

ZOA25-0003 – ADU Urgency Ordinance

PALM DESERT CITY COUNCIL
DECEMBER 11, 2025



Zoning Ordinance Overview

- Consideration of a recommendation of approval to the Palm Desert City Council for an Urgency Zoning Ordinance Amendment (“ZOA”) under Case No. ZOA25-0003
- AB 462 was enacted as an urgency measure, taking effect immediately upon the Governor's signature on October 10, 2025
- City’s zoning ordinance must comply with AB 1154, SB 9, and SB 543 which will take effect January 1, 2025

Background: AB 462 Coastal Development Permits; Disaster-Affected Areas

- Relaxes the rules governing the issuance of a Certificate of Occupancy (CofO) if:
 - The Governor has declared a state of emergency for the county on or after February 1, 2025;
 - The primary dwelling was substantially damaged or destroyed by an event referenced in the state of emergency proclamation; and
 - The ADU has been issued construction permits and passed all required inspections.

Background: AB 1154 – JADU Owner-Occupancy; Short-Term Rental

- Owner occupancy is required only when a JADU shares a bathroom with the main home
- If the JADU has its own bathroom, no owner occupancy is required
- JADUs are prohibited from being rented for fewer than 30 days statewide

Background: SB 9 ADU Ordinance Submittal to HCD

- Cities must send their ADU ordinance to HCD within 60 days, or the ordinance becomes invalid.
- If HCD determines that the ordinance is inconsistent with state law and the City fails to correct or respond within 30 days, the ordinance is rendered invalid.

Background: SB 543 – ADU Size; Number of ADUs; Impact Fees; Permitting Timeline

- Size rules clarified: SB 543 defines ADU and JADU size limits based on interior livable space.
- Impact fee rules clarified: ADUs with 750 sq. ft. or less of interior livable space and JADUs with 500 sq. ft. or less are exempt from development impact fees, and units under 500 sq. ft. are also exempt from school fees.
- Combining ADU types now allowed: The law now officially allows combining the different types of ADUs

Background: SB 543 – ADU Size; Number of ADUs; Impact Fees; Permitting Timeline (Continued)

- Cities must follow new deadlines—15 business days to check completeness, provide comments, and review resubmittals
- The city must approve or deny an application to create an ADU or JADU within 60 days from the date that the city receives a complete application
- Creates appeal process to Planning Commission in the event of denial

Proposed Zoning Amendments

- Amends PDMC 25.34.030 Accessory Dwelling Units
- The proposed ordinance is an urgency measure, meaning it will take effect immediately upon adoption.
- The urgency ordinance will be followed by a non-urgency ordinance, subject to all normal procedures.

California Environmental Quality Act

- The adoption of the proposed ordinance amendment is exempt from CEQA because CEQA does not apply to ordinances implementing state ADU law; therefore, adoption of the proposed urgency ordinance is statutorily exempt under Chapter 13 of Division 1 of Title 7 of the California Government Code.

Public Noticing

- A public hearing notice was published on November 26, 2025, in *The Desert Sun* newspaper
- No public comments received prior to meeting

Recommendation

ADOPT AN URGENCY ORDINANCE OF THE CITY OF PALM DESERT, CALIFORNIA, AMENDING SECTION 25.34.030 OF THE PALM DESERT MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS TO COMPLY WITH THE RECENT CHANGES IN STATE LAW, AND FINDING THE ACTION TO BE STATUTORILY EXEMPT FROM CEQA UNDER PUBLIC RESOURCES CODE SECTION 21080.17