

ORDINANCE NO. 2469

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE APPROVING AMENDMENT CASE NO. PLAN26-00015, AN AMENDMENT TO TITLE 16 (ZONING ORDINANCE) OF THE VICTORVILLE MUNICIPAL CODE, WITH AN ENVIRONMENTAL EXEMPTION, TO UPDATE THE CITY'S ACCESSORY DWELLING UNIT (ADU) AND JUNIOR ACCESSORY DWELLING UNIT (JADU) STANDARDS CITYWIDE FOR CONSISTENCY WITH CURRENT CALIFORNIA LAW

WHEREAS, Pursuant to Article XI, Section 7 of the California Constitution, the City of Victorville ("City") is authorized to make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and

WHEREAS, Pursuant to Title 7, Division 1, Chapter 4, Article 2, Section 65850 of the California Government Code, the City may adopt by ordinance regulations affecting the use of buildings, structures, and land; the location, height, bulk, and size of buildings and structures; the size and use of lots, yards, courts, and other open spaces; the intensity of land use; and requirements for off-street parking and loading; and

WHEREAS, Pursuant to Title 7, Division 1, Chapter 4, Article 2, Section 65850 of the California Government Code, the City has adopted Section 16-2.01.010 of the Victorville Municipal Code, which provides authority to amend Title 16 of the Victorville Municipal Code and the various regulations, requirements, exceptions, and guidelines contained therein; and

WHEREAS, Pursuant to Title 7, Division 1, Chapter 4, Article 2, Section 65860 of the California Government Code, the City's Zoning Ordinance must be consistent with the General Plan; and

WHEREAS, Pursuant to Section 16-2.01.020 of the Victorville Municipal Code, the City of Victorville Planning Department initiated Development Code Amendment Case No. PLAN26-00015 to amend Sections 16-3.07.010, 16-3.07.030, and 16-3.08.020 of Title 16 relating to Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) in order to maintain consistency with current California law; and

WHEREAS, Pursuant to Title 7, Division 1, Chapter 4, Article 2 of the California Government Code and Section 16-2.01.040 of the Victorville Municipal Code, the

Victorville Planning Commission held a public hearing on July 8, 2026, to hear arguments for and against the proposed Development Code amendments, and, after considering all testimony offered, adopted Resolution No. P-26-014, as revised by the July 8, 2026, late-addition memorandum, recommending that the City Council approve Development Code Amendment Case No. PLAN26-00015; and

WHEREAS, the City Council finds that the proposed amendments relating to ADUs and JADUs will maintain compliance with State law, provide uniform and enforceable regulations, and facilitate the development of diverse housing options through an objective and expedited review process; and

WHEREAS, the City Council finds that many current State requirements have already been incorporated into the Victorville Municipal Code and that the proposed amendments primarily consist of updated statutory references, revisions relating to multifamily ADUs, and technical and administrative amendments necessary to maintain consistency with current State law and guidance issued by the California Department of Housing and Community Development; and

WHEREAS, the City Council finds that the proposed amendments revise the standards for detached ADUs on qualifying multifamily residential properties to allow up to eight detached ADUs, provided that the number of detached ADUs does not exceed the number of existing dwelling units on the lot, while leaving unchanged the existing provisions governing ADUs created within existing multifamily buildings; and

WHEREAS, the City Council finds that the proposed Development Code Amendment is consistent with the Victorville General Plan, including Housing Element Proposed Program PP-H.3, by updating the City's ADU and JADU regulations in response to changes in State housing law and by removing barriers to the development of accessory dwelling units; and

WHEREAS, the City Council finds, on their own independent judgment, that the proposed Development Code Amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3), as there is no possibility that the proposed amendment will have a significant effect on the environment,

as the amendment consists of text updates intended to align the Victorville Municipal Code with State law, does not authorize a specific development project, and does not expand land use entitlements or development potential beyond that already authorized by State law; and

WHEREAS, Pursuant to Title 7, Division 1, Chapter 4, Article 2 of the California Government Code and Section 16-2.01.060 of the Victorville Municipal Code, the City Council held a duly noticed public hearing on the 18th day of August, 2026, to hear arguments for and against the proposed Development Code amendments and, after considering all written and oral testimony, including the Planning Commission's recommendation and minutes, and after thoroughly reviewing and considering the code amendments, the City Council approved the recommendation of the Planning Commission; and

WHEREAS, the City Council finds that all materials constituting the record of proceedings upon which its decision is based are maintained by the City of Victorville Clerk at 14343 Civic Drive, Victorville, California; and

WHEREAS, the City Council declares that, should any provision, section, paragraph, sentence, or word of this Ordinance be rendered or declared invalid by a final court action of a court of competent jurisdiction or by reason of preemptive legislation, the remaining provisions, sections, paragraphs, sentences, and words of this Ordinance shall remain in full force and effect.

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

Section 1. Recitals

The recitals set forth above are true and correct, and are hereby incorporated by this reference as if set forth in their entirety.

Section 2. Certification

The City Clerk shall certify to the passage of this Ordinance and shall cause the same to be published according to law.

Section 3. Amendments to Title 16 of the Victorville Municipal Code

Sections 16-3.07.010, 16-3.07.030, and 16-3.08.020 of Title 16 of the Victorville Municipal Code are hereby amended as follows (with the included legend defining editing notes and identifying existing, new, and deleted text by means of underscores, strikethroughs, and italicization for reference only).

ORDINANCE NO. 2469

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT ON OCTOBER 1, 2026.

PASSED, APPROVED AND ADOPTED THIS 1st DAY OF SEPTEMBER 2026.


MAYOR OF THE CITY OF VICTORVILLE

ATTEST:


CITY CLERK

9/2/2026
DATE

APPROVED AS TO FORM:


CITY ATTORNEY

I, JENNIFER THOMPSON, City Clerk of the City of Victorville and ex-officio Clerk to the City Council of said City, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. 2469 which was introduced at a meeting held on the 18th day of AUGUST 2026 and duly adopted at a meeting held on the 1st DAY OF SEPTEMBER 2026 by the following roll call vote, to wit:

AYES: Mayor Becerra, Mayor Pro-Tem Harriman, Councilmember Gaudin,
Councilmember Irving and Councilmember Mora

NOES: None

ABSENT: None

ABSTAIN: None


CITY CLERK OF THE CITY OF VICTORVILLE

<u>Dwelling unit, junior accessory</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	=	=	=	=	=	=	=	=	=
Gun Sales/Am munition	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-
Home occupation business (Permit required)	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-
Home schooling	-	-	P	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-
Outdoor display - retail	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	P
Portable food and beverage cart	-	-	-	-	-	-	-	-	-	C	C	C	-	-	-	-	C	C
Recycling - Automated reverse vending machines (<50 s.f.)	-	-	-	-	-	-	-	-	-	P	P	-	P	P	P	P	P	P
Recycling - Small manned collection facilities (<500 s.f.)	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	P
Restaurant , café or cafeteria	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	P
Restaurant w/outdoor cooking	-	-	-	-	-	-	-	-	-	C	P	C	C	C	-	-	-	P
Restaurant w/outdoor play area	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	P

Restaurant w/outdoor seating	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	P
Room rental	-	P	P	-	-	-	-	P	-	-	-	-	-	-	-	-	-
Tobacco sales (See Section 163.07.01 5)	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P
Vehicle repair	-	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	C

{Editing Note: Only the provisions identified herein are amended. All other provisions of Section 16-3.07.010 and Table 7-1 shall remain unchanged.}

Sec. 16-3.07.030: Accessory uses and structures for residential

Change

Accessory uses and structures are permitted as noted on the Land Use Table (Table 7-1 of Section 16-3.07.010) and are subject to the following standards:

(a) Accessory Dwelling Units

(1) Purpose. The purpose of this section is to expand the variety of housing opportunities in the City of Victorville by implementing ~~State~~California Government Code Sections ~~65852.2 and 65852.22~~66310 through 66342 (hereinafter, "~~Section 65852.2~~", "~~Section 65852.22~~" or "~~Sections 65852.2 and 65852.22~~" "State ADU Law") as they pertain to accessory dwelling units and junior accessory dwelling units. Implementation of these regulations will ensure that accessory dwelling units and junior accessory dwelling units are located in areas where services are adequate to support them and that accessory dwelling units are designed and maintained as a compatible and integral part of the city's residential zoning districts.

(2) Applicability.

- i. In compliance with ~~the provisions of Section 65852.2~~ State ADU Law, the provisions of this Chapter relating to accessory dwelling units shall apply to all lots that are occupied with an existing or proposed single-family or multi-family residential use that is zoned residential or mixed-use. Any accessory dwelling unit proposed in accordance with the allowances provided by California Government Code Section 66323 shall only be subject to those provisions of this Chapter allowed by State ADU law.
- ii. In compliance with ~~the provisions of Section 65852.22~~ State ADU Law, the provisions of this Chapter relating to junior accessory dwelling units shall apply to all lots that are occupied with an existing or proposed single-family residential use that is zoned residential. Any junior accessory dwelling unit proposed in accordance with the allowances provided by California Government Code Section 66323 shall only be subject to those provisions of this Chapter allowed by State ADU law.

(3) Applications.

- i. Applications for accessory dwelling units and junior accessory dwelling units shall be approved or denied ministerially pursuant to the requirements of this section within sixty (60) days of a determination that the application is complete, unless additional time to act on the application is allowed, as permitted by State ADU Law.
- ii. Applications shall be deemed complete or incomplete within fifteen (15) business days following receipt of the application. If the City determines that an application is incomplete, the City shall provide written notice identifying the items that are incomplete and describing how the application may be made complete, consistent with State ADU Law.
- iii. If an application is denied, the City shall provide the applicant with written comments identifying the defective or deficient items and describing how the applicant may remedy the application, consistent with State ADU Law.

(4) General Standards.

- i. ~~Applications for accessory dwelling units and junior accessory dwelling units shall be approved or disapproved ministerially pursuant to the requirements of this section within sixty days of a determination that the application is complete, unless additional time to act on the application allowed, as permitted by Section 65852.2(a)(3) or 65852.22(c).~~
- ii. The parcel upon which an accessory dwelling unit or junior accessory dwelling unit is to be built shall comply with all development standards for the district in which it is located as outlined in ~~, excepting for those allowances provided by Sections 65852.2 and 65852.22 Section 16-3.08.020 of the Development Code, unless otherwise allowed by State ADU Law.~~
- iii. An accessory dwelling unit may only be permitted on a lot zoned for residential or mixed-use on which there is already built, or constructed concurrently with an accessory dwelling unit, a permitted single-family or multi-family dwelling.
- iv. A junior accessory dwelling unit may only be permitted on a lot zoned for single-family residential uses on which there is already built, or constructed concurrently with an accessory dwelling unit, a permitted single-family dwelling.
- v. Accessory dwelling units within a mixed-use zone may only be permitted within the residential area of the zone and any commercial or non-residential spaces, including any parking or storage areas designated for non-residential use, shall not be converted into ~~aan~~ accessory dwelling unit.
- vi. No more than one accessory dwelling unit and one junior accessory dwelling unit shall be permitted on any parcel or lot zoned for single-family residential use, unless otherwise allowed by State ADU Law.
- vii. At least one accessory dwelling unit within an existing multi-family dwelling but no more than twenty-five percent (25%) of the total number of existing multi-family dwellings on any developed parcel or lot zoned for multi-family or mixed-use shall be permitted; and not more than ~~two-eight (8)~~ detached accessory dwelling units located on a parcel or lot that has an existing multi-family dwelling on property zoned for multi-family or mixed-use shall be permitted, provided that the number of detached accessory dwelling units shall not exceed the number of existing dwelling units on the lot.
- viii. An accessory dwelling unit or junior accessory dwelling unit shall have adequate water supply pursuant to specifications of the Uniform Plumbing Code.
- ix. Parcels on which an accessory dwelling unit is to be located must be connected to sewer, unless sewer is unavailable or unfeasible as determined by the city engineer in conjunction with a variance or other exemption from the sewer connection requirements.

- x. On properties that include a junior accessory dwelling unit that shares sanitation facilities with the primary dwelling, either the primary dwelling unit or junior accessory dwelling unit must be occupied by the property owner, unless ~~not otherwise required by Section 65852.22~~ otherwise exempted by State ADU Law.
 - xi. An accessory dwelling unit or junior accessory dwelling unit may be rented separate from the primary residence but may not be sold or otherwise conveyed separate from the primary residence, except for an accessory dwelling unit or primary dwelling that was built or developed by a qualified nonprofit corporation and is sold or conveyed in accordance with State ~~Government Code Section 65852.26~~ State ADU law.
 - xii. The rental term for an accessory dwelling unit or junior accessory dwelling unit shall not be less than thirty days.
 - xiii. An accessory dwelling unit may be either attached or detached from the primary dwelling or converted from existing space within the primary dwelling; and a junior accessory dwelling unit shall be constructed within the walls of a an existing or proposed single-family residence.
 - xiv. Fire sprinklers shall only be required in an accessory dwelling unit or junior accessory dwelling unit if required for the primary residential structure.
 - xv. At no time may the primary dwelling unit be converted to the extent that it becomes substandard in size as a single-family residence. ~~Except:~~
 - a. ~~That~~ a one hundred fifty-square foot minimum, efficiency unit with a partial kitchen or bathroom as authorized by California Health and Safety Code Section 17958.1, shall be permitted upon any lot containing a single-family residence and shall be considered an accessory dwelling unit; or
 - b. As otherwise required by State ADU law.
 - xvi. Restrictive Covenant. Prior to the issuance of a building permit for a junior accessory dwelling unit or as required by the Zoning Administrator, a restrictive covenant against the land, which is binding on the property owner and their successors in interest, shall be recorded with the office of the San Bernardino County Recorder, which specifies the following:
 - a. The sale of the junior accessory dwelling unit separate from the sale of the single-family residence is prohibited.
 - b. The size and attributes of the junior accessory dwelling unit shall not exceed the allowances provided ~~Section 65852.22~~ by State ADU Law.
 - c. Owner-occupancy shall be required in either the primary dwelling or the junior accessory dwelling unit to the extent allowed by State ADU Law.
- (5) Attached Accessory Dwelling Unit Development Standards. Along with the general standards prescribed by subsection (34), the following development standards apply to attached accessory dwelling units:
- i. The maximum size for an attached accessory dwelling unit is:
 - a. Eight hundred fifty square feet for accessory dwelling units with one bedroom or less, unless otherwise permitted by State ADU Law; and
 - b. One thousand square feet for accessory dwelling units with more than one bedroom, unless otherwise permitted by State ADU Law.
 - ii. No setbacks shall be required for an existing living or garage area within the primary dwelling that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit, and a setback of no more than four feet from the side and rear lot lines shall be required for an accessory dwelling unit not located within existing living or garage area of the primary dwelling.
 - iii. No height limit shall be required for an existing living or garage area within the primary dwelling that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit; however, any accessory dwelling unit that requires modification to existing

- building height or that is not located within existing living or garage area of the primary dwelling shall not exceed twenty-five feet in height or the height limitation of the underlying zone district that applies to the primary dwelling, whichever is lower.
- iv. The accessory dwelling unit shall be architecturally compatible with the design of the main dwelling and shall match with the same colors and materials of the primary unit.
 - v. Independent access to the accessory dwelling unit is required and shall not be located on the same wall plane elevation as the access to the primary dwelling.
- (6) Detached Accessory Dwelling Units. Along with the general standards prescribed by subsection (34), the following development standards apply to detached accessory dwelling units:
- i. The maximum size for a detached accessory dwelling unit is:
 - a. Eight hundred fifty square feet for accessory dwelling units with one bedroom or less, unless otherwise permitted by State ADU Law; and
 - b. One thousand square feet for accessory dwelling units with more than one bedroom, unless otherwise permitted by State ADU Law.
 - ii. An accessory dwelling unit may occupy all, or a portion, of an existing detached accessory structure meeting the architectural guidelines set forth in this Chapter.
 - iii. The driveway serving the primary dwelling shall be used to serve the accessory dwelling unit whenever feasible.
 - iv. The accessory dwelling unit may be metered separately from the main dwelling for gas, electricity and water/sewer services.
 - v. The accessory dwelling unit shall be architecturally compatible with the design of the main dwelling and shall match with the same colors and materials of the primary unit.
 - vi. No setback shall be required for an existing accessory structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit with an existing setback of at least four feet, and a setback of no more than four feet from the side and rear lot lines shall be required for a new accessory dwelling unit.
 - vii. No height limit shall be required for an existing accessory structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit; however, any accessory dwelling unit that requires modification to existing accessory structure height or that is not located within an existing accessory structure shall not exceed sixteen feet in height, except that an accessory dwelling unit may be permitted in excess of sixteen feet in height as otherwise allowed for a single-story primary dwelling and not to exceed the height of the primary dwelling or as ~~permitted by CA Government Code Section 65852.2~~ otherwise permitted by State ADU Law.
- (7) Junior Accessory Dwelling Units Standards. Junior accessory dwelling units that meet all of the following requirements are subject only to the application and general standards prescribed by subsections (3 & 4):
- i. The junior accessory dwelling unit is contained within the existing walls and space of the primary dwelling or proposed single-family residence and does not exceed five hundred (500) square feet of interior livable space.
 - ii. The junior accessory dwelling unit has independent exterior access from the primary dwelling.
 - iii. The junior accessory dwelling unit includes an efficiency kitchen, which at a minimum includes:
 - a. A cooking facility with appliances.
 - b. A food preparation counter and cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.
 - iv. ~~The junior accessory dwelling unit does not convert required parking for the primary residential structure located within an attached garage without the concurrent replacement of the existing required parking within an enclosed garage elsewhere on~~

~~the property in accordance with the size, placement, and design standards of the Development Code.~~

- iv. The junior accessory dwelling unit is architecturally compatible with the design of the main dwelling and includes with the same exterior colors and materials of the primary unit, as applicable.

{Editing Note: Subsections (b) through (h) of Section 16-3.07.030 shall remain unchanged; existing subsections (a)(3) through (a)(6) shall be renumbered as subsections (a)(4) through (a)(7); and noted subsections (a)(4)(ii) through (a)(4)(xvi) shall be renumbered as (a)(4)(i) through (a)(4)(xv).}

Title 16 – Development Code
Chapter 3: Zoning and Land Use Requirements
Article 8 – Residential Districts

Sec. 16-3.08.020: Development Standards

Change

Table 8-3: Accessory Dwelling Unit (ADU) Development Standards

Residential Zoning Districts	AE	S-R	R-1	R-2	R-3	R-4	MDR	R-MPD
Site Requirements								
Maximum Lot Coverage	N/A							
Off-street Parking	Off-street Parking standards shall be provided pursuant to Article 21 of this Chapter.							
Maximum quantity of ADU's	Total quantity of ADUs allowed shall be subject to Section 16-3.07.030(a)(34).							
Maximum quantity of JADU's	1	1	1	0	0	0	1 ⁽¹⁾	1
New ADU Requirements (in ft.)								
Minimum Side Yard Setback ⁽²⁾	4	4	4	4	4	4	4	4
Minimum Rear Yard Setback ⁽²⁾	4	4	4	4	4	4	4	4
Maximum Height (in ft.) ⁽³⁾								
Detached ⁽⁴⁾⁽⁶⁾	16	16	16	16 ⁽⁵⁾	16 ⁽⁵⁾	16 ⁽⁵⁾	16 ⁽⁵⁾	16
Attached	25	25	25	25	25	25	25	25

Notes for Table 8-3:

- (1) Applicable to sites developed for single-family use.
- (2) No setback shall be required for an existing accessory structure that is converted to an accessory dwelling unit.
- (3) No height limit shall be required for an existing living space or garage area within the primary dwelling or an accessory structure that is converted to an accessory dwelling unit.
- (4) A detached accessory dwelling unit may be permitted in excess of sixteen feet in height as otherwise allowed for a single-story primary dwelling within the underlying zone district but shall not exceed the height of the primary dwelling.
- (5) Height allowances shall be 18' in multi-family zone districts when developments are in excess of one story.
- (6) Height allowances shall be 18' if designed to match the roof pitch of the primary dwelling