

Resolution No.

STOCKTON PLANNING COMMISSION

RESOLUTION RECOMMENDING THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING TITLE 16 OF THE STOCKTON MUNICIPAL CODE (SMC), DIVISION 3, CHAPTER 16.80, SECTION 16.80.310 AND DIVISION 8, CHAPTER 16.244, SECTION 16.244.010 TO SUPPORT IMPLEMENTATION OF THE 2023-2031 STOCKTON HOUSING ELEMENT IN COMPLIANCE WITH STATE LAW

On July 09, 2024, the City Council adopted the City of Stockton 2023-2031 Housing Element (Housing Element) consistent with State regulation and subsequently received certification from the State Department of Housing and Community Development (HCD). HCD considers this 8-year planning period to be the 6th planning cycle statewide; and

The Housing Element contains Goal HE-1 Implementation Programs, and more specifically includes “Program 6. Accessory Dwelling Units”. Program 6 essentially identifies the need for an update the City’s Development Code for Accessory Dwelling Units (ADUs) to ensure consistency with State law and encourage the construction of ADUs and provide an increased supply of affordable housing units; and

On March 6, 2026, notice for the Planning Commission public hearing for this request was published in *The Record*; and

On March 26, 2026, the Planning Commission held a duly noticed public hearing, pursuant to Stockton Municipal Code (SMC) Section 16.128.070(G)), to consider the proposed code amendment, at which all times all interested parties had the opportunity to be heard. After consideration, the Planning Commission recommended the adoption of an ordinance to approve the proposed code amendment; now, therefore,

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF STOCKTON, AS FOLLOWS:

The Planning Commission hereby recommends the City Council adopt the Proposed Ordinance, included as Exhibit 1, subject to the following Findings Pursuant to SMC Section 16.116.050 (Amendments - Findings and decision):

- A. **Finding #1:** The proposed amendment ensures and maintains internal consistency with general land uses, objectives, policies, programs, and actions of all elements of the General Plan on balance and would not create any inconsistencies with this Development Code.

Evidence: The proposed amendment is to carry out implementation of the City of Stockton 2023-2031 Housing Element, Program 6. Accessory Dwelling Units, in

conformance with Stockton General Plan policies LU-6.2, HE-2.7, and HE-1.8 and consistent with State regulations for the review and permitting of ADUs.

- B. **Finding #2:** The proposed amendment will not endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the City.

Evidence: The purpose of the proposed amendment is to carry out implementation of the City of Stockton 2023-2031 Housing Element program, more specifically Program 6 to ensure the City's ADU regulations are consistent with State regulations and encourage the construction of ADUs to accommodate the Regional Housing Needs Assessment (RHNA). The amendment is within the scope and consistent with the City's General Plan Environmental Impact Report (EIR) (SCH No. 2017052062). There is no evidence or expectation that the proposed amendment will endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the City.

- C. **Finding #3:** The proposed amendment complies with the California Environmental Quality Act (CEQA) and the City's CEQA Guidelines.

Evidence: On December 4, 2018, the City certified the Envision Stockton 2040 General Plan Environmental Impact Report (GP EIR) (SCH No. 2017052062). The GP EIR provides a programmatic review of the potential impacts associated with the implementation of the General Plan. The proposed amendment is to carry out implementation of the City of Stockton 2023-2031 Housing Element Program 6 that will ensure consistency with State law and encourage the construction of ADUs to achieve the Regional Housing Needs Assessment (RHNA) and will not result in intensification beyond what was previously analyzed in the GP EIR. The proposed amendment will not impact the analysis or conclusions of the GP EIR. Additionally, the proposed amendment does not create any specific impacts not considered in the GPEIR, any significant impact not evaluated in GP EIR, any significant off-site or cumulative impacts not evaluated in the GP EIR, or any identified impacts more severe based on new information not known when the GP EIR was certified. Therefore, pursuant to CEQA Guidelines Section 15183, the proposed amendment is compliant with the CEQA and the City's CEQA Guidelines and does not require additional environmental review.

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- D. **Finding #4 (Development Code Amendments):** The proposed amendment would be internally consistent with other applicable provisions of this Development Code.

Evidence: The proposed amendment is to ensure consistency with State law and encourage the construction of ADUs to achieve the Regional Housing Needs Assessment (RHNA). This amendment will maintain consistency with other application provisions of the Development Code.

PASSED, APPROVED, and ADOPTED March 26, 2026.

TERRY HULL, CHAIR
City of Stockton Planning Commission

ATTEST:

MICHAEL McDOWELL, SECRETARY
City of Stockton Planning Commission