



Planning Commission Staff Report

TO: Planning Commission

DATE: June 25, 2014

SUBJECT: CITY OF PALM SPRINGS FOR A ZONE TEXT AMENDMENT TO AMEND THE PALM SPRINGS ZONING CODE (PSZC) SECTION 94.02.01 RELATING TO LAND USE PERMITS (CASE 5.1343 ZTA)

FROM: Department of Planning Services

SUMMARY

Numerous existing small commercial spaces fronting Palm Canyon Drive and Indian Canyon Drive outside of downtown remain vacant due to limited parking space and options. This code amendment would allow them to redevelop upon approval of a Land Use Permit.

RECOMMENDATION:

Recommend approval to the City Council.

BACKGROUND INFORMATION

Palm Springs Zoning Code Section 92.26 allows for the payment of in-lieu fees to the off street parking fund for properties between Granvia Valmonte and Ramon Road, Belardo and Calle Encilia. In this area public parking has been provided or is proposed.

ANALYSIS

Properties both north and south of downtown continue to have significant vacancies. Retail opportunities are limited whereas the need for hospitality industry uses is strong. The city and the market favor reuse of existing structures.

However, the intensification of use requires additional parking by code. Because the area is nearly fully developed there are not immediate opportunities to provide additional parking.

The city is becoming more biking and walking friendly. With the intensification of uses,

especially hotels, there are more opportunities to patronize many shops and eating/drinking establishments on foot. The trolley expected to be available in fall, will greatly enhance the opportunity for restaurant and assembly uses without the need for additional parking.

The proposed ordinance would allow re-tenanting of existing buildings with Palm Canyon Drive and Indian Canyon Drive frontage outside of the downtown parking combining zone. Buildings within a commercial center of three or more acres or 20,000 square feet or more would not be eligible nor would buildings within a Planned Development District.

ENVIRONMENTAL DETERMINATION

Pursuant to the California Environment Quality Act (CEQA) guidelines, the project is a Class 1 exemption and is categorically exempt per Section 15301 (Existing Facilities).

NOTIFICATION

A public hearing notice was published. The Planning Department has not received correspondence regarding this issue.



M. Margo Wheeler, FAICP
Director of Planning Services

1. Draft Resolution

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 TO ALLOW INTENSIFICATION OF USE OF EXISTING STRUCTURES FRONTING PALM CANYON AND INDIAN CANYON OUTSIDE THE DOWNTOWN PARKING COMBINING ZONE WITHOUT PROVIDING ADDITIONAL PARKING UPON APPROVAL OF A LAND USE PERMIT. (CASE 5.1343 ZTA).

WHEREAS, the proposed amendment is considered a "project" pursuant to the terms of the California Environmental Quality Act ("CEQA"), and the it has been recommended that the proposed amendment be determined to be Categorically Exempt from the provisions of CEQA under Section 15301 (Existing Structures) 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 intensification of use without additional parking for certain properties.

WHEREAS, a notice of public hearing of the Planning Commission of the City of Palm Springs, California for Case 5.1343 ZTA (Zone Text Amendment) was given in accordance with applicable law; and

WHEREAS, on June 25, 2014 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 5.1343 ZTA) is Categorically Exempt from the provisions of CEQA under Section 15301 (Existing Uses) 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 intensification of use without additional parking for certain properties.

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

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

Goals

LU 4 Attract and Retain high-quality sustainable commercial development.

LU 1 Establish a balanced pattern of land uses that complements the pattern and character of existing uses, offers opportunities for the intensification of key targeted sites, minimizes adverse environmental impacts and has positive economic results.

Policies

CD 30.3 Encourage retail uses that maintain extended evening hours and support nighttime activity.

LU 1.5 Allow for flexible development standards provided that the potential benefits and merits of projects can be balanced with potential impacts.

LU 1.4 Encourage the expansion of existing facilities or the introduction of new uses that are considered to be of significant importance and constitute exceptional benefits to the city.

SECTION 3:

Amend Section 94.02.01 to add:

- f. Intensification of use of existing commercial buildings having frontage on Palm Canyon Drive and Indian Canyon Drive north of Granvia Valmonte and south of Ramon Road without additional parking required by 93.06 "off-street parking;" excluding properties within:
 - i. A Planned Development District
 - ii. A commercial center of three or more acres or 20,000 square feet or more.
 - iii. Existing downtown parking combining zone.

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 5.1343 ZTA is Categorically Exempt from the provisions of CEQA under Section 15301 of the Guidelines for the California Environmental Quality Act and also recommends adoption of an ordinance to approve a zone text amendment (Case 5.1343 ZTA).

ADOPTED this 25th day of June, 2014.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

M. Margo Wheeler, FAICP
Director of Planning Services