

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

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June 29, 2021

Joe Vacca, Director of Community Development
Community Development Department
City of Camarillo
601 Carmen Drive
Camarillo, CA 93010

Dear Joe Vacca:

RE: Review of the Camarillo's Accessory Dwelling Unit (ADU) Ordinance

Thank you for submitting the City of Camarillo's (City) accessory dwelling unit (ADU) ordinance adopted June 10, 2020. The ordinance was received by the California Department of Housing and Community Development (HCD) on June 30, 2020. HCD is submitting these written findings pursuant to Government Code section 65852.2, subdivision (h). HCD finds that the ordinance does not comply with section 65852.2 in a few respects, noted below. HCD requests that the City provide a written response to these findings no later than July 30, 2021. HCD will review and consider any written response received from the City before that date in advance of taking further action authorized by Government Code section 65852.2.

The adopted ADU ordinance meets many statutory requirements. However, the ordinance must be revised to comply with ADU law as follows:

- **Permitted Zones:** Per State Law, ADUs must be allowed on all lots zoned to allow single family or multifamily dwellings with a proposed or existing dwelling. The City's Municipal Code section 19.56.040 identifies some zones where single family and multifamily residences are allowed, but not all. The ordinance should not list allowable zones because doing so risks excluding, whether by intention or inadvertently, other zones that allow single family and multifamily development, such as agricultural or commercial zones. Instead, the ordinance should note, similar to State statute, that all areas zoned for single family and multifamily development must also allow the development of ADUs. (Gov. Code, § 65852.2, subd. (a)(1).)
- **Annual Reports:** Under Municipal Code section 19.56.100.E, the City requires the owner of a junior accessory dwelling unit (JADU) to not only file a deed restriction requiring owner occupancy but also file an annual report certifying, under penalty of perjury, that the property owner is occupying the primary residence or the JADU.

This annual report requirement is an undue constraint well beyond what is allowed under State JADU Law and must be removed. (Gov. Code, § 65852.22, subds. (a)(2), (a)(3); Gov. Code, § 65852.2, subd. (a)(5).)

The date on this letter shall serve as the start of the 30-day period for the local agency to respond to the findings before HCD takes any other action authorized pursuant to Government Code section 65852.2, subdivision (h). Please note that failure to comply with section 65852.2, subdivision (h), may lead to a referral to the Attorney General's Office.

HCD appreciates the City's efforts in the preparation and adoption of the ordinance and welcomes the opportunity to assist the city in fully complying with ADU Law. Please feel free to contact Reid Miller, of our staff, at (916) 263-2707 or at Reid.Miller@hcd.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Shannan West". The signature is fluid and cursive, with the first name "Shannan" written in a larger, more prominent script than the last name "West".

Shannan West
Land Use & Planning Unit Chief