DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT
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September 15, 2026

Jose Hernandez, Acting Community Development Director
Planning Department
City of Lawndale
14717 Burin Avenue
Lawndale, CA 90260

Dear Jose Hernandez:

RE: Review of Lawndale's Accessory Dwelling Unit (ADU) Ordinance under State ADU Law (Gov. Code, §§ 66310–66342)

Thank you for submitting the City of Lawndale (City) ADU Ordinance No. 1208-25 (Ordinance), adopted March 3, 2025, to the California Department of Housing and Community Development (HCD). HCD has reviewed the Ordinance and submits these written findings pursuant to Government Code section 66326, subdivision (a). HCD finds that the Ordinance fails to comply with State ADU Law in the manner noted below. Pursuant to Government Code section 66326, subdivision (b)(1), the City has up to 30 days to respond to these findings. Accordingly, the City must provide a written response to these findings no later than October 15, 2026, with a plan to either amend the current ordinance or adopt a resolution with findings.[1] Responses should be submitted formally on agency letterhead.

The Ordinance addresses many statutory requirements; however, HCD finds that the Ordinance does not comply with State ADU Law as follows:

1. Please note, recent legislation amended State ADU Law. Language relevant to these changes should be incorporated into the Ordinance as it is updated. The following bills are relevant to State ADU Law:

    - Assembly Bill (AB) 130 (Chapter 22, Statutes of 2025)—Effective June 30, 2025
    - AB 462 (Chapter 491, Statutes of 2025)—Effective October 10, 2025
    - AB 1154 (Chapter 507, Statutes of 2025)—Effective January 1, 2026
    - Senate Bill (SB) 9 (Chapter 510, Statutes of 2025)—Effective January 1, 2026
    - SB 543 (Chapter 520, Statutes of 2025)—Effective January 1, 2026

[1] Gov. Code, § 66326, subd. (b)(2)(B).

2. Section 17.48.056 – *Application Procedures* – The Ordinance omits any reference to the application procedures required by Government Code sections 66317 and 66335. For clarity, the City should amend the Ordinance to provide for these procedures.

3. Section 17.48.056 C.3. and D. – *Unit Allowances* – The Ordinance allows, "No more than one accessory dwelling unit is permitted, except as allowed by subsection D of this section." Subsection D outlines unit types allowable under Government Code section 66323, but does so in a way that appears to make subsections D (section 66323) and C (section 66314) mutually exclusive.

   However, Government Code section 66323 requires a local agency to permit any combination of at least: (1) one ADU and one JADU per lot with a proposed or existing single-family dwelling… and (2) "[o]ne detached, new construction, accessory dwelling unit that does not exceed four-foot side and rear yard setbacks." This permits a homeowner, who meets specified requirements, to create one converted ADU; one detached, new construction ADU; and one JADU on a lot with a single-family dwelling. Section 66323, subdivision (a), paragraphs (3) and (4) similarly provide for the number of units on lots with existing and proposed multifamily dwellings. Existing multifamily primaries may have "at least one accessory dwelling unit…and up to 25 percent of the existing multifamily dwelling units" created in existing non-livable space per Government Code section 66323, subdivision (a)(3) and up to eight detached ADUs (not to exceed the number of existing units on the lot) per section 66323, subdivision (a)(4). Proposed multifamily primary dwellings may have up to two detached ADUs per section 66323, subdivision (a)(4)(iii). Section 66323 units must also be combined, in any order, with at least one unit created subject to local development standards per section 66314. Therefore, the City must amend its Ordinance to allow for at least one ADU under Government Code section 66314, as well as all applicable combinations of ADUs under Government Code section 66323.

4. Section 17.48.056 C.10. – *Sprinklers* – The Ordinance states, "An ADU will not be required to provide fire sprinklers if they are not required for the primary residence." However, Government Code section 66314, subdivision (d)(12) expands on this to state, "The construction of an accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling." While ADUs shall not be required to provide fire sprinklers if they are not required for the primary residence, and the construction of an ADU may not trigger the requirement for fire sprinklers to be installed in the existing primary dwelling, Government Code section 66314, subdivision (d)(8) requires ADUs to follow local building code requirements, including defers to local building code requirements for other fire and life safety standards. Government Code section 66314, subdivision (d)(12) and section 66323, subdivision (d) do not prohibit local agencies from requiring other fire mitigation or life safety standards as applicable to non-sprinklered buildings to ADUs constructed without fire sprinklers. The City

must amend the Ordinance to clarify that ADUs may not trigger sprinkler requirements.

5. Section 17.48.056 C.11. – *Objective Standards* – The Ordinance states, "The accessory dwelling unit shall be architecturally compatible…in terms of exterior treatment, landscaping, and architecture, including, but not limited to, roofing pitch, roofing materials, and paint color." However, Government Code section 66314, subdivision (b) allows only "objective standards on accessory dwelling units." The terms "compatible" and "not limited to" are subjective, which is inconsistent with State ADU Law. Therefore, the City must amend the Ordinance to remove the subjective terms and ensure all standards are knowable and objective.

6. 17.48.056.C.12. – *Maximum Height* – The Ordinance states, "The maximum height of an accessory dwelling unit shall be eighteen feet in height or twenty-five feet if the ADU meets the requirements set forth under Section 17.48.056(D)(2)(c)." However, when an ADU would be developed within one-half of one mile walking distance of a major transit stop or a high-quality transit corridor, as defined in Section 21155 of the Public Resources Code, a local agency must allow an additional two feet in height to align the roof pitch of the ADU with the roof pitch of the primary dwelling unit.[2] Therefore, the City must amend the Ordinance to describe for the public when an ADU may have a maximum height of 20 feet, as allowed by State ADU Law.

7. Section 17.48.056 C.13. – *Parking* – The Ordinance states, "Parking requirements for ADUs shall be one parking space per ADU," before listing five of the exceptions as required by Government Code section 66322, subdivisions (a)(1) through (a)(5). However, the list is missing one instance that is required by State ADU Law. Government Code section 66322, subdivision (a)(6) states that parking shall not be required, "When a permit application for an accessory dwelling unit is submitted with a permit application to create a new single-family dwelling or a new multifamily dwelling on the same lot, provided that the accessory dwelling unit or the parcel satisfies any other criteria listed in this subdivision." Therefore, the City must amend the Ordinance to include this provision.

8. Section 17.48.056 C.16. – *Deed Restrictions* – The Ordinance requires a deed restriction for ADUs. However, a deed restriction cannot be imposed on an ADU. Government Code section 66315 states, "No additional standards, other than those provided in Section 66314, shall be used or imposed, including an owner occupant requirement, except that a local agency may require that the property may be used for rentals of terms 30 days or longer." Although deed restrictions

[2] Gov. Code, § 66321, subd. (b)(4)(B).

are required for JADUs, they cannot be required by the jurisdiction for ADUs. The City must amend the Ordinance to remove the deed requirement for an ADU.

9. Section 17.48.056.D.2.b – *Single-Story Limitation* – The Ordinance states, "A height of eighteen feet for a detached…(limited to one-story)". However, State ADU Law provides, "No additional standards, other than those provided in Section 66314, shall be used or imposed." While Government Code section 66314 allows the regulation of an ADU's "height," subject to strict limitations, it does not allow for regulations that limit an ADU to one story, if two stories are feasible consistent with the applicable height limit and the California Building Standards Code. The City must amend the Ordinance to remove the unlawful prohibition on two-story or second story ADUs.

10. Section 17.48.056.F.2. – *California Health and Safety Code Section Citation* – The Ordinance states, "Unpermitted accessory dwelling units (ADU) or junior accessory dwelling units (JADU) may be denied if the City finds that correcting a violation is necessary to comply with the standards specified in California Health and Safety Code section 17920." However, Government Code section 66311.7, subdivision (b) provides that a local agency may deny a permit for an unpermitted ADU developed prior to January 1, 2020, if the local agency deems the ADU to be substandard pursuant to Section 17920.3 of the Health and Safety Code, or if the ADU is located within a building that has been deemed substandard under that same section.[3] Therefore, the City must amend the Ordinance to correctly establish that the relevant Health and Safety Code section is 17920.3.

11. *Missing Required Standards* – Government Code section 66314 requires an ADU ordinance to include specific contents, but the Ordinance is missing some of the required contents. These include the standards described in Government Code section 66314, subdivision (d)(1) requiring a local ADU Ordinance to provide that an ADU shall not be sold, except as provided in Article 4, subdivision (d)(8) declaring that an ADU does not constitute a Group R occupancy change under the local building code, unless the local agency makes a written finding, subdivision (d)(9) requiring approval by the local health officer where a private sewage disposal system is being used, and subdivision (e) regarding the demolition of a detached garage. The County must amend the Ordinance to include these missing requirements.

The City has two options in response to this letter.[4] The City can either 1) amend the Ordinance to comply with State ADU Law[5] or 2) adopt the Ordinance without changes and include findings in its resolution accompanying the Ordinance that explain the reasons the City believes that the Ordinance complies with State ADU Law despite

[3] Gov. Code, § 66332, subd. (b) and (c).
[4] Gov. Code, § 66326, subd. (c)(1).
[5] Gov. Code, § 66326, subd. (b)(2)(A).

HCD's findings.[6] If the City fails to take either course of action or if HCD finds that the newly adopted Ordinance remains out of compliance with State ADU Law despite the City's findings and explanations, HCD must notify the City and may notify the California Office of the Attorney General that the City is in violation of State ADU Law.[7]

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 State ADU Law. Please feel free to contact Mike Van Gorder at Mike.VanGorder@hcd.ca.gov if you have any questions or wish to discuss any of HCD's findings.

Sincerely,



Jamie Candelaria
Section Chief, ADU Policy
Housing Accountability Unit

[6] Gov. Code, § 66326, subd. (b)(2)(B).
[7] Gov. Code, § 66326, subd. (c)(1).