

## **ORDINANCE NO. 897**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CATHEDRAL CITY CALIFORNIA, AMENDING CHAPTER 9.114 OF TITLE 9 PLANNING AND ZONING OF THE CATHEDRAL CITY MUNICIPAL CODE TO CONFORM WITH NEW STATE LEGISLATION REGULATING ACCESSORY DWELLING UNITS**

**WHEREAS**, Title 9 (Planning and Development) of the City of Cathedral City Municipal Code provides for the organized, predictable, and efficient development of land within the City; and

**WHEREAS**, Chapter 9.114 (Accessory Dwelling Units) of Title 9 of the City of Cathedral City Municipal Code provides the City's accessory dwelling unit regulations; and

**WHEREAS**, the California Legislature has approved, and the Governor has signed into law, a number of bills amending Government Code Sections 66313, 66314, 66323, and 66332, regulating accessory dwelling units; and

**WHEREAS**, Assembly Bill 2533 was signed by the Governor on September 28, 2024 and became effective January 1, 2025 prohibiting local agencies from denying a permit for an unpermitted ADU or JADU that was constructed before January 1, 2020 unless it is deemed substandard; and

**WHEREAS**, Senate Bill 1211 was signed by the Governor on September 19, 2024 and became effective January 1, 2025 making changes to Government Code sections regulating accessory dwelling units on multiple-family lots and replacement parking requirements; and

**WHEREAS**, on January 21, 2026, the Planning Commission of the City of Cathedral City conducted a public hearing on Zoning Ordinance Amendment 25-0005, and recommended City Council adoption of an ordinance to amend Chapter 9.114 of Title 9 of the Cathedral City Municipal Code for conformance with new State legislation regulating accessory dwelling units; and

**WHEREAS**, on February 25, 2026, the City Council held a duly noticed public hearing to consider the Project, including the Planning Commission's recommendation.

**THEREFORE, THE CITY COUNCIL OF THE CITY OF CATHEDRAL CITY ORDAINS AS FOLLOWS:**

#### **SECTION 1. AMENDMENT OF TITLE 9 PLANNING AND ZONING OF THE CITY OF CATHEDRAL CITY MUNICIPAL CODE**

Chapter 9.114 (Accessory Dwelling Units) of Title 9 of the Cathedral City Municipal Code is amended to conform with new State legislation regulating accessory dwelling units as shown in Exhibits "1", attached hereto.

## **SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

The Project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3), referred to as the commonsense exemption which states that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA

## **SECTION 3. SEVERABILITY**

If any chapter, sections, subsections, subdivisions, sentences, clauses, phrases, or portion of this ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The city council hereby declares that it would have adopted this ordinance, and each chapter, sections, subsections, subdivisions, sentences, clauses, phrases, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

## **SECTION 4. POSTING**

The city clerk shall, within fifteen (15) days after passage of this ordinance, cause it to be posted in at least three (3) designated public places; shall certify to the adoption and posting of this ordinance; and shall cause this ordinance and its certification, together with proof of posting, to be entered in the book of ordinances of this city.

## **SECTION 5. CERTIFICATION**

The foregoing ordinance was approved and adopted at a meeting of the City Council held on the 25 day of March, 2026, by the following vote:

AYES: Councilmembers Gordon, Ross and Lamb; Mayor Pro Tem Gutierrez and

Mayor Gregory

NOES: None

ABSTAIN: None

ABSENT: None

  
RAYMOND GREGORY, MAYOR

ATTEST:

  
CHRISTINA BURTON, CITY CLERK

APPROVED AS TO FORM:

  
ERIC S. VAIL, CITY ATTORNEY

## Exhibit 1

CHAPTER 9.114  
ACCESSORY DWELLING UNITS

**§ 9.114.010. Reserved.**

**§ 9.114.020. Definitions.**

"Accessory dwelling unit" or "ADU" means an attached or detached residential dwelling unit that has no less than one hundred fifty square feet of interior livable space, provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the one-family or multiple-family dwelling is or will be situated. 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" means a structure that is accessory and incidental to a dwelling located on the same lot.

"Attached accessory dwelling unit" means a unit that is or will be attached to the existing single-family dwelling.

"Cooking appliance" means any appliance capable of cooking food, including a range, stove, oven, or microwave, but not including a toaster or electric kettle.

"Cooking," "cooking facility" or "cooking facilities" means an area containing at minimum a refrigeration appliance, a kitchen sink, and cooking appliance each having a clear working space of not less than thirty inches.

"Converted accessory dwelling unit" or "conversion accessory dwelling unit" means a unit that is located within the existing or proposed dwelling, including attached garages, or the conversion of an existing accessory structure that is detached from the primary dwelling, including detached garages.

"Detached accessory dwelling unit" means a unit that is or will be detached from the proposed or existing primary dwelling but is not a conversion of an existing detached accessory structure.

"Junior accessory dwelling unit" or "JADU" means an ADU that has no less than one hundred fifty square feet and no more than five hundred square feet of interior livable space and is contained entirely within a one-family dwelling. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure, and includes an efficiency kitchen.

"Livable space" means space in a dwelling intended for human habitation, including living, sleeping, eating, cooking or sanitation.

"Multiple-family dwelling" means two or more attached dwelling units. This definition applies for the purpose of accessory dwelling unit regulations only.

"Owner" means the property owner on the latest equalized property tax assessment roll.

"Primary dwelling" or "primary residence" means an existing one-family dwelling, the larger of

two proposed dwellings, or a multiple-family structure.

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

"Public transit" 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.

"Sanitation" or "sanitation facilities" means a toilet, sink and bathtub or shower.

"Sleeping" means an area dedicated to sleeping that meets the building code requirements for habitability.

"Tandem parking" means a parking design in which two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

**§ 9.114.030. Administration.**

- A. Accessory dwelling units shall be permitted through issuance of a building permit. No ADU shall be constructed without first applying for and obtaining a building permit from the city. Applications for an accessory dwelling unit building permit shall be accompanied by the appropriate fee established by resolution of the city council.
- B. A building permit application for an accessory dwelling unit shall be acted upon by the building official ministerially without discretionary review or a public hearing. The building permit application shall be acted upon within sixty days from receipt of a completed application if there is an existing single-family or multiple-family dwelling on the lot. If the applicant requests a delay, the sixty-day time period shall be tolled for the period of the delay. If the building permit for an ADU is submitted in conjunction with a permit application to create a new single-family dwelling on the lot, the building permit shall be acted upon concurrently with the permit application to create the new single-family dwelling.
- C. A demolition permit for a detached garage that is to be replaced with an accessory dwelling unit shall be reviewed with the application for the accessory dwelling unit and issued at the same time.
- D. The city shall not deny a permit for a previously unpermitted ADU or JADU that was constructed before January 1, 2020 due to nonconforming zoning condition or a violation of building standards pursuant to Article 1 (commencing with Section 17960) of Chapter 5 of Part 1.5 of Division 13 of the California Health and Safety Code, unless it is deemed substandard pursuant to Section 17920.3 of the Health and Safety Code.
  - 1. A homeowner applying for a permit for a previously unpermitted ADU or JADU constructed before January 1, 2020, shall not be required to pay impact fees or connection or capacity charges except when utility infrastructure is required to comply with Section 17920.3 of the Health and Safety Code and when the fee is authorized by subdivision (c) of Section 66311.5 of the California Government Code, which applies to ADUs that have more than 750 square feet of livable space and accessory to a single family dwelling.
  - 2. Upon receiving a permit application for a previously unpermitted ADU or JADU constructed before January 1, 2020, an inspector from the city may inspect the unit for compliance with health and safety standards and provide recommendations to comply with health and safety standards necessary to obtain a permit. If the inspector finds

noncompliance with health and safety standards, the city shall not penalize the applicant for having the unpermitted ADU or JADU and shall approve necessary permits to correct noncompliance with health and safety standards.

- E. Building permits issued in compliance with this section shall expire and become null and void twelve months after building permit issuance unless construction work authorized by the permit has commenced or an extension of the permit has been granted through the building department pursuant to Health and Safety Code Section 18938.6.
- F. The city shall not impose any impact fee upon the development of an accessory dwelling unit with seven hundred fifty square feet of interior livable space or less, including a junior accessory dwelling unit. Any impact fees charged for an accessory dwelling unit with more than seven hundred fifty square feet of livable space shall be charged proportionately in relation to the square footage of the primary dwelling unit.

#### **§ 9.114.040. Approval.**

- A. The city shall approve an application for a building permit for an accessory dwelling unit that meets the objective standards set forth in this chapter in any zoning district where one-family or multiple-family residential uses are permitted by right or with a conditional use permit.
- B. If the city denies an application for an accessory dwelling unit permit, the city shall provide a full set of comments to the applicant with a list of deficiencies and description of how they can be remedied within the time frames below for approval or denial of the application.

#### **§ 9.114.050. General provisions.**

The following provisions apply to all accessory dwelling units:

1. **Zoning.** The accessory dwelling unit must be proposed on a lot that is zoned to allow for one-family or multiple-family residential uses either by right or with a conditional use permit, and includes a proposed or existing primary dwelling. Accessory dwelling units are a residential use that is consistent with the existing general plan and zoning designation for the lot. An accessory dwelling unit shall not be construed as causing the lot to exceed its allowable density.
2. **Building Codes.** The accessory dwelling unit shall comply with state building standards for dwellings. Accessory dwelling units are not required to provide fire sprinklers unless they are required for the primary residence. The construction of an accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.
3. **Passageway.** No passageway shall be required in conjunction with the construction of an accessory dwelling unit. A passageway is a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.
4. **Septic and Sewer.** All accessory dwelling units shall be connected to the public sewer system unless an exemption is granted pursuant to Chapter 8.50. If there is no "available public sewer system" as defined in Chapter 8.50, and a private sewage system will be used, it must be appropriately sized in compliance with the building code.
5. **Ownership and Occupancy.** An accessory dwelling unit may be rented separate from the

primary residence, but may not be sold or otherwise conveyed separate from the primary residence, except as provided by Government Code Sections 66340 to 66342. An accessory dwelling unit shall not be utilized as a short-term vacation rental as defined in Chapter 5.96 of this code.

6. **Certificate of Occupancy.** The city shall not issue a certificate of occupancy for an accessory dwelling unit before it issues a certificate of occupancy for the primary dwelling.
7. **Parking.** When a garage, carport, covered parking structure, or uncovered parking space is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, those off-street parking spaces are not required to be replaced.
8. **Number of Units.** The following number of accessory dwelling units shall be allowed as follows, provided that each unit complies with state building standards for dwellings:
  - a. **Single-Family Lot.** On a lot with an existing or proposed single-family dwelling, one JADU shall be permitted in addition to the following combinations of ADUs:
    - i. One detached ADU with no more than 800 square feet of livable space and/or one conversion ADU.
    - ii. One detached ADU with more than 800 square feet of livable space or one attached ADU.
  - b. **Multiple-Family Lot.**
    - i. The total number of accessory dwelling units that are within the portions of an existing multiple-family dwelling structure that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages shall not exceed twenty-five percent of the existing multiple family dwelling units, provided that at least one such ADU shall be permitted.
    - ii. On a lot with an existing multiple-family dwelling, a maximum of eight detached accessory dwelling units, but not more than the number of existing units on the lot, shall be approved.
    - iii. On a lot with a proposed multiple-family dwelling, a maximum of two detached accessory dwelling units shall be approved.
    - iv. JADUs are not permitted.

**§ 9.114.060. Attached accessory dwelling units on lots with a single-family dwelling.**

The following development standards apply to accessory dwelling units attached to an existing single-family dwelling:

1. **Unit Size.** The maximum total floor area shall not exceed eight hundred fifty square feet of livable space for a studio or one-bedroom unit and one thousand square feet of livable space for a unit with more than one bedroom, or fifty percent of the existing primary dwelling, whichever is less. No more than two bedrooms are allowed.

2. Setbacks.
  - a. Front. The minimum front setback shall be as established in the underlying zoning district.
  - b. Side. A minimum setback of four feet.
  - c. Rear. A minimum setback of four feet.
  - d. The attached ADU must be five feet from other structures on the property.
3. Building Height. An attached accessory dwelling unit shall not exceed the height limitation that applies to the primary dwelling unit or twenty-five feet, whichever is lower. This clause shall not be construed to permit an attached accessory dwelling unit to exceed two stories.
4. Location. Attached accessory dwelling units shall be located to the rear or side of the dwelling unit.
5. Lot Coverage. Attached accessory dwelling units shall conform to the lot coverage requirements of the underlying zoning district in which the accessory dwelling unit is located.
6. Landscape. For an accessory dwelling unit involving new construction, landscaping shall be installed that is consistent with the existing or proposed landscaping surrounding the primary residence, and such landscaping shall be consistent with the requirements of Chapter 8.57 for water efficiency.
7. Architectural Review. The accessory dwelling unit shall match the design of the primary dwelling unit, including building materials, color and roofing material.
8. Parking.
  - a. One new parking space per accessory dwelling unit shall be required, except as provided in subparagraph (b) below. Off-street parking shall be permitted in setback areas or through tandem parking in designated parking areas, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions.
  - b. No additional parking shall be required for any accessory dwelling unit in the following instances:
    - i. The unit is within one-half mile walking distance of public transit. A map shall be provided confirming the distance.
    - ii. The unit is located within an architecturally and historically significant historic district.
    - iii. When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.
    - iv. When there is a car share vehicle located within one block of the accessory dwelling unit.
    - v. When a permit application for an accessory dwelling unit is submitted with a permit application to create a new single-family dwelling or a new

multifamily dwelling on the same lot, provided that the accessory dwelling unit or the parcel satisfies any other criteria listed in this section.

9. Access. The accessory dwelling unit shall have an independent exterior access/entrance, apart from that of the primary dwelling.

**§ 9.114.070. Conversion accessory dwelling units on lots with a single-family dwelling.**

The following development standards apply to accessory dwelling units constructed within the existing or proposed space of a single-family dwelling, or within an existing accessory structure on a lot with a single-family dwelling:

1. Setbacks: No setbacks shall be required except as required by the building code for fire and safety purposes.
2. Building Height. Attached and detached accessory dwelling units shall not exceed the height of the primary dwelling unit, except as follows:
  - a. An attached accessory dwelling unit shall not exceed the height limitation that applies to the primary dwelling unit or twenty-five feet, whichever is lower. This clause shall not be construed to permit an attached accessory dwelling unit to exceed two stories.
  - b. An accessory dwelling unit constructed within the existing space of an accessory structure may not expand the physical dimensions of the existing structure, except as needed to accommodate ingress and egress.
3. Access. The accessory dwelling unit shall have an independent exterior access/entrance, apart from that of the primary dwelling.
4. Conversion and Expansion. For accessory dwelling units that will be created within an existing, legally permitted accessory structure, no expansion of the physical dimensions of the existing structure is permitted, except that an expansion of up to one hundred fifty square feet may be included solely for the purpose of accommodating ingress and egress.

**§ 9.114.080. Junior accessory dwelling units.**

The following development standards apply to junior accessory dwelling units:

1. One junior accessory dwelling unit may be permitted per lot zoned for single-family dwellings with a single-family dwelling already built, or proposed to be built, on the lot.
2. A junior accessory dwelling unit shall be constructed within the walls of the proposed or existing single-family dwelling, and is not permitted within an accessory structure.
3. A junior accessory dwelling unit shall have an independent exterior access separate from the main entrance to the proposed or existing primary dwelling.
4. A junior accessory dwelling unit shall include an efficiency kitchen that includes cooking facilities, a food preparation counter, and storage cabinets.
5. A deed restriction that runs with the land shall be recorded and a copy filed with the city that includes a prohibition on the sale of the junior accessory dwelling unit separate from the sale

of the primary residence, that this prohibition may be enforced against future purchasers, and that restricts the size of the junior accessory dwelling unit to no more than five hundred square feet of livable space.

**§ 9.114.090. Detached accessory dwelling units, no larger than 800 square feet, on lots with a single-family dwelling.**

The following development standards apply to accessory dwelling units, with no more than 800 square feet of livable space, that are new construction and detached from a single-family dwelling:

1. Setbacks: A minimum side and rear setback of four feet.
2. Building Height. Detached accessory dwelling units shall not exceed the height of the primary dwelling unit, except as follows:
  - a. A detached accessory dwelling unit may be up to sixteen feet high if the primary dwelling is less than sixteen feet high.
  - b. A detached accessory dwelling unit on a lot within one-half mile of a major transit stop or a high-quality transit corridor, as those terms are defined in Public Resources Code Section 2115, may be up to eighteen feet high. An additional two feet in height shall also be allowed to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit.

**§ 9.114.100. Detached accessory dwelling units, larger than 800 square feet, on lots with a single-family dwelling.**

The following development standards apply to accessory dwelling units that are newly constructed, have more than 800 square feet of livable space, and are detached from a single-family dwelling:

10. Unit Size. The maximum total floor area shall not exceed eight hundred fifty square feet of livable space for a studio or one-bedroom unit and one thousand square feet of livable space for a unit with more than one bedroom. No more than two bedrooms are allowed.
11. Setbacks.
  - a. Front. The minimum front setback shall be as established in the underlying zoning district.
  - b. Side. A minimum setback of four feet.
  - c. Rear. A minimum setback of four feet.
  - d. The ADU must be five feet away from the main residence and five feet from other structures on the property.
12. Building Height. Detached accessory dwelling units shall not exceed the height of the primary dwelling unit, except as follows:
  - a. A detached accessory dwelling unit may be up to sixteen feet high if the primary dwelling is less than sixteen feet high.

- b. A detached accessory dwelling unit on a lot within one-half mile of a major transit stop or a high-quality transit corridor, as those terms are defined in Public Resources Code Section 2115, may be up to eighteen feet high. An additional two feet in height shall also be allowed to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit.
- 13. Location. A detached accessory dwelling unit with more than 800 square feet of livable space shall be located to the rear or side of any primary dwelling unit.
- 14. Lot Coverage. A detached accessory dwelling unit with more than 800 square feet of livable space shall conform to the lot coverage requirements of the underlying zoning district in which the accessory dwelling unit is located.
- 15. Landscape. For a detached accessory dwelling unit with more than 800 square feet of livable space and involving new construction, landscaping shall be installed that is consistent with the existing or proposed landscaping surrounding the primary residence, and such landscaping shall be consistent with the requirements of Chapter 8.57 for water efficiency.
- 16. Architectural Review. The accessory dwelling unit shall match the design of the primary dwelling unit, including building materials, color and roofing material.
- 17. Parking.
  - a. One new parking space per accessory dwelling unit shall be required, except as provided in subparagraph (b) below. Off-street parking shall be permitted in setback areas or through tandem parking in designated parking areas, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions.
  - b. No additional parking shall be required for any accessory dwelling unit in the following instances:
    - i. The unit is within one-half mile walking distance of public transit. A map shall be provided confirming the distance.
    - ii. The unit is located within an architecturally and historically significant historic district.
    - iii. When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.
    - iv. When there is a car share vehicle located within one block of the accessory dwelling unit.
    - v. When a permit application for an accessory dwelling unit is submitted with a permit application to create a new single-family dwelling or a new multifamily dwelling on the same lot, provided that the accessory dwelling unit or the parcel satisfies any other criteria listed in this section.

**§ 9.114.110. Conversion accessory dwelling units on lots with multiple-family dwellings.**

The following development standards apply to accessory dwelling units constructed within portions

of an existing multiple-family dwelling that are not used as livable space:

1. Access. The accessory dwelling unit shall have an independent exterior access/entrance, apart from that of the primary dwelling.
2. Conversion and Expansion. For accessory dwelling units that will be created within the existing space of a multiple-family dwelling, no expansion of the physical dimensions of the existing structure is permitted, except that an expansion of up to one hundred fifty square feet may be included solely for the purpose of accommodating ingress and egress.

**§ 9.114.120. Detached accessory dwelling units on lots with multiple-family dwellings.**

The following development standards apply to accessory dwelling units that are detached from an existing or proposed multiple-family dwelling:

1. Setbacks: A minimum side and rear setback of four feet.
2. Building Height. Detached accessory dwelling units shall not exceed the height of the primary dwelling unit, except as follows:
  - a. A detached accessory dwelling unit may be up to sixteen feet high if the primary dwelling is less than sixteen feet high.
  - b. A detached accessory dwelling unit on a lot with an existing or proposed multifamily, multistory dwelling, may be up to eighteen feet high.
  - c. A detached accessory dwelling unit on a lot within one-half mile of a major transit stop or a high-quality transit corridor, as those terms are defined in Public Resources Code Section 2115, may be up to eighteen feet high. An additional two feet in height shall also be allowed to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit.