



## Planning Commission Staff Report

DATE: November 11, 2013

PUBLIC HEARING

SUBJECT: APPLICATION BY THE CITY OF PALM SPRINGS FOR A ZONE TEXT AMENDMENT FOR LAND USE PERMIT NOTIFICATION AND CONCURRENT CASE PROCESSING (CASE 5.1312 ZTA)

FROM: Department of Planning Services

---

### SUMMARY

A Code amendment requiring Land Use Permit notification to neighborhood organizations and requiring multiple applications to all be heard by the final approving body.

### RECOMMENDATION:

That the Planning Commission approves Case 5.1312 ZTA, an amendment request by the City of Palm Springs.

### ANALYSIS

As part of the expanded notification processes being undertaken at this time, staff is seeking additional opportunities for neighborhoods to be informed of projects in their area. Land Use Permits (LUP's) currently only require administrative review. Currently the types of uses allowed by LUP include temporary parking areas, circus, carnivals, seasonal sales such as pumpkins and trees, daycare and similar types of uses. Within individual zones there are additional uses that may be approved by LUP. The proposed change adds notification via e-mail to neighborhood organizations within 1/2 mile of the proposed site so if there are neighborhood issues they may be brought to the attention of city staff.

Also, a new section of the code regarding procedures is proposed to be added to ensure that all cases that are submitted together as part of one project are processed together through to City Council. By current code, for example, if a project has a GPA, Rezone, CUP and Major Architecture, only the first two go through to the City Council. The latter two only go to the Planning Commission and are not heard unless they are appealed.

With this text amendment all cases will be brought forward together for consideration.

## 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 zoning code 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.



---

M. Margo Wheeler, AICP  
Director of Planning Services

Attachments:  
Resolution No.  
Exhibit A

## RESOLUTION NO.

### A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA RECOMMENDING APPROVAL OF A PROPOSED ZONE TEXT AMENDMENT OF THE PALM SPRINGS MUNICIPAL CODE FOR LAND USE PERMIT NOTIFICATION AND CONCURRENT CASE PROCESSING (CASE 5.1312 ZTA)

WHEREAS, the proposed amendment is considered a "project" pursuant to the terms of the California Environmental Quality Act ("CEQA"), and it has been recommended that the proposed amendment be determined to be Categorical Exempt from the provisions of CEQA under Section 15305 (Minor Alterations in Land Use Limitations) of the Guidelines for the California Environmental Quality Act because the proposed zone text amendment proposes only insignificant changes to the title and provides for increased notification for LUP's and requiring consolidated review of cases; and

WHEREAS, a notice of public hearing of the Planning Commission of the City of Palm Springs, California for Case 5.1312 ZTA (Zone Text Amendment) was given in accordance with applicable law; and

WHEREAS, on November 11, 2013 a public hearing of the Planning Commission was held to review said case, and at said hearing the Planning Commission reviewed and considered all of the evidence presented in connection with the hearing on the project, including, but not limited to, the staff report, and all written and oral testimony presented.

#### THE PLANNING COMMISSION HEREBY FINDS AS FOLLOWS:

SECTION 1. Pursuant to CEQA, the Planning Commission hereby recommends that the City Council determine that the proposed zone text amendment (Case 5.1312 ZTA) is Categorical Exempt from the provisions of CEQA under Section 15305 (Minor Alterations in Land Use Limitations) of the Guidelines for the California Environmental Quality Act because the proposed zone text amendment proposes only insignificant changes to the title and provides for increased notification for LUP's and requiring consolidated review of cases.

SECTION 2: Pursuant to PSZC Section 94.07.01 (Zoning Ordinance Text Amendment), the Planning Commission finds as follows:

- A. The proposed zoning code amendment is consistent with the intent of the zoning code, because, according to Section 91.00.00, the Zoning Code is adopted "For the purpose of promoting and protecting the public health, safety and welfare of the people of the city of Palm Springs and to provide for the social, physical and economic advantages resulting from comprehensive and orderly planned use of land resources ..."; and the amendment proposes to modify LUP and case processing to allow more input from the public and approving bodies.

B. The proposed zoning code amendment is consistent with the intent of the general plan, because, the General Plan priorities include:

Foster resident involvement in neighborhood organizations to support the beautification, improvement and preservation of neighborhoods

and a Vision that states:

We provide responsive, friendly, efficient public services  
within a government that fosters unity among all our citizens.

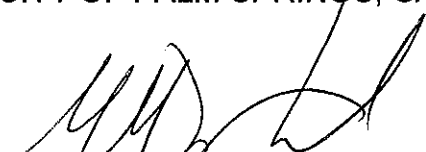
NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby recommends that the City Council determine that the proposed zone text amendment Case 5.1312 ZTA is Categorical Exempt from the provisions of CEQA under Section 15305 (Minor Alterations in Land Use Limitations) of the Guidelines for the California Environmental Quality Act and also recommends adoption of an ordinance to approve a zone text amendment (Case 5.1312 ZTA), as set forth in Exhibit A.

ADOPTED this 11th day of November, 2013.

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA



---

M. Margo Wheeler, AICP  
Director of Planning Services

**EXHIBIT A**

Planning Commission Resolution No.  
Case 5.1312 ZTA - Zone Text Amendment  
November 11, 2013

Section 1: Sec 94.02.01.d shall be added to read:

Application information shall be sent via electronic mail to the representative listed on the city's Neighborhood Organization web page within one-half mile of the subject site at least 10 days prior to action being taken.

Section 2: Sec 94.10.01 shall be added to read:

All related applications pertaining to a single development shall be heard by the final decision-making body.