

ORDINANCE NO. 1101

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN JUAN CAPISTRANO, CALIFORNIA, AMENDING THE CITY'S LAND USE CODE REGULATING ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS TO ENSURE CONSISTENCY WITH STATE REGULATIONS; AND FINDING THE ACTION TO BE EXEMPT FROM CEQA

WHEREAS, the City of San Juan Capistrano, California ("City") is a municipal corporation, duly organized under the constitution and laws of the State of California; and

WHEREAS, the Planning and Zoning Law authorizes cities to act by ordinance to provide for the creation and regulation of accessory dwelling units ("ADUs") and junior accessory dwelling units ("JADUs"); and

WHEREAS, Government Code sections 65852.2 and 65852.22 (the "ADU Laws") impose limits on local authority to regulate ADUs and JADUs; and

WHEREAS, the ADU Laws require a local ordinance to comply with the ADU Laws at or the local ordinance becomes null and void; and

WHEREAS, the Legislature frequently amends the ADU Laws; and

WHEREAS, the Legislature has amended the ADU Laws again; and

WHEREAS, the City desires to amend its local ADU ordinance to keep it in compliance with the ADU Laws; and

WHEREAS, on March 15, 2022, the City Council adopted an urgency ordinance amending the City's Land Use code regulating ADUs and JADUs to ensure consistency with state regulations, which was effective upon adoption, and simultaneously initiated a Code Amendment so that a non-urgency version of the adopted urgency ordinance could be adopted; and

WHEREAS, on May 11, 2022, the Planning Commission held a duly-noticed public hearing and considered the staff report, recommendations by staff, and public testimony concerning the proposed non-urgency ordinance; and

WHEREAS, on June 7, 2022, the City Council held a duly-noticed public hearing and considered the staff report, recommendations by staff, and public testimony concerning the proposed non-urgency ordinance.

NOW, THEREFORE, the City Council of the City of San Juan Capistrano does ordain as follows:

Section 1. The recitals above are each incorporated by reference and adopted as findings by the City Council.

Section 2. Under California Public Resources Code section 21080.17, the California Environmental Quality Act (“CEQA”) does not apply to the adoption of an ordinance by a city or county implementing the provisions of section 65852.2 of the Government Code, which is California’s ADU law and which also regulates JADUs, as defined by section 65852.22. Therefore, the proposed ordinance is statutorily exempt from CEQA in that the proposed ordinance implements the State’s ADU law.

Section 3. Section 9-3.501.1 of the City of San Juan Capistrano Municipal Code is amended to read as follows:

Section 9-3.501.1 Accessory Dwelling Units

- (a) **Purpose.** The purpose of this section is to allow and regulate accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) in compliance with California Government Code sections 65852.2 and 65852.22.
- (b) **Effect of Conforming.** An ADU or JADU that conforms to the standards in this section will not be:
 - (1) Deemed to be inconsistent with the city’s general plan and zoning designation for the lot on which the ADU or JADU is located.
 - (2) Deemed to exceed the allowable density for the lot on which the ADU or JADU is located.
 - (3) Considered in the application of any local ordinance, policy, or program to limit residential growth.
 - (4) Required to correct a nonconforming zoning condition, as defined in subsection (c)(7) below. This does not prevent the City from enforcing compliance with applicable building standards in accordance with Health and Safety Code section 17980.12.
- (c) **Definitions.** As used in this section, terms are defined as follows:
 - (1) “Accessory dwelling unit” or “ADU” 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. An accessory dwelling unit also includes the following:

- (A) An efficiency unit, as defined by Section 17958.1 of the California Health and Safety Code; and
 - (B) A manufactured home, as defined by Section 18007 of the California Health and Safety Code.
- (2) “Accessory structure” means a structure that is accessory and incidental to a dwelling located on the same lot, including attached or detached garages, covered patios, storage sheds and cabanas.
- (3) “Building height” means the vertical distance from finished grade or flood protection elevation to the topmost point of the roof of a building or to the highest point of a structure other than a building, as shown in Figure 2. Chimneys, finials, and other rooftop architectural projections are not included in determining building height.

For structures in hillside areas, allowable building height shall be determined by connecting an imaginary line, at the applicable building height standard, between a series of vertical lines drawn at the uppermost and the lowermost finish grades of a building (typically measured at a point five (5) feet away from the vertical building wall), as shown in Figure 3. For purposes of this definition, “hillside area” means an area in which the average slope of the building footprint area is ten (10) percent or more. For structures in hillside areas that are constructed on a foundation system that include one or more retaining walls or other retaining system, the measurement to establish allowable building height shall be measured from five (5) feet outside of the retaining wall or system used to support the building.

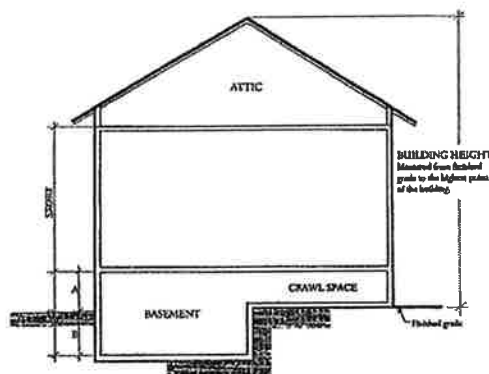


Figure 2: Building Height on Level Lot

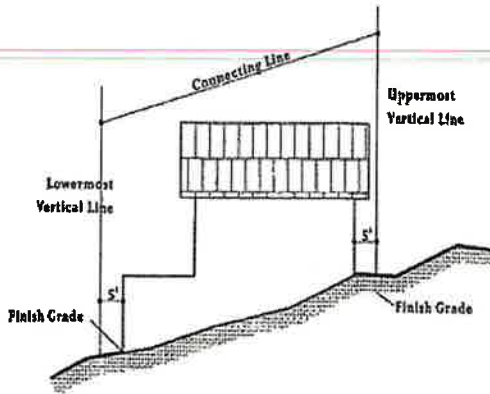


Figure 3: Building Height on Hillside

- (4) “Complete independent living facilities” means permanent provisions for living, sleeping, eating, cooking, and sanitation. Cooking provisions shall include the use of built-in appliances such as built-in ovens or stoves, as opposed to counter-top ovens and hot plates.
- (5) “Efficiency kitchen” means a kitchen that includes each of the following:
 - (A) A cooking facility with appliances.
 - (B) A food preparation counter that is of reasonable size in relation to the size of the junior accessory dwelling unit.
 - (C) Food storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.
- (6) “Junior accessory dwelling unit” or “JADU” means a residential unit that
 - (A) is no more than 500 square feet in size,
 - (B) is contained entirely within an existing or proposed single-family structure,
 - (C) includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-family structure, and
 - (D) includes an efficiency kitchen, as defined in subsection (c)(5) above
- (7) “Nonconforming zoning condition” means a physical improvement on a property that does not conform with current zoning standards regardless of whether the nonconforming condition was lawfully created in compliance with all applicable ordinances and laws at the time the lot or physical improvement was created.

- (8) "Public transit stop" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.
- (d) **Review Process.** The following two review processes apply to proposed ADUs and JADUs under this section:
- (1) **Building Permit Review.** The following four categories of ADUs or JADUs are allowed with only a building permit if all of the general requirements listed in subsection (e) below are met:
- (A) **Integrated ADUs and JADUs on Single-family Lots:** One detached or attached ADU with no maximum size limit and one JADU is allowed on a lot that contains a proposed or existing single-family dwelling, regardless of the underlying residential zoning, if the integrated ADU and JADU meets all of the following requirements:
- (i) Location: The ADU and JADU is located either:
 - a. within the space of a proposed single-family dwelling; or
 - b. within the space of an existing single-family dwelling; or
 - c. within a demolished and rebuilt portion of an existing single-family dwelling or accessory structure that is rebuilt in the same location and with the same dimensions as the preexisting structure; or
 - d. within the space of an accessory structure as defined in section (C)(2), plus up to 150 square feet of additional habitable floor area to accommodate ingress and egress.
 - (ii) Has exterior access that is independent of that for the single-family dwelling; and,
 - (iii) Has minimum interior side and rear setbacks sufficient for fire and safety, as dictated by applicable building and fire codes.
- (B) **New Detached ADUs on Single-family Lots:** One detached, new-construction ADU is allowed on a lot with a proposed or existing single-family dwelling (in addition to any JADU that might otherwise be established on the lot under subsection (d)(1)(A) above), regardless of the underlying residential zoning, provided the detached ADU meets all the following requirements:
- (i) The side- and rear-yard setbacks are at least 4-feet; and

- (ii) The total habitable floor area is 800 square feet or smaller; and
- (iii) The maximum building height, excluding architectural features, above adjacent finished grade is 16 feet or less, as defined in section (c)(3) above.

(C) **Converted ADUs on Multi-family Lots:** Multiple ADUs are allowed within portions of existing multi-family structures that are not used as habitable space, regardless of the underlying residential zoning. Non-habitable space that may be converted to an ADU may include, but not be limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, provided each converted ADU complies with state building standards for dwellings. At least one converted ADU is allowed within an existing multi-family structure, and the maximum number of ADUs that may be created within an existing multi-family structure is equal to 25 percent of the existing multi-family dwelling units within that structure.

(D) **New Detached ADUs on Multi-family Lots:** No more than two detached new construction ADUs are allowed on a lot that has an existing multi-family structure, regardless of the underlying residential zoning, provided each new detached ADU meets both of the following requirements:

- (i) The side and rear yard setbacks are at least four-feet; and,
- (ii) The maximum building height, excluding architectural features, above adjacent finished grade is 16 feet or less.

(2) **Zoning-Compliance Review.**

(A) Except as allowed under subsection (d)(1) above, no ADU may be created without both a building permit and a zoning-compliance review to ensure that the proposed ADU is in compliance with the standards set forth in subsections (e) and (f) below.

(B) The City may charge an application fee, adopted by City Council resolution, to reimburse it for costs incurred in the zoning-compliance review of an ADU.

(C) The zoning-compliance review of an ADU is a ministerial action, without discretionary review or a hearing.

(e) **General ADU and JADU Requirements.** The following requirements apply to all ADUs and JADUs that are approved under subsections (d)(1) or (d)(2) above:

(1) **Zoning.**

- (A) An ADU or JADU subject only to a building permit under subsection (d)(1) above may only be created on a lot located within a single-family or multi-family zoning district. The City has no mixed-use zoning district.
 - (B) An ADU or JADU subject to zoning-compliance review under subsection (d)(2) above may only be created on a lot in areas zoned to allow single family or multi-family dwelling residential use..
- (2) **Timing.** The City must complete its review of a permit application to create an ADU or JADU within 60 days from the date that the City receives a completed permit application, unless either:
- (i) The applicant requests a delay, in which case the 60-day time period is tolled for the period of the requested delay, or
 - (ii) A JADU permit application is submitted with a permit application to create a new single-family dwelling on the lot, in which case the City may delay acting on the JADU permit application until the City acts on the permit application to create the new single-family dwelling. In this scenario, the zoning-compliance review of the JADU permit application will still be considered a ministerial action without discretionary review or a hearing.
- (3) **Fire Sprinklers.** Fire sprinklers are required in an ADU if sprinklers are required in the primary residence.
- (4) **Rental Term.** No ADU or JADU may be rented for a term that is shorter than 30 calendar days.
- (5) **No Separate Conveyance.** An ADU or JADU may be rented, but no ADU or JADU may be sold or otherwise conveyed separately from the lot and the primary dwelling (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multi-family lot).
- (A) Exception: An ADU may be sold or conveyed separately from the primary residence to a qualified buyer if all of the following apply:
 - (i) The ADU or the primary dwelling was built or developed by a qualified nonprofit corporation.
 - (ii) There is an enforceable restriction on the use of the land pursuant to a recorded contract between the qualified buyer and the qualified nonprofit corporation that satisfies all of the requirements specified in paragraph (10) of subdivision (a) of Section 402.1 of the Revenue and Taxation Code.

- (iii) The property is held pursuant to a recorded tenancy in common agreement that includes all of the following:
- a. The agreement allocates to each qualified buyer an undivided, unequal interest in the property based on the size of the dwelling that each qualified buyer occupies.
 - b. A repurchase option that requires the qualified buyer to first offer the qualified nonprofit corporation to buy the ADU or primary dwelling if the buyer desires to sell or convey the property.
 - c. A requirement that the qualified buyer occupy the ADU or primary dwelling as the buyer's principal residence.
 - d. Affordability restrictions on the sale and conveyance of the ADU or primary dwelling that ensure the ADU and primary dwelling will be preserved for low-income housing for 45 years for owner-occupied housing units and will be sold or resold to a qualified buyer.
 - e. If the tenancy in common agreement is recorded after December 31, 2021, it shall also include all of the following:
 - i. Delineation of all areas of the property that are for the exclusive use of a cotenant. Each cotenant shall agree not to claim a right of occupancy to an area delineated for the exclusive use of another cotenant, provided that the latter cotenant's obligations to each of the other cotenants have been satisfied.
 - ii. Delineation of each cotenant's responsibility for the costs of taxes, insurance, utilities, general maintenance and repair, improvements, and any other costs, obligations, or liabilities associated with the property. This delineation shall only be binding on the parties to the agreement, and shall not supersede or obviate the liability, whether joint and several or otherwise, of the parties for any cost, obligation, or liability associated with the property where such liability is otherwise established by law or by agreement with a third party.

- iii. Procedures for dispute resolution among the parties before resorting to legal action.
- (iv) A grant deed naming the grantor, grantee, and describing the property interests being transferred shall be recorded in the County of Orange. A Preliminary Change of Ownership Report shall be filed concurrently with this grant deed pursuant to Section 480.3 of the Revenue and Taxation Code.
- (v) Notwithstanding subsection (g)(2)(A) below, if requested by a utility providing service to the primary residence, the ADU will have a separate water, sewer, or electrical connection to that utility.

(6) **Owner Occupancy.**

- (A) All ADUs created before January 1, 2020 (building permit finalized) are subject to the owner-occupancy requirement that was in place when the ADU was created.
- (B) An ADU that is created on or after January 1, 2020 and before January 1, 2025, is not subject to any owner-occupancy requirement.
- (C) All ADUs that are created on or after January 1, 2025 are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property as the person's legal domicile and permanent residence.
- (D) All JADUs regardless of when they are created are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property, in either the primary dwelling or the JADU, as the person's legal domicile and permanent residence. The owner-occupancy requirement of this paragraph does not apply if the property is entirely owned by a governmental agency, land trust, or housing organization.

(7) **Deed Restriction.** Prior to issuance of a building permit for an ADU or JADU, a deed restriction must be recorded against the title of the property in the County Recorder's office and a copy filed with the Director of Development Services. The deed restriction must run with the land and bind all future owners. The form of the deed restriction will be provided by the City and must provide that:

- (A) Except as allowed under subsection (e)(5) above, the ADU or JADU may not be sold separately from the primary dwelling; and,

- (B) The ADU or JADU is restricted to the approved size and to other attributes allowed by this section; and,
 - (C) The deed restriction runs with the land and may be enforced against future property owners; and,
 - (D) The deed restriction may be removed if the owner eliminates the ADU or JADU, as evidenced by, for example, removal of the kitchen facilities. To remove the deed restriction, an owner may make a written request of the Director of Development Services, providing evidence that the ADU or JADU has in fact been eliminated. The Director may then determine whether the evidence supports the claim that the ADU or JADU has been eliminated. Appeal may be taken from the Director's determination consistent with other provisions of this Code. If the ADU or JADU is not entirely physically removed, but is only eliminated by virtue of having a necessary component of an ADU or JADU removed, the remaining structure and improvements must otherwise comply with applicable provisions of this Code; and,
 - (E) The deed restriction is enforceable by the Director of Development Services or his or her designee for the benefit of the City. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the City is authorized to obtain any remedy available to it at law or equity, including, but not limited to, obtaining an injunction enjoining the use of the ADU or JADU in violation of the recorded restrictions or abatement of the illegal unit.
- (f) **Specific ADU Requirements.** The following requirements apply only to ADUs that require zoning compliance review under subsection (d)(2) above.
- (1) **Maximum Size.**
 - (A) The maximum size of a detached or attached ADU subject to this subsection (f) is 850 square feet of habitable floor area for a studio or one-bedroom unit and 1,000 square feet of habitable floor area for a unit with two or more bedrooms.
 - (B) A new attached ADU that is created on a lot with an existing primary dwelling is limited in area to 50 percent of the habitable floor area of the existing primary dwelling or the limits in (f)(1)(A) above, whichever is less.
 - (C) Application of other development standards in this subsection (f), such as lot coverage and setbacks may further limit the size of an ADU. However, both the percentage-based size limit in subsection

(f)(1)(B) above and the lot-coverage limit in subsection (f)(4) below must yield to allow an ADU of up to 800 square feet.

- (2) **Height.** A new attached or detached ADU under this subsection (f) is limited to one story and may not exceed 16 feet in height, as defined in section (c)(3) above.
- (3) **Setbacks.** A new attached or detached ADU under this subsection (f) is subject to side- and rear-yard setbacks of 4 feet and to a front-yard setback of 30 feet.
- (4) **Lot Coverage.** A new attached or detached ADU under this subsection (f) is subject to a lot-coverage limit of 0.35, subject to subsection (f)(1)(C) above.
- (5) **Passageway.** No pathway that is unobstructed clear to the sky and extends from a street to one entrance of the ADU is required.
- (6) **Parking.**
 - (A) One off-street parking space measuring at least 9 feet wide by 19 feet long is required for each ADU on the property where the ADU is located. The required parking space may be provided in a garage or carport or on a driveway or within a paved setback area and may be configured as tandem parking. If the owner elects to provide the parking space in a garage or carport, the garage or carport is subject to any applicable zoning standards of Title 9 of this Code.
 - (B) The new attached or detached ADU and primary dwelling must use the same driveway apron to access the street, unless a separate driveway apron for the new ADU is required by the fire authority.
 - (C) Exceptions. No parking under subsection (f)(6)(A) is required in the following situations:
 - (i) The ADU is located within one-half mile walking distance of a public transit stop, as defined in subsection (c)(8) above.
 - (ii) The ADU is located within the Los Rios Historical Residential District or the Mission Residential Zoning District.
 - (iii) The ADU is integrated into a proposed or existing primary residence or garage or other accessory structure under subsection (d)(1)(A).
 - (iv) When on-street parking permits are required but not offered to the occupant of the ADU.

(v) When there is an established car share vehicle stop located within one block of the ADU.

(D) No Replacement. When a garage, carport, or other covered-parking structure is demolished in conjunction with the construction of an ADU or if a garage, carport or other covered-parking structure is converted to an ADU, those off-street parking spaces are not required to be replaced.

(7) **Architectural Requirements.**

(A) The exterior sides of the ADU shall be covered with wood, stucco, masonry, or other material of the same appearance and of the same or better durability. Metal siding shall not be permitted.

(B) The roof material of the ADU shall be wood shingle or shake, slate, tile, or other material of the same appearance and of the same or better durability.

(C) The roof eaves and gables of the ADU shall be no less than 12 inches, as measured from the vertical side of the unit.

(D) If the ADU would be visible from an adjoining public right-of-way, the materials and colors of the exterior walls, roof, windows and doors of the ADU must match the appearance and architectural design of those of the primary dwelling.

(E) If the ADU would be visible from an adjoining public right-of-way, the roof slope of the ADU must match the dominant roof slope of the primary dwelling, if feasible. The dominant roof slope is the slope of the largest portion of the roof.

(F) Exterior lighting of the ADU must be limited to down-lights or as otherwise required by the building or fire code.

(G) The ADU must have an independent exterior entrance, apart from that of the primary dwelling.

(H) Fencing, landscaping, or privacy glass may be used to provide screening and prevent a direct line of sight to contiguous residential property.

(8) **Historical Protections.** The architectural treatment of a new attached or detached ADU to be constructed on a lot that has an identified historical resource listed on the California Register of Historic Resources must comply with all applicable ministerial requirements imposed by the Secretary of the Interior.

- (9) **Septic System.** If the ADU will connect to an onsite water-treatment system, the owner must include with the application a percolation test completed within the last five years or, if the percolation test has been recertified, within the last ten years.
- (10) **Ridgeline Protection.** No ADU, or grading related to construction of an ADU, shall be permitted within 200 feet (horizontal) of a General Plan designated ridgeline, or as designated on a final City subdivision.
- (g) **Fees.** The following fees apply to all ADUs and JADUs approved by the City under this section.
- (1) **Impact Fees.**
- (A) No impact fee is required for an ADU that is less than 750 square feet in habitable floor area.
- (B) Any impact fee that is required for an ADU that is 750 square feet or larger in habitable floor area must be charged proportionately in relation to the habitable floor area of the primary dwelling unit. (E.g., the habitable floor area of the primary dwelling, divided by the habitable floor area of the ADU, times the typical fee amount charged for a new dwelling.) "Impact fee" here does not include any connection fee or capacity charge for water or sewer service.
- (2) **Utility Connections and Fees.**
- (A) If an ADU is constructed with a new single-family home, separate utility connections directly between the ADU and the utilities and payment of the normal connection fees and capacity charges for the new ADU are required.
- (B) Except as described in subsection (g)(2)(A) above, integrated ADUs on a single-family lot that are created under subsection **Error! Reference source not found.** are not required to have new or separate utility connections directly between the ADU and the utilities. Nor are connection fees or capacity charges required.
- (C) Except as described in subsection (g)(2)(A) above, all ADUs that are not covered by subsection (g)(2)(B) above require new, separate utility connections directly between the ADU and the utilities.
- (i) The connections are subject to connection fees or capacity charges that are proportionate to the burdens created by the ADU, based on either the floor area or the number of drainage-fixture units (DFU) values, as defined by the Uniform Plumbing Code, upon the water or sewer system.

(ii) The portion of the fees or charges that are charged by the utility providers may not exceed the reasonable costs of providing the services.

(h) **Nonconforming ADUs and Discretionary Approval.** Any proposed ADU or JADU that does not conform to the objective standards set forth in subsections (a) through (g)(2) of this section may be allowed by the City with a zone variance, in accordance with Section 9-2.351 of this Code.

Section 4. This ordinance shall take effect 30 days after adoption.

Section 5. If any provision of this ordinance or its application to any person or circumstance is held to be invalid, such invalidity has no effect on the other provisions or applications of the ordinance that can be given effect without the invalid provision or application, and to this extent, the provisions of this resolution are severable. The City Council declares that it would have adopted this resolution irrespective of the invalidity of any portion thereof.

Section 6. The City Council hereby directs staff to prepare, execute, and file with the County of Orange Clerk a notice of exemption within five (5) working days of the adoption of this Ordinance.

Section 7. The Custodian of Records for this Ordinance is the City Clerk and the records comprising the administrative record for this Ordinance are located at 32400 Paseo Adelanto, San Juan Capistrano, CA 92675.

PASSED, APPROVED AND ADOPTED by the City Council of San Juan Capistrano, California, at a regular meeting of the City Council held on the 21st day of June 2022.



DEREK REEVE, MAYOR

ATTEST:



MARIA MORRIS, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF SAN JUAN CAPISTRANO)

I, MARIA MORRIS, City Clerk of the City of San Juan Capistrano, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 1101 which was regularly introduced and placed upon its first reading at the Regular Meeting of the City Council on the 7th day of June 2022 and that thereafter, said Ordinance was duly adopted and passed at the Regular Meeting of the City Council on the 21st day of June 2022 by the following vote, to wit:

AYES: COUNCIL MEMBERS: Bourne, Farias, Taylor, Hart, and Mayor Reeve
NOES: COUNCIL MEMBERS: None
ABSENT: COUNCIL MEMBERS: None



MARIA MORRIS, CITY CLERK


STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss AFFIDAVIT OF POSTING
CITY OF SAN JUAN CAPISTRANO)

I, MARIA MORRIS, declare as follows:

That I am the duly appointed and qualified City Clerk of the City of San Juan Capistrano;
That in compliance with State laws, Government Code section 36933(1) of the State of California, on the 14th day of June 2022, at least 5 days prior to the adoption of the ordinance, I caused to be posted a certified copy of the proposed ordinance entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN JUAN CAPISTRANO, CALIFORNIA, AMENDING THE CITY'S LAND USE CODE REGULATING ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS TO ENSURE CONSISTENCY WITH STATE REGULATIONS; AND FINDING THE ACTION TO BE EXEMPT FROM CEQA

This document was posted in the Office of the City Clerk



MARIA MORRIS, CITY CLERK
San Juan Capistrano, California

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss AFFIDAVIT OF POSTING
CITY OF SAN JUAN CAPISTRANO)

I, MARIA MORRIS, declare as follows:

That I am the duly appointed and qualified City Clerk of the City of San Juan Capistrano; that in compliance with State laws, Government Code section 36933(1) of the State of California.

On the 23rd day of June 2022, I caused to be posted a certified copy of Ordinance No. 1101, adopted by the City Council on June 21, 2022, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN JUAN CAPISTRANO, CALIFORNIA, AMENDING THE CITY'S LAND USE CODE REGULATING ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS TO ENSURE CONSISTENCY WITH STATE REGULATIONS; AND FINDING THE ACTION TO BE EXEMPT FROM CEQA

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MARIA MORRIS, CITY CLERK
San Juan Capistrano, California