

RESOLUTION NUMBER PC-2025-04

CITY OF UKIAH

JUNE 25, 2025

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF UKIAH RECOMMENDING CITY COUNCIL ADOPTION OF AN ORDINANCE AMENDING THE UKIAH CITY CODE REGARDING ACCESSORY DWELLING UNITS (ADUs) AND JUNIOR ACCESSORY DWELLING UNITS (JADUs), IN COMPLIANCE WITH STATE LAW (GOVERNMENT CODE §§ 66310 – 66342)

WHEREAS, on December 7, 2022, the Ukiah City Council adopted Resolution No. 2022-79 certifying the Environmental Impact Report for the Ukiah 2040 General Plan (State Clearinghouse No. 2022050556), which analyzed the environmental impacts of the City's General Plan and included adoption of a Mitigation Monitoring and Reporting Program and Statement of Overriding Considerations; and

WHEREAS, pursuant to Government Code Section 65850, the City is authorized to adopt zoning regulations, including regulations governing accessory dwelling units and junior accessory dwelling units, consistent with the General Plan; and

WHEREAS, the City of Ukiah adopted ADU Ordinance No. 1244 on September 4, 2024, regulating the construction and development of accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) within the city; and

WHEREAS, the California Department of Housing and Community Development (HCD), in its letter dated April 24, 2025, issued formal findings pursuant to Government Code § 66326(a), determining that Ukiah's Ordinance No. 1244 did not fully comply with State ADU Law (Government Code §§ 66310 – 66342); and

WHEREAS, the City of Ukiah timely responded to HCD's letter on May 23, 2025, confirming its intent to amend Ordinance No. 1244 to fully align with updated ADU laws, including recent changes under SB 1211, AB 2533, and other applicable legislation; and

WHEREAS, on June 3, 2025, HCD confirmed the City's response was substantially compliant and instructed the City to proceed with formal adoption of the revised Ordinance and submit the adopted version to HCD; and

WHEREAS, the proposed Ordinance amendments are consistent with the goals and policies of the Ukiah General Plan and 6th Cycle Housing Element, and reflect the City's designation as a Pro-Housing community actively working to address its Regional Housing Needs Allocation (RHNA); and

WHEREAS, on June 25, 2025, the Planning Commission held a duly noticed public hearing to consider the proposed Ordinance, reviewed the staff report, received public comment, and closed the public comment period; and

WHEREAS, the proposed Ordinance amendments align with the requirements of State law, including recent statutory amendments; promote housing development through clear, objective, and ministerial review processes; are necessary to maintain the validity of the City's ADU Ordinance and Housing Element certification; reflect HCD-reviewed best practices in regulating ADUs and JADUs;

and will benefit Ukiah residents by facilitating a wider range of housing options while minimizing potential impacts on existing neighborhoods;

WHEREAS, the Planning Commission has reviewed the ordinance, considered all written and oral testimony, and finds that the ordinance is in the public interest, supports streamlined permitting for compatible uses, and is consistent with the General Plan and applicable state law.

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WHEREAS, the Planning Commission has been advised of the guidance from the California Department of Housing and Community Development (HCD), which clarifies that maintaining a non-compliant ordinance while intending to follow State Accessory Dwelling Unit (ADU) Law does not satisfy Government Code section 66326(b), and that the appropriate action is to repeal the existing ordinance pursuant to Government Code section 66326(b)(2) to ensure legal clarity and compliance.

NOW, THEREFORE, BE IT RESOLVED that the City of Ukiah Planning Commission, based upon evidence in the record and oral and written testimony presented at public hearings, and all information contained in the record of proceedings related to the Accessory Dwelling Unit Ordinance, makes the following findings and recommendations:

1. The above recitals are true and correct and incorporated herein by this reference.
2. The proposed amendments to the Accessory Dwelling Unit Ordinance are consistent with the City of Ukiah 2040 General Plan and implement the goals, objectives, and policies of the certified 6th Cycle Housing Element. In accordance with Government Code Section 65860, the zoning amendments remain compatible with the objectives, policies, and land use designations of the General Plan.
3. The proposed ordinance amendments have been reviewed for compliance with the California Environmental Quality Act (CEQA) and are exempt from environmental review pursuant to CEQA Guidelines Section 15061(b)(3), the “common sense exemption,” as it can be seen with certainty that there is no possibility the adoption of the ordinance will have a significant effect on the environment.
4. That the City Council adopt an ordinance amending Ukiah City Code Chapter 2 of Division 9, as shown in the attached Exhibit A, to ensure consistency with current State ADU Law and address the findings issued by the California Department of Housing and Community Development (HCD).

BE IT FURTHER RESOLVED that the Planning Commission designates the City Clerk as the custodian of the document and other materials that constitute the record of proceedings upon which the Planning Commission decision herein is based. These documents may be found at the office of the City of Ukiah Department of Community Development, 300 Seminary Avenue, Ukiah, CA 95482.

I hereby certify that according to the Provisions of Government Code Section 25103 delivery of this document has been made.

ATTEST:

Kristine Lawler, City Clerk
City Clerk

Craig Schlatter, AICP
Community Development Director

Alex De Grassi, Chair
City of Ukiah Planning Commission

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