



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 May 11, 2026, the California Department of Housing and Community Development (HCD) issued a letter identifying recent changes to the State's Accessory Dwelling Unit (ADU) laws. The HCD technical assistance letter notes that numerous updates to state law have occurred over the past two years.

If the City's ADU ordinance is not consistent with current state law, it will be rendered null and void as a matter of law. In that event, the City would be required to process ADU applications using only state standards until a compliant ordinance is adopted and submitted to HCD. A copy of the HCD ADU review letter is included as Attachment 2.

After reviewing recent changes in state law, staff prepared a table summarizing the updates required to the City's ADU Ordinance (American Canyon Municipal Code (ACMC) Chapter 19.39), included as Attachment 3. Updating the ordinance to remain consistent with state law also supports Housing Element Implementation Measure C.

When considered as a whole, the proposed amendments do not represent a substantive change in policy from the current ADU ordinance. Instead, they consist of narrowly focused, state-mandated updates intended to clarify procedures, align definitions, and incorporate statutory changes adopted after the ordinance was approved in 2024. The amendments retain the existing framework, development standards, and ministerial review process, while ensuring continued consistency with current state ADU and JADU law.

The attached Resolution includes proposed amendments to the Municipal Code. Additions are indicated with double underlining, and deletions are shown with strikeout text. Each proposed change is followed by a brief justification explaining the reason for the amendment.

The draft Resolution is included as Attachment 1, and a clean version of the ADU ordinance with all revisions incorporated is provided as Attachment 4. If recommended for approval by the Planning Commission, the ordinance will be forwarded to the City Council for consideration at the 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:

2. [HCD Letter 05.11.2026](#)
3. [ADU Compliance Matrix](#)
1. [Resolution ADU Ordinance Update 2026 MTS.pdf](#)
4. [CLEAN Revised ADU Ordinance Update 2026](#)