



TITLE

Accessory Dwelling Unit Ordinance Update

RECOMMENDATION

A Resolution of the Planning Commission recommending the City Council amend the American Canyon Municipal Code to update Chapter 19.39 "Accessory Dwelling Units" consistent with current State laws and Housing Element Implementation Measure C.

CONTACT

Brent Cooper, AICP, Community Development Director

BACKGROUND & ANALYSIS

On June 25, 2026, the Planning Commission considered an update to the Accessory Dwelling Unit (ADU) Ordinance (American Canyon Municipal Code Chapter 19.39). The ordinance was updated in response to a May 11, 2026 letter from the California Department of Housing and Community Development (HCD), which identified numerous changes to State ADU laws enacted over the previous two years. A copy of HCD's ADU review letter is included as Attachment 2.

Staff also introduced a proposed amendment that would allow "stacked" ADUs. A stacked ADU consists of a two-story structure with one ADU on each floor. The Planning Commission provided feedback, and a revised amendment will return to the Planning Commission at a future meeting.

At that meeting, the Planning Commission continued the public hearing to July 30, 2026 after receiving a letter from the California Housing Defense Fund (Cal HDF) indicating that additional changes were needed to ensure the ordinance complied with State Law. A copy of Cal HDF's letter is included as Attachment 3.

In response, staff made additional changes to the draft ordinance and provided the updated version to Cal HDF for their review. On July 9, 2026, Cal HDF confirmed that the revised ordinance addresses their concerns. A copy of Cal HDF's email is included as Attachment 4. Staff is confident the proposed ADU ordinance meets all provisions of state housing law.

Taken as a whole, the proposed amendments do not substantially change the existing ADU ordinance. Instead, they consist of targeted updates required to comply with state law, clarify

procedures, update definitions, and incorporate statutory changes adopted since the ordinance was approved in 2024. The amendments maintain the existing framework, development standards, and ministerial review process, while ensuring continued consistency with current state ADU and JADU law.

The attached Resolution includes a clean version of the proposed ADU Ordinance (Attachment 1). A redline version showing all proposed changes is included as Attachment 5. Additions are shown with double underlining, and deletions are shown with strikeout text. Each amendment is accompanied by a brief explanation describing the reason for the change.

If the Planning Commission recommends approval, the ordinance will be forwarded to the City Council for consideration at its September 1, 2026 meeting.

COUNCIL PRIORITY PROGRAMS AND PROJECTS

Organizational Effectiveness: "Deliver exemplary government services."

FISCAL IMPACT

N/A

ENVIRONMENTAL REVIEW

The Planning Commission finds the municipal code amendments are exempt from environmental review under CEQA because the amendments are consistent with State law that preempt any inconsistent local ordinance. Thus, the City's action is not creating a new land use regulation and it can be seen with certainty that no environmental impacts will result from the City's action. Consequently, and in accordance with CEQA Section 21084(a) and both Section 15002(i)(1) – lack of Local Jurisdictional Discretion – and Section 15061(b)(3) – General Rule of Exemption – of the CEQA Guidelines, the ordinance adoption is exempt from CEQA review and a Notice of Exemption has been prepared for this proposed amendment. Further, Public Resources Codes Section 21080.17 exempts the adoption of an ordinance implementing state law governing accessory dwelling units and junior accessory dwelling units from review under the California Environmental Quality Act.

COMMUNICATION

Level 0: No Further Public Communication Needed

ATTACHMENTS:

1. [Resolution ADU Ordinance](#)
2. [American Canyon HCD Letter](#)
3. [Cal HDF Comment Letter 06.25.26](#)
4. [CalHDF Confirmation Email 07.09.26](#)
5. [REDLINE Draft ADU Ordinance](#)