



ACCESSORY DWELLING UNIT

REGULATORY MEMORANDUM



April 2023 Draft



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CONTENTS & ACKNOWLEDGMENTS

CONTENTS

05 CHAPTER 1: CODE ANALYSIS

10 CHAPTER 2: PERMITTING PROCEDURES

12 CHAPTER 3: DEFINITIONS

ACKNOWLEDGMENTS

CITY COUNCIL

Steven Hernandez
Neftali Galarza
Denise Delgado
Stephanie Virgen
Frank Figueroa

PLANNING COMMISSION

Ruben Gonzalez
Jason Hernandez
Diana Ramirez
Yurema Arivu
Isela Murillo

CITY STAFF

Luis Lopez, Development Services Director

PREPARED FOR
City of Coachella



PREPARED BY
RRM Design Group





This section covers site, design, and operational requirements for ADUs and JADUs as established by the Coachella Municipal Code, California Building Code, and recent changes to the Government Code made by the California legislature. Topics informed by recent State law, or where the Municipal Code is out-of-date, are highlighted.

CODE ANALYSIS

ISSUE	REFERENCE	REQUIREMENT
Coachella Municipal Code		
Effect of Conforming	Coachella Municipal Code 17.60.010.H.2; Assembly Bill 2221	ADUs/JADUs will not be: Deemed to be inconsistent with the City's general plan and zoning designation for the lot on which the ADU or JADU is located Deemed to exceed the allowable density for the lot. Considered in the application of any local ordinance, policy, or program to limit residential growth. Required to correct a nonconforming zoning condition.
Zones Allowed	Coachella Municipal Code 17.60.010.H.5.a	ADUs/JADUs requiring a building permit are allowed in all residential and mixed-use zones. ADUs/JADUs requiring a land use permit and building permit are allowed where single-family and multifamily dwellings are allowed.
Fire Sprinklers	Coachella Municipal Code 17.60.010.H.5.b	Fire sprinklers are only required in an ADU if they are required in the primary dwelling.
Rental Term	Coachella Municipal Code 17.60.010.H.5.c	ADUs/JADUs cannot be rented for a period of shorter than 30 days.
No Separate Conveyance	Government Code 65852.26 Supersedes Coachella Municipal Code 17.60.010.H.5.c;	ADUs may be rented separately from the primary dwelling. ADUs may sold separately from the primary dwelling if the following apply: The ADU or primary dwelling was developed by a qualified nonprofit corporation. There is a recorded contract between the qualified buyer and nonprofit corporation. The property is held to a recorded agreement. <i>Currently, the City's code is out of date. It states that the ADU may not be sold or conveyed separately from the lot and the primary dwelling.</i>
Septic System	Coachella Municipal Code 17.60.010.H.5.e	ADU/JADUs using an onsite water treatment system must include a percolation test (within last 5 years) or a re-certified test (within last 10 years).





CODE ANALYSIS

Owner Occupancy	Coachella Municipal Code 17.60.010.H.5.f; Senate Bill 13	ADUs created before January 1, 2020 and after January 1, 2025 are subject to an owner-occupancy requirement. ADUs created between January 1, 2020 and January 1, 2025 are not subject to this requirement. All JADUs are subject to an owner-occupancy requirement.
Deed Restriction	Coachella Municipal Code 17.60.010.H.5.g	ADUs/JADUs must have a deed restriction recorded for the title of the property in the County Recorder's office, running with the land.
Building Permit Only ADUs/JADUs		
Conversion, Primary Dwelling is Single-Family	Coachella Municipal Code 17.60.010.H.4.a.1	Units Allowed: 1 ADU or JADU Size: Must be within the existing space of the single-family dwelling. An additional 150 square feet is allowed to accommodate ingress and egress. Access: Exterior access must be independent of the single-family dwelling. Setbacks: Side and rear setbacks sufficient for fire and safety.
Detached, Primary Dwelling is Single-Family	Government Code 65852.2 (Senate Bill 897) Supersedes Coachella Municipal Code 17.60.010.H.4.a.2	Units Allowed: 1 ADU and JADU Size: 800 square feet maximum. Setbacks: 4 feet minimum for side and rear. Height: <ul style="list-style-type: none"> Attached ADUs: 25 feet maximum ADUs within 1/2-mile of a major transit stop: 18 feet maximum, with an additional 2 feet to accommodate a roof pitch that aligns with that of the primary dwelling unit All other ADUs: 16 feet maximum <p><i>Currently, the City's code is out of date. It states that the maximum height for this type of ADU is 16 feet.</i></p>
Conversion, Primary Dwelling is Multifamily	Coachella Municipal Code 17.60.010.H.4.a.3	Units Allowed: At least 1 ADU, up to 25% of the multifamily units Size: Must be within the existing non-livable space of the multifamily dwelling (may include existing storage rooms, passageways, attics, basements, or garages)
Detached, Primary Dwelling is Multifamily	Coachella Municipal Code 17.60.010.H.4.a.4	Units Allowed: Up to 2 ADUs Size: 800 square feet maximum. Setbacks: 4 feet minimum for side and rear.





CODE ANALYSIS

Land Use Permit + Building Permit ADUs/JADUs		
Size	<p>California Building Code, HCD ADU Guidance</p> <p>Supersedes Coachella Municipal Code 17.60.010.H.6.a;</p>	<p>Detached studio/1-bedroom: 850 square feet maximum Detached 2+ bedroom: 1,000 square feet maximum Attached: 50 percent of the primary dwelling maximum</p> <p><i>Currently, the City's code is out of date. It states that ADUs may not have more than two bedrooms. According to the Department of Housing and Community Development, this is considered a discriminatory practice towards protected classes, such as familial status. It is considered a constraint on the development of ADUs. There is no maximum number of bedrooms allowed in an ADU, as long as the ADU complies with maximum ADU size requirements, and minimum bedroom sizes per the CBC.</i></p>
Floor Area Ratio	Coachella Municipal Code 17.60.010.H.6.b	45 percent, except where this would preclude the construction of an ADU that is 800 square feet in size.
Lot Coverage	Coachella Municipal Code 17.60.010.H.6.c	50 percent, except where this would preclude the construction of an ADU that is 800 square feet in size.
Open Space	Coachella Municipal Code 17.60.010.H.6.d	50 percent, except where this would preclude the construction of an ADU that is 800 square feet in size.
Height	<p>Government Code 65852.2 (Senate Bill 897)</p> <p>Supersedes Coachella Municipal Code 17.60.010.H.6.e</p>	<p>Attached ADUs: 25 feet maximum ADUs within 1/2-mile of public transit: 18 feet maximum, with an additional 2 feet to accommodate a roof pitch that aligns with that of the primary dwelling unit ADUs where the primary dwelling is multifamily and multi-story: 18 feet maximum All other ADUs: 16 feet maximum</p> <p><i>Currently, the City's code is out of date. It states that the maximum height for single-story attached or detached ADUs is 16 feet, that second-story or two-story ADUs may not exceed the height of the primary dwelling, and that detached ADUs may not exceed one story.</i></p>





CODE ANALYSIS

Parking	Coachella Municipal Code 17.60.010.H.6.g	<p>ADUs requires one off-street parking space is required, except:</p> <ul style="list-style-type: none"> • The ADU is located within 1/2-mile of public transit • The ADU is located within an architecturally, historically significant district • The ADU is located within one block of a car share. • The ADU is part of the proposed or existing primary dwelling or accessory structure. • On-street parking permits are required but not offered to the ADU occupant. <p>Replacement parking for a garage, carport, or covered parking area that is converted to an ADU is not required.</p>
Architectural Requirements	Government Code 65852.2 (Senate Bill 897) Supersedes Coachella Municipal Code 17.60.010.H.6.h;	<ul style="list-style-type: none"> • The roof slope must match that of the dominant roof slope of the primary dwelling. The dominant roof slope is the slope shared by the largest portion of the roof. • The exterior lighting must be limited to down-lights or as otherwise required by the building or fire code. • The ADU must have an independent exterior entrance, apart from that of the primary dwelling. The ADU entrance must be located on the side or rear building façade, not facing a public-right-of-way. • The interior horizontal dimensions of an ADU must be at least ten (10) feet wide in every direction, with a minimum interior wall height of seven feet. <p><i>Currently, the City's code is out of date. Senate Bill 897 requires that all standards imposed on ADUs must be objective. The following provisions in the code seem to require some personal or subjective judgment to evaluate. They should be removed or further clarified and defined to be considered objective:</i></p> <ul style="list-style-type: none"> • <i>Exterior building materials and colors of the exterior walls, roof, and windows and doors shall match the appearance and architectural design of those of the primary dwelling.</i> • <i>Windows and doors of the ADU may not have a direct line of sight to an adjoining residential property. Fencing, landscaping, or privacy glass may be used to provide screening and prevent a direct line of sight.</i>





CODE ANALYSIS

Landscape Requirements	Coachella Municipal Code 17.60.010.H.6.i	Evergreen landscape screening must be planted and maintained between the ADU and adjacent parcels as follows: <ul style="list-style-type: none"> • At least one 15-gallon size plant shall be provided for every five linear feet of exterior wall. Alternatively, at least one 24-inch box size plant shall be provided for every ten (10) linear feet of exterior wall. • For a ground-level ADU, plant specimens must be at least six feet tall when installed. As an alternative, for a ground level ADU, a solid fence of at least six feet in height may be installed. • For a second-story ADU, plant specimens must be at least twelve (12) feet tall when installed. All landscaping must be desert-friendly and water-efficient plantings and irrigation systems.
Utility Fees	Coachella Municipal Code 17.60.010.H.7.b	Converted ADUs and JADUs on a single-family lot, created under subsection (4)(a)(1) above, are not required to have a new or separate utility connection directly between the ADU or JADU and the utility. Nor is a connection fee or capacity charge required unless the ADO or JADU is constructed with a new single-family home.
Windows, Doors and Egress	California Building Code	Emergency egress shall be provided from all habitable spaces as defined per the CBC. Egress windows and doors shall be operable and meet the size requirements per the CBC.
Additional Senate Bills and Assembly Bills		
Balconies & Decks	Assembly Bill 68	Balconies and decks must have 4 foot setbacks if within State guidelines (same as building setback exceptions). 5 foot setback if more than 1-story or 16 feet in height.
Occupancy Group	Assembly Bill 2221	ADU construction does not trigger a change in "Group R" occupancy, unless specific health and safety findings are made.





CODE ANALYSIS

2022 California Energy Code		
Electric Ready Requirements	2022 California Energy Code 150.0 (n) 150.0 (t) 150.0 (u) 150.0 (v)	<p>Water heaters: Systems using gas or propane water heaters to serve individual dwelling units shall designate a space at least 2.5 feet by 2.5 feet wide and 7 feet tall suitable for the future installation of a heat pump water heater</p> <p>Heat pump space heater ready. Systems using gas or propane furnace to serve individual dwelling units shall include the following:</p> <ol style="list-style-type: none"> 1. A dedicated 240 volt branch circuit wiring shall be installed within 3 feet from the furnace and accessible to the furnace with no obstructions. The branch circuit conductors shall be rated at 30 amps minimum. The blank cover shall be identified as "240V ready." <p>Electric cooktop ready. Systems using gas or propane cooktop to serve individual dwelling units shall include the following:</p> <ol style="list-style-type: none"> 1. A dedicated 240 volt branch circuit wiring shall be installed within 3 feet from the cooktop and accessible to the cooktop with no obstructions. The branch circuit conductors shall be rated at 50 amps minimum. <p>Electric clothes dryer ready. Clothes dryer locations with gas or propane plumbing to serve individual dwelling units shall include a dedicated 240 volt branch circuit wiring shall be installed within 3 feet from the clothes dryer location and accessible to the clothes dryer location with no obstructions. The branch circuit conductors shall be rated at 30 amps minimum. The blank cover shall be identified as "240V ready."</p> <p>The main electrical service panel shall have a reserved space to allow for the installation of a double pole circuit breaker for a future heat pump, electric cooktop, and electric clothes dryer installation. The reserved space shall be permanently marked as "For Future 240V use."</p>
Electric Storage Systems (Battery Ready)	2022 California Energy Code 150.0 (s)	<p>The main panelboard shall have a minimum busbar rating of 225 amps.</p>
Photovoltaic Requirements	2022 California Energy Code 150.1 (c) 14	<p>All single-family residential buildings shall have a newly installed photovoltaic (PV) system or newly installed PV. No PV system is required when the minimum PV system size specified by section is less than 1.8 kWdc.</p>





CODE ANALYSIS

Ventilation Cooling	2022 California Energy Code 150.1 (c) 12	Single-family homes shall comply with the Whole-house fan (WHF) requirements shown in Table 150.1-A.
New Construction Water Heater	2022 California Energy Code 150.1 (c) 8 150.2 (a) 1D	A 120V heat pump water heater may be installed in place of a 240V heatpump water heater for new dwelling unit with 1 bedroom or less. For additions and dwelling units that are 500 sq ft or less, an instantaneous electric water heater with point of use distribution as specified in RA4.4.5 is allowable





PERMITTING

This section addresses permitting procedures, State mandates, and submittal requirements for ADUs.

How to Apply: ADU applicants for the City of Coachella are able to submit a completed ADU application at the Permit Center or submit via email to buildingservices@coachella.org.

Permits Required: Currently, there are two application paths for ADUs. 1) ADUs requiring only a Building Permit, and 2) ADUs requiring a Building Permit and an ADU Permit.

Decision: ADU permits are reviewed at a staff level and are considered ministerial. They do not require a hearing or discretionary review. Denial of an ADU application requires the City to return in writing a full set of comments to the applicant with a list of items that are defective and a description of how the application can be remedied.

Timeline: The City of Coachella shall approve or deny ADU applications within 60 days of submittal. If the City has not approved or denied the completed application within 60 days, the application is deemed approved (Assembly Bill 2221).

ADU Permit Requirements	Included with Prototype ADUs	Applicant Responsibility
ADU PERMIT REQUIREMENTS:		
Planning Application		X
Architectural Plans	X	
Preliminary Title Report		X
Grant Deed		X
BUILDING PERMIT REQUIREMENTS:		
Plot Plan with property line dimensions and location of all structures		X
Foundation Plan	X	
Floor Plan	X	
Ceiling and Roof Framing Plan	X	
Electrical Plan (include panel location, lighting and receptacle layout)	X	
Mechanical Plan	X	
Structural Calculations	X	
Roof Truss Calculations		X
Title 24 Energy Calculations	X	
Geotechnical Soils Report (if required)		X





This section addresses terms and definitions used throughout this memo, the Coachella Municipal Code, and the California Government Code.

GLOSSARY

Accessory Dwelling Unit (ADU): an attached or 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: 1) an efficiency unit, as defined by Section 17958.1 of the California Health and Safety Code; and 2) a manufactured home, as defined by Section 18007 of the California Health and Safety Code.

Accessory Structure: a structure that is accessory and incidental to a dwelling located on the same lot.

Complete independent living facilities: 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.

Efficiency kitchen: a kitchen that includes each of the following: 1) A cooking facility with appliances. 2) A food preparation counter or counters that total a minimum of fifteen (15) square feet in area. 3) Food storage cabinets that total a minimum of thirty (30) square feet of shelf space.

Junior Accessory Dwelling Unit (JADU): a residential unit that 1) is no more than five hundred (500) square feet in size, 2) is contained entirely within an existing or proposed single-family structure, 3) includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-family structure, and 4) includes an efficiency kitchen.

Living area: the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

Nonconforming zoning condition: a physical improvement on a property that does not conform with current zoning standards.

Passageway: a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the ADU or JADU.

Proposed dwelling: a dwelling that is the subject of a permit application and that meets the requirements for permitting.

Public transit: 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.

Tandem parking: a parking configuration where two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

