

## RESOLUTION PC26-07

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN PABLO RECOMMENDING THAT THE CITY COUNCIL APPROVE AN AMENDMENT TO THE SAN PABLO ZONING CODE CHAPTER 17.60, SPECIAL RESIDENTIAL USES, SECTION 17.60.070, ACCESSORY DWELLING UNITS, TO UPDATE DEVELOPMENT STANDARDS AND REGULATIONS IN ORDER TO REFLECT CURRENT STATE LAW AND PROMOTE THE DEVELOPMENT OF ACCESSORY DWELLING UNITS (ADUS).**

**WHEREAS**, on January 1, 2019, Senate Bill 1333 allowed Accessory Dwelling Units (ADUs) in all zones that allow residential uses is an essential component in addressing California's housing crisis; and,

**WHEREAS**, on November 16, 2020, the City of San Pablo adopted Ordinance 2020-011, amending Chapters 17.34, 17.42, 17.54, 17.60, 17.68, 17.70, and Appendix A of the Zoning Code regarding Accessory Dwelling Units to bring the Code into compliance with Senate Bill 1333 and subsequent state legislation surrounding ADUs; and

**WHEREAS**, on December 18, 2023, the City of San Pablo adopted Ordinance 2023-004, further amending Chapter 17.60 of the Zoning Code to bring the Code into compliance with a number of changes that had been made to State ADU law since the adoption of Ordinance 2020-011; and

**WHEREAS**, on October 7, 2024, the City of San Pablo adopted Ordinance 2024-004, further amending Chapter 17.60 of the Zoning Code to bring the Code into compliance with a number of changes that had been made to State ADU law since the adoption of Ordinance 2023-004; and

**WHEREAS**, on December 15, 2025, the City of San Pablo adopted Ordinance 2025-004, further amending Chapter 17. 60 of the Zoning Code, along with other amendments implementing the Housing Element 2023-2031, to remove the deed restriction provisions for ADUs; and

**WHEREAS**, on December 15, 2025, the City of San Pablo adopted Ordinance 2025-005 to amend Chapter 17.60 of the Zoning Code to allow for the sale of ADUs as condominiums or tenancy-in-common; and

**WHEREAS**, recent updates to state law require further updates to the Municipal Code; and

**WHEREAS**, the proposed changes to Title 17 of the Municipal Code, Zoning, have been compiled and presented to the Planning Commission and the public for review; and,

**WHEREAS**, pursuant to California Public Resources Code Section 21080.17, ordinances concerning ADUs are statutorily exempt from the California Environmental Quality Act (CEQA), as this section states that CEQA does not apply to the adoption of

an ordinance by a city or county implementing the provisions of state legislation governing ADUs; and,

**WHEREAS**, on April 28<sup>th</sup>, 2026, the Planning Commission conducted a duly and properly noticed public hearing to take public testimony and consider this Resolution recommending approval of the proposed amendment; and,

**WHEREAS**, the Planning Commission has reviewed the entire record for the proposed amendment, including the staff report and all attachments, and oral and written public comments; and,

**WHEREAS**, notice of this public hearing was published in the West County Times newspaper (West Contra Costa edition of the East Bay Times) on Wednesday, April 8, 2026, in accordance with the requirements of Government Code Section 65091.

**NOW, THEREFORE BE IT RESOLVED** that the Planning Commission of the City of San Pablo has reviewed the proposed amendment (Exhibit 1) and recommends approval of PLAN2604-0003 to the City Council, based on the following findings:

**NOW, THEREFORE, BE IT RESOLVED, BY THE PLANNING COMMISSION OF THE CITY OF SAN PABLO AS FOLLOWS:**

**Section 1.** The recitals set forth above are true and correct and are hereby incorporated herein by this reference as findings.

**Section 2.** The Planning Commission hereby recommends that the City Council adopt the proposed zoning ordinance amendment attached hereto as Exhibit 1, pursuant to the following findings:

- A. Pursuant to San Pablo Municipal Code section 17.22.040, the proposed ordinance is consistent with the goals, policies, and implementation programs of the General Plan 2035 and 2023-2031 Housing Element.

*The proposed ordinance meets the intent of the following policies:*

*LU-G-1: Promote a sustainable, balanced land use pattern that responds to existing and future needs of the City, as well as physical constraints.*

*LU-G-2: Ensure planned land uses are compatible with existing uses and provide for appropriate transitions or buffers for new uses, as needed.*

*LU-G-5: Promote a variety of housing types and prices within neighborhoods to serve the needs of all economic segments of the community*

*Housing Element Goal #1: Increase housing supply and facilitate production of at least 800 new homes by 2031.*

*Housing Element Policy 1-2: Promote development of a variety of housing types, sizes, and densities that meet community needs based on the suitability of the land, including the availability of infrastructure, the provision of adequate services and recognition of environmental constraints.*

*Housing Element Policy 1-3: Identify and work to reduce or remove regulatory and process-related barriers to housing development in San Pablo.*

*Housing Element Policy 1-5: Continue to encourage the provision of a variety of housing choices and types in the community, including innovative forms of housing.*

*Housing Element Goal #2: Take action to address affordability and housing security for all income groups and family types in San Pablo.*

- B. The proposed amendment is consistent with the purposes of the Zoning Ordinance.

*Pursuant to Zoning Ordinance Section 17.01.020, Purpose, the purpose of the ordinance is to promote growth of the city in an orderly manner and to promote and protect the public health, safety, peace, comfort, and general welfare in conformance with the general plan. In addition, pursuant to Zoning Ordinance Section 17.32.010, Purpose, the ordinance helps to produce healthy, safe, and attractive neighborhoods in San Pablo, consistent with the policy direction in the San Pablo general plan.*

The ordinance helps to facilitate the provision of accessory dwelling units in the City of San Pablo, which constitute a diverse and affordable housing option and is of financial benefit to homeowners. By reducing barriers to ADU construction, the City further ensures that a range of safe housing options are available to all residents, building a stronger and healthier community.

- C. Pursuant to Public Resources Code Section 21080.17, the proposed amendment is statutorily exempt from the California Environmental Quality Act (CEQA).

*The proposed amendment is exempt from CEQA as Public Resources Code Section 21080.17 states that CEQA does not apply to the adoption of an ordinance by a city or county implementing the provisions of Section 65852.2 of the California Government Code (State Accessory Dwelling Unit Law).*

- D. Public notice of the hearing has been published in the West County Times, in accordance with the requirements of Government Code Section 65905.

*A public hearing notice was published in the West County Times newspaper on Wednesday, April 8, 2026.*

**Section 3.** The proposed amendments comply with state law governing zoning ordinance amendments at Government Code sections 65853 through 65857.

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Adopted this 28<sup>th</sup> day of April 2026, by the following vote:

AYES: COMMISSIONERS:  
NOES: COMMISSIONERS:  
ABSENT: COMMISSIONERS:  
ABSTAIN: COMMISSIONERS:

ATTEST:

APPROVED:

\_\_\_\_\_  
Sandra Castaneda Marquez, Secretary

\_\_\_\_\_  
Johana Gurdian, Chair

Exhibit 1: Proposed Zoning Ordinance Amendment (with Strike Outs and Underlines)