

NOTICE OF CEQA EXEMPTION

TO: X Office of Land Use and Climate Innovation
1400 Tenth Street, Room 121
Sacramento, CA 95814

FROM: City of Ukiah
300 Seminary Avenue
Ukiah, CA 95482

X County Clerk
500 Low Gap Road
Ukiah, CA, 95482

PROJECT TITLE:

Adoption of an Ordinance Amending the City's Accessory Dwelling Unit and Junior Accessory Dwelling Unit Regulations to Ensure Compliance with State Law and the Findings of the California Department of Housing & Community Development.

PROJECT LOCATION:

City of Ukiah

PUBLIC AGENCY DECIDING TO CARRY OUT PROJECT:

City of Ukiah

DATE OF APPROVAL:

September 4, 2025

NAME OF PROJECT APPLICANT:

City of Ukiah

TO: X Office of Land Use and Climate Innovation
1400 Tenth Street
Sacramento, CA 95814

X Mendocino County Clerk- Recorder
501 Low Gap Road, STE 1020
Ukiah, CA 95482

FROM: City of Ukiah
300 Seminary Avenue
Ukiah, CA 95482

CEQA EXEMPTION STATUS:

- ☐ Ministerial
- ☐ Declared Emergency
- ☐ Categorical Exemption
- ☐ Statutory Exemption Section
- X Other: CEQA Guidelines §15061(b)(3)

PROJECT DESCRIPTION: The proposed ordinance is intended to bring the City's Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU) regulations into compliance with current State law and the findings issued by the California Department of Housing and Community Development (HCD) in April 2025. These findings responded to the City's previously adopted Ordinance No. 1244 from September 2024. The proposed ordinance is intended to align with Government Code requirements and preserve the City's 6th Cycle Housing Element certification.

Several of the proposed revisions are minor or clarifying in nature. For example, HCD requires clearer language regarding application approval process and timelines. The proposed update replaces the language "acted upon" with "approve or deny" to meet the requirements of Government Code Section 65852.2. The ordinance also proposes that uncovered parking spaces, in addition to garages and carports, would not need to be replaced if converted to or

demolished for an ADU. This resolves a technical issue identified by HCD, but in practice was already addressed by City Staff. Another proposed revision explicitly states that fire sprinklers are not required for ADUs if they are not required in the primary residence, and that construction of an ADU would not trigger new sprinkler requirements in the main dwelling. While this reflects existing State law and the current practices of the City, clarification is necessary for compliance as conveyed by HCD.

More substantive changes under the proposed ordinance include:

- Allowing up to eight detached ADUs on lots with existing multifamily dwellings, consistent with SB 1211.
- Removing unit size caps for ADUs on multifamily properties and exempting certain conversions from size limitations.
- Codifying AB 2533, which allows owners of unpermitted ADUs constructed before January 1, 2020, to obtain permits to permanently "legalize" their ADU, while only meeting the requirements of Health and Safety Code (H&SC) 17920.3. This code section requires buildings to meet sanitary, structural, electrical, plumbing, mechanical, weather protection, approved material, maintenance, exit, and fire health and safety requirements. This incorporates the majority of the requirements in the California Building Standards Code.

Regarding height, the ordinance includes revisions to clarify and refine allowable limits in accordance with HCD guidance. Detached ADUs would continue to be limited to 20 feet in height, but could be approved up to 25 feet through a minor site development permit if they meet conditions related to consistency with the primary structure or local development standards. Attached ADUs are proposed to be permitted up to 25 feet or the maximum height allowed by the applicable zoning district, whichever is greater. This would not constitute a new entitlement, as the height limits for all applicable zoning districts already exceed 25 feet. The ordinance also proposes confirming that ADUs constructed above garages, whether attached or detached, may reach 25 feet or the zoning district's maximum height. Previous language clarified that ADUs may exceed the height of the primary residence.

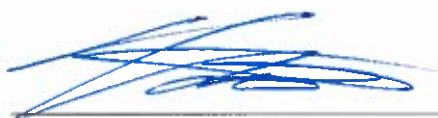
For JADUs, the updates include proposed corrections to permit processing timelines, revised deed restriction language, and confirmation that separate utility impact fees would not apply when a JADU is constructed independently of a new single-family dwelling.

Pursuant to correspondence received on June 25, 2025 and guidance from the public and the California Department of Housing and Community Development (HCD), the proposed ordinance amending the Ukiah ADU regulations was revised in late-June to align with the requirements of Government Code Section 66323. This section governs specific categories of Accessory Dwelling Units (ADUs) that are exempt from certain local standards. Local agencies cannot apply development or design standards to 66323 Units unless those standards are specifically listed in Government Code section 66323. This includes both local rules and those from State ADU Law. That means local governments can't impose requirements like parking, building height, setbacks, lot size, open space, floor area ratio, or similar zoning rules, unless they're explicitly allowed under section 66323.

REASONS WHY PROJECT IS EXEMPT: The proposed ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines, also known as the "common sense" exemption. This exemption applies when it can be seen with certainty that the activity will not have a significant effect on the environment. The ordinance does not authorize new uses or physical development and does not expand the range of allowable land uses beyond what is already permitted under existing state law. Instead, it modifies and clarifies local permitting procedures to ensure consistency with state requirements. These changes include the expansion of ministerial approval processes, as well as technical corrections to align with the municipal code.

Lead Agency Contact Person: Katherine Schaefer, Planning Manager
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This is to certify that the Notice of Exemption and other project related documents are available to the General Public at: Community Development Department, Planning Division, Ukiah Civic Center, 300 Seminary Avenue, Ukiah, CA 95482.



Signature (Public Agency)

09-04-2025
(Date)

Planning Manager
(Title)