



STAFF REPORT – PLANNING CITY OF VALLEJO PLANNING COMMISSION

DATE: July 6, 2026
TO: Planning Commission
FROM: Hector Rojas, Long-Range Planning Manager
SUBJECT: **HOLD A PUBLIC HEARING TO CONSIDER A RESOLUTION RECOMMENDING THE CITY COUNCIL AMEND CHAPTER 16.303 RELATING TO ACCESSORY DWELLING UNITS AND FINDING SUCH ACTION EXEMPT FROM THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO PUBLIC RESOURCES CODE SECTION 21080.17 AND CEQA GUIDELINES SECTION 15282(h)**

PROJECT INFORMATION

Project Name: Accessory Dwelling Unit (ADU) Ordinance Updated (Revised), PLN 26-0036

Project Summary: The Project consists of amending Chapter 16.303 (Accessory Dwelling Units) of Title 16 (Zoning) of the Vallejo Municipal Code. The proposed amendments would repeal and replace the City's existing Accessory Dwelling Unit (ADU) ordinance in order to maintain consistency with State ADU laws contained in Government Code Sections 66310 through 66342. The proposed ordinance would establish updated standards and procedures governing the development of ADUs and JADUs, including provisions related to ministerial approval, development standards, application review timelines, parking requirements, and design standards.

The Planning Commission previously considered the proposed ordinance at a duly noticed public hearing on April 20, 2026, and recommended City Council adoption. Following that recommendation, the City received comments and conducted further review of the proposed ordinance. As a result, revisions were made to clarify consistency with Government Code Section 66323 and other provisions of State ADU law. Because these revisions affect substantive provisions previously considered by the Planning Commission, the revised ordinance is being returned to the Planning Commission for reconsideration pursuant to Government Code Section 65857 before proceeding to City Council for introduction and adoption.

Location: Citywide

Applicant: City of Vallejo Planning and Development Services Department
General Plan Land Use Designation: Various
Zoning District: Various residential zoning districts
CEQA: The Project is statutorily exempt from environmental review pursuant to Public Resources Code Section 21080.17 CEQA Guidelines Section 15282(h), which exempt the adoption of local ordinances implementing State ADU law.

Subject: HOLD A PUBLIC HEARING TO CONSIDER A RESOLUTION RECOMMENDING THE CITY COUNCIL AMEND CHAPTER 16.303 RELATING TO ACCESSORY DWELLING UNITS AND FINDING SUCH ACTION EXEMPT FROM THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO PUBLIC RESOURCES CODE SECTION 21080.17 AND CEQA GUIDELINES SECTION

15282(h)

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RECOMMENDATION

Hold a public hearing to consider a Resolution recommending the City Council amend Chapter 16.303 relating to Accessory Dwelling Units and finding such action exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.17 and CEQA Guidelines Section 15282(h).

ATTACHMENTS

1.	Staff Report Continuation
2.	Recommended Resolution_CAO Stamp
3.	Cal HDF Comment Letter, dated May 22,2026
4.	Redline Ordinance Showing Revisions Made Following the April 20, 2026 Planning Commission Recommendation

CONTACT

Hector Rojas, Long-Range Planning Manager (707) 553-7283

Hector.Rojas@cityofvallejo.net

BACKGROUND AND DISCUSSION

An accessory dwelling unit (ADU) is a secondary residential unit located on the same lot as a primary dwelling that includes independent living facilities, such as a kitchen and bathroom. ADUs may be constructed as detached units, attached additions to an existing home, or created through the conversion of existing space, such as garages or portions of a primary residence. A related unit type, known as a junior accessory dwelling unit (JADU), is a smaller unit (limited to 500 square feet) that is located entirely within a single-family home and may share sanitation facilities with the primary residence. For purposes of this report, references to “ADUs” may include both accessory dwelling units and junior accessory dwelling units, unless otherwise specified.

In recent years, the State of California has adopted numerous legislative changes intended to promote the development of ADUs as a strategy to increase housing supply and improve housing affordability. These legislative changes significantly expanded the circumstances under which ADUs must be permitted ministerially and limited the ability of local jurisdictions to impose development standards that could constrain ADU construction.

The current State ADU statutes are codified in Government Code Sections 66310 through 66342. These provisions require cities and counties to allow ADUs ministerially in residential zones, establish maximum review timelines for ADU applications, and limit certain development standards that could otherwise act as barriers to ADU construction.

On December 30, 2024, the City Council adopted the 2023–2031 Housing Element Update. The Housing Element includes programs to remove governmental constraints to housing development, including Program A 3.1.1, which directs the City to periodically review and update its ADU regulations to ensure consistency with State ADU law. The City’s current ADU ordinance was adopted in 2021 and has not been updated since that time.

Project Description

The proposed ordinance would repeal and replace Chapter 16.303 (Accessory Dwelling Units) of the Vallejo Municipal Code (VMC). The revised chapter would establish updated standards and procedures governing the development of ADUs within the City.

The proposed amendments include:

- Updated definitions for ADUs, JADUs, and related terms
- Clarified ministerial approval procedures and application requirements
- A 60-day timeline for approval or denial of complete ADU applications
- Development standards governing conversion, attached, and detached ADUs
- Standards for ADUs on both single-family and multi-family residential lots
- Updated parking requirements and exemptions consistent with State law
- Objective design standards applicable to certain newly constructed ADUs
- Clarified provisions regarding utility connections, impact fees, and unit addressing

The proposed ordinance reorganizes and clarifies the City’s ADU regulations to improve usability for both City staff and applicants while ensuring consistency with current State law. It also includes a limited provision that provides additional flexibility beyond minimum State requirements. Specifically, the ordinance exempts ADUs that are 500 square feet or less from parking requirements, which may

reduce development costs and barriers for smaller units. Otherwise, the ordinance is intended to maintain consistency with State ADU law.

Procedural History

On April 20, 2026, the Planning Commission conducted a duly noticed public hearing on the proposed ordinance and voted 5-0, with one absence, to recommend City Council adoption.

Following the Planning Commission's recommendation, the ordinance was scheduled for City Council consideration on May 26, 2026. Prior to the hearing, the City received comments regarding the proposed ordinance, including a comment letter from the California Housing Defense Fund (CalHDF) identifying several provisions that, in CalHDF's view, were inconsistent with Government Code Section 66323 and other provisions of State ADU law. The City also received email correspondence from the Vallejo Flood and Wastewater District (VFWD) regarding the ordinance's utility connection provisions and conducted additional legal and technical review of several sections of the proposed ordinance. As a result, the item was removed from the City Council agenda to allow staff additional time to evaluate the comments and determine whether revisions to the ordinance were warranted.

Following that review, staff prepared revisions intended to clarify consistency with State ADU law and address stakeholder comments. The revisions primarily address the application of historic resource standards, parking requirements, front setback requirements, detached ADU size limitations, and utility connection requirements to certain ADUs that qualify for ministerial approval under State law. The utility connection revisions also clarify that utility providers may require separate utility connections where authorized by State law and applicable utility requirements. Staff also revised the application review procedures to clarify that, following the Building Division's determination that an ADU application is complete, the application must be transmitted to the Planning Division for review of compliance with the requirements of the proposed ordinance to ensure review of applicable objective standards before permit approval.

Because these revisions include changes to substantive provisions previously considered by the Planning Commission, Government Code Section 65857 requires that the revised ordinance be referred back to the Planning Commission for reconsideration before proceeding to the City Council. The revised ordinance now before the Planning Commission incorporates these changes. Staff continues to recommend approval of the ordinance as revised. A redline version of the ordinance showing revisions made following the Planning Commission's April 20, 2026 recommendation is included as an attachment to this staff report.

State Review

Pursuant to Government Code Section 66326, the City must submit the adopted ADU ordinance to HCD within 60 days of adoption. Following submission, HCD may review the ordinance and provide written findings regarding whether the ordinance complies with State ADU law. If HCD identifies provisions that do not comply with State law, the City would have an opportunity to amend the ordinance to address those findings or re-adopt the ordinance with findings explaining why the City believes the ordinance complies. If revisions are required, staff would return to the Planning Commission and City Council with proposed amendments.

CODE COMPLIANCE

VMC Chapter 16.611.02(D) requires that any proposed amendments to the Zoning Code be reviewed and recommended by the Planning Commission at a duly noticed public hearing prior to consideration by the City Council. In addition, Government Code Section 65857 requires that substantive modifications to a proposed zoning ordinance following Planning Commission review be referred back to the Planning Commission for a report and recommendation before City Council action.

To recommend adoption of zoning text amendments, the Planning Commission must make the following findings pursuant to VMC Section 16.611.03(A):

1. The ordinance amendment is consistent in principle with the General Plan and any applicable specific plan; and
2. The ordinance amendment is consistent with the purpose of the Zoning Code to promote the growth of the city in an orderly manner and to promote and protect the public health, safety, and general welfare.

Staff Analysis

The proposed amendments are consistent with the General Plan because they implement Housing Element Program A 3.1.1, which directs the City to maintain consistency between the Zoning Code and current State ADU law. The amendments ensure that the City's regulations do not conflict with or impose constraints beyond those allowed under State law. The revisions made following the Planning Commission's April 20, 2026 recommendation further clarify the ordinance's consistency with State ADU law by specifying how certain local standards apply to ADUs authorized pursuant to Government Code Section 66323.

Accessory dwelling units are considered residential uses that are consistent with the underlying General Plan land use designations and zoning districts pursuant to Government Code Section 66314. Updating the City's ADU ordinance ensures that the municipal code remains consistent with State law while continuing to allow ADUs as an accessory residential use within residential neighborhoods.

The proposed amendments also support the purposes of the Zoning Code by establishing clear, objective standards governing the development of ADUs. These standards provide predictable development regulations while facilitating the construction of additional housing units within existing residential areas. In doing so, the amendments support the City's broader housing goals by encouraging infill development, expanding housing opportunities for residents, and promoting efficient use of existing residential land. Because many ADU development standards are governed by State law, the City's ability to impose additional local regulations is limited.

NOTICE AND COMMENTS

In accordance with VMC Section 16.602.08(A), notice of the July 6, 2026 Planning Commission public hearing for this item was published in the Times-Herald and electronically distributed on June 13, 2026.

Following the Planning Commission's April 20, 2026 recommendation, the City received comments regarding the proposed ordinance, including a comment letter from the California Housing Defense

Fund (CalHDF) and email correspondence from the Vallejo Flood and Wastewater District (VFWD). Those comments resulted in revisions to the proposed ordinance. Staff met with James Lloyd, Director of Planning and Investigations for CalHDF, on June 4, 2026 to review the proposed revisions. During that meeting, Mr. Lloyd indicated that the revisions addressed the concerns raised in CalHDF's comment letter. In email correspondence dated May 26, 2026, VFWD confirmed that the revised utility connection language addressed its concerns and removed the conflict identified with VFWD's ordinance.

Copies of the CalHDF comment letter, revised ordinance, and a redline ordinance showing revisions made following the Planning Commission's April 20, 2026 recommendation are included as attachments to this staff report.

ENVIRONMENTAL REVIEW

The proposed ordinance is statutorily exempt from environmental review pursuant to Public Resources Code Section 21080.17. This section exempts the adoption or amendment of local ordinances that implement State ADU law. The proposed amendments update the VMC solely to maintain consistency with State law governing ADUs and do not authorize development beyond what is already permitted by State statute.

CONCLUSION

The proposed amendments to Chapter 16.303, including the revisions made following the Planning Commission's April 20, 2026 recommendation, would update the City's ADU regulations to ensure consistency with current State law and implement Housing Element Program A 3.1.1. The revised ordinance establishes clear and objective standards that will facilitate the development of ADUs while maintaining orderly development consistent with the City's General Plan and Zoning Code.

Staff recommends that the Planning Commission adopt the attached Resolution recommending that the City Council approve the proposed amendments.

APPEAL PROCEDURE

This agenda item is a request for the Planning Commission's recommendation to the City Council and is not subject to appeal procedures, as it is advisory in nature and does not constitute a final decision on the Project.

LEVINE ACT:

This item is subject to the Levine Act. City elected and appointed officials, including candidates for City elected office, (City Officers) who have received a campaign contribution of more than \$500 within 12 months prior from a party, participant, or their representatives involved in this proceeding may do either of the following: (1) disclose the contribution on the record and recuse themselves from this proceeding; OR (2) return the portion of the contribution that exceeds \$500 within 30 days from the time the elected official knew or should have known about the contribution and participate in the proceeding.

All parties, participants, and their representatives must disclose on the record of this proceeding any contribution of more than \$500 made to the City Officers, such as the Mayor and/or Councilmembers,

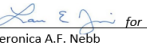
within 12 months prior to the date of the proceeding. City Officers are prohibited from accepting, soliciting, or directing a contribution of more than \$500 from a party, participant, or their representatives during a proceeding and for 12 months following the date a final decision is rendered.

CONTACT

Hector Rojas, Long-Range Planning Manager (707) 553-7283

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Approved as to form:

By:  for
Veronica A.F. Nebb
City Attorney

CITY OF VALLEJO PLANNING COMMISSION

PC26-12

A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING THE CITY COUNCIL AMEND CHAPTER 16.303 OF THE VALLEJO MUNICIPAL CODE RELATED TO ACCESSORY DWELLING UNITS AND FINDING SUCH ACTION EXEMPT FROM THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO PUBLIC RESOURCES SECTION 21080.17 AND CEQA GUIDELINES SECTION 15282(h)

WHEREAS, Vallejo Municipal Code (“VMC”) Chapter 16.303 addresses accessory dwelling units (“ADU” or “ADUs”); and

WHEREAS, the State of California amended state law regarding ADUs and JADUs, effective January 1, 2026, including Assembly Bill No. 1154 and Senate Bill No. 9 and Senate Bill No. 543; and

WHEREAS, the ADU ordinance of the VMC is recommended to be amended to be consistent with State Law; and

WHEREAS, in accordance with the Vallejo Municipal Code Chapter 16.611, any proposed amendments to the Zoning Code must first be reviewed and recommended by the Planning Commission at a duly noticed public hearing prior to being considered by the City Council; and

WHEREAS, on April 20, 2026, the Planning Commission conducted a duly noticed public hearing regarding the proposed ADU ordinance, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, following the April 20, 2026 public hearing, the Planning Commission adopted Resolution No. PC 26-07 recommending that the City Council adopt the proposed ADU ordinance; and

WHEREAS, following the Planning Commission's recommendation, the proposed ordinance was scheduled for City Council consideration on May 26, 2026; and

WHEREAS, prior to City Council consideration, the City received additional comments regarding the proposed ordinance, including a comment letter from the California Housing Defense Fund and email correspondence from the Vallejo Flood and Wastewater District; and

WHEREAS, following review of those comments, staff prepared revisions intended to clarify the ordinance's consistency with State ADU law and to address stakeholder comments; and

WHEREAS, notices describing the Planning Commission's public hearing on the revised ADU ordinance and its accompanying CEQA determination were mailed to all persons requesting notice pursuant to Section 16.602.08 of the Vallejo Municipal Code, emailed to the members of the Planning Commission, and published in a 1/8th page advertisement in the Times-Herald, a newspaper of general circulation, on June 13, 2026; and

WHEREAS, after giving all public notices required by State law and the VMC, the Planning Commission conducted a duly noticed public hearing on July 6, 2026 to consider and receive public testimony on the proposed revised ordinance.

NOW, THEREFORE, LET IT BE RESOLVED that the Planning Commission hereby finds, determines, and resolves as follows:

Section 1. Recitals.

The foregoing recitals are true and correct, and the same are incorporated herein by reference.

Section 2. Record.

The Record of Proceedings ("Record") upon which the Planning Commission bases its recommendation includes but is not limited to: (1) the staff reports, City files and records, and other documents prepared for the proposed ADU ordinance; (2) the evidence, facts, findings and other determinations set forth in this resolution; (3) the Vallejo General Plan 2040 and its FEIR; (4) the Addendum to the General Plan 2040 FEIR adopted for the 2023-2031 Housing Element; (5) the VMC and its related environmental documents; (6) all documentary and oral evidence received at public meetings, hearings, or submitted to the City relating to the proposed ADU ordinance; and (7) all other matters of common knowledge to the Planning Commission including, but not limited to, City, state, and federal laws, policies, rules, regulations, reports, records, and projections related to development within the City of Vallejo and its surrounding areas.

The location and custodian of the records is the Planning and Development Services Department of the City of Vallejo, 555 Santa Clara Street, Vallejo, California 94590.

Section 3. California Environmental Quality Act Findings.

Based on the Record as described above, and all matters deemed material and relevant prior to adopting this Resolution, the Planning Commission hereby finds and determines that the proposed ADU ordinance is statutorily exempt from environmental review pursuant to Public Resources Code Section 21080.17 and CEQA Guidelines Section 15282(h), which specifically exempt the adoption of an ordinance to comply with the provisions of Government Code Sections 66310 to 66342. Accordingly, no further environmental review is required, and this determination reflects the Planning Commission's independent judgment and analysis.

Section 4. Findings.

In accordance with Vallejo Municipal Code Section 16.611.03.A.1 and A.2 (Required Findings, Zoning Code Text Amendments), the Planning Commission hereby makes the following findings regarding the ADU ordinance amendment, as detailed in Exhibit A attached hereto and incorporated herein by reference.

A.1 The ordinance amendment is consistent in principle with the general plan and any applicable specific plan;

Facts in support: The proposed ADU ordinance amendment is consistent with the General Plan because it directly implements two Housing Element programs: Program A 3.1.1, which requires the City to update its Zoning Code to incorporate the most current State ADU law,

and Program H 4.1.2, which promotes the construction of affordable ADUs. By aligning the City's ADU regulations with current State law, the amendment advances these programs' express goals of expanding housing opportunity and supply in Vallejo. The proposed ordinance also advances the broader housing goals of the General Plan by reducing barriers to infill housing production, consistent with the City's Regional Housing Needs Allocation (RHNA) obligations and the Housing Element's identified programs for accommodating housing need across all income levels. No conflict with any other General Plan element or policy has been identified.

The proposed ordinance is consistent with the City's specific plans. Each of the City's specific plans that applies to residential land uses permits ADU development within its boundaries and does not contain standards or restrictions that would conflict with the proposed ordinance. Where specific plans are silent on ADUs, the proposed ordinance fills that gap consistent with State ADU law, which prevails over any conflicting local provision. No specific plan has been identified that would prohibit or materially restrict ADU development in a manner inconsistent with this ordinance or applicable State law.

A.2. The zoning text amendments are consistent with the purpose of the Zoning Code to promote the growth of the city in an orderly manner and to promote and protect the public health, safety, and general welfare.

Facts in support: The proposed ADU ordinance is consistent with the purpose of the Zoning Code to promote the orderly growth of the City and to promote and protect the public health, safety, and general welfare. The amendment promotes orderly growth by channeling new residential development into existing neighborhoods through infill construction on already-developed lots, making efficient use of existing streets, utilities, and public services without requiring the extension of new infrastructure. The amendment promotes and protects the public health by expanding access to housing, which is a recognized social determinant of health, and by ensuring that all ADUs and JADUs meet applicable building, fire, and safety codes as a condition of permit issuance. The amendment promotes the public safety by establishing clear, objective development standards — including setbacks, height limits, and building compliance requirements — that ensure new ADUs are constructed safely and compatibly with surrounding uses. The amendment promotes the general welfare by expanding the City's housing supply, improving housing affordability, supporting the City's RHNA compliance, and enabling more Vallejo residents to live closer to employment, services, and community resources.

Section 5. Decision.

BE IT FURTHER RESOLVED that, based on the findings set forth herein and the record as a whole, the Planning Commission hereby recommends that the City Council amend the Vallejo Municipal Code by amending Chapter 16.303 relating to Accessory Dwelling Units, as set forth in Exhibit A, attached hereto, and incorporated by reference.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Vallejo, State of California, on the 6th day of July 2026 by the following vote, to-wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

ANTHONY TAYLOR, CHAIRPERSON
City of Vallejo Planning Commission

Attest:

KRISTIN POLLOT, AICP – SECRETARY
City of Vallejo Planning Commission

Exhibits:

- A. Proposed Ordinance Amending Chapter 16.303 of the Vallejo Municipal Code Relating to Accessory Dwelling Units



May 22, 2026

City of Vallejo
555 Santa Clara Street
Vallejo, CA 94590

By email: Andrea.Sorce@cityofvallejo.net; JR.Matulac@cityofvallejo.net;
Alexander.Matias@cityofvallejo.net; tonia.lediju@cityofvallejo.net;
Charles.Palmares@cityofvallejo.net; Peter.Bregenzer@cityofvallejo.net;
Helen-Marie.Gordon@cityofvallejo.net

Cc: city.manager@cityofvallejo.net; City.Atty@cityofvallejo.net;
planning@cityofvallejo.net; dawn.abrahamson@cityofvallejo.net

Re: Proposed Amendments to the City's ADU Regulations

Dear Vallejo City Council,

The California Housing Defense Fund (CalHDF) submits this letter as a public comment regarding item 9B for the Council meeting of May 26, 2026, an update to the City's code provisions for the construction of accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs).

We applaud the City for amending its ADU ordinance to keep pace with the changes in state law. However, there are specific portions of the City's ADU code that conflict with state ADU law, and the City must correct these issues before passing the ordinance.

Background

The law gives local governments authority to enact zoning ordinances that implement a variety of development standards on ADUs. (Gov. Code, § 66314.) The standards in these local ordinances are limited by state law so as not to overly restrict ADU development. (See *id.*) Separately from local ADU ordinances, Government Code section 66323 establishes a narrower set of ADU types that local governments have a ministerial duty to approve. "Notwithstanding Sections 66314 to 66322 ... a local agency shall ministerially approve" these types of ADUs. (*Id.* at subd. (a).) This means that ADUs that satisfy the minimal requirements of section 66323 must be approved regardless of any contrary provisions of the local ADU ordinance. (*Ibid.*) Local governments may not impose their own standards on such ADUs.

2201 Broadway, PH1, Oakland, CA 94612
www.calhdf.org

(Gov. Code, § 66323, subd. (b) [“A local agency shall not impose any objective development or design standard that is not authorized by this section upon any accessory dwelling unit that meets the requirements of any of paragraphs (1) to (4), inclusive, of subdivision (a).”].)

In addition, ADUs that qualify for the protections of Government Code section 66323, like other ADUs, must be processed by local governments within 60 days of a complete permit application submittal. (Gov. Code, § 66317, subd. (a).)

State law also prohibits creating regulations on ADU development not explicitly allowed by state law. Government Code Section 66315 states, “No additional standards, other than those provided in Section 66314, shall be used or imposed, including an owner-occupant requirement, except that a local agency may require that the property may be used for rentals of terms 30 days or longer.”

Impermissible Historic Standards

City code section 16.303.08(C) imposes historic requirements on all ADUs, including 66323 ADUs.

However, these historic standards are permissible for section 66323 ADUs. This is because section 66323, subdivision (b) forbids the application of local development standards.

The HCD Handbook is clear on the issue of imposing development or design standards on section 66323 ADUs. From page 20 of the January 2025 HCD ADU [Handbook](#) (emphasis added): “A local agency **may not impose development or design standards**, including both local standards and standards found in State ADU Law, on 66323 Units that are not specifically listed in Government Code section 66323. (Gov. Code, § 66323, subds. (a), (b).) This includes, but is not limited to, parking, height, setbacks, **or other zoning provisions** (e.g., lot size, open space, floor area ratio, etc.).”

The City must amend its ordinance to exempt section 66323 ADUs from these historic development standards.

Impermissible Parking Requirements

City code section 16.303.08(H) imposes parking requirements on all ADUs, less certain specified exceptions.

However, the City cannot impose local development standards on ADUs that conform to the requirements of Government Code section 66323, subdivision (a), as section 66323, subdivision (b) specifically exempts such ADUs from all local requirements. This means that the City cannot impose parking requirements on section 66323 ADUs (also known as “exemption ADUs”).

From page 20 of the January 2025 HCD ADU [Handbook](#) (emphasis added):

A local agency may not impose development or design standards, including both local standards and standards found in State ADU Law, on 66323 Units that are not specifically listed in Government Code section 66323. (Gov. Code, § 66323, subds. (a), (b).) This includes, but is not limited to, **parking**, height, setbacks, or other zoning provisions (e.g., lot size, open space, floor area ratio, etc.).

From page 34 of the HCD ADU Handbook:

In addition, local agencies may not impose parking requirements on 66323 Units.

The City must amend its ADU ordinance to exempt section 66323 ADUs from parking requirements, as is required by state law.

Impermissible Size Limits on Exemption ADUs

City code section 16.303.12(C)(2) restricts detached ADUs to 1,200 square feet in size.

However, the City should be aware that this size restriction is not permitted for new construction, detached ADUs on multifamily parcels developed pursuant to Government Code section 66323 subdivision (a)(4), which allows up to eight detached ADUs on multifamily parcels without size restrictions.

Size restrictions are plainly forbidden by Government Code, section 66323, subdivision (b), which explicitly exempts statewide exemption ADUs from all local standards: “(b) A local agency shall not impose any objective development or design standard that is not authorized by this section upon any accessory dwelling unit that meets the requirements of any of paragraphs (1) to (4), inclusive, of subdivision (a).” Because Government Code section 66323 subdivision (a)(4) does not contain a size limit, the City may not unilaterally impose one.

HCD reaffirms this requirement of state law on page 20 of the January 2025 HCD ADU [Handbook](#) (emphasis added):

A local agency **may not impose development or design standards**, including both local standards and standards found in State ADU Law, on 66323 Units that are not specifically listed in Government Code section 66323. (Gov. Code, § 66323, subds. (a), (b).) This includes, but is not limited to, parking, height, setbacks, or **other zoning provisions** (e.g., lot size, open space, floor area ratio, etc.).

The City must exempt ADUs developed pursuant to Government Code section 66323, subdivision (a)(4) from all size restrictions.

Impermissible Front Setback Requirement

City code section 16.303.12(D)(2) imposes underlying front setbacks on all detached ADUs, with an exception for ADUs up to 800 square feet: "... the ADU may encroach into the front setback to the extent necessary to allow construction of an ADU of at least 800 square feet."

However, Government Code section 66323, subdivision (a) does not permit any imposition of front setback requirements, if the ADUs qualify for the protections of that section of law. This is because Government Code section 66323, subdivision (b) forbids the application of local development standards.

There are many policy reasons for this. For instance, a homeowner may prefer to preserve a private backyard space while redeveloping the less useful front yard. While children may play in the backyard, the front yard is closer to the street and less safe for a variety of activities. The City therefore must allow front yard ADUs that comply with the standards in Government Code section 66323, subdivision (a) both on single family and on multifamily Properties.

HCD has issued guidance under its authority in Government Code section 66327 (that guidance is located in the January 2025 HCD ADU [Handbook](#), page 18) affirming the duty of local agencies to allow ADUs protected by Government Code section 66323 in the front setback under all circumstances.

The HCD Handbook is clear on the issue of imposing development or design standards on section 66323 ADUs. From page 20 of the January 2025 HCD ADU [Handbook](#) (emphasis added): "A local agency may not impose development or design standards, including both local standards and standards found in State ADU Law, on 66323 Units that are not specifically listed in Government Code section 66323. (Gov. Code, § 66323, subds. (a), (b).) This includes, but is not limited to, parking, height, **setbacks**, or other zoning provisions (e.g., lot size, open space, floor area ratio, etc.)."

The savings clause in City code section 16.303.12(D)(2) relating to 800 square foot ADUs is not sufficient. This provision implements Government Code section 66321, subdivision (b)(3), which relates to local program ADUs. However, Government Code section 66323 establishes a completely different category of ADUs, and the City may not force these ADUs to only "encroach into the front setback to the extent necessary ..." Besides, as discussed above, detached ADUs on multifamily parcels (developed pursuant to Gov. Code, § 66323, subd. (a)(4) may exceed 800 square feet, and the City cannot force these ADUs to be located outside the front setback.

The City must amend its ordinance to remove this front setback requirement for section 66323 ADUs.



It is laudable that the City is updating its ADU regulations as state law changes. However, the City must address the issues we have discussed in this letter.

CalHDF is a 501(c)(3) non-profit corporation whose mission includes advocating for increased access to housing for Californians at all income levels, including low-income households. You may learn more about CalHDF at www.calhdf.org.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Dylan Casey', with a long horizontal flourish extending to the right.

Dylan Casey
CalHDF Executive Director

A handwritten signature in black ink, appearing to read 'James M. Lloyd', with a long horizontal flourish extending to the right.

James M. Lloyd
CalHDF Director of Planning and Investigations

**Redline Ordinance Showing Revisions Made Following the
April 20, 2026 Planning Commission Recommendation**

CITY COUNCIL OF THE CITY OF VALLEJO

ORDINANCE NO. _____ N.C.(2d)

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VALLEJO AMENDING
CHAPTER 16.303 OF THE VALLEJO MUNICIPAL CODE RELATED TO
ACCESSORY DWELLING UNITS**

* * * * *

WHEREAS, Vallejo Municipal Code (“VMC”) Chapter 16.303 addresses accessory dwelling units (“ADU” or “ADUs”); and

WHEREAS, the State of California amended state law regarding ADUs and JADUs, effective January 1, 2026, including Assembly Bill No. 1154 and Senate Bill No. 9 and Senate Bill No. 543; and

WHEREAS, the ADU ordinance of the VMC is recommended to be amended to be consistent with State Law; and

WHEREAS, in accordance with VMC Chapter 16.611, any proposed amendments to the Zoning Code must first be reviewed and recommended by the Planning Commission at a duly noticed public hearing prior to being considered by the City Council; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing regarding the proposed ADU ordinance on April 20, 2026, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, following the April 20, 2026 public hearing, the Planning Commission adopted Resolution No. PC26-07 recommending that the City Council adopt the proposed ADU ordinance; and

WHEREAS, following the Planning Commission's recommendation, the proposed ordinance was scheduled for City Council consideration on May 26, 2026; and

WHEREAS, prior to City Council consideration, the City received additional comments regarding the proposed ordinance, including a comment letter from the California Housing Defense Fund (CalHDF) and email correspondence from the Vallejo Flood and Wastewater District (VFWD) regarding the ordinance's utility connection provisions; and

WHEREAS, following review of those comments, staff prepared revisions intended to clarify the ordinance's consistency with State ADU law and address stakeholder comments; and

WHEREAS, because those revisions affect substantive provisions previously considered by the Planning Commission, Government Code Section 65857 required the revised ordinance to be referred back to the Planning Commission for reconsideration prior to City Council action; and

WHEREAS, on July 6, 2026, after giving all public notices required by State law and the VMC, the Planning Commission conducted a duly noticed public hearing on the proposed amendments and voted 5-0, with one absence, to adopt Resolution No. PC26-12 recommending the City Council amend the VMC by repealing and replacing Chapter 16.303 (Accessory Dwelling Units) and find such actions exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.17 and CEQA Guidelines Section 15282(h); and

WHEREAS, on _____, notices describing the City Council's public hearing on the proposed ordinance were mailed to all persons requesting notice pursuant to VMC Section 16.602.08, emailed to the members of the City Council, and published in a 1/8th page advertisement in the Times-Herald, a newspaper of local circulation; and

WHEREAS, on _____, the City Council, after giving all public notices required by State law and the VMC, conducted a duly noticed public hearing to consider and review public testimony on the proposed ordinance.

NOW, THEREFORE THE CITY COUNCIL DOES ORDAIN AS FOLLOWS:

SECTION 1. Recitals.

The foregoing recitals are true and correct, and the same are incorporated herein by reference.

SECTION 2. Record.

The Record of Proceedings ("Record") upon which the City Council bases its decision includes but is not limited to: (1) the staff reports, City files and records, and other documents prepared for the proposed ordinance; (2) the evidence, facts, findings and other determinations set forth herein; (3) the Vallejo General Plan 2040 and its FEIR; (4) the Addendum to the General Plan 2040 FEIR adopted for the 2023-2031 Housing Element; (5) the VMC and its related environmental documents; (6) all documentary and oral evidence received at public meetings, hearings, or submitted to the City relating to the proposed ordinance; and (7) all other matters of common knowledge to the City Council including, but not limited to, City, state, and federal laws, policies, rules, regulations, reports, records, and projections related to development within the City of Vallejo and its surrounding areas.

The location and custodian of the records is the City Clerk's Office of the City of Vallejo, 555 Santa Clara Street, Vallejo, California 94590.

Section 3. CEQA Findings

Based on the Record as described above, and all matters deemed material and relevant prior to adopting this Ordinance, the City Council hereby finds and determines that the proposed

amendments are statutorily exempt from environmental review pursuant to Public Resources Code Section 21080.17 and CEQA Guidelines Section 15282(h), which specifically exempt the adoption of an ordinance to comply with the provisions of Government Code Sections 66310 to 66342. Accordingly, no further environmental review is required, and this determination reflects the City Council's independent judgment and analysis.

SECTION 4. Findings

The City Council hereby makes the following findings as required by VMC Sections 16.611.03.A.1 and A.2 (Required Findings, Zoning Code Text Amendments):

A.1. The ordinance amendment is consistent in principle with the general plan and any applicable specific plan;

Facts in support: *The proposed amendments are intended to modify the City's existing zoning regulations applicable to ADUs and JADUs to comply with recently adopted State ADU law and to streamline the City's current ADU review process. The amendments implement Housing Element Program A 3.1.1, which requires the City to update its Zoning Code to incorporate the most up to date version of State ADU law, as well as Program H 4.1.2, which promotes the construction of affordable ADUs. Based on the direction and goals of these Housing Element Programs, the proposed amendments are consistent with the General Plan. The proposed amendments are also consistent with the City's specific plans because each specific plan permits ADU development consistent with State ADU law.*

A.2. The zoning text amendments are consistent with the purpose of the Zoning Code to promote the growth of the city in an orderly manner and to promote and protect the public health, safety, and general welfare.

Facts in support: *The proposed amendments are intended to comply with State law directing local jurisdictions to reduce barriers to the production of ADUs in an effort to address demand for housing in California. Consistent with this statewide goal, the construction and occupancy of these types of housing units would promote the public health, safety, and general welfare of Vallejo by facilitating appropriate infill housing and expanding housing supply while maintaining orderly development consistent with the Zoning Code.*

SECTION 5. Repeal of VMC Chapter 16.303

Chapter 16.303 of the VMC is hereby repealed in its entirety.

SECTION 6.

There is hereby added a new Chapter 16.303 to the VMC which is adopted to read as follows:

Chapter 16.303

ACCESSORY DWELLING UNITS

- 16.303.01 Purpose and applicability.**
- 16.303.02 Definitions.**
- 16.303.03 Permit required.**
- 16.303.04 Submittals.**
- 16.303.05 Fees.**
- 16.303.06 Application review, denial, and remedies.**
- 16.303.07 Density and consistency.**
- 16.303.08 General ADU Standards.**
- 16.303.09 Local objective design standards.**
- 16.303.10 Conversion ADU standards.**
- 16.303.11 Attached ADU standards.**
- 16.303.12 Detached ADU standards.**
- 16.303.13 JADU Standards.**
- 16.303.14 Permitted combinations of ADUs and JADUs.**
- 16.303.15 State law preemption.**

16.303.01 – Purpose and applicability.

The purpose of this chapter is to implement Government Code Sections 66310 through 66339.5 by establishing objective standards and a ministerial review process for the development of accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs).

16.303.02 – Definitions.

“Accessory dwelling unit (ADU).” An attached or detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with an existing or proposed single-family or multifamily dwelling. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation (including a tub or shower, sink, and toilet) on the same parcel as the single-family or multifamily dwelling is or will be situated. An ADU includes an efficiency unit, as defined in Health and Safety Code Section 17958.1, and a manufactured home, as defined in Health and Safety Code Section 18007.

“Accessory dwelling unit (ADU), attached.” An ADU created through new construction that is physically attached to and shares at least one wall with an existing or proposed single-family dwelling.

"Accessory dwelling unit (ADU), conversion." On a lot with an existing single-family dwelling, an ADU created from space within that dwelling or within an existing accessory structure. On a lot with an existing multifamily dwelling, an ADU created from nonhabitable space within an existing multifamily structure, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages.

"Accessory dwelling unit (ADU), detached." An ADU created through new construction that is structurally independent from and does not share a wall with any existing or proposed single-family or multifamily dwelling on the lot.

"Efficiency kitchen." A kitchen that includes a cooking appliance, a food preparation counter, and storage cabinets of reasonable size in relation to the overall size of the junior accessory dwelling unit. An efficiency kitchen may include a gas or electric range or oven but is not required to do so.

"Junior accessory dwelling unit (JADU)." A residential dwelling unit that is no more than 500 square feet in size; is contained entirely within an existing or proposed single-family dwelling; includes a separate exterior entrance; includes at least an efficiency kitchen; and may include separate sanitation facilities or share sanitation facilities with the existing residence. A JADU shall not be considered a separate or new dwelling unit for the purposes of the California Fire Code.

"Multi-family residential lot." For the purposes of this chapter, a multi-family residential lot is a lot developed with two or more attached dwelling units within the same structure or structures. A lot with multiple detached single-unit dwellings shall not be considered a multi-family residential lot.

16.303.03 – Permit required.

- A. Building permit. A building permit shall be required prior to the construction, establishment, alteration, enlargement, or modification of any ADU or JADU.
- B. Ministerial approval. A building permit application for an ADU or JADU that complies with the provisions of this chapter shall be approved ministerially, without a public hearing or discretionary decision.
- C. Building code compliance. ADUs and JADUs shall be subject to the building code requirements applicable to detached dwellings. However, the construction of an ADU or JADU shall not constitute a Group R occupancy change under the local building code, as described in Section 310 of the California Building Code (Title 24 of the California Code of Regulations), unless the chief building official makes a written finding based on substantial evidence in the record that the construction of the ADU could have a specific, adverse impact on public health and safety.

16.303.04 – Submittals.

A building permit application for an ADU or JADU shall be submitted in writing on forms provided by the Building Division and shall include all information specified in the application submittal checklist established by the Division.

16.303.05 – Fees.

- A. Review fees. A building permit application for an ADU or JADU shall be accompanied by the application review fees set forth in the City's Master Fee Schedule.
- B. Impact fees. Newly constructed ADUs with a total floor area of 750 square feet or greater shall be subject to impact fees. Any such impact fees shall be charged proportionately in relation to the square footage of the ADU to the square footage of the primary dwelling.
- C. Utility connections and fees.
 - 1. Utility connections. An ADU ~~may~~shall be required to install a new or separate utility connection directly from the utility to the ADU, except when the ADU is created entirely from existing space within a dwelling unit. In such cases, a new or separate connection shall not be required ~~, unless the ADU is constructed concurrently with a new single-family or multi-family dwelling.~~
 - 2. Connection fee exemptions. A conversion ADU or JADU shall not be considered a new residential use for the purposes of calculating connection fees or capacity charges for utilities, including water and sewer services, unless it is constructed concurrently with a new single-family dwelling.
 - 3. Fee proportionality. Any connection fee or capacity charge imposed on a conversion ADU or JADU shall be proportionate to the burden of the unit on the water or sewer system, based on either its square footage or the number of plumbing fixtures, as compared to the primary dwelling.

16.303.06 – Application review, denial, and remedies.

- A. Completeness determination. Within 15 business days of receipt of an application for an ADU or JADU, the Building Division shall determine whether the application is complete and shall provide written notice of that determination to the applicant. If the application is determined to be incomplete, the written notice shall include a list of incomplete items and a description of how the application may be made complete. The Building Division shall not require additional items on resubmittal that were not included in the original notice of incompleteness. Upon determining that an application is complete, the Building Division shall transmit the application to the Planning Division for review of compliance with the requirements of this Chapter.
- B. Approval or denial. The Building Division shall approve or deny a complete application for an ADU or JADU within 60 days of receipt of the complete application. If the permit application for an ADU or JADU is submitted concurrently with a permit application to create a new single-family or multifamily dwelling on the lot, the Building Division may delay approving or denying the ADU or JADU application until the application for the new dwelling is approved or denied. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. An application for an ADU or JADU shall be considered and approved ministerially, without discretionary review or a public

hearing. If the Building Division fails to approve or deny a complete application within the applicable time period, the application shall be deemed approved.

- C. Denial. If an application is denied, the Building Division shall, within 60 days of receipt of a complete application, return to the applicant in writing a full set of comments with a list of items that are defective or deficient and a description of how the application may be remedied.
- D. Appeal. An applicant may appeal in writing to the ~~Director~~Planning Commission a determination that an application is incomplete or denied. The ~~Director~~Planning Commission shall provide a final written determination within 60 business days of receipt of the written appeal. The decision of the ~~Director~~Planning Commission shall be final and shall not be further appealable.
- E. Certificate of occupancy. A certificate of occupancy for an ADU shall not be issued before a certificate of occupancy is issued for the primary dwelling.

16.303.07 – Density and consistency.

An ADU or JADU that complies with the requirements of this chapter shall not count toward the allowable density for the lot on which it is located. It shall be considered a residential use consistent with the existing General Plan land use designation and zoning for the lot.

16.303.08 – General ADU standards.

The following general standards shall apply to ADUs and JADUs:

- A. Non-conforming conditions. The correction of non-conforming zoning conditions, building code violations, or unpermitted structures that do not pose a threat to public health or safety and are not affected by the construction of an ADU or JADU shall not be required as a condition of ministerial approval of a building permit application for an ADU or JADU.
- B. Demolition permit timing. A demolition permit for a detached garage that is proposed to be replaced with a detached or attached ADU shall be reviewed concurrently with the ADU application and issued at the same time as the building permit for the ADU. If the property is designated as a landmark or located within a historic district, written notice or the posting of a placard on the property shall be required.
- C. Historic resources. ADUs and JADUs proposed on properties located within a historic district, designated as a landmark, or listed in the California Register of Historical Resources or the National Register of Historic Places shall comply with applicable objective standards adopted to protect the historic character of the property or district. These standards may include requirements related to massing, materials, location, and architectural features, ~~provided they do not preclude the creation of an ADU or JADU of at least 800 square feet. This subsection shall not apply to any ADU or JADU that is authorized by Government Code Section 66323. This provision does not exempt an ADU~~

~~or JADU from review under CEQA if it would result in a significant impact to a historic resource, as defined in CEQA Guidelines Section 15064.5.~~

- D. Solar energy system. A newly constructed, detached ADU shall be equipped with a solar photovoltaic system in compliance with the applicable provisions of the California Energy Code, unless exempt under the California Electrical Code. The system may be installed on the detached ADU or on the primary dwelling, in accordance with the standards established by the California Energy Commission and the California Electrical Code.
- E. Fire sprinklers. Fire sprinklers shall not be required in an ADU or JADU unless they are required for the existing primary dwelling at the time of the ADU or JADU's construction. The construction of an ADU or JADU shall not trigger a requirement to install fire sprinklers in the primary dwelling. If the primary dwelling does not have fire sprinklers, the construction of an ADU or JADU shall not impose a sprinkler requirement on the primary dwelling, even if the added floor area would otherwise trigger such a requirement.
- F. Addressing. Each ADU or JADU shall be assigned a separate address or unit designation, consistent with the City's addressing policy and emergency response requirements. Addressing shall ensure that:
 - 1. The ADU or JADU can be individually identified by emergency responders;
 - 2. The address is compatible with utility service and billing systems; and
 - 3. Mail and package delivery to the ADU or JADU is not impeded.

The Public Works Department shall assign or approve all addresses during the building permit process, in coordination with applicable departments and service providers.

- G. Urban lot splits. On any lot created through an urban lot split approved pursuant to Government Code Section 66411.7, no more than two total dwelling units shall be permitted, including any combination of primary dwellings, ADUs, or JADUs.
- H. Parking. The following parking requirements shall apply to ADUs and JADUs:
 - 1. Minimum number. One off-street parking space shall be provided for each ADU, except as provided below. No off-street parking shall be required for any ADU or JADU that is authorized by Government Code Section 66323.
 - 2. Configuration and location. Required parking for ADUs may be provided as tandem parking on an existing driveway.
 - 3. Exemptions. No off-street parking shall be required for an ADU if any of the following apply:

- i. The ADU has a floor area of 500 square feet or less.
 - ii. The ADU is located within ½ mile walking distance of public transit, as defined in Government Code Section 66313.
 - iii. The ADU is located within an architecturally or historically significant historic district.
 - iv. The ADU is located entirely within the proposed or existing primary dwelling or accessory structure.
 - v. On-street parking permits are required but not offered to the occupant of the ADU.
 - vi. A car share vehicle, as defined in Vehicle Code Section 22507.1, is located within one block of the ADU.
- I. Replacement Parking. When a garage, carport, covered parking structure, or uncovered off-parking space is demolished or converted in conjunction with the construction of an ADU or JADU, replacement parking shall not be required.
- J. Owner occupancy. Owner-occupancy shall not be required for ADUs. If a JADU has shared sanitation facilities with the primary structure, owner-occupancy shall be required. If the JADU does not have shared sanitation facilities, owner-occupancy shall not be required.
- K. Rentals. An ADU or JADU may be rented only for a term longer than 30 consecutive days.
- L. Sale and separate conveyance. An ADU or JADU shall not be sold or conveyed separately from the primary dwelling. The separate sale, transfer, or conveyance of an ADU or JADU is prohibited, except as expressly allowed under Government Code Section 66341, which provides an exception for properties developed and sold by qualified nonprofit housing organizations to low-income homebuyers under specific conditions.

16.303.09 – Local objective design standards.

The following local objective design standards shall apply only to newly constructed attached and detached ADUs that exceed 800 square feet in floor area. These standards shall not apply to any ADU that is subject to Government Code Section 66323, including conversion ADUs created entirely within the existing space of a primary dwelling or accessory structure.

- A. Materials and colors. The exterior materials and colors of the ADU, including walls, roof, eaves, windows, and doors, shall match the type, color range, and finish of the primary dwelling's exterior materials and colors.
- B. Roof slope, form, and eaves. The roof slope and form of the ADU shall match the slope of the largest portion of the primary dwelling's roof, or shall be flat if the primary dwelling has a flat roof. Roof eaves shall match the size and style of the eaves on the primary dwelling, unless the primary dwelling does not include eaves or overhangs.
- C. Access path. A clear and unobstructed path measuring at least 3 feet wide shall be provided between the entrance of the ADU and the public right-of-way, driveway, or alley.
- D. Mechanical equipment screening. HVAC equipment, water heaters, and other exterior mechanical units shall be screened from public view using fencing, landscaping, or placement behind the ADU.
- E. External staircases. External staircases serving a second-story ADU shall be located at least 5 feet from any side or rear property line unless replacing a legally established staircase in the same location.
- F. Structure separation. A detached ADU shall maintain a minimum separation of 5 feet from the primary dwelling and any other structures on the lot, unless a greater separation is required by the Building or Fire Code.

16.303.10 – Conversion ADU standards.

The following standards shall apply to conversion ADUs:

- A. Location. A conversion ADU shall be located entirely within existing space of a legally established structure, as follows:
 - 1. For single-family residential lots, a conversion ADU may be created only from the proposed or existing space of the primary dwelling, or from the existing space of an accessory structure.
 - 2. For multi-family residential lots, a conversion ADU may be created only from non-livable space of multi-family dwelling structures, such as storage rooms, boiler rooms, passageways, attics, basements, or garages.
- B. Quantity.
 - 1. For single-family residential lots, only one conversion ADU may be permitted per lot with an existing or proposed single-family dwelling.

2. For multi-family residential lots, multiple conversion ADUs may be permitted within the non-livable space of existing multi-family dwelling structures, if each unit complies with state building standards for dwellings. The total number of permitted conversion ADUs shall not exceed 25 percent of the number of existing multi-family dwelling units, or at least one, whichever is greater.
- C. Size. There shall be no minimum or maximum floor area requirement for a conversion ADU.
 - D. Ingress and egress expansion. A conversion ADU created from existing space within an accessory structure may include an expansion of up to 150 square feet beyond the existing physical dimensions of the structure, solely for the purpose of accommodating ingress and egress.
 - E. Setbacks. No setbacks shall be required for a conversion ADU.
 - F. Height. The height of a conversion ADU shall be limited to the existing height of the structure or portion of the structure being converted.
 - G. Exterior access. Access shall be provided to the conversion ADU independent from the primary dwelling.

16.303.11 – Attached ADU standards.

The following standards shall apply to attached ADUs:

- A. Location. An attached ADU shall be physically connected to the primary dwelling and may be created by constructing new space that shares at least one common wall with the proposed or existing single-family dwelling.
- B. Quantity. Only one attached ADU may be permitted on a lot with a proposed or existing single-family dwelling.
- C. Size.
 1. Minimum floor area. The minimum floor area of an attached ADU shall not be less than 190 square feet.
 2. Maximum floor area. The maximum floor area of an attached ADU shall be the lesser of:
 - i. Fifty percent of the floor area of the existing or proposed primary dwelling, or
 - ii. At least 850 square feet for a studio or one-bedroom unit, or 1,000 square feet for a unit with two or more bedrooms.

D. Setbacks.

1. Side and rear setbacks. An attached ADU shall comply with a minimum setback of no more than 4 feet from the side and rear lot lines.
 2. Front yard setbacks. Attached ADUs shall comply with the front yard setback requirements of the underlying zoning district, ~~except where such requirements would preclude the development of an ADU of at least 800 square feet. In such cases, the ADU may encroach into the front setback to the extent necessary to allow construction of an ADU of at least 800 square feet. This subsection shall not apply to any ADU that is authorized by Government Code Section 66323.~~
 3. Setback exceptions for existing structures. No setback shall be required for an attached ADU that is created within the existing livable space of the primary dwelling, or that is constructed in the same location and to the same dimensions as a legally established existing structure.
- E. Height. An attached ADU may be constructed up to 25 feet in height, or the maximum height permitted for the primary dwelling in the applicable zoning district, whichever is lower.
- F. Exterior access. Access shall be provided to the attached ADU independent from the primary dwelling. An interior connection between an attached ADU and the primary dwelling is permitted, provided the ADU maintains a separate exterior entrance.

16.303.12 – Detached ADU standards.

The following standards shall apply to detached ADUs:

- A. Location. A detached ADU may be constructed on the same lot as an existing or proposed single-family or multi-family dwelling. Detached ADUs shall be physically separate from the primary dwelling and any attached ADU or JADU.
- B. Quantity.
1. For single-family residential lots. Only one detached ADU may be permitted on a lot with a proposed or existing single-family dwelling.
 2. For multi-family residential lots. On lots with existing multi-family dwellings, up to eight detached ADUs may be permitted, provided the number of detached ADUs does not exceed the number of existing dwelling units on the lot. On lots with proposed multi-family dwellings, not more than two detached ADUs may be permitted. The detached ADUs may be attached to one another, provided they are detached from the existing or proposed multi-family structure and meet all applicable development standards.

C. Size.

1. Minimum floor area. The minimum floor area of a detached ADU shall not be less than 190 square feet.
2. Maximum floor area. The maximum floor area of a detached ADU shall be 1,200 square feet. This subsection shall not apply to any ADU that is authorized by Government Code Section 66323(a)(4).

D. Setbacks.

1. Side and rear setbacks. A detached ADU shall be subject to a minimum setback of four feet from the side and rear lot lines.
2. Front yard setbacks. Detached ADUs shall comply with the front yard setback requirements of the underlying zoning district, ~~except where such requirements would preclude the development of an ADU of at least 800 square feet. In such cases, the ADU may encroach into the front setback to the extent necessary to allow construction of an ADU of at least 800 square feet.~~ This subsection shall not apply to any ADU that is authorized by Government Code Section 66323.
3. Distance between structures. Detached ADUs shall comply with applicable building and fire code requirements for separation between structures.
4. Setback exceptions for existing structures. No setback shall be required for a detached ADU that is created within an existing accessory structure, or that is constructed in the same location and to the same dimensions as a legally established existing structure.

E. Height.

1. Base height limit. A detached ADU may be constructed up to 16 feet in height on a lot with an existing or proposed single-family or multi-family dwelling.
2. Increased height near transit. A detached ADU may be constructed up to 18 feet in height, plus an additional 2 feet to accommodate a roof pitch that matches the roof pitch of the primary dwelling, if the lot meets both of the following criteria:
 - i. It contains an existing or proposed single-family or multi-family dwelling; and
 - ii. It is located within ½ mile of either a major transit stop or a high-quality transit corridor, as defined in Public Resources Code Sections 21064.3 and 21155.

3. Multistory multi-family lots. A detached ADU may be constructed up to 18 feet in height on a lot with an existing or proposed multi-family, multistory dwelling, regardless of proximity to transit.
- F. Other standards. The site development standards in chapters 16.501 through 16.509, including but not limited to lot coverage, floor area ratio, open space, and landscaping, shall not be applied in a manner that would preclude the development of at least one detached ADU of at least 800 square feet in floor area that maintains four-foot side and rear setbacks.

16.303.13 – JADU standards.

The following standards shall apply to JADUs:

- A. Location. A JADU shall be located entirely within the walls of the proposed or existing single-family dwelling. Attached garages shall be considered a part of the proposed or existing single-family residence.
- B. Quantity. Only one JADU may be permitted per lot with a proposed or existing single-family dwelling.
- C. Size.
 1. Minimum floor area. The minimum floor area of a JADU shall not be less than 190 square feet.
 2. Maximum floor area. The floor area of a JADU shall not exceed 500 square feet.
- D. Setbacks. No setback shall be required for a JADU, as it must be located entirely within the existing or proposed single-family dwelling.
- E. Height. Height limits shall not apply to JADUs created entirely within the existing or proposed structure of the primary dwelling. However, any exterior modifications to accommodate a JADU shall comply with the applicable height standards of the primary dwelling, as set forth in this title.
- F. Exterior access. Access shall be provided to the JADU independent from the primary dwelling.
- G. Interior connection. An interior connection between the JADU and the primary dwelling shall not be required, unless the JADU does not include a separate bathroom, in which case the JADU shall provide an interior entrance to the main living area of the primary dwelling for shared sanitation access.
- H. Efficiency kitchen. A JADU shall include an efficiency kitchen.

- I. Deed restriction. Prior to the issuance of a certificate of occupancy for a JADU, the applicant shall provide the Building Division with proof of recordation of a deed restriction with Solano County Assessor/Recorder Department that:
 1. Prohibits the sale of the JADU separate from the sale of the single-family residence, including a statement that the deed restriction shall be enforced against future purchasers; and
 2. Restricts the size and attributes of the JADU as approved by the building permit.

16.303.14 – Permitted combinations of ADUs and JADUs.

This section summarizes the combinations of ADUs and JADUs permitted on single-family and multi-family lots, based on the standards in this chapter:

- A. Single-family residential lots. On a lot with a proposed or existing single-family dwelling:
 1. One JADU; plus
 2. One attached or conversion ADU; plus
 3. One detached ADU.
 4. A conversion ADU created pursuant to Subsection A.2 shall not be prohibited due to the presence of either an attached or detached ADU on the same lot.
 5. Notwithstanding Subsection A.4, the total number of ADUs and JADUs permitted on a single-family lot shall not exceed three units.
- B. Multi-family residential lots. On a lot with existing or proposed multi-family dwellings:
 1. Multiple conversion ADUs, up to 25 percent of the number of existing units (or at least one); and
 2. Up to two detached ADUs on lots with newly constructed or proposed multi-family dwellings, where the ADUs are developed concurrently with the multi-family structure; or
 3. Up to eight detached ADUs on lots with existing multi-family dwellings, provided the total number of detached ADUs does not exceed the number of existing units on the lot.

16.303.15 – State law preemption.

To the extent that any provision of this chapter conflicts with Government Code Sections 66310 through 66339.5, or any other applicable provision of state law governing ADUs and JADUs, the

state law shall control. The provisions of this chapter shall otherwise remain in full force and effect to the extent they are not in conflict with state law.

SECTION 6. Effective Date.

This Ordinance shall take effect and be in full force and effect from and after thirty (30) days after its final passage.

* * * * *

I HEREBY CERTIFY that the foregoing ordinance was first read at a regular meeting of the City of Vallejo City Council on the ____ day of ____ 2026 and was passed and adopted at a regular meeting of the Vallejo City Council on the ____ day of _____, 2026 by the following vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

ANDREA SORCE, MAYOR

ATTEST:

DAWN G. ABRAHAMSON, CITY CLERK