

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

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December 27, 2023

Ben Moody, Director of Public Works and Development Services
Development Services Department
City of Yuba City
1201 Civic Center Boulevard
Yuba City, CA 95993

Dear Ben Moody:

RE: Review of Yuba City's Accessory Dwelling Unit (ADU) Ordinance under State ADU Law (Gov. Code, § 65852.2)

Thank you for submitting the City of Yuba City accessory dwelling unit (ADU) Ordinance No. 006-22 (Ordinance), adopted March 15, 2022, to the California Department of Housing and Community Development (HCD). The Ordinance was received on August 22, 2023. HCD has reviewed the Ordinance and submits these written findings pursuant to Government Code section 65852.2, subdivision (h). HCD finds that the Ordinance does not comply with section 65852.2 in the manner noted below. Under that statute, the City has up to 30 days to respond to these findings. Accordingly, the City must provide a written response to these findings no later than January 27, 2023.

The Ordinance contains provisions to implement Senate Bill (SB) 9 (Chapter 162, Statutes of 2021). The Ordinance's SB 9 provisions are not a part of this review except to the extent that they may affect ADUs or junior accessory dwelling units (JADUs).

The Ordinance addresses many statutory requirements; however, HCD finds that the Ordinance does not comply with State ADU Law in the following respects:

- Section 8-5.5004.(c) – *Review Process* – The Ordinance states, “Applications for accessory dwelling units and junior accessory dwelling units pursuant to this section shall be **processed** ministerially, without discretionary review or a hearing, through the zoning clearance process within sixty (60) days from the date the City receives a complete application if there is an existing single-family or multifamily dwelling on the lot” (emphasis added). However, Government Code section 65852.2, subdivision (a)(3)(A) states, “The permitting agency shall either **approve or deny** the application to create or serve an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the permitting agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot.” (Emphasis added). Government Code section 65852.2,

subdivision (a)(3)(B), states, “If a permitting agency denies an application for an accessory dwelling unit or junior accessory dwelling unit pursuant to subparagraph (A), the permitting agency shall, within the time period described in subparagraph (A), return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.” The ADU review process must lead to one of two outcomes: approval or denial of the application. Therefore, the City must amend the Ordinance to require that an ADU application be approved or denied within 60 days, and a denial be accompanied by a full set of comments and a description of how the application can be remedied.

- Section 8-5.5004.(e)(1)(A) – *ADU Location* – The Ordinance states, “An accessory dwelling unit shall be located within a proposed or existing single-family dwelling, or an **existing** multifamily dwelling, including attached garages, storage areas or similar uses, or an accessory structure: or shall be detached from, but located on the same lot as, a proposed or existing single-family dwelling, or an **existing** multifamily dwelling: or shall be attached to a proposed or existing single-family dwelling.” (Emphasis added). The Ordinance limits the creation of ADUs to existing multifamily dwellings. However, Government Code section 65852.2, subdivision (a)(1)(D)(ii), states that an ADU may be created where “The lot is zoned to allow single-family or multifamily dwelling residential use and includes a proposed or existing dwelling.” The Ordinance section does not include “or proposed” with multifamily dwelling. Government Code section 65852.2, subdivision (e)(1)(D), states a local agency shall ministerially approve “Not more than two accessory dwelling units that are located on a lot that has an existing or proposed multifamily dwelling, but are detached from that multifamily dwelling.” An ADU subject to local development standards under subdivision (a) may be built on a property with either an existing or a proposed multifamily dwelling, not just an existing multifamily dwelling. Detached multifamily statewide exemption ADUs reviewed under subdivision (e)(1)(D) must be allowed on a lot with either an existing or a proposed multifamily dwelling, not just an existing multifamily dwelling. Therefore, the City must amend the Ordinance to allow ADUs on properties with an existing or proposed multifamily dwelling for ADUs reviewed under subdivision (a) or subdivision (e)(1)(D).
- Section 8-5.5004.(e)(1)(B) – *Multifamily ADU Locations* – The Ordinance states, “An accessory dwelling unit located within a multifamily dwelling structure may only be located within a portion of the structure not used as livable space, including, but not limited to, a storage room, boiler room, passageway, attic, basement, or garage, provided that each unit shall comply with state building standards for dwellings.” However, Government Code section 65852.2, subdivision (e)(1)(D), quoted in the previous paragraph, allows for two detached multifamily ADUs. Since this paragraph of the Ordinance provides for the allowable location of multifamily conversion ADUs, confusion could be avoided by also describing the allowable location for multifamily detached ADUs here, instead of in Section 8-5.5004.(e)(1)(A). Therefore, the City

should amend the Ordinance to describe the allowed locations for all kinds of multifamily ADUs in this paragraph.

- Section 8-5.5004.(e)(1)(C) – *JADU Location* – The Ordinance states, “A junior accessory dwelling unit shall be located entirely within a proposed or existing single-family dwelling structure.” However, Government Code section 65852.22, subdivision (a)(4), states a JADU ordinance shall: “Require a permitted junior accessory dwelling unit to be constructed within the walls of the proposed or existing single-family residence. For purposes of this paragraph, enclosed uses within the residence, such as attached garages, are considered a part of the proposed or existing single-family residence.” The Ordinance is silent on whether a garage attached to a single-family residence is eligible for conversion to a JADU, while State Law is clear that such a conversion is allowed. Therefore, the City must amend the Ordinance to clarify that an attached garage is considered part of the single-family residence and eligible for conversion to a JADU.

The Ordinance allows JADUs in the Multiple Family Residence District (see Table 8-5.702) and in the Two-Family Residence District (see Table 8-5.602). However, Government Code section 65852.22, subdivision (a) states, “Notwithstanding Section 65852.2, a local agency may, by ordinance, provide for the creation of junior accessory dwelling units in single-family residential zones.” Therefore, the City must amend the Ordinance to remove JADUs as a permitted use from the Multiple Family Residence District and the Two-Family Residence District.

- Section 8-5.5004.(e)(2)(A) and (B) – *ADUs Subject to Limited Standards* – The Ordinance states, “Up to one accessory dwelling unit and one junior accessory dwelling unit are allowed on any lot with one or more existing or proposed single-family residences.” The Ordinance also states, “One, but not both, of the following options is permitted on a lot with an existing multifamily residence: (i) Up to two detached accessory dwelling units; or (ii) Accessory dwelling units within the multifamily dwelling as follows:” and goes on to describe an allowance for a number of conversion ADUs equal to 25 percent of the number of existing units, rounding decimals down, and with at least one such conversion ADU allowed regardless of the calculation. However, Government Code section 65852.2, subdivision (e)(1) states, “Notwithstanding subdivisions (a) to (d), inclusive, a local agency shall ministerially approve an application for a building permit within a residential or mixed-use zone to create any of the following: (A) One accessory dwelling unit and one junior accessory dwelling unit per lot with a proposed or existing single-family dwelling... (i) The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure.” Subparagraph (B) permits “[o]ne detached, new construction, accessory dwelling unit that does not exceed four-foot side and rear yard setbacks.”

The use of the term “any” followed by an enumeration of by right ADU types permitted indicate that any of these ADU types can be combined on a lot zoned for single family dwellings. This permits a homeowner, who meets specified requirements, to create one converted ADU; one detached, new construction ADU; and one JADU. Thus, if the local agency approves an ADU that is created from existing (or proposed) space, and the owner subsequently applies for a detached ADU (or vice versa) that meets the size and setbacks pursuant to the subdivision, the local agency cannot deny the application, nor deny a permit for a JADU under this section.

HCD notes that the Legislature, in creating the list, did not use “or” or “one of” to indicate only one or another would be applicable to the exclusion of the other. This subdivision applies equally to ADUs created pursuant to Government Code section 65852.2, subdivisions (e)(1)(C) and (D), on lots with proposed or existing multifamily dwellings. Limiting single-family lots to one ADU would prevent property owners from creating ADUs by right under subdivision (e)(1). Limiting multifamily lots to either two detached ADUs or conversion ADUs would prevent property owners from creating ADUs by right under subdivision (e)(1). Therefore, the City must amend the Ordinance to allow all the ADUs which are permissible under Government Code section 65852.2, subdivision (e). The City should also amend the Ordinance to clarify that a maximum of one JADU is allowed per single family residence on a lot zoned for single-family residence.

- Section 8-5.5004.(e)(2)(C) – *Number of ADUs Allowed on Property with both Single-Family and Multifamily Homes* – The Ordinance states, “If a lot has both one or more existing or proposed single-family residences and an existing multifamily residence, the owner of the lot may elect to develop the lot under either subsection (e)(2)(A) or subsection (e)(2)(B), but not both. The owner’s election shall be noted on any development permit issued by the City and in the deed restriction required by subsection (h), and all future development of accessory dwelling units and junior accessory dwelling units on the lot shall be bound by such election.” However, Government Code section 65852.2, subdivision (e)(1) states, “Notwithstanding subdivisions (a) to (d), inclusive, a local agency shall ministerially approve an application for a building permit within a residential or mixed-use zone to create **any** of the following:” (emphasis added) and goes on to list the four types of statewide exemption ADUs: single-family conversion, single-family detached, multifamily conversion and multifamily detached.

A property with both single-family and multifamily primary dwellings, existing or proposed, is treated as a multifamily property, and may use the ADU allowances for properties with existing or proposed multifamily dwellings. Such properties are not eligible for a JADU. The eligibility for statewide exemption ADUs is based on the presence of existing or proposed dwellings and whether they are classified single-family or multifamily (except for multifamily conversion ADUs under Government Code section 65852.2 subdivision (e)(1)(C), which require an existing

multifamily dwelling). Therefore, the City must amend the Ordinance to remove the requirement that a property owner choose to develop ADUs under subsection (e)(2)(A) or (e)(2)(B) of the Ordinance, but not both, in cases where the property has both a single-family residence and multifamily residences. The Ordinance must reflect that the City will process such applications according to the ADU allowances for multifamily properties.

- Section 8-5.5004.(e)(3)(A) – *ADU Bathroom* – The Ordinance states, “Accessory dwelling units shall include complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation, including a kitchen and bathroom. Notwithstanding the previous sentence, an accessory dwelling unit located completely within an existing primary dwelling, including an attached garage, is not required to have a bathroom if it shares a full bathroom with the primary residence.” However, Government Code section 65852.2, subdivision (j)(1) states, “‘Accessory dwelling unit’ means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated.” ADUs are defined in a way that requires a bathroom to be within the ADU. Since this part of the Ordinance only pertains to ADUs, the City must amend the Ordinance to require an ADU to have permanent sanitation facilities.
- Section 8-5.5004.(e)(3)(B) – *JADU Bathroom* – The Ordinance states: “Junior accessory dwelling units may include separate sanitation facilities or may share sanitation facilities with the primary residence.” Government Code section 65852.22, subdivision (a)(5)(B) states, “If a permitted junior accessory dwelling unit does not include a separate bathroom, the permitted junior accessory dwelling unit shall include a separate entrance from the main entrance to the structure, with an interior entry to the main living area.” Therefore, when a JADU shares a bathroom with the primary residence, it must have an interior entry to the primary residence. The City must amend the Ordinance to require an interior entry to the primary residence when a JADU shares a bathroom with the primary residence.
- Section 8-5.5004.(e)(5)(A) – *Development Standards* – The Ordinance states, “Accessory dwelling units and junior accessory dwelling units shall comply with the development standards in Table 8-5.5004(A).” However, Government Code section 65852.2, subdivision (e) states, “Notwithstanding subdivisions (a) to (d), inclusive, a local agency shall ministerially approve an application for a building permit within a residential or mixed-use zone to create any of the following:” and goes on to list the four types of statewide exemption ADUs. The development standards listed in the table are not applicable to an ADU permitted under subdivision (e). Such ADUs have their own development standards listed in the

subdivision. Therefore, the City must amend the Ordinance to note that ADUs permitted under subdivision (e) are not subject to local development standards.

- Table 8-5.5004(A) – *Maximum Floor Area* – The Ordinance lists a maximum ADU floor area as follows: “Attached to or within Primary Dwelling: 50% of the floor area of the existing or proposed primary dwelling structure^[1] or 1,200 square feet, whichever is less.” Government Code section 65852.2, subdivision (a)(1)(D)(iv) states, “If there is an existing primary dwelling, the total floor area of an attached accessory dwelling unit shall not exceed 50 percent of the existing primary dwelling.” Pursuant to Government Code section 65852.2, subdivision (c)(2)(C), any floor area ratio requirement may not preclude an 800 square foot attached ADU. Therefore, the City must allow at least an 800 square foot attached ADU even when the floor area ratio calculation may be less. Also, the terms “attached” refers to an ADU formed through an addition, and “within” refers to a conversion ADU formed through interior remodeling. The provision limiting an attached ADU area to 50 percent of the area of an existing primary dwelling does not apply to a conversion ADU, which is limited in size only by the size of the existing structure it is converted from and the desires of the applicant¹. Therefore, the City must amend the Ordinance to allow for at least an 800 square foot attached ADU and clarify that the rule limiting an attached ADU to 50 percent of the floor area of existing or proposed primary dwelling only applies if there is an existing primary dwelling and does not apply to conversion ADUs formed entirely through interior remodeling.
- Table 8-5.5004(A), Footnote [2] – *Setback Requirements for Conversion ADUs* – The Ordinance states, no setback is required for a conversion ADU or for an ADU built in the same location and to the same dimensions as an existing structure, provided that: “(i) the existing structure either is permitted or the owner can demonstrate to the reasonable satisfaction of the City that the existing structure was built prior to January 1, 1990.” However, Government Code section 65852.2, subdivision (a)(1)(D)(vii) states, “No setback shall be required for an existing living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit.” Additionally, Government Code section 65852.2, subdivision (d)(2) states, “The local agency shall not deny an application for a permit to create an accessory dwelling unit due to the correction of nonconforming zoning conditions, building code violations, or unpermitted structures that do not present a threat to public health and safety and are not affected by the construction of the accessory dwelling unit.”

¹ HCD (2022). [“Accessory Dwelling Unit Handbook,”](#) page 14.

The requirements in the Ordinance and State ADU Law are similar, except that the Ordinance requires the existing structure to be permitted for the ADU to be exempt from setback requirements, unless it was built prior to January 1, 1990, whereas State ADU Law does not require the existing structure to be permitted for an ADU to be exempt from setback requirements. A local agency may require an existing structure that is converted to an ADU to be permitted for health and safety reasons, but for purposes of determining an ADU's exemption from setback requirements, whether an existing structure is permitted or not is irrelevant. Therefore, the City must amend the Ordinance so that an ADU converted from an existing structure, or which replaces an existing structure in the same location, and which is built to the same dimensions, is exempt from setback requirements. The City should also remove the subjective process by which it exempts structures it deems to be built before January 1, 1990, from certain requirements.

- Table 8-5.5004(A) – *Height Limits* – The Ordinance lists ADU height limits: “One-Story ADU: Up to 16 feet from ground level. Second-Story ADU: An ADU may be built on top of a one-story detached garage or other one-story detached structure in the R-1, R-2, or R-3 zones, but may not exceed the maximum building height for a primary residence allowed in the zone. For second story ADUs in the R-1 zone, the second story (but not the first story of the structure must meet the setback requirements in Section 8-5.503. Two-Story ADU: Not Permitted.” However, Government Code section 65852.2, subdivision (c)(2)(D) states, a local agency shall not establish by ordinance “Any height limitation that does not allow at least the following, as applicable:” and then goes on to describe four types of ADUs, each with its own standard for allowable height: i) a single-family detached ADU (16 feet), ii) a detached ADU within one-half mile of a major transit stop or high quality transit corridor (18 feet with up to two additional feet if needed to match roof pitch), iii) a detached ADU on a site with a multifamily multistory dwelling (18 feet), and iv) an attached ADU (the lesser of 25 feet or the height limit for the primary structure).

The Ordinance's height limit of 16 feet for any one-story ADU is more restrictive than State ADU Law allows for some ADU types. The Ordinance references external height limits for primary residences without specifically citing them. The Ordinance's prohibition on new construction two-story ADUs applies to an ADU approved under Government Code section 65852.2, subdivision (a), but should not apply to an ADU permitted under subdivision (e), which limits height, but not the number of stories. Therefore, the Ordinance must be amended to address the height provisions under Government Code section 65852.2, subdivision (c)(2)(D). The City must also amend the Ordinance to clarify that a limit on the number of stories is not applicable to an ADU permitted under Government Code section 65852.2, subdivision (e) (although height may still be regulated for such ADUs as provided in State ADU Law).

As quoted in the previous paragraph, the Ordinance requires the second story of an ADU to comply with the setback requirements in Yuba City Municipal Code (YCMC) section 8-5.503. However, Government Code section 65852.2, subdivision (a)(1)(D)(vii), quoted above, does not allow setback requirements larger than four feet for ADUs. YCMC 8-5.503 contains side and rear yard setback requirements larger than four feet. Therefore, the City must amend the Ordinance to delete the requirement that a second story ADU must meet the setback requirements in YCMC section 8-5.503.

- Section 8-5.5004.(e)(5)(B) – *External Development Standards* – The Ordinance states, “Except as provided in Table 8-5.5004(A), accessory dwelling units and junior accessory dwelling units shall comply with all building and development standards applicable to the primary residence on the same lot, including maximum lot coverage requirements, subject to subsection (e)(5)(C), below.” Government Code section 65852.2, subdivision (a)(7) states, “No other local ordinance, policy, or regulation shall be the basis for the delay or denial of a building permit or a use permit under this subdivision.” Therefore, if where external development standards may conflict with the City’s ADU Ordinance, the ADU Ordinance prevails.

Furthermore, Government Code section 65852.2, subdivision (a)(1)(B)(i) states, an ADU ordinance shall “Impose objective standards on accessory dwelling units that include, but are not limited to, parking, height, setback, landscape, architectural review, maximum size of a unit, and standards that prevent adverse impacts on any real property that is listed in the California Register of Historical Resources.” An objective standard is defined in Government Code section 65852.2, subdivision (j)(7) which states, “Objective standards” means standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.” Therefore, the City must properly cite in the Ordinance the specific external standards to which it refers the applicant to comply.

- Sections 8-5.5004.(e)(5)(C) & Table 8-5.5004(A) – *Waiver of Development Standards* – In Section 8-5.5004.(e)(5)(C) the Ordinance states, “If the applicable maximum lot coverage requirement, or a floor area ratio or open space requirement (if any), or the 50% size ratio imposed in Table 8-5.5004(A), would prevent the approval of an attached or detached accessory dwelling unit that is at least eight hundred (800) square feet and 16 feet in height, then an applicant shall, nonetheless, be permitted to construct an attached or detached accessory dwelling unit that is up to eight hundred (800) square feet and 16 feet in height, provided that the unit shall comply will all other development standards.” In Table 8-5.5004(A) the Ordinance states, that front setback requirements are the “Same as required for primary residence.” However, Government Code section 65852.2, subdivision (c)(2)(C) states, a local agency shall not establish by ordinance: “Any requirement for a zoning clearance or separate zoning review or any other minimum or

maximum size for an accessory dwelling unit, size based upon a percentage of the proposed or existing primary dwelling, or limits on lot coverage, floor area ratio, open space, front setbacks, and minimum lot size, for either attached or detached dwellings that does not permit at least an 800 square foot accessory dwelling unit with four-foot side and rear yard setbacks to be constructed in compliance with all other local development standards.”

State ADU Law includes items that must be waived if they would prevent at least an 800 square foot ADU from being built. The Ordinance includes most of the same items that are relevant in the context of the City’s ADU regulations but does not include front setbacks. The Ordinance seeks to limit ADU height to 16 feet here, but as explained above, 16 feet is just one of four different height limits that may be applicable depending on the type of ADU. Therefore, the City must amend the Ordinance to state that front setbacks will also be waived if they would prevent an ADU described in Government Code section 65852.2, subdivision (c)(2)(C) from being built and to abide by the height limits described in Government Code section 65852.2, subdivision (c)(2)(D).

- Section 8-5.5004.(e)(5)(C) – *Fire Sprinklers* – The Ordinance states, “Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary dwelling unit.” However, Government Code section 65852.2, subdivision (a)(1)(D)(xii) states, “Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence. The construction of an accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.” The Ordinance section on fire sprinklers is correct, but incomplete. Therefore, the City must amend the Ordinance to also state that the construction of an ADU does not trigger a requirement for fire sprinklers in the existing primary dwelling.
- Section 8-5.5004.(e)(5)(H) – *Manufactured ADUs* – The Ordinance states, “If a manufactured home is used as an accessory dwelling unit, it shall comply with the standards in Section 8-5.5002(a).” Section 8-5.5002(a)(4) states, “The mobile home is covered with an exterior material **compatible** to residential structures in the surrounding area.” Section 8-5.5002(a)(12) states, “The facade which fronts on the street is designed with sufficient detail to make it visually **compatible** with conventional residential structures in the area.” However, Government Code section 65852.2, subdivision (a)(1)(B)(i) states, an ADU ordinance shall “Impose objective standards on accessory dwelling units that include, but are not limited to, parking, height, setback, landscape, architectural review, maximum size of a unit, and standards that prevent adverse impacts on any real property that is listed in the California Register of Historical Resources.” The Ordinance’s requirements quoted above on “compatibility” of exterior materials and façade design are not objective, because they could be interpreted differently by different people and are thus not knowable in advance. ADUs must be reviewed according to objective standards. Therefore, the City must amend the Ordinance to remove the

requirements for compatible materials and visual compatibility. The City may amend the Ordinance to require a manufactured home use the same exterior materials as the primary dwelling.

- Section 8-5.5004.(g)(3) – *Parking Requirements, Exceptions* – The Ordinance states, “Notwithstanding subsection (g)(1), no additional parking is required for accessory dwelling units in the following circumstances:” and lists five circumstances, which correspond to the circumstances described in Government Code section 65852.2, subdivision (d)(1)(A-E). However, Government Code section 65852.2 was amended effective January 1, 2023 to add subdivision (d)(1)(F), which states a local agency shall not impose parking standards on an ADU: “When a permit application for an accessory dwelling unit is submitted with a permit application to create a new single-family dwelling or a new multifamily dwelling on the same lot, provided that the accessory dwelling unit or the parcel satisfies any other criteria listed in this paragraph.” Therefore, the City must amend the Ordinance to exempt an ADU from parking requirements when the permit application for the ADU is submitted with a permit application to create a new single-family or multifamily dwelling on the same lot.
- Section 8-5.5004.(h)(2)(A) – *ADU Deed Restriction* – The Ordinance states a deed restriction shall be recorded for an ADU which shall include “A statement of the election made under subsection (e)(2)(C), if any. If no election has been made, then no deed restriction is required.” However, as discussed above under the finding “*Number of ADUs Allowed on Property with both Single-Family and Multifamily Homes,*” a property with both single-family and multifamily homes is treated as a multifamily property for ADU purposes. That finding calls for the City to amend the Ordinance to remove the election process described in subsection (e)(2)(C). Therefore, the City must also amend the Ordinance to remove the requirement that an ADU deed restriction reflect the election in subsection (e)(2)(C).

In response to the findings in this letter, and pursuant to Government Code section 65852.2, subdivision (h)(2)(B), the City must either amend the Ordinance to comply with State ADU Law or adopt the Ordinance without changes. Should the City choose to adopt the Ordinance without the changes specified by HCD, the City must include findings in its resolution that explain the reasons the City finds that the Ordinance complies with State ADU Law despite the findings made by HCD. Accordingly, the City’s response should provide a plan and timeline to bring the Ordinance into compliance.

Please note that, pursuant to Government Code section 65852.2, subdivision (h)(3)(A), if the City fails to take either course of action and bring the Ordinance into compliance with State ADU Law, HCD may notify the City and the California Office of the Attorney General that the City is in violation of State ADU Law.

HCD appreciates the City's efforts in the preparation and adoption of the Ordinance and welcomes the opportunity to assist the City in fully complying with State ADU Law. Please feel free to contact David Barboza, of our staff, at (916) 907-3002 or at david.barboza@hcd.ca.gov.

Sincerely,

A handwritten signature in cursive script that reads "Jamie Candelaria".

Jamie Candelaria
Senior Housing Accountability Manager
Housing Policy Development Division