



## STAFF REPORT 12/18/2024

**TO:** Planning Commission Chair and Commissioners

**FROM:** Adrian Moreno, Associate Planner

**SUBJECT:** Zoning Ordinance Amendment No. 24-10 – Streamline Code Amendments (Phase 3) Study Session to amend Coachella Municipal Code Title 17 regarding ADU regulations. City-Initiated.

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### **STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission review and discuss proposed amendments to the Coachella Municipal Code (C.M.C.) to modify chapter 17.60 to relocate and update the Accessory Dwelling Unit (ADU) regulations as its own new separate chapter, Chapter 17.21 Accessory Dwelling Units.

### **BACKGROUND:**

On December 14, 2022 Planning Division staff identified to the Coachella City Council a work program to update the Coachella Municipal Code Title 17, Zoning, to streamline the development review process, create more flexibility in development standards, and modify Zoning Ordinance to address new changes required by State Law. The Planning Commission at the regular meeting of September 4, 2024 requested the amendments be reviewed at a study session on September 19, 2024 and October 16, 2024. On September 5, 2024, City Council approved Phase 1 code amendments. On December 11, 2024, City Council approved Phase 2 of the code amendments.

### **DISCUSSION/ANALYSIS:**

Per the existing ADU regulations of the Coachella Municipal Code, there are two types of ADU's, those regulated by state law and those regulated by the local city ordinance. Both types of ADU's are permitted by the city, the regulations for both are in our city ordinance, the distinction is that locally regulated ADU's have more flexibility for the local jurisdiction to modify requirements. The city currently calls these ADU's "Building Permit Only" ADU's and "ADU Permit" ADU's. Staff is renaming them to make the distinction clear which ADU's are regulated by the state, and those regulated by local city ordinance.

"Building Permit Only" ADU's → Statutory Regulated ADU's

"ADU Permit" ADU's → Locally Regulated ADU's

## **Statutory Regulated ADU**

- Statutory Regulated ADU's are summarized below:
  - Converted on Single-family Lot. Where the ADU is converted within the existing space of a proposed or existing single family dwelling.
  - Limited Detached on Single-family Lot. Detached, new-construction ADU with 4 foot side and rear yard setbacks and a total floor area under 800 SF.
  - Converted on Multifamily Lot. Where the ADU is converted within existing multifamily dwelling units structures that are not used as livable space.
  - Limited Detached on Multifamily Lot. Detached ADU's where the side and rear yard setback are at least 4 feet.

## **Locally Regulated ADU**

- Locally Regulated ADU's are ADU's that don't fit under the Statutory Regulated ADU Requirements of the ADU Ordinance, and are subject to Locally Regulated ADU Requirements of the ADU Ordinance. For example, a 1,000 SF detached ADU would be allowed the city's Locally Regulated ADU guidelines.

## **AMENDMENT TO ACCESSORY DWELLING UNITS REGULATIONS (CHAPTER 17.21)**

Planning Staff prepared code amendments to the city's ADU regulations and prepared a new chapter amending those regulation in Chapter 17.21 – Accessory Dwelling Units, the following is an overview of the amendments:

### **Amendments to Statutory Regulated ADU Requirements**

- Limited Detached on Multi-Family Lot. Updates to state ADU law require that existing multifamily dwellings may construct up to eight detached ADU's or as many detached ADU's as the number of primary dwelling units on the lot, whichever is less. Proposed multifamily dwellings can propose up to two detached ADU's. Current ADU requirements allow only up to two detached ADU's for existing multifamily dwellings.

### **Amendments to Locally Regulated ADU Requirements**

Staff amends the Locally Regulated ADU Requirements of the ordinance to require the following:

- Approvals. Staff amends the approval process for Locally Regulated ADU's to only require a building permit. Current ADU requirements require a separate "ADU Permit" for Locally Regulated ADU's.
- Parking Requirements. ADU parking requirements are amended to require parking

standards per Chapter 17.54 – Off-Street Parking and Loading.

- Uncovered Parking Requirements. Updates to state ADU law require that any uncovered parking space demolished in conjunction with the construction of an ADU or converted to an ADU would not be required to be replaced.
- Setback. 15 front yard setback is required.
- Architectural Requirement. Remove screening requirements. Current ADU requirements require landscape, fence, or privacy glass to prevent site lines of windows to other properties.
- Landscape Requirements removed. Staff amends the ADU regulations to remove landscape requirements. Landscape plans require a separate review by the Development Services Department and Utilities Division which increases processing time. Existing landscape standards for residential are sufficient to maintain landscape standards in residential areas.

#### **Amendments to General ADU Requirements (Statutory and Locally Regulated)**

- Rent Reporting. Staff amends the ADU regulations to require the applicant to provide the city with an estimate of the projected annualized rent that will be charged for the ADU or JADU, with submittal of their building permit application. This will assist staff with annual reporting requirements required by HCD (California Housing and Community Development department).
- Height. Updates to state ADU law require amendments to the height requirements to allow a detached ADU may not exceed 16 feet in height, with exception to allow up to 20 feet in height. An ADU that is attached to the primary dwelling may not exceed 25 feet in height or the maximum height of the underlying zone, and may not exceed two stories.
- Historical Protections. Updates to state ADU law requires prevention of adverse impacts that on any real property that is listed in the California Register of Historical Resources. The ADU ordinance is amended to require ADU's within 600 feet of a California Register of Historic Resources to be located so as to not be visible from any public right-of-way.
- Unpermitted ADUs and JADUs constructed before 2020. Updates to state ADU law require the city to not deny a permit to legalize an existing but unpermitted ADU or JADU that was constructed before January 1, 2020 if the grounds for denial are due to violation of applicable building standards, state ADU or JADU law, or the city ADU ordinance. The City may require the unpermitted ADU or JADU correct a violation per the California Health and Safety Code, and the city may deny a building that is substandard to the California Health and Safety Code.

## **CONCLUSION**

The proposed amendments would provide much needed updates to the ADU regulations to the city and would update to meet State ADU requirements effective January 1, 2025. Staff requests that the Planning Commission review and discuss the proposed amendments.

### Attachments:

1. Chapter 17.21, clean version
2. Chapter 17.21, redline of existing ADU regulations.
3. Redlines of Code chapters 17.60