



DISTRIBUTED AGENDA MATERIAL for Item No. 21

CITY COUNCIL REGULAR MEETING

MEETING DATE: May 13, 2025

ITEM NUMBER: 21

ITEM DESCRIPTION: Municipal Code Amendment (MCA-24-001): Housing Element Implementation Ordinance of the City of Highland Amending Portions of Title 5 (Business License and Regulations), Title 8 (Health and Safety), and Title 16 (Land Use and Development Code) of the Highland Municipal Code

SUBMITTED BY: Maricela Marroquin, City Attorney

Attached are proposed revisions to the ADU ordinance.

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, AMENDING SECTION 16.44.190 (ACCESSORY DWELLING UNITS) OF TITLE 16 (LAND USE AND DEVELOPMENT CODE) OF THE HIGHLAND MUNICIPAL CODE TO UPDATE REQUIREMENTS IN ACCORDANCE WITH STATE LAW, AND MAKE A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (MUNICIPAL CODE AMENDMENT MCA 24-001)

THE CITY COUNCIL OF THE CITY OF HIGHLAND DOES ORDAIN AS FOLLOWS:

Section 1. Findings and Intent.

WHEREAS, Senate Bill 477, effective March 25, 2024, amended Accessory Dwelling Unit Law (“ADU Law”) (formerly Government Code Sections 65852.2 and 65852.22) (now Chapter 13 of Division 1 of Title 7 of the Government Code), which reorganized ADU Law and has led to references to ADU Law in the Highland Municipal Code to be no longer applicable; and

WHEREAS, the State of California adopted amendments to Government Code Section 66313, 66314, and 66323, altogether known as Senate Bill 1211, effective January 1, 2025, which further amend standards and requirements for accessory dwelling units (“ADUs”); and

WHEREAS, portions of the City’s current regulations for ADUs and Junior ADUs (“JADUs”) require amendment to remain consistent with State Law; and

WHEREAS, on August 24, 2021, the City Council of the City of Highland adopted Ordinance No. 448 amending regulations pertaining to accessory dwelling units and junior accessory dwelling units and determining, based on findings, that ADUs in areas that have been designated as high fire severity zones could endanger the public health and safety; and

WHEREAS, the City’s current regulations for ADUs and JADUs prohibit the construction of ADUs in high fire severity zones in the City; and

WHEREAS, Staff has studied the issue of whether there should continue to be a permanent ban on the construction of ADUs in high fire severity zones, or if certain health and safety regulations should be adopted to allow ADUs to be constructed in these areas under certain parameters. As a result of careful consideration by Staff working closely with the City’s Fire Marshal, and the City’s Battalion Chief, it was determined to be appropriate to continue to ban all construction of ADUs in high fire severity zones due to the concentration of housing tracts with units built near each other along the foothills of the National Forest. It was further determined appropriate to

continue to ban ADUs in high fire severity zones because detached ADUs along the foothills will intrude into the rear setbacks (and others) and could result in impacts to the fuel modification zones, both designed to protect the residential neighborhoods from wildfires; and

WHEREAS, the City Council hereby determines that the construction of ADUs in areas that have been designated as high fire severity zones could endanger the public health and safety. These areas are prone to fires, and increasing the density in these areas can hinder the ability of the fire personnel to evacuate people quickly in event of a fire emergency; and

WHEREAS, on June 27, 2017, there was a 900-acre wildfire in Highland that forced the evacuation of about 200 residents. On July 12, 2017 there was a 33-acre fire that burned in the City. A few days later, on July 14, 2017, there was a 450-acre brush fire that burned around homes in the City. In the neighboring city of San Bernardino, there was a brush fire on October 21, 2019 that destroyed or damaged nine homes. On October 24, 2019, there was a wildfire in San Bernardino that burned 145 acres. According to CalFire, 7,860 fires were recorded to CalFire and the US Forest Service in 2019, an increase from the 7,571 fires in 2018. In 2020, these figures increased again to 9,639 fire incidents. In September 2020, the El Dorado Fire occurred in Yucaipa where 22,744 acres were burned, 10 structures were destroyed, and tragically, one firefighter died; and

WHEREAS, on September 5, 2024, the Line Fire broke out in Highland. The Line Fire caused conditions of extreme peril to the safety of persons and property within the City of Highland and resulted in fire damage and evacuations for parts of the City. On September 11, 2024, the City Manager declared a local emergency, which was ratified by the City Council on September 12, 2024 through the adoption of Resolution No. 2024-044. The Line Fire burned a total of 43,978 acres. The burn areas are now susceptible to mud and debris flow and possible landslides; and

WHEREAS, in January 2025, a series of fourteen wildfires affected Los Angeles County and San Diego County, forcing over 200,000 people to evacuate from their homes, destroying more than 18,000 homes and structures and damaging countless others, and burning over 57,000 acres of land. The two largest fires during this time included the Eaton Fire in Altadena and the Palisades Fire in the Pacific Palisades. During this time, the Little Mountain Fire, located in San Bernardino County also burned 34 acres; and

WHEREAS, the City is prone to strong winds which help fuel brush fires and can create a dangerous situation, particularly if there is only one escape route from the fire and streets are blocked due to on-street parking during an evacuation event. Increasing the population in high fire severity zone areas could have devastating consequences if additional people must be quickly moved from the area in the event of an emergency. According to most fuel modification and defensible space plans, there are generally areas where no combustible construction is to occur adjacent to development in the

high fire hazard severity zones. Should construction of an ADU (or any combustible construction) occur in these areas, it will compromise the design of any fuel modification and defensible space plan; and

WHEREAS, in the years after a wildfire, areas left charred by flames and devoid of vegetation can render the soil non-permeable to rainwater and increase the likelihood of mudslides, debris flows, and flash floods due to the lack of rainfall absorption in the soil. The California Governor's Office of Emergency Services (CalOES) warns that Californians who live on or below hillsides in general, but especially in areas impacted by wildfires, are at an increased risk of debris flow, or the fast-moving mass of materials such as slurries of water, rock, soil, vegetation, and even boulders and trees. Construction of ADUs in high fire severity zones increases the residential density in areas prone to mudslides, debris flows, and flash floods thereby increasing the number of people at risk during such events; and

WHEREAS, the City Council further determines that the construction of ADUs in areas without appropriate sewer systems is detrimental to the local water quality, and public health and safety. ADUs proposed to be served by On-Site Wastewater Treatment Systems (OWTS) (e.g., septic systems) require review and approval from the local health officer per Government Code section 66314(d)(9). In this case, the City's local health officer is the County of San Bernardino Department of Public Health. The County's approval process requires all proposed (new) and modified septic systems in the City of Highland to be submitted to the State Water Quality Control Board for evaluation and approval. The extensive minimum standards and technical requirements (also derived from the California Plumbing Code) for the treatment and disposal of sewage through the use of OWTS on small lots in established neighborhoods, when no connection to a sewer is available, conflicts with the state's ADU legislation standards. These conflicts include, but are not limited to, minimum lot size, setbacks from septic tanks and leach fields, and setback from structures and existing water service lines. For these reasons and others, the State Water Quality Control board is denying ADUs based on current statewide OWTS policy. Accordingly, this ordinance continues the City's current practice of prohibiting the construction of ADUs in areas not serviced by sewer systems as it would be detrimental to the public health and safety; and

WHEREAS, the City of Highland Planning Commission held a public hearing at the Highland City Hall Council Chambers in Highland, California, on April 1, 2025 at 6:00 p.m., and, notice of said public hearings having been duly given as required by law and in accordance with the provisions of the Highland Municipal Code, heard and considered evidence for and against said Municipal Code Amendment, and investigated and made findings and recommendations in connection herewith. At the conclusion of the public hearing on April 1, 2025, the City of Highland Planning Commission adopted Resolution No. 25-007 recommending that the City Council adopt this Ordinance; and

WHEREAS, the City Council, at a regular meeting, considered the Ordinance on May 13, 2025, at 6:00 p.m., at a duly noticed public hearing as prescribed by law, at which time the City staff and interested persons had an opportunity to and did

testify either in support or opposition to this matter. At the conclusion of the public hearing, the City Council closed the public hearing and considered the entire record of information received at the public hearings before the Planning Commission and City Council.

Section 2. Section 16.44.180(Accessory Dwelling Units) of Chapter 16.44 (Specific Use Development Standards) of Title 16 (Land Use and Development Code) of the Highland Municipal Code is hereby amended to read as follows, with additions shown in underlined text and deletions shown in strikethrough text:

“16.44.180 Accessory dwelling units and junior accessory dwelling units.

- A. Intent. This section is intended to provide reasonable regulations for the development of accessory dwelling units (“ADUs”) and junior ADUs (“JADUs”) in certain residential areas on lots developed or proposed to be developed concurrently with single-family residential or multifamily residential dwellings in compliance with state law regarding ADUs and JADUs (Chapter 13 of Division 1 of Title 7 of the Government Code). ADUs and JADUs contribute needed housing to the community’s housing stock and are intended to provide livable housing at lower cost while providing greater security, companionship and family support for the occupants. In addition, the regulations in this section are intended to ensure that ADUs and JADUs located in residential districts do not adversely impact adjacent residential parcels or the surrounding neighborhood, have access to adequate water and sewer services, will have limited impacts on traffic flow and public safety, and are developed in a manner which protects the integrity of the residential district, while providing for needed housing opportunities for owners of eligible parcels. Moreover, the regulations are intended to ensure that ADUs are not constructed in high fire severity zones as this poses a great risk to the public health and safety in the event of a fire and the need to quickly evacuate residents.
- B. Definitions. The following words shall have the meanings set forth below, unless the context otherwise permits or requires:
 - 1. “Accessory dwelling unit” or “ADU” has the meaning ascribed in Government Code Section 66313(a), as the same may be amended from time to time.
 - 2. “Attached ADU” means an ADU that is constructed as a physical expansion (i.e., addition) of the primary dwelling and shares a common wall with the primary dwelling.
 - 3. “Detached ADU” means an ADU that is constructed as a separate structure from the primary dwelling, which does not share any walls with the primary dwelling.

4. “Existing structure” means an existing single-family dwelling, multifamily dwelling, or other accessory structure that can be safely converted into habitable space under the California Building Standards Code, as amended by the city, and other applicable law.
5. “Junior accessory dwelling unit” or “JADU” has the meaning ascribed in Government Code Section 66313(d), as the same may be amended from time to time.
6. “Primary dwelling” means the existing or proposed single-family dwelling or multifamily dwelling on the lot where an ADU would be located.
7. “Public transit” has the meaning ascribed in Government Code Section 66313(m), as the same may be amended from time to time.

C. General Requirements and Application Procedure.

1. An application for an ADU or JADU shall be considered ministerially, without discretionary review or a hearing, pursuant to either “planning review” or a streamlined “building permit only” review. The city shall act on the application within 60 days from the date the city receives a completed application if there is an existing single-family dwelling or multifamily dwelling on the lot. If the application to create an ADU or JADU 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 ADU or JADU until the city acts on the permit application to create the new single-family dwelling, but the application to create the ADU or JADU shall still be considered ministerially without discretionary review or public hearing under either the planning review or building permit only review. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. Table 16.44.180 summarizes the level of ministerial review required for various types of ADUs.

Table 16.44.180 - Ministerial ADU Review

Applications Subject to “Planning Review” (See HMC 16.44.180(D))	Applications Subject to “Building Permit Only” Review (See HMC 16.44.180(E))
Any application for an ADU that is not eligible for “building permit only” review.	• One ADU within the space of an existing or proposed single-family dwelling or an accessory structure. The ADU may expand the physical dimensions of an existing accessory structure by not more than 150 square feet to allow for ingress and egress. The space must have

	exterior access from the proposed or existing single-family dwelling. The rear and side yard setbacks must be sufficient for fire and safety. • A JADU that meets the requirements of Article 3 (commencing with Section 66333) of Chapter 13 of Division 1 of Title 7 of the Government Code. • One detached, new construction ADU, so long as the ADU does not exceed four-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling unit, a total floor area of 800 square feet, and a height of 16 or 18 feet as provided in Government Code Section 66321(b)(4)(A)-(C), as applicable. • Multiple ADUs within the portions of an existing multifamily dwelling, in spaces not used as living space. Examples include conversion of storage rooms, boiler rooms, passageways, attics, basements, and garages. Each ADU must comply with state building standards for dwellings. The number of ADUs that may be created within a multifamily dwelling is equal to 25 percent of the number of existing multifamily dwelling units, or one ADU, whichever is greater. • Not more than eight detached ADUs on a lot with an existing multifamily dwelling; however, the number of ADUs cannot exceed the number of existing units on the lot. The ADUs are subject to a 16 or 18-foot height limit as provided in Government Code Section 66321(b)(4)(A)-(C), as applicable, and must maintain at least a four-foot rear and side yard setback, unless the existing multi-family dwelling has a rear or side setback of less than four feet • Not more than two detached ADUs on a lot with a proposed multifamily dwelling. The ADUs are subject to a 16 or 18-foot height limit as provided in Government Code Section 66321(b)(4)(A)-(C), as
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	applicable, and must maintain at least a four-foot rear and side yard setback.
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2. All ADUs and JADUs shall satisfy the requirements of the California Building Standards Code, as amended by the city.
 3. In accordance with state law, ADUs are an accessory use or an accessory structure to the primary dwelling on the lot. ADUs shall not be considered to exceed the allowable density for the lot.
 4. The application for the planning review ADU or building permit only ADU or JADU must be signed by the owner(s) of the parcel of land.
- D. Planning Review ADUs. Except as otherwise set forth in subsection E of this section regarding building permit only ADUs (Government Code Section 66323 ADUs and JADUs), the city shall not approve an application for a new ADU unless the ADU satisfies all of the standards below. An application for a new ADU that satisfies each of the below standards shall be approved by the director of community development, or designee, following a ministerial review for compliance. ADUs approved pursuant to “planning review” shall comply with the following standards, unless state law mandates that different standards shall apply, in which case the mandated state law standards shall apply:
1. Location Restrictions. One ADU shall be allowed on a lot with a proposed or existing primary dwelling that is zoned residential, except as otherwise set forth herein. To protect the public health and safety, no ADUs shall be constructed in an area designated as a high fire severity zone, or in an area without adequate sewer systems (i.e., on septic tank system).
 2. Development Standards.
 - a. Size Restrictions. The total floor area of an attached ADU to an existing primary dwelling shall not exceed fifty percent of the gross floor area for the primary dwelling, except where such standard would prevent construction of an ADU of 850 square feet or 1,000 square feet for an ADU that provides more than one bedroom. The total floor area of an attached ADU or detached ADU that has two or more bedrooms shall not exceed 1,200 square feet. In no case shall an ADU be a smaller size than an “efficiency unit” as defined in Section 17958.1 of Health and Safety Code.
 - b. Height Restrictions. A detached or attached ADU shall not exceed the height limit established for the district in which it is located, the height of the primary dwelling, or the applicable height in Government Code Section 66321(b)(4)(A)-(D), whichever is greatest.

- c. Setback. No setback shall be required for an ADU that is within an existing structure or within a structure constructed in the same location and that has the same dimensions as an existing structure. For all other ADUs, the required setback from side and rear lot lines shall be four feet. ADUs shall comply with the front yard setbacks otherwise required by the Highland Municipal Code, except where the application of the front yard setbacks would not permit construction of an 800-square-foot ADU.
- d. Lot Coverage. An ADU shall conform to all lot coverage requirements applicable to the zoning district in which the property is located, except where the application of the lot coverage regulations would not permit construction of an 800-square-foot ADU with four-foot side and rear yard setbacks.
- e. Historic Resources. An ADU that has the potential to adversely impact any historical resource listed on the California Register of Historic Resources shall be designed and constructed in accordance with the "Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings" found at Section 68.3 of Title 36 of the Code of Federal Regulations, as amended from time to time.

3. Design and Features.

- a. Design. The ADU shall have the same colors and materials of the primary dwelling, and shall comply with any objective design standards adopted by the city that are applicable to the zoning district, specific plan area, or planned unit development where the ADU is located.
- b. Fire Sprinklers. ADUs are required to provide fire sprinklers if they are required for the primary dwelling, or as required under the existing California Residential Code. The construction of an ADU shall not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.
- c. Entrance. An attached ADU shall have a separate exterior entrance from the primary dwelling.

~~Covenant Required. The property owner shall record a declaration of restrictions, in a form approved by the city attorney, placing the following restrictions on the property, the property owner, and all successors in interest: (a) the ADU is to be rented only for terms of 31 days or longer.~~

~~Proof of recordation of the covenant shall be provided to the city prior to the issuance of a certificate of occupancy for the ADU.~~

4. Transfer. An ADU shall not be sold, transferred, or assigned separately from the primary dwelling, except when the ADU is constructed by a qualified nonprofit corporation pursuant to Government Code Section 66341. In such cases, the ADU may be separately sold to an eligible low-income buyer as defined by state law. Otherwise, the ADU may be rented, but shall not be used for short-term rentals for less than 31 consecutive days.
5. Parking Requirements.
 - a. In addition to the off-street parking space(s) required for the primary dwelling, one off-street parking space shall be provided for each ADU, except when:
 - i. The ADU is located within one-half mile walking distance of public transit;
 - ii. The ADU is located within an architecturally and historically significant historic district;
 - iii. The ADU is part of a proposed or existing primary dwelling or accessory structure;
 - iv. The ADU is located in an area where on-street parking permits are required but not offered to an ADU occupant; or
 - v. The ADU is located within one block of a city-approved and dedicated parking space for a car share vehicle.
 - b. Off-street parking shall be permitted in setback areas in locations determined by the planning division or through tandem parking.
 - c. When the ADU is created by converting or demolishing a garage, carport, covered parking structure, or uncovered parking space, replacement of parking space(s) eliminated by the construction of the ADU shall not be required as long as the ADU remains in use as a legal ADU.
6. Permits Required. Except as otherwise required herein, all construction, structural alterations or additions made to create an ADU shall comply with current development standards and building, electrical, fire and plumbing codes. The applicant shall obtain a building permit and any other applicable construction permits prior to the construction of the ADU.

E. Building Permit ADUs.

1. An applicant shall not be required to submit an application for an ADU or JADU permit under this section, and may instead seek building permit approval for an ADU and/or JADU that satisfies the requirements of Government Code Section 66323, as the same may be amended from time to time, and the California Building Standards Code, as amended by the city.
2. In addition to obtaining a building permit under this process, the applicant shall be required to obtain all other applicable construction permits prior to the construction of the ADU or JADU.
3. An ADU or JADU approved by a building permit only process shall be rented only for terms of 31 days or longer.

~~The property owner shall record a declaration of restrictions, in a form approved by the city attorney, placing the following restrictions on the property, the property owner, and all successors in interest: (a) the ADU or JADU is to be rented only for terms of 31 days or longer; (b) the ADU or JADU is not to be sold or conveyed separately from the primary dwelling, except as permitted by Government Code Section 66341; and (c) if there is a JADU on the property, either the JADU or single-family residence shall be occupied by the owner of record, unless the owner is a governmental agency, land trust, or housing organization, and the JADU shall be restricted in size and attributes pursuant to Article 3 of Chapter 13 of Division 1 of Title 7 of the Government Code as set forth in subsection (E)(6) of this section. Proof of recordation of the covenant shall be provided to the city before a certificate of occupancy may be issued for the ADU and/or JADU.~~

4. Pursuant to Government Code Section 66323, the city shall ministerially approve an application for a building permit within a residential or mixed-use zone to create any of the following:
 - a. One ADU and one JADU per lot with a proposed or existing single-family dwelling if all of the following apply:
 - i. The ADU or JADU is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.

- ii. The space has exterior access from the proposed or existing single-family dwelling.
 - iii. The side and rear setbacks are sufficient for fire and safety.
 - iv. The JADU complies with the requirements of Article 3 (commencing with Section 66333) of Chapter 13 of Division 1 of Title 7 of the Government Code as set forth in subsection (E)(6) of this section.
 - b. One detached, new construction ADU that does not exceed four-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. The detached ADU may be combined with a JADU described in subsection (E)(45)(a) of this section. The ADU shall be no more than 800 square feet in size, with a height limit as provided in Government Code Section 66321(b)(4)(A)-(C).
 - c. At least one ADU within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, spaces for living, sleeping, eating, cooking, and sanitation, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings. If requested, multiple ADUs shall be allowed, up to the number of ADUs that equals 25 percent of the existing multifamily dwelling units in the structure.
 - d. Not more than eight detached ADUs that are located on a lot that has an existing multifamily dwelling, subject to a height limit as provided in Government Code Section 66321(b)(4)(A)-(C), and four-foot rear and side yard setbacks except where the existing multiple family dwelling has a rear or side setback of less than four feet. However, the number of ADUs shall not exceed the number of existing units on the lot.
 - e. Not more than two detached ADUs on a lot with a proposed multifamily dwelling, subject to a height limit as provided in Government Code Section 66321(b)(4)(A)-(C) and four-foot rear and side yard setbacks.
5. In accordance with the standards set forth in Article 3 (commencing with Section 66333) of Chapter 13 of Division 1 of Title 7 of the Government Code, JADUs shall comply with the following requirements, unless state law is amended to set forth different standards, in which case state law standards will govern:

- a. A JADU shall be a minimum of 150 square feet and a maximum of 500 square feet of gross floor area. The gross floor area of a shared sanitation facility shall not be included in the maximum gross floor area of a JADU.
- b. A JADU must be contained entirely within the walls of the existing or proposed single-family dwelling. Enclosed uses within the residence such as attached garages shall be considered within the walls of the existing or proposed single-family dwelling.
- c. A separate exterior entry from the main entrance to the single-family dwelling shall be provided to serve the JADU.
- d. A JADU may include separate sanitation facilities, or may share sanitation facilities with the existing single-family dwelling. If the JADU does not include separate sanitation facilities, the JADU shall include a separate entrance from the main entrance to the structure, with an interior entry to the main living area.
- e. A JADU shall include an efficiency kitchen, which shall consist of a cooking facility with appliances and a food preparation counter and storage cabinets that are of reasonable size in relation to the size of the JADU.
- f. No additional parking is required for a JADU.
- g. One JADU is permitted per lot zoned for single-family residences with a proposed or existing single-family residence on the lot.
- h. Unless state law is amended, the JADU or the single-family residence shall be occupied by the owner of record, except where the owner is another governmental agency, land trust, or housing organization.
- h.i. The property owner shall record and file with the City a deed restriction placing the following restrictions on the property, the property owner, and all successors in interest: (a) the JADU is not to be sold or separately conveyed from the primary dwelling; and (b) the JADU shall be restricted in size and attributes pursuant to Article 3 of Chapter 13 of Division 1 of Title 7 of the Government Code as set forth in subsection (E)(5) of this section.

F. Fees and Utility Connections. ADUs and JADUs that are processed under either the planning review ADU process set forth in subsection D of this section or through the building permit only ADU process set forth in subsection E of this section, shall comply with the following:

1. ADUs and JADUs shall have adequate water and sewer services. These services may be provided from the water and sewer points of connection for the primary dwelling and need not be a separate set of services, unless the local water and sewer service provider requires a new or separate utility connection directly between the ADU and the utility if the ADU is constructed concurrently with a new single-family residence.
2. The owner of an ADU shall be subject to the payment of all sewer, water and other applicable fees, including impact fees set forth in Government Code Section 66000 et seq., except as specifically provided in California Government Code Sections 66324 and 66332(e).
3. Prior to receiving a building permit, the owner of an ADU must submit letters of service availability for water and sewer disposal to the building official.

Section 3. Environmental Review. The City Council hereby finds that this Ordinance is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15282(h) which creates a statutory exemption for the adoption of an ordinance regarding second units in a single-family or multifamily residential zone by a city to implement the provisions of Article 2 (commencing with Section 66314) or Article 3 (commencing with Section 66333) of Chapter 13 of Division 1 of Title 7 of the Government Code as set forth in Section 21080.17 of the Public Resources Code. In addition, the City Council finds that the Ordinance is exempt from further environmental review pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that amendments to the City's ADU and JADU regulations in accordance with State Law will have a significant effect on the environment.

Section 4. Submission of Ordinance to HCD. In compliance with Government Code Section 66326, the Community Development Director is hereby directed to submit a copy of this Ordinance to the Department of Housing and Community Development within 60 days after adoption.

Section 6. Certification. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same or a summary thereof to be published and posted in the manner required by law.

Section 7. Publication and Posting. Within fifteen (15) days following the passage of this Ordinance, the City Clerk shall publish and/or post this Ordinance as required by state law and City resolution.

Section 8. Effective Date. This Ordinance shall take effect thirty (30) days after passage.

PASSED, APPROVED, AN ADOPTED this ____ day of ____ 2025.

Penny Lilburn, Mayor

ATTEST:

Alondra Munoz, City Clerk

APPROVED AS TO FORM:

Maricela E. Marroquin , City Attorney