



# CITY COUNCIL

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# CITY OF LA HABRA

**JULY 21, 2025**

**ZONE CHANGE 25-0002**



# PROPOSAL

- ❖ To update the La Habra Municipal Code (LHMC) to comply with State law regarding Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs)
- ❖ Amending Title 18, Sections 18.04.030 and 18.12.150
- ❖ Pertains to all zones that allow single-unit and multi-unit residential development

# BACKGROUND

February  
2004

- City amended the LHMC to allow ministerial approval of second dwelling units

February  
2017

- “Second Dwelling Unit” same as “ADU”
- Regulations streamlined pursuant to SB1069 and AB2299

April  
2018

- Additional amendments pursuant to SB229 and AB484
- Established new size limits and reduced parking standards

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## 1. Definitions

- “Accessory Dwelling Unit” same as “ADU”
- Added definition for “primary unit” and “multi-unit dwelling”

## 2. Processing Time

- City must "approve or deny" an application to create an ADU or JADU within 60 days of receipt of an application

## 3. Demolition Permits

- Requires that a demolition permit for a detached garage that is to be replaced with an ADU be reviewed with the application for the ADU and issued at the same time

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## 4. Maximum Number of Units

- One ADU and one JADU may be built on a single-unit residentially zoned lot
- Up to eight detached ADUs (not total number of units on the lot) with an existing multi-unit dwelling structure.
- Two detached ADUs with a proposed multi-unit dwelling structure.

## 5. Maximum Size

- Attached ADU shall not exceed 50% of the existing primary dwelling.
- No size limit on an ADU created within (not attached to) an existing or proposed primary dwelling.

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## 6. Front Setbacks

- Waives front setback requirement to the extent required to allow construction of an 800 square-foot ADU

## 7. Non-conforming Zoning Conditions

- Prohibits denial of an ADU or Junior ADU due to nonconforming zoning conditions, building code violations, or unpermitted structures that do not present a threat to public health and safety

## 8. Unpermitted Structures Built Prior to January 1, 2020

- Prohibits denial of unpermitted ADU or JADU constructed prior to January 1, 2020

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## 9. Parking

- City shall not impose any parking standards for an ADU in conjunction with an application to create a new single-family dwelling or multi-family dwelling on the same lot.

## 10. JADUs

- Adds JADU development standards separate from ADUs, clarifying where a JADU is allowed, efficiency kitchen standards, separate entrance requirement, need for sanitation facilities, parking standards, building standards, consideration as a separate unit and deed restrictions.

## 11. Owner Occupancy

- No owner-occupancy requirements except for JADUs absent specified circumstances.

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## 12. Operational Standards

- ADUs and JADUs shall not be rented for periods of less than 31 days. Furthermore, an ADU shall not be sold or conveyed separately from the primary dwelling, except as allowed by California Government Code Section 66341.

## 13. Objective Design Standards

- Requires a minimum of three architectural treatments be provided along any street facing elevation of an ADU.

# RECOMMENDATION

That the City Council consider and approve the first reading of Ordinance No. CC 2025-\_\_\_ ENTITLED:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, APPROVING ZONE CHANGE 25-0002 TO AMEND SECTION 18.04.030 (TERMS DEFINED) OF CHAPTER 18.04 (DEFINITIONS) AND REPEAL AND REPLACE SECTION 18.12.150 (ACCESSORY DWELLING UNITS) OF CHAPTER 18.12 (SPECIAL DEVELOPMENT STANDARDS) OF TITLE 18 (ZONING) OF THE LA HABRA MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND MAKING A DETERMINATION THAT THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO PUBLIC RESOURCES CODE SECTION 21080.1