



CITY COUNCIL STAFF REPORT

DATE: September 4, 2013

Public Hearing

SUBJECT: APPLICATION BY THE CITY OF PALM SPRINGS FOR A GENERAL PLAN AMENDMENT IN LAND USE CATEGORIES ELIMINATING CLOSED RANGES AND RETAINING DENSITY CAPS (CASE 5.1301 GPA).

FROM: David H. Ready, City Manager

BY: Planning Services Department

SUMMARY

The General Plan Land Use Element delineates the types of land uses allowed in the various categories. There are five residential categories. The density of development allowed in each category is discussed with the primary emphasis being on the upper limit.

RECOMMENDATION:

1. Open the public hearing and receive public testimony.
2. Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING AN AMENDMENT TO THE 2007 PALM SPRINGS GENERAL PLAN ADOPTED BY RESOLUTION NO. 22077 REVISING RESIDENTIAL LAND USE CATEGORIES BY ELIMINATING CLOSED RANGES."

STAFF ANALYSIS:

Currently the language in the General Plan sets both the upper and lower limits for residential land use categories. An equally appropriate option is to allow an open lower range, still maintaining an upper density maximum. The specific changes showing language to be removed and added are shown in Exhibit "A" attached.

The Planning Commission unanimously recommended approval of the subject amendment.

ITEM NO. 1B

FISCAL IMPACT:

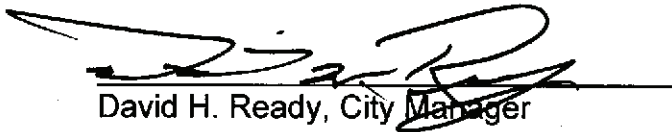
None.

ENVIRONMENT ASSESSMENT:

Staff has determined this action to allow lower densities within existing land use categories to be a Class 5 Categorical Exemption Minor Alterations in Land Use Limitations under the California Environmental Quality Act as the proposed change reflects past and current practice and retains existing density maximum standards.



M. Margo Wheeler, AICP
Director of Planning Services



David H. Ready, City Manager

Attachment:

1. Draft Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING AN AMENDMENT TO THE 2007 PALM SPRINGS GENERAL PLAN ADOPTED BY RESOLUTION NO. 22077 REVISING RESIDENTIAL LAND USE CATEGORIES BY ELIMINATING CLOSED RANGES.

WHEREAS, the current General Plan of the City provides for closed ranges of development density allowed in each residential land use category in the City. These ranges include both a minimum as well as maximum density allowed in each land use category.

WHEREAS, the past and current practice of the City, including without limitation, the City Council, the City Council, and the Director of Planning, is to consider only the maximum density allowed within each land category and consider and approve lower density project.

WHEREAS, the City Council has approved several projects that have been less than the minimum provided in the General Plan for each residential land use category.

WHEREAS, it is the desire of the City Council that the General Plan of the City be amended that the minimum density requirements for each residential land use designation be removed.

WHEREAS, Palm Springs is a charter city organized under the laws of the State of California and zoning regulations of the City are not required to be consistent with the General Plan, however, it is the desire of the Planning Commission that the General Plan ensure consistent and fair administration of the City's land use policies and programs.

WHEREAS, that the said action is a Class 5 Categorical Exemption Minor Alterations in Land Use Limitations under the California Environmental Quality Act (CEQA).

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS DOES HEREBY RESOLVE that, based upon the foregoing, to amend the General Plan of the City of Palm Springs revising residential land use categories by eliminating closed ranges as shown in Exhibit "A".

ADOPTED THIS 4TH DAY OF SEPTEMBER 2013.

David H. Ready, City Manager

ATTEST:

James Thompson, City Clerk

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, hereby certify that Resolution No. _____ is a full, true and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Springs on September 4, 2013, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

James Thompson, City Clerk
City of Palm Springs, California

EXHIBIT "A"

LAND USE ELEMENT

Zoning RESIDENTIAL LAND USES

GR5 Estate Residential (0 - 2.0 dwelling units per acre). ~~The Estate Residential designation provides for the development of large lot, single family residences that are custom in design. This designation is predominantly located in areas adjacent to the City's hillsides, reflecting the natural and environmental constraints that must be addressed there. Minimum lot sizes are generally 20,000 square feet in this designation; guest ranches are permitted on parcel areas of five acres, with a minimum lot area of 4,000 square feet per guest ranch unit.~~

R-1 AH Very Low Density Residential (2.4 up to - 4.0 dwelling units per acre). The Very Low Density residential is the most prevalent land use designation within the City, representing typical single-family detached residential development. ~~Lot sizes in this land use designation generally range from 16,500 to 8,500 square feet, and other uses allowed by code.~~

R-1C Low Density Residential (4.4 up to - 6.0 dwelling units per acre). Similar to the Very Low Density Residential designation, the Low Density Residential designation also represents "typical" single-family detached residential development. ~~This designation accommodates typical lot sizes ranging from 10,000 to 8,000 square feet, and other uses allowed by code.~~

RGA(6) Medium Density Residential (6.4 up to - 15.0 dwelling units per acre). This residential land use category accommodates a range of residential housing types, including single-family attached, single-family detached, common interest subdivisions, patio homes, duplexes, townhomes, multiple-family, and mobile home projects and other uses as allowed by code.

R-3 High Density Residential (15.4 up to 30 dwelling units per acre). Typical development in this category would include duplexes, townhomes, and apartments. ~~Hotels and motels are also permitted up to 43 rooms per net acres (up to 86 rooms per net acre permitted on Indian Land) as long as they are consistent with the design and character of the surrounding neighborhoods and do not create significant design, parking or traffic impacts to the surrounding residential neighborhood, and other uses as allowed by code.~~

**CITY OF PALM SPRINGS
PUBLIC HEARING NOTIFICATION**



Date: September 4, 2013
Subject: Case 5.1301 – GPA – Amend Land Use Categories

AFFIDAVIT OF PUBLICATION

I, Kathie Hart, Chief Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was published in the Desert Sun on September 24, 2013.

I declare under penalty of perjury that the foregoing is true and correct.

A handwritten signature in black ink, appearing to read "Kathie Hart", is written over a horizontal line.

Kathie Hart, CMC
Chief Deputy City Clerk

AFFIDAVIT OF POSTING

I, Kathie Hart, Chief Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was posted at City Hall, 3200 E. Tahquitz Canyon Drive, on the exterior legal notice posting board, and in the Office of the City Clerk and on August 22, 2013.

I declare under penalty of perjury that the foregoing is true and correct.

A handwritten signature in black ink, appearing to read "Kathie Hart", is written over a horizontal line.

Kathie Hart, CMC
Chief Deputy City Clerk

AFFIDAVIT OF MAILING

I, Kathie Hart, Chief Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was mailed to each and every person on the attached list on August 22, 2013, in a sealed envelope, with postage prepaid, and depositing same in the U.S. Mail at Palm Springs, California. (6 notices)

I declare under penalty of perjury that the foregoing is true and correct.

A handwritten signature in black ink, appearing to read "Kathie Hart", is written over a horizontal line.

Kathie Hart, CMC
Chief Deputy City Clerk

NOTICE OF PUBLIC HEARING
CITY COUNCIL
CITY OF PALM SPRINGS
CASE 5.1301 GPA
APPLICATION BY THE CITY OF PALM SPRINGS
FOR A GENERAL PLAN AMENDMENT IN LAND USE CATEGORIES

NOTICE IS HEREBY GIVEN that the City Council of the City of Palm Springs, California, will hold a public hearing at its meeting of September 4, 2013. The City Council meeting begins at 6:000 p.m. in the Council Chamber at City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

The purpose of the hearing is to consider an application by the City of Palm Springs to amend the City's General Plan Land Use Element to modify certain land use categories.

ENVIRONMENTAL DETERMINATION: The City of Palm Springs, in its capacity as the Lead Agency, under the California Environmental Quality Act (CEQA) has determined that the proposed General Plan text amendment is Categorical Exempt under Section 15305 of the State CEQA Guidelines. The proposed amendments would provide for a minor alteration of the land use limitations in the City's land use regulations, but would not increase land use densities or intensities.

REVIEW OF INFORMATION: The staff report and other supporting documents regarding this item are available for public review at City Hall between the hours of 8:00 a.m. and 6:00 p.m., Monday through Thursday. Please contact the Office of the City Clerk (760) 323-8204 if you would like to schedule an appointment to review these documents.


COMMENTS: Response to this notice may be made verbally at the Public Hearing and/or in writing before the hearing. Written comments may be made to the City Council by letter (for mail or hand delivery) to:

James Thompson, City Clerk
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Any challenge of the proposed project in court may be limited to raising only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the City Clerk at, or prior to, the public hearing. (Government Code Section 65009[b][2]).

An opportunity will be given at said hearing for all interested persons to be heard. Questions regarding this case may be directed to M. Margo Wheeler, Director of Planning Services, at (760) 323-8245.

Si necesita ayuda con esta carta, por favor llame a la Ciudad de Palm Springs y puede hablar con Nadine Fieger telefono (760) 323-8245.


James Thompson, City Clerk