

PLANNING COMMISSION STUDY SESSION MINUTES
CITY OF PALM SPRINGS, CALIFORNIA
December 15, 2021
3200 East Tahquitz Canyon Way, Palm Springs, California

CALL TO ORDER: Chair Weremiuk called the meeting to order 4:01 p.m.

ROLL CALL: Aylaian, Ervin, Moruzzi, Vice Chair Roberts*, Chair Weremiuk

EXCUSED: Hirschbein

STAFF PRESENT: Development Services Director Fagg, Assistant Planning Director Newell, Attorney Priest, Attorney Leishman

*Arrived at 5:17 p.m.

REPORT OF POSTING OF AGENDA:

Agenda was available for public access at the City Hall exterior bulletin board (west side of Council Chamber) by 9:00 pm on Thursday, December 9, 2021, and posted on the City's website as required by established policies and procedures.

PUBLIC COMMENT: None.

DISCUSSION:

1. INTRODUCTION AND DISCUSSION ON NEW STATE HOUSING LAWS: SB 9 AND SB 10

Director Fagg introduced SB 9, which was signed into law this past fall and takes effect on January 1, 2022. He described the timeline for adopting an urgency ordinance and the tentative timeline for adopting the ordinance.

TODD LEISHMAN, Best, Best & Krieger LLP, City Attorney's office, provided an overview of SB 9.

The Commission asked questions relative to minimum lot size; number of units on lot splits; parking, public transit, and car share lots; limitation of 800 square feet for the new unit; and building height.

Mr. Leishman continued his overview and said State law allows the City to establish development standards under SB 9, but the standards must allow a yield of two units that are a minimum dwelling size. The Commission questioned different sizes that may be considered under SB 9.

Commissioner Moruzzi questioned the timeline for implementing an ordinance.

Chair Weremiuk asked if single-family homes in HOA's are subject to SB 9.

Mr. Leishman said there's nothing in SB 9 that HOAs can't enforce in their private covenants; however, the City would still process an SB 9 application and the City may ask that HOAs provide evidence of approval.

Chair Weremiuk questioned hillside and high fire areas that may prevent additional units.

Mr. Leishman said the City could set its own standards relative and specific to Palm Springs.

Commissioner Aylaian said adding standards for hillside properties to the adopted ordinance but noted there may not be time to incorporate into the urgency ordinance.

Commissioner Moruzzi asked if the ordinance even applies to many of the single-family residential lots, as many of them are built out with pools in backyards and have limited space to site a structure.

Mr. Leishman responded that State law provides standards for limiting demolition of existing homes.

Commissioner Aylaian left the meeting at 4:52 p.m.

The Commission discussed second stories, lot sizes and covered parking; SB 9 applications for tribal land and the process for review of single-family homes.

Mr. Leishman described the requirements of SB 10, which allows up to 10 dwelling units per lot if the City passes an ordinance to authorize up-zoning of certain properties. He noted this is an optional tool for cities in California.

Chair Weremiuk questioned if the City would like to include open space and lot coverage.

Director Fagg responded that staff would recommend adding those requirements to the adopted ordinance in the third iteration.

In response to question on resulting lots, Mr. Leishman said the 12-foot standard is necessary for allowing the passage of a car, based on discussions with engineers, but he noted this standard may be modified and some cities have required 15 feet. Mr. Leishman clarified this standard is for lot splits and not accessory dwelling units.

Vice Chair Roberts joined the meeting at 5:17 p.m.

In response to Commissioner Moruzzi's question on infrastructure needs, Mr. Leishman said State law does not preclude the City from requiring development impact fees and

these projects can contribute to offsetting impacts. He further clarified that the City may establish fees through its normal process.

Chair Weremiuk verified that, regarding applicants, only the homeowners can apply for an urban lot split. Mr. Leishman responded that is correct and the ordinance requires owner-occupancy for one of the units.

Vice Chair Roberts noted that enforcement can be difficult, as neighbors may not know who an owner is, and questioned how much latitude the City has in enforcing the ordinance.

The Commission discussed the process for adopting additional objective standards that will be developed over the new few months to address architectural criteria. The Commission discussed the process for new subdivisions that go through the entitlement process.

Chair Weremiuk wrapped up the discussion, suggested the urgency ordinance include a hillside provision; and recommended to modify the ordinance to allow more affordable housing and review of the design standards.

The Commission discussed having a subcommittee to provide recommendations.

2. GENERAL PLAN LAND USE DENSITY AND ALLOWING FLEXIBILITIES FOR HOUSING

Assistant Director Newell presented the matter as outlined in the staff memorandum.

Commissioner Ervin left the meeting at 5:53 p.m.

Vice Chair Roberts questioned if the proposed changes could allow additional density.

Mr. Priest provided background details and why the draft was presented as a one-for-one conversion.

Director Fagg noted the possibility of allowing a density bonus is to make it more appealing.

Chair Weremiuk suggested to the bonus be for affordable units.

Mr. Newell continued with the presentation.

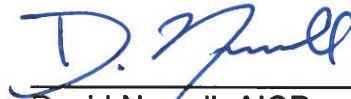
In response to a question by Chair Weremiuk, Mr. Newell pointed out that the lowest density in the examples provided is 4.12 dwelling units per acre.

The Commission discussed the possibility of projects incorporating small commercial space to have the lower threshold for luxury housing; the desire to have housing with lesser density on the second floor; and the need for rental units that are larger.

The Commission recommended stacked mixed-use to have no minimum threshold to encourage building and conversion of upstairs space for mixed use (second and third stories residential) and allow a 10 d.u./acre minimum threshold for mixed use with commercial along the main thoroughfare frontage.

ADJOURNMENT:

The Planning Commission adjourned at 6:24 p.m. to their next regularly scheduled meeting on Wednesday, January 12, 2022 at 5:30 pm, 3200 East Tahquitz Canyon Way.



David Newell, AICP
Assistant Director of Planning