



336 Pacific Avenue, Shafter, CA 93263
Meeting Held In-Person and Via Zoom and Livestream on YouTube.

**AGENDA
REGULAR MEETING
SHAFTER PLANNING COMMISSION
TUESDAY, JANUARY 13, 2026**

NOTICE TO THE PUBLIC:

Any documents produced by the City and distributed to a majority of the Planning Commission regarding any item on this agenda will be made available in the City Clerk's Office during normal business hours at City Hall located at 336 Pacific Avenue, Shafter CA. In addition, such documents will be posted on the City's website at www.shafter.com.

CALL TO ORDER: 6:00 PM

ROLL CALL: Chairman Joshan
Vice Chairman Piuser
Commissioner Camacho
Commissioner Sanchez
Commissioner Simmons

PLEDGE OF ALLEGIANCE: Commissioner Camacho

INVOCATION: Commissioner Sanchez

APPROVAL OF AGENDA:

PUBLIC COMMENT:

This portion of the meeting is reserved for persons wanting to address the Commission only on matters not listed on this agenda. Speakers are limited to five minutes unless additional time is needed for translation. Please state your name and address for the record before making your presentation.

MINUTES OF PREVIOUS MEETING:

1. Approval of Minutes: Regular Meeting of December 9, 2025

PUBLIC HEARING:

Should anyone challenge any proposed action which is the subject of a public hearing listed on this agenda, that person challenging any action taken after the public hearing may be limited to raising only those issues addressed at the public hearing described

in this notice, or in written correspondence delivered to the Planning Commission at or prior to this public hearing.

- 1. Zone Code Amendment No. 25-23: 2025 ADU Law Updates:** Planning Commission conduct public hearing; adopt Resolution No. 26-474, a Resolution of the Planning Commission of the City of Shafter, recommending that the Shafter City Council approve Zone Code Amendment No. 25-23 to adopt an Ordinance amending Section 11.200 of the Shafter Municipal Code Title 17 (Zoning Ordinance) relating to Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs), and finding the action to be statutorily exempt from review under the California Environmental Quality per Public Resources Code Section 21080.17. (Planning Director Esselman)

ROLL CALL

COMMISSIONER REPORTS:

ORGANIZATIONAL BUSINESS:

1. Election of Chairman and Vice Chairman

ADJOURNMENT:

Pursuant to the Americans with Disabilities Act, if you need special assistance to participate in a City Council Meeting, please contact the City Clerk at (661) 746-5000 at least three (3) days prior to the meeting or time the special services are needed to allow City staff in making reasonable arrangements to provide you with access to the meeting. Any public record, relating to an open session agenda item, that is distributed within 72 hours prior to the meeting is available for public inspection in the City Clerk's Office at Shafter City Hall, 336 Pacific Ave., Shafter, CA 93263. This is to certify that this Agenda notice was posted at City Hall and Police Dept. by 5:00 p.m., January 8, 2026. Yazmina Pallares, S/S, City Clerk

REMOTE PUBLIC PARTICIPATION IS ALLOWED IN THE FOLLOWING WAYS, SEE BELOW FOR INSTRUCTIONS.

1. You are strongly encouraged to observe the Planning Commission meetings live via YouTube <https://www.youtube.com/user/CityofShafter/>
2. If you wish to make a comment on a specific agenda item or public comment, please submit your comment via email by **6:00 PM on January 13, 2026** to the City Clerk at CityClerk@shafter.com
3. If you wish to make a written comment to the City Clerk, 336 Pacific Avenue, Shafter, CA 93263.
4. If you wish to make a comment during the live meeting, callers must first register with the City Clerk at 661-746-5012 before the meeting begins to receive instructions and the call- in number and code. Please call by 5:00pm on the Monday prior to the Planning Commission meeting to allow ample time for sign up. You will need to provide your name, phone number and the item number you

wish to address.

5. All public comments are provided to the Planning Commission and applicable Staff, for review and consideration by the Board prior to taking action on any matters listed on the agenda and are incorporated into the official record of the Planning Commission meeting.

**MINUTES OF THE REGULAR MEETING OF THE
SHAFTER PLANNING COMMISSION
COUNCIL CHAMBER, 336 PACIFIC AVENUE
MEETING HELD IN-PERSON AND VIA ZOOM AND LIVESTREAM TO YOUTUBE
TUESDAY, DECEMBER 9, 2025**

CALL TO ORDER: 6:00 PM

ROLL CALL:

PRESENT (In-Person): Chairman Joshan, and Commissioners Camacho and Simmons. ABSENT: Vice Chairman Piuser and Commissioner Sanchez with excused absences. Also present: Planning Director Esselman, Senior Planner Cazares, IT Specialist Herrera, City Clerk Pallares.

PLEDGE OF ALLEGIANCE: Commissioner Camacho

INVOCATION: Commissioner Simmons

APPROVAL OF AGENDA:

*MOVED (SIMMONS) AND SECONDED (CAMACHO) COMMISSIONERS APPROVED THE AGENDA AS PRESENTED.
MOTION CARRIED BY THE FOLLOWING VOTE:*

AYES: CAMACHO, JOSHAN, AND SIMMONS.

NAYS: NONE.

ABSENT: PIUSER AND SANCHEZ.

ABSTENTIONS: NONE.

PUBLIC COMMENT:

There were no members of the public wishing to speak.

MINUTES OF PREVIOUS MEETING:

1. Approval of Minutes: October 14, 2025.

*MOVED (CAMACHO) AND SECONDED (SIMMONS) COMMISSIONERS APPROVED THE MINUTES OF THE
REGULAR MEETING OF OCTOBER 14, 2025, AS PRESENTED. MOTION CARRIED BY THE FOLLOWING VOTE:*

AYES: CAMACHO, JOSHAN, AND SIMMONS.

NAYS: NONE.

ABSENT: PIUSER AND SANCHEZ.

ABSTENTIONS: NONE.

PUBLIC HEARING:

Should anyone challenge any proposed action which is the subject of a public hearing listed on this agenda, that person challenging any action taken after the public hearing may be limited to raising only those issues addressed at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at or prior to this public hearing.

1. **General Plan Amendment No. 25-45 and Zone Change No. 25-79:** Senior Planner Cazares made introductory comments. A notice of public hearing was properly advertised.

Chairman Joshan opened the public hearing.

Being no members of the public wishing to speak, the public hearing was closed.

*MOVED (SIMMONS) AND SECONDED (CAMACHO) COMMISSIONERS CONDUCTED A PUBLIC HEARING AND ADOPTED RESOLUTION NO. 25-472, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SHAFTER, RECOMMENDING APPROVAL OF GENERAL PLAN AMENDMENT NO. 25-45 AND ZONE CHANGE NO. 25-79 TO THE CITY COUNCIL OF THE CITY OF SHAFTER. TO CHANGE BOTH THE GENERAL PLAN LAND USE DESIGNATION AND THE ZONE DISTRICT FROM BUSINESS PARK (BP) TO INDUSTRIAL (I) FOR 107 S BEECH AVENUE, ALSO BEING APNS 028-180-36 AND 028-180-12. MOTION CARRIED BY THE FOLLOWING VOTE:
AYES: CAMACHO, JOSHAN, AND SIMMONS.
NAYS: NONE.
ABSENT: PIUSER AND SANCHEZ.
ABSTENTIONS: NONE.*

- 2. Conditional Use Permit No. 24-151 (Shafter Commercial Shopping Center):** Planning Director Esselman made introductory comments. A notice of public hearing was properly advertised.

Chairman Joshan opened the public hearing.

Being no members of the public wishing to speak, the public hearing was closed.

*MOVED (CAMACHO) AND SECONDED (SIMMONS) COMMISSIONERS CONDUCTED A PUBLIC HEARING; AND ADOPT RESOLUTION NO. 25-473, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SHAFTER APPROVING CONDITIONAL USE PERMIT NO. 24-151 TO CONDITIONALLY ALLOW FOR THE DEVELOPMENT OF A COMMERCIAL SHOPPING CENTER ON A 10.04-ACRE SITE LOCATED AT THE NORTHWEST CORNER OF S. CENTRAL VALLEY HIGHWAY AND E. ASH AVENUE (APN 028-180-46); ADOPTED A MITIGATED NEGATIVE DECLARATION FOR THE PROJECT. MOTION CARRIED BY THE FOLLOWING VOTE:
AYES: CAMACHO, JOSHAN, AND SIMMONS.
NAYS: NONE.
ABSENT: PIUSER AND SANCHEZ.
ABSTENTIONS: NONE.*

COMMISSIONER REPORTS: No reports at this time.

ADJOURNMENT:

MOVED (SIMMONS) AND SECONDED (CAMACHO) COMMISSIONERS ADJOURNED THE MEETING AT 6:13 P.M. MOTION CARRIED WITH VICE CHAIRMAN PIUSER AND COMMISSIONER SANCHEZ ABSENT WITH NO OPPOSITION.

Lovedeep Joshan, Chairman

ATTEST:

Yazmina Pallares, City Clerk

DATE: January 13, 2026
TO: Planning Commission
FROM: Planning Department
SUBJECT: Zone Code Amendment No. 25-23: 2025 ADU Law Updates

RECOMMENDATION:

Planning Commission conduct public hearing; adopt Resolution No. 26-474, a Resolution of the Planning Commission of the City of Shafter, recommending that the Shafter City Council approve Zone Code Amendment No. 25-23 to adopt an Ordinance amending Section 11.200 of the Shafter Municipal Code Title 17 (Zoning Ordinance) relating to Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs), and finding the action to be statutorily exempt from review under the California Environmental Quality per Public Resources Code Section 21080.17.

APPLICANT
Not Applicable

OWNER
Not Applicable

LOCATION: Citywide

PROJECT SUMMARY:

The proposed ordinance will amend Title 17 (Zoning Ordinance) Section 11.200 of the Shafter Municipal Code to comply with recent changes to state law that impose new limits on local authority to regulate Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs). Except as otherwise noted, these new laws took effect on January 1, 2026. The Planning Commission’s action serves as a recommendation to the City Council.

BACKGROUND AND ANALYSIS:

In recent years, the California Legislature has approved, and the Governor has signed into law, a number of bills that impose new limits on local authority to regulate ADUs and JADUs. In late 2025, four new bills were enacted that further amended state ADU law as summarized below.

AB 462 – Coastal Development Permits; Disaster-Affected Areas

AB 462 modifies several permitting requirements associated with processing Coastal Development Permits for ADUs located in the Coastal Zone.

Beyond changes to CDP processing, AB 462 modifies the rules governing the issuance of a certificate of occupancy (CofO) for an ADU. Historically, state law has prohibited a local agency from issuing a CofO for an ADU before one is issued for the primary dwelling (i.e., the primary dwelling must have a CofO before the ADU can receive one).

AB 462 creates a narrow exception to this prohibition for detached ADUs when all of the following conditions are satisfied: (1) the Governor has declared a state of emergency for the county on or after February 1, 2025; (2) the primary dwelling was

PUBLIC HEARING

substantially damaged or destroyed by an event referenced in the state of emergency proclamation; and (3) the ADU has been issued construction permits and passed all required inspections. (Gov. Code, § 66328(b).) If these conditions are satisfied, the detached ADU can receive a CofO before the primary dwelling. In all other scenarios, the primary dwelling still needs a CofO before one can be issued for an ADU.

AB 462 was enacted as an urgency measure that took effect immediately when signed by the Governor (on October 10, 2025). The following three bills were enacted as non-urgency measures and took effect on January 1, 2026.

AB 1154 – JADU Owner-Occupancy; Short-Term Rental

When a JADU is developed, existing state law requires a property owner to reside in the JADU or remaining portion of the single-family dwelling. AB 1154 narrows this requirement to now only apply when a JADU shares sanitation facilities (bathroom) with the single-family dwelling. If the JADU has its own bathroom, then the property owner does not have to reside on the property at all. (See amended Gov. Code, § 66333(b).)

AB 1154 also expressly prohibits JADUs from being used as short-term rentals (i.e., rented for a term shorter than 30 days). (See amended Gov. Code, § 66333(g).) Most ADU ordinances already included this prohibition (as well as prohibiting ADUs from being used as short-term rentals). But now it's required by state law.

SB 9; SB 543 – ADU Ordinance Submittal to HCD; Approval

Under existing law, local agencies are required to submit a copy of their ADU ordinance to the California Department of Housing and Community Development (HCD) within 60 days of adoption.

This year's SB 9 and SB 543 create a penalty for failing to do so by rendering null and void any local ordinance that is not submitted to HCD within 60 days of adoption. (See amended Gov. Code, § 66326(d); new Gov. Code, § 66333.5(d).) The bills further specify that a local ADU ordinance is null and void if HCD issues findings that the ordinance does not comply with state law and the local agency fails to respond to HCD within 30 days. (Id.)

SB 543 – ADU Size; Number of ADUs; Impact Fees; Application Timeline

SB 543 makes numerous changes and clarifications to state ADU law, the most notable of which are summarized below.

ADU & JADU Size

Existing law limits the maximum size of a JADU to 500 square feet and prohibits local ADU ordinances from imposing certain development standards that would prevent an ADU created under Government Code section 66314 through 66322 from being at least 800 square feet.

SB 543 amends state ADU law to specify that allowable square footage of an ADU or JADU refers to square footage of "interior livable space." (See amended Gov. Code, § 66313(d), 66321(b)(2).)

Impact Fees

Existing law exempts ADUs that are 750 square feet or smaller from development impacts fees (DIFs). SB 543 clarifies that DIFs may not be imposed on an ADU that has 750 or fewer square feet of interior livable space or on a JADU with 500 or fewer square feet of interior livable space. The bill also exempts an ADU or JADU with fewer than 500 square feet of interior livable space from school impact fees. (See amended Gov. Code, § 66311.5.)

Quantity of ADUs Created Under Government Code Section 66323

Existing state law creates four categories of ADUs that must be approved if they comply with the limited standards provided in Government Code section 66323(a)(1)–(4).

These are:

1. a converted ADU and JADU created on a lot with a proposed or existing single-family dwelling (Gov. Code, § 66323(a)(1));
2. a detached ADU created on a lot with a proposed or existing single-family dwelling (Gov. Code, § 66323(a)(2));
3. converted ADUs created in an existing multifamily dwelling (Gov. Code, § 66323(a)(3)); and
4. detached ADUs created on a lot with a proposed or existing multifamily dwelling.

For some time, there has been uncertainty as to whether ADUs created under Government Code section 66323 could be combined. Some practitioners interpreted the statute to not require local agencies to allow combinations. Initially, HCD took the same position, in its 2020 ADU Handbook. But for the last few years, HCD has taken the opposite position: that yes, combinations are permitted. (See HCD January 2025 ADU Handbook, at p. 19 [“Pursuant to Government Code section 66323, subdivision (a), local governments must allow units created pursuant to subparagraphs (1) and (2) together or (3) and (4) together”].)

SB 543 codifies HCD’s most recent interpretation by amending Government Code section 66323 to specifically allow combinations. Thus, a lot with a multifamily dwelling can now have a converted ADU or ADUs created under section 66323(a)(3) and detached ADUs created under section 66323(a)(4). And a lot with a single family dwelling can now have a converted ADU and a JADU created under section 66323(a)(1) and a detached ADU created under section 66323(a)(2).

ADU Permitting Process

Existing law has long required local agencies to approve or deny an ADU application within 60 days of receiving a complete application. However, state law was silent with respect to incompleteness determinations, subsequent resubmittals, and appealing local decisions on ADU applications. SB 543 requires local agencies to now:

1. determine whether an ADU application is complete within 15 business days of submittal;
2. if the application is incomplete, within the same 15 days provide the applicant with a list of incomplete items and how to address them;

3. review a resubmitted application for completeness within 15 business days;
4. provide the applicant with a written appeal process for any incompleteness determination or denial (to the Planning Commission or City Council, or both); and
5. provide a final written determination on the appeal within 60 business days of receiving the appeal). (See amended Gov. Code, §§ 66317 [ADUs], 66335 [JADUs].)

NEXT STEPS & RECOMMENDATION:

AB 462 took effect immediately when signed, but technically it did not require any change to a local ADU ordinance; the City just needed to follow the new rules for CDP processing and issuance of a CofO, if applicable. Since the City of Shafter is not within the coastal zone, AB 462 was not an issue. However, the remaining bills took effect on January 1, 2026, and for the City’s ADU ordinance to remain valid and enforceable, it needed to comply with the new changes in state law. As a result, at the December 16th City Council regular meeting, the Shafter Council approved and adopted an Urgency Ordinance effective immediately to comply with the new ADU laws prior to the January 1st effective date.

However, the Attorney General’s office does not consider zoning urgency measures the proper adoption process, so the City is now going through the normal municipal code amendment process for re-adoption. This non-urgency ordinance is the same in form and content as the adopted urgency ordinance from December 16, 2025. Adopting the proposed ordinance (**Exhibit A to Exhibit 1**) ensures that the City’s ADU ordinance (Title 17 Section 11.200) remains in compliance with state ADU law and meets the normal adoption requirements. For these reasons, Staff recommend that the Shafter Planning Commission adopt the attached Resolution No. 26-474(**Exhibit 1**), recommending that the Shafter City Council adopt the proposed ordinance.

CEQA:

Under California Public Resources Code section 21080.17, CEQA does not apply to the adoption of an ordinance by a city or county implementing the provisions of Chapter 13 of Division 1 of Title 7 of the California Government Code, which is California’s ADU law. Therefore, the proposed ordinance is statutorily exempt from CEQA since the proposed ordinance implements state ADU law.

ATTACHMENTS

Resolution No. 26-474

EXHIBIT

1

RESOLUTION NO. 26-474

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SHAFTER, RECOMMENDING THAT THE SHAFTER CITY COUNCIL APPROVE ZONE CODE AMENDMENT NO. 25-23 TO ADOPT AN ORDINANCE AMENDING SECTION 11.200 OF THE SHAFTER MUNICIPAL CODE TITLE 17 (ZONING ORDINANCE) RELATING TO ACCESSORY DWELLING UNITS (ADUs) AND JUNIOR ACCESSORY DWELLING UNITS (JADUs), AND FINDING THE ACTION TO BE STATUTORILY EXEMPT FROM CEQA UNDER PUBLIC RESOURCES CODE § 21080.17

WHEREAS, state law authorizes cities to act by ordinance to provide for the creation and regulation of accessory dwelling units (“ADUs”) and junior accessory dwelling units (“JADUs”); and

WHEREAS, in recent years, the California Legislature has approved, and the Governor has signed into law, several bills that, among other things, amend various sections of the Government Code to impose new limits on local authority to regulate ADUs and JADUs; and

WHEREAS, in 2025, the California Legislature approved, and the Governor signed into law, Assembly Bill 462 (“AB 462”), Assembly Bill 1154 (“AB 1154”), Senate Bill 9 (“SB 9”), and Senate Bill 543 (“SB 543”), which further amend state ADU law;

WHEREAS, the new updates to state ADU law took effect on January 1, 2026, and for the City’s ADU ordinance to remain valid, it must be amended to reflect the requirements of AB 462, AB 1154, SB 9, and SB 543; and

WHEREAS, the City desires to amend its local regulatory scheme for the construction of ADUs and JADUs to reflect the most recent changes to state law; and

WHEREAS, on January 13, 2026, the Planning Commission held a duly-noticed public hearing to consider the attached Ordinance changes; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Shafter, does resolve, determine, find, and order as follows:

SECTION 1. Incorporation. The recitals above are true and correct and are each incorporated by reference and adopted as findings by the Planning Commission.

SECTION 2. CEQA. The Planning Commission recommends that the City Council find that, under California Public Resources Code section 21080.17, the California Environmental Quality Act (“CEQA”) does not apply to the adoption of an ordinance by a city or county implementing the provisions of Chapter 13 of Division 1 of Title 7 of the California Government Code, which is California’s ADU law and which also regulates JADUs, as defined by section 66313. Therefore, adoption of the proposed Ordinance is statutorily exempt from CEQA in that it implements state ADU law.

EXHIBIT 1

SECTION 3. General Plan. The Planning Commission hereby finds that the adoption of the Ordinance is consistent with the General Plan as a matter of law under Government Code section 66314(c).

SECTION 4. Recommendation. Given the foregoing, and based on the entire record before the Planning Commission, the Planning Commission hereby recommends that the City Council adopt the ordinance changes attached hereto as Exhibit “A.”

SECTION 5. Effective Date. This Resolution takes effect immediately upon adoption.

SECTION 6. Certification; Records. The Shafter City Clerk will attest as to the adoption of this Resolution and cause the same to be maintained in the permanent records of the City.

PASSED AND ADOPTED THIS 13TH DAY OF JANUARY, 2026, BY THE SHAFTER PLANNING COMMISSION.

Lovedeep Joshan, Chairman

ATTEST

Yazmina Pallares, City Clerk

Exhibit "A"
Proposed Ordinance changes
[Attached]

1.190 DEFINITIONS

The following definitions and those set forth throughout this Title shall apply when interpreting the intent or meaning of the requirements and guidelines of this Title.

Accessory Dwelling Unit (ADU)

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. An accessory dwelling unit also includes the following:

- An efficiency unit, as defined by section 17958.1 of the California Health and Safety Code; and
- A manufactured home, as defined by section 18007 of the California Health and Safety Code.

Accessory Structure

A structure that is accessory and incidental to a dwelling located on the same lot. ~~An accessory structure may be erected only after the principal structure is established.~~

ADU

~~See "Accessory Dwelling Unit."~~

Efficiency Kitchen

A kitchen that includes (1) a cooking facility with appliances and (2) a food preparation counter and storage cabinets that are of a reasonable size in relation to the size of the JADU.

JADU

~~See "Junior Accessory Dwelling Unit."~~

Junior Accessory Dwelling Unit (JADU)

A residential unit that satisfies all of the following:

- It is no more than 500 square feet of interior livable space in size.
- It is contained entirely within ~~the~~ an existing or proposed single-family structure. An enclosed use within the residence, such as an attached garage, is considered to be a part of and contained within the single-family structure.
- It includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-family structure.
- If the unit does not include its own separate bathroom, then it contains an interior entrance to the main living area of the ~~existing~~ existing or proposed single family structure in addition to an exterior entrance that is separate from the main entrance to the primary dwelling.
- It includes an efficiency kitchen, as defined here in Section 1.190.

Nonconforming Zoning Condition

A physical improvement on a property that does not conform with current zoning standards.

Parking (Tandem)

Parking space configuration where two or more parking spaces are lined up one behind the other.

Passageway

A pathway that is unobstructed clear to the sky and extends from a street to one entrance of the ADU or JADU.

Public Transit

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.

11.200 ACCESSORY DWELLING UNITS (ADUs) AND JUNIOR ACCESSORY DWELLING UNITS (JADUs)

1. Purpose

The purpose of this section is to allow and regulate accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) in compliance with Chapter 13 of Division 1 of Title 7 of the California Government Code.

2. Effect of Conforming

An ADU or JADU that conforms to the standards in this section will not be

- a. ~~(1) d~~ Deemed to be inconsistent with the city's general plan and zoning designation for the lot on which the ADU or JADU is located;
- b. ~~(2) D~~ deemed to exceed the allowable density for the lot on which the ADU or JADU is located;
- c. ~~(3) e~~ Considered in the application of any local ordinance, policy, or program to limit residential growth;
- d. ~~and (4) R~~ required to correct a nonconforming zoning condition, defined as a physical improvement on a property that does not conform with current zoning standards, but this does not prevent the city from enforcing compliance with applicable building standards in accordance with Health and Safety Code Section 17980.12.

3. Approvals

The following approvals apply to ADUs and JADUs created under this section.

- a. Ministerial ADU and Building Permits Required. Every ADU and JADU requires an ADU permit and a building permit. The city will review and approve permit applications in accordance with subsection (d)(3) below. Building permit Only. If an ADU or JADU complies with each of the general requirements in subsection 4 below, it is allowed with only a building permit in the following scenarios:
 - ~~(1) — Converted on Single family Lot: One ADU as described in this subsection 3a(1) and one JADU on a lot with a proposed or existing single family dwelling on it, where the ADU or JADU:~~
 - ~~(a) — Is either: within the space of a proposed single family dwelling; within the existing space of an existing single family dwelling; or (in the case of an ADU only) within the existing space of an accessory structure, plus up to 150 additional square feet if the expansion is limited to accommodating ingress and egress; and~~
 - ~~(b) — Has exterior access that is independent of that for the single family dwelling; and~~
 - ~~(c) — Has side and rear setbacks sufficient for fire and safety, as dictated by applicable building and fire codes.~~

- ~~(d) The JADU complies with the requirements of Government Code Sections 66333 through 66339.~~
- ~~(2) Limited Detached on Single family Lot: One detached, new construction ADU on a lot with a proposed or existing single-family dwelling (in addition to any JADU that might otherwise be established on the lot under subsection 3a(1) above), if the detached ADU satisfies each of the following limitations:~~
- ~~(a) The side and rear yard setbacks are at least four feet.~~
- ~~(b) The total floor area is 800 square feet or smaller.~~
- ~~(c) The peak height above grade does not exceed the applicable height limit in subsection 4b below.~~
- ~~(3) Converted on Multifamily Lot: One or more ADUs within portions of existing multifamily dwelling structures that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, if each converted ADU complies with state building standards for dwellings. Under this subsection 3a(3), at least one converted ADU is allowed within an existing multifamily dwelling, up to a quantity equal to 25 percent of the existing multifamily dwelling units.~~
- ~~(4) Limited Detached on Multifamily Lot: No more than two detached ADUs on a lot with a proposed multifamily dwelling, or up to eight detached ADUs on a lot with an existing multifamily dwelling, if each detached ADU satisfies all of the following.~~
- ~~(a) The side and rear yard setbacks are at least four feet. If the existing multifamily dwelling has a rear or side yard setback of less than four feet, the city will not require any modification to the multifamily dwelling as a condition of approving the ADU.~~
- ~~(b) The peak height above grade does not exceed the applicable height limit provided in subsection 4b below.~~
- ~~(c) If the lot has an existing multifamily dwelling, the quantity of detached ADUs does not exceed the number of primary dwelling units on the lot.~~
- b. Processing Fee. The city may charge a fee to reimburse it for costs incurred in processing ADU permits, including the costs of adopting or amending the city's ADU ordinance. The ADU-permit processing fee is determined by the Planning Director and approved by the city council by resolution. ADU Permit
- ~~(1) Except as allowed under subsection 3a above, no ADU may be created without a building permit and an ADU permit in compliance with the standards set forth in subsections 4 and 5 below.~~

~~(2) The city may charge a fee to reimburse it for costs incurred in processing ADU permits, including the costs of adopting or amending the city's ADU ordinance. The ADU permit processing fee is determined by the director of community development and approved by the city council by resolution.~~

c. Process and Timing

~~(1) An ADU permit is considered and approved ministerially, without discretionary review or a hearing.~~Completeness.

~~(a) Determination in 15 days. The city will determine whether an application to create or serve an ADU or JADU is complete and will provide written notice of the determination to the applicant within 15 business days after the city receives the application submittal.~~

~~(b) Incomplete items. If the city's determination under subsection (3)(c)(1)(a) above is that the application is incomplete, the city's notice must list the incomplete items and describe how the application can be made complete.~~

~~(c) Cure. After receiving a notice that the application is incomplete, the applicant may cure and address the items that were deemed by the city to be incomplete.~~

~~(d) Subsequent submittals. If the applicant submits additional information to address incomplete items, within 15 business days of the subsequent submittal the city will determine in writing whether the additional information remedies all the incomplete items that the city identified in its original notice. The city may not require the application to include an item that was not included in the original notice.~~

~~(e) Deemed complete. If the city does not make a timely determination as required by this subsection (1), the application or resubmitted application is deemed complete for the purposes of subsection (3)(c)(3) below.~~

~~(f) Appeal of incompleteness. An applicant may appeal the city's determination that the application is incomplete by submitting a written appeal to the city clerk. The planning commission will review the written appeal and affirm or reverse the completeness determination and provide a final written determination to the applicant within 60 business days after receipt of the appeal.~~

~~(2) No discretion or hearing. Ministerial permits for an ADU or JADU are considered and approved without discretionary review or a hearing. The city must approve or deny an application to create an ADU or JADU within 60 days from the date that the city receives a completed application. If the city~~

- ~~has not approved or denied the completed application within 60 days, the application is deemed approved unless either:~~
- ~~(a) The applicant requests a delay, in which case the 60-day time period is tolled for the period of the requested delay, or~~
 - ~~(b) When an application to create an ADU or JADU is submitted with a permit application to create a new single-family or multifamily dwelling on the lot, the city may delay acting on the permit application for the ADU or JADU until the city acts on the permit application to create the new single-family or multifamily dwelling, but the application to create the ADU or JADU will still be considered ministerially without discretionary review or a hearing.~~
- (3) Deadline to approve or deny ministerial approvals. The city must approve or deny an application to create an ADU or JADU within 60 days from the date that the city receives a complete application. If the city has not approved or denied the complete application within 60 days, the application is deemed approved unless either:~~If the city denies an application to create an ADU or JADU, the city must provide the applicant with comments that include, among other things, a list of all the defective or deficient items and a description of how the application may be remedied by the applicant. Notice of the denial and corresponding comments must be provided to the applicant within the 60-day time period established by subsection 3c(2) above.~~
- (a) The applicant requests a delay, in which case the 60-day time period is tolled for the period of the requested delay, or
 - (b) When an application to create an ADU or JADU is submitted with a permit application to create a new single-family or multifamily dwelling on the lot, the city may delay acting on the permit application for the ADU or JADU until the city acts on the permit application to create the new single-family or multifamily dwelling, but the application to create the ADU or JADU will still be considered ministerially without discretionary review or a hearing.
- (4) Denial. If the city denies an application to create an ADU or JADU, the city must provide the applicant with comments that include, among other things, a list of all the defective or deficient items and a description of how the application may be remedied by the applicant. Notice of the denial and corresponding comments must be provided to the applicant within the 60-day time period established by subsection (3)(c)(3) above.~~A demolition permit for a detached garage that is to be replaced with an ADU is reviewed with the application for the ADU and issued at the same time.~~

(5) Appeal of denial. An applicant may appeal the city's denial of the application by submitting a written appeal to the city clerk. The planning commission will review the written appeal and affirm or reverse the denial and provide a final written determination to the applicant within 60 business days after receipt of the appeal.

(6) Concurrent review of demolition. A demolition permit for a detached garage that is to be replaced with an ADU is reviewed with the application for the ADU and issued at the same time.

4. Classes.

a. Class 1: Statutorily Regulated. Class 1 ADUs and JADUs are approved under Government Code section 66323. If an ADU or JADU complies with each of the general requirements in subsection (5) below, it is allowed in each of the scenarios provided in this subsection (4)(a). An ADU and JADU approved under subsection (4)(a)(1) may be combined with an ADU approved under subsection (4)(a)(2), and ADUs approved under subsection (4)(a)(3) may be combined with ADUs approved under subsection (4)(a)(4).

(1) Converted on Lot with Single-Family: One ADU as described in this subsection (4)(a)(1) and one JADU on a lot with a proposed or existing single-family dwelling on it, where the ADU or JADU:

(a) Is either: within the space of a proposed single-family dwelling; within the existing space of an existing single-family dwelling; or (in the case of an ADU only) within the existing space of an accessory structure, plus up to 150 additional square feet if the expansion is limited to accommodating ingress and egress; and

(b) Has exterior access that is independent of that for the single-family dwelling; and

(c) Has side and rear setbacks sufficient for fire and safety, as dictated by applicable building and fire codes.

(d) The JADU complies with the requirements of Government Code sections 66333 through 66339

(2) Limited Detached on Lot with Single-Family: One detached, new-construction ADU on a lot with a proposed or existing single-family dwelling, if the detached ADU satisfies each of the following limitations:

(a) The side- and rear-yard setbacks are at least four feet.

(b) The total floor area is 800 square feet of livable space or smaller.

(c) The peak height above grade does not exceed the applicable height limit in subsection (5)(b) below.

(3) Converted on Lot with Multifamily: One or more ADUs within portions of existing multifamily dwelling structures that are not

used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, if each converted ADU complies with state building standards for dwellings. Under this subsection (4)(a)(3), at least one converted ADU is allowed within an existing multifamily dwelling, up to a quantity equal to 25 percent of the existing multifamily dwelling units.

(4) Limited Detached on Lot with Multifamily: No more than two detached ADUs on a lot with a proposed multifamily dwelling, or up to eight detached ADUs on a lot with an existing multifamily dwelling, if each detached ADU satisfies all of the following:

(a) The side- and rear-yard setbacks are at least four feet. If the existing multifamily dwelling has a rear or side yard setback of less than four feet, the city will not require any modification to the multifamily dwelling as a condition of approving the ADU.

(b) The peak height above grade does not exceed the applicable height limit provided in subsection (5)(b) below.

(c) If the lot has an existing multifamily dwelling, the quantity of detached ADUs does not exceed the number of primary dwelling units on the lot

b. Class 2: Locally Regulated. Class 2 ADUs are approved under Government Code sections 66314–66322. Except for Class 1 ADUs approved under subsection (4)(a) above, all ADUs are subject to the standards set forth in subsections (5) and (6) below.

5. General ADU and JADU Requirements. The following requirements apply to all Class 1 and Class 2 ADUs and JADUs that are approved under subsections 3a or 3b above:

a. Zoning

(1) A Class 1 ADU approved under subsection (4)(a) may An ADU or JADU subject only to a building permit under subsection 3a above may be created on a lot in a residential or mixed-use zone.

(2) A Class 2 ADU approved under subsection (4)(b) aboveAn ADU or JADU subject to an ADU permit under subsection 3b above may be created on a lot that is zoned to allow single-family dwelling residential use or multifamily dwelling residential use.

(3) In accordance with Government Code section 66333(a), a JADU may only be created on a lot zoned for single-family residences.

b. Height

- (1) Except as otherwise provided by subsections [54b\(2\)](#) and [54b\(3\)](#) below, a detached ADU created on a lot with an existing or proposed single family or multifamily dwelling unit may not exceed 16 feet in height.
 - (2) A detached ADU may be up to 18 feet in height if it is created on a lot with an existing or proposed single family or multifamily dwelling unit that is located within one-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 Public Resources Code, and the ADU may be up to two additional feet in height (for a maximum of 20 feet) if necessary to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary dwelling unit.
 - (3) A detached ADU created on a lot with an existing or proposed multifamily dwelling that has more than one story above grade may not exceed 18 feet in height.
 - (4) An ADU that is attached to the primary dwelling may not exceed 25 feet in height or the height limitation imposed by the underlying zone that applies to the primary dwelling, whichever is lower. Notwithstanding the foregoing, ADUs subject to this subsection [54b\(4\)](#) may not exceed two stories.
 - (5) For purposes of this subsection [54b](#), height is measured from existing legal grade or the level of the lowest floor, whichever is lower, to the peak of the structure~~height is measured above existing legal grade to the peak of the structure.~~
- c. Fire Sprinklers
- (1) Fire sprinklers are required in an ADU or JADU if sprinklers are required in the primary residence.
 - (2) The construction of an ADU or JADU does not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.
- d. Rental Term. No ADU or JADU may be rented for a term that is shorter than 30 days. This prohibition applies regardless of when the ADU or JADU was created.
- e. No Separate Conveyance. An ADU or JADU may be rented, but except as otherwise provided in Government Code Section 66341, no ADU or JADU may be sold or otherwise conveyed separately from the lot and the primary dwelling (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multifamily lot).
- f. Septic System. If the ADU or JADU will connect to an onsite wastewater-treatment system, the owner must include with the application a percolation test completed within the last five years or, if the percolation test has been recertified, within the last 10 years.
- g. Owner Occupancy

- (1) ~~ADUs. ADUs are not subject to an owner-occupancy requirement~~An ADU that is permitted on or after January 1, 2020 is not subject to any owner-occupancy requirement.
- (2) JADUs.
- a. As required by state law, ~~all~~ JADUs are generally subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property, in either the primary dwelling or JADU, as the person's legal domicile and permanent residence.
- b. Exceptions. The owner-occupancy requirement in this subsection (5)(g)(2) does not apply in either of the following situations:
- (1) The JADU has separate sanitation facilities (i.e., does not share sanitation facilities with the existing primary dwelling unit structure).
- (2) The property is entirely owned by another governmental agency, land trust, or housing organization~~However, the owner-occupancy requirement in this subsection 4g(2) does not apply if the property is entirely owned by another governmental agency, land trust, or housing organization.~~
- ~~h. Deed Restriction. Prior to issuance of a building permit for an ADU or JADU, a deed restriction must be recorded against the title of the property in the County Recorder's office and a copy filed with the Planning Director. The deed restriction must run with the land and bind all future owners. The form of the deed restriction will be provided by the city and must provide that:~~
- ~~(1) Except as otherwise provided in Government Code Section 66341, the ADU or JADU may not be sold separately from the primary dwelling.~~
- ~~(2) The ADU or JADU is restricted to the approved size and to other attributes allowed by this section.~~
- ~~(3) The deed restriction runs with the land and may be enforced against future property owners.~~
- ~~(4) The deed restriction may be removed if the owner eliminates the ADU or JADU, as evidenced by, for example, removal of the kitchen facilities. To remove the deed restriction, an owner may make a written request of the Director, providing evidence that the ADU or JADU has in fact been eliminated. The Director may then determine whether the evidence supports the claim that the ADU or JADU has been eliminated. Appeal may be taken from the Director's determination consistent with other provisions of this Code. If the ADU or JADU is not entirely physically removed but is only eliminated by virtue of having a necessary component of an ADU or JADU removed, the remaining~~

~~structure and improvements must otherwise comply with applicable provisions of this Code.~~

~~(5) The deed restriction is enforceable by the director or his or her designee for the benefit of the city. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the city is authorized to obtain any remedy available to it at law or equity, including, but not limited to, obtaining an injunction enjoining the use of the ADU or JADU in violation of the recorded restrictions or abatement of the illegal unit.~~

~~i. Rent Reporting. In order to facilitate the city's obligation to identify adequate sites for housing in accordance with Government Code sections 65583.1 and 66330, the following requirements must be satisfied:~~

~~(1) With the building permit application, the applicant must provide the city with an estimate of the projected annualized rent that will be charged for the ADU or JADU.~~

~~(2) Within 90 days after each January 1 following issuance of the building permit, the owner must report the actual rent charged for the ADU or JADU during the prior year. If the city does not receive the report within the 90-day period, the owner is in violation of this Code, and the city may send the owner a notice of violation and allow the owner another 30 days to submit the report. If the owner fails to submit the report within the 30-day period, the city may enforce this provision in accordance with applicable law.~~

~~j. Building and Safety~~

~~(1) Must comply with building code. Subject to subsection 54ij(2) below, all ADUs and JADUs must comply with all local building code requirements.~~

~~(2) No change of occupancy. Construction of an ADU does not constitute a Group R occupancy change under the local building code, as described in Section 310 of the California Building Code, unless the Building Official or Code Enforcement Officer makes a written finding based on substantial evidence in the record that the construction of the ADU could have a specific, adverse impact on public health and safety. Nothing in this subsection 54ij(2) prevents the city from changing the occupancy code of a space that was uninhabitable space or that was only permitted for nonresidential use and was subsequently converted for residential use in accordance with this section.~~

~~j. Certificate of Occupancy Timing.~~

~~(1) Generally. No certificate of occupancy for an ADU or JADU may be issued before the certificate of occupancy is issued for the primary dwelling unit~~

~~(2) Limited Exception for State-declared Emergencies. Notwithstanding subsection (5)(j)(1) above, a certificate of~~

occupancy for an ADU may be issued before a certificate of occupancy for the primary dwelling if each of the following requirements are met:

- (a) The county is subject to a proclamation of a state of emergency made by the California Governor on or after February 1, 2025.
- (b) The primary dwelling was substantially damaged or destroyed by an event referenced in the Governor's state of emergency proclamation.
- (c) The ADU has been issued construction permits and has passed all required inspections.
- (d) The ADU is not attached to the primary dwelling.

56. Specific ADU Requirements. The following requirements apply only to Class 2 ADUs that require an ADU permit approved under subsection 3(4)(b) above. This subsection (6) does not apply to Class 1 ADUs or JADUs approved under subsection (4)(a) above.

a. Maximum Size

- (1) The maximum size of a detached or attached ADU subject to this subsection (6) is 850 square feet of interior livable space for a studio or one-bedroom unit and 1,000 square feet of interior livable space for a unit with two or more bedrooms.
- ~~(2) An attached ADU that is created on a lot with an existing primary dwelling is further limited to 50 percent of the floor area of the existing primary dwelling.~~
- ~~(3) Application of other development standards in this subsection (6), such as FAR setbacks or lot coverage, might further limit the size of the ADU, but no application of the percent-based size limit in subsection 5a(2) above or of a FAR, front setback, lot coverage limit, or open space requirement a development standard in this subsection (6) may require the ADU have less than 800 square feet of interior livable space to be less than 800 square feet.~~

~~b. Floor Area Ratio (FAR). No ADU subject to this subsection 5 may cause the total FAR of the lot to exceed 45 percent, subject to subsection 5a(3) above.~~

eb. Setbacks

- (1) An ADU that is subject to this subsection (56) must conform to 4-foot side- and rear-yard setbacks. An ADU that is subject to this subsection (6) must conform to a 25-foot front-yard setback, subject to subsection 5a(3)(a)(3) above.
- ~~(2) An ADU that is subject to this subsection 5 must conform to 4-foot side- and rear yard setbacks.~~

- (~~23~~) No setback is required for an ADU that is subject to this subsection (~~56~~) if the ADU is constructed in the same location and to the same dimensions as an existing structure.
- ~~dc.~~ Lot Coverage. No ADU subject to this subsection (~~56~~) may cause the total lot coverage of the lot to exceed 50 percent, subject to subsection ~~5a(6)(a)(3)~~ above.
- ~~e.~~ ~~Minimum Open Space. No ADU subject to this subsection 5 may cause the total percentage of open space of the lot to fall below 50 percent, subject to subsection 5a(3) above.~~
- ~~fe.~~ Passageway. No passageway, defined as a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the ADU or JADU, is required for an ADU.
- ~~gf.~~ Parking
- (1) Generally. One off-street parking space is required for each ADU, or bedroom, whichever is less. The parking space may be provided in setback areas or as tandem parking, defined as two or more automobiles that are parked on a driveway or in any other location on a lot, lined up behind one another.
- (2) Exceptions. No parking under subsection (~~56~~)(~~fg~~)(1) is required in the following situations:
- (a) The ADU is located within one-half mile walking distance of public transit, defined as 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.
- (b) The ADU is located within an architecturally and historically significant historic district.
- (c) The ADU is part of the proposed or existing primary residence or an accessory structure ~~under subsection 3a(1) above~~.
- (d) When on-street parking permits are required but not offered to the occupant of the ADU.
- (e) When there is an established car share vehicle stop located within one block of the ADU.
- (f) When the permit application to create an ADU is submitted with an application to create a new single-family or new multifamily dwelling on the same lot, provided that the ADU or the lot satisfies any other criteria listed in subsections (~~56~~)(~~gf~~)(2)(a) through (~~fe~~) above.
- (3) No Replacement. When a garage, carport, ~~or~~ covered parking structure, or uncovered parking space is demolished in conjunction with the construction of an ADU or converted to an

ADU, those off-street parking spaces are not required to be replaced.

~~(4) No off-street parking is required for a JADU.~~

hg. Architectural Requirements

(1) The materials and colors of the exterior walls, roof, and windows and doors must ~~match the appearance and architectural design be the same as~~ those of the primary dwelling.

(2) The roof slope must match that of the dominant roof slope of the primary dwelling. The dominant roof slope is the slope shared by the largest portion of the roof.

(3) The exterior lighting must be limited to down-lights or as otherwise required by the building or fire code.

(4) The ADU must have an independent exterior entrance, apart from that of the primary dwelling.

~~(5) The interior horizontal dimensions of an ADU must be at least 10 feet wide in every direction, with a minimum interior wall height of seven feet.~~

~~(6) No window or door of the ADU may have a direct line of sight to an adjoining residential property. Each window and door must either be located where there is no direct line of sight or screened using fencing, landscaping, or privacy glass to prevent a direct line of sight.~~

~~(7) All windows and doors in an ADU are less than 30 feet from a property line that is not a public right-of-way line must either be (for windows) clerestory with the bottom of the glass at least six feet above the finished floor, or (for windows and for doors) utilize frosted or obscure glass.~~

~~i. Landscape Requirements. Evergreen landscape screening must be planted and maintained between the ADU and adjacent parcels as follows:-~~

~~(1) At least one 15-gallon size plant shall be provided for every five linear feet of exterior ADU wall. Alternatively, at least one 24" box size plant shall be provided for every ten linear feet of exterior ADU wall.~~

~~(2) Plant specimens must be at least six feet tall when installed. As an alternative, a solid fence of at least 6 feet in height may be installed.~~

~~(3) All landscaping must be drought tolerant.~~

~~(4) All landscaping must be from the city's approved plant list.~~

~~j. Historical Protections. An ADU that is on or within 600 feet of real property that is listed in the California Register of Historic Resources must be located so as to not be visible from any public right-of-way.~~

- ~~ki.~~ Allowed Stories. No ADU subject to this subsection 5 may have more than one story, except that an ADU that is attached to the primary dwelling may have the stories allowed under subparagraph ~~4b(5)(b)(4)~~ of this section.
67. Fees. The following requirements apply to all Class 1 ADUs and JADUs and Class 2 ADUs ~~all ADUs~~ that are approved under subsections ~~3a(4)(a)~~ or ~~3b(4)(b)~~ above.
- a. Impact Fees
- (1) No impact fee is required for a JADU or for an ADU that has less than 750 square feet ~~in size of interior livable space~~. For purposes of this subsection ~~6a(7)(a)~~, “impact fee” means a “fee” under the Mitigation Fee Act (Government Code Section 66000(b)) and a fee under the Quimby Act (Government Code Section 66477). “Impact fee” here does not include any connection fee or capacity charge for water or sewer service.
 - (2) A JADU or ADU with less than 500 square feet of interior livable space does not increase assessable space by 500 square feet for purposes of Education Code section 17620(a)(1)(C), and is therefore not subject to school fees under Education Code section 17620.
 - ~~(3)~~ Any impact fee that is required for an ADU that has 750 square feet or more of interior livable space larger in size ~~larger in size~~ must be charged proportionately in relation to the square footage of the primary dwelling unit. (e.g., the floor area of the ADU, divided by the floor area of the primary dwelling, times the typical fee amount charged for a new dwelling.)
- b. Utility Fees
- (1) If an ADU or JADU is constructed with a new single-family home, a separate utility connection directly between the ADU or JADU and the utility and payment of the normal connection fee and capacity charge for a new dwelling are required.
 - (2) Except as described in subsection ~~6b(7)(b)(1)~~, JADUs and converted ADUs on a single-family lot that are created under subsection ~~3a(4)(a)(1)~~ above are not required to have a new or separate utility connection directly between the JADU or ADU and the utility. Nor is a connection fee or capacity charge required. Notwithstanding the rest of this paragraph, a direct utility connection is required for separate conveyance of an ADU when separate conveyance is allowed under this code.
 - (3) Except as described in subsection ~~6b(7)(b)(1)~~, all ADUs that are not covered by subsection ~~6b(7)(b)(2)~~ require a new, separate utility connection directly between the ADU and the utility for any utility that is provided by the city. All utilities that are not provided by the city are subject to the connection and fee requirements of the utility provider.

- (a) The connection is subject to a connection fee or capacity charge that is proportionate to the burden created by the ADU based on either the floor area or the number of drainage-fixture units (DFU) values, as defined by the Uniform Plumbing Code, upon the water or sewer system.
- (b) The portion of the fee or charge that is charged by the city may not exceed the reasonable cost of providing this service.

78. Nonconforming Zoning Code Conditions, Building Code Violations, and Unpermitted Structures

- a. Generally. The city will not deny an ADU or JADU application due to a nonconforming zoning condition, building code violation, or unpermitted structure on the lot that does not present a threat to the public health and safety and that is not affected by the construction of the ADU or JADU.
- b. Unpermitted ADUs and JADUs constructed before 2020.
 - (1) Permit to Legalize. As required by state law, the city may not deny a permit to legalize an existing but unpermitted ADU or JADU that was constructed before January 1, 2020, if denial is based on either of the following grounds:
 - (a) The ADU or JADU violates applicable building standards, or
 - (b) The ADU or JADU does not comply with state ADU or JADU law or this ADU ordinance (section 11.200).
 - (2) Exceptions:
 - (a) Notwithstanding subsection ~~7b(8)(b)(1)~~ above, the city may deny a permit to legalize an existing but unpermitted ADU or JADU that was constructed before January 1, 2020, if the city makes a finding that correcting a violation is necessary to comply with the standards specified in California Health and Safety Code section 17920.3.
 - (b) Subsection ~~7b(8)(b)(1)~~ above does not apply to a building that is deemed to be substandard in accordance with California Health and Safety Code section 17920.3.

89. Nonconforming ADUs and Discretionary Approval. Any proposed ADU or JADU that would otherwise be allowed under this section but that does not conform to the objective design or development standards set forth in subsections 1 through ~~7-8~~ of this section may be allowed by the city with a conditional use permit, in accordance with the ~~other~~ provisions of Section 2.50 of this title.

DATE: January 13, 2026
TO: Planning Commission
FROM: Planning Department
SUBJECT: Election of Chairman and Vice Chairman

RECOMMENDATION:

Nominate and elect new Planning Commission Chairman and Vice Chairman for calendar year 2026.

APPLICANT	OWNER
N/A	N/A

LOCATION: N/A

PROJECT ANALYSIS:

At the beginning of each calendar year, the Planning Commission elects a new Chair and Vice Chair. Currently the Chair is Commissioner Joshan and the Vice Chair was Commissioner Piuser. Staff has no recommendation on who should fill these positions for calendar year 2026 and defers to the Planning Commission.

CEQA:

Per Section 157378(b)(5) of the California Environmental Quality Act (CEQA) Guidelines, the action is not considered a “project” under CEQA because the action is an administrative activity of the City that would not result in direct or indirect physical changes to the environment and therefore, the action is not subject to CEQA.

ATTACHMENTS	EXHIBIT
None	