structure beyond one hundred fifty (150) square feet is proposed, the ADU shall be subject to and comply with all development standards applicable to a new ADU in Sec. 16-465.7.
2. The space has exterior access from the proposed or existing single-family dwelling.
3. The side and rear setbacks are sufficient for fire and safety.
4. The JADU complies with the requirements of Article 3 (commencing with Section 66333) of Chapter 13 of Division 1 of Title 7 of the California Government Code, which are provided below in Section 16-465.10.

(B) One detached, new construction, ADU that does not exceed four-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. The following conditions apply to an ADU proposed pursuant to this paragraph (B):

1. A total gross floor area of not more than 800 square feet of livable space.
2. A maximum height as provided in subparagraph (A), (B), or (C) of paragraph (4) of subdivision (b) of California Government Code section 66321, as follows:

- a. A detached ADU may not exceed 16 feet in height, as measured from finished grade, on a lot with an existing or proposed single family or multi-family dwelling unit.
 - b. A detached ADU may not exceed 18 feet in height as measured from finished grade on a lot with an existing or proposed single family or multi-family dwelling unit that is within a half-mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in Section 21155 of the California Public Resources Code. Additionally, within a half-mile walking distance of a major transit stop or a high-quality transit corridor an additional two feet in height shall be allowed to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary dwelling unit.
 - c. A detached ADU may not exceed 18 feet in height as measured from finished grade for a detached ADU on a lot with an existing or proposed multi-family, multi-story dwelling.
- (C) Multiple ADUs within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings. The city shall allow at least one ADU within an existing multifamily dwelling and shall allow up to twenty-five percent of the existing multifamily dwelling units.
- (D) Multiple ADUs, not to exceed the number specified below, as applicable, that are located on a lot that has an existing or proposed multifamily dwelling, but are detached from that multifamily dwelling.
- (1) Height limited to subparagraph (A), (B), or (C) of paragraph (4) of subdivision (b) of California Government Code Section 66321, also identified above in Sec.16-465.5(B)(2), as applicable.
 - (2) Rear yard and side setbacks of no more than four feet.
 - (3) Total gross floor area of not more than 800 square feet of livable space.
 - (4) On a lot with an existing multifamily dwelling, not more than eight detached ADUs. However, the number of ADUs allowable pursuant to this clause shall not exceed the number of existing units on the lot.
 - (5) On a lot with a proposed multifamily dwelling, not more than two detached ADUs.
 - (6) If the existing multifamily dwelling has a rear or side setback of less than four feet, the city shall not require any modification of the existing multifamily dwelling as a condition of approving the application to construct an ADU that satisfies the requirements of this section.
- (E) The city shall not impose any objective development or design standard that is not authorized by this section upon any ADU or JADU that meets the requirements of this section.

- (F) The installation of fire sprinklers shall not be required in an ADU or JADU if sprinklers are not required for the primary residence. The construction of an ADU or JADU shall not trigger a requirement for fire sprinklers to be installed in the existing multifamily dwelling.
- (G) The rental of any ADU or JADU created pursuant to this section must be for a term longer than thirty days.
- (H) ADU and JADU construction shall comply with building code and health and safety requirements for dwellings.

SEC. 16-465.6 GENERAL ADU AND JADU REQUIREMENTS.

The following requirements apply to all ADUs and JADUs:

- (A) **Building and Other Related Codes.** Any unit must comply with all applicable building, health and fire codes, except that an ADU or JADU is not required to provide fire sprinklers if sprinklers are not required for the primary dwelling. Additionally, the construction of an ADU shall not trigger a requirement for fire sprinklers to be installed in an existing multifamily dwelling.
- (B) **Entrances.** An attached or internal ADU must have a separate entrance to the ADU, which may also be served by a common entrance with the primary dwelling unit.
- (C) **Passageways and Patio Covers.** No ADU will be required to provide a new passageway from the ADU to the street. No covered passageway, breezeway, or other type of covered structure that is not fully enclosed and/or conditioned space shall be allowed to connect the primary dwelling unit to a detached ADU. A patio cover attached to an ADU or JADU may be approved that complies with the applicable zone development standards and the square footage shall not be included in the total area for the ADU or JADU.
- (D) **Manufactured Homes and Prefabricated Homes.**
 - (1) A manufactured home is allowed as an ADU provided that it meets the following requirements:
 - (a) Meets the definition of ADU in Sec. 16-465.1;
 - (b) Is built on a permanent foundation;
 - (c) Is designed for use as a single-family dwelling with or without a foundation when connected to the required utilities; and
 - (d) Includes plumbing, heating, air conditioning, and electrical systems within the home.
 - (2) A prefabricated or modular home is allowed as an ADU.
- (E) **Other Buildings and Structures.** Any other building or structure constructed on the lot concurrent with or subsequent to the construction of an ADU under this chapter must comply with all applicable development standards of the zoning code.
- (F) **Replacing or Converting Existing Structures.**
 - (1) If an existing living area or a detached structure is demolished and replaced with an ADU, an ADU may be constructed in the same location and to the same dimensions as

the demolished structure. JADUs shall be limited to conversion of existing or proposed single-family residence including attached garages.

- (2) If any portion of an existing structure crosses a property line, the structure may not be converted to or replaced with an ADU.
- (G) Historic Resources. ADUs on any real property listed in the California Register of Historic Resources must meet design standards meant to prevent adverse impacts on any real property listed in the California Register of Historical Resources. Where this section uses the term "consistent", that shall mean to be compatible and similar to that of the resource but not precisely the same for the purpose of complying with the Secretary of Interior's Standards for the Treatment of Historic Properties. Standards shall include, without limitation, the following provisions:
- (1) Architecture. The ADU shall be consistent with the primary residence by including features of the architectural style of the primary residence. Architectural details shall be simplified rather than ornate to differentiate the ADU.
 - (2) Materials. Materials shall have minor variations to differentiate them from the primary residence. Any materials that are not consistent with the primary residence must be consistent in look.
 - (3) Color. The ADU shall match the color(s) of the existing primary residence.
 - (4) Elements. Any elements that will be part of an ADU, such as balconies, porches and chimneys shall be constructed consistent with the architectural style of the primary residence.
 - (5) Roof. Roof style and pitch shall match the primary residence.
 - (6) Demolition. Demolition of any structures, partial or whole, shall require review by the Cultural Heritage Board for compliance with the Secretary of the Interior's standards.
 - (7) Location. Newly constructed ADUs shall be located at the rear of the property and behind the primary residence to limit the view from public right-of-way to the furthest extent possible (not including alleys); however shall not preclude at least an 800 square-foot ADU with 4-foot side and rear setbacks in compliance with Sec. 16-465.5 (Government Code Section 66323).
 - (a) If 50% or more of the primary dwelling is located at the rear 1/3 of a property and there is no other location on the property in which an 800 sf ADU could be added, a detached ADU is allowed in front of the dwelling. In such cases, the ADU shall not be attached to the front/main facade of the primary dwelling.
 - (b) ADUs in front of the primary dwelling must not be in front of the main entrance or block visibility of more than 50% of the primary facade from the public right-of-way.
 - (c) Attached ADUs will require review by the Cultural Heritage Board for compliance with the Secretary of the Interior's standards.
 - (d) JADUs will require review by the Cultural Heritage Board for compliance with the Secretary of the Interior's standards, if the exterior of the primary residence is being altered.

- (H) The local agency shall not deny an application for a permit to create an ADU due to the correction of 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 accessory dwelling unit.

SEC. 16-465.7 ADU DEVELOPMENT STANDARDS.

The following development standards apply to ADUs not meeting the requirements of California Government Code Section 66323:

(A) Maximum Size.

- (1) The maximum size of a new attached ADU may not exceed 1,200 square feet or 50% of the total floor area, including attached accessory buildings or structure, of the primary single-family unit, whichever is less, determined by gross floor area of living space; however, shall not preclude an ADU at least 800 square feet of interior livable space with 4-foot side and rear setbacks.
- (2) The maximum size of a detached ADU determined by gross floor area of living space is as follows:
 - a. 850 square feet of interior livable space, if one bedroom or less;
 - b. 1,200 square feet of interior livable space, if more than one bedroom.

(B) Minimum Size.

- (1) The minimum size of an ADU must be no less than the minimum size necessary for the creation of an efficiency unit consistent with the meaning of Cal. Health & Safety Code Section 17958.1.

(C) Maximum Height.

- (1) The maximum height for attached and detached shall not exceed two stories and 25 feet.
- (2) Existing legal structures converted in an ADU may maintain the height.

(D) Setbacks.

- (1) The front yard setback is the same as the underlying zone. An ADU that is permitted to encroach into a required front yard setback may not encroach into such setback beyond that required to maintain an 800-square-foot ADU.
- (2) The minimum of 4 feet for rear and side yard setbacks.

(E) Interior Yard Space.

- (1) Same as the underlying zone. Standards shall not prohibit an ADU that does not exceed 800 square feet of floor area and has four-foot side and rear yard setbacks, provided the ADU complies with all other applicable standards of this chapter.

- (F) Additions to Historic Structures. A building addition to a designated historic resource or potential historic resource, as defined in Chapter 16.42 (Historic Preservation), for an

attached ADU must be inset or separated by a connector that is offset at least eighteen inches from the parallel side or rear building wall to distinguish it from the historic structure.

SEC. 16-465.8 ADU DESIGN STANDARDS.

Design of an attached or detached ADU will be ministerially reviewed under the following objective standards not meeting the requirements of California Government Code Section 66323:

- (A) The roof shall be sloped if the primary structure contains a sloped roof.
- (B) The roof shall consist of one of the following: wood shingle, wood shake, synthetic, composite shingle, ceramic tile, concrete tile, standing seam metal or copper roofing, except reflective surfaces shall not be permitted
- (C) Exterior siding shall be made of nonreflective and nonmetallic materials such as wood, stucco, ceramic tile, brick, stone, or other masonry materials, or any combination of these materials.

SEC. 16-465.9 ADU PARKING STANDARDS.

The following parking standards apply to ADUs not meeting the requirements of California Government Code Section 66323:

- (A) Number. The parking requirement for an attached or detached ADU is one open or enclosed parking space per unit. No additional parking, or reconfiguration of existing parking on the lot, is required for an internal ADU.
- (B) Location. Required parking spaces may be provided as tandem parking on a driveway. Off-street parking is permitted in setback areas in locations determined by the city or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions.
- (C) Exemptions. No parking is required for an ADU in any of the following instances:
 1. The ADU is located within one-half mile walking distance of public transit.
 2. The ADU is located within an architecturally and historically significant historic district.
 3. The ADU is part of the proposed or existing primary residence.
 4. The ADU is a conversion of an existing permitted accessory structure.
 5. When there is a car share vehicle located within one block of the ADU.
 6. When on-street parking permits are required but not offered to the occupant of the ADU.
 7. When a permit application for an ADU is submitted with a permit application to create a new single-family dwelling or a new multifamily dwelling on the same lot, provided that the ADU or the parcel satisfies any other exemption criteria listed in this section.
- (D) Replacement of Existing Parking. When a garage, carport, covered parking structure, or uncovered off-street parking space is demolished in conjunction with the construction of an ADU or converted to an ADU, replacement parking stalls are not required.

SEC. 16-465.10 JADU DEVELOPMENT STANDARDS.

- (A) Number. One JADU is permitted per residential lot zoned for single-family dwelling units with an existing or proposed single-family dwelling.
- (B) Size. A JADU may have a maximum size of 500 square feet of living area and must be contained entirely within an existing or proposed single-family dwelling. For purposes of this section, enclosed uses within the residence, such as attached garages, are considered a part of the proposed or existing single-family residence.
- (C) Entrance. A JADU must include a separate entrance from the main entrance to the primary residence.
- (D) Kitchen. A JADU must include an efficiency kitchen that includes the following:
 - (1) A cooking facility with appliances (which must include, at minimum, a sink and a refrigerator); and,
 - (2) A food preparation counter and storage cabinets that are of reasonable size in relation to the size of the JADU.
- (E) Parking. No additional parking is required for a JADU.
- (F) Sanitation. A JADU may, but is not required to, include separate sanitation facilities. If separate sanitation facilities are not provided, the JADU must share sanitation facilities with the single-family dwelling unit and must have direct access to the residence from the interior of the JADU.
- (G) State Law. The JADU must comply with the requirements of Article 3 (commencing with Section 66333) of Chapter 13 of Division 1 of Title 7 of the California Government Code.

SEC. 16-465.11 UTILITY STANDARDS.

- (A) All ADUs and JADUs must be connected to public utilities, including water, electric, and sewer services and all such connections are subject to state law and the requirements of the serving utility provider.
- (B) The city may require the installation of a new or separate water utility connection between the ADU and the utility, in accordance with Oxnard City Code, except as described in B(1) below. The connection fee or capacity charge must be proportionate to the burden of the proposed ADU based on either its square feet or the number of drainage fixture unit values as defined in the Uniform Plumbing Code.
 - (1) Notwithstanding, Government Code Section 6611.5, subdivision (d) states that for a unit created subject to Section 66323, subdivision (a)(1) a local agency, special district, or water corporation shall not require the applicant to install a new or separate utility connection directly between the ADU or JADU and the utility or impose a related connection fee or capacity charge, unless the ADU or JADU was constructed with a new

single-family dwelling, or upon separate conveyance of the ADU pursuant to Section 66342.

- (C) Existing water and wastewater service laterals and/or lines and/or meters may be required to upgrade to a capacity that includes the ADU.
- (D) ADUs shall not be considered by a local agency, special district, or water corporation to be a new residential use for the purposes of calculating connection fees or capacity charges for utilities, including water and sewer service.
- (E) New utility connection or payment of impact fees shall not be required for an ADU of less than 750 square feet of interior livable space or a JADU that has 500 square feet of interior livable space or less. For ADUs that include a 150 square-foot exterior expansion, the 150 square feet count towards the 750 square-foot interior livable space limit. For example, a 700 square-foot interior conversion ADU with a 150 square-foot exterior expansion for ingress and egress would count as an 850 square-foot ADU for the purpose of calculating fees.
- (F) Any impact fees charged for an ADU that has more than 750 square feet of interior livable space shall be charged proportionately in relation to the square footage of the primary dwelling unit. "Proportionately" means an amount in relation to a total amount of the impact fee for the primary dwelling. For example, a 2,000 square-foot primary dwelling with a proposed 1,000 square-foot ADU may result in 50 percent of the impact fee that is charged for a new primary dwelling on the same site. Impact fees for an ADU that has more than 750 square feet of interior livable space on a lot with a multifamily dwelling shall be charged at the adopted multi-family rate appropriate for the construction type.
- (G) For purposes of this division, City of Oxnard water or sewer connection fees or capacity charges are not included as impact fees.

SEC. 16-465.12 OCCUPANCY, SALE, AND RENTAL OF PROPERTY.

(A) Occupancy.

- (1) ADU - the primary residence or the ADU is not required to be occupied by the property owner.
- (2) JADU - owner-occupancy is required for a single family residence with a JADU if the JADU has shared sanitation facilities with the existing structure. The owner may reside in either the remaining portion of the structure or the newly created JADU. Owner-occupancy is not required if the JADU has separate sanitation facilities, or if the owner is a governmental agency, land trust, or housing organization.

(B) Sale of ADU.

- (1) ADU - The ADU may be sold or offered for sale or conveyance separately from the primary dwelling unit, pursuant to requirements under California Government Code Section 66341, or as the separate conveyance of the primary dwelling unit and ADU or

units as condominiums pursuant to the requirements under California Government Code Section 66342.

- (2) JADU - The JADU shall not be sold or offered for sale or conveyance separately from the primary dwelling.

(C) Rental of ADUs.

- (1) The ADU and/or the primary dwelling unit may be rented.
- (2) For residences with a JADU subject to the owner occupancy requirement of Section 16-465.12(A)(2), the JADU or the primary dwelling unit may be rented, with the owner residing in either the primary unit or the JADU.
- (3) Rental terms for ADUs and JADUs shall be longer than 30 days.

(D) JADU Recorded agreement - Unless otherwise changed by State law or exempted in Sec. 16-465.12(A)(2), before building permit issuance for a JADU, an agreement affecting real property shall be recorded against the property that imposes specific restrictions on the property including the following:

- (1) Prohibition on the sale of the JADU separate from the sale of the single-family residence, including a statement that the deed restriction may be enforced against future owners;
- (2) Occupancy of the property by the owner of the property;
- (3) Restriction on the size and attributes of the JADU that conforms to California Government Code Section 66333.
- (4) The language of the agreement affecting real property shall be approved by the City of Oxnard prior to its recordation.
- (5) This section and the owner-occupancy requirement does not apply for units with separate independent sanitation facilities or if the owner is a governmental agency, land trust, or housing organization.

SEC. 16-465.13 CONFLICTING PROVISIONS.

Except as expressly provided in this division, to the extent that any provisions of this code conflict with any provisions of this division, the provisions of this division will control. To the extent any provisions of this division conflict with state law, the mandatory requirements of state law will control, but only to the extent legally required.

**ATTACHMENT 1b –
RESIDENTIAL ZONES AND DEVELOPMENT DESIGN REVIEW PERMITS
DRAFT CITY COUNCIL ORDINANCE**

CITY COUNCIL OF THE CITY OF OXNARD

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD AMENDING CHAPTER 16 (ZONING) OF THE OXNARD CITY CODE §16-20 THROUGH 16-24 AND DEVELOPMENT DESIGN REVIEW PERMIT §16-525 TO STREAMLINE DEVELOPMENT OF SINGLE-FAMILY DWELLING UNITS AND CONSOLIDATE PERMIT PROCEDURES FOR RESIDENTIAL ZONES TO OXNARD CITY CODE ARTICLE VII. PERMIT PROCEDURES. FILED BY CITY OF OXNARD, COMMUNITY DEVELOPMENT DEPARTMENT, 214 SOUTH C STREET, OXNARD, CA, 93030.

WHEREAS, the City Council of the City of Oxnard has considered Zone Text Amendment (ZTA) PZ No. 25-580-02, filed by the City of Oxnard Community Development Department, to amend Chapter 16 of the Oxnard City Code (OCC); and

WHEREAS, the proposed amendment will update the Residential Zone Development Design Review (DDR) permit procedures in OCC Section 16-525 to amend the zoning code to remove the DDR requirement for single-family dwelling units only requiring a building permit to provide a streamlined process for the development community, thereby reducing a barrier to development. The changes to the existing procedures are proposed in the residential land use matrix in OCC Section 16-22 and 16-525; and

WHEREAS, on November 6, 2025 the Planning Commission held a public hearing on the amendments to Chapter 16 of the OCC to implement Zoning Text Amendments (ZTA) adopted a Resolution recommending that the City Council approve Planning & Zoning Permit No. 25-580-02 (Zone Text Amendment); and

WHEREAS, on _____, the City Council of the City of Oxnard conducted a duly noticed public hearing to consider Planning and Zoning Permit No. 25-580-02 (Zone Text Amendment) in accordance with the OCC, and

WHEREAS, the City Council received written and verbal comments from the public; and

WHEREAS, the City Council finds the proposed Zoning Text Amendment is in the public interest and general welfare by streamlining single-family dwelling unit development to remove barriers. There are no changes recommended under the proposed ZTA that would reduce or compromise existing standards that protect the health, safety or general welfare of the City; and

WHEREAS, the proposed ZTA does not involve any direct physical changes to the environment. There are no changes in landforms or an intensification of land uses as a part of the proposed ZTA and all public services for existing land uses will remain as-is, with no changes and no diminishment of service or safety; and

WHEREAS, the proposed ZTA to Chapter 16 of the OCC would establish specific provisions consistent with the action items and policy directives in the 2030 General Plan; and

WHEREAS, the City Council determined that this action is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15060(c)(2) and (3) and 15061(b)(3) as this ZTA is a regulatory action which will not result in direct or reasonably foreseeable indirect physical change in the environment and when it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment are not subject to CEQA; and

WHEREAS, it is in the public interest, consistent with the 2030 General Plan.

NOW, THEREFORE, the City Council of the City of Oxnard does ordain as follows:

Section 1. Oxnard City Code Chapter 16, Article III, Division 2, Residential Zones Section 16-20 through 16-24 are amended to read as follows (**Only underlined portions are to be added and strikethrough portions deleted**):

“SEC. 16-20. PURPOSE.

The following are descriptions of the purpose and intent of each one of the residential zoning districts in the city. All permitted and conditionally permitted uses shall be consistent with the purpose and intent of the respective zone.

(A) R-1 (Single Family Zone). The purpose of the R-1 zone is to provide a district for low density, single-family dwellings, and selected related uses by special-use planning permits, and second dwelling units subject to certain conditions. This zone district also allows for manufactured homes on permanent foundations, and farm worker housing serving six or fewer persons pursuant to statutory requirements.

(B) R-2 (Multi-Family Zone). The purpose of the R-2 zone is to provide a district of low-density, multi-family dwellings, as well as emergency shelters for families, and supportive housing pursuant to statutory requirements that maintain a residential character suitable for locations abutting single-family dwellings.

(C) R-3 (Garden Apartment Zone). The purpose of the R-3 zone is to provide a district of moderate-density, multiple-family dwellings, as well as emergency shelters for families, transitional housing, and supportive housing pursuant to statutory requirements, suitable for locations abutting commercial centers and in other locations where moderate density is warranted.

(D) R-4 (High Rise Zone). The purpose of the R-4 zone is to provide a district for high-density, multi-family dwellings, emergency shelters for families, transitional housing, and supportive housing pursuant to statutory requirements, and other uses suitable for location within the city core and in other selected areas.

(E) MH-PD (Mobile Home Planned Development Zone). The purpose of the ~~R-4~~ MH-PD zone is to provide a district for the development of mobile home parks and to permit mobile home use for single-family, farm worker housing, small, licensed residential care facilities, as well as supportive housing pursuant to statutory requirements.

('64 Code, Sec. 34-36) (Ord. No. 893, 1019, 2026, 3037)

SEC. 16-21. PERMIT REQUIREMENTS FOR RESIDENTIAL USES.

The required permit for a respective residential land use is indicated in Section 16-22, residential land use matrix. The permit requirements are as provided ~~for in this chapter and as further provided for below~~ in Chapter 16 Article VII - Permit Procedures.

~~—(A) Zoning clearance. Permitted uses are subject to the requirement for approval of a zone clearance in accordance with this chapter. The permit application requirements and process for a zoning clearance are set forth in Article VII, Division 1 of this chapter.~~

~~—(B) Site plan review (SPR) permit. A SPR permit may be used for developments where the State has mandated that the city's approval must be ministerial. The permit application requirements and process for SPR permit are set forth in Article VII, Division 1A of this chapter.~~

~~—(C) Development design review (DDR) permit. The permit application requirements and process for DDR permit are set forth in Article VII, Division 2 of this chapter.~~

~~—(1) A DDR permit is required for all new construction unless a special use permit, site plan review or other zoning permit is required under this chapter. A DDR permit is also required for the review and approval of a use which requires administrative review to ensure compliance with the provisions of this chapter and other regulatory requirements.~~

~~—(2) For the review of uses proposed to be located in existing structures, the Director may determine the level of information and plans required.~~

~~—(D) Special use permit (SUP). The permit application requirements and process for a special use permit are set forth in Article VII, Division 3 of this chapter.~~

~~—(E) Minor modifications. Where a planning permit such as a special use permit, planned development permit, development design review permit or site plan review has been previously approved, the Director may elect to modify that existing permit in lieu of requiring the application and approval of a new special use or development design review permit for a proposed physical modification or use clearance, provided such physical modification is within the parameters for~~

~~minor modifications provided for in this chapter or by administrative policy. The requirements and process for modifications to a special use permit are set forth in Article VII, Division 4 of this chapter. Modifications to a site plan review permit are set forth in Article VII, Division 1A of this chapter. Modifications to a development design review permit are processed in the same manner as the original development design review permit as set forth in Article VII, Division 2.~~

(FA) Specific plan permit requirements. For development in areas within a designated specific plan, the specific plan will identify the processing requirements for uses. Where the specific plan is silent on a use or process, or where State law allows for a use (e.g., accessory dwelling units), the following table identifies the permit processing requirements.

(Ord. No. 3037)

SEC. 16-22. RESIDENTIAL LAND USES BY ZONE: RESIDENTIAL LAND USE MATRIX.

The allowable land uses in the residential zoning districts are identified in the following table.

<i>Residential Land Use Matrix</i>						
Key: Blank: Not Allowed X: Prohibited Use P: Permitted Use SPR: Site Plan Review SUP: Special Use Permit DDR: Development Design Review Permit						
<i>Land Use</i>	<i>Zone District</i>					
	<i>R-1</i>	<i>R-2</i>	<i>R-3</i>	<i>R-4</i>	<i>MH-PD</i>	<i>Notes</i>
Accessory buildings, including other uses customarily incidental to the permitted residential use	P	P	P	P		See Sections 16-300 and 16-301
Accessory dwelling units	P	P	P	P	P	Refer to Article V, Division 13
Accessory uses normally incidental to mobile home parks					P	
Adult day care facilities serving no more than 6 adults	P	P	P	P	P	

Adult day care facilities serving 7 to 15 adults		SUP	SUP	SUP		
Adult day care facilities serving more than 15 adults			SUP	SUP		
Assisted living residential facility, State-licensed, serving 7 or more persons		SUP	SUP	SUP		
Babysitting, accessory	P	P	P	P	P	
Bed and breakfast inn			SUP	SUP		Refer to Article V, Division 3
Childcare centers serving no more than 6 children	P	P	P	P	P	
Childcare centers serving no more than 15 children		SUP	SUP	SUP		
Childcare centers serving more than 15 children			SUP	SUP		
Churches	SUP	SUP	SUP	SUP		
Common recreation facilities and structures					P	
Condominiums	SUP	SUP	SUP	SUP		See Section 16-395
Congregate living health facilities no more than 6 beds	P	P	P	P	P	
Congregate living health facilities of 7 to 15 beds	SUP	SUP	SUP	SUP	SUP	

Congregate living health facilities more than 15 beds		SUP	SUP	SUP		
Convents serving no more than 15 person		SUP	SUP	SUP		
Emergency shelters for families		SUP	SUP	SUP		Refer to Section 16-504
Farmworker employee housing serving 6 or fewer persons	DDR	DDR	DDR	DDR	DDR	
Grounds, landscaping, flower and vegetable gardens and fruit trees, not grown expressly for profit	P	P	P	P		
Grounds, private greenhouses and horticultural collections, flower and vegetable gardens and fruit trees, not grown expressly for profit	P	P	P	P		
High density apartments				DDR		
Home occupations with a home occupation permit	P	P	P	P	P	Refer to Article V, Division 6
Hospitals and convalescent hospitals			SUP	SUP		
Large family day care homes that the Planning Manager finds to comply with the standards	P	P	P	P	P	See Section 16-440

Manufactured housing consisting of single-family dwellings constructed by modular manufactured methods or mobile homes certified under the National Mobile Homes Construction and Safety Standards Act of 1974, provided such homes are of a permanent character secured to a permanent foundation	DDR P	DDR P	DDR P	DDR P	SUP	
Mobile home and mobile home accessory equipment sales					SUP	See Section 16-25
Mobile home parks					SUP	See Section 16-25
Multiple-family residential development		DDR	DDR	DDR		
Multifamily residential uses up to 30 dwelling units per acre on parcels in the AHP additive zone		SPR	SPR	SPR		
Multifamily residential uses up to 30 dwelling units per acre on parcels in the AHD additive zone		SUP	SUP	SUP		
Off-street parking	P	P	P	P	P	Refer to Article X
Office for mobile home space rental in a mobile home or in a recreation building only					SUP	

Private clubs, fraternities, sororities, and lodges, excepting those the chief activity of which is a service customarily carried on as a business			SUP	SUP		
Private or parochial schools, except those of a correctional nature or those intended for the mentally handicapped		SUP	SUP	SUP		
Public or private parks and playgrounds	SUP	SUP	SUP	SUP	SUP	
Public parking on R-3 lots adjacent to or across from the alley from C-2 lots			P			
Public schools, elementary, junior high, high school, colleges	SUP	SUP	SUP	SUP	SUP	
Public utility structure	SUP	SUP	SUP	SUP	SUP	
Residential care facilities serving no more than 6 persons	P	P	P	P	P	
Residential care facilities serving 7 or more persons		DDR	DDR	DDR		
Residential stock cooperatives and community apartments		SUP	SUP	SUP		See Section 16-395
Short-term rentals with short term rental permit	P	P	P	P		Refer to Article XI

Single room occupancy (SRO)				SUP		See section 16-441
Signs	P	P	P	P		Refer to Article IX
Single-family dwelling conventionally built and of a permanent character. (Separate servants' quarters may be established in connection with single-family dwellings of 9 rooms or larger, exclusive of bathrooms, when such dwellings are located on lots of not less than 10,000 sq. ft.). <u>Development Design Review Permit not required.</u>	DDR P	DDR P	DDR P	DDR P		
Small residential health or care facilities, State-licensed, serving no more than 6 persons, or small family daycare home, State-certified or licensed, serving no more than 8 children.	P	P	P	P	P	
Storage, incidental to permitted uses, contained within an accessory building	P	P	P	P		
Supportive housing	DDR	SPR	SPR	SPR		
Swim clubs, tennis clubs, golf courses, and similar uses incidental to a residential tract or development	SUP	SUP	SUP	SUP		

Temporary uses with temporary use permit, including temporary sales or rental office, caretaker unit on construction site, model home, and similar uses determined by the Director to be compatible with the zone and surround land uses	P	P	P	P	P	Refer to Article V, Division 15
Timeshares		X	SUP	X		
Townhouse condominiums or other community ownership unit, including condominium conversion	SUP	SUP	SUP	SUP		Refer to Article V, Divisions 5 and 6
Traditional bed and breakfast (homestay), only in the Wilson Neighborhood	DDR	DDR	DDR	DDR		Refer Article V, Division 3
Traditional bed and breakfast (homestay)	SUP	SUP	SUP	SUP		Refer to Article V, Division 3
Traditional Transitional housing			DDR	DDR		
Wireless communications facilities, stealth	SUP	SUP	SUP	SUP	SUP	Refer to Article V, Division 16
* A development design review permit is required for all new construction unless a special use permit, site plan review or other zoning permit is required under this chapter.						

(Ord. No. 3037)

SEC. 16-23. DEVELOPMENT STANDARDS.

The following table sets forth development standards for all of the residential zone districts in the city. All permitted and conditionally permitted uses shall be consistent with the purpose and intent of the respective zone.

Development Standards					
Standard	Zone District				
	R-1	R-2	R-3	R-4	MH-PD
Minimum dwelling size	1,000 sq. ft., exclusive of garages, carports, or any accessory building	1 bdrm unit: 450 sq. ft. 2+ bdrm unit: 800 sq. ft.	1 bdrm unit: 450 sq. ft. 2+ bdrm unit: 800 sq. ft.	1 bdrm unit: 450 sq. ft. 2+ bdrm unit: 800 sq. ft.	NA
Height permitted	Two stories up to 25 ft.	Two stories up to 25 ft.	Three stories up to 35 ft.	Four stories up to 45 ft.* See Section 16-24 for additional requirements	
Minimum lot area/density	6,000 sq. ft.	3,500 sq. ft. of lot area for each dwelling unit. See Section 16-24 for additional requirements	2,400 sq. ft. of lot area for each dwelling unit. See Section 16-24 for additional requirements	1,500 sq. ft. of lot area for each dwelling unit. See Section 16-24 for additional requirements	3,000 sq. ft. minimum lot area; 6.5 mobile home lots per gross acre. See Section 16-25 for additional requirements
Front yard setback	20 ft.; or the average for 60% of block, but not less than 15 ft. min.	25% of the depth of the lot, not less than 25 ft. or more than 60 ft.	20 ft.; 15 ft. if access to all parking is from an alley	20 ft.; 15 ft. if access to all parking is from an alley	10 ft. 20 ft. from public way or other residential or

	See Section 16-24 for additional requirements	See Section 16-24 for additional requirements			commercial zone or use. See Section 16-25 for additional requirements
Interior yard side yard setback	10% of the width of the lot, but not less than 3 ft., and need not exceed 5 ft.	10% of the width of the lot, but not less than 3 ft., and need not exceed 5 ft.	5 ft. for 1-2 story buildings, 7.5 ft. for 2.5 story buildings	5 ft. for 1-2 story buildings, increased by 2.5 ft. for each additional story	10 ft.
Corner lot side yard setback	50% of front yard setback for lot See Section 16-24 for additional requirements	Same as interior lots, except for reverse corner lot. Reverse corner lot side yard setback on the street side shall be 50% of the front yard in the rear of the corner lot. See Section 16-24 for additional requirements	One-half the required front yard	10 ft.	10 ft. 20 ft. from the public way or other residential or commercial zone or use. See Section 16-25 for additional requirements
Rear yard setback	25% of depth of lot and need not exceed 25 ft.; Additions and detached structures to maintain a 15 ft. setback See Section 16-24 for additional requirements	25% of depth of lot not to exceed 25 ft.	25 ft.	5 ft. for 1-2 story buildings, increased by 2.5 ft. for each additional story	10 ft. 20 ft. from public way or other residential or commercial zone or use. See Section 16-25 for additional requirements

<p>Interior yard space</p>	<p>15% minimum or 900 sq. ft., whichever is less and be completely open from ground to sky** See Section 16-24 for additional requirements</p>	<p>30% of lot area, minimum 15 ft. by 15 ft. area, and completely open from ground to sky** See Section 16-24 for additional requirements</p>	<p>30% of lot area, minimum 15 ft. by 15 ft. area, and completely open from ground to sky** See Section 16-24 for additional requirements</p>	<p>30% of lot area, minimum 15 ft. by 15 ft. area, and completely open from ground to sky** See Section 16-24 for additional requirements</p>	<p>450 sq. ft., minimum 15 ft. by 15 ft., completely open from ground to sky See Section 16-25 for additional requirements</p>
<p>Space for accessory buildings</p>	<p>If 1 story in height with same required front, rear, and side yard setbacks as main building</p>	<p>May occupy rear yard setback if 1 story and located 6 ft. from nearest part of main building</p>	<p>May occupy rear yard setback if 1 story and located 6 ft. from nearest part of main building</p>	<p>May occupy rear yard setback if 1 story and located 6 ft. from nearest part of main building</p>	<p>Covered patios and covered parking spaces may project into the required 10 ft. setback a maximum of 5 ft. See Section 16-25 for additional requirements</p>
<p>*Additional height may be allowed with approval of a SUP. **Except for a patio, pergola, or a roof or balcony overhang not exceeding 30 in.</p>					

(Ord. No. 3037)

SEC. 16-24. SPECIAL REQUIREMENTS SPECIFIC TO R-1, R-2, R-3 AND R-4.

The purpose of this section is to provide regulations specific to the respective residential zoning categories as follows.

(A) R-1 zone.

(1) ~~(a)~~ Architectural standards. The following exterior architectural standards shall apply to all single-family dwellings including mobile homes located in an R-1 zone:

4. a. Exterior siding shall be made of nonreflective and nonmetallic materials. Acceptable siding material includes wood, stucco, ceramic tile, brick, stone, or other masonry materials, or any combination of these materials.

2. b. Color/texture of exterior materials shall include one main color and maximum of three accent colors, including the roof material, prohibiting neon or fluorescent colors as the main building color. ~~be compatible with the surrounding neighborhood adjacent single-family structures.~~

3. c. Roof structures, except for authorized deck areas, shall be sloped and provide an eave projection of no less than six inches and no greater than 30 inches.

4. d. Roofing material shall consist of one of the following: wood shingle, wood shake, synthetic, composite shingle, ceramic tile, concrete tile, standing seam metal or copper roofing, except reflective surfaces shall not be permitted on the residential structure or on any garage or carport.

~~(b) A finding that a proposed residential structure complies with the foregoing architectural standards shall be made as part of the required special use permit or planned development permit.~~

~~(c) If the proposed structure does not entail a special use permit or planned development permit, the director shall make a finding of compliance.~~

('64 Code, Sec. 34-36.3) (Ord. No. 1373)

(2) R-1 lot requirements.

(a) Minimum lot area. Every newly created lot shall have a lot area of not less than 6,000 square feet.

(b) Minimum lot frontage. The frontage measured at the front lot line shall be at least 50 feet. Frontage for this purpose shall be defined as the linear measurement between the two side property lines at their point of tangency with the curb.

(c) Minimum lot dimensions.

1. Interior lots shall be no less than 60 feet in width.

2. Corner lots shall be no less than 75 feet in width.

3. The depth of a lot shall be at least 100 feet.

(3) R-1 front yard.

(a) There shall be a front yard setback of not less than 20 feet; except that houses constructed with garages having a swing driveway, with the entrance facing the side property line, may have a minimum 15-foot setback. Where standard dwellings within any block vary from the required setback, the average setback of such standard dwellings shall determine the required setback within that block if the standard dwellings comprise at least 60% of the block.

(b) In calculating the average setback, houses on reverse corner lots and houses wholly on the rear half of the lot shall not be counted. In no case shall setbacks of less than 15 feet be allowed, or setbacks of more than 60 feet be required.

(c) There shall be a distance of not less than 20 feet, measured at the center line of the driveway, between the garage door and the front property line.

('64 Code, Sec. 34-40) (Ord. No. 893, 946, 1019, 1409, 1611)

(4) R-1 side yard.

(a) On interior lots there shall be a side yard on each side of a building of not less than 10% of the width of the lot; provided that such side yard shall not be less than three feet and need not exceed five feet in width.

(b) On corner lots the side yard regulation shall be the same as for the interior lots except in the case of a reversed corner lot. In the case of a reversed corner lot, there shall be a side yard on the street side of the corner lot of not less than 50% of the front yard required on the lots in the rear of such corner lot, and no accessory building on the corner lot shall project beyond the front yard line on the lots in the rear; provided further that this regulation shall not be so interpreted as to reduce the buildable width (after providing the required interior side yard) of a reversed corner lot of record on March 29, 1945, to less than 28 feet, nor to prohibit the erection of an accessory building where this regulation cannot reasonably be complied with.

('64 Code, Sec. 34-41) (Ord. No. 893, 1019)

(5) R-1 rear yard.

(a) There shall be a rear yard of not less than 25% of the depth of the lot; provided, such rear yard need not exceed 25 feet.

(b) Single-story and two-story additions projecting into the required rear yard may be made if attached to existing single-family dwellings provided such additions maintain a minimum 15-foot setback from the rear property line for those lots not abutting an alley; and for those lots having rear property lines that abut a street, alley or parking space maintained by the public and more than 20 feet wide, the addition shall maintain a 15-foot setback from the center line of the street, alley or open space and in no case less than five feet from the rear property line.

('64 Code, Sec. 34-42) (Ord. No. 893, 1409, 1611)

(6) R-1 interior yard space. Interior yard space shall be provided on each lot equal to at least 15% of the lot area, or 900 square feet, whichever is less, and shall be completely open from ground to sky except for a patio, pergola, or a roof or balcony overhang not exceeding 30 inches. Interior yard space may include all of that open area from the required front yard setback line to the rear property line which has a minimum dimension of 10 feet by 15 feet.

('64 Code, Sec. 34-42.1) (Ord. No. 893, 1019, 1777, 1611)

(7) R-1 space accessory buildings may occupy. An accessory building is permitted if the accessory building is not more than one story in height and maintains the same required front, rear and side yard setback as the main building.

('64 Code, Sec. 34-42.2) (Ord. No. 1409, 1611)

(B) R-2 zone.

(1) R-2 density. There shall be at least 3,500 square feet of lot area for each dwelling unit. No more than one dwelling unit may be constructed on any lot with an average width of less than 50 feet or with an area less than 7,000 square feet. Any lot of record on May 21, 1981, which is 6,000 or more square feet may contain two dwelling units, provided the lot meets the minimum width required by this section.

('64 Code, Sec. 34-53) (Ord. No. 904, 1019, 1333, 1862, 1866)

(2) R-2 front yard.

(a) There shall be a front yard of not less than 25% of the depth of the lot, provided such front yard need not exceed 25 feet. Where standard dwellings within any block vary from the required setback, the average of such standard dwellings shall determine the required setback for that block if such standard dwellings comprise at least 60% of the block. In calculating such average setback, houses on reversed corner lots and houses wholly on the rear half of a lot shall not be counted.

(b) In no case shall setbacks of less than 25 feet be allowed, or more than 60 feet be required. Where six or more dwellings are to be built concurrently within a given block, front yards of that block may average a minimum of 20 feet, provided houses within each block are staggered between 15 to 25 feet, and provided further that there shall be a distance of not less than 20 feet measured at the center line of the driveway between the garage door and the front property line.

('64 Code, Sec. 34-54) (Ord. No. 904, 1611)

(3) R-2 side yard.

(a) On interior lots there shall be a side yard on each side of a building of not less than 10% of the width of the lot, provided that such side yard shall not be less than three feet and need not exceed five feet in width.

(b) On corner lots the side yard regulation shall be the same as for interior lots except in the case of a reversed corner lot. In this case, there shall be a side yard on the street side of the corner lot of not less than 50% of the front yard required on the lots in the rear of such corner lot, and no accessory building on the corner lot shall project beyond the front yard line on the lots in the rear. This regulation shall not be interpreted to reduce the buildable width (after providing the required interior side yard) of a reversed corner lot of record on March 29, 1945, to less than 25 feet, nor to prohibit the erection of an accessory building where this regulation cannot reasonably be complied with.

('64 Code, Sec. 34-55) (Ord. No. 904, 1611)

(4) R-2 interior yard space.

(a) Each lot shall provide for interior yard space in an area equal to at least 30% of the lot area. This interior yard space shall be completely open from ground to sky except for a patio or pergola or the projections of those items referred to in Sections 16-304, 16-305, 16-306, and 16-307.

(b) Each interior yard space area shall have a minimum dimension of 15 by 15 feet.

(c) The interior yard space shall be completely separate from any area required for automobile circulation.

('64 Code, Sec. 34-57) (Ord. No. 904, 1237, 1409, 1862, 1866, 2152)

(C) R-3 zone.

(1) R-3 density.

(a) Except as provided in this section, there shall be at least 2,400 square feet of lot area for each dwelling unit. No more than two dwelling units shall be constructed on any lot with an average width between 50 and 60 feet.

(b) No more than one dwelling unit shall be constructed on any lot with an average width less than 40 feet.

(c) Any lot of record on May 21, 1981, which has more than 4,800 square feet may contain three dwelling units, provided the lot meets the minimum width requirement herein.

('64 Code, Sec. 34-60) (Ord. No. 970, 1019, 1862, 1866)

(2) R-3 interior yard. Each lot shall provide for interior yard space in an area equal to at least 30% of the lot area. This interior yard space shall be completely open from ground to sky except for a patio or pergola or the projections of those items referred to in Sections 16-304 through 16-307. The interior yard space shall be located in an area between the required front yard setback and the rear property line. Each interior yard space area shall have a minimum dimension of 15 by 15 feet. The interior yard space shall be completely separate from any area required for automobile circulation. Twenty-five percent of the required interior yard space may be on decks if such decks have a minimum dimension of ten feet and a minimum of 200 square feet, and are directly accessible from the units served. All decks shall be open to the sky except for allowed roof projections and shall be provided with flooring and railings suitable for outdoor activity.

('64 Code, Sec. 34-63.1) (Ord. No. 970, 1019, 1237, 1409, 1862, 1866, 2152)

(D) R-4 zone.

(1) R-4 building height. Four stories shall be permitted but shall not exceed 45 feet except as otherwise provided in this chapter. However, buildings not exceeding 11 stories or 100 feet maximum may be approved by special use permit as provided in Sections 16-530 to 16-553.

('64 Code, Sec. 34-66) (Ord. No. 1037, 1409, 1574)

(2) R-4 density. There shall be at least 1,500 square feet of lot area for each dwelling unit. No more than two dwelling units shall be constructed on any lot with an average width between 40 and 50 feet or with an area between 4,000 and 5,000 square feet. No more than one single-family dwelling unit shall be constructed on any lot with an average width less than 40 feet or an area less than 4,000 square feet. Any lot with an average width between 65 and 50 feet shall comply with the R-3 zone standards.

('64 Code, Sec. 34-67) (Ord. No. 1037, 1862, 1866)

(3) R-4 interior yard. Each lot shall provide for interior yard space in an area equal to at least 30% of the lot area. This interior yard space shall be completely open from ground to sky except for a patio or pergola or the projections of those items referred to in Sections 16-304 through 16-307. The interior yard space shall be located in an area between the required front yard setback and the rear property line. Each interior yard space area shall have a minimum dimension of 15 by 15 feet. The interior yard space shall be completely separate from any area required for automobile circulation. Twenty-five percent of the required interior yard space may be on decks if such decks have a minimum dimension of ten feet and a minimum of 200 square feet, and are directly accessible from the units served. All decks shall be open to the sky except for allowed roof projections and shall be provided with flooring and railings suitable for outdoor activity.

('64 Code, Sec. 34-63.1) (Ord. No. 970, 1019, 1237, 1409, 1862, 1866, 2152)

(Ord. No. 3037)

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SECTION 2. Oxnard City Code Chapter 16, Article VII, Division 2, Section 16-525 are amended to read as follows (**Only underlined portions are to be added and strikethrough portions deleted**):

DIVISION 2. DEVELOPMENT DESIGN REVIEW PERMIT

SEC. 16-525. PURPOSE AND APPLICABILITY.

(A) This division establishes the procedures for conducting an administrative-level discretionary review of certain development applications, as identified in this chapter. This process requires the Director to verify that certain new or expanded uses, activities, structures, or development of land complies with all applicable policies, ordinances, and/or regulations of the city.

(B) Prior to the issuance of building permits for buildings or structures for uses for which this chapter does not require a special use permit or other zoning permit, an application for an ~~administrative~~ development design review permit shall be filed with the Director, except for new single-family dwellings permitted in Section 16-22, which can be submitted directly for building permit review.

(Ord. No. 3039)”

SECTION 3. The City Council finds that the Zone Text Amendment is internally consistent with all other provisions of the City of Oxnard 2030 General Plan.

SECTION 4. The City Council finds that the Zone Text Amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City and is in the best interests and welfare of the City and its residents.

SECTION 5. If any section, sentence, clause or phrase of this Ordinance is determined to be invalid, illegal or unconstitutional by a decision or order of any court of competent jurisdiction, then decision or order shall not affect the validity and enforceability of the remaining portions of this Ordinance. The City Council declares that it would have passed and adopted this Ordinance, and each section, sentence, subsection, clause, phrase, part or portion thereof, regardless of the fact that any one or more sections, sentences, subsections, clauses, phrases, be declared invalid or unconstitutional.

SECTION 6. Cumulative Ordinance. Nothing in this Ordinance shall be interpreted to allow any land use which is not expressly listed as permitted or conditionally permitted within the City’s Zoning Code.

SECTION 7. Exempt from CEQA. The City Council determines and finds that the adoption of this Ordinance is exempt from review under the California Environmental Quality Act (“CEQA”) pursuant to Sections 15060(c)(2) and (3) and 15061(b)(3) of the Guidelines to the California Environmental Quality Act because the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA because the project is limited to updating the existing sections of the OCC and will not directly result in any physical development or authorize new uses. Therefore, CEQA does not apply to this action.

SECTION 8. Pursuant to Government Code Section 36933(c)(1), the City Attorney was designated to prepare, and the City Clerk published, a summary of this Ordinance, and a certified copy the Ordinance was posted in the Office of the City Clerk a minimum of five days before the City Council’s adoption of the Ordinance.

SECTION 9. The City Clerk shall certify as to the adoption of this Ordinance and shall cause summary thereof to be published within fifteen calendar (15) days of the adoption and shall post a certified copy of this Ordinance, including for and against the same, in the office of the City Clerk, in accordance with Government Code Section 36933. Ordinance No. _____ was first read on _____, and finally adopted on _____, to become effective thirty (30) days thereafter.

PASSED AND ADOPTED this _____ day of _____ by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSED:

Luis A. McArthur, Mayor

ATTEST:

Luly Lopez, City Clerk

APPROVED AS TO FORM:

Stephen M. Fischer, City Attorney

**ATTACHMENT 1c –
DEFINITIONS, PARKING, AND MODIFICATIONS
DRAFT CITY COUNCIL ORDINANCE**

CITY COUNCIL OF THE CITY OF OXNARD

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD AMENDING CHAPTER 16 (ZONING) OF THE OXNARD CITY CODE §16-10 DEFINITIONS, § 16-622 SCHEDULE OF OFF-STREET PARKING REQUIREMENTS, AND §16-560 THROUGH 16-561.1 MODIFICATIONS TO SPECIAL USE PERMITS. FILED BY CITY OF OXNARD, COMMUNITY DEVELOPMENT DEPARTMENT, 214 SOUTH C STREET, OXNARD, CA, 93030.

WHEREAS, the City Council of the City of Oxnard has considered Zone Text Amendment (ZTA) PZ No. 25-580-02, filed by the City of Oxnard Community Development Department, to amend Chapter 16 of the Oxnard City Code (OCC); and

WHEREAS, the amendment will update the Definitions, Off-Street Parking Requirements, and Modifications to Permit procedures in OCC Sections 16-10, Section 16-622, and 16-560 through 16-561.1 to provide clarification, consistency, and organization of the zoning code for ease of use and provide greater certainty of interpretations for future development, thereby reducing confusion; and

WHEREAS, on November 6, 2025 the Planning Commission held a public hearing on the amendments to Chapter 16 of the OCC to implement Zoning Text Amendments (ZTA) adopted a Resolution recommending that the City Council approve Planning & Zoning Permit No. 25-580-02 (Zone Text Amendment); and

WHEREAS, on _____, the City Council of the City of Oxnard conducted a duly noticed public hearing to consider Planning and Zoning Permit No. 25-580-02 (Zone Text Amendment) in accordance with the OCC, and

WHEREAS, the City Council received written and verbal comments from the public; and

WHEREAS, the City Council finds the proposed Zoning Text Amendment is in the public interest and general welfare by providing clarification and organization of the OCC Definitions, Parking, and Modification Permit process to align with City interpretations, policies, and procedures. There are no changes recommended under the proposed ZTA that would reduce or compromise existing standards that protect the health, safety or general welfare of the City; and

WHEREAS, the proposed ZTA does not involve any direct physical changes to the environment. There are no changes in landforms or an intensification of land uses as a part of the proposed ZTA and all public services for existing land uses will remain as-is, with no changes and no diminishment of service or safety; and

WHEREAS, the proposed ZTA to Chapter 16 of the OCC would establish specific provisions consistent with the action items and policy directives in the 2030 General Plan; and

WHEREAS, the City Council determined that this action is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15060(c)(2) and (3) and 15061(b)(3) as this ZTA is a regulatory action which will not result in direct or reasonably foreseeable indirect physical change in the environment and when it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment are not subject to CEQA; and

WHEREAS, it is in the public interest, consistent with the 2030 General Plan.

NOW, THEREFORE, the City Council of the City of Oxnard does ordain as follows:

SECTION 1. Oxnard City Code Chapter 16, Article II, Section 16-10 Definitions is amended to read as follows (**Only underlined portions are to be added and strikethrough portions deleted**):

“ARTICLE II. DEFINITIONS

SEC. 16-10. DEFINITIONS.

(A) For the purposes of this chapter, the following words shall have the following meanings:

(1) **ACCESSORY BUILDING** - Any structure built for the support, shelter, or enclosure of property ~~that is separate from but related,~~ subordinate and secondary to the main use of the property, such as but not limited to: storage sheds, greenhouses, and garages.

(2) **ACCESSORY DWELLING UNIT (ADU)** - An attached or detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence or multifamily structure. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes ~~an efficiency unit as defined by Cal. Health and Safety Code, Section 17958.1 or a manufactured home as defined by Cal. Health and Safety Code, Section 18007. See JUNIOR~~ **ACCESSORY DWELLING UNIT.**

(a) **EFFICIENCY UNIT** - as defined in Section 17958.1 of the California Health and Safety Code.

(b) **MANUFACTURED HOME** - as defined in Section 18007 of the California Health and Safety Code.

(3) **ACCESSORY SIGN** - Any sign which advertises goods manufactured or produced, goods for sale, or services rendered on the property upon which such sign is located, also known as an on-premise sign.

- (4) ACCESSORY STRUCTURE - A man-made object other than ornamental statuary, having a permanent location on the ground and more than six inches above the finished grade ~~that is separate from but related,~~ subordinate and secondary to the main dwelling, structure, or use of the property, such as but not limited to: patio covers, gazebos, and children's play structures.
- (5) ACCESSORY USE - A use of property or structure ~~separate from, but related,~~ subordinate and secondary to, the main use of the property or structure.
- (6) ADULT DAY CARE FACILITY - A state-licensed facility that provides less than 24-hour per day care to persons 18 years of age or older in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of these individuals.
- (7) ADULT HEALTH CARE CENTER - Any family day home, day care center, or social rehabilitation center, as defined in Cal. Health and Safety Code, Section 1570.7, and licensed by the State Department of Health, which provides, on less than a twenty-four hour basis, nonmedical care to adults in need of personal services, protection, supervision, assistance, guidance or training essential for sustaining the activities of daily living or for the protection of the individual.
- (8) ALLEY - Any public thoroughfare for the use of pedestrians or vehicles, not less than ten feet nor more than thirty feet wide, which has been deeded or dedicated to the city as a secondary means of access to abutting property.
- (9) AMMUNITION - Any cartridge or encasement containing a bullet or projectile, propellant, or explosive charge and a primer that is used in the operation of a firearm.
- (10) ANTIQUE SHOP - A retail business that sells works of art, furniture, decorative objects and the like, all of which are at least thirty years old.
- (11) APARTMENT - A room or suite of rooms in a multi-family dwelling designated as a residence for one household and containing permanent provisions for living, sleeping, eating, cooking, and sanitation. Efficiency, studio, and single are terms used for apartments with combined living, sleeping, and/or kitchen areas.
- (12) APARTMENT HOTEL - A building containing six or more apartments, designated for use as second or temporary dwellings for transient guests.
- (13) APARTMENT HOUSE - Any building which is designed to be or is in fact occupied as the residence of two or more families living independently of each other in such building, in separate apartments, and where such apartments are rented or leased for a period of not less than one month.
- (14) AUTOMOBILE REPAIR GARAGE - A building used for the overhaul and repair of vehicles, including body repairs, engine overhaul, upholstery work, parts rebuilding and like activities.
- (15) AUTOMOBILE SERVICE STATION - Any business which dispenses gasoline and which may also sell other automotive-related and nonrelated goods and services, but which excludes auto body work, complete engine and transmission overhaul and rebuilding and similar intensive vehicle-related services.
- (16) AUTOMOBILE WRECKING - The dismantling or destruction of one or more motorcycles or motor vehicles.

~~(17) BABYSITTING - The care of one or more children by an individual in a home on a temporary basis, and without the benefit of formal advertising or established hours of business.~~

(18) BASEMENT - A story partly underground with less than one-half its height above the average finished grade.

(19) BED AND BREAKFAST INN - An establishment, originally built as a single-family residence, operated by a resident owner and containing three to five guest bedrooms, each of which is available for rent to the general public for up to twenty-nine consecutive days.

(20) BEDROOM - Any room that is or can be used for sleeping purposes, including any room other than a kitchen, bathroom, or utility service room, such as a study, den and loft.

(21) BUILDING - Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind.

(22) BUILDING HEIGHT - Total vertical height of a building measured from the average finished grade within five feet of the building to the highest point of the building, and as further defined in Section 16-303.

(23) BUILDING SITE - The area, including all required yards, open space and parking, which a main building and its accessory buildings and uses occupy.

(24) BUSINESS - Any use of property for profit requiring a business license.

(25) CANNABIS - Shall have the same meaning as set forth in Cal. Bus. and Prof. Code Section 26001(f), as that section now appears or may hereinafter be amended or renumbered.

(26) CARPORT - A roofed parking space for vehicles that may be open on one to four sides and may be attached to a main building, where the size of the parking space(s) complies with Article X.

(27) CAR WASH (MECHANICAL) - Any operation which provides for the washing of motor vehicles primarily through the use of mechanical equipment which may include conveyor chains, blowers, steam guns, roller brushes, high pressure vacuum units and similar equipment.

(28) CAR WASH (NONMECHANICAL, SELF-SERVICE) - Any operation which provides for the washing of motor vehicles by the customer, which employs persons only to check, maintain and supervise the use of the facility and equipment, and which has equipment limited to water softeners, water heaters, soap mixing tanks, low pressure vacuum units and similar equipment that produces only a low volume of sound.

(29) CHILD CARE CENTER - A state-licensed child care facility other than a family day care home, in which less than twenty-four hour per day nonmedical care and supervision is provided in a group setting for children.

(30) CHURCH - A building operated primarily for worship or for promotion of religious activities excluding other buildings or activities maintained by religious organizations such as educational institutions, hospitals, homeless shelters and day care centers or operations that are commercial in nature.

(31) CLUB - An association of persons for some common, nonprofit purpose excluding groups organized primarily to render a service which is customarily carried on as a business.

(32) COMMERCIAL DISTRICT - Stores and businesses located in a shopping center of more than ten acres but less than thirty acres and designed to serve several neighborhoods.

(33) COMMERCIAL SCHOOL - A nonaccredited school providing training or personal improvement, such as a beauty college, dance school, business school, or gymnasium.

(34) COMMISSION - The planning commission of the city.

- (35) COMMON AREA - Any area or space designed for joint use by tenants occupying mobile home parks, condominiums, planned residential groups and similar residential developments.
- (36) COMMUNITY APARTMENT PROJECT - A project in which an undivided interest in the property is coupled with the right of exclusive occupancy of any apartment located thereon.
- (37) COMMUNITY CARE FACILITY - A State-licensed facility maintained and operated to provide nonmedical residential care, day treatment, adult day care, or foster family agency services for children and/or adults, including, but not limited to, the physically handicapped, mentally impaired, incompetent persons, and abused or neglected children, as further defined in Cal. Health and Safety Code, Section 1502.
- (38) CONDOMINIUM - An estate in real property consisting of an undivided interest in common in a portion of a parcel of real property, together with a separate interest in space in a building on real property such as a residence.
- (39) CONGREGATE LIVING HEALTH FACILITY - A State-licensed residential home with a non-institutional home-like environment that provides twenty-four hour medical supervision and skilled nursing with services for persons who are physically disabled, have a diagnosis of terminal illness, or are catastrophically and severely disabled, as further defined in Cal. Health and Safety Code, Section 1250.
- (40) COVENANTS, CONDITIONS, AND RESTRICTIONS (CC&Rs) - A set of rules governing the use of a certain piece of real estate in each community. "Governing documents" includes declarations, bylaws, operating rules, articles of incorporation, or articles of association, which govern the operation of the common interest development or association. Source: Civil Code section 4150.
- (41) ~~CORNER LOT - A lot having frontage on two intersecting streets.~~(MOVED)
- (42) DENSITY, RESIDENTIAL (NET) - The number of dwelling units in an acre of land, excluding land for public dedication such as public right-of-way. Residential density is usually indicated as dwelling units per acre (du/ac).
- (43) DETACHED BUILDING - Any freestanding building or structure that is separated and not physically joined to another the primary building by a common wall.
- (44) DIRECTOR - The city's community development director or designee.
- (45) DRIVE-IN THEATER - A motion picture theater containing a vehicle parking area where patrons remain in their vehicles to view the entertainment presented on one or more screens.
- (46) DRIVE-THRU FACILITY - A facility which, by its design, allows people to receive goods and/or services while remaining in their motor vehicles.
- (47) DUPLEX - A building containing two dwelling units.
- (48) DWELLING UNIT - A room or suite of rooms designed as a residence for one household and containing one kitchen.
- (49) EDUCATIONAL INSTITUTION - An institution offering academic instruction or training leading to a degree, or accredited by the state, including private colleges or trade schools but not including dance schools, business schools, and similar commercial establishments.
- (50) EFFICIENCY DWELLING UNIT - A housing unit, typically a combined living room and bedroom area, a separate bathroom, and a kitchenette, with a typical minimum gross floor area of 220 square feet. Occupancy standards and square footage shall be governed by Cal.

Residential Code Section R304.5. In no instance shall the minimum square footage be less than 220 square feet.

(51) EMERGENCY SHELTER FOR FAMILIES - A permanent facility consisting of a building or group of buildings with overnight sleeping accommodations providing temporary housing for six months or less to homeless families with children under the age of 18, or 21 if they are full-time students or disabled, pursuant to standards set forth in article V, division 18. Such accommodations shall include basic supportive services such as meals, restroom, bathing and laundry facilities. No family shall be denied emergency shelter because of an inability to pay. For purposes of this definition, "disabled" means persons with special needs, including mental disabilities, developmental disabilities, AIDS, substance abuse or chronic health conditions.

(52) EMERGENCY SHELTER, PERMANENT - A permanent facility consisting of a building or group of buildings with overnight sleeping accommodations providing temporary housing for six months or less to homeless persons pursuant to standards set forth in article V, division 18. Such accommodations shall include basic supportive services such as meals, restroom, bathing and laundry facilities. No individual or household shall be denied emergency shelter because of an inability to pay.

(53) EMERGENCY SHELTER, TEMPORARY - A temporary facility consisting of a building or group of buildings with overnight sleeping accommodations providing housing to homeless persons for winter warming or similar short-term, temporary operation not to exceed four months within a twelve-month period. No individual or household shall be denied emergency shelter because of an inability to pay.

(54) ENTERTAINMENT - Any performance or activity defined herein; provided, however, that the term does not include vocal music or music from a single, unamplified, stringed instrument, including piano.

(55) FAMILY - A group of residents whose members jointly occupy a dwelling unit as a single housekeeping unit and have joint use of and responsibility for common areas, ~~share household activities such as meals, chores, maintenance and expenses;~~ but not including residents of commercial group living such as hotels, dormitories and fraternities.

(56) FARMWORKER - An employee, also known as an agricultural worker, engaged in agricultural work/farming and any practices performed on a farm in conjunction with farming including cultivating and tillage of soil, the raising of animals and the preparation of agricultural products for market and or to carriers for transportation to market.

(57) FARMWORKER EMPLOYEE HOUSING - A residential use of one or more single or multi family dwelling units and accessory dwellings of the same type and in the same zone, and/or group quarters structures with common dining area. A farmworker housing complex does not need to be located on the site of a qualifying agricultural operation where the farmworkers are employed.

(58) FAST FOOD RESTAURANT - An establishment whose principal business is sale of pre-prepared or rapidly prepared food served in disposable packaging directly to the customer, for consumption either within the restaurant building or off premises.

(59) FIREARM - Any device designed to be used as a weapon or modified to be used as a weapon, that expels a projectile by the force of an explosion or some other form of combustion, including any projectile which carries or contains its own fuel and is propelled by reaction. This definition does not include model rockets, airsoft guns, nerf-type guns, or paintball guns.

- (60) FIREARM AND AMMUNITION SALES - A retail business that engages in the sale of firearms and/or ammunition.
- (61) FIREARM RANGE - Any public or private establishment that operates an area designated for the discharge or other use of firearms within a controlled shooting environment. Also referred to as firing or shooting range.
- (62) FLOOR AREA, GROSS - The total area of all floors of a building as measured to the outside surfaces of exterior walls and exclusive of vents, elevator shafts, and courts, without deduction for corridors, stairways, ramps, closets, the thickness of interior walls, columns, or other features, and includes roof decks, balconies, and patios when fully enclosed by a wall, surrounded by a solid railing higher than 42 inches, or covered.
- (63) FLOOR AREA, NET - the area included in surrounding walls of a building, or portion thereof, exclusive of vents, shafts, stairs, halls, attics, basements, mechanical rooms, garages, etc.
- ~~(64) FRONTAGE - The portion of a lot, parcel or site that abuts a dedicated public street, not an alley.~~
- (65) FRONTAGE OF BLOCK - The length of a block measured between two cross streets whereon more than four lots have frontage.
- ~~(66) FRONT LOT LINE - The line dividing a lot or parcel from an officially designated street; provided, however, that if the street is without frontage, the Community Development Director shall designate the front lot line.(MOVED)~~
- ~~(67) FRONT YARD - The yard measured the full width of the lot, lying between the front lot line and the closest portion of the main building.(MOVED)~~
- (68) GARAGE - An accessory building or portion of the main building having a minimum of four walls and a roof, and designed and used principally for the parking ~~housing~~ of motor vehicles.
- (69) GENERAL COMMERCIAL - Individual stores and businesses where each establishment is located on a separate lot, with separate parking and loading facilities and not in a shopping center.
- (70) GUEST HOUSE - An accessory building for the housing of temporary guests, not containing a kitchen and not being rented or leased.
- (71) ~~HABITABLE ROOM SPACE - Any room space used, or intended or designed to be used for sleeping, living, cooking or dining purposes, excluding such enclosed spaces as closets, pantries, bath or toilet rooms, service rooms, connecting corridors, laundries, unfinished attics, foyers, storage spaces, cellars, utility rooms and similar spaces.~~
- (72) HIGH QUALITY TRANSIT CORRIDOR - A corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours. Source: Public Resources Code section 21155, subdivision (b).
- (73) HOME FINDING AGENCY - Any individual or organization engaged in finding homes or other facilities as defined in the Cal. Code of Regulations, for placement of persons of any age for temporary or permanent care, or adoption, including providing continuing social services to such persons.
- (74) HOME OCCUPATION - Gainful employment engaged in by the occupants of a dwelling, which is incidental and subordinate to and compatible with the residential use of the property and surrounding residential uses.

- (75) HOSPITAL - A health facility having a duly constituted governing body with overall administrative and professional responsibility and having an organized medical staff which provides 24-hour inpatient care including one or more of the following basic services: medical, nursing, surgical, anesthesia, laboratory, radiology, pharmacy, dietary services, or psychiatric care and treatment.
- (76) HOTEL - A building providing separate bedrooms or baths for the accommodation of travelers, semipermanent residents and the like, where no kitchen facility is provided, whether known as a hotel, motel, or rooming house.
- (77) HOUSEHOLD - See FAMILY.
- (78) INLAND WATERWAY - A body of water confined to a channel which permits navigation by vessels and ships and is connected directly to the ocean.
- (79) INSTITUTION - An organization having a social, educational, or religious purpose such as a school, church, hospital, club or lodge.
- (80) ~~INTERIOR LOT - A lot having lots adjoining on two sides.~~(MOVED)
- (81) ~~INTERIOR YARD SPACE - The area on the lot behind the front setback line which is open from ground to sky and used as private open space except as otherwise permitted in this chapter.~~(MOVED)
- (82) JUNIOR ACCESSORY DWELLING UNIT (JADU) - A unit that is no more than 500 square feet in size and contained entirely within an existing or proposed single-family residence and/or attached garage or other attached non-habitable space. A dwelling unit that is no more than 500 square feet in size and is contained entirely within a single-family dwelling. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure. See related definition of ACCESSORY DWELLING UNIT.
- (83) JUNK - Scraps of copper, wood, brass, rope, rags, batteries, paper, trash, rubber, debris, waste, or junked, dismantled or wrecked motor vehicles or parts thereof, iron, steel and other scrap ferrous or nonferrous material.
- (84) ~~KEY LOT - A lot whose side lot forms the rear lot line of a reversed corner lot.~~(MOVED)
- (85) KITCHEN - Any room or portion of a room used, or intended or designed to be used for cooking and preparing food.
- (86) LANDSCAPING - The treatment and maintenance of a yard area with predominantly vegetative materials, such as lawn or ground cover, shrubs or trees, and ornamental flagstone, brick or rock work and the like, organized in a manner designed to create or enhance a specific appearance.
- (87) LARGE FAMILY DAY CARE HOME - A State-licensed facility that provides care, protection and supervision for seven to fourteen children in the provider's own home for periods less than twenty-four hours per day, as further defined in Cal. Health and Safety Code, Section 1596.78.
- (88) LIVABLE SPACE - A space in a dwelling intended for human habitation, including living, sleeping, eating, cooking, or sanitation.
- (89) LIVING AREA - The interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.
- (90) LOT - A parcel of real property owned by the same person or entity officially subdivided and recorded prior to or according to Chapter 15 of this code.

- (91) LOT AREA, GROSS - The total area enclosed by the lot lines of a property measured on a horizontal plane.
- (92) LOT AREA, NET - ~~The number of square feet~~ area enclosed by the lot lines of a lot, excluding land for public dedication such as public right-of-way or easements.
- (93) LOT, CORNER - A lot abutting two or more intersecting streets, excluding alleys.
- (94) LOT DEPTH - The average lineal distance between the front and rear lot lines, measured perpendicular to the front lot line.
- (95) LOT, FLAG - A lot so shaped and designed that the main building site area is set back from the street on which it fronts and includes an access strip to the frontage street. The access strip of each lot shall not be considered in calculating the minimum lot area and dimension requirements of the subject lot.
- (96) LOT, KEY - A lot whose side lot line forms the rear lot line of a reversed corner lot.
- (97) LOT LINES - The established division lines between parcels of property, public or private.
- (98) LOT LINE, FRONT - The line dividing a lot or parcel from an officially designated public street, the line separating the narrowest street frontage of the lot from the street in the case of a corner lot; provided, however, that if the street is without frontage, the Community Development Director shall designate the front lot line.
- (99) LOT LINE, REAR - The lot line most nearly distant and parallel to the front lot line and dividing the lot from an alley or adjoining lot. For triangular or irregularly shaped lots, the rear lot line shall be a line ten feet long within the lot opposite and most distant from the front lot line, which is parallel to the front lot line or parallel to the chord of a curved front lot line, where such chord is drawn perpendicular to the mean direction of lot dept. not withstanding, the Community Development Director makes the final determination of the designated rear lot line.

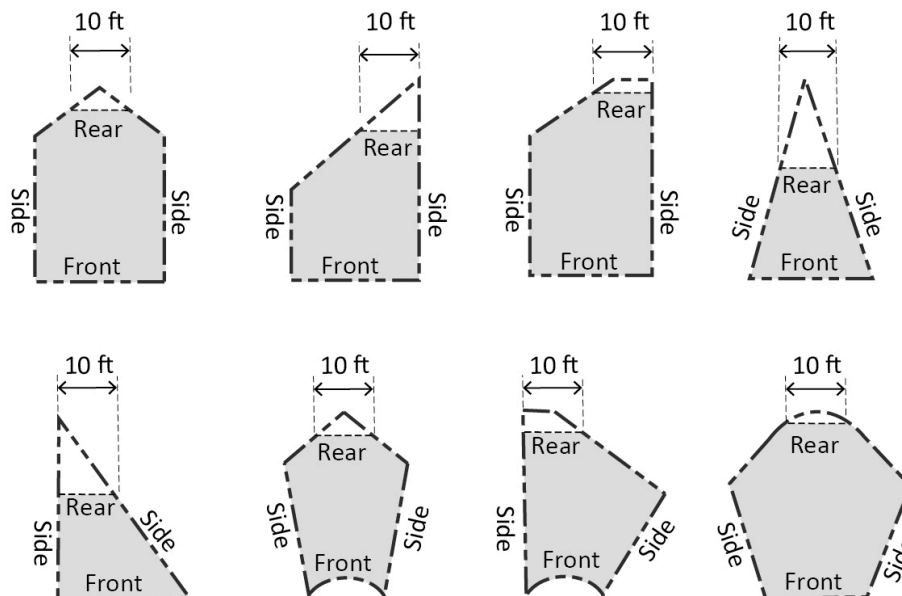


Figure 1: Rear Lot Line

- (100) LOT LINE, SIDE - All other lot lines that are not front or rear lot lines.

(101) LOT LINE, STREET SIDE - The lot line which separates the lot from the street, but is not the front lot line.

(102) LOT, REVERSE CORNER - A corner lot whose rear lot line abuts the side lot line of an adjoining lot

(103) LOT WIDTH - The lineal width of a lot measured at the midpoint between the front lot line and rear lot line.

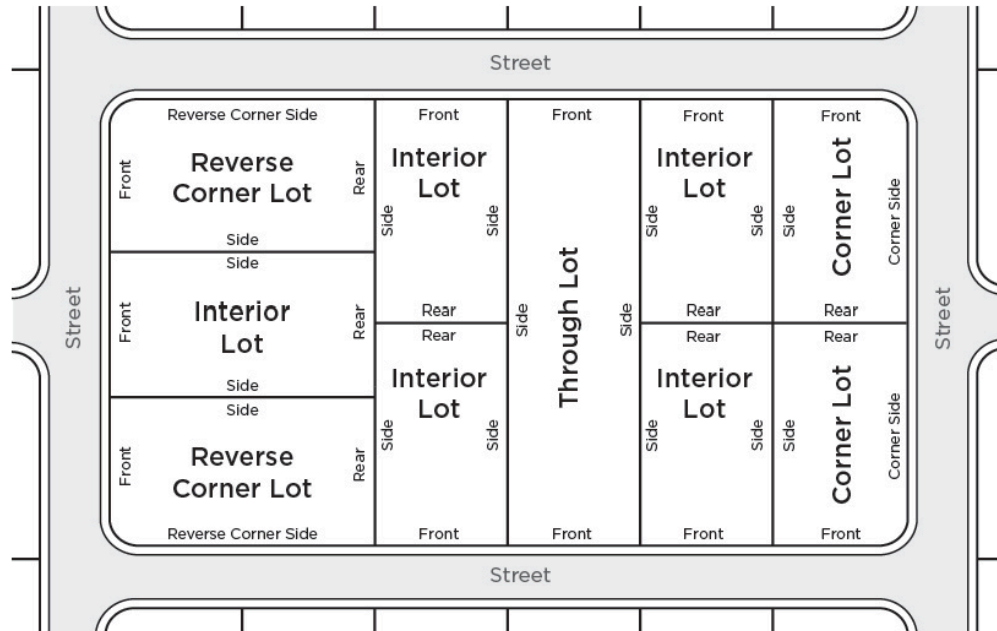


Figure 2: Lot Types

(104) LOW-BARRIER NAVIGATION CENTER - A housing first, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. “Low barrier” means best practices to reduce barriers to entry, and may include, without limitation, the following:

- (a) The presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth;
- (b) Pets;
- (c) The storage of possessions; and
- (d) Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds or private rooms. (Cal. Gov’t Code Section 65660)

(105) MAIN BUILDING - The building wherein the principal use of a lot or parcel is conducted, including attached structures where there is more than eight lineal feet or more of common wall and also includes structures attached by ceiling or floor. a wall is commonly used.

(106) MAJOR RECREATIONAL EQUIPMENT - Items designed to be used as temporary dwellings for recreational outings, or designed to be used for other recreational purposes, such as travel trailers, trailer coaches, pickup campers, motorized dwellings, tent trailers, boats and boat trailers.

(107) MAJOR TRANSIT STOP - A site containing any of the following: (a) An existing rail or bus rapid transit station. 9 (b) A ferry terminal served by either a bus or rail transit service. (c) The intersection of two or more major bus routes with a frequency of service interval of 20 minutes or less during the morning and afternoon peak commute periods, as defined in Public Resources Code section 21064.3.

(108) MANUFACTURED HOME - A structure that was constructed on or after June 15, 1976, is transportable in one or more sections, is eight body feet or more in width, or 40 body feet or more in length, in the traveling mode, or, when erected on site, is 320 or more square feet, is built on a permanent chassis and designed to be used as a single-family dwelling with or without a foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein, per Health and Safety Code Section 18007, subdivision (a).

(109) MARIJUANA - Shall have the same meaning as cannabis.

(110) MEDICAL CLINIC - An organized outpatient health facility that provides direct medical, surgical, dental, optometric, or podiatric advice, services, or treatment to patients who remain less than 24 hours, and that may also provide diagnostic or therapeutic services to patients.

(111) MINI-WAREHOUSE - Any structure designed, built or used as individual compartments for five or more occupants on a lease or rental basis for the purpose of storage of any item for a period of more than forty-eight hours.

(112) MOBILE HOME - A manufactured relocatable vehicle, other than a motor vehicle, designed or equipped for human residential habitation and for being drawn by a motor vehicle.

(113) MOBILE HOME LOT - A parcel of land in a mobile home park rented and used exclusively by the occupants of the mobile home located on that lot.

(114) MOBILE HOME PARK - A contiguous area or tract of land of at least sixteen acres under single ownership which has been planned and improved for the placement of mobile homes for nontransient residential use.

(115) MOBILE HOME STAND - The part of a mobile home lot reserved for the placement of a mobile home.

(116) MOBILE OFFICE - A vehicle other than a motor vehicle designed or used as an office for industrial, professional or commercial purposes, and designed to be drawn by a motor vehicle.

(117) MOTEL - A building or group of buildings or units attached, semi-attached or detached, designed to serve as temporary sleeping quarters for transient persons, whether known as a motel, auto court, tourist court or bungalow court, excluding an adult motel, as defined in section 16-336(A)(5).

(118) MOTION PICTURE THEATER - An establishment containing two or fewer screens where films, motion pictures, video cassettes, slides or similar photographic reproductions are regularly shown for any form of consideration.

(119) MOTOR VEHICLE - A device by which any person or property may be propelled, moved, or drawn upon a public street, excepting a device moved by human power.

(120) MULTI-FAMILY DWELLING - A building containing two or more dwelling units.

(121) MULTIPLEX MOTION PICTURE THEATER - An establishment containing three or more screens where films, motion pictures, video cassettes, slides or similar photographic reproductions are regularly shown for any form of consideration.

- (122) NEIGHBORHOOD COMMERCIAL - Stores and businesses located in a shopping center of less than ten acres and designed to serve a local neighborhood rather than several neighborhoods.
- (123) NONACCESSORY SIGN - A sign which advertises products, services or other uses not associated with any use established on the premises on which such sign is located, also known as an off-premise sign and including, but not restricted to, billboards and outdoor advertising structures.
- (124) NONCONFORMING - Buildings or uses which become not permitted or not in compliance with zoning regulations by reason of changes in the zoning regulations or land use zone classification of the property on which such building or uses are located.
- (125) OCCUPIED AREA - That area of an individual mobile home lot which has been covered by a mobile home and its accessory structures.
- (126) PARKING SPACE - A rectangular space, clearly delineated on the ground or pavement, of dimensions required elsewhere in this chapter, to be used for the parking or stopping of motor vehicles.
- (127) PARKING STRUCTURE - A structure used for the parking of vehicles where parking is accommodated on two or more levels.
- (128) PASSAGEWAY - A pathway that is unobstructed, clear to the sky and extends from a street to one entrance of the accessory dwelling unit. No passageways are required in conjunction with the construction of an ADU.
- (129) PATIO - A deck or paved area not extending above the first floor level of a building ~~and open to the sky.~~
- (130) PATIO COVER SHELTER - A covered shelter for ~~semi-outdoor use recreational activities~~, which is enclosed on no more than two sides, whether or not the remaining two sides are partially enclosed by a low wall, supporting structural members, lattice work, louvers, screens, solid roofs, and the like, and not used as a carport.
- (131) PAWNSHOP - An establishment that engages in the business of loaning money on the security of pledges of personal property, and purchasing and selling personal property.
- (132) PERGOLA - An open-work structure or lattice having at least fifty percent of its roof open to the sky.
- (133) PERMANENT STORAGE - The storage of any item of personal property for a period of more than forty-eight hours.
- (134) PERMANENT STRUCTURE - Any object having a solid foundation or fixed location on the ground.
- (135) PLANNING MANAGER - The planning division manager of the city.
- (136) PRIMARY DWELLING UNIT - The main residential structure containing one dwelling unit located on one legal lot.
- (137) PRIVATE SCHOOL - An accredited private school or college providing academic or trade education.
- (138) PRIVATE STREET - A privately owned vehicular right-of-way used as access by two or more lots which do not have frontage on a public street.
- (139) PRODUCT ASSEMBLY PLANT - Production facilities primarily engaged in final or partial assembling or packaging of premanufactured, treated, or fabricated components, materials or products.

(140) PUBLIC CAMPGROUND - A public area wherein major recreational equipment may be placed as temporary dwellings.

(141) PUBLIC PARKING LOT - A parking lot for motor vehicles created to serve the public either as a separate business or as an accessory use to a business, whether owned by a governmental agency or by a private person or business.

(142) PUBLIC TRANSIT - Includes, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

(143) QUARRY - Any premises or site from which rock, sand, gravel, stone, earth, soil or any other mineral is removed or excavated for the purpose of sale, excluding the necessary grading or excavating of a building site under a valid building permit.

~~(144) REAR LOT LINE - The lot line most nearly distant and parallel to the front lot line and dividing the lot from an alley or adjoining lot; provided, however, that the Community Development Director shall designate the rear lot line for through lots, triangular shaped lots and other irregular lots.(MOVED)~~

~~(145) REAR YARD - The yard measured the full width of the lot, lying between the rear lot line and the nearest portion of the main building.(MOVED)~~

(146) RECREATION COMMERCIAL - Indoor or outdoor sport, game, or recreational activity which may occur within a building or as outdoor activities, including but not limited to arenas, stadiums, rinks, golf courses, ranges, or auditoriums.

~~(147) REQUIRED YARD - The yard area required by this chapter.(MOVED)~~

(148) RESEARCH AND DEVELOPMENT - Facilities or establishments primarily performing research or development of industrial or scientific products.

(149) RESIDENTIAL CARE FACILITY FOR THE ELDERLY - A housing arrangement of residents at least sixty years of age, where personal care and supervision are provided, as defined in Cal. Health and Safety Code, Section 1569.2.

~~(150) REVERSED CORNER LOT - A corner lot whose rear lot line abuts the side lot line of an adjoining lot.(MOVED)~~

(151) SCRAP METAL PROCESSING FACILITY - Any property which is maintained, used, or operated for storing, keeping, buying or selling wrecked, scrapped, ruined, abandoned or dismantled motor vehicles or motor vehicle parts.

(152) SENIOR AND/OR SENIOR ASSISTED LIVING RESIDENTIAL FACILITY - A State-licensed residential facility with seven or more residents that provides a range of community dining and/or recreation areas integrated with individual apartment units that may have individual cooking facilities; that provides at least one non-medical and/or medical support service to residents such as housekeeping, laundry, media room facility, library, hair care, recreation, and transportation services; that is restricted to qualifying residents or senior citizens as those terms are defined in Cal. Civil Code, Section 51.11; that may include a secure area(s) for residents with limited memory or cognitive abilities and/or limited physical mobility; and that is subject to the regulations for Planned Residential Groups set forth in sections 16-445 and 16-446 of this code.

~~(153) SIDE LOT LINE - All other lot lines that are not front or rear lot lines.(MOVED)~~

(154) SIDE STREET - A street providing secondary frontage to a lot, and having an angle between forty-five to one hundred and forty degrees at its intersection with the street providing principal frontage for the lot in question.

~~(155) SIDE YARD - The yard lying between the side lot line and the closest portion of the main building and between the front and rear yards.~~(MOVED)

(156) SINGLE-FAMILY DWELLING - A building containing one dwelling unit whether built as a detached building or as an attached townhouse type of unit that does not involve common ownership or adjacent parcels of real property. The definition of single family dwelling does not include farmworker employee housing, but shall include farmworker employee housing projects with six or fewer residents as allowed by State law.

(157) SINGLE-ROOM OCCUPANCY (SRO) - A residential facility containing six or more housing units where each housing unit is made up exclusively of a single room. The housing units are often furnished and may have individual or shared kitchen and/or bathroom facilities. Each housing unit is offered on a monthly rental basis or longer. Regulations for single-room occupancy set forth in Sections 16-441 to 16-441.3 of this code.

(158) SMALL RESIDENTIAL HEALTH OR CARE FACILITY - A facility licensed, authorized or certified by the State that provides nonmedical health or care services to six or fewer persons (except as otherwise provided herein), which State statutes identify as a residential use of property subject only to standards and restrictions applicable to other dwellings of the same type in the same zone, including but not limited to: a congregate living facility, as defined in Cal. Health and Safety Code, Section 1250, having no more than six beds; an intermediate care facility/developmentally disabled habilitative, as defined in Cal. Health and Safety Code, Section 1250, serving no more than six persons; an intermediate care facility/developmentally disabled-nursing, as defined in Cal. Health and Safety Code, Section 1250, having no more than six beds; a State-licensed residential care facility, as defined in Cal. Health and Safety Code, Section 1568.01, serving no more than six persons; a small family day care home serving no more than eight children, as defined in Cal. Health and Safety Code, Section 1596.78; a pediatric day health and respite care facility, as defined in Cal. Health and Safety Code, Section 1760.2, having no more than six beds; an alcoholism or drug abuse recovery or treatment facility, as defined in Cal. Health and Safety Code, Section 11834.02, serving no more than six persons; and a State authorized, certified or licensed family care home, foster home or group home providing care on a twenty-four hour a day basis to six or fewer mentally disordered or otherwise handicapped persons or dependent and neglected children, as referred to in Cal. Welfare and Institutions Code, Section 5116.

(159) STORY - That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above; also, if the finished floor level directly above a basement, cellar or unused underfloor space is more than six feet above grade as defined herein for more than fifty percent of the total perimeter or is more than twelve feet above grade as defined herein at any point, such basement, cellar or unused underfloor space shall be considered as a story.

(160) STREET - Land dedicated to or owned by a city, county, or State and designated as a public right-of-way, but not including an alley as defined herein.

- (161) STRUCTURAL ALTERATIONS - Any change to a bearing wall, column, beam, joist, roof, rafter or other supporting member of a building or structure.
- (162) STRUCTURE - Anything constructed or erected, the use of which requires attachment to the ground or attachment to something located on the ground. A man-made object other than ornamental statuary, having a permanent location on the ground, and more than six inches above the finished grade.
- (163) SUBTERRANEAN GARAGE - Any enclosed motor vehicle storage area of which any portion extends below the average grade of the project site.
- (164) SUPPORTIVE HOUSING - Housing with no limit on length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. Such housing shall be considered a residential use of the property and shall be subject only to those restrictions that apply to other residential dwellings of the same type and in the same zone.
- (165) SWAP MEET - Any indoor or outdoor facility containing multiple tenant spaces, stalls or booths from which new or used merchandise, crafts, or food are sold, exchanged or bought by separate vendors. An admission fee may or may not be charged. Any facility bearing the name of, or otherwise being promoted as a swap meet or flea market, shall constitute a swap meet for purposes of this chapter.
- (166) TANDEM PARKING SPACE - ~~A parking space located immediately behind or in front of a second parking space, such that vehicular access to that second space can be made only through the abutting space. Tandem parking accommodates two or more vehicles. Two or more automobiles that are parked on a driveway or in any other location on a lot, lined up behind one another.~~
- (167) THEATER - A motion picture theater or an establishment regularly featuring live performance of dramatic productions for any form of consideration.
- (168) THRIFT STORE or SECONDHAND STORE - A retail business that engages or specializes in the sale of previously owned, secondhand or used merchandise, in which the area devoted to such merchandise is larger than twenty-five percent of the total floor area devoted to retail sales; provided, however, that this definition does not include antique shops or specialty retail stores that sell only one type of used merchandise, including but not limited to used record stores, used bookstores, used furniture stores, and sports trading card stores.
- ~~(169) THROUGH LOT - An interior lot whose front and rear lot lines both abut public streets. (MOVED)~~
- (170) TIMESHARE - Dwelling units or commercial transient quarters (such as hotel or motel rooms) divided for purposes of marketing and sale into at least twelve annual time segments of not less than one week or more than thirty days during which the units or quarters may be occupied, with the annual right of occupancy extended over a specified period of time.
- (171) TOWNHOUSE - A single-family dwelling unit attached to one or more other single-family dwelling units with each dwelling unit occupying a separate lot.
- (172) TOWNHOUSE CONDOMINIUM - A townhouse, having associated with it an undivided interest in common in a parcel of real property that is contiguous with the townhouse lots.

- (173) TRADITIONAL BED AND BREAKFAST - An establishment which contains no more than two guest bedrooms each of which is available for rent to the general public for up to twenty-nine consecutive days.
- (174) TRAILER - A vehicle designed to be towed behind an automobile or truck.
- (175) TRAILER PARK - Any area where one or more mobile homes are located.
- (176) TRANSIENT - A tourist or other person abiding in the city for a short period of time.
- (177) TRANSITIONAL HOUSING - Five or more dwelling unit(s) used as rental housing but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient. Supportive services are provided to facilitate the movement of homeless individuals and their families to permanent housing. An eligible person(s) may live in the dwelling for up to two years, pursuant to Cal. Health and Safety Code, Sections 50675.2(h) and 50801(i). Some units may be designated for transition in place, where person(s) may stay in the unit for more than two years. Such housing shall be considered a residential use of the property and shall be subject only to those restrictions that apply to other residential dwellings of the same type and in the same /one.
- (178) USE - Utilization of property or buildings for a specific purpose.
- (179) USE AREA - An open or yard area, uncovered by building or structures, used as the main use or accessory use of a lot or parcel.
- (180) USED CAR JUNK AREAS - Any property which is maintained, used, or operated for storing, keeping, buying, or selling wrecked, scrapped, ruined, abandoned or dismantled motor vehicles or motor vehicle parts.
- (181) VEHICLE - Automobile or two-axled truck, customarily used for private transportation, including self-propelled motor homes, recreational and off-road vehicles, utility and travel trailers, and boats and boat trailers.
- (182) WORK/LIVE - A business establishment, part of which may be used as an accessory dwelling unit by the business operator or employee.
- (183) YARD - An open area on a private lot or parcel, unobstructed by buildings or structures from the ground to the sky, except by encroachments or other exceptions permitted in this chapter.
- (184) YARD, FRONT - The yard measured the full width of the lot, lying between the front lot line and the closest portion of the main building.
- (185) YARD, INTERIOR SPACE - The area on the lot behind the front setback line which is open from ground to sky and used as private open space except as otherwise permitted in this chapter.
- (186) YARD, REAR - The yard measured the full width of the lot, lying between the rear lot line and the nearest portion of the main building.
- (187) YARD, SIDE - The yard lying between the side lot line and the closest portion of the main building and between the required front and rear yards.
- (188) YARD AREA - The area of yard on a given lot expressed in numbers of square feet.
- (B) These definitions are to be used throughout this chapter unless expressly otherwise provided.
- ('64 Code, Sec. 34-3) (Ord. No. 617, 725, 893, 958, 1039, 1049, 1099, 1115, 1116, 1131, 1150, 1217, 1233, 1294, 1409, 1424, 1477, 1504, 1555, 1564, 1629, 1632, 1705, 1827, 1829, 1894,

1959, 1967, 2021, 2026, 2130, 2132, 2165, 2313, 2335, 2347, 2466, 2561, 2626, 2671, 2713, 2727, 2847, 2864, 2890, 2896; 2914, 2925, 2928, 2929, 2959, 2961, 2984, 2998, 3031, 3037)”

SECTION 2. Oxnard City Code Chapter 16, Article VII, Division 4, Sections 16-560 through 16-561.1 are amended to read as follows (**Only underlined portions are to be added and strikethrough portions deleted**):

“DIVISION 4. MODIFICATIONS TO SPECIAL-USE-PLANNING PERMITS

SEC. 16-560. MINOR MODIFICATIONS.

(A) Where a planning permit such as a special use permit, planned development permit, development design review permit, or site plan review has been previously approved, the Director may elect to modify that existing permit in lieu of requiring the application and approval of a new special use or development design review permit for a proposed physical modification or use clearance, provided such physical modification is within the parameters for minor modifications provided for in this chapter or by administrative policy.

~~A.~~ (B) Modifications to ~~special-use-planning~~ permits that do not intensify the use of the parcel or have any additional adverse effect on abutting parcels or the general health, safety, or welfare are eligible for review as minor modifications. A minor modification may allow for an increase or decrease of the following elements of the approved development, by no more than 10%.

- (1) Approved building height;
- (2) Approved setback distances;
- (3) Landscape coverage;
- (4) Building floor area;
- (5) Site building coverage;
- (6) Dimensional standards for parking, loading and circulation that do not result in a reduction in the required parking and loading spaces;
- (7) Outdoor open space requirements;
- (8) Other approved numerical development standards.
- (9) Exclusions: minor modifications to ~~special-use-planning~~ permits shall not be granted for the following standards:
 - (a) Minimum number of required parking spaces;

(b) Floor area ratio or residential density.

(10) In no case may the increase or decrease be below the minimum or exceed maximum standards established by the city code. In no case shall a minor modification be granted pursuant to this chapter to permit a use or activity that is not otherwise permitted in the zone where the property is located.

~~(B)~~ (C) Modifications to building elevations may be considered under a minor modification, provided that modified elevations comply with applicable objective design standards and applicable zoning regulations contained in this chapter and other adopted standards.

~~(G)~~ (D) An application for a minor modification shall be filed with the Director. ~~Three Copies of the site plan, elevation and landscape plan, if~~ pursuant to the city's submittal checklist, as applicable, shall be submitted with a letter outlining the requested modification. The application shall state in writing the nature of the modification requested and explain why the findings necessary to grant the modifications identified in Section 16-560.1 can be satisfied.

~~(D)~~ (E) Fees for filing an application for a minor modification ~~to a special use permit~~ shall be set by resolution of the City Council.

~~(E)~~ (F) Upon review of the application, the Director shall issue a written decision approving, conditionally approving or denying the application within the time period prescribed by State law.

~~(F)~~ (G) The Director's decision to approve, conditionally approve a minor modification ~~to a special use permit~~ may be appealed to the Planning Commission within ten days of the date of issuance, in accordance with the procedures for a public hearing pursuant to state law ~~an application for a special use permit as provided in this chapter~~. The decision of the Planning Commission shall be final. Appeals of a denial by the Director may be made by filing a major modification application for consideration by the Planning Commission.

~~(G)~~ (H) If a minor modification application is processed concurrently with a required discretionary permit the review authority with jurisdiction over the discretionary permit shall also have review authority over the minor modification.

(Ord. No. 3039)

SEC. 16-560.1. REQUIRED FINDINGS FOR MINOR MODIFICATIONS.

In order to grant a minor modification to a ~~special use~~ planning permit, the review authority must make the following findings:

(A) All provisions of this article are met;

(B) The proposed minor modification is consistent with the applicable general plan policies and is in conformance with applicable zoning regulations contained in this chapter and other adopted standards;

(C) The approval or conditional approval of the minor modification will not be detrimental to public health, safety, or general welfare.

(Ord. No. 3039)

SEC. 16-561. MAJOR MODIFICATIONS.

(A) Changes to an approved ~~special-use~~ planning permit that do not qualify as minor modifications under Section 16-560 shall be handled in a manner similar to the initial application ~~for the special-use permit~~. Major modifications are those that involve substantial increases in coverage, major additions to the buildings or structures, creation of extra parking needs, traffic or other site problems, and shall be heard by the Planning Commission.

(B) Applications shall include the same submittal material required for ~~a special-use permit~~ the initial application under Section 16-533 of identified in this chapter and shall be submitted to the Planning Division. The application shall state in writing the nature of the modification(s) requested.

(C) Fees for filing an application for a major modification ~~to a special-use permit~~ shall be set by resolution of the City Council.

(D) An application for a major modification ~~to a special-use permit~~ shall be heard and notice shall be provided in the manner required under ~~Division 3 of this article for a special-use~~ the initial planning permits.

('64 Code, Sec. 34-110.2) (Ord. No. 916, 1409, 3039)

SEC. 16-561.1. REQUIRED FINDINGS FOR MAJOR MODIFICATIONS.

In order to grant a major modification, ~~to a special-use permit~~ the review authority must make the findings of the modified permit. ~~for granting a special-use permit in Section 16-531 of this chapter.~~

(Ord. No. 3039)"

SECTION 3. Oxnard City Code Chapter 16, Article X, Division 2, Section 16-622 is amended to read as follows (**Only underlined portions are to be added and strikethrough portions deleted**):

“DIVISION 2. PARKING SPACE AND LOADING REQUIREMENTS

SEC. 16-622. SCHEDULE OF VEHICLE OFF-STREET PARKING REQUIREMENTS.

(A) The table on the following pages contains the minimum vehicle off-street parking requirements. Special requirements for each use are provided under the “Notes” columns where appropriate.

(B) The parking requirement for uses not specifically listed in the table shall be determined by the approval body for the proposed use on the basis of requirements for similar uses, and on any traffic engineering and planning data that is appropriate to the establishment of a minimum requirement.

(C) Several uses listed in the table require that the parking be determined by the approval body for the proposed use. An applicant proposing to develop or expand one of these uses must submit four copies of a parking study to the development services department which provides justification for the parking requirement proposed. The approval body for the proposed use will review this study along with any traffic engineering and planning data that is appropriate to the establishment of a parking requirement for the use proposed.

(D) In situations where a combination of uses are developed on a site, parking shall be provided for each of the uses on the site according to this article unless a reduction is granted pursuant to sections [16-650](#) and [16-651](#).

(E) (1) An applicant may propose to provide tandem parking spaces for a proposed use, but tandem parking spaces, whether or not in garages, and whether for residents, visitors or customers of the proposed use, shall not be counted toward satisfaction of the parking requirement for the proposed use.

(2) The amount, configuration, design and location of proposed tandem parking shall be subject to the approval of the director.

(F) The following table lists the minimum off-street parking requirements for the city.

Uses	Minimum Off-Street Parking Requirements	Notes
Residential:		
<i>Detached single-family units:</i>		
Detached single family dwelling with either (1) detached accessory dwelling unit or (2) the construction of additional square footage to accommodate an attached accessory dwelling unit	Same as above for the single family dwelling. For accessory dwelling units: In addition to the required parking for the single family dwelling, there shall also be a number of vehicle parking spaces equal to: (a) one; or (b) the number of bedrooms in the accessory dwelling unit, whichever is less.	Parking for accessory units may be provided either as (1) tandem parking on an existing driveway or in an existing garage; or (2) in a setback area. The parking shall be located on the same lot as the primary residential dwelling unit.
<u>Accessory Dwelling Units</u>		

	<p>The vehicular access to the parking area for the accessory dwelling unit shall be at least ten feet wide and paved. The required parking space(s) for an accessory dwelling unit are not required to be covered.</p> <p>See Section 16-465.9</p>	<p>The director may, however, disapprove such tandem/setback parking if the director finds that the tandem/setback parking is not feasible based upon specific site or regional topographical or fire and life safety conditions, or that it is not permitted anywhere else in the jurisdiction.</p>
<p>Note: To the extent required by Cal. Govt Code, Section 65852.2, as it may be amended from time to time, none of the following accessory dwelling units require additional parking for the accessory dwelling unit:</p> <ul style="list-style-type: none"> (1) The accessory dwelling unit is located within one-half mile of public transit; (2) The accessory dwelling unit is located within a city recognized historic district; (3) The accessory dwelling unit is constructed entirely within legally existing primary residence or a legally existing accessory structure; (4) When on-street parking permits are required by not offered to the occupant of the accessory dwelling unit; (5) When there is a car share vehicle located within one block of the accessory dwelling unit.” 		

SECTION 4. The City Council finds that the Zone Text Amendment is internally consistent with all other provisions of the City of Oxnard 2030 General Plan.

SECTION 5. The City Council finds that the Zone Text Amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City and is in the best interests and welfare of the City and its residents.

SECTION 6. If any section, sentence, clause or phrase of this Ordinance is determined to be invalid, illegal or unconstitutional by a decision or order of any court of competent jurisdiction, then decision or order shall not affect the validity and enforceability of the remaining portions of this Ordinance. The City Council declares that it would have passed and adopted this Ordinance, and each section, sentence, subsection, clause, phrase, part or portion thereof, regardless of the fact that any one or more sections, sentences, subsections, clauses, phrases, be declared invalid or unconstitutional.

SECTION 7. Cumulative Ordinance. Nothing in this Ordinance shall be interpreted to allow any land use which is not expressly listed as permitted or conditionally permitted within the City’s Zoning Code.

SECTION 8. Exempt from CEQA. The City Council determines and finds that the adoption of this Ordinance is exempt from review under the California Environmental Quality Act

("CEQA") pursuant to Sections 15060(c)(2) and (3) and 15061(b)(3) of the Guidelines to the California Environmental Quality Act because the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA because the project is limited to updating the existing sections of the OCC and will not directly result in any physical development or authorize new uses. Therefore, CEQA does not apply to this action.

SECTION 9. Pursuant to Government Code Section 36933(c)(1), the City Attorney was designated to prepare, and the City Clerk published, a summary of this Ordinance, and a certified copy the Ordinance was posted in the Office of the City Clerk a minimum of five days before the City Council's adoption of the Ordinance.

SECTION 10. The City Clerk shall certify as to the adoption of this Ordinance and shall cause summary thereof to be published within fifteen calendar (15) days of the adoption and shall post a certified copy of this Ordinance, including for and against the same, in the office of the City Clerk, in accordance with Government Code Section 36933. Ordinance No. _____ was first read on _____, and finally adopted on _____, to become effective thirty (30) days thereafter.

PASSED AND ADOPTED this _____ day of _____ by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSED:

Luis A. McArthur, Mayor

ATTEST:

Luly Lopez, City Clerk

APPROVED AS TO FORM:

Stephen M. Fischer, City Attorney

SEC. 16-465. PURPOSE AND FINDINGS.

(A) Accessory dwelling units (also known as "second units," "granny flats," "in-law suites," "tiny homes" and/or "cottages") are small residential units on a permanent foundation located within, attached to, or detached and adjacent to the primary single-family unit or multifamily structure, and can provide an important source of affordable housing.

(B) Accessory dwelling units, when appropriately sized and located, have little impact on neighborhood quality of life.

(C) Establishing reasonable regulations of accessory dwelling units is an appropriate mechanism to properly balance the need for additional affordable housing with the need to maintain existing community character and neighborhood quality of life.

(D) Accessory dwelling units may be referred to as efficiency, studio, or single, and be of any room count and configuration allowed by applicable development standards and building codes. A junior accessory dwelling unit is established by Cal. Gov't Code Section 65852.22 and is considered a separate use under the provisions of section 16-467.2.

(E) For purposes of these regulations, references to "director" shall mean the community development director.

(Ord. No. 2914, 2925, 2959, 2984)

SEC. 16-465.1. TYPES OF ACCESSORY DWELLING UNITS.

An accessory dwelling unit is classified as one of the following nine types:

(A) Type 1: New detached accessory dwelling unit-only structure with or without garage. Purpose and intent: Development of an accessory dwelling unit in a new structure fully separate from the existing or proposed primary dwelling unit involving no conversion of existing structures or attachments to the existing structures. All construction is to occur on the same legal parcel as the existing or proposed primary dwelling unit.

(B) Type 2A: Conversion of an existing detached legal accessory structure to an accessory dwelling unit. Purpose and intent: Conversion of an existing detached garage or accessory structure to an accessory dwelling unit with no changes to or attachment to the primary dwelling unit. All construction is to occur on the same legal parcel as the existing primary dwelling unit.

(C) Type 2B: Conversion of a primary dwelling unit's attached garage to an accessory dwelling unit. Purpose and intent: Conversion of only the primary dwelling unit's attached garage to an accessory dwelling unit with no conversion of the primary dwelling unit area or attachment to the primary dwelling unit. All construction is to occur on the same legal parcel as the existing primary dwelling unit.

(D) Type 2C: Conversion of existing non-residential structure to a primary dwelling unit with an accessory dwelling unit. Purpose and intent: Conversion of an existing non-residential structure to a primary dwelling unit with an internal or detached accessory dwelling unit. The project could include an addition. All construction is to occur on the same legal parcel as the existing structure.

(E) Type 3: Accessory dwelling unit attached to an existing primary dwelling unit. Purpose and intent: New construction of an accessory dwelling unit attached to the existing primary dwelling unit with no conversion of the primary dwelling unit interior living area. All construction is to occur on the same legal parcel as the existing primary dwelling unit.

(F) Type 4: Accessory dwelling unit fully within an existing primary dwelling unit. Purpose and intent: Conversion of only the existing primary dwelling unit habitable areas to create an accessory dwelling unit involving no attachment or conversion of attached or detached garage(s). All construction is to occur on the same legal parcel as the existing primary dwelling unit.

(G) Type 5: Junior accessory dwelling unit. Purpose and intent: Conversion of existing primary dwelling unit habitable area (i.e. bedroom) to a small junior accessory dwelling unit. All construction is to occur on the same legal parcel as the existing primary dwelling unit.

(H) Type 6: Conversion of multifamily non-habitable areas. Purpose and intent: Conversion only of existing multi-family structure non-habitable areas (i.e. passageways, attics, and/or garages) to one or more accessory dwelling units, and allows not more than two detached accessory dwelling units, with the total accessory dwelling units not to exceed 25% of the existing number of multi-family units in the structure within the same project area. Junior accessory dwelling units are not allowed in multi-family structures.

(I) Type 7: Mixed accessory dwelling unit types 1 to 4. Purpose and intent: Development of an accessory dwelling unit that is a mix of types 1, 2A, 2B, 2C, 3, and/or 4 with an existing or proposed primary dwelling unit on one legal parcel. A junior accessory dwelling unit is allowed as a separate type 5 application.

(Ord. No. 2984)

SEC. 16-466. MINISTERIAL CONSIDERATIONS.

(A) Types 1, 2A, 2B, 3, 4, 5, 6 and 7 - If the director receives an application to construct an accessory dwelling unit or junior accessory dwelling unit and the proposal meets all of the requirements of the city code, then within 60 days of the

director receiving an application for the accessory dwelling unit or junior accessory dwelling unit, the director shall⁷⁸ ministerially approve the application without a hearing.

(B) Type 2C and 7 - If the director receives an application to convert an existing non-residential structure to a residential use that includes a type 2C accessory dwelling unit, the application shall follow applicable permitting for the conversion of an existing non-residential structure to a residential use, and the application can include an accessory dwelling unit as an allowed use, but the 60-day permit approval period does not commence until the date on which the converted structure has received permit approval by the community development department.

(C) The 60-day statutory permit approval period commences when the accessory dwelling unit or junior accessory dwelling unit application and plans are in the city's possession and deemed complete.

(D) An accessory dwelling unit or junior accessory dwelling unit permit application may be denied ministerially under any one of the following situations:

(1) Plan check corrections remain unaddressed at day 60 and/or plans and/or responses to corrections remain in non-compliance with applicable codes.

(2) Development of the accessory dwelling unit or junior accessory dwelling unit would create a life-safety hazard.

(3) The location of the proposed accessory dwelling unit is within a district designated by the city council as an area where development of accessory dwelling units are not allowed based on adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety.

(E) Historic district or historic landmark designation - Applications for an accessory dwelling unit or junior accessory dwelling unit within a designated historic district or on a parcel with a historic landmark designation by the City of Oxnard, County of Ventura, State of California, and/or U.S. Department of the Interior, or on a property that is within the 2005 Downtown Oxnard Historic Resources Survey area, the application will default to applicable cultural heritage permitting procedures for development in that location, except that the accessory dwelling unit or junior accessory dwelling unit application and use is allowed pursuant to Cal. Gov't Code Section 65852.2. If a junior accessory dwelling unit application indicates no changes to the exterior of a dwelling unit, the cultural heritage permitting procedures may be waived by the director.

(F) An accessory dwelling unit may be proposed and constructed concurrently with construction of an addition to the primary dwelling unit that, by and of itself, meets applicable zoning district development standards for the primary dwelling unit. The minimum and maximum allowed accessory dwelling unit floor areas shall be based on the total size of the primary dwelling unit plus any additions integrated within only the primary dwelling unit habitable area.

(G) An application for an accessory dwelling unit that does not comply with applicable standards (section 16-467) applicable type standards (section 16-467.1, 16-467.2, or 16-467.3), and the proposed project does not otherwise meet criteria for a standards variance per chapter 16, article VII, division 5, sections 16-565 to 16-569, inclusive, may request that an accessory dwelling unit application be removed from the statutory-by-right 60-day building permit process and submit an application for a development design review planning permit pursuant to section 16-525 under which the accessory dwelling unit application is not considered ministerial and the 60-day statutory permitting period does not apply.

(H) A nonrefundable fee in the amount set by city council resolution shall be paid upon the filing of an application for an accessory dwelling unit or a junior accessory dwelling unit. Applications may incur additional fees imposed pursuant to this code or other applicable regulations.

(Ord. No. 2914, 2925, 2959, 2984)

SEC. 16-467. GENERAL STANDARDS FOR ALL ACCESSORY DWELLING UNITS.

Except as provided in section 16-469, ("Fire Safety Exception to Setback Requirements for Accessory Dwelling Units") or as stipulated in section 16-467.1, 16-467.2, or 16-467.3, accessory dwelling units shall meet or exceed all of the following standards.

(A) Functional areas - The accessory dwelling unit shall comply with all applicable habitability standards. The accessory dwelling unit shall contain an independent kitchen facility that shall include the following features: (i) sink; (ii) refrigerator of more than five-cubic feet capacity; and (iii) range or cooktop. The accessory dwelling unit shall include a separate bathroom with sink, toilet, and bathing facility; and separate or combined living and sleeping areas.

(B) Foundation - The accessory dwelling unit shall be constructed on a permanent foundation, complying to the California Building Standards Code.

(C) Architecture - An attached or detached accessory dwelling unit shall comply with the architectural standards of section 16-23 and shall be of materials, colors and in a style which are each compatible with the primary residence, or as reasonable as determined by the director.

(D) Public utility connection fees, meters, and capacity upgrades - The accessory dwelling unit shall be served by adequate public utility facilities including, but not limited to, electric, sewer, water and streets, as certified by the public works director.

(1) Accessory dwelling units shall not be considered by a local agency, special district, or water corporation to be a new residential use for the purposes of calculating connection fees or capacity charges for utilities, including water and sewer

(2) New utility connection or payment of impact fees shall not be required for an accessory dwelling unit of less than 750 gross square feet.

(3) Any impact fees charged for an accessory dwelling unit of 750 square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling unit. Impact fees for an ADU of 750 square feet or more on a lot with a multifamily dwelling shall be charged at the adopted multi-family rate appropriate for the construction type. For purposes of this division, impact fee does not include City of Oxnard water or sewer connection fees or capacity charges.

(4) A new utility service meter shall only be required for a type 1 accessory dwelling unit, type 2A if the detached garage is not already connected to the primary residence utility service, or type 2C if a structure is not already connected.

(5) Existing water and wastewater service laterals and/or lines and/or meters may be required to upgrade to a capacity that includes the accessory dwelling unit.

(E) Separate entrances - The accessory dwelling unit shall have one entrance separate from the entrance to the primary dwelling unit. Only one of the entrances may be visible from the front yard of the primary dwelling unit unless the primary dwelling unit and accessory dwelling unit entrances are designed in a manner that maintains the appearance of a single-family dwelling. An entrance leading to a foyer with entrances leading from the foyer to the primary dwelling unit and the accessory dwelling unit is allowed. An accessory dwelling unit shall have one primary entrance similar in design to that of the primary dwelling unit. Secondary exterior access including sliding doors, french doors, and the like, may be provided in accordance with applicable development standards.

(F) Occupancy by owner - For accessory dwelling units permitted between January 1, 2020 and December 31, 2024, the primary residence or the accessory dwelling unit is not required to be occupied by the property owner.

(G) Recorded agreement - Beginning on January 1, 2025, unless otherwise changed by State law, before a certificate of occupancy is issued for the accessory dwelling unit, an agreement affecting real property shall be recorded against the property that imposes specific restrictions on the property including occupancy by owner of the property. The language of the agreement affecting real property shall be approved by the City of Oxnard prior to its recordation.

(H) Not for sale - The accessory dwelling unit shall not be sold or offered for sale separately from the primary dwelling unit, unless specifically allowed by State law.

(I) Rentals - The accessory dwelling unit and/or the primary dwelling unit may be rented. Rental terms shall be 30 days or longer.

(J) Only one accessory dwelling unit - Not more than one accessory dwelling unit may be constructed on any legally existing lot or combinations of lots that are developed as one residential use. A junior accessory dwelling unit may also be allowed pursuant to section 16-467.2.

(K) Sprinklers - Fire sprinklers are required for any accessory dwelling unit if they are required for the primary dwelling unit.

(L) Building code - All building standards code requirements that apply to detached dwellings apply to accessory dwelling units.

(M) Maximum height - Maximum height of the accessory dwelling unit is the greater of the underlying zone designation, the existing height of an existing accessory structure being converted to an accessory dwelling unit, or the height allowed by a permit approving the conversion of a non-residential structure to a residential use and an accessory dwelling unit.

(N) Minimum size - The minimum size of an accessory dwelling unit shall be the same as an efficiency unit consistent with the meaning of Cal. Health & Safety Code Section 17958.1.

(O) Side, rear, and front yard setbacks - All otherwise applicable setback requirements shall apply except:

(1) The minimum required side and rear yard setback for an existing legal structure that encroaches into a required side or rear setback that is to be converted into an accessory dwelling unit shall be equivalent to the existing legal structure's exterior walls that come nearest the property line and coterminous with the length of the encroachment.

(2) The minimum required side and rear yard setback for new development is four feet for an accessory dwelling unit unless a larger setback is required for safety access purposes per section 16-467.

(3) The front yard setback remains that of the underlying zoning on the applicant property.

(P) Development standards that do not apply - The following development standards do not apply to accessory dwelling units and are not to be considered in the application review:

- (1) Minimum lot size;
- (2) Minimum open space requirement;
- (3) Minimum patio/balcony dimensions;
- (4) Density and/or floor area ratio; and

(5) Interior yard space standards.

(Ord. No. 2914, 2925, 2959, 2984, 3034)

SEC. 16-467.1. TYPES 1, 2A, 2B, 2C, 3 and 4 STANDARDS.

Except as provided in section 16-469, ("Fire Safety Exception to Setback Requirements for Accessory Dwelling Units"), types 1, 2A, 2B, 2C, 3 and 4 accessory dwelling units shall meet or exceed all of the following standards:

(A) Zoning compliance - Except as otherwise provided herein, the primary dwelling units and the accessory dwelling unit shall meet current applicable requirements for the zone in which the primary dwelling unit and the accessory dwelling unit are located. The accessory dwelling unit shall not be considered when calculating the maximum number of dwelling units permitted by the underlying zone designation.

(B) Residentially zoned - Accessory dwelling units are allowed in the following zones: R-1, R-1-PD, R-1-7-PD, R-10-PD, R-1-8-PD ("Single-Family"); R-2, R-2-PD ("Multiple-Family"); R-3, R-3-PD ("Medium Density Residential"); and R-4 ("Medium-High Residential Density").

(C) Commercial and mixed-use zoned - Accessory dwelling units are allowed in the following zones if the lot is developed with only one legal primary dwelling unit: C-1 ("Neighborhood Shopping Center"); C-2 ("General Commercial"); and DT-E ("Downtown Edge").

(D) Single-family dwelling - There must be an existing legal or proposed single-family dwelling on the lot.

(E) Passageways and patio covers - No passageway, breezeway, or other type of covered passageway that is not fully enclosed and/or conditioned space shall be allowed to connect the primary dwelling unit to a detached accessory dwelling unit. A patio cover attached to an accessory dwelling unit may be approved that complies with the applicable accessory dwelling unit setbacks and required separation from other structures. The patio cover area shall not be counted as part of the accessory dwelling unit floor area.

(F) An ingress/egress addition not to exceed 150 square feet may be attached to a type 2A, 2B, or 4 accessory dwelling unit. The ingress/egress addition must comply with a minimum four-foot side and rear yard setback.

(G) Maximum gross floor area.

(1) Type 1: New detached accessory dwelling unit - only structure with or without garage - the permissible floor area shall not be more than 1,200 gross square feet.

(2) Type 2A: Conversion of an existing detached legal accessory structure to an accessory dwelling unit - maximum permissible floor area shall not be more than 1,200 gross square feet.

(3) Type 2B: Conversion of a primary dwelling unit's attached garage to an accessory dwelling unit - maximum permissible floor area shall not be more than the size of the existing garage.

(4) Type 2C: Conversion of an existing non-residential structure to a primary dwelling unit with an accessory dwelling unit - for a detached accessory dwelling unit the maximum size shall not be more than 1,200 gross square feet. An accessory dwelling unit that is attached to the primary dwelling unit shall not exceed 50% of the size of the primary dwelling unit; except that the maximum size shall not be less than 850 square feet for a one-bedroom or 1,000 square feet for two or more bedroom accessory dwelling unit.

(5) Type 3: Accessory dwelling unit attached to an existing primary dwelling unit - maximum permissible size shall not exceed 50% of the size of the primary unit; except that the maximum size shall not be less than 850 square feet for a one-bedroom or 1,000 square feet for two or more bedroom accessory dwelling unit.

(6) Type 4: Accessory dwelling unit fully within an existing primary dwelling unit - no maximum size except that the accessory dwelling unit shall be the smaller of the two dwelling units and the minimum floor area of both the primary and accessory dwelling units shall be no less than that of an efficiency unit consistent with the meaning of Cal. Health & Safety Code (HSC) 17958.1.

(Ord. No. 2984)

SEC. 16-467.2. TYPE 5 JUNIOR ACCESSORY DWELLING UNIT STANDARDS.

Except as provided in section 16-469, ("Fire Safety Exception to Setback Requirements for Accessory Dwelling Units"), a type 5 junior accessory dwelling units shall meet or exceed all of the following standards:

(A) Zoning compliance - Except as otherwise provided herein, the primary dwelling unit and the junior accessory dwelling unit shall meet current applicable requirements for the zone in which the primary dwelling unit and the junior accessory dwelling unit are located. The junior accessory dwelling unit shall not be considered when calculating the maximum number of dwelling units permitted by the underlying zone designation.

(B) Residentially zoned - Junior accessory dwelling units are allowed in the following zones: R-1, R-1-PD, R-1-7-PD, R-10-PD, R-1-8-PD ("Single-Family"), R-2, R-2-PD ("multiple-family"); R-3, R-3-PD ("Medium Density Residential"); and R-4 ("Medium-High Residential Density").

(C) Commercial and mixed use zoned - Accessory dwelling units are allowed in the following zones if the lot is developed

with only one legal primary dwelling unit C-1 ("Neighborhood Shopping Center"), C-2 ("General Commercial"); or DT-E ("Downtown Edge").

(D) Single-family dwelling - There must be an existing legal or proposed primary single-family dwelling on the lot.

(E) Minimum gross floor area - 70 square feet for one person, 220 square feet for two persons consistent with Cal. Health & Safety Code Section 17958.1.

(F) Maximum gross floor area - Permissible floor area shall not be more than 500 gross square feet.

(G) Conversion of habitable space and/or converted attached garage - The junior accessory dwelling unit shall consist only of primary dwelling unit habitable area, such as a bedroom, and/or conversion of all or a portion of an attached garage so that the junior accessory dwelling unit is fully within the existing footprint of the primary dwelling unit and its attached garage, except that an ingress/egress addition not to exceed 150 square feet may be attached to the type 5 junior accessory dwelling unit. The ingress/egress addition must comply with a minimum four-foot side and rear yard setback.

(H) Kitchenette - Minimum requirements are a hot and cold water sink, 4.5-cubic-foot refrigerator, two ground fault circuit interrupter outlets, 8 square feet of counter space, and 5 linear feet of cabinet space.

(I) Bathroom or bathroom access - Full bathroom or continuous access to a full bathroom via a common door to the primary unit that includes sink, toilet, and bathing facility. Bathroom access that requires crossing through an outdoor area is not allowed. A bathroom with a shower-only facility instead of a bathtub complies. Before a certificate of occupancy is issued for the junior accessory dwelling unit, an agreement affecting real property shall be recorded against the property that imposes specific restrictions on the property including bathroom access for the benefit of the junior accessory dwelling unit. The language of the agreement affecting real property shall be approved by the City of Oxnard prior to its recordation.

(J) Outside entrance - The junior accessory dwelling unit shall have one entrance separate from the entrance to the primary dwelling unit. The outside entrance to the junior accessory dwelling unit shall not be visible from the front yard of the primary dwelling unit unless the primary dwelling unit and junior accessory dwelling unit entrances are designed in a manner that maintains the appearance of a single-family dwelling. An entrance leading to a foyer with entrances leading from the foyer to the primary dwelling unit and the junior accessory dwelling unit is allowed. A junior accessory dwelling unit shall have one primary entrance similar in design to that of the primary dwelling unit. Secondary exterior access including sliding doors, french doors, and the like, may be provided in accordance with applicable development standards.

(Ord. No. 2984)

SEC. 16-467.3. TYPE 6 MULTIFAMILY STRUCTURE STANDARDS.

Except as provided in section 16-469, ("Fire Safety Exception to Setback Requirements for Accessory Dwelling Units"), type 6 multi-family accessory dwelling units shall meet or exceed all of the following standards:

(A) Conversion of multi-family non-habitable areas - Existing non-habitable spaces within a multifamily residential structure such as storage, passageway, attics, or garages may be converted to one or more accessory dwelling units.

(B) Detached - No more than two detached accessory dwelling units are allowed in a legal multi-family structure within the same project area and lot that are either converted existing non-habitable space and/or new construction.

(C) Maximum allowed - The sum of accessory dwelling units that are conversions of non-habitable area (A) and/or detached structures (B) shall not exceed 25% of the pre-existing total legal multifamily dwelling units within the same project area and on the lot.

(D) Junior accessory dwelling units are not allowed in multi-family structures.

(E) Residentially zoned - Accessory dwelling units are allowed in legal multifamily structures in the following zones: R-1, R-1-PD, R-1-7-PD, R-10-PD, R-1-8-PD ("Single-Family"); R-2, R-2-PD ("Multiple-Family"); R-3, R-3-PD ("Medium Density Residential"); and R-4 ("Medium-High Residential Density").

(F) Commercial and mixed use zoned - Accessory dwelling units are allowed in the following zones if the lot is developed with one legal multi-family structure: C-1 ("Neighborhood Shopping Center"), C-2 ("General Commercial"); DT-E ("Downtown Edge"), DT-C ("Downtown Core"), and DT-G ("Downtown General").

(G) Minimum gross floor area - 220 square feet for two persons consistent with Cal. Health & Safety Code Section 17958.1.

(H) Maximum gross floor area - Permissible floor area shall not exceed 1,200 gross square feet.

(I) Entrance location and lighting - An accessory dwelling unit entrance shall not open into a drive aisle or parking space or otherwise place the resident in a vehicular path of travel, and shall have outdoor lighting and a safe and clear pedestrian path to the primary unit's public street frontage to the satisfaction of the director.

(Ord. No. 2984)

SEC. 16-467.4. TYPE 7 APPLICATIONS THAT ARE A MIX OF ADU TYPES.

When a proposed accessory dwelling unit is a combination of two or more accessory dwelling unit types 1, 2A, 2B, 2C, 3, or 4 and 5, the following procedure shall apply to identify the applicable development standards and permitting process:

(A) The applicant shall identify the two or more accessory dwelling unit types being utilized consistent with section 16-465.1.

(B) The applicant shall include calculations of the floor area for each type as components of the project.

(C) The director shall utilize the development standards of the accessory dwelling unit type component that has the largest floor area.

(D) A type 5 junior accessory dwelling unit application is a separate application that may be submitted concurrently with a type 7 application.

(Ord. No. 2984)

SEC. 16-468. OFF-STREET PARKING.

(A) Parking requirements - The requirements of city code section 16-622(F) (entitled "Schedule of Vehicle-Off-Street Parking Requirements") apply, where not specified in this section.

(B) Off-street parking requirements for accessory dwelling units shall not exceed one parking space per unit or per bedroom, whichever is less. These spaces may be provided as tandem parking.

(C) Off-street parking is not required in any of the following instances when the applicant demonstrates that:

(1) The accessory dwelling unit is located within one-half mile walking distance of public transit, including transit stations and bus stations;

(2) The accessory dwelling unit is located within an architecturally and historically significant historic district;

(3) The accessory dwelling unit is a type 2A, 2B, or type 4, constructed entirely within the proposed or existing primary dwelling unit or an attached or detached accessory structure and/or garage;

(4) When on-street parking permits are required by the city but not offered to the occupant of the accessory dwelling unit; or

(5) When there is a car share vehicle use located within one block of the accessory dwelling unit.

(D) Demolished or converted required parking spaces - When a required garage, carport, or covered parking structure for the primary dwelling unit is demolished or converted in conjunction with the construction of an accessory dwelling unit, no replacement parking spaces are required.

(Ord. No. 2914, 2925, 2959, 2984, 3034)

SEC. 16-469. FIRE SAFETY EXCEPTION TO SETBACK REQUIREMENTS FOR ACCESSORY DWELLING UNITS.

Notwithstanding any other provision of this code to the contrary, the director shall not ministerially approve an application for a permit to create an accessory dwelling unit if the accessory dwelling unit side and/or rear setbacks are insufficient for fire safety as determined by the fire marshal.

(Ord. No. 2914, 2925, 2959, 2984)

SEC. 16-469.5. ACCESSORY DWELLING UNIT IN SPECIFIC PLAN ZONES.

Accessory dwelling units are allowed in specific plan use designation zones on legal lots that are developed in a manner equivalent to a zone designation listed within sections 16-467.1, 16-467.2, and 16-467.3 as determined by the director.

(Ord. No. 2914, 2925, 2959, 2984)

SEC. 16-469.6. EXCEPTIONS FOR LARGE LOTS WITH A PROPOSAL FOR NEW PRIMARY DWELLING UNIT.

Notwithstanding any other provision of this code to the contrary, the director shall consider a request for a development design review (DDR) permit to develop a new primary dwelling unit and designate an existing housing unit as the accessory dwelling unit if all of the following apply:

(A) The qualifying legal lot is at least 9,000 square feet;

(B) Contiguous lots must be under the same ownership and shall be required to complete a lot merger;

(C) The existing legal single-family housing unit is not greater than 1,200 square feet in size, not counting an attached or detached garage, or as determined by the director;

(D) The lot complies with zoning designations listed in section 16-467(B);

(E) The proposed new housing unit is situated on the lot in compliance with applicable zoning setbacks and uniformly applied development and parking standards;

(F) The proposed new housing unit shall be at minimum of 150% the size of the existing dwelling unit now designated as the accessory dwelling unit, not counting an attached or detached garage; and

(G) That approved plans, certificate of occupancy, and related documents shall reflect that the existing housing⁸³ unit is classified as the accessory dwelling unit and subject to sections 16-467(F), (I), (J), (L), (M), (O), and (P), and the newly constructed housing unit is classified as the primary unit and subject to sections 16-467(K), (M), and (P).

(H) Nothing in this section shall prevent approval of an application consistent with sections 16-465.1 to 16-467.2 herein.
(Ord. No. 2959, 2984)



AB-1154 Junior accessory dwelling units. (2025-2026)

SHARE THIS:  

Date Published: 10/13/2025 09:00 PM

Assembly Bill No. 1154

CHAPTER 507

An act to amend Section 66333 of the Government Code, relating to land use.

[Approved by Governor October 10, 2025. Filed with Secretary of State October 10, 2025.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1154, Carrillo. Junior accessory dwelling units.

The Planning and Zoning Law, among other things, provides for the creation of

junior accessory dwelling units by local ordinance, or, if a local agency has not adopted an ordinance, by ministerial approval, in accordance with specified standards and conditions. Existing law requires an ordinance that provides for the creation of a junior accessory dwelling unit to, among other things, require owner-occupancy in the single-family residence in which the junior accessory dwelling unit is permitted.

Under this bill, that owner-occupancy requirement would apply only if the junior accessory dwelling unit has shared sanitation facilities with the existing structure. The bill would require an ordinance that provides for the creation of a junior accessory dwelling unit to require that a rental of a junior accessory dwelling unit be for a term longer than 30 days.

By imposing new duties on local governments with respect to the approval of junior accessory dwelling units, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 66333 of the Government Code is amended to read:

66333. Notwithstanding Article 2 (commencing with Section 66314), a local agency may, by ordinance, provide for the creation of junior accessory dwelling units in single-family residential zones. The ordinance may require a permit to be obtained for the creation of a junior accessory dwelling unit, and shall do all of the following:

(a) Limit the number of junior accessory dwelling units to one per residential lot zoned for single-family residences with a single-family residence built, or proposed to be built, on the lot.

(b) If the junior accessory dwelling unit has shared sanitation facilities with the existing structure, require owner-occupancy in the single family residence in which the junior accessory dwelling unit will be permitted. The owner may reside in either the remaining portion of the structure or the newly created 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.

(c) Require the recordation of a deed restriction, which shall run with the land, shall be filed with the permitting agency, and shall include both of the following:

(1) 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.

(2) A restriction on the size and attributes of the junior accessory dwelling unit that conforms with this article.

(d) Require a permitted junior accessory dwelling unit to be constructed within the walls of the proposed or existing single-family residence. For purposes of this subdivision, enclosed uses within the residence, such as attached garages, are considered a part of the proposed or existing single-family residence.

(e) (1) Require a permitted junior accessory dwelling unit to include a separate entrance from the main entrance to the proposed or existing single-family residence.

(2) If a permitted junior accessory dwelling unit does not include a separate bathroom, the permitted 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.

(f) Require the permitted junior accessory dwelling unit to include an efficiency kitchen, which shall include all of the following:

(1) A cooking facility with appliances.

(2) A food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.

(g) Require that a rental of a junior accessory dwelling unit be for a term longer than 30 days.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.



SB-543 Accessory dwelling units and junior accessory dwelling units. (2025-2026)

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Date Published: 10/13/2025 02:00 PM

Senate Bill No. 543

CHAPTER 520

An act to amend Sections 66311, 66313, 66317, 66320, 66321, 66323, and 66335 of, to amend and renumber Sections 66324, 66327, and 66332 of, and to add Sections 66333.5, 66335.5, and 66339.5 to, the Government Code, relating to land use.

[Approved by Governor October 10, 2025. Filed with Secretary of State October 10, 2025.]

LEGISLATIVE COUNSEL'S DIGEST

SB 543, McNerney. Accessory dwelling units and junior accessory dwelling units.

Existing law, the Planning and Zoning Law, among other things, provides for the creation by ordinance, or by ministerial approval if the local agency has not adopted an ordinance, of an accessory dwelling unit (ADU) or a junior accessory dwelling unit (JADU) in accordance with specified standards and conditions. Existing law defines the term "junior accessory dwelling unit" for these purposes to mean a unit that is no more than 500 square feet in size and contained entirely within a single-family structure.

This bill would revise the definition of a "junior accessory dwelling unit" to require the size of a JADU to be no more than 500 square feet of interior livable space.

Existing law makes certain declarations of the Legislature's intent regarding the effect of an ADU ordinance. Existing law authorizes the Department of Housing and Community Development to review, adopt, amend, or repeal guidelines to implement uniform standards or criteria that supplement or clarify the terms, references, and standards for an ADU.

This bill would revise the above-described declaration of legislative intent to additionally apply with respect to a JADU ordinance. The bill would also expand the department's authority to review, adopt, amend, or repeal guidelines to additionally grant that authority with respect to terms, references, and standards for JADUs.

Existing law requires a local agency to submit an ADU ordinance to the Department of Housing and Community Development within 60 days after the adoption for department review, as specified. Under existing law, the standards applicable to an ADU under these provisions supersede a conflicting local ordinance, except as specified.

This bill would similarly require a local agency to submit a JADU ordinance to the department within 60 days after adoption for department review and would require the department to notify the local agency if the ordinance is noncompliant with JADU ordinance requirements, as specified. The bill would nullify and void that ordinance if the local agency fails to submit a copy of that ordinance or respond to the department's findings that the ordinance is noncompliant, as specified. The bill would also specify that the standards applicable to a JADU supersede any conflicting local ordinance, except as specified.

Existing law requires a local agency to consider ministerially a permit application for an ADU or a JADU within 87 80 days, as specified. If a local agency has not adopted an ADU ordinance, existing law requires a permit application for an ADU to be considered pursuant to this ministerial approval provision. Existing law prohibits a local ordinance, policy, or regulation, other than an ADU ordinance consistent with the laws governing approvals of ADUs, from being the basis for the delay or denial of a building permit or a use permit under this ministerial approval provision.

If a local agency has not adopted a JADU ordinance, this bill would additionally require a permit application for a JADU to be considered pursuant to this ministerial approval provision, and would prohibit a local ordinance, policy, or regulation, other than a JADU ordinance consistent with the laws governing approvals of JADUs, from being the basis for the delay or denial of a building permit or a use permit under this ministerial approval provision. This bill would additionally require a permitting agency to determine whether an application for ADU or JADU is complete and provide written notice of the determination not later than 15 business days after the permitting agency received the application. If the permitting agency determines that an application is incomplete, the bill would require the permitting agency to provide the applicant with a list of incomplete items and a description of how the application can be made complete in the written notice and authorize the applicant to cure and address the application, as specified. The bill would require the permitting agency, if a permit application is determined to be incomplete or is denied, to provide a process for the applicant to appeal that decision, as provided, and would require the permitting agency to provide a final written determination by not later than 60 business days after receipt of the written appeal.

Existing law imposes limits on construction, connection, and impact fees and capacity charges imposed on an ADU, including prohibiting impact fees upon the development of an ADU based on if the ADU is 750 square feet and requiring that any impact fee on an ADU of 750 square feet or more be charged proportionately in relation to the square footage of the primary dwelling unit. Existing law prohibits a local agency, special district, or water corporation from requiring the applicant to install a new or separate utility connection between an ADU and the utility or imposing a related connection fee or capacity charge for specified ADUs, except as specified.

This bill would revise these provisions to additionally apply to construction, connection, and impact fees and capacity charges imposed on a JADU. The bill would revise the above-described limitation on impact fees to, instead, prohibit impact fees upon the development of an ADU that has 750 square feet of interior livable space or less or JADU that has 500 square feet of interior livable space or less, and to require that any impact fee on an ADU that has more than 750 square feet of interior livable space be charged proportionately in relation to the square footage of the primary dwelling unit.

Existing law authorizes the governing board of a school district to levy a fee, charge, dedication, or other requirement against construction within the boundaries of the school district for the purpose of funding the construction or reconstruction of a school facility, subject to specified limitations. Under existing law, the fee, charge, dedication, or other requirement may only apply to specified constructions, including residential construction if the resulting assessable space exceeds 500 square feet.

This bill would specify that an ADU or a JADU that contains less than 500 square feet of interior livable space does not increase assessable space by 500 square feet under these provisions.

Existing law prohibits a local agency from establishing by ordinance a maximum square footage for an attached or detached ADU that is either less than 850 square feet or 1,000 square feet for an ADU that provides more than one bedroom. Existing law also prohibits a local agency from establishing by ordinance any requirement for a zoning clearance or separate zoning review or any other minimum or maximum size for an ADU, size based upon a percentage of the proposed or existing primary dwelling, or limits on lot coverage, floor area ratio, open space, front setbacks, and minimum lot size, for attached or detached dwellings that does not permit at least an 800-square foot ADU with four-foot side and rear yard setbacks.

This bill would revise these size limitations to be based on the square feet of interior living space of the ADU.

Existing law requires a local agency to ministerially approve a building permit application within a residential or mixed-use zone for specified ADUs or JADUs, including one detached, new construction, ADU that does not exceed 4-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. For these ADUs and JADUs, existing law authorizes a local agency to impose specified height limitations and total floor area limitations of no more than 800 square feet. Existing law prohibits a local agency from imposing a requirement that an ADU install a fire sprinkler if a sprinkler is not required for the primary residence.

This bill would require a local agency to ministerially approve a building permit application for a combination⁸⁸ of the specified ADUs or JADUs and revise the total area limitation to be based on the square feet of interior livable space. The bill would revise the prohibition on requiring fire sprinkler installation, as described above, to additionally apply to a JADU.

This bill would make other technical and conforming changes to the provisions governing the review and approval of ADUs and JADUs.

By imposing additional duties on local planning officials, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 66311 of the Government Code is amended to read:

66311. It is the intent of the Legislature that an accessory dwelling unit or a junior accessory dwelling unit ordinance adopted by a local agency has the effect of providing for the creation of accessory dwelling units or a junior accessory dwelling unit and that provisions in this ordinance relating to matters including unit size, parking, fees, and other requirements, are not so arbitrary, excessive, or burdensome so as to unreasonably restrict the ability of homeowners to create accessory dwelling units or junior accessory dwelling units in zones in which they are authorized by local ordinance.

SEC. 2. Section 66313 of the Government Code is amended to read:

66313. For purposes of this chapter:

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

(1) An efficiency unit.

(2) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

(b) "Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot.

(c) "Efficiency unit" has the same meaning as defined in Section 17958.1 of the Health and Safety Code.

(d) "Junior accessory dwelling unit" means a unit that is no more than 500 square feet of interior livable space in size and contained entirely within a single-family residence. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.

(e) "Livable space" means a space in a dwelling intended for human habitation, including living, sleeping, eating, cooking, or sanitation.

(f) "Living area" means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

(g) "Local agency" means a city, county, or city and county, whether general law or chartered.

(h) "Nonconforming zoning condition" means a physical improvement on a property that does not conform to current zoning standards.

(i) "Objective standards" means standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.

(j) "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

(k) "Permitting agency" means any entity that is involved in the review of a permit for an accessory dwelling unit or junior accessory dwelling unit and for which there is no substitute, including, but not limited to, applicable planning departments, building departments, utilities, and special districts.

(l) "Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.

(m) "Public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

(n) "Tandem parking" means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

SEC. 3. Section 66317 of the Government Code is amended to read:

66317. (a) (1) A permit application for an accessory dwelling unit shall be considered and approved ministerially without discretionary review or a hearing, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits.

(2) (A) 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.

(B) If the permitting agency determines an application is incomplete, the permitting agency shall provide the applicant with a list of incomplete items and a description of how the application can be made complete. The list and description shall be provided with the written notice required by subparagraph (A).

(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.

(3) 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 if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create or serve an accessory dwelling unit is submitted with a permit application to create a new single-family or multifamily dwelling on the lot, the permitting agency may delay approving or denying the permit application for the accessory dwelling unit until the permitting agency approves or denies the permit application to create the new single-family or multifamily dwelling, but the application to create or serve the accessory dwelling unit shall be considered without discretionary review or hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. If the local agency has not approved or denied the completed application within 60 days, the application shall be deemed approved. A local agency may charge a fee to reimburse it for costs incurred to implement this section, including the costs of adopting or amending any ordinance that provides for the creation of an accessory dwelling unit.

(b) If a permitting agency denies an application for an accessory dwelling unit pursuant to subdivision (a), the permitting agency shall, within the time period described in subdivision (a), return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.

(c) No local ordinance, policy, or regulation, other than an accessory dwelling unit ordinance consistent with this article shall be the basis for the delay or denial of a building permit or a use permit under this section.

(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.

SEC. 4. Section 66320 of the Government Code is amended to read:

66320. When a local agency that has not adopted an ordinance governing accessory dwelling units in accordance with Section 66314 receives an application for a permit to create or serve an accessory dwelling unit pursuant to this article, the local agency shall approve or disapprove the application ministerially without discretionary review pursuant to Section 66317.

SEC. 5. Section 66321 of the Government Code is amended to read:

66321. (a) Subject to subdivision (b), a local agency may establish minimum and maximum unit size requirements for both attached and detached accessory dwelling units.

(b) Notwithstanding subdivision (a), a local agency shall not establish by ordinance any of the following:

(1) A minimum square footage requirement for either an attached or detached accessory dwelling unit that prohibits an efficiency unit.

(2) A maximum square footage requirement for either an attached or detached accessory dwelling unit that is less than either of the following:

(A) Eight hundred fifty square feet of interior livable space.

(B) One thousand square feet of interior livable space for an accessory dwelling unit that provides more than one bedroom.

(3) Any requirement for a zoning clearance or separate zoning review or any other minimum or maximum size for an accessory dwelling unit, size based upon a percentage of the proposed or existing primary dwelling, or limits on lot coverage, floor area ratio, open space, front setbacks, and minimum lot size, for either attached or detached dwellings that does not permit an accessory dwelling unit with at least 800 square feet of interior livable space and with four-foot side and rear yard setbacks to be constructed in compliance with all other local development standards.

(4) Any height limitation that does not allow at least the following, as applicable:

(A) A height of 16 feet for a detached accessory dwelling unit on a lot with an existing or proposed single family or multifamily dwelling unit.

(B) A height of 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 of one mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code. A local agency shall also allow an additional two feet in height to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit.

(C) A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed multifamily, multistory dwelling.

(D) A height of 25 feet or the height limitation in the local zoning ordinance that applies to the primary dwelling, whichever is lower, for an accessory dwelling unit that is attached to a primary dwelling. This subparagraph shall not require a local agency to allow an accessory dwelling unit to exceed two stories.

SEC. 6. Section 66323 of the Government Code is amended to read:

66323. (a) Notwithstanding Sections 66314 to 66322, inclusive, a local agency shall ministerially approve ⁹¹an application for a building permit within a residential or mixed-use zone to create any of the following units, or any combination of the following units:

(1) One accessory dwelling unit and one junior accessory dwelling unit per lot with a proposed or existing single-family dwelling if all of the following apply:

(A) The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.

(B) The space has exterior access from the proposed or existing single-family dwelling.

(C) The side and rear setbacks are sufficient for fire and safety.

(D) The junior accessory dwelling unit complies with the requirements of Article 3 (commencing with Section 66333).

(2) One detached, new construction, accessory dwelling unit that does not exceed four-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. A local agency may impose the following conditions on the accessory dwelling unit:

(A) A total floor area limitation of not more than 800 square feet of livable space.

(B) A height limitation as provided in subparagraph (A), (B), or (C) of paragraph (4) of subdivision (b) of Section 66321, as applicable.

(3) (A) Multiple accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings.

(B) A local agency shall allow at least one accessory dwelling unit within an existing multifamily dwelling and shall allow up to 25 percent of the existing multifamily dwelling units.

(4) (A) (i) Multiple accessory dwelling units, not to exceed the number specified in clause (ii) or (iii), as applicable, that are located on a lot that has an existing or proposed multifamily dwelling, but are detached from that multifamily dwelling and are subject to a height limitation in subparagraph (A), (B), or (C) of paragraph (4) of subdivision (b) of Section 66321, as applicable, and rear yard and side setbacks of no more than four feet.

(ii) On a lot with an existing multifamily dwelling, not more than eight detached accessory dwelling units. However, the number of accessory dwelling units allowable pursuant to this clause shall not exceed the number of existing units on the lot.

(iii) On a lot with a proposed multifamily dwelling, not more than two detached accessory dwelling units.

(B) If the existing multifamily dwelling has a rear or side setback of less than four feet, the local agency shall not require any modification of the existing multifamily dwelling as a condition of approving the application to construct an accessory dwelling unit that satisfies the requirements of this paragraph.

(b) A local agency shall not impose any objective development or design standard that is not authorized by this section upon any unit that meets the requirements of any of paragraphs (1) to (4), inclusive, of subdivision (a).

(c) A local agency shall not require, as a condition for ministerial approval of a permit application for the creation of an accessory dwelling unit or a junior accessory dwelling unit, the correction of nonconforming zoning conditions.

(d) The installation of fire sprinklers shall not be required in an accessory dwelling unit or a junior accessory dwelling unit if sprinklers are not required for the primary residence. The construction of an accessory dwelling unit or a junior accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing multifamily dwelling.

(e) A local agency shall require that a rental of the accessory dwelling unit created pursuant to this section be for a term longer than 30 days. ⁹²

(f) A local agency may require, as part of the application for a permit to create an accessory dwelling unit connected to an onsite wastewater treatment system, a percolation test completed within the last five years, or, if the percolation test has been recertified, within the last 10 years.

SEC. 7. Section 66324 of the Government Code is amended and renumbered to read:

66311.5. (a) Fees charged for the construction of accessory dwelling units or junior accessory dwelling units shall be determined in accordance with Chapter 5 (commencing with Section 66000) and Chapter 7 (commencing with Section 66012).

(b) An accessory dwelling unit or junior accessory dwelling unit shall not be considered by a local agency, special district, or water corporation to be a new residential use for purposes of calculating connection fees or capacity charges for utilities, including water and sewer service, unless the unit was constructed with a new single-family dwelling.

(c) (1) A local agency, special district, or water corporation shall not impose any impact fee upon the development of an accessory dwelling unit that has 750 square feet of interior livable space or less or a junior accessory dwelling unit that has 500 square feet of interior livable space or less. Any impact fees charged for an accessory dwelling unit that has more than 750 square feet of interior livable space shall be charged proportionately in relation to the square footage of the primary dwelling unit.

(2) For purposes of this subdivision, "impact fee" has the same meaning as the term "fee" is defined in subdivision (b) of Section 66000, except that it also includes fees specified in Section 66477. "Impact fee" does not include any connection fee or capacity charge charged by a local agency, special district, or water corporation.

(3) For the purposes of this section and Section 17620 of the Education Code, an accessory dwelling unit or junior accessory dwelling unit that contains less than 500 square feet of interior livable space shall, for the purpose of subparagraph (C) of paragraph (1) of subdivision (a) of Section 17620 of the Education Code, be considered other residential construction that does not increase assessable space by 500 square feet.

(d) For an accessory dwelling unit or a junior accessory dwelling unit described in paragraph (1) of subdivision (a) of Section 66323, a local agency, special district, or water corporation shall not require the applicant to install a new or separate utility connection directly between the unit and the utility or impose a related connection fee or capacity charge, unless the unit was constructed with a new single-family dwelling, or upon separate conveyance of the accessory dwelling unit pursuant to Section 66342.

(e) For an accessory dwelling unit that is not described in paragraph (1) of subdivision (a) of Section 66323, a local agency, special district, or water corporation may require a new or separate utility connection directly between the accessory dwelling unit and the utility. Consistent with Section 66013, the connection may be subject to a connection fee or capacity charge that shall be proportionate to the burden of the proposed accessory dwelling unit, based upon either its square feet or the number of its drainage fixture unit (DFU) values, as defined in the Uniform Plumbing Code adopted and published by the International Association of Plumbing and Mechanical Officials, upon the water or sewer system. This fee or charge shall not exceed the reasonable cost of providing this service.

SEC. 8. Section 66327 of the Government Code is amended and renumbered to read:

66313.5. The department may review, adopt, amend, or repeal guidelines to implement uniform standards or criteria that supplement or clarify the terms, references, and standards set forth in this chapter. The guidelines adopted pursuant to this section are not subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2.

SEC. 9. Section 66332 of the Government Code is amended and renumbered to read:

66311.7. (a) Notwithstanding any other law, and except as otherwise provided in subdivision (b), a local agency shall not deny a permit for an unpermitted accessory dwelling unit or an unpermitted junior accessory dwelling unit that was constructed before January 1, 2020, due to either of the following:

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

(2) The accessory dwelling unit or junior accessory dwelling unit does not comply with this article or Article 3 (commencing with Section 66333), as applicable, or any local ordinance regulating accessory dwelling units or junior accessory dwelling units.

(b) Notwithstanding subdivision (a), a local agency may deny a permit for an accessory dwelling unit or junior accessory dwelling unit subject to subdivision (a) if 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.

(c) This section shall not apply to a building that is deemed substandard pursuant to Section 17920.3 of the Health and Safety Code.

(d) A local agency shall inform the public about the provisions of this section through public information resources, including permit checklists and the local agency's internet website, which shall include both of the following:

(1) A checklist of the conditions specified in Section 17920.3 of the Health and Safety Code that would deem a building substandard.

(2) Informing homeowners that, 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.

(e) A homeowner applying for a permit for a previously unpermitted accessory dwelling unit or junior accessory dwelling unit constructed before January 1, 2020, shall not be required to pay impact fees or connection or capacity charges except when utility infrastructure is required to comply with Section 17920.3 of the Health and Safety Code and when the fee is authorized by subdivision (e) of Section 66311.5.

(f) Subject to subdivision (c), upon receiving an application to permit a previously unpermitted accessory dwelling unit or junior accessory dwelling unit constructed before January 1, 2020, an inspector from the local agency may inspect the unit for compliance with health and safety standards and provide recommendations to comply with health and safety standards necessary to obtain a permit. If the inspector finds noncompliance with health and safety standards, the local agency shall not penalize an applicant for having the unpermitted accessory dwelling unit or junior accessory dwelling unit and shall approve necessary permits to correct noncompliance with health and safety standards.

SEC. 10. Section 66333.5 is added to the Government Code, to read:

66333.5. (a) A local agency shall submit a copy of the ordinance adopted pursuant to Section 66333 to the Department of Housing and Community Development within 60 days after adoption. After adoption of an ordinance, the department may submit written findings to the local agency as to whether the ordinance complies with this article.

(b) (1) If the department finds that the local agency's ordinance does not comply with this article, the department shall notify the local agency and shall provide the local agency with a reasonable time, no longer than 30 days, to respond to the findings before taking any other action authorized by this article.

(2) The local agency shall consider the findings made by the department pursuant to paragraph (1) and shall do one of the following:

(A) Amend the ordinance to comply with this article.

(B) Adopt the ordinance without changes. The local agency shall include findings in its resolution adopting the ordinance that explain the reasons the local agency believes that the ordinance complies with this article despite the findings of the department.

(c) (1) If the local agency does not amend its ordinance in response to the department's findings or does not adopt a resolution with findings explaining the reason the ordinance complies with this article and addressing the department's findings, the department shall notify the local agency and may notify the Attorney General that the local agency is in violation of state law.

(2) Before notifying the Attorney General that the local agency is in violation of state law, the department may consider whether a local agency adopted an ordinance in compliance with this article between January 1, 2017, and January 1, 2020.

(d) If a local agency fails to submit a copy of its ordinance to the department within 60 days of adoption pursuant to this section or fails to respond to the department's findings that the local ordinance does not comply with this article within 30 days pursuant to this section, that ordinance shall be null and void. The local agency shall thereafter apply the standards established in this article for the approval of junior accessory dwelling units, unless and until the agency adopts an ordinance that complies with this article, including, but not limited to, the submittal requirements of this section.

SEC. 11. Section 66335 of the Government Code is amended to read:

66335. (a) (1) An application for a permit pursuant to this article shall, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits, be considered ministerially, without discretionary review or a hearing.

(2) (A) A permitting agency shall determine whether an application to create or serve a junior 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.

(B) If the permitting agency determines an application is incomplete, the permitting agency shall provide the applicant with a list of incomplete items and a description of how the application can be made complete. The list and description shall be provided with the written notice required by subparagraph (A).

(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.

(3) The permitting agency shall either approve or deny the application to create or serve a junior accessory dwelling unit within 60 days from the date the local agency receives a completed application if there is an existing single-family dwelling on the lot.

(4) If the permit application to create or serve a junior accessory dwelling unit is submitted with a permit application to create or serve a new single-family dwelling on the lot, the permitting agency may delay approving or denying the permit application for the junior accessory dwelling unit until the permitting agency approves or denies the permit application to create or serve the new single-family dwelling, but the application to create or serve the junior accessory dwelling unit shall still be considered ministerially without discretionary review or a hearing.

(5) If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay.

(b) If a permitting agency denies an application for a junior accessory dwelling unit pursuant to subdivision (a), the permitting agency shall, within the time period described in subdivision (a), return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.

(c) A local agency may charge a fee to reimburse the local agency for costs incurred in connection with the issuance of a permit pursuant to this article.

(d) No local ordinance, policy, or regulation, other than a junior accessory dwelling unit ordinance consistent with this article, shall be the basis for the delay or denial of a building permit or a use permit under this section.

(e) (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.

SEC. 12. Section 66335.5 is added to the Government Code, to read:

66335.5. When a local agency that has not adopted an ordinance governing junior accessory dwelling units in accordance with Section 66333 receives an application for a permit to create or serve a junior accessory dwelling unit pursuant to this article, the local agency shall approve or disapprove the application ministerially without discretionary review pursuant to Section 66335.

SEC. 13. Section 66339.5 is added to the Government Code, to read:

66339.5. (a) Except as provided in subdivision (b), this article shall supersede a conflicting local ordinance.

(b) This article does not limit the authority of local agencies to adopt less restrictive requirements for the creation of a junior accessory dwelling unit.

SEC. 14. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.



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TITLE 7. PLANNING AND LAND USE [65000 - 66499.58] (*Heading of Title 7 amended by Stats. 1974, Ch. 1536.*)

DIVISION 1. PLANNING AND ZONING [65000 - 66342] (*Heading of Division 1 added by Stats. 1974, Ch. 1536.*)

CHAPTER 13. Accessory Dwelling Units [66310 - 66342] (*Chapter 13 added by Stats. 2024, Ch. 7, Sec. 20.*)

ARTICLE 1. General Provisions [66310 - 66313] (*Article 1 added by Stats. 2024, Ch. 7, Sec. 20.*)

66310. The Legislature finds and declares all of the following:

- (a) Accessory dwelling units are a valuable form of housing in California.
- (b) Accessory dwelling units provide housing for family members, students, the elderly, in-home health care providers, the disabled, and others, at below market prices within existing neighborhoods.
- (c) Homeowners who create accessory dwelling units benefit from added income, and an increased sense of security.
- (d) Allowing accessory dwelling units in single-family or multifamily residential zones provides additional rental housing stock in California.
- (e) California faces a severe housing crisis.
- (f) The state is falling far short of meeting current and future housing demand with serious consequences for the state's economy, our ability to build green infill consistent with state greenhouse gas reduction goals, and the well-being of our citizens, particularly lower and middle-income earners.
- (g) Accessory dwelling units offer lower cost housing to meet the needs of existing and future residents within existing neighborhoods, while respecting architectural character.
- (h) Accessory dwelling units are, therefore, an essential component of California's housing supply.

(*Added by Stats. 2024, Ch. 7, Sec. 20. (SB 477) Effective March 25, 2024.*)

66311. It is the intent of the Legislature that an accessory dwelling unit ordinance adopted by a local agency has the effect of providing for the creation of accessory dwelling units and that provisions in this ordinance relating to matters including unit size, parking, fees, and other requirements, are not so arbitrary, excessive, or burdensome so as to unreasonably restrict the ability of homeowners to create accessory dwelling units in zones in which they are authorized by local ordinance.

(*Added by Stats. 2024, Ch. 7, Sec. 20. (SB 477) Effective March 25, 2024.*)

66312. Notwithstanding Section 65803, this chapter shall also apply to a charter city.

(*Added by Stats. 2024, Ch. 7, Sec. 20. (SB 477) Effective March 25, 2024.*)

66313. For purposes of this chapter:

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

- (1) An efficiency unit.
- (2) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

(b) "Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot.

- (c) "Efficiency unit" has the same meaning as defined in Section 17958.1 of the Health and Safety Code.
- (d) "Junior accessory dwelling unit" means a unit that is no more than 500 square feet in size and contained entirely within a single-family residence. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.
- (e) "Livable space" means a space in a dwelling intended for human habitation, including living, sleeping, eating, cooking, or sanitation.
- (f) "Living area" means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.
- (g) "Local agency" means a city, county, or city and county, whether general law or chartered.
- (h) "Nonconforming zoning condition" means a physical improvement on a property that does not conform to current zoning standards.
- (i) "Objective standards" means standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.
- (j) "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.
- (k) "Permitting agency" means any entity that is involved in the review of a permit for an accessory dwelling unit or junior accessory dwelling unit and for which there is no substitute, including, but not limited to, applicable planning departments, building departments, utilities, and special districts.
- (l) "Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.
- (m) "Public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.
- (n) "Tandem parking" means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

(Amended by Stats. 2024, Ch. 296, Sec. 1. (SB 1211) Effective January 1, 2025.)


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GOVERNMENT CODE - GOV

TITLE 7. PLANNING AND LAND USE [65000 - 66499.58] (*Heading of Title 7 amended by Stats. 1974, Ch. 1536.*)

DIVISION 1. PLANNING AND ZONING [65000 - 66342] (*Heading of Division 1 added by Stats. 1974, Ch. 1536.*)

CHAPTER 13. Accessory Dwelling Units [66310 - 66342] (*Chapter 13 added by Stats. 2024, Ch. 7, Sec. 20.*)

ARTICLE 2. Accessory Dwelling Unit Approvals [66314 - 66332] (*Article 2 added by Stats. 2024, Ch. 7, Sec. 20.*)

[66314.](#) A local agency may, by ordinance, provide for the creation of accessory dwelling units in areas zoned to allow single-family or multifamily dwelling residential use. The ordinance shall do all of the following:

(a) Designate areas within the jurisdiction of the local agency where accessory dwelling units may be permitted. The designation of areas may be based on the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety. A local agency that does not provide water or sewer services shall consult with the local water or sewer service provider regarding the adequacy of water and sewer services before designating an area where accessory dwelling units may be permitted.

(b) (1) Impose objective standards on accessory dwelling units that include, but are not limited to, parking, height, setback, landscape, architectural review, maximum size of a unit, and standards that prevent adverse impacts on any real property that is listed in the California Register of Historical Resources. These standards shall not include requirements on minimum lot size.

(2) Notwithstanding paragraph (1), a local agency may reduce or eliminate parking requirements for any accessory dwelling unit located within its jurisdiction.

(c) Provide that accessory dwelling units do not exceed the allowable density for the lot upon which the accessory dwelling unit is located, and that accessory dwelling units are a residential use that is consistent with the existing general plan and zoning designation for the lot.

(d) Require the accessory dwelling units to comply with all of the following:

(1) Except as provided in Article 4 (commencing with Section 66340), the accessory dwelling unit may be rented separate from the primary residence, but shall not be sold or otherwise conveyed separate from the primary residence.

(2) The lot is zoned to allow single-family or multifamily dwelling residential use and includes a proposed or existing dwelling.

(3) The accessory dwelling unit is either attached to, or located within, the proposed or existing primary dwelling, including attached garages, storage areas or similar uses, or an accessory structure or detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling, including detached garages.

(4) If there is an existing primary dwelling, the total floor area of an attached accessory dwelling unit shall not exceed 50 percent of the existing primary dwelling.

(5) The total floor area for a detached accessory dwelling unit shall not exceed 1,200 square feet.

(6) No passageway shall be required in conjunction with the construction of an accessory dwelling unit.

(7) 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 new¹⁰⁰ structure constructed in the same location and to the same dimensions as an existing structure.

(8) Local building code requirements that apply to detached dwellings, except that the construction of an accessory dwelling unit shall not constitute a Group R occupancy change under the local building code, as described in Section 310 of the California Building Code (Title 24 of the California Code of Regulations), unless the building official or enforcement agency of the local agency makes a written finding based on substantial evidence in the record that the construction of the accessory dwelling unit could have a specific, adverse impact on public health and safety. Nothing in this paragraph shall be interpreted to prevent a local agency from changing the occupancy code of a space that was uninhabitable space or was only permitted for nonresidential use and was subsequently converted for residential use pursuant to this article.

(9) Approval by the local health officer where a private sewage disposal system is being used, if required.

(10) (A) Parking requirements for accessory dwelling units shall not exceed one parking space per accessory dwelling unit or per bedroom, whichever is less. These spaces may be provided as tandem parking on a driveway.

(B) Offstreet parking shall be permitted in setback areas in locations determined by the local agency or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions.

(C) This subparagraph shall not apply to an accessory dwelling unit that is described in Section 66322.

(11) When a garage, carport, covered parking structure, or uncovered parking space is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, the local agency shall not require that those offstreet parking spaces be replaced.

(12) Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence. The construction of an accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.

(e) Require that a demolition permit for a detached garage that is to be replaced with an accessory dwelling unit be reviewed with the application for the accessory dwelling unit and issued at the same time.

(f) An accessory dwelling unit ordinance shall not require, and the applicant shall not be otherwise required, to provide written notice or post a placard for the demolition of a detached garage that is to be replaced with an accessory dwelling unit, unless the property is located within an architecturally and historically significant historic district.

(Amended by Stats. 2024, Ch. 296, Sec. 2. (SB 1211) Effective January 1, 2025.)

66315. Section 66314 establishes the maximum standards that a local agency shall use to evaluate a proposed accessory dwelling unit on a lot that includes a proposed or existing single-family dwelling. No additional standards, other than those provided in Section 66314, shall be used or imposed, including an owner-occupant requirement, except that a local agency may require that the property may be used for rentals of terms 30 days or longer.

(Added by Stats. 2024, Ch. 7, Sec. 20. (SB 477) Effective March 25, 2024.)

66316. An existing accessory dwelling unit ordinance governing the creation of an accessory dwelling unit by a local agency or an accessory dwelling ordinance adopted by a local agency shall provide an approval process that includes only ministerial provisions for the approval of accessory dwelling units and shall not include any discretionary processes, provisions, or requirements for those units, except as otherwise provided in this article. If a local agency has an existing accessory dwelling unit ordinance that fails to meet the requirements of this article, that ordinance shall be null and void and that agency shall thereafter apply the standards established in this article for the approval of accessory dwelling units, unless and until the agency adopts an ordinance that complies with this article.

(Added by Stats. 2024, Ch. 7, Sec. 20. (SB 477) Effective March 25, 2024.)

66317. (a) A permit application for an accessory dwelling unit or a junior accessory dwelling unit shall be considered and approved ministerially without discretionary review or a hearing, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits. The permitting agency shall either approve or deny the application to create or serve an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the permitting agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create or serve an accessory dwelling unit or a

junior accessory dwelling unit is submitted with a permit application to create a new single-family or multifamily dwelling on the lot, the permitting agency may delay approving or denying the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency approves or denies the permit application to create the new single-family or multifamily dwelling, but the application to create or serve the accessory dwelling unit or junior accessory dwelling unit shall be considered without discretionary review or hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. If the local agency has not approved or denied the completed application within 60 days, the application shall be deemed approved. A local agency may charge a fee to reimburse it for costs incurred to implement this section, including the costs of adopting or amending any ordinance that provides for the creation of an accessory dwelling unit.

(b) If a permitting agency denies an application for an accessory dwelling unit or junior accessory dwelling unit pursuant to subdivision (a), the permitting agency shall, within the time period described in subdivision (a), return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.

(c) No local ordinance, policy, or regulation, other than an accessory dwelling unit ordinance consistent with this article shall be the basis for the delay or denial of a building permit or a use permit under this section.

(Added by Stats. 2024, Ch. 7, Sec. 20. (SB 477) Effective March 25, 2024.)

66318. (a) A local agency may amend its zoning ordinance or general plan to incorporate the policies, procedures, or other provisions applicable to the creation of an accessory dwelling unit if these provisions are consistent with the limitations of this article.

(b) An accessory dwelling unit ordinance shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(Added by Stats. 2024, Ch. 7, Sec. 20. (SB 477) Effective March 25, 2024.)

66319. An accessory dwelling unit that conforms to Section 66314 shall be deemed to be an accessory use or an accessory building and shall not be considered to exceed the allowable density for the lot upon which it is located, and shall be deemed to be a residential use that is consistent with the existing general plan and zoning designations for the lot. The accessory dwelling unit shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(Added by Stats. 2024, Ch. 7, Sec. 20. (SB 477) Effective March 25, 2024.)

66320. (a) When a local agency that has not adopted an ordinance governing accessory dwelling units in accordance with Section 66314 receives an application for a permit to create or serve an accessory dwelling unit pursuant to this article, the local agency shall approve or disapprove the application ministerially without discretionary review pursuant to Section 66317. The permitting agency shall either approve or deny the application to create or serve an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the permitting agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create or serve an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create or serve a new single-family or multifamily dwelling on the lot, the permitting agency may delay approving or denying the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency approves or denies the permit application to create or serve the new single-family or multifamily dwelling, but the application to create or serve the accessory dwelling unit or junior accessory dwelling unit shall still be considered ministerially without discretionary review or a hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. If the local agency has not approved or denied the completed application within 60 days, the application shall be deemed approved.

(b) If a permitting agency denies an application for an accessory dwelling unit or junior accessory dwelling unit pursuant to subdivision (a), the permitting agency shall, within the time period described in subdivision (a), return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.

(Added by Stats. 2024, Ch. 7, Sec. 20. (SB 477) Effective March 25, 2024.)

66321. (a) Subject to subdivision (b), a local agency may establish minimum and maximum unit size requirements for both attached and detached accessory dwelling units.

(b) Notwithstanding subdivision (a), a local agency shall not establish by ordinance any of the following:

- (1) A minimum square footage requirement for either an attached or detached accessory dwelling unit that prohibits an efficiency unit.

(2) A maximum square footage requirement for either an attached or detached accessory dwelling unit that is less than either of the following:

(A) Eight hundred fifty square feet.

(B) One thousand square feet for an accessory dwelling unit that provides more than one bedroom.

(3) Any requirement for a zoning clearance or separate zoning review or any other minimum or maximum size for an accessory dwelling unit, size based upon a percentage of the proposed or existing primary dwelling, or limits on lot coverage, floor area ratio, open space, front setbacks, and minimum lot size, for either attached or detached dwellings that does not permit at least an 800 square foot accessory dwelling unit with four-foot side and rear yard setbacks to be constructed in compliance with all other local development standards.

(4) Any height limitation that does not allow at least the following, as applicable:

(A) A height of 16 feet for a detached accessory dwelling unit on a lot with an existing or proposed single family or multifamily dwelling unit.

(B) A height of 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 of one mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code. A local agency shall also allow an additional two feet in height to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit.

(C) A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed multifamily, multistory dwelling.

(D) A height of 25 feet or the height limitation in the local zoning ordinance that applies to the primary dwelling, whichever is lower, for an accessory dwelling unit that is attached to a primary dwelling. This subparagraph shall not require a local agency to allow an accessory dwelling unit to exceed two stories.

(Added by Stats. 2024, Ch. 7, Sec. 20. (SB 477) Effective March 25, 2024.)

66322. Notwithstanding any other law, and whether or not the local agency has adopted an ordinance governing accessory dwelling units in accordance with Section 66314, all of the following shall apply:

(a) A local agency shall not impose any parking standards for an accessory dwelling unit in any of the following instances:

(1) Where the accessory dwelling unit is located within one-half of one mile walking distance of public transit.

(2) Where the accessory dwelling unit is located within an architecturally and historically significant historic district.

(3) Where the accessory dwelling unit is part of the proposed or existing primary residence or an accessory structure.

(4) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.

(5) When there is a car share vehicle located within one block of the accessory dwelling unit.

(6) When a permit application for an accessory dwelling unit is submitted with a permit application to create a new single-family dwelling or a new multifamily dwelling on the same lot, provided that the accessory dwelling unit or the parcel satisfies any other criteria listed in this subdivision.

(b) The local agency shall not deny an application for a permit to create an accessory dwelling unit due to the correction of 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 accessory dwelling unit.

(Added by Stats. 2024, Ch. 7, Sec. 20. (SB 477) Effective March 25, 2024.)

66323. (a) Notwithstanding Sections 66314 to 66322, inclusive, a local agency shall ministerially approve an application for a building permit within a residential or mixed-use zone to create any of the following:

(1) One accessory dwelling unit and one junior accessory dwelling unit per lot with a proposed or existing single-family dwelling if all of the following apply:

(A) The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.

(B) The space has exterior access from the proposed or existing single-family dwelling.

(C) The side and rear setbacks are sufficient for fire and safety.

(D) The junior accessory dwelling unit complies with the requirements of Article 3 (commencing with Section 66333).

(2) One detached, new construction, accessory dwelling unit that does not exceed four-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. The accessory dwelling unit may be combined with a junior accessory dwelling unit described in paragraph (1). A local agency may impose the following conditions on the accessory dwelling unit:

(A) A total floor area limitation of not more than 800 square feet.

(B) A height limitation as provided in subparagraph (A), (B), or (C) of paragraph (4) of subdivision (b) of Section 66321, as applicable.

(3) (A) Multiple accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings.

(B) A local agency shall allow at least one accessory dwelling unit within an existing multifamily dwelling and shall allow up to 25 percent of the existing multifamily dwelling units.

(4) (A) (i) Multiple accessory dwelling units, not to exceed the number specified in clause (ii) or (iii), as applicable, that are located on a lot that has an existing or proposed multifamily dwelling, but are detached from that multifamily dwelling and are subject to a height limitation in subparagraph (A), (B), or (C) of paragraph (4) of subdivision (b) of Section 66321, as applicable, and rear yard and side setbacks of no more than four feet.

(ii) On a lot with an existing multifamily dwelling, not more than eight detached accessory dwelling units. However, the number of accessory dwelling units allowable pursuant to this clause shall not exceed the number of existing units on the lot.

(iii) On a lot with a proposed multifamily dwelling, not more than two detached accessory dwelling units.

(B) If the existing multifamily dwelling has a rear or side setback of less than four feet, the local agency shall not require any modification of the existing multifamily dwelling as a condition of approving the application to construct an accessory dwelling unit that satisfies the requirements of this paragraph.

(b) 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 requirements of any of paragraphs (1) to (4), inclusive, of subdivision (a).

(c) A local agency shall not require, as a condition for ministerial approval of a permit application for the creation of an accessory dwelling unit or a junior accessory dwelling unit, the correction of nonconforming zoning conditions.

(d) The installation of fire sprinklers shall not be required in an accessory dwelling unit if sprinklers are not required for the primary residence. The construction of an accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing multifamily dwelling.

(e) A local agency shall require that a rental of the accessory dwelling unit created pursuant to this section be for a term longer than 30 days.

(f) A local agency may require, as part of the application for a permit to create an accessory dwelling unit connected to an onsite wastewater treatment system, a percolation test completed within the last five years, or, if the percolation test has been recertified, within the last 10 years.

(Amended by Stats. 2025, Ch. 22, Sec. 27. (AB 130) Effective June 30, 2025.)

66324. (a) Fees charged for the construction of accessory dwelling units shall be determined in accordance with Chapter 5 (commencing with Section 66000) and Chapter 7 (commencing with Section 66012).

(b) An accessory dwelling unit shall not be considered by a local agency, special district, or water corporation to be a new residential use for purposes of calculating connection fees or capacity charges for utilities, including water and sewer service, unless the accessory dwelling unit was constructed with a new single-family dwelling.

(c) (1) A local agency, special district, or water corporation shall not impose any impact fee upon the development of an accessory dwelling unit less than 750 square feet. Any impact fees charged for an accessory dwelling unit of 750 square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling unit.

(2) For purposes of this subdivision, "impact fee" has the same meaning as the term "fee" is defined in subdivision (b) of Section 66000, except that it also includes fees specified in Section 66477. "Impact fee" does not include any connection fee or capacity charge charged by a local agency, special district, or water corporation.

(d) For an accessory dwelling unit described in paragraph (1) of subdivision (a) of Section 66323, a local agency, special district, or water corporation shall not require the applicant to install a new or separate utility connection directly between the accessory dwelling unit and the utility or impose a related connection fee or capacity charge, unless the accessory dwelling unit was constructed with a new single-family dwelling, or upon separate conveyance of the accessory dwelling unit pursuant to Section 66342.

(e) For an accessory dwelling unit that is not described in paragraph (1) of subdivision (a) of Section 66323, a local agency, special district, or water corporation may require a new or separate utility connection directly between the accessory dwelling unit and the utility. Consistent with Section 66013, the connection may be subject to a connection fee or capacity charge that shall be proportionate to the burden of the proposed accessory dwelling unit, based upon either its square feet or the number of its drainage fixture unit (DFU) values, as defined in the Uniform Plumbing Code adopted and published by the International Association of Plumbing and Mechanical Officials, upon the water or sewer system. This fee or charge shall not exceed the reasonable cost of providing this service.

(Added by Stats. 2024, Ch. 7, Sec. 20. (SB 477) Effective March 25, 2024.)

66325. (a) Except as provided in subdivision (b), this article shall supersede a conflicting local ordinance.

(b) This article does not limit the authority of local agencies to adopt less restrictive requirements for the creation of an accessory dwelling unit.

(Added by Stats. 2024, Ch. 7, Sec. 20. (SB 477) Effective March 25, 2024.)

66326. (a) A local agency shall submit a copy of the ordinance adopted pursuant to Section 66314 to the Department of Housing and Community Development within 60 days after adoption. After adoption of an ordinance, the department may submit written findings to the local agency as to whether the ordinance complies with this article.

(b) (1) If the department finds that the local agency's ordinance does not comply with this article, the department shall notify the local agency and shall provide the local agency with a reasonable time, no longer than 30 days, to respond to the findings before taking any other action authorized by this article.

(2) The local agency shall consider the findings made by the department pursuant to paragraph (1) and shall do one of the following:

(A) Amend the ordinance to comply with this article.

(B) Adopt the ordinance without changes. The local agency shall include findings in its resolution adopting the ordinance that explain the reasons the local agency believes that the ordinance complies with this article despite the findings of the department.

(c) (1) If the local agency does not amend its ordinance in response to the department's findings or does not adopt a resolution with findings explaining the reason the ordinance complies with this article and addressing the department's findings, the department shall notify the local agency and may notify the Attorney General that the local agency is in violation of state law.

(2) Before notifying the Attorney General that the local agency is in violation of state law, the department may consider whether a local agency adopted an ordinance in compliance with this article between January 1, 2017, and January 1, 2020.

(Added by Stats. 2024, Ch. 7, Sec. 20. (SB 477) Effective March 25, 2024.)

66327. The department may review, adopt, amend, or repeal guidelines to implement uniform standards or criteria that supplement or clarify the terms, references, and standards set forth in this article. The guidelines adopted pursuant to this section are not subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2.

(Added by Stats. 2024, Ch. 7, Sec. 20. (SB 477) Effective March 25, 2024.)

66328. A local agency shall not issue a certificate of occupancy for an accessory dwelling unit before the local agency issues a certificate of occupancy for the primary dwelling.

(Added by Stats. 2024, Ch. 7, Sec. 20. (SB 477) Effective March 25, 2024.)

66329. Nothing in this article shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local government shall not be required to hold public hearings for coastal development permit applications for accessory dwelling units.

(Added by Stats. 2024, Ch. 7, Sec. 20. (SB 477) Effective March 25, 2024.)

66330. A local agency may count an accessory dwelling unit for purposes of identifying adequate sites for housing, as specified in subdivision (a) of Section 65583.1, subject to authorization by the department and compliance with this division.

(Added by Stats. 2024, Ch. 7, Sec. 20. (SB 477) Effective March 25, 2024.)

66331. In enforcing building standards pursuant to Article 1 (commencing with Section 17960) of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code for an accessory dwelling unit described in subdivision (a) or (b), a local agency, upon request of an owner of an accessory dwelling unit for a delay in enforcement, shall delay enforcement of a building standard, subject to compliance with Section 17980.12 of the Health and Safety Code:

(a) The accessory dwelling unit was built before January 1, 2020.

(b) The accessory dwelling unit was built on or after January 1, 2020, in a local jurisdiction that, at the time the accessory dwelling unit was built, had a noncompliant accessory dwelling unit ordinance, but the ordinance is compliant at the time the request is made.

(Added by Stats. 2024, Ch. 7, Sec. 20. (SB 477) Effective March 25, 2024.)

66332. (a) Notwithstanding any other law, and except as otherwise provided in subdivision (b), a local agency shall not deny a permit for an unpermitted accessory dwelling unit or unpermitted junior accessory dwelling unit that was constructed before January 1, 2020, due to either of the following:

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

(2) The accessory dwelling unit or junior accessory dwelling unit does not comply with this article or Article 3 (commencing with Section 66333), as applicable, or any local ordinance regulating accessory dwelling units or junior accessory dwelling units.

(b) Notwithstanding subdivision (a), a local agency may deny a permit for an accessory dwelling unit or junior accessory dwelling unit subject to subdivision (a) if 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.

(c) This section shall not apply to a building that is deemed substandard pursuant to Section 17920.3 of the Health and Safety Code.

(d) A local agency shall inform the public about the provisions of this section through public information resources, including permit checklists and the local agency's internet website, which shall include both of the following:

(1) A checklist of the conditions specified in Section 17920.3 of the Health and Safety Code that would deem a building substandard.

(2) Informing homeowners that, 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.

(e) A homeowner applying for a permit for a previously unpermitted accessory dwelling unit or junior accessory dwelling unit constructed before January 1, 2020, shall not be required to pay impact fees or connection or capacity charges except when utility infrastructure is required to comply with Section 17920.3 of the Health and Safety Code and when the fee is authorized by subdivision (e) of Section 66324.

(f) Subject to subdivision (c), upon receiving an application to permit a previously unpermitted accessory dwelling unit or junior accessory dwelling unit constructed before January 1, 2020, an inspector from the local agency may inspect the unit for compliance with health and safety standards and provide recommendations to comply with health and safety standards necessary to obtain a permit. If the inspector finds noncompliance with health and safety standards, the local agency shall not penalize an applicant for having the unpermitted accessory dwelling unit or junior accessory dwelling unit and shall approve necessary permits to correct noncompliance with health and safety standards.

(Amended by Stats. 2024, Ch. 834, Sec. 1. (AB 2533) Effective January 1, 2025.)



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GOVERNMENT CODE - GOV

TITLE 7. PLANNING AND LAND USE [65000 - 66499.58] (*Heading of Title 7 amended by Stats. 1974, Ch. 1536.*)

DIVISION 1. PLANNING AND ZONING [65000 - 66342] (*Heading of Division 1 added by Stats. 1974, Ch. 1536.*)

CHAPTER 13. Accessory Dwelling Units [66310 - 66342] (*Chapter 13 added by Stats. 2024, Ch. 7, Sec. 20.*)

ARTICLE 3. Junior Accessory Dwelling Units [66333 - 66339] (*Article 3 added by Stats. 2024, Ch. 7, Sec. 20.*)

66333. Notwithstanding Article 2 (commencing with Section 66314), a local agency may, by ordinance, provide for the creation of junior accessory dwelling units in single-family residential zones. The ordinance may require a permit to be obtained for the creation of a junior accessory dwelling unit, and shall do all of the following:

(a) Limit the number of junior accessory dwelling units to one per residential lot zoned for single-family residences with a single-family residence built, or proposed to be built, on the lot.

(b) Require owner-occupancy in the single family residence in which the junior accessory dwelling unit will be permitted. The owner may reside in either the remaining portion of the structure or the newly created junior accessory dwelling unit. Owner-occupancy shall not be required if the owner is another governmental agency, land trust, or housing organization.

(c) Require the recordation of a deed restriction, which shall run with the land, shall be filed with the permitting agency, and shall include both of the following:

(1) 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.

(2) A restriction on the size and attributes of the junior accessory dwelling unit that conforms with this article.

(d) Require a permitted junior accessory dwelling unit to be constructed within the walls of the proposed or existing single-family residence. For purposes of this subdivision, enclosed uses within the residence, such as attached garages, are considered a part of the proposed or existing single-family residence.

(e) (1) Require a permitted junior accessory dwelling unit to include a separate entrance from the main entrance to the proposed or existing single-family residence.

(2) If a permitted junior accessory dwelling unit does not include a separate bathroom, the permitted 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.

(f) Require the permitted junior accessory dwelling unit to include an efficiency kitchen, which shall include all of the following:

(1) A cooking facility with appliances.

(2) A food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.

(*Added by Stats. 2024, Ch. 7, Sec. 20. (SB 477) Effective March 25, 2024.*)

66334. (a) A junior accessory dwelling unit ordinance adopted pursuant to Section 66333 shall not require additional parking as a condition to grant a permit.

(b) This article shall not be interpreted to prohibit the requirement of an inspection, including the imposition of a fee for that inspection, to determine if the junior accessory dwelling unit complies with applicable building standards.

(Added by Stats. 2024, Ch. 7, Sec. 20. (SB 477) Effective March 25, 2024.)

66335. (a) (1) An application for a permit pursuant to this article shall, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits, be considered ministerially, without discretionary review or a hearing.

(2) The permitting agency shall either approve or deny the application to create or serve a junior accessory dwelling unit within 60 days from the date the local agency receives a completed application if there is an existing single-family dwelling on the lot.

(3) If the permit application to create or serve a junior accessory dwelling unit is submitted with a permit application to create or serve a new single-family dwelling on the lot, the permitting agency may delay approving or denying the permit application for the junior accessory dwelling unit until the permitting agency approves or denies the permit application to create or serve the new single-family dwelling, but the application to create or serve the junior accessory dwelling unit shall still be considered ministerially without discretionary review or a hearing.

(4) If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay.

(b) If a permitting agency denies an application for a junior accessory dwelling unit pursuant to subdivision (a), the permitting agency shall, within the time period described in subdivision (a), return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.

(c) A local agency may charge a fee to reimburse the local agency for costs incurred in connection with the issuance of a permit pursuant to this article.

(Added by Stats. 2024, Ch. 7, Sec. 20. (SB 477) Effective March 25, 2024.)

66336. A local agency shall not deny an application for a permit to create a junior accessory dwelling unit pursuant to this article due to the correction of nonconforming zoning conditions, building code violations, or unpermitted structures that do not present a threat to public health and safety and that are not affected by the construction of the junior accessory dwelling unit.

(Added by Stats. 2024, Ch. 7, Sec. 20. (SB 477) Effective March 25, 2024.)

66337. (a) For purposes of any fire or life protection ordinance or regulation, a junior accessory dwelling unit shall not be considered a separate or new dwelling unit.

(b) This article shall not be construed to prohibit a city, county, city and county, or other local public entity from adopting an ordinance or regulation relating to fire and life protection requirements within a single-family residence that contains a junior accessory dwelling unit so long as the ordinance or regulation applies uniformly to all single-family residences within the zone regardless of whether the single-family residence includes a junior accessory dwelling unit or not.

(Added by Stats. 2024, Ch. 7, Sec. 20. (SB 477) Effective March 25, 2024.)

66338. (a) For purposes of providing service for water, sewer, or power, including a connection fee, a junior accessory dwelling unit shall not be considered a separate or new dwelling unit.

(b) This section shall not be construed to prohibit a local agency from adopting an ordinance or regulation related to a service or a connection fee for water, sewer, or power, that applies to a single-family residence that contains a junior accessory dwelling unit, so long as that ordinance or regulation applies uniformly to all single-family residences regardless of whether the single-family residence includes a junior accessory dwelling unit.

(Added by Stats. 2024, Ch. 7, Sec. 20. (SB 477) Effective March 25, 2024.)

66339. If a local agency has not adopted a local ordinance pursuant to this article, the local agency shall ministerially approve a permit to construct a junior accessory dwelling unit that satisfies the requirements set forth in paragraph (1) of subdivision (a) of Section 66323 and the requirements of this article.

(Added by Stats. 2024, Ch. 7, Sec. 20. (SB 477) Effective March 25, 2024.)



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GOVERNMENT CODE - GOV

TITLE 7. PLANNING AND LAND USE [65000 - 66499.58] (*Heading of Title 7 amended by Stats. 1974, Ch. 1536.*)

DIVISION 1. PLANNING AND ZONING [65000 - 66342] (*Heading of Division 1 added by Stats. 1974, Ch. 1536.*)

CHAPTER 13. Accessory Dwelling Units [66310 - 66342] (*Chapter 13 added by Stats. 2024, Ch. 7, Sec. 20.*)

ARTICLE 4. Accessory Dwelling Unit Sales [66340 - 66342] (*Article 4 added by Stats. 2024, Ch. 7, Sec. 20.*)

66340. For purposes of this article:

(a) "Qualified buyer" means persons and families of low or moderate income, as that term is defined in Section 50093 of the Health and Safety Code.

(b) "Qualified nonprofit corporation" means a nonprofit corporation organized pursuant to Section 501(c)(3) of the Internal Revenue Code that has received a welfare exemption under Section 214.15 of the Revenue and Taxation Code for properties intended to be sold to low-income families who participate in a special no-interest loan program. (Added by Stats. 2024, Ch. 7, Sec. 20. (SB 477) Effective March 25, 2024.)

66341. A local agency shall allow an accessory dwelling unit to be sold or conveyed separately from the primary residence to a qualified buyer if all of the following apply:

(a) The accessory dwelling unit or the primary dwelling was built or developed by a qualified nonprofit corporation.

(b) There is an enforceable restriction on the use of the land pursuant to a recorded contract between the qualified buyer and the qualified nonprofit corporation that satisfies all of the requirements specified in paragraph (10) of subdivision (a) of Section 402.1 of the Revenue and Taxation Code.

(c) The property is held pursuant to a recorded tenancy in common agreement that includes all of the following:

(1) The agreement allocates to each qualified buyer an undivided, unequal interest in the property based on the size of the dwelling that each qualified buyer occupies.

(2) A repurchase option that requires the qualified buyer to first offer the qualified nonprofit corporation to buy the accessory dwelling unit or primary dwelling if the buyer desires to sell or convey the property.

(3) A requirement that the qualified buyer occupy the accessory dwelling unit or primary dwelling as the buyer's principal residence.

(4) Affordability restrictions on the sale and conveyance of the accessory dwelling unit or primary dwelling that ensure the accessory dwelling unit and primary dwelling will be preserved for low-income housing for 45 years for owner-occupied housing units and will be sold or resold to a qualified buyer.

(5) If the tenancy in common agreement is recorded after December 31, 2021, it shall also include all of the following:

(A) Delineation of all areas of the property that are for the exclusive use of a cotenant. Each cotenant shall agree not to claim a right of occupancy to an area delineated for the exclusive use of another cotenant, provided that the latter cotenant's obligations to each of the other cotenants have been satisfied.

(B) Delineation of each cotenant's responsibility for the costs of taxes, insurance, utilities, general maintenance and repair, improvements, and any other costs, obligations, or liabilities associated with the property. This delineation shall only be binding on the parties to the agreement, and shall not supersede or obviate the

liability, whether joint and several or otherwise, of the parties for any cost, obligation, or liability associated with the property where such liability is otherwise established by law or by agreement with a third party.

(C) Procedures for dispute resolution among the parties before resorting to legal action.

(d) A grant deed naming the grantor, grantee, and describing the property interests being transferred shall be recorded in the county in which the property is located. A Preliminary Change of Ownership Report shall be filed concurrently with this grant deed pursuant to Section 480.3 of the Revenue and Taxation Code.

(e) Notwithstanding Section 66324, if requested by a utility providing service to the primary residence, the accessory dwelling unit has a separate water, sewer, or electrical connection to that utility.

(f) Nothing in this section limits the ability of an accessory dwelling unit to be sold or otherwise conveyed separate from the primary residence as a condominium pursuant to an ordinance adopted under Section 66342.

(Added by Stats. 2024, Ch. 7, Sec. 20. (SB 477) Effective March 25, 2024.)

66342. In addition to the requirement that a local agency allow the separate sale or conveyance of an accessory dwelling unit pursuant to Section 66341, a local agency may also adopt a local ordinance to allow the separate conveyance of the primary dwelling unit and accessory dwelling unit or units as condominiums. Any such ordinance shall include all of the following requirements:

(a) The condominiums shall be created pursuant to the Davis-Stirling Common Interest Development Act (Part 5 commencing with Section 4000) of Division 4 of the Civil Code).

(b) The condominiums shall be created in conformance with all applicable objective requirements of the Subdivision Map Act (Division 2 commencing with Section 66410)) and all objective requirements of a local subdivision ordinance.

(c) Before recordation of the condominium plan, a safety inspection of the accessory dwelling unit shall be conducted as evidenced either through a certificate of occupancy from the local agency or a housing quality standards report from a building inspector certified by the United States Department of Housing and Urban Development.

(d) (1) Neither a subdivision map nor a condominium plan shall be recorded with the county recorder in the county where the real property is located without each lienholder's consent. The following shall apply to the consent of a lienholder:

(A) A lienholder may refuse to give consent.

(B) A lienholder may consent provided that any terms and conditions required by the lienholder are satisfied.

(2) Prior to recordation of the initial or any subsequent modifications to the condominium plan, written evidence of the lienholder's consent shall be provided to the county recorder along with a signed statement from each lienholder that states as follows:

"(Name of lienholder) hereby consents to the recording of this condominium plan in their sole and absolute discretion and the borrower has or will satisfy any additional terms and conditions the lienholder may have."

(3) The lienholder's consent shall be included on the condominium plan or a separate form attached to the condominium plan that includes the following information:

(A) The lienholder's signature.

(B) The name of the record owner or ground lessee.

(C) The legal description of the real property.

(D) The identities of all parties with an interest in the real property as reflected in the real property records.

(E) The lienholder's consent shall be recorded in the office of the county recorder of the county in which the real property is located.

(e) The local agency shall include the following notice to consumers on any accessory dwelling or junior accessory dwelling unit submittal checklist or public information issued describing requirements and permitting for accessory dwelling units, including as standard condition of any accessory dwelling unit building permit or condominium plan approval:

"NOTICE: If you are considering establishing your primary dwelling unit and accessory dwelling unit as a condominium, please ensure that your building permitting agency allows this practice. If you decide to establish your primary dwelling unit and accessory dwelling unit as a condominium, your condominium plan or any future modifications to the condominium plan must be recorded with the County Recorder. Prior to recordation or modification of your subdivision map and condominium plan, any lienholder with a lien on your title must provide a form of written consent either on the condominium plan, or on the lienholder's consent form attached to the condominium plan, with text that clearly states that the lender approves recordation of the condominium plan and that you have satisfied their terms and conditions, if any.

In order to secure lender consent, you may be required to follow additional lender requirements, which may include, but are not limited to, one or more of the following:

(a) Paying off your current lender.

You may pay off your mortgage and any liens through a refinance or a new loan. Be aware that refinancing or using a new loan may result in changes to your interest rate or tax basis. Also, be aware that any subsequent modification to your subdivision map or condominium plan must also be consented to by your lender, which consent may be denied.

(b) Securing your lender's approval of a modification to their loan collateral due to the change of your current property legal description into one or more condominium parcels.

(c) Securing your lender's consent to the details of any construction loan or ground lease.

This may include a copy of the improvement contract entered in good faith with a licensed contractor, evidence that the record owner or ground lessee has the funds to complete the work, and a signed statement made by the record owner or ground lessor that the information in the consent above is true and correct."

(f) If an accessory dwelling unit is established as a condominium, the local government shall require the homeowner to notify providers of utilities, including water, sewer, gas, and electricity, of the condominium creation and separate conveyance.

(g) (1) The owner of a property or a separate interest within an existing planned development that has an existing association, as defined in Section 4080 of the Civil Code, shall not record a condominium plan to create a common interest development under Section 4100 of the Civil Code without the express written authorization by the existing association.

(2) For purposes of this subdivision, written authorization by the existing association means approval by the board at a duly noticed board meeting, as defined in Section 4090 of the Civil Code, and if needed pursuant to the existing association's governing documents, membership approval of the existing association.

(h) An accessory dwelling unit shall be sold or otherwise conveyed separate from the primary residence only under the conditions outlined in this paragraph or pursuant to this article.

(Added by Stats. 2024, Ch. 7, Sec. 20. (SB 477) Effective March 25, 2024.)



NOTICE OF EXEMPTION (NOE)

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

From: City of Oxnard
Community Development Department
214 South C Street
Oxnard, CA 93030

To: Ventura County Clerk-Recorder &
Registrar of Voters
Hall of Administration, Main Plaza
800 South Victoria Avenue,
Ventura, CA 93009-1260

Project Title: Zone Text Amendment and Accessory Dwelling Unit Ordinance

Project Applicant: City of Oxnard

Project Location - Specific: Citywide

Description of Nature, Purpose and Beneficiaries of Project: The project includes amendments to the City's zoning code (Chapter 16) related to accessory dwelling units (ADU) that reflect compliance with changes to California State ADU law, along with other minor zoning code updates to the definitions and process procedures to streamline single-family residential development. Filed by the City of Oxnard Community Development Department, Planning and Environmental Services Division - 214 South C Street, Oxnard, CA 93030.

Name of Public Agency Approving Project (Lead Agency): City of Oxnard, Community Development Department

Name of Person or Agency Carrying Out Project (Applicant): Jamie Peltier, Planning Supervisor, Community Development Department, City of Oxnard

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number
- Statutory Exemptions. State code number
- Other: CEQA Guidelines 15060(c)(2) and (3) and 15061(b)(3)

Reason(s) why project is exempt: Pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines, also known as the “general rule” or “common sense exemption,” activities that will not result in direct or reasonably foreseeable indirect physical change in the environment and can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment are not subject to CEQA. The project is limited to updating the existing sections of the Oxnard City Code and will not directly result in any physical development or authorize new uses.

Lead Agency Contact Person: Jamie Peltier, Planning Supervisor, 805-385-7952

Joe Pearson II, AICP
 Planning and Environmental Services Manager
 City of Oxnard

Date

Note: Authority cited: Sections 21083 and 21110, Public Resources Code.
 Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Planning Commission Hearing November 6, 2025

Accessory Dwelling Unit Ordinance and Zone Text Amendments

Zone Text Amendment (PZ 25-580-02)

Applicant: City of Oxnard
Jamie Peltier, Planning Supervisor

Oxnard City Code (OCC) Zone Text Amendments (ZTA) to Chapter 16

- ACCESSORY DWELLING UNITS (ADU)
 - Initiated due to State Law updates
- OTHER MINOR AMENDMENTS
 - Streamlining single-family residential development
 - Update some definitions for clarification
 - Remove repetitive language
 - Clarify requirements
 - Change Modification to permits process for consistency

Accessory Dwelling Units

- City of Oxnard ADU History
 - Adopted ordinance in 2016
 - Amended 2017, 2019, 2020, 2023
 - And current proposed amendment (2025)

Oxnard ADU Development

YEAR	BUILDING PERMIT APPLICATIONS RECEIVED	BUILDING PERMITS ISSUED	FINAL INSPECTIONS/ CofO
2023	167	191	73
2024	347	251	134
2025*	271	188	138

*Data through Sept 2025

Accessory Dwelling Units

- State laws since 2023 changing ADU requirements requiring amendments to City ordinance
 - **SB 477** - Numbering and formatting
 - **AB 2533** - ADUs/JADUs constructed without permits cannot be denied unless health and safety violation
 - **SB 1211** - Parking not required to be replaced when ADU built in place of existing parking (uncovered, garage, carport, etc.) and allows up to 8 ADUs on multifamily properties
 - **AB 1154** - Removes owner occupancy requirement for JADUs
 - **SB 543** - Sets review period to 15 days, 60 day limitation to submit adopted ordinance to the state, clarifies square footage is calculated using interior livable space, and also renumbers certain sections

Accessory Dwelling Units Cont.

- Repeal existing ordinance
- Reformat OCC section numbering and naming
- Include new and update definitions relating to ADU state law
- Updated language and formatting more aligned with state law
- No new development standards outside of state law and the existing OCC
- Ongoing goal Program 6 of the 2021-2029 Housing Element

Streamline Single-Family Dwelling Unit Development

- Residential Zone Land Use Matrix - remove Development Design Review Permit requirement (DDR)
 - DDR requires separate Planning review and public hearing
- Permitted and ministerially reviewed with a building permit
- Consistent with ADU process and remains subject to all applicable development standards
- Modify process in OCC Sec. 16-525 - DDR exempting single-family development

<i>Residential Land Use Matrix</i>						
Key: Blank: Not Allowed X: Prohibited Use						
P: Permitted Use SPR: Site Plan Review						
SUP: Special Use Permit DDR: Development Design Review Permit						
<i>Land Use</i>	<i>Zone District</i>					
	<i>R-1</i>	<i>R-2</i>	<i>R-3</i>	<i>R-4</i>	<i>MH-PD</i>	<i>Notes</i>
Single-family dwelling conventionally built and of a permanent character. (Separate servants' quarters may be established in connection with single-family dwellings of 9 rooms or larger, exclusive of bathrooms, when such dwellings are located on lots of not less than 10,000 sq. ft.). <u>Development Design Review Permit not required for single-family dwellings.</u>	DDR P	DDR P	DDR P	DDR P		
Manufactured housing consisting of single-family dwellings constructed by modular manufactured methods or mobile homes certified under the National Mobile Homes Construction and Safety Standards Act of 1974, provided such homes are of a permanent character secured to a permanent foundation.	DDR P	DDR P	DDR P	DDR P	SUP	

Definitions

- Lot configuration:
 - Updated definitions: corner lot, front lot line, front yard, interior lot, interior yard space, key lot, lot, lot depth, rear lot line, rear yard, required yard, reverse corner lot, side yard, through lot, and yard.
 - New definitions and figures: lot area (gross, net), lot (flag), and Figure 1: rear lot lines and Figure 2: lot types.
- Miscellaneous:
 - Updated definitions: accessory building, accessory structure, accessory use, detached, family, garage, patio, patio cover, and main building
 - New definitions: carport, deck, floor area (gross and net), planning manager, and structure.
 - Deleted definitions: babysitting and frontage

Residential Zones

- Section 16-20 - Remove references to second dwelling units for consistency.
- Section 16-21 - Remove repetitive language permit types and refer to Permit Procedures.
- Section 16-22 - Remove babysitting use and high-density apartments (refer to multiple family residential), correct typo from traditional to transitional.
- Section 16-24 - Remove an architectural standard related to colors matching adjacent single family structures and replace with objective standards. Remove discretionary permit references.

Parking

- Update OCC section for Off-Street Parking Requirements to reference the ADU section

Modifications to Planning Permits

- Change wording from *Special Use Permits* to **Planning Permits**
- Development Design Review Permits, Site Plan Review Permits, and Planned Development Permits can also receive major or minor modifications to the entitlement

Zone Text Amendment will be consistent with the following General Plan goals and policies:

- CD-1.5 Housing Variety. Promote the development of a variety of housing types throughout the City including apartments, condominiums, lofts, townhouses, and attached and detached single family units.
- CD-1.7 Compact Development. Promote the use of development patterns that are more compactly built and use space in an efficient aesthetic manner as part of the community vision.
- CD-2.1 Zoning and General Plan Consistency. Amend the zoning code, zoning map, Coastal Land Use Program, and other land use regulations to make them consistent with the adopted and/or subsequently amended 2030 General Plan.
- CD-14.1 Design Review Process. In the evaluation of development proposals, continue to ensure that public and private development projects comply with City design policies, plans and guidelines.
- CD-16.7 Flexibility in Regulation Implementation. Continue to research and amend the zoning code and related regulations in order to allow development to adequately respond to market conditions.
- H-2.7 Encourage Accessory Dwelling Units. Allow and encourage development of accessory dwelling units while protecting the character of the surrounding neighborhoods.
- H-4.3 Processing. Provide for streamlined, timely, and coordinated processing of affordable residential development projects to minimize land acquisition, holding costs, and/or upfront project development costs.

- In accordance with Section 15061(b)(3), known as the “general rule” or “common sense exemption” of the California Environmental Quality Act (CEQA) Guidelines as the activities will not result in significant impacts to the environment and the zone text amendment is found to be exempt from the requirements of CEQA because the project includes zone text amendments that do not result in physical development or change in land uses.
- No Exceptions to the Exemptions (§15300.2) apply to defeat the Exemption.
- A Notice of Exemption will be filed.

Recommendation: That the Planning Commission:

- a) Review and provide comments on the proposed amendments to Chapter 16 of the Oxnard City Code (OCC); and
- b) Recommend the City Council find the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) (General Rule); and
- c) Adopt Resolution 2025-XX recommending that the City Council adopt the zone text amendment (ZTA) ordinances (PZ No. 25-580-02), subject to certain findings.

End of Staff Presentation