

ORDINANCE NO. 22-2211

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING CHAPTER 1 (ZONING) OF ARTICLE IX (PLANNING AND ZONING) OF THE CARSON MUNICIPAL CODE, REVISING THE CITY'S REGULATIONS FOR ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

WHEREAS, Article IX of the Carson Municipal Code establishes regulations of accessory dwelling units; and

WHEREAS, the City desires to amend its accessory dwelling unit regulations as necessary to bring them into compliance with Government Code Sections 65852.2 and 65852.22 while retaining local control to the maximum extent permitted under these state law provisions; and

WHEREAS, the Planning Commission considered this ordinance at the Planning Commission meeting held on April 12, 2022 and made a recommendation to the City Council.

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

SECTION 1. Recitals. The recitals set forth above are all true and correct and are incorporated herein by this reference.

SECTION 2. CEQA. The City Council finds and determines that the adoption of an ordinance regarding second units (ADUs) in a single-family or multifamily residential zone to implement the provisions of Government Code Sections 65852.2 and 65852.22 is exempt from CEQA review pursuant to Public Resources Code Section 21080.17. Therefore, this ordinance does not require any environmental review under CEQA.

SECTION 3. The "Permanent Residential Uses" portion of Section 9121.1 of the Carson Municipal Code is hereby amended to add a new entry under "Mobile home," as follows, with the remaining portions of this Section remaining unchanged (additions in bold, italics, underlined):

	ZONES		
	RA	RS	RM
Permanent Residential Uses:			
Mobile home (provided the mobile home is certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 et	L	L	L

	ZONES		
	RA	RS	RM
seq.) and is located on a permanent foundation system pursuant to Section 18551 of the California Health and Safety Code. The Director shall ensure roofing material, roof overhang, and siding material will be architecturally compatible with surrounding residences.).			
<u>Accessory dwelling units and junior accessory dwelling units. (See CMC 9122.1.)</u>	<u>L</u>	<u>L</u>	<u>L</u>

SECTION 4. Section 9122.1 of the Carson Municipal Code is hereby repealed and replaced with the following:

“9122.1 Accessory Dwelling Units.

A. Purpose and Intent. The purpose of this section is to comply with Government Code Sections 65852.2 and 65852.22, which set standards for the development of accessory dwelling units and junior accessory dwelling units, and to implement the General Plan Housing Element, by increasing the supply of smaller and affordable housing units while ensuring that they remain compatible with existing neighborhoods.

B. Conformance. An accessory dwelling unit or junior accessory dwelling unit that conforms to the requirements in this section, subject to the Director’s determination, shall not be:

1. Deemed to be inconsistent with the General Plan or zoning district designation for the lot on which the accessory dwelling unit or junior accessory dwelling unit is located; or
2. Deemed to exceed the allowable density for the lot on which the accessory dwelling unit or junior accessory dwelling unit is located.

C. Permitting Procedures.

1. Any application for an accessory dwelling unit or junior accessory dwelling unit that meets the requirements of this section shall be approved ministerially without discretionary review or public hearing.

2. Applications for accessory dwelling units and junior accessory dwelling units shall be processed within sixty (60) days from the date the city receives a complete application if there is an existing single-family or multifamily dwelling on the lot. If the application to create an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on the lot, the city may delay acting on the application for the accessory dwelling unit or the junior accessory dwelling unit until the city acts on the permit application to create the new single-family dwelling, but the application to create the accessory dwelling unit or junior accessory dwelling unit shall be considered without discretionary review or hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay.

3. Approval of a permit for the creation of an accessory dwelling unit or junior accessory dwelling unit shall not be conditioned on the correction of nonconforming conditions on the subject property. However, this does not prevent the City from enforcing compliance with applicable building standards in accordance with California Health and Safety Code Section 17980.12.

D. Maximum Number of Units Allowed. The following is the maximum number of accessory dwelling units and/or junior accessory dwelling units allowed on any lot. Unless specified below, only one category may be used per lot.

1. ADU or JADU within Proposed or Existing Single-Unit Dwelling or Accessory Structure. One accessory dwelling unit and one junior accessory dwelling unit are permitted on a lot with one or more proposed or existing single-unit dwellings, if all of the following apply:

a. Either:

i. The accessory dwelling unit or junior accessory dwelling unit is proposed within the space of a proposed or existing single-unit dwelling (including an attached garage); or

ii. The accessory dwelling unit is proposed within the space of an existing accessory structure, plus an addition beyond the physical dimensions of the accessory structure of up to one hundred fifty (150) square feet. Further additions may also be made to the structure so long as the total size of the structure does not exceed the maximum size for a new-construction detached accessory dwelling unit that would otherwise be allowed on the same lot.

b. The accessory dwelling unit or junior accessory dwelling unit will have independent exterior access from the single-unit dwelling.

c. Side and rear setbacks comply with applicable provisions of Article III (Public Safety) and Article VIII (Building Regulations - Sewage and Waste) of this Code.

d. The junior accessory dwelling unit complies with the requirements in Government Code Section 65852.22.

2. Detached/Attached ADU on Lot with Single-Unit Dwelling. One detached or one attached, new-construction accessory dwelling unit is permitted on a lot with one or more proposed or existing single-unit dwellings. The accessory dwelling unit may be combined with a junior accessory dwelling unit described in subsection (D)(1) of this section.

3. Conversion of Existing Multi-Unit Dwelling. Multiple accessory dwelling units are permitted on lots with existing multi-unit dwellings subject to the following:

a. The number of accessory dwelling units shall not exceed twenty-five (25) percent of the existing multi-unit dwellings on the lot. To calculate the number of allowable accessory dwelling units, the following shall apply:

i. Fractions shall be rounded down to the next lower number of dwelling units, except that at least one accessory dwelling unit shall be allowed; and

ii. For the purposes of this section, multi-unit developments approved and built as a single complex shall be considered one lot, regardless of the number of parcels.

b. The portion of the existing multi-unit dwelling that is to be converted is not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages. However, amenities within common areas such as recreation rooms, outdoor space or any space previously designed to meet common area requirements shall not be converted to accessory dwelling units.

4. Detached ADU on Multi-Unit Lot. Up to two detached, new-construction accessory dwelling units are permitted on a lot that has an existing multi-unit dwelling. For the purposes of this section, multi-unit developments approved and built as a single complex shall be considered one lot, regardless of the number of parcels.

5. Notwithstanding any other provision in this section, the number of accessory dwelling units and junior accessory dwelling units permitted on a parcel that was created through an urban lot split shall be limited as described in Section 9210.7.

E. Development Standards. Except as modified by this subsection, accessory dwelling units and junior accessory dwelling units shall conform to all requirements of the underlying residential zoning district, any applicable overlay district, and all other applicable provisions of Article IX (Planning and Zoning), including but not limited to height, setback, site coverage, and residential development standards and design criteria.

1. Minimum Lot Area. There shall be no minimum lot area required to establish an accessory dwelling unit and/or junior accessory dwelling unit.

2. Setback Requirements. Accessory dwelling units and junior accessory dwelling units shall comply with the setback requirements applicable to the zoning district, except as noted below:

a. For conversion of existing enclosed floor area, garage, or carport, no additional setback is required, beyond the existing provided setback.

b. For replacement of an existing enclosed structure, garage, or carport, no setback is required beyond the existing setback. This provision shall only apply to accessory dwelling units and junior accessory dwelling units that are replacing existing structures within the same footprint and do not exceed the existing structure's dimensions.

c. Newly constructed accessory dwelling units shall provide a minimum setback of four feet from all side property lines and rear property lines.

3. Building Height. Detached accessory dwelling units shall not exceed one story and a height of sixteen (16) feet. Notwithstanding the foregoing, an accessory dwelling unit constructed above a detached garage shall not exceed two stories (garage with one story above) and the maximum allowable height of the underlying zoning district.

4. Unit Size.

a. The maximum size of a detached accessory dwelling unit is one thousand two hundred (1,200) square feet.

b. The maximum size of an attached accessory dwelling unit is eight hundred fifty (850) square feet for a studio or one-bedroom unit and one thousand (1,000) square feet for a unit with more than one bedroom, or

fifty (50) percent of the floor area of the existing primary dwelling, whichever is smaller.

c. The size limitations set forth in subparagraphs (E)(4)(a) and (E)(4)(b) above shall not apply to accessory dwelling units that are converted as part of a proposed or existing space of a principal residence or existing accessory structure.

d. Application of other development standards may further limit the size of the accessory dwelling unit beyond the limits established in subparagraph (e)(4)(a), but in no case shall open space, site coverage, or floor area ratio requirements, including the requirement in subparagraph (E)(4)(b), reduce the permitted size of a detached or attached accessory dwelling unit to less than eight hundred (800) square feet.

e. The maximum size of a junior accessory dwelling unit shall be five hundred (500) square feet.

f. The minimum size of an accessory dwelling unit or junior accessory dwelling unit shall be at least that of an efficiency unit, as defined in Health and Safety Code Section 17958.1.

5. Design. Accessory dwelling units and junior accessory dwelling units shall be similar to the principal dwelling with respect to architectural style, roof pitch, color, and materials.

6. Required Facilities.

a. Accessory dwelling units shall include complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation, including a kitchen and bathroom.

b. Junior accessory dwelling units shall include living facilities for one or more persons, including permanent provisions for living, sleeping, eating, and cooking, including an efficiency kitchen, as defined in Government Code Section 65852.22(a), as may be amended. Junior accessory dwelling units may include separate sanitation facilities or may share sanitation facilities with the primary residence.

7. Fire Sprinklers. Accessory dwelling units and junior accessory dwelling units shall not require fire sprinklers if fire sprinklers are not required for the principal residence.

8. Passageway. No passageway shall be required in conjunction with the construction of an accessory dwelling unit or junior accessory dwelling unit. For

the purposes of this section, “passageway” means a pathway that is unobstructed clear to the sky and extends from the street to one entrance of the accessory dwelling unit.

9. Parking. Parking shall comply with the requirements of Section 9162.1 (Parking Spaces Required) except as modified below:

- a. No additional parking shall be required for junior accessory dwelling units.
- b. A maximum of one parking space shall be required for each accessory dwelling unit.
- c. When additional parking is required, the parking may be provided as tandem parking and/or located on an existing driveway; however, in no case shall parking be allowed in a rear setback abutting an alley or within the front setback, unless the driveway in the front setback has a minimum depth of twenty (20) feet.
- d. No additional parking shall be required for:
 - i. Accessory dwelling units that are part of the proposed or existing principal residence or accessory structure;
 - ii. Accessory dwelling units located within one-half mile walking distance of a public transit. For the purposes of this section, “public transit” means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public;
 - iii. Accessory dwelling units located within an architecturally and historically significant historic district;
 - iv. When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit; or
 - v. When there is a car-share vehicle located within one block of the accessory dwelling unit.
- e. No Replacement Parking Necessary for ADUs. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit at the same location or converted to an accessory dwelling unit, those off-street parking spaces are not required to be replaced. However, off-street parking spaces shall be replaced when a garage, carport, or covered parking structure is demolished

in conjunction with the construction of a junior accessory dwelling unit or is converted to a junior accessory dwelling unit.

10. Separate Entrance. Junior accessory dwelling units and accessory dwelling units located within a primary residence or attached to a primary residence shall include an entrance that is separate from the main entrance to the primary residence.

F. Utility Connection Required. All accessory dwelling units and junior accessory dwelling units shall connect to public utilities (or their equivalent), including water, electric, and sewer services. The City shall not require a separate utility connection between an accessory dwelling unit or junior accessory dwelling unit and the utility, or impose a related connection fee or capacity charge, for units located entirely within a primary dwelling, unless the accessory dwelling unit or junior accessory dwelling unit was constructed with a new single-family home.

G. Additional Requirements for All Accessory Dwelling Units and Junior Accessory Dwelling Units.

1. No Separate Conveyance. An accessory dwelling unit or junior accessory dwelling unit may be rented, but, except as provided in Government Code Section 65852.26, no accessory dwelling unit or junior accessory dwelling unit may be sold or otherwise conveyed separately from the lot and the principal dwelling (in the case of a single-unit dwelling) or from the lot and all the dwellings (in the case of a multi-unit dwelling).

2. Short-Term Lodging. Accessory dwelling units and junior accessory dwelling units shall not be rented for periods of thirty (30) days or less.

3. Owner Occupancy for Junior Accessory Dwelling Units. A natural person with legal or equitable title to the lot must reside in either the principal dwelling unit or the junior accessory dwelling unit as the person's legal domicile and permanent residence. However, this owner occupancy requirement shall not apply to any junior accessory dwelling unit owned by a governmental agency, land trust, or housing organization.

H. Deed Restriction and Recordation Required. Prior to the issuance of a building and/or grading permit for an accessory dwelling unit or junior accessory dwelling unit, the property owner shall execute a deed restriction, the form and content of which is satisfactory to the City Attorney. The City will record the deed restriction on the property with the County Recorder's Office, and the property owner shall pay all recording costs. The deed restriction shall notify future owners of the prohibition on separate conveyance, the restriction on short-term rentals, the approved size and attributes of the unit, and the owner occupancy requirements, if applicable. For junior accessory dwelling units, the deed restriction shall also include a restriction on the size and attributes of the unit that conforms with

Government Code Section 65852.22. The deed restriction shall run with the land and remain in effect so long as the accessory dwelling unit and/or junior accessory dwelling unit exists on the lot.

I. Historic Resources. Accessory dwelling units and junior accessory dwelling units proposed on residential or mixed-use properties that are determined to be historic shall be approved ministerially, in conformance with California Government Code Sections 65852.2 and 65852.22. However, any accessory dwelling unit or junior accessory dwelling unit that is listed on the California Register of Historic Resources shall meet all Secretary of the Interior Standards, as applicable.”

SECTION 5. Section 9122.2 of the Carson Municipal Code is hereby repealed and replaced with the following:

“9122.2 Outbuilding and Outdoor Uses.

Accessory structures (outdoor buildings) shall not exceed five hundred (500) square feet of lot coverage. Accessory structures (outdoor buildings) exceeding five hundred (500) square feet of lot coverage shall be subject to a conditional use permit. This section does not apply to accessory dwelling units.”

SECTION 6. Section 9122.8 of the Carson Municipal Code is hereby repealed, and shall be replaced with the following:

“9122.8 Reserved.”

SECTION 7. Section 9125.5 of the Carson Municipal Code is hereby repealed.

SECTION 8. Section 9125.6 of the Carson Municipal Code is hereby repealed.

SECTION 9. Section 9126.24 of the Carson Municipal Code is hereby amended as follows (added text shown in bold, italics, underlined):

“9126.24 Side Yards.

Each lot shall have a side yard width as follows:

Use	Minimum Side Yard Setback
Single-Family Dwellings	3 feet for lots smaller than thirty feet wide. 10 percent of the lot width for lots 30 to 50 feet wide. 5 feet for lots wider than 50 feet. Where the side of a lot abuts a street, the required side yard shall be twice the width required above.
Multi-Family Dwellings and	6 feet for lots smaller than 30 feet wide. 20 percent

Residential Condominiums	of the lot width for lots 30 to 50 feet wide. 10 feet for lots wider than 50 feet.
<u><i>Accessory Dwelling Units / Junior Accessory Dwelling Units</i></u>	<u><i>4 feet, unless the unit is a conversion of an existing legal structure with a setback of less than 4 feet. (See CMC 9122.1.)</i></u>
<u><i>Second Primary Units and Two-Unit Developments</i></u>	<u><i>4 feet, unless the unit is a conversion of an existing legal structure with a setback of less than 4 feet. (See CMC 9128.84.)</i></u>

The above provisions may be waived, in connection with approval of a tract or parcel map, to permit the location of buildings at approximately one (1) inch from side lot lines provided compensating additional side yard space is provided on the opposite side of each lot and special noise absorbing walls are provided along the side lot line as specified in CMC 9163.2.

Required side yards shall not be occupied except as provided in CMC 9126.29.”

SECTION 10. Section 9126.25 of the Carson Municipal Code is hereby amended as follows (added text shown in bold, italics, underlined; deleted text shown in strikethrough font):

“Each lot shall have a rear yard with a minimum depth of fifteen (15) feet or fifteen (15) percent of the lot depth, whichever is less, *with the exception of accessory dwelling units, which shall be developed consistent with the standards in Section 9122.1, and second primary units and two-unit developments, which shall be developed consistent with the standards in Section 9128.84.*

~~A required rear yard shall not be occupied except as provided in CMC 9126.29.”~~

SECTION 11. Section 9126.26 of the Carson Municipal Code is hereby amended as follows (added text shown in bold, italics, underlined):

“On each lot there shall be a passageway at least ten (10) feet in width extending from a street frontage to at least one (1) entrance to each dwelling unit and rooming unit, or where such units have access to a hallway within a building, the passageway shall extend to at least one (1) entrance to such hallway.

Passageway requirements for an accessory dwelling unit and junior accessory dwelling unit shall be consistent with the standards in Section 9122.1.

A required passageway shall not be occupied except as provided in Section 9126.29.”

SECTION 12. Section 9126.27 of the Carson Municipal Code is hereby amended as follows (added text shown in bold, italics, underlined; deleted text shown in strikethrough font):

“9126.27 Space Between Buildings.

The minimum spacing between single-family dwellings, or single-family dwellings and multiple-family dwellings, is the sum of the yard setbacks, depending upon orientation, as required by Division 6 of this Part.

The spacing between main residential buildings within multiple-family dwelling projects or residential condominium projects shall be at least ten (10) feet, except where a parking space is proposed therein, in which case there shall be at least fifteen (15) feet between main buildings. Where an individual unit fronts on an interior courtyard, the separation from an adjacent main residential building shall be a minimum of twenty (20) feet. When main residential buildings are proposed to be separated by less than twenty (20) feet, the buildings shall not have windows, balconies, or patios directly opposing each other except for windows which open into stairwells or are located within vaulted ceiling areas where the height of the bottom of the window is no less than six (6) feet from the floor. When a project is designed with windows, balconies or patios that are part of an individual unit and the separation between the buildings is less than fifteen (15) feet, the Commission shall evaluate the project to ensure that adequate light, air, ventilation and privacy of all the residential units is provided and may require additional spacing up to twenty (20) feet to ensure the provisions of these elements, and allow for separation of building masses and higher quality of design.

Between any combination of main residential building, ~~accessory living quarters~~, recreation building or two (2) story accessory building, there shall be a separation of at least ten (10) feet.

Between a main residential building and any one (1) story accessory building, there shall be a separation of at least six (6) feet. **Notwithstanding the foregoing, accessory dwelling units and junior accessory dwelling units shall be consistent with the standards in Section 9122.1.**

A required space between buildings shall not be occupied except as provided in CMC 9126.29.”

SECTION 13. The “Main Building” and “Accessory Buildings” rows of the table set forth in Section 9126.29 of the Carson Municipal Code are hereby deleted and replaced with the following:

Encroachments Permitted in Required Yards and Open Spaces*

Type of Encroachment	Section No. Reference	9126.22	9126.221	9126.23	9126.24	9126.25	9126.26	9126.27	9126.28
	Type of Yard	Future Right-of-Way Areas	Parking Setback (between street or alley & garage door or parking space)	Front Yard	Side Yard		Rear Yard		Usable Open Space
					Less than 60'	60' or more	50% of area – building encroachment permit	50% of area required to remain open	
					from front lot line	from front lot line		Passageway	Space Between Buildings (on same lot)

Main Building	Addition to single-family dwelling (except an addition of an ADU)						Permitted for single-family use only. One-story, 16' max. height. Not less than 5' from rear lot line. Maintain required side yard. Not less than 4' from side property line.				
Accessory Buildings	Accessory dwelling unit						One-story, 16' max. height. Not less than 4' from rear lot line. Maintain required side yard. Not less than 4' from side property line.				
	Other accessory buildings & structures – one-story, 15' max. height						Permitted. If less than 3' from interior lot line, building wall to be at 1" from lot line, no wall openings facing adjoining property, and prevent drainage onto adjoining property.				

SECTION 14. The “Residential Uses” portion of Section 9131.1 of the Carson Municipal Code is hereby amended to add a new entry beneath “Transitional housing,” as follows, with the remaining portions of this Section remaining unchanged (additions in bold, italics, underlined):

ZONES

	CN	CR	CG	CA	MU-CS	MU-SB
Transitional housing					X	X
<u>Accessory dwelling units and junior accessory dwelling units. (See CMC 9122.1.)</u>	<u>L</u>	<u>L</u>	<u>L</u>		<u>L</u>	<u>L</u>

SECTION 15. Section 9162.21 of the Carson Municipal Code is hereby amended to revise subsection A.13 of the table (i.e., item no. 13 under the subsection A, “residential”) as follows (added text shown in bold, italics, underlined; deleted text shown in strikethrough font):

The required number of off-street automobile spaces for each use shall not be less than set forth in the following table:

Use	Off-Street Parking Required
A. Residential:	Any existing, lawfully established and maintained residential use is deemed to have the required parking.
13. <u><i>Accessory dwelling unit.</i></u> Second Dwelling Unit	<u><i>1 off-street parking space unless the property meets the exceptions listed in CMC 9122.1(E)(9).</i></u>
(a) Studio	1 uncovered off street parking space outside of front yard setback area. 1 space within either a garage or carport. Minimum interior dimension for a one car garage shall be 10 feet wide by 20 feet long and 9 feet wide by 20 feet long for a one car carport
(b) 1 bedroom	2 spaces within a garage
(c) 2 bedrooms of unit size exceeding 700 square feet	

SECTION 16. Section 9162.27 of the Carson Municipal Code is hereby amended as follows (added text shown in bold, italics, underlined; deleted text shown in strikethrough font):

“9126.27 Conversion of Parking Spaces Serving a Dwelling.

Any garage, carport or parking space required for a dwelling may be converted to additional living area or any other permitted nonparking use; provided, that at least the same type of parking shelter or area and number of spaces as lawfully exist at the time of such conversion are provided elsewhere on the lot and adequate access is provided thereto. Nothing in this Section shall be construed or applied so as to require parking shelters or areas or number of spaces in excess of the requirements of this Division. **This section shall not apply when a garage, carport or parking space is converted to an accessory dwelling unit or junior accessory dwelling unit, in which case CMC 9122.1(E)(9)(e) shall govern.**

SECTION 17. Section 9162.28 of the Carson Municipal Code is hereby repealed and replaced with the following:

“9162.28 Reserved.”

SECTION 18. Section 9182.22 of the Carson Municipal Code is hereby amended to delete the “second dwelling unit” row (the twentieth use listed) from the table in subsection (A), as shown below (deleted text shown in strikethrough font):

9182.22 Termination of Existing Nonconforming Use.

A. The time period indicated in the following table measured from the date of becoming a nonconforming use:

Use	Allowable Life
Second dwelling unit.	5 years

SECTION 19. Section 9182.3 of the Carson Municipal Code is hereby repealed.

SECTION 20. Section 9182.41 of the Carson Municipal Code is hereby amended at row/subsection (F) of the table as shown below (deleted text shown in strikethrough font):

9182.41 Nonconformity Requiring Capital Expenditure to Conform.

Nonconformity	Requirement
F. Parking for a dwelling, including number of spaces and type of enclosure.	Allowed to continue indefinitely, except that an addition to a dwelling may be made without making the parking conforming provided the number of dwelling units is not increased and the addition does not occupy the only available space on the lot which could be used to meet the parking requirement.

SECTION 21. Section 9191.011 is hereby added to the Carson Municipal Code and shall read as follows:

9191.011 Accessory Dwelling Unit.

Shall mean an attached or detached residential dwelling unit that provides complete independent living facilities for one or more persons. An accessory dwelling unit includes (1) an efficiency unit, as defined in Health and Safety Code Section 17958.1, and (2) a manufactured home, as defined in Health and Safety Code Section 18007. This definition shall be interpreted to be consistent with the definition for “accessory dwelling unit” in Government Code Section 65852.2, as may be amended.

SECTION 22. Section 9191.012 is hereby added to the Carson Municipal Code and shall read as follows:

9191.012 Accessory Dwelling Unit, Junior.

Shall mean a residential dwelling unit that is no more than five hundred square feet in size and is contained within a single-family residence. This definition shall be interpreted as consistent with the definition for “junior accessory dwelling unit” in Government Code Section 65852.22, as may be amended.

SECTION 23. Section 9191.208, the definition of “Dwelling, Second Unit,” is hereby repealed.

SECTION 24. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof may be declared invalid or unconstitutional.

SECTION 25. This ordinance shall be in full force and effect thirty (30) days after its adoption.

SECTION 26. The City Clerk shall certify to the adoption of this Ordinance and shall cause the same to be posted and codified in the manner required by law.

SECTION 27. Submission to Department of Housing and Community Development. Pursuant to Government Code section 65852.2(h), a copy of this ordinance shall be submitted to the Department of Housing and Community Development within 60 days after adoption.

PASSED, APPROVED, and ADOPTED this _____ day of _____, 2022.

Mayor Lula Davis-Holmes

ATTEST:

Dr. Khaleah Bradshaw, City Clerk

APPROVED AS TO FORM:

City Attorney Sunny K. Soltani