REGULAR MEETING OF THE CITY OF LA VERNE PLANNING COMMISSION AGENDA

City Hall Council Chambers
3660 D Street
La Verne, CA 91750
(909) 596-8706
www.laverneca.gov

Wednesday, March 11, 2026 - 6:30 p.m.
City Hall Council Chambers
3660 "D" Street, La Verne, CA 91750

Attendance and participation at the City of La Verne Planning Commission meetings are welcomed and appreciated. Community engagement provides the Planning Commission with valuable information. Regular Meetings are held on the 2nd Wednesday of every month. In compliance with the American Disabilities Act, any person with a disability who requires a modification or accommodation in order to participate in a meeting should contact the City Clerk's Office at (909) 596-8726 at least 48 hours prior to the meeting.

The Council Chambers will be open to the public at 6:00 p.m. Materials related to an item on this agenda, submitted to the Planning Commission after distribution of the agenda packet, are available for public inspection at the meeting or in the Community Development Department during normal business hours.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

MINUTES – February 24, 2026

PUBLIC COMMENT

This is the time set aside for anyone wishing to address the Planning Commission on items not listed in any other place on this agenda.

California Law does not allow the Planning Commission to take action in response to your statements at this meeting. Your concerns may be referred to staff or set for hearing at a later date.

PUBLIC HEARINGS

1. CASE NO.: 13-26ZA
RESOLUTION NO.: 1353
PROPOSAL: UPDATING THE LA VERNE MUNICIPAL CODE BY AMENDING THE ZONING CODE RELATING TO THE DEFINITION OF EMERGENCY SHELTER AND TWO-UNIT (SB 9) HOUSING PROJECTS AND UPDATING THESUBDIVISION PROVISIONS RELATING TO URBAN LOT SPLITS
ENVIRONMENTAL DETERMINATION: Exempt from CEQA pursuant to the provisions of the authorizing statute, SB9, as set forth in Government Code sections 65852.21 and 66411.7 relating to two-unit developments and the entire Ordinance is exempt pursuant to the commonsense exemption of CEQA Guidelines section 15061(b)(3)

STAFF: Parker Stringfellow, Associate Planner

2. CASE NO.: 14-26ZA
RESOLUTION NO.: 1354
PROPOSAL: UPDATING THE LA VERNE MUNICIPAL CODE IN COMPLIANCE WITH STATE LAW RELATING TO ACCESSORY DWELLING UNITS (ADUs) INCLUDING UPDATES TO APPLICATION TIMELINES, APPEALS, AND MODIFIED STANDARDS FOR JUNIOR ACCESSORY DWELLING UNITS
ENVIRONMENTAL DETERMINATION: Exempt from CEQA pursuant to Public Resources Code section 21080.17

STAFF: Valerie Chin, Assistant Planner

PRESENTATIONS AND OTHER MATTERS

3. 2026 LA VERNE COMMUNITY DESIGN AWARDS

STAFF: Valerie Chin, Assistant Planner

4. SB 79 UPDATE

STAFF: Parker Stringfellow, Associate Planner

PLANNING COMMISSIONERS COMMENTS

DIRECTOR COMMENTS

ADJOURNMENT

The next meeting of the Planning Commission is scheduled to be held April 8, 2026 at 6:30 p.m. in the Council Chambers, 3660 “D” Street, La Verne, CA 91750.

Proof of Posting — I declare under penalty of perjury that I am employed by the City of La Verne in the Community Development Department; and that I posted this agenda in the City Hall Council Chambers and the City’s website on March 5, 2026.

3/5/26
Date

Signature

CITY OF LA VERNE

MINUTES OF THE ADJOURNED REGULAR MEETING
OF THE LA VERNE PLANNING COMMISSION
TUESDAY, FEBRUARY 24, 2026

ACTION MINUTES

REGULAR MEETING – 6:30 p.m. – *Chairperson Conrad called the meeting to order at 6:30 p.m.*

PLEDGE OF ALLEGIANCE – *Led by Commissioner Carney*

ROLL CALL Chairperson Jeremy Conrad, Vice-Chair Erin Duffy, Commissioner Marlene Carney, Commissioner Keny Chang and Commissioner Matt Ramos

Commissioners present: Carney, Conrad, Chang, and Ramos
Absent: Duffy
Advisory Staff Present: Community Development Director Eric Scherer, Principal Planner Candice Bowcock, Assistant Planner Valerie Chin, Planning Intern Kaitlyn Cavan, Assistant City Attorney Lisa Kranitz, and Administrative Secretary Natalie Hiatt.

MINUTES – **January 14, 2026 and February 11, 2026 –** *It was moved by Commissioner Carney and seconded by Commissioner Ramos to approve the minutes of January 14, 2026 and February 11, 2026. Motion carried by a 4-0 vote.*

PUBLIC COMMENT – *None*

PUBLIC HEARINGS

Project: Case Nos. 113-25GPA, 114-25ZC, 115-25MPA, 116-25PM, and 117-25PPR – Brethren Hillcrest Gateway Project, including Mitigated Negative Declaration (MND), to update the Brethren Hillcrest Homes (Hillcrest) Master Plan involving portions of Neighborhoods 5 and 10.

RECOMMENDATION:
Staff recommends the Planning Commission approve Case Number 115-25MPA contingent on the approval of other related case files, and recommends Case Numbers 113-25GPA and 114-25ZC to the City Council based on this report and the conditions of approval. Staff further recommends that the Planning Commission adopt the MND and Mitigation Monitoring and Reporting Program for the non-legislative approvals and recommends that the City Council adopt the same for the General Plan Amendment and Zone Change.

Presentation: *The presentation was made by Principal Planner Candice Bowcock. Ms. Bowcock stated that Hillcrest President Matthew Neeley and Dio Glentis of LSA Environmental Consultants were present.*

Public Comment: *Mr. Neeley explained the significance of the project to the community, provided background of Hillcrest, and expressed his appreciation for City staff. Mr. Neeley also explained that Hillcrest became a non-profit in 1953 and will seek a property tax exemption for the new homes. He stated that he plans to hire more staff with the property tax savings.*

Commissioner Comments: *Commissioner Carney stated her admiration for the Hillcrest property.*

Commissioner Chang stated that the proposed project is well done.

Chairperson Conrad thanked Hillcrest and City staff and stated that the project is consistent with the rest of the campus.

It was moved by Commissioner Chang and seconded by Commissioner Ramos to approve Resolution 1349. The motion carried by a 4-0 vote.

It was moved by Commissioner Ramos and seconded by Chairperson Conrad to approve Resolution 1350. The motion carried by a 4-0 vote.

Project: Case No. 130-25CUP – Conditional Use Permit request to operate a music school located at 1502 Foothill Boulevard, Suite 104 in the Foothill Boulevard Specific Plan area.

RECOMMENDATION:
Staff recommends that the Planning Commission approve Case No. 130-25CUP and adopt Resolution 1351, including a finding that the project is exempt from CEQA pursuant to Guidelines section 15301, based on the staff report presented to them.

Presentation: *The presentation was made by Planning Intern Kaitlyn Cavan. Ms. Cavan stated that the applicant Luis Cordova is present at the meeting.*

Public Comment: *Mr. Cordova stated that children are the future of the community and their goal is to help children build confidence. He thanked the Commission for the opportunity.*

Commissioner Comments*: The Commissioners agreed that the school will be a good addition to the City.*

It was moved by Commission Chang and seconded by Commissioner Carney to approve Resolution No. 1351 approving the conditional use permit based on the staff report presented to them and the findings and conditions of approval. Motion carried by a 4-0 vote.

Project: Case No. 1-26CUP – Conditional Use Permit to operate a photography studio located at 2984 First Street, Unit O located in the Arrow Corridor Specific Plan zone. The business is currently in operation and requires a Conditional Use Permit to legalize its use.

RECOMMENDATION:
Staff recommends that the Planning Commission approve Case No. 1-26CUP and adopt Resolution No. 1352 based on the staff report presented to them.

Presentation: *The presentation was made by Assistant Planner Valerie Chin. Ms. Chin stated that the applicant Uriel Sanchez is present at the meeting.*

Public Comment: *Mr. Sanchez stated that this is his first physical space and apologized for not being familiar with the process. Mr. Sanchez thanked staff for their assistance.*

Commissioner Comments*: Commissioner Carney asked Mr. Sanchez about the focus of his business.*

Mr. Sanchez stated that his main focus is real estate photography including video, social media, and virtual tours.

It was moved by Commission Carney and seconded by Commissioner Ramos to approve Resolution No. 1352, including a finding that the project is exempt from CEQA pursuant to CEQA Guidelines section 15301, based on the staff report presented to them and the findings and conditions of approval. Motion carried by a 4-0 vote.

OTHER MATTERS

None.

PLANNING COMMISSIONER COMMENTS

Commissioner Carney complimented the staff reports.

Chairperson Conrad thanked and complimented staff on their staff reports.

DIRECTOR COMMENTS –

Mr. Scherer stated a need for the March 11th Planning Commission meeting.

ADJOURNMENT – *The meeting was adjourned at 7:12 p.m.*

Respectfully submitted,

Natalie Hiatt, Secretary

City of La Verne, Planning Commission Agenda Report

DATE: March 11, 2026

TO: Planning Commission

FROM: Parker Stringfellow, Associate Planner

SUBJECT: CASE NUMBER 13-26ZA – UPDATING THE LA VERNE MUNICIPAL CODE BY AMENDING THE ZONING CODE RELATING TO THE DEFINITION OF EMERGENCY SHELTER AND TWO-UNIT (SB 9) HOUSING PROJECTS AND UPDATING THE SUBDIVISION PROVISIONS RELATING TO URBAN LOT SPLITS

SUMMARY

This ordinance is being presented for Planning Commission recommendation to bring the La Verne Municipal Code into compliance with State law. Updates address a slight change to the definition of "emergency shelter," as well as changes relating to two-unit housing development and urban lot splits.

RECOMMENDATION

Staff recommends the Planning Commission recommend approval of the draft ordinance to the City Council by adopting Resolution No. 1353.

DISCUSSION

This ordinance introduces minor, but important updates to the La Verne Municipal Code (LVMC) to ensure compliance with State mandates. The changes are outlined below as follows:

LVMC §18.08.015:
Amends the definition of "emergency shelter" by eliminating "minimal" when referencing supportive services for homeless persons.

LVMC §18.122.020:
Clarifies that proposed two-unit development is not permitted:

- In a contributing structure included on the State Historic Resources Inventory; or
- On a parcel listed as a historic resource on the State Historic Resources Inventory, or on a property individually designated or listed as a city landmark under a city ordinance.

Language referring to the demolition or alteration of structures pursuant to subsection B of the previously adopted ordinance has been removed from this section.

LVMC §16.12.060:

Clarifies that proposed urban lot splits are not permitted:

- On a parcel that is a historical landmark property included on the State Historic Resources Inventory, or within a site that is designated or listed as a city landmark pursuant to city ordinance.

Language of the previously adopted ordinance referencing historic "districts" or historic "property" has been removed from this section.

Also in this section, the change is to allow an urban lot split where the split does not require demolition or alteration of the following:

- A contributing structure located within either a historic district that is included on the California Register of Historical Resources or within a historic district listed or designated pursuant to a city ordinance; or
- An existing exterior structural wall of a structure located within either a historic district that is included on the California Register of Historical Resources or within a historic district listed or designated pursuant to a city ordinance.

ENVIRONMENTAL ANALYSIS

This Ordinance is exempt from CEQA pursuant to the provisions of the authorizing statute, SB 9, as set forth in Government Code sections 65852.21 and 66411.7 relating to two-unit developments and the entire Ordinance is exempt pursuant to the common sense exemption of CEQA Guidelines section 15061(b)(3) as it can be seen with certainty that these changes will have no environmental impacts as they merely incorporate what is required by state law.

ATTACHMENTS

1. Draft Resolution No. 1353
    a. Exhibit A: DRAFT City Council Ordinance

RESOLUTION NO. 1353

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA VERNE, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF LA VERNE ADOPT THE ORDINANCE FOR CASE NUMBER 13-26ZA - UPDATING THE DEFINITION OF EMERGENCY SHELTER AND ZONING AMENDMENTS RELATED TO TWO-UNIT AND URBAN LOT SPLIT DEVELOPMENT PROJECTS AND MAKING A DETERMINATION THAT THE ORDINANCE IS EXEMPT FROM CEQA PURSUANT TO GOVERNMENT CODE SECTIONS 65852.21 AND 66411.7 AND CEQA GUIDELINES SECTION 15061(b)(3)

WHEREAS, Sections 2.48.020 through 2.48.165 of the La Verne Municipal Code empower the Planning Commission to recommend appropriate legislation to the City Council regarding the orderly growth, development, and environmental character of the community; and

WHEREAS, both Chapter 18.112 of the La Verne Municipal Code and state law require the Planning Commission to hold a noticed public hearing on proposed changes to the zoning ordinance of La Verne; and

WHEREAS, the State Legislature adopted AB 1061 which amended the provisions of law relating to two-unit housing developments and urban lot splits and SB 340 which amended the definition of an “emergency shelter”;

WHEREAS, a notice of public hearing was published in the Inland Valley Daily Bulletin; and

WHEREAS, changes related to two-unit housing developments and urban lot splits are statutorily exempt from CEQA pursuant to Government Code Sections 65852.21 and 66411.7 and CEQA Guidelines Section 15061(b)(3); and

WHEREAS, on March 11, 2026, the Planning Commission conducted a duly noticed public hearing on the matters set forth in this Resolution, at which time the Planning Commission considered all evidence presented, both oral and written; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF LA VERNE:

SECTION 1. The above recitals are true and correct and are incorporated herein by reference as substantive findings of this Resolution.

SECTION 2. The Planning Commission recommends that the City Council adopt the Ordinance attached hereto as Exhibit A relating to Two-Unit Development and Urban Lot Splits based upon the entire record before the Planning Commission, including the finding that adoption of the Ordinance is exempt pursuant to Government Code sections 65852.21 and 66411.7 and the common sense exemption of CEQA Guidelines section 15063(b)(3) as the provisions of state law apply.

SECTION 3. The documents and materials that constitute the record of proceedings on which this Resolution has been based are located at City Hall, 3660 D St, La Verne, CA 91750.

The custodian for these records is the City Clerk. This information is provided pursuant to Public Resources Code section 21081.6.

SECTION 4. This Resolution shall become effective upon its adoption.

SECTION 5. Signature. The Chairperson shall sign, and the Secretary shall attest to the adoption of Resolution No. 1353.

APPROVED AND ADOPTED this eleventh day of March 2026, by the Planning Commission at La Verne, California.

_____
Chairperson, Planning Commission

ATTEST:

_____
Secretary, Planning Commission

Exhibit A: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNE, CALIFORNIA AMENDING THE DEFINITION OF "EMERGENCY SHELTER" TO IMPLEMENT STATE LAW AND AMENDING CHAPTER 18.22 AND SECTION 16.12.060 OF THE LA VERNE MUNICIPAL CODE TO IMPLEMENT STATE LAWS CHANGES RELATING TO TWO-UNIT HOUSING DEVELOPMENTS AND URBAN LOT SPLITS AND MAKING A DETERMINATION THAT THE ORDINANCE IS EXEMPT FROM CEQA PURSUANT TO GOVERNMENT CODE SECTIONS 65852.21 AND 66411.7 AND CEQA GUIDELINES SECTION 15061(b)(3)

ORDINANCE NO. 26-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNE, CALIFORNIA AMENDING THE DEFINITION OF "EMERGENCY SHELTER" TO IMPLEMENT STATE LAW AND AMENDING CHAPTER 18.22 AND SECTION 16.12.060 OF THE LA VERNE MUNICIPAL CODE TO IMPLEMENT STATE LAWS CHANGES RELATING TO TWO-UNIT HOUSING DEVELOPMENTS AND URBAN LOT SPLITS AND MAKING A DETERMINATION THAT THE ORDINANCE IS EXEMPT FROM CEQA PURSUANT TO GOVERNMENT CODE SECTIONS 65852.21 AND 66411.7 AND CEQA GUIDELINES SECTION 15061(b)(3)

WHEREAS, State law continues to be amended relating to housing within California, including special types of housing; and

WHEREAS, the City of La Verne wishes to amend the provisions of its Municipal Code to be compliant with State law including AB 1061 which amended the provisions of law relating to two-unit housing developments and urban lot splits and SB 340 which amended the definition of an "emergency shelter"; and

WHEREAS, on March 11, 2026, the Planning Commission held a duly noticed public hearing at which time it considered all evidence presented, both written and oral; and

WHEREAS, at the close of the public hearing the Planning Commission adopted a resolution recommending that the City Council adopt this Ordinance; and

WHEREAS, on April 6, 2026, the City Council held a duly noticed public hearing at which time it considered all evidence presented, both written and oral; and

WHEREAS, amending the La Verne Municipal Code is in the public necessity, convenience, general welfare and required by good zoning practices as it keeps the La Verne Municipal Code consistent with the requirements of state law;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LA VERNE, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Findings. The above recitals are true and correct and are incorporated as substantive findings of the City Council.

SECTION 2. The definition of "emergency shelter" set forth in Section 18.08.015 of the La Verne Municipal Code is hereby amended to read as follows:

“Emergency shelter” means housing with supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay (per Health and Safety Code Section 50801).

SECTION 3. Chapter 18.122 is hereby amended to read as follows:

Chapter 18.122 TWO-UNIT HOUSING DEVELOPMENT

§ 18.122.010. Definitions.

For purposes of this chapter, the following definitions shall apply:

"Housing development" means no more than two primary residential units within a single-family zone that meets the requirements of this chapter. The two units may consist of two new units or one new unit and one existing unit.

“Primary unit” shall mean a residential unit that is not otherwise classified as an accessory dwelling unit or a junior accessory dwelling unit in accordance with Chapter 17.33.

"Unit" means any dwelling unit, including, but not limited to, a primary dwelling unit or any unit created pursuant to this chapter, as well as an accessory dwelling unit or a junior accessory dwelling unit, which is allowed as provided for in Chapter 18.120 of this code.

"Urban lot split" has the same meaning as set forth in Section 16.12.060.

§ 18.122.015. Time for action on application.

A. The city shall approve or deny an application for a housing development within sixty days from the date of receipts of a complete application. Failure to approve or deny within this time period shall mean the application is deemed approved.

B. If the city denies the application, it shall, within the sixty-day period, 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.

§ 18.122.020. Approval requirements.

The city shall ministerially approve a housing development containing no more than two primary units if it meets the following requirements and those of section 18.122.030:

A. The parcel or development is not located in any of the following areas and does not fall within any of the following categories:

1. As to historical properties:

a. The development is not located in a contributing structure within a historic

district included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or historic property or district pursuant to a city ordinance; or

b. A parcel individually listed as a historical resource included in the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a property individually designated or listed as a city landmark under a city ordinance.

2. A hazardous waste site that is listed pursuant to Government Code Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Health and Safety Code Section 25356, unless the State Department of Public Health, State Water Resources Control Board, or Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.

3. A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law and by the city's building department.

4. A special flood hazard area subject to inundation by the one percent annual chance flood (one-hundred-year flood) as determined by the Federal Emergency Management Agency (FEMA) in any official maps published by FEMA. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subsection and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site. A development may be located on a site described in this subsection if either of the following are met:

   a. The site has been subject to a letter of map revision prepared by FEMA and issued to the city; or

   b. The site meets FEMA requirements necessary to meet minimum floodplain management criteria of the National Flood Insurance Program pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter 1 of Title 44 of the Code of Federal Regulations.

5. A regulatory floodway as determined by FEMA in any of its official maps, published by FEMA unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subsection and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any

additional permit requirement, standard, or action adopted by the city that is applicable to that site.

6. Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Ac (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan.

7. Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the Federal Endangered Species Act of 1973 (16 U.S.C. Section 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).

8. Lands under conservation easement.

B. The proposed housing development would not require demolition or alteration of any of the following types of housing:

1. Housing that is subject to a recorded covenant, ordinance or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income;

2. Housing on a parcel or parcels on which an owner of residential real property exercised rights under Government Code Section 7060 et seq. to withdraw accommodations from rent or lease within fifteen years before the date of the application; or

3. Housing that has been occupied by a tenant in the last three years.

C. If a lot has not been divided as an urban lot split pursuant to section 16.12.060, two additional units consisting of an accessory dwelling unit and junior accessory dwelling unit may be permitted for a total of four units.

§ 18.122.030. Standards and requirements.

A. The following objective standards for residential development currently applicable in La Verne will be prioritized in ascending order (with subsection (A)(7), regarding front yard setback, being of the highest priority, and subsection (A)(1), regarding frontage, being the lowest priority) if, and only if those standards preclude two eight-hundred-square-foot residential units from existing/being constructed as a part of an SB 9 project:

1. Minimum ten-foot lot frontage to street or alleyway for urban lot splits.

2. Residential driveway standards as set forth in Section 18.76.060.
3. Minimum ten-foot building separation.
4. Outdoor Living. For SB 9 units in single-family zones, there must be outdoor living spaces that meet the following requirements:
    a. Each unit shall have a separate useable outdoor living area of four hundred square feet, with fifteen feet minimum in any direction.
    b. Outdoor living areas and the immediate surroundings shall be landscaped.
    c. Outdoor living areas do not include parking areas, driveways, or front and rear yard setback areas.
5. Maximum lot coverage allowed by the underlying zone.
6. Maximum building height allowed by the underlying zone.
7. Front yard setback required by the underlying zone.

B. Notwithstanding any other provisions of the municipal code to the contrary, the following requirements shall apply in addition to all other objective standards applicable to the underlying zone:
    1. Setbacks.
        a. No setback shall be required for an existing structure, or a structure constructed in the same location and within the same dimensions as an existing structure.
        b. Except for those circumstances described in subsection (B)(1)(a) above, the setback for side and rear lot lines shall be four feet.
        c. The front setback shall be that required by the underlying zone, provided the setback does not preclude two eight-hundred-square-foot residential units from existing on each lot.
        d. For landlocked parcels, side yard setbacks shall apply to all property lines.
    2. The applicant shall provide easements for the provision of public services and facilities as required.
    3. One parking space per unit shall be required on the lot unless the parcel is located within one-half mile walking distance of either a high-quality transit corridor as defined by Public Resources Code Section 21155(b) or a major transit stop as defined in Public Resources Code Section 21064.3. The parking space need not be covered, but tandem parking between units shall not be allowed.
        a. If a parking space is not required, then the owner shall be required to disclose that fact in any sales or rental agreement.

§ 18.122.040. Limitations on city actions.

A. The City may impose objective zoning, subdivision, and design review standards that do not conflict with this chapter. However, no objective standard shall be imposed that would have the effect of physically precluding the construction of two units on a lot or that would result in a unit size of less than eight hundred square feet.

B. The city shall not deny an application solely because it proposes adjacent or connected structures provided that that all building code safety standards are met, and they are sufficient to allow a separate conveyance.

§ 18.122.050. Affidavit—Form—Contents.

An applicant for a second house on a lot shall be required to sign an affidavit in a form approved by the city attorney to be recorded against the property stating the following:

A. That the uses shall be limited to residential uses.

B. That the rental of any unit created pursuant to this chapter shall be for a minimum of thirty- one days.

C. That the maximum number of primary units, as defined in Section 18.122.010, to be allowed on the parcels is two and the maximum number of units is four.

§ 18.122.060. Denial grounds.

The city may deny the housing development on any grounds in addition to that set forth in Section 18.122.020(A)(6) above, if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in Government Code Section 65589.5(d)(2), upon the public health and safety for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

SECTION 4. Section 16.12.060 of the La Verne Municipal Code is hereby amended to read as follows:

§ 16.12.060. Parcel maps for urban lot splits.

A. Definitions. For purposes of this section, the following definitions shall apply:

"Urban lot split" means a lot split of a single-family residential lot into two parcels that meet the requirements of this section.
"Unit" for purposes of this section means any dwelling unit, including, but not limited to, a unit created pursuant to Chapter 18.122, an accessory dwelling unit or a junior accessory dwelling unit.

B. Time for action on application.

1. The city shall approve or deny an application for a lot split within sixty days

from the date of receipt of a complete application. Failure to approve or deny within this time period shall mean that the application is deemed approved.

2. If the city denies the application, it shall, within the sixty-day time period, 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. The city shall ministerially approve a parcel map for a lot split that meets the following requirements:

1. The parcel is located within a single-family residential zone.

2. The parcel map divides an existing parcel to create no more than two new parcels of approximately equal lot area, provided that one parcel shall not be smaller than forty percent of the lot area of the original parcel.

3. Both newly created parcels are no smaller than one thousand two hundred square feet.

4. The parcel is not located in any of the following areas and does not fall within any of the following categories:

a. A historical landmark property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city landmark pursuant to a city ordinance.

b. A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Health and Safety Code Section 25356, unless the State Department of Public Health, State Water Resources Control Board, or Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.

c. A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law and by the city's building department.

d. A special flood hazard area subject to inundation by the one percent annual chance flood (one-hundred-year flood) as determined by the Federal Emergency Management Agency (FEMA) in any official maps published by FEMA. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this paragraph and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any additional permit requirement,

standard, or action adopted by the city that is applicable to that site. A development may be located on a site described in this paragraph if either of the following are met:

i. The site has been subject to a letter of map revision prepared by FEMA and issued to the city; or

ii. The site meets FEMA requirements necessary to meet minimum floodplain management criteria of the National Flood Insurance Program pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter 1 of Title 44 of the Code of Federal Regulations.

e. A regulatory floodway as determined by FEMA in any of its official maps, published by FEMA unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this paragraph and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site.

f. Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Ac (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan.

g. Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the Federal Endangered Species Act of 1973 (16 U.S.C. Section 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).

h. Lands under a conservation easement.

5. The proposed lot split would not require demolition or alteration of any of the following types of housing:

a. Housing that is subject to a recorded covenant, ordinance or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income;

b. Housing on a parcel or parcels on which an owner of residential real property exercised rights under Government Code Section 7060 et seq.

to withdraw accommodations from rent or lease within fifteen years before the date of the application;

c. Housing that has been occupied by a tenant in the last three years;

d. A contributing structure located within either a historic district that is included on the California Register of Historical Resources or within a historic district listed or designated pursuant to a city ordinance; or

e. An existing exterior structural wall of a structure located within either a historic district that is included on the California Register of Historical Resources or within a historic district listed or designated pursuant to a city ordinance.

6. The lot split does not result in more than two units on a parcel.

D. Standards and Requirements. Notwithstanding any other provisions of this municipal code to the contrary, the following requirements shall apply:

1. The lot split conforms to all applicable objective requirements of the Subdivision Map Act, Title 16 (Subdivisions) and Title 18 (Zoning) of the municipal code, except as the same are modified by this section.

2. No setback shall be required for an existing structure, or a structure constructed in the same location and to the same dimensions as an existing structure.

3. Except for circumstances described in subsection (C)(2) above, the setback for side and rear lot lines shall be four feet.

4. The applicant shall provide easements for the provision of public services and facilities as required.

5. Landlocked parcels created by an urban lot split shall have a frontage to the public right- of-way that is no less than ten feet in width resulting in the creation of a flag lot, provided that requiring the frontage does not preclude two eight-hundred-square-foot residential units from existing on each lot. Where a flag lot is not possible, an access easement over the other parcel on the same map shall be required. The easement shall be not less than ten feet in width and must connect to the same curb cut and apron as the other parcel on the same map.

6. Residential units developed on a lot created pursuant to this section shall be subject to the provisions of Chapter 18.122.

7. The split of the lot will not result in less than one parking space per unit.

a. This does not apply in either of the following instances:

i. The parcel is located within one-half mile walking distance of either a high- quality transit corridor as defined in Public Resources Code Section 21155 or a major transit stop as defined in Public Resources

Code Section 21064.3; or

ii. There is a car share vehicle located within one block of the parcel.

b. If a parking space is not required, then the owner shall be required to disclose that fact in any sales or rental agreement.

E. The city shall not require or deny an application based on any of the following:

1. The city shall not require dedications of rights-of-way or the construction of offsite improvements for the parcels being created as a condition of issuing a parcel map.

2. The city shall not impose any subdivision standards that would have the effect of physically precluding the construction of two units on either of the resulting parcels or that would result in a unit size of less than eight hundred square feet.

3. The city shall not require the correction of nonconforming zoning conditions as a condition for the lot split.

4. The city shall not deny an application solely because it proposes adjacent or connected structures provided that all building code safety standards are met, and they are sufficient to allow a separate conveyance.

F. An applicant for an urban lot split shall be required to sign an affidavit in a form approved by the city attorney to be recorded against the property stating the following:

1. That applicant intends to occupy one of the housing units as their principal residence for a minimum of three years from the date of approval. This requirement does not apply when the applicant is a "community land trust" or a "qualified nonprofit corporation" as the same are defined in the Revenue and Taxation Code.

2. That the uses shall be limited to residential uses.

3. That any rental of any unit created by the lot split shall be for a minimum of thirty-one days.

4. That the maximum number of units to be allowed on each parcel is two, including units otherwise allowed pursuant to density bonus provisions, accessory dwelling units, junior accessory dwelling units, or units allowed pursuant to Chapter 18.122.

G. The city may deny the lot split if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in Government Code Section 65589.5(d)(2), upon the public health and safety for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

H. This section shall not apply to:

1. Any parcel which has been established pursuant to a lot split in accordance with this section; or

2. Any parcel where the owner of the parcel being subdivided or any person acting in concert with the owner has previously subdivided an adjacent parcel in accordance with this section. For purposes of this section, "acting in concert" shall include, but not be limited to, where the owner of a property proposed for an urban lot split is the same, related to, or connected by partnership to the owner, buyer or seller (if transferred within the previous three years) of an adjacent lot.

SECTION 5. **CEQA.** This Ordinance is exempt from CEQA pursuant to the provisions of the authorizing statute, SB 9, as set forth in Government Code sections 65852.21 and 66411.7 relating to two-unit developments and the entire Ordinance is exempt pursuant to the common sense exemption of CEQA Guidelines section 15061(b)(3) as it can be seen with certainty that these changes will have no environmental impacts as they merely incorporate what is required by state law.

SECTION 6. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

SECTION 7. Effective Date. This Ordinance shall take effect on the 31st day after adoption.

SECTION 8. Certification. The Deputy City Clerk shall certify the passage of this ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published as required by law, in a publication of general circulation.

PASSED, APPROVED AND ADOPTED this _____day of _____, 2026.

_____

Mayor Tim Hepburn

_____
Debra Fritz, CMC Deputy City Clerk

CERTIFICATION

I hereby certify that the foregoing **Ordinance 26-XXX** was duly and regularly adopted by the City Council of the City of La Verne at a meeting thereof held on the **Xth day of XXX, 2026,** by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Debra Fritz, CMC Deputy City Clerk

City of La Verne, Planning Commission Agenda Report

DATE: March 11, 2026

TO: Planning Commission

FROM: Valerie Chin, Assistant Planner

SUBJECT: CASE NUMBER 14-26ZA – DRAFT ORDINANCE UPDATE ON TITLE 18 OF THE LA VERNE MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS (ADUs) INCLUDING UPDATES TO APPLICATION TIMELINES, APPEALS, AND MODIFIED STANDARDS FOR JUNIOR ACCESSORY DWELLING UNITS

SUMMARY

This ordinance is being presented for Planning Commission recommendation to bring the La Verne Municipal Code into compliance with State law. Updates address new application timelines, appeals to the City Council, and modified standards for junior ADUs.

RECOMMENDATION

Staff recommends the Planning Commission recommend approval of the draft ordinance to the City Council by adopting Resolution No. 1354.

DISCUSSION

This ordinance introduces minor but important updates to the La Verne Municipal Code (LVMC) to ensure compliance with State mandates. The changes are outlined below as follows:

LVMC §18.120.030 *Applications*:

Clarifies new application timelines:

- The City must determine application completeness within 15 business days of receiving the application.
- If the application is incomplete, the City must notify the applicant in writing and identify what is needed to complete it within 15 business days.
- If a determination is not made within the 15 business days, the application or any resubmitted application shall be deemed complete.
- An applicant may appeal a denial or incompleteness determination directly to the City Council. A final written determination shall be provided to the applicant no later than 60 business days after receiving the written appeal.

LVMC §18.120.050 *Development standards/requirements* – Accessory Dwelling Units:
The addition of section M clarifying references to square footage:

- Square footage calculations under this Chapter apply only to interior livable space.

LVMC §18.120.060 *Mandatory approvals*:
Clarifies that all junior and accessory dwelling units:

- Permitted under this section may not be combined with any other ADU or JADU otherwise authorized by this Chapter.

Section B1 "A junior accessory dwelling unit may be developed with this type of detached accessory dwelling unit and shall comply with all requirements of Sections 18.120.070 and 18.120.080 below" of the previously adopted ordinance has been removed from this section.

Some language of the previously adopted ordinance referencing accessory dwelling units has been updated to include junior ADUs as well.

LVMC §18.120.070 *Junior accessory dwelling units*:
Added standards for junior accessory dwelling units:

- If sanitation facilities are shared, the owner must live in one of the units, unless the owner is a governmental agency, land trust, or housing organization.
- A JADU does not require fire sprinklers unless the primary dwelling does, and building a JADU does not require retrofitting the primary dwelling with sprinklers.

LVMC §18.120.080 *Regulations*:
Clarifies that all junior and accessory dwelling units:

- May be rented separate from the primary rented and shall be rented for a minimum of thirty-one days.

ENVIRONMENTAL ANALYSIS

This Ordinance is exempt from CEQA pursuant to Public Resources Code section 21080.17 which provides CEQA does not apply to the adoption of an ordinance to implement ADU law. No further environmental review is required at this time.

ATTACHMENTS

1. Draft Resolution No. 1354
    a. Exhibit A: DRAFT City Council Ordinance

RESOLUTION NO. 1354

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA VERNE, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF LA VERNE ADOPT THE ORDINANCE FOR CASE NUMBER 14-26ZA – MODIFYING AND UPDATING TITLE 18 OF THE LA VERNE MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS AND MAKING A DETERMINATION THAT THE ORDINANCE IS EXEMPT FROM CEQA PURSUANT TO PUBLIC RESOURCES CODE SECTION 21080.17

WHEREAS, Sections 2.48.020 through 2.48.165 of the La Verne Municipal Code empower the Planning Commission to recommend appropriate legislation to the City Council regarding the orderly growth, development, and environmental character of the community; and

WHEREAS, both Chapter 18.112 of the La Verne Municipal Code and state law require the Planning Commission to hold a noticed public hearing on proposed changes to the zoning ordinance of La Verne; and

WHEREAS, a notice of public hearing was published in the Inland Valley Daily Bulletin; and

WHEREAS, changes related to accessory dwelling units are statutorily exempt from CEQA pursuant to Public Resources Code section 21080.17 which provides CEQA does not apply to the adoption of an ordinance to implement ADU law; and

WHEREAS, on March 11, 2026, the Planning Commission conducted a duly noticed public hearing on the matters set forth in this Resolution, at which time the Planning Commission considered all evidence presented, both oral and written; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF LA VERNE:

SECTION 1. The above recitals are true and correct and are incorporated herein by reference as substantive findings of this Resolution.

SECTION 2. The Planning Commission recommends that the City Council adopt the Ordinance, including the finding of CEQA exemption, attached hereto as Exhibit A relating to Accessory Dwelling Units based upon the entire record before the Planning Commission.

SECTION 3. The documents and materials that constitute the record of proceedings on which this Resolution has been based are located at City Hall, 3660 D St, La Verne, CA 91750. The custodian for these records is the City Clerk. This information is provided pursuant to Public Resources Code section 21081.6.

SECTION 4. This Resolution shall become effective upon its adoption.

SECTION 5. Signature. The Chairperson shall sign, and the Secretary shall attest to the adoption of Resolution No. 1353.

APPROVED AND ADOPTED this eleventh day of March 2026, by the Planning Commission at La Verne, California.

_____
Chairperson, Planning Commission

ATTEST:

_____
Secretary, Planning Commission

Exhibit A: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNE, CALIFORNIA MODIFYING AND UPDATING TITLE 18 OF THE LA VERNE MUNICIPAL CODE TO IMPLEMENT STATE LAWS CHANGES RELATING TO ACCESSORY DWELLING UNITS AND MAKING A DETERMINATION THAT THE ORDINANCE IS EXEMPT FROM CEQA PURSUANT TO PUBLIC RESOURCES CODE SECTION 21080.17

ORDINANCE NO. 26-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNE, CALIFORNIA AMENDING THE ZONING PROVISIONS OF THE LA VERNE MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS IN ACCORDANCE WITH STATE LAW AND MAKING A DETERMINATION THAT THE ORDINANCE IS EXEMPT FROM CEQA PURSUANT TO PUBLIC RESOURCES CODE SECTION 21080.17

WHEREAS, the California State legislature has continued to amend state legislation relating to Accessory Dwelling Units ("ADUs) and Junior Accessory Dwelling Units ("JADUs"); and

WHEREAS, these amendments necessitate revisions in the City's Zoning Ordinance relating to ADUs and JADUs in order to be in compliance with the new provisions or the state law relating to these units prevail and the City loses local control; and

WHEREAS, on XXX, 2026, the Planning Commission of the City of La Verne held a duly noticed public hearing at which time it considered all evidence presented, both written and oral; and

WHEREAS, at the close of the public hearing the Planning Commission adopted a resolution recommending that the City Council adopt this Ordinance; and

WHEREAS, the City desires to amend its regulations to comply with the current state law; and

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

WHEREAS, amending the La Verne Municipal Code is in the public necessity, convenience, general welfare and required by good zoning practices as it keeps the La Verne Municipal Code consistent with the requirements of state law;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LA VERNE, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Findings. The above recitals are true and correct and are incorporated as substantive findings of the City Council.

SECTION 2. Chapter 18.120 of the La Verne Municipal Code is hereby amended to read as follows:

§ 18.120.010 Purpose.

The purpose of this chapter is to provide for accessory dwelling units and junior accessory dwelling units in accordance with the provisions of state law in order to assist with the housing crisis.

§ 18.120.020 Definitions.

For purposes of this chapter, the following definitions shall apply in addition to those definitions set forth in Government Code sections 66313 through 66342.

"Accessory dwelling unit" means 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 which includes permanent provisions for living, sleeping, eating, cooking and sanitation facilities on the same parcel of land as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes the following: an efficiency unit; and a manufactured home, as defined in Section 18007 of the Health and Safety Code.

"Detached" means where there is a physical separation between the accessory dwelling unit and the primary unit or an accessory structure.

"Junior accessory dwelling unit" means a unit that is no more than five hundred square feet of interior livable space in size and contained entirely within a single-family residence or an attached structure, including a garage.

"Junior or accessory dwelling units" means that the section refers to both a junior and accessory dwelling unit.

“Livable space” means a space in a dwelling intended for human habitation, including living, sleeping, eating, cooking, or sanitation.

"Primary unit" means an existing single-family dwelling, or the larger of two proposed units or an existing or proposed multi-family dwelling.

§ 18.120.030 Applications.

A. The City shall determine whether an application for a junior or accessory dwelling unit is complete within 15 business days after receipt of the application.

1. If the City determines the application is incomplete, it shall provide the applicant with a list of incomplete items and a description of how the application may be made complete within the 15 business day time period.

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

B. An application for a junior or accessory dwelling unit shall be ministerially approved or denied within sixty days of receipt of a complete application and approved if it meets the requirements of this chapter.

1. Notwithstanding subsection A above, if the application is submitted in conjunction with an application for a new single-family or multifamily dwelling, the application for the junior or accessory dwelling unit shall not be approved or denied upon until the application for the new dwelling is acted upon.

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

3. If the construction of an accessory dwelling unit requires demolition of a detached garage, the demolition application shall be reviewed and issued at the same time as the accessory dwelling unit.

4. If the application is denied, the city shall detail in writing all items that are defective or deficient and how the applicant can remedy the application within the same time period as set forth above.

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

C. The city shall impose application, permit and inspection fees on accessory dwelling units and junior accessory dwelling units in amounts set by resolution of the city council.

D A permit application may not be denied due to the need to correct a nonconforming zoning condition, building code violation, or unpermitted structures that do not present a threat to the public health and safety and are not affected by the construction of the accessory dwelling unit.

E. Appeals. Notwithstanding anything in Title 18 to the contrary, the applicant may appeal a denial of an application or a determination that an application is incomplete directly to the City Council. A final written determination shall be provided to the applicant no later than 60 business days after the receipt of the written appeal.

§ 18.120.040 Allowed zones.

A. An application for a junior or accessory dwelling unit shall be approved by the community development director or the director's designee upon the director's or designee's determination that the application meets all the requirements set out in Section 18.120.050 in the zoning districts listed below and in specific plan areas where residential or mixed-use development is allowed.

1. A-1 limited agricultural;

2. PR-1/5 planned residential, one detached dwelling unit/five acres;

3. PR-1D planned residential, one detached dwelling unit/acre;

4. PR-2D planned residential, two detached dwelling units/acre;

5. PR-3D planned residential, three detached dwelling units/acre;

6. PR-4.5D planned residential, four and one-half detached dwelling units/acre;

7. PR-5D planned residential, five detached dwelling units/acre;

8. PR-6A planned residential, six attached dwelling units/acre;

9. PR-7A planned residential, seven attached dwelling units/acre;

10. PR-7.5A planned residential, seven and one-half attached dwelling units/acre;

11. PR-8A planned residential, eight attached dwelling units/acre;

12. PR-10A planned residential, ten attached dwelling units/acre;

13. PR-15A planned residential, fifteen attached dwelling units/acre;

14. C-P-D commercial-professional mixed development, where residential has been allowed by Section 18.120.060.

B. An accessory dwelling unit may only be constructed on a lot which contains an existing or proposed single-family or multifamily dwelling.

C. Accessory dwelling units shall not count in determining density or lot coverage and are considered a residential use consistent with the existing general plan and zoning designation for the lot.

§ 18.120.045 Location/Number.

A. Location.

1. Accessory dwelling units shall be located only on lots with an existing or proposed single-family or multifamily dwelling. Junior accessory dwelling units shall be located only on lots in a single-family zone.

2. Accessory dwelling units may be interior conversions, attached or detached and may be located in an attached or detached garage or in an existing accessory structure.

3. Attached and detached accessory dwelling units shall be located behind the rear building line of the primary residence in a single-family zone. However, this requirement shall not apply if the accessory dwelling unit is being converted from a legally existing accessory structure, including a garage, or constructed in the exact

same location and to the exact same dimensions as a legal, previously existing accessory structure.

B. Number.Only one accessory dwelling unit or one junior accessory dwelling unit shall be allowed on a residentially zoned lot, unless otherwise permitted in accordance with Section 18.120.060 below.

§ 18.120.050 Development standards/requirements—Accessory dwelling units.

A. Type of Building. An attached or detached accessory dwelling unit shall be a permanent structure on a permanent foundation with permanent provisions for living, sleeping, food preparation, sanitation, and bathing. A manufactured home as defined in California Health and Safety Code Section 18007 shall qualify.

B. Height. The height of an attached or detached accessory dwelling unit shall not exceed the following limits.

1. A detached accessory dwelling unit shall not exceed a maximum height of eighteen feet if the accessory dwelling unit is on a lot with an existing or proposed single-family or multifamily dwelling unit if located within one-half mile walking distance of a major transit stop or a high-quality transit corridor as those terms are defined in Public Resources Code Section 21155. An additional two feet in height shall be allowed to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit.

2. A detached accessory dwelling unit on a lot with an existing or proposed multifamily, multistory dwelling shall not exceed eighteen feet.

3. An attached accessory dwelling unit shall have a maximum height of twenty-five feet, or the height allowed for the primary dwelling, whichever is lower.

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

5. In all other cases not described in subsections 1-4, the maximum height for an accessory dwelling unit shall be sixteen feet.

6. No accessory dwelling unit shall exceed two stories.

C. Size.

1. The maximum size of an attached or detached accessory dwelling unit is eight hundred fifty square feet if it has zero or one bedrooms, and one thousand square feet if it has two or more bedrooms.

2. The minimum square footage for an attached or detached accessory dwelling unit shall not be less than the size allowed for an efficiency unit as defined in Health and Safety Code Section 17958.1.

3. Notwithstanding any other provision of this section, development standards shall be waived to allow an applicant to build an eight hundred square foot accessory dwelling unit provided that the height requirements do not exceed those set forth in subsection C above with at least four-foot side and rear yard setbacks.

4. Junior accessory dwelling units shall not exceed 500 square feet.

D. Setbacks.

1. Attached and detached accessory dwelling units shall be located behind the rear building line of the primary residence.

2. An accessory dwelling unit, including a unit constructed above a permitted garage, shall have rear and side yard setbacks of at least four feet.

3. The setback requirements in subsections E.1 and E.2 above shall not apply if the accessory dwelling unit is being converted from an approved accessory structure, including a garage, or being constructed in the same location and to the same dimensions as an approved existing accessory structure, including a garage.

4. Accessory dwelling units shall be required to comply with the requirements of the California Building Standards Code as set forth in Chapter 15.04 of this code, including relating to the distance between buildings. Notwithstanding the above, the construction of an ADU shall not constitute a Group R occupancy change unless the building official 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.

5. Detached accessory dwelling units shall be a minimum of ten feet from other buildings on the same property.

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

E. Lot Coverage. The lot coverage standards of the underlying zoning district or specific plan area where the unit is located shall control.

F. Outdoor Living. For accessory dwelling units in single-family zones, there must be outdoor living spaces that meet the following requirements:

1. Each unit shall have a separate usable outdoor living area of four hundred square feet, with fifteen feet minimum in any direction.

2. Outdoor living areas shall be landscaped.

3. Outdoor living areas do not include parking areas, driveways, or front and rear yard setback areas of the primary residence.

G. Parking.

1. Parking shall be required at the rate of one space for each accessory dwelling unit that is at least one bedroom. No parking spaces shall be required for an accessory dwelling unit created within an existing livable space.

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

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

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

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

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

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

b. The accessory dwelling unit is located within an architecturally and historically significant historic district or the property is subject to the Mills Act;

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

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

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

f. When a permit application for an accessory dwelling unit is submitted with a permit application to create a new single-family or multifamily dwelling

on the same lot provided that the accessory dwelling unit or the parcel satisfies any other criteria listed in this subsection H.6.

g. If a parking space is not required, then the owner shall be required to disclose that fact in any rental agreement.

H. Design.

1. The accessory dwelling unit shall be of the exact same architectural style, including roof design, windows, doors, wall treatment materials, and color as the primary unit.

2. The accessory dwelling unit shall have a separate entrance from the primary dwelling unit.

3. The accessory dwelling unit shall not alter the appearance of the primary single-family dwelling unit.

I. Fire sprinklers shall only be required in any accessory dwelling unit if they were required in the primary unit. The construction of an accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.

J. Utilities—Connections, Fees and Capacity Charges.

1. Attached/Interior Accessory Dwelling Units.

a. The unit shall be connected to utilities, but a separate utility connection shall not be required unless the accessory dwelling unit is being constructed in connection with a proposed residential dwelling.

b. For an accessory dwelling unit contained within a proposed or existing single-family dwelling meeting the requirements of Section 18.20.060.A, the city shall not impose a connection fee or capacity charge, unless the unit is being constructed with a new single-family dwelling. For all other accessory dwelling units, the city shall charge a connection fee or capacity charge that is proportionate to the burden of the proposed accessory dwelling unit based on the size of the unit or number of plumbing fixtures.

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

2. Detached Accessory Dwelling Units. The unit shall be connected to utilities, but a direct connection between the utility at the unit shall not be required unless the accessory dwelling unit is being constructed in connection with a proposed residential dwelling.

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

K. Impact Fees.

1. No impact fee shall be imposed on any accessory dwelling unit less than seven hundred fifty square feet in size.

2. For accessory dwelling units seven hundred fifty square feet or greater, impact fees shall be charged proportionately in relation to the square footage of the primary dwelling.

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

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

L. Historic Properties. If a primary structure is subject to a Mills Act contract with the City, construction shall comply with the contract's standards, including design conformance with the Secretary of Interior Standards. Additionally, the Mills Act contract shall be amended to authorize the accessory dwelling unit on the site.

M. Square Footage. All references to square footage in this Chapter are based on the square footage of interior livable space.

§ 18.120.060 Mandatory approvals.

Notwithstanding any other provision of this chapter, the city shall ministerially approve an application for any combination of the following:

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

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

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

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

4. If the unit is a junior accessory dwelling unit, it shall comply with the requirements of Sections 18.120.070 and 18.120.080 below.

B. One detached accessory dwelling unit that does not exceed four-foot side and rear yard setbacks on a lot with an existing or proposed single-family dwelling, provided that the unit shall not be more than eight hundred square feet and shall not exceed the height specified in Section 18.120.050.B.1, C.2, , or sixteen feet in any other case.

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

D. On a lot with an existing multifamily dwelling structure, up to eight detached units, but in no event more than the number of existing units on the lot, , provided that they meet the height requirements of Section 18.120.050.B.1 through C.3, above, or not exceed sixteen feet in all other cases, and have at least four-foot side and rear yard setbacks.

E. On a lot with a proposed multifamily dwelling, up to two detached units, provided that they meet the height requirements of Section 18.120.050B.1, C.2, or not exceed sixteen feet in any other case, and have at least four-foot side and rear yard setbacks.

F. The junior and accessory dwelling units authorized under this section may not be combined with any other junior or accessory dwelling unit otherwise authorized by this Chapter.

G. A permit application may not be denied due to the need to correct a nonconforming zoning condition.

H. Fire sprinklers shall only be required in a junior or accessory dwelling unit if they were required in the primary unit. The construction of a junior or accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.

I. Rentals of a junior or accessory dwelling unit created pursuant to this section shall be for a minimum of thirty-one days.

§ 18.120.070 Junior accessory dwelling units.

A. One junior accessory dwelling unit shall be allowed on each lot in the single-family residential zone within an existing or proposed single-family dwelling, including an attached garage. A junior accessory dwelling unit shall be allowed in conjunction with an accessory dwelling unit as specified in Section 18.120.060.

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

C. The junior accessory dwelling unit shall have a separate entrance from the primary residence.

D. The junior accessory dwelling unit may, but is not required to, include separate sanitation facilities.

1. If separate sanitation facilities are not provided, the junior accessory dwelling unit shall share sanitation facilities with the single-family residence and must have an interior entry to the main living area of the single-family residence.

2. If sanitation facilities are shared, the owner must reside in either the primary unit or the junior accessory dwelling unit, unless the owner is another governmental agency, land trust, or housing organization.

E. Fire sprinklers shall not be required in a junior accessory dwelling unit if they are not required for the primary dwelling and the construction of a junior accessory dwelling unit shall not trigger a requirement for sprinklers to be installed in the existing primary unit.

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

G. A junior accessory dwelling unit shall be required to comply with applicable building standards.

H. The owner of property on which a junior accessory dwelling unit is constructed shall abide by the following and record a deed restriction which shall run with the land and shall provide for the following:

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

2. A prohibition from enlarging the junior accessory dwelling unit beyond five hundred square feet;

3. A prohibition from renting the property for less than thirty-one consecutive, calendar days;

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

5. A copy of the deed restriction shall be filed with the community development department after recordation.

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

§ 18.120.080 Regulations.

A. Sales.

1. Accessory dwelling units shall not be sold separately from the primary unit unless the sale is to a qualified nonprofit corporation in accordance with the provisions of Government Code Section 66341.

2. Junior accessory dwelling units shall not be sold separately from the primary unit.

B. Rental. All junior and accessory dwelling units may be rented separate from the primary rented and shall be rented for a minimum of thirty-one days.

C. Owner/Occupancy.

1. The city shall not enforce any owner/occupancy requirement previously imposed on an accessory dwelling unit.

2. No accessory dwelling unit shall be subject to an owner-occupancy requirement.

3. Junior accessory dwelling units shall only have an owner/occupancy requirement as specified in section 18.120.070.D.

D. This chapter shall in no way validate any existing illegal accessory dwelling unit nor shall it change a legal nonconforming unit to a conforming unit.

E. Unpermitted Accessory Dwelling Units.

1. An application for an accessory dwelling unit to convert an illegal and/or nonconforming accessory dwelling unit to a legal conforming accessory dwelling unit shall be subject to the same standards and requirements as for a newly proposed unit.

2. Notwithstanding subsection E.1 above, the city shall not deny a permit for an unpermitted accessory dwelling unit or junior accessory dwelling unit constructed before January 1, 2020 on the grounds that it is in violation of the California Building Standards (Health and Safety Code Section 17960 et seq.) or that it does not comply with this chapter unless the city makes a finding that correcting the violation is necessary to comply with the standards specified in Health and Safety Code section 17920.3 or if the building is deemed substandard pursuant to Health and Safety Code section 17920.3.

3. The city shall inform the applicant 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.

4. Upon receiving an application to permit a previously unpermitted ADU or JADU constructed before January 1, 2020, an inspector from the city may inspect the

unit for compliance with health and safety standards and provide recommendations to comply with such standards in order to obtain a permit. The city shall not penalize an applicant for having the unpermitted ADU or JADU and shall approve necessary permits to correct noncompliance with health and safety standards.

F. Guesthouses that were previously approved and which have a valid building permit on file shall not be affected by this chapter. However, an application to convert a guesthouse to an accessory dwelling unit shall be subject to this chapter.

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

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

H. Accessory dwelling units and junior accessory dwelling units shall be required to obtain a separate address for the unit from the department of building and safety.

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

SECTION 3. CEQA. This Ordinance is exempt from CEQA pursuant to Public Resources Code section 21080.17 which provides CEQA does not apply to the adoption of an ordinance to implement ADU law.

SECTION 4. Effective Date. This Ordinance shall take effect on the 31st day after passage.

SECTION 5. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause, or phrase be declared unconstitutional.

SECTION 6. Certification. The Deputy City Clerk shall certify the passage of this ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be processed as required by law.

SECTION 7. Transmission to HCD. The Deputy City Clerk shall send a copy of this Ordinance to the Department of Housing and Community Development as required by State law.

PASSED, APPROVED AND ADOPTED this _____day of _____, 2026, by the City Council at La Verne, California.

_____

Mayor Tim Hepburn

_____

Debra Fritz, CMC Deputy City Clerk

CERTIFICATION

I hereby certify that the foregoing **Ordinance 26-XXX** was duly and regularly adopted by the City Council of the City of La Verne at a meeting thereof held on the ____ **day of** _____**, 2026,** by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

Debra Fritz, CMC Deputy City Clerk