

ORDINANCE NO. 1405

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, ADOPTING A NOTICE OF EXEMPTION PURSUANT TO THE STATE OF CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND APPROVING A ZONING ORDINANCE AMENDMENT (ZOA) TO MODIFY SECTIONS OF CHAPTER 25 (ZONING) OF THE PALM DESERT MUNICIPAL CODE CASE NO. ZOA23-0002

WHEREAS, the Planning Commission of the City of Palm Desert, California, did on the 3rd day of October 2023, hold a duly noticed public hearing to consider the request by the City of Palm Desert for approval of Zoning Ordinance Amendment 23-0002 and adopted Planning Commission resolution No. 2845, recommending that the City Council adopt Zoning Ordinance Amendment (ZOA) 23-0002; and

WHEREAS, the ZOA modifies the Palm Desert Municipal Code (PDMC) Chapter 25 (Zoning) to change and update land uses and definitions; and

WHEREAS, under Section 21067 of the Public Resources Code, Section 15367 of the State California Environmental Quality Act (CEQA) Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.) and the City of Palm Desert's ("City's") Local CEQA Guidelines, the City is the lead agency for the Project; and

WHEREAS, the Project has complied with the requirements of the "City of Palm Desert Procedure for Implementation of CEQA" Resolution No. 2019-41, in that the Director of Development Services has determined that the Project will not have a foreseeable significant impact on the environment and that the Project is eligible for an exemption exempt Section 15061(b)(3) General Rule of the CEQA Guidelines; therefore, no further environmental review is necessary at this time; and

WHEREAS, the City Council of the City of Palm Desert, California, did on the 26th day of October 2023, hold a duly noticed public hearing to consider the request by the City of Palm Desert for approval of ZOA23-0002 to modify sections of Chapter 25; and

WHEREAS, at the said public hearing, upon hearing and considering all testimony and arguments, if any, of all interested persons desiring to be heard, the City Council did find the following facts and reasons, which are outlined in the staff report, exist to justify approval of said request:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Palm Desert, California, as follows:

SECTION 1. Adoption of Recitals. The City Council hereby finds that the foregoing recitals are true and correct and are incorporated herein as substantive findings of this Ordinance.

SECTION 2. Amendment. The City Council of the City of Palm Desert approves and adopts the PDMC amendment to Title 25 as shown in Exhibit “A” which is attached hereto and incorporated herewith.

SECTION 3. CEQA. The City Council finds that the adoption of this ordinance is not a “project” as defined in the CEQA because it does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment and concerns general policy and procedures.

SECTION 4. Severability. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that one (1) or more subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional, invalid, or ineffective.

SECTION 5. Publication. The City Clerk of the City of Palm Desert, California, is hereby directed to publish this Ordinance in *The Desert Sun*, a newspaper of general circulation, published and circulated in the City of Palm Desert, California, and shall be in full force and effective 30 days after its adoption.

ADOPTED ON _____.

KATHLEEN KELLY
MAYOR

ATTEST:

ANTHONY J. MEJIA
CITY CLERK

I, Anthony J. Mejia, City Clerk of the City of Palm Desert, hereby certify that Ordinance No. 1405 is a full, true, and correct copy, and was introduced at a regular meeting of the City Council of the City of Palm Desert on October 26, 2023, and adopted at a regular meeting of the City Council held on _____, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Palm Desert, California, on _____.

ANTHONY J. MEJIA
CITY CLERK

**EXHIBIT A
ZONING ORDINANCE AMENDMENT**

SECTION 1. Amendment to Palm Desert Municipal Code. Palm Desert Municipal Code section 25.06.030 is hereby amended as follows:

25.16.030 Allowed Land Uses and Permit Requirements

Table 25.16-1 (Use Matrix for Commercial and Industrial Districts) identifies allowed uses and corresponding permit requirements for commercial and industrial districts and all other provisions of this title. Descriptions/definitions of the land uses can be found in Chapter [25.99](#) (Definitions). The “Special Use Provisions” column in the table identifies the specific chapter or section where additional regulations for the specific use type are located within this title.

Use regulations in the table are shown with representative symbols by use classification listing: “P” symbolizes uses permitted by right, “A” symbolizes uses that require approval of an administrative use permit, “C” symbolizes uses that require approval of a conditional use permit, and “N” symbolizes uses that are not permitted. Uses that are not listed are not permitted. However, the Commission may make a use determination as outlined in Section [25.72.020](#) (Use Determinations).

Table 25.16-1: Use Matrix for Commercial and Industrial Districts

Commercial/Industrial District							
(P=Permitted; A=Administrative Use Permit; C=Conditional Use Permit; N=Not Permitted)							
	OP	PC-1	PC-2	PC-3	PC-4	SI	Special Use Provisions
Residential Uses							
Caretaker housing	N	N	N	N	N	P	25.16.040.A
Condominium	C	C	C	N	C	C	25.16.040.B
Dwelling, duplex	C	C	C	C	C	C	25.16.040.B
Dwelling, multifamily	C	C	C	C	C	C	25.16.040.B
Dwelling, single-family	C	C	C	N	C	C	25.16.040.B
Group home	C	C	N	N	C	C	25.16.040.B
Single-room occupancies	N	N	N	N	N	C	
Homeless shelter	N	N	N	N	N	P	
Recreation, Resource Preservation, Open Space, and Public Assembly Uses							

Commercial/Industrial District							
(P=Permitted; A=Administrative Use Permit; C=Conditional Use Permit; N=Not Permitted)							
	OP	PC-1	PC-2	PC-3	PC-4	SI	Special Use Provisions
Amusement facility, indoors	N	N	C	C	C	N	
Amusement facility, outdoors	N	N	N	C	C	N	
Community facility	N	N	N	N	N	P	
Day care center	N	A	A	A	A	N	
Emergency shelters	N	P	N	N	N	P	
Entertainment facility, indoor	N	N	N	P	P	N	
Entertainment facility, outdoor	N	N	N	P	P	N	
Institution, educational	C	C	C	N	N	C	
Institution, general	C	N	C	N	N	C	
Institution, religious	C	N	C	N	N	C	
Open space (developed or natural)	N	P	P	N	P	N	
Recreation facility, commercial	N	N	P	P	P	N	
Recreation facility, private	N	N	N	P	P	N	
Theater/auditorium	N	N	P	P	N	N	
Utility, Transportation, Public Facility, and Communication Uses							
Commercial communication tower	C	C	C	C	C	C	25.16.040.C
Commercial parking lot	C	N	N	N	N	N	
Public utility installation	N	N	N	N	N	P	
Public facility (utility or service)	N	N	N	N	N	P	
Utility facility	N	N	C	N	N	P	
Retail, Service, and Office Uses							
Accessory massage establishment	P	N	P	P	P	N	25.34.160

Commercial/Industrial District							
(P=Permitted; A=Administrative Use Permit; C=Conditional Use Permit; N=Not Permitted)							
	OP	PC-1	PC-2	PC-3	PC-4	SI	Special Use Provisions
Adult entertainment	N	N	N	N	N	C	25.16.040.D
Ancillary commercial	A	P	P	P	N	A	25.16.040.E
Art gallery	A	P	P	P	P	C	
Art studio	A	P	P	P	P	C	
Bed and breakfast	N	A	A	A	A	N	
Business support services	N	N	N	N	P	P	
Cannabis retail	N	C	C	C	C	N	25.34.120
Cannabis testing and research laboratory	C	N	N	N	N	C	25.34.120
Convention and visitors bureau	N	N	P	N	P	N	
Drugstore	N	P	P	P	N	N	
Financial institution	C	P	P	P	N	N	
Grocery store	N	P	P	P	N	N	25.16.040.F
Health club, gyms or studios	N	A	P	P	P	A	
Hotel	N	A	A	A	P	N	25.34.070
Independent stand-alone massage	N	N	P	P	N	N	25.34.160
Liquor store	N	P	P	P	N	N	
Liquor, beverage and food items shop	N	P	P	P	P	N	
Medical, clinic	P	N	P	P	N	N	
Medical, office	P	P	P	P	N	N	
Medical, hospital	N	N	N	N	N	C	
Medical, laboratory	P	N	N	N	N	P	
Medical office, accessory	N	N	N	N	N	P	25.16.040.G
Medical, research facility	P	P	N	N	N	C	
Mortuary	N	N	N	N	N	P	
Office, professional	P	N	P	P	P	P	

Commercial/Industrial District							
(P=Permitted; A=Administrative Use Permit; C=Conditional Use Permit; N=Not Permitted)							
	OP	PC-1	PC-2	PC-3	PC-4	SI	Special Use Provisions
Office, local government	P	N	N	N	N	P	
Office, travel agency	P	P	P	P	P	N	
Outdoor sales	N	N	A	A	A	A	
Personal services	N	P	P	P	P	N	
Restaurant	A	A	A	A	P	A	25.16.040.E / H
Retail	N	P	P	P	P	N	
Retail, bulky items	N	N	N	P	P	N	
Spa	N	N	P	P	P	N	
Time-share project	N	N	N	C	C	N	
Veterinary clinics/animal hospitals	A	N	A	A	N	A	<u>25.34.210</u>
Pet boarding	N	A	A	A	N	A	
Automobile and Vehicle Uses							
Automotive rental agency	N	N	N	N	P	P	
Automotive gasoline station	N	N	C	C	N	C	25.34.090
Automotive service facility	N	N	C	C	N	P	25.34.090
Automotive sales new and used (outdoor/indoor)	N	N	N	N	N	C (outdoor) A (indoor)	
Automotive sales of accessory parts and supplies	N	N	N	P	P	N	
<u>Golf cart, neighborhood electric vehicle (NEV) sales (indoor)</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C (outdoor), A (indoor)</u>	<u>25.34.190</u>
Vehicle storage facility	N	N	N	N	N	P	25.16.040.I
Industrial, Manufacturing, and Processing Uses							

Commercial/Industrial District							
(P=Permitted; A=Administrative Use Permit; C=Conditional Use Permit; N=Not Permitted)							
	OP	PC-1	PC-2	PC-3	PC-4	SI	Special Use Provisions
Cannabis cultivation	N	N	N	N	N	C	25.34.120
Cannabis delivery	N	N	N	N	N	C	25.34.120
Cannabis distribution	N	N	N	N	N	C	25.34.120
Cannabis manufacturing	N	N	N	N	N	C	25.34.120
Industrial planned unit development	N	N	N	N	N	P	
Light industrial and research and development	N	N	N	N	N	P	
Maintenance facility	N	N	N	N	N	P	
<u>Personal Storage Facility</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	25.34.200
Pest control facility	N	N	N	N	N	P	
Preparation of foodstuffs	N	N	N	N	N	P	
Production of home and office decor accessories	N	N	N	N	N	P	
<u>Warehouse or storage facility</u>	N	N	N	N	N	P	
Temporary Uses	See Section 25.34.080						

1 The establishment may be permitted with an administrative use permit but may be elevated to a conditional use permit at the discretion of the ZA based on: parking, traffic, or other impacts.

(Ord. 1384 § 1, 2022; Ord. 1329 § 3, 2017; Ord. 1324 § 5, 2017; Ord. 1302 § 2, 2016; Ord. 1279 § 6, 2015; Ord. 1277 § 4, 2014; Ord. 1259 § 1, 2013)

SECTION 2. Amendment to Palm Desert Municipal Code. Palm Desert Municipal Code section 25.18.040 is hereby amended as follows:

25.18.040 Land Use and Permit Requirements

Table 25.18-1 (Use Matrix for Downtown Districts) identifies allowed uses and corresponding permit requirements for the downtown districts and all other provisions of this title. Descriptions/definitions of the land uses can be found in Chapter [25.99](#) (Definitions). The special use provisions column in the table identifies the specific chapter or section where additional regulations for that use type are located within this title.

Uses that are not listed are not permitted. However, the Commission may make a use determination as outlined in Section [25.72.020](#) (Use Determinations).

TABLE 25.18-1. USE MATRIX FOR DOWNTOWN DISTRICTS

P = use permitted by right

A = use requires administrative use permit

C = use requires approval of conditional use permit

N = use not permitted

Land Use	Zone				Special Use Provisions
	D	D-O	DE	DE-O	
Residential Uses					
Accessory dwelling unit	P	P	P	P	25.34.030
Assisted Living	N	N	N	C	
Condominium	C ¹	C ¹	C	C	25.16.040.B
Dwelling, duplex	C ¹	C ¹	C	P	25.16.040.B
Dwelling, multifamily	C ¹	C ¹	C	P	25.16.040.B
Dwelling, single-family	C ¹	C ¹	C	N	25.16.040.B
Group home	C ¹	C ¹	C	N	25.16.040.B
Junior accessory dwelling unit	P	P	P	P	25.34.030
Home-based business	P ⁴	P ⁴	P ⁴	P ⁴	25.34.020
Agriculture-Related Uses					
Garden, private	C ¹	C ¹	N	P	
Greenhouse, private	N	N	C	P	
Horticulture, private	N	N	C	P	
Recreation, Resources Preservation, Open Space, and Public Assembly Uses					
Club, private	N	N	N	C	
Day care center	C ¹	C ¹	N	N	
Day care, large family	N	N	N	P	25.10.040.F
Day care, small family	N	N	N	P	
Institution, educational	N	N	C	C	
Institution, general	N	N	C	C	
Institution, religious	N	N	C	C	
Mechanical or electronic games, ≤ 4	P ¹	P ¹	P	N	
Mechanical or electronic games, ≥ 5	C ^{1,2}	C ^{1,2}	C	N	
Recreational facility, incidental	N	N	N	C	25.10.040.H

Land Use	Zone				Special Use Provisions
	D	D-O	DE	DE-O	
Recreation facility, private	N	N	N	P	
Recreation facility, public	N	N	N	C	

Retail, Service, and Office Uses					
Accessory massage establishments	P	P	P	N	25.34.160
Ancillary commercial	N	N	A	N	25.16.040.E
Animal Clinic	<u>C^{1,6}</u>	<u>C^{1,6}</u>	<u>C^{1,6}</u>	<u>N</u>	<u>25.34.210</u>
Art gallery	P	P	P	A	
Art studio	P ¹	P ¹	A	A	
Book and card shops	P	P	N	N	
Bed and breakfast	N	N	C	C	
Cannabis retail	C	N	C	N	25.34.120
Cannabis testing and research laboratory	C	N	N	N	25.34.120
Clothing and apparel shops	P	P	P	N	
Convention and visitors bureau	P ¹	P ¹	C	N	
Drugstore	P ¹	P ¹	N	N	
Financial institution	P ¹	P ¹	C	N	
Furniture stores and home furnishings	P	P	P	N	
Gift and accessories boutiques (including small antiques)	P	P	P	N	
Grocery store < 35,000 SF	C ¹	C ¹	N	N	
Health club, gyms or studios	C ^{1,2}	C ^{1,2}	C ²	N	
Hotel	C	C	C	C	
Independent stand-alone massage establishments	P ¹	P ¹	C	N	25.34.160
Jewelry shops	P	P	P	N	
Liquor store	P ¹	P ¹	N	N	
Liquor, beverage and food items shop	P ¹	P ¹	N	N	
Luggage shops	P	P	P	N	
Medical, clinic	P ¹	P ¹	P	N	
Medical, office	P ¹	P ¹	P	<u>NA⁵</u>	
Medical, hospital	P ¹	P ¹	C	C	
Medical, laboratory	N	N	P	N	
Mortuary	C ¹	C ¹	N	N	
Office, professional	P ³	P ³	P	<u>C-P³</u>	25.28.040.C
Office, local government	P ¹	P ¹	P	N	
Office, neighborhood government	N	N	N	C	
Office, travel agency	P ³	P ³	P	N	25.10.040.K
Outdoor sales	A ¹	A ¹	A	N	
Personal services	P	P	P	N	
Restaurant	C ²	C ²	C ¹	N	25.16.040.H
Retail	P	P	P	N	

Land Use	Zone				Special Use Provisions
	D	D-O	DE	DE-O	
Retail, bulky items	P ¹	P ¹	C	N	
<u>Retail, Golf carts and neighborhood electric vehicles (NEV)</u>	<u>C</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>25.34.190</u>
Spa	P	P	P	C	
Sundries shops (general merchandise)	P	P	P	N	
Time-share project	C ¹	C ¹	N	N	
Utility, Transportation, Public Facility, and Communication Uses					
Fire station	C	C	C	C	
Commercial communication tower	C	C	C		
Commercial parking lot	P	P	C	C	25.10.040.I
Office parking lot	N	N	N	C	25.10.040.L
Public service facility	N	N	N	C	
Utility facility	N	N	N	C	
Utility installation	C	C	N	N	
Automobile and Vehicle Uses					
Automotive rental agency	P	P	C	N	
Automotive service station	C	C	N	N	
Temporary Uses	See Section 25.34.080				

- 1 Uses prohibited along El Paseo facing ground floor frontages.
- 2 The establishment may be permitted with an administrative use permit but may be elevated to a conditional use permit at the discretion of the ZA based on parking, traffic, or other impacts.
- 3 Office professional uses along El Paseo facing ground floor frontages within the El Paseo Overlay District may be allowed subject to a Conditional Use Permit per Section [25.28.040](#) El Paseo Overlay District.
- 4 Home Occupation Uses are permitted in residential dwelling units in approved residential and mixed-use developments.
5. Medical Offices existing and operating with an appropriate City business license prior to 2023 are permitted by right to continue operating without requiring an Administrative Use Permit.
6. Use only permitted on properties with frontage along Highway 111.

SECTION 3. Amendment to Palm Desert Municipal Code. Palm Desert Municipal Code Section 25.28.070 is hereby amended as follows:

25.28.070 Freeway Commercial Overlay Zone District

A. **Purpose and applicability.** The purpose of the Freeway Commercial Overlay Zone (FCOZ) district is to provide optional standards and incentives for the development of a

variety of commercial uses. Whenever the FCOZ has been added to a base zone, the owner/applicant may choose whether to use the optional FCOZ standards or the standards of the base zone. In order to obtain approval of uses only permitted in the FCOZ, the project must utilize FCOZ standards.

B. Conditional uses. Uses permitted by approved conditional use permit shall be as follows:

1. Restaurants, general, including drive-through restaurants.
2. Automobile service stations without regard to the required separation distance provisions per Section [25.34.090](#) (Automotive Service Stations).
3. Convenience stores.
4. Car washes.
5. Combinations of 2 or more of the above uses.
6. Hotel.
7. Commercial recreation and amusement establishments.
8. Mini Personal storage.
9. Outdoor recreational vehicle and boat storage.

C. Development standards. Projects proposed under this chapter shall be master planned and the master plan shall be approved by the Commission prior to any construction activity. The master plan approval is subject to the following:

1. Development of individual projects within the approved master plan shall be processed through the precise plan process.
2. Property to be master planned shall be at least 5 acres in size and shall have frontage on a designated arterial street.
3. Drive-up lanes and window facilities shall be designed in a manner that they are not visible from an arterial street.
4. Development standards shall generally be flexible to ensure efficient site planning and to foster the creation of attractive developments.
5. Automobile service stations shall comply with the requirements of Section [25.34.090](#) (Automotive Service Stations).

D. Required on-site parking. The required number of parking spaces for a combined development shall be cumulative for all proposed uses. The Commission may reduce the required parking where it is clearly demonstrated that a shared use will occur (i.e., a

restaurant which serves a hotel), or with a showing of good cause, the Commission may increase the number of parking spaces required.

E. **Setbacks.** Setbacks shall be as prescribed in the base zone and/or automobile service stations pursuant to Section [25.34.090](#) (Automotive Service Stations).

F. **Landscaping.** All master planned projects approved through the FCOZ process shall provide a minimum of at least 30 percent landscaped open space, of which at least half of the common usable public space can include a picnic area, a dog park, or a kids land, as well as landscaped setback areas. With a showing of good cause, the Commission may decrease the minimum landscaped open space requirement. (Ord. 1324 § 7, 2017; Ord. 1303 § 5, 2016; Ord. 1302 § 4, 2016; Ord. 1259 § 1, 2013)

SECTION 4. Amendment to Palm Desert Municipal Code. Palm Desert Municipal Code Chapter 25.34 is hereby amended as follows:

25.34.190 Golf cart and/or Neighborhood Electric Vehicle (NEV) retail sales

- A. **Purpose and Intent.** The purpose of this Section is to allow for the establishment, expansion and improved performance of Golf cart and/or neighborhood electric vehicle (NEV) retail uses. This section serves to establish specific use and design standards to ensure such facilities are designed to minimize visual impacts to surrounding properties and roadways by requiring attractive display areas and prevent adverse impacts from vehicle storage, noise, or glare.
- B. **Applicability.** The provisions of this Section shall apply to all new Golf Cart and/or neighborhood electric vehicle (NEV) retail sales establishments, and to all existing facilities at such time as the existing establishment business is expanded.
- C. **General Requirements - Indoor**
- a. The facility shall only sell golf carts and/or neighborhood electrical vehicles (NEVs), as respectively defined by the California Vehicle Code, and accessories customarily associated with the vehicles.
 - b. Potentially noisy activities shall not be located near or oriented towards residentially zoned areas.
 - c. All storage and loading areas shall be screened from view from the public street and any adjacent residential area. No storage, except vehicle showroom display areas, shall occur that are visible from a public street.
 - d. Vehicle display showrooms shall be oriented toward major public streets.
 - e. All exterior signage shall comply with Chapter 25.56.
 - f. Parking shall be provided as required by retail uses in accordance with Chapter 25.46.
- D. **Supplemental Requirements within One Eleven Development Code.**
- a. Outdoor areas for the display or storage of vehicles for sale or rent shall only be permitted if approved by the Planning Commission by Conditional Use

- Permit. The Planning Commission shall find that the outdoor area for display or storage of vehicles is in a suitable location that enhances the business and project site and does not impact surrounding residents, businesses, or general public.
- b. The use shall operate entirely within the building space.
 - c. Uses shall provide an indoor showroom space for the display of vehicles for sale or lease which shall be oriented as a storefront towards the primary street frontage of the site where the use is established.
 - d. Street-facing facades shall have transparent glazing that provides views into the display and sales areas. Transparent windows or doors shall be provided for at least 75 percent of the building wall area located between 2.5 feet and eight feet above the level of the sidewalk. No wall may run in a continuous horizontal plane for more than 25 feet without an opening.
 - e. Window display areas shall be well-lit and kept clean and free of clutter.
 - f. Security gates shall not be placed in street-facing display windows or doors or be visible from public view.
 - g. Signage within windows shall not obstruct views of the vehicle display area.
 - h. On-site service of vehicles may only occur as an accessory use if it is wholly contained within the building.
 - i. Applications for Indoor Golf cart and/or neighborhood electric vehicle (NEV) retail sales shall include the following:
 - i. Exterior elevations or renderings showing the storefront display area.
 - ii. Signage plans
 - iii. Lighting plans for showroom display lighting.
 - iv. Floor plans

E. Supplemental Requirements for Outdoor Storage and Display

- a. Outdoor Storage and Display Areas shall only be allowed within the Service Industrial (SI) zoning district.
- b. Areas designated for employee or customer parking shall not be used for vehicle storage or display.
- c. Vehicles for sale or rent shall not be stored or displayed within the public right-of-way at any time.
- d. Outdoor vehicle display areas shall occur only on permanent at-grade display areas or low-rise platforms (four feet maximum) that are architecturally compatible with the existing or proposed building.
- e. All storage and display areas shall be screened from public view from adjoining properties and from public rights-of way by walls and landscaping.
- f. All outdoor lighting shall be consistent with Chapter 24.16 – Outdoor Lighting.
- g. Applications for Outdoor Golf cart or neighborhood electric vehicle (NEV) retail sales shall include the following:
 - i. Site plans showing outdoor display and storage areas.
 - ii. Exterior elevations or renderings showing the storefront display area and exterior display areas.
 - iii. Signage plans
 - iv. Lighting plans for showroom display lighting

25.34.200 Personal Storage Facilities

- A. Purpose and Intent.** The purpose of this Section is to establish site planning, development and operating standards for self-storage, personal storages, and recreational vehicle storage facilities within the City of Palm Desert. It is the intent of the City of Palm Desert, in establishing these standards to mitigate potential adverse visual impacts of this use on adjacent and surrounding property by requiring additional setbacks, screening, and locational standards.
- B. Applicability.** The regulations contained within this chapter shall apply to personal storage facilities, as defined in Chapter 25.99 of this Title, and shall be in addition to any other development standards and regulations contained elsewhere in the Municipal Code and/or conditions imposed by the Planning Commission in a Conditional Use Permit. This use may only be located in those zoning districts as described herein.
- C. Location**
- Storage facilities may only be permitted with the approval of a Conditional Use Permit in the Service Industrial (SI) zoning district, or parcels with a Freeway Commercial Overlay (FCOZ) designation.
 - A new facility shall not be located within 1,000 feet of an existing storage, personal storage facility, or major transit stop as defined in California Resources Code Section 21064.3.
 - Personal storage facilities shall not be permitted to develop within all, or any part, of any existing industrial warehouse or structure.
- D. Development Standards**
- Except as provided in this section, all property stored on the site of a personal storage facility shall be entirely within enclosed buildings.
 - Storage bay doors shall not face any abutting property located in a residential district, nor shall they be visible from any public road or sidewalk.
 - Parking and storage areas shall be screened from any adjacent public streets and residential uses by a combination of building architecture, landscaping, and site walls.
 - The exterior facades of all structures shall receive uniform architectural treatment, including masonry, stucco, and painting of surfaces. The colors selected shall be compatible with the character of the neighborhood and adjacent bulidings.
 - The architecture of the facility, including, but not limited to, fences, walls, gates, buildings and landscaping, shall, to the maximum extent possible, be compatible with the community and shall be subject to review by the Architectural Review Commission.
- E. Parking and Loading Areas.**
- Parking shall be provided as required in Section 25.46.050 Parking Requirements. Said parking spaces shall also be arranged on the subject property so as not to obstruct any driveways nor adversely affect vehicular ingress and egress to the facility. For facilities larger with a gross floor area greater than 10,000 square feet, a Parking Impact Analysis shall be provided in the Precise Plan application.
 - Any office space within the personal storage facility shall require 4 spaces per every 1,000 ft of office space, consistent with Section 25.46.040 of the Municipal Code.
 - Required parking areas shall not be located within any required landscape setback area.

- d. Spaces in any approved outdoor storage area shall not be included as required parking.
 - e. Loading areas shall be no less than twelve feet wide.
 - f. Ground level, roll-up door storage areas shall have an exclusive use loading area in front of the unit. Such exclusive use loading areas shall not be counted as required parking. This loading area shall not encroach into the minimum required drive-aisle.
 - g. In addition to the exclusive use loading areas, common loading areas shall be provided in an amount sufficient to serve the users of the interior storage units and shall be designed to ensure that drive aisles will not be obstructed.
- F. Circulation**
- a. Internal drive aisles shall provide sufficient width and radius for maneuvering vehicles to accommodate vehicular circulation and separate loading areas.
 - b. Sufficient turning movements shall be demonstrated with the Precise Plan review.
- G. Landscaping**
- a. A minimum of 20 percent of the total site area shall be landscaped with plant materials designed to provide beautification and screening.
 - b. A landscaped setback area no less than 20'-0" in depth shall be provided along any public street frontage.
 - c. A landscaped setback area no less than 10'-0" in depth shall be provided along any interior property line.
 - d. All areas between site walls and property lines shall be fully landscaped with live landscaping and continuously maintained.
 - e. In addition to any landscaping required under Chapter 25.52, a minimum of one 24-inch box canopy tree shall be planted per thirty feet of street frontage and shall be continuously maintained.
- H. Fences and Walls.**
- a. All screen walls shall be constructed of masonry, concrete or other similar materials. No chain link fencing shall be permitted.
 - b. The design and materials used in the construction of fences and walls shall be compatible with the architecture of the buildings of the self-service storage facility and with buildings in the area surrounding the facility;
- I. Outdoor Lighting**
- a. Outdoor lighting shall be at the minimum amount required to discourage vandalism and theft.
 - b. Outdoor lighting shall comply with requirements of Chapter 24.16 Outdoor lighting.
- J. Outdoor Storage of Recreational Vehicles and Boats. Open storage of recreational vehicles and dry storage of boats may be permitted as an accessory use with a personal storage facility primary use; provided, that the following standards are met:**
- a. The storage shall occur only within a designated area approved under a Precise Plan. The designated area shall be clearly delineated on the site plan and site.
 - b. The recreational vehicle and boat storage area shall not exceed 25 percent of the buildable area of the site.
 - c. Measurement of recreational vehicles shall comply with Section 8.40.040 Measurement of recreational vehicles.
 - d. The storage area shall be entirely screened from view from adjacent residential areas and public streets by a building and/or solid walls with landscaping on the outside of said building and/or solid walls.

- e. Storage shall not occur within the area set aside for minimum building setbacks.
- f. No dry stacking of boats shall be permitted on site.
- g. No vehicle maintenance, washing, or repair shall be permitted.
- K. Business Activity.** The use of Personal Storage facilities by customers shall be limited to inactive storage only. No retail, repair, or other business activity shall be conducted out of the individual rental storage units or any accessory uses on premises. No activities other than rental of storage units and pick-up and deposit of storage shall be allowed on the premises. Examples of activities prohibited in said facilities include, but are not limited to the following:
 - a. Auctions, commercial wholesale or retail sales, or miscellaneous garage sales. An exception is made for auctions required by law to comply with lien sale requirements. During said lien sales, customer vehicles shall not be allowed to obstruct travel ways within the Personal Storage facility.
 - b. The servicing, repair, or fabrication of motor vehicles, boats, trailers, lawn mowers, appliances, or other similar equipment.
 - c. The operation of power tools, spray-painting equipment, table saws, lathes, compressors, welding equipment, kilns, or other similar equipment.
 - d. The establishment of a transfer and storage business.
- L. Hazardous Materials.** No caustic, hazardous, toxic or flammable or explosive matter, material, liquid, or object, nor any matter, material, liquid or object that creates obnoxious or offensive dust, odor or fumes shall be stored in a Personal Storage unit.
- M. Utilities.** Water, gas, or telephone service to any rental space is prohibited.
- N. Habitation.** Human habitation of any rental space is prohibited.
- O. Notice to Tenants.** As part of the rental process, the facility manager shall inform all tenants of conditions restricting storage of hazardous materials and limitation on the use of the storage units. These restrictions shall be included in rental contracts and posted in a conspicuous location within the front of each rental unit. The notice shall be reviewed as part of the Precise Plan application process.

25.34.210 Animal Clinics

- A. Purpose and intent.** The purpose of this section is to allow the establishment, expansion and improved performance of animal clinics, as defined in Chapter 25.99 Definitions, within allowed commercial areas and establish minimum standards to ensure uses are compatible with existing businesses and uses in the area.
- B. Specific Use Standards**
 - a. The use of the building space shall be restricted to medical treatment and incidental care such as bathing, the trimming of common household pets on an outpatient basis only, except that temporary boarding in connection with medical treatment shall be permitted.
 - b. The entire use shall be conducted within a totally enclosed and air-conditioned building.
 - c. Outdoor run areas shall be prohibited.
 - d. The building space shall be adequately soundproofed to assure that no noise will carry beyond the confines of the building or space that the use would occupy. Evidence that the facility is designed to meet California Building Code requirements for interior decibel levels shall be submitted with the application for a discretionary permit.

- e. All applications for veterinary uses shall provide a detailed plan for pet waste and medical waste disposal that will prevent odor issues arising.
- f. Animal clinics within Downtown Districts shall only be permitted on properties with frontage along Highway 111.

C. SECTION 5. Amendment to Palm Desert Municipal Code. Palm Desert Municipal Code Section 25.99.020 is hereby amended as follows:

25.99.020 Land Use Definitions

For the purposes of this title, certain words, phrases, and terms used in this title shall have the meanings assigned to them by this chapter.

Abandoned sign. A sign that is advertising a use that has ceased; is located upon a structure that has been abandoned by its owner; does not identify or advertise a current bona fide business, lessor, service, owner, or product available upon the site; or that identifies or advertises an event or activity that has occurred.

Abut. Two adjoining parcels of property with a common property line, including 2 or more lots adjoining only at a corner, except where such common property line is located in a public street right-of-way.

Access or accessway. The place, means, or way by which pedestrians and vehicles shall have safe, adequate, and usable ingress and egress to a property or use as required by this title.

Accessory building or structure. Accessory building or structure means a subordinate building or structure located on a building site, the use of which is customarily related to that of a main building or to the use of the land.

Accessory dwelling unit. An attached or a detached residential dwelling unit that provides complete independent living facilities for 1 or more persons and is located on a lot with a proposed or existing primary residence. An accessory dwelling unit also includes the following:

1. An efficiency unit, as defined by Section 17958.1 of the California [Health and Safety Code](#); and
2. A manufactured home, as defined by Section 18007 of the California [Health and Safety Code](#).

Accessory massage establishment. A certified massage establishment located within a hotel, beauty salon, day spa, athletic club, chiropractors office, doctors office, physical therapy office, or yoga or Pilates studio where revenue from massage services is less than 50 percent of the total revenue of the hotel, beauty salon, day spa, athletic club, doctor or chiropractor's office, or yoga or Pilates studio.

Addition. An extension or increase in floor area or height of a building or structure.

Adult entertainment. Any sexually oriented business, including an adult bookstore or video store, cabaret, adult motion picture theater, sexual device shop, or semi-nude model studio.

Advertising device. Any balloon, flag, pennant, propeller; oscillating, rotating, pulsating light; or other contrivance except a sign used to attract attention for the purpose of promoting (either directly or indirectly), the sale of products of any person.

Advertising display. Any device, contrivance, statue, or structure other than a sign used as a display, regardless of size and shape, for the purposes of attracting attention or making anything known, the origin or place of sale of which is on the property with the advertising display.

Air contaminant. Particulate matter, dust, fumes, gas, mist, smoke, vapor, or any combination thereof having or tending to have a deleterious effect on human beings, vegetation, animals or property.

Alley. An access roadway or drive that provides service access to the rear or sides of a parcel.

Alteration. Any work on a structure that does not result in any addition to the structure.

Ambient noise level. General noise level one finds in a certain area at a given time.

Amendment. A change in the wording, context, or substance of this title, or an addition or deletion or a change in the zone boundaries or classifications upon the zoning map, which imposes any regulation not theretofore imposed, or removes or modifies any such regulation theretofore imposed.

Amusement arcade. Any business having 5 or more mechanical or electronic games. See also mechanical or electronic game.

Amusement facility, indoors. An establishment providing indoor amusement and entertainment services for a fee or admission charge, including dance halls and ballrooms, and electronic game arcades, as primary uses. Five or more mechanical or electronic games in any establishment are considered an amusement arcade as described above.

Amusement facility, outdoors. An establishment providing outdoor amusement and entertainment services for a fee or admission charge.

Ancillary commercial. Commercial operations or sales incidental or subservient to the primary use. For instance, a coffee kiosk within an office building would be considered ancillary to the use.

Animal clinic. A place where animals no larger than the largest breed of dogs are given medical or surgical treatment; a facility primarily for treatment of outpatients and where for only a short time, critical patients are kept longer than 24 hours. Boarding of animals can be incidental to such clinic use. The term "veterinary clinics or animal hospital" should be used interchangeably with "animal clinic."

Apartment. A habitable room or suite of two or more habitable rooms with a single kitchen, in a multiple dwelling, occupied or suitable for occupancy as a residence for 1 family and shall be considered a dwelling unit.

Apiary. A place where bees and their hives are kept for their honey.

Architectural projections. Projections from a building which are necessary for the shading of a building or features such as sills, cornices, and chimneys. Such projections may extend into required yards only as allowed by the provisions of this title.

Art gallery. An establishment where works of art are exhibited and/or sold.

Art studio. A workplace for the teaching or practice of an art.

Automotive gasoline station. A retail business selling gasoline or other motor vehicle fuels, which may also provide vehicle engine maintenance and minor repair services incidental to fuel sales. The use may also include mini-markets and other food sales, accessory towing and trailer rental services. These uses do not include the sale, storage or repair of wrecked or abandoned vehicles, vehicle painting, body or fender work, or the rental of vehicle storage or parking spaces.

Automotive rental agency. A retail establishment for the display or rental of new or used automobiles, trucks, vans, motorcycles, mobile homes, recreation vehicles, and boats.

Automotive sales of accessory parts and supplies. A retail establishment that sells only new automobile parts, tires, and accessories. These uses do not include any type of vehicle repair, battery replacement, service bays, oil changes, or tire recapping establishments.

Automotive sales new and used (outdoor/indoor). A ~~service industrial-commercial~~ establishment selling and/or renting new and/or used automobiles, boats, vans, campers, trucks, mobile homes, recreational and utility trailers, motorized farm equipment, motorcycles, mopeds, ~~golf carts~~, snowmobile and jet skis. The sales of all automotives can take place outdoors or indoors. These uses include parts for sale and repair shops only when part of a dealership selling new vehicles on the same site. These uses do not include service stations, which are separately defined.

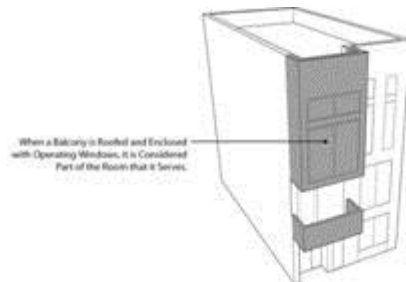
Automotive service facility. A facility to repair and/or store vehicles. It includes the repair of automobiles, trucks, motorcycles, mobile homes, recreational vehicles, or boats, including the sale, installation, and servicing of related equipment and parts. These uses include auto repair shops, body and fender shops, wheel and brake shops, oil change shops, auto glass sales and installation, stereo and alarm sales and installation, and tire sales and installation, but exclude vehicle dismantling or salvage and tire retreading or recapping.

Awning sign. A sign painted on, printed on, or attached to the surface of an awning.

Back-lit awning. An internally illuminated, fixed, space-frame structure with translucent, flexible, fabric reinforced covering designed in awning form and with graphics or copy applied to the visible surface of the awning.

Balcony. An unroofed or roofed platform enclosed by a railing or parapet projecting from the wall of a building for the private use of occupant or for exterior access to the above-grade living units. When a balcony is roofed and enclosed with operating windows, it is considered part of the room it serves.

Figure 25.99-1: Balcony



Bar or lounge. Any use where the on-site sale and consumption of alcoholic beverages equals or exceeds 50 percent of gross sales of food and beverages from that location.

Basement. That portion of a building between floor and ceiling which is partly or wholly underground. A basement shall be counted as a story for purposes of height measurement where more than one-half of its height is above the average level of the adjoining ground.

Bed and breakfast. Residential structures with one family in permanent residence with up to five bedrooms rented for overnight lodging, where meals may be provided subject to applicable health department regulations. A bed and breakfast inn with more than five guest rooms is considered a hotel or motel and is included under each definition of Hotels and Motels.

Bee. Any stage of the common domestic honey bee, *Apis mellifera* species.

Beehive. Any structure being used to house a colony of honey bees.

Beekeeper. A person who owns or has charge of one or more bees.

Botanical conservatory. A room having glass roof and walls, typically attached to a house on only one side, used to grow plants.

Building. A structure having a roof supported by columns or walls.

Building frontage. That building elevation that fronts on a public street, alley, driveway, parking area, pedestrian plaza, courtyard, or arcade.

Building height. Vertical distance from the average elevation of the finished grade to the highest point on the structure directly above; provided that a roof shall be measured to the highest point of the roof.

Building line. A line in the interior of a lot parallel to the property line and located at a distance equal to setback distance.

Building, main. A building or buildings within which is conducted the principal use permitted on the lot, as provided by this title.

Building site. A legally created parcel or contiguous parcels of land in single ownership, which provides the area and open spaces required by this title, exclusive of all vehicular and pedestrian rights-of-way and all other easements that prohibit the surface use of the property by the owner thereof.

Building site coverage. The percentage of the building site covered by structures, open or enclosed, excluding courts, patios, terraces, swimming pools, and post-supported roofs over walkways.

Building site, through. A building site having frontage on two parallel or approximately parallel streets.

Business. Management, operation, sale, purchase, or other transaction involving the handling or disposition of commodities or services.

Business sign. A sign displaying information pertaining to goods or services offered or produced by the business located on the property, but not including advertising devices or advertising displays.

Business support services. Establishments primarily within buildings, providing other businesses with services such as maintenance, repair and service, testing, rental, etc. Support services include, but are not limited to:

1. Equipment repair services (except vehicle repair; see Vehicle services).
2. Commercial art and design (production).
3. Computer-related services (rental, repair).
4. Copying, quick printing, and blueprinting services (other than those defined as Printing and publishing).
5. Equipment rental businesses within buildings (rental yards are storage yards).
6. Film processing laboratories.
7. Heavy equipment repair services where repair occurs on the client site.
8. Janitorial services.
9. Mail advertising services (reproduction and shipping).
10. Mailbox services.
11. Outdoor advertising services.
12. Photocopying and photofinishing.

Cabinet sign. A sign that has one or more plastic, acrylic or similar material faces (panels) attached to a metal frame (cabinet). These signs may or may not be internally illuminated.

Caretaker housing. A residence that is accessory to a site with a nonresidential primary use and that is needed for security, 24-hour care, or supervision, or monitoring of facilities, equipment, or other conditions on the site.

Carport. A roofed structure or a portion of a building, enclosed on 2 or more sides, primarily for the parking of automobiles belonging to the occupants of the property.

Cemetery. Land used for the burial of the dead and dedicated for cemetery purposes, including crematories, columbariums, and mausoleums. Also see Mortuary.

Certificate of occupancy. A required document issued by the building and safety division prior to the occupation or use of vacant land or prior to occupation or use of buildings erected or structurally altered.

Certified massage establishment. Any massage establishment where the only persons employed or used by that establishment to provide massage services have current and valid state certifications.

Club, private. An association of persons for some common purpose but not including groups organized primarily to render a service which is customarily carried on as a business.

Cluster development. An arrangement of dwelling units, attached or detached, which provides a number of dwelling units sufficient to meet density requirements, constructed on smaller lots in return for the restriction or dedication of the remaining acreage as permanent open space.

Commercial. Operated or carried on primarily for financial gain. Commercial complex means two or more businesses shown on a common development plan, plot plan, or precise plan of design functioning as a unit, with common off-street parking provided on the property as an integral part of the unit.

Commercial communication tower. A tower greater than 35 feet in height (including antenna) which supports commercial communication (transmission or receiving) equipment. The term commercial communication tower shall not include amateur radio operators' equipment, as licensed by the Federal Communications Commission (FCC) or home satellite/television antennas.

Commercial mascot. Humans or animals used as advertising devices, typically by the holding or wearing of insignia, masks, or costumes associated with or advertising the commercial establishment. Includes sign twirlers, sign clowns, etc.

Commission or Planning Commission. The City Planning Commission.

Community collector. A medium-speed highway abutting similar land uses. The primary function is to collect and distribute trips within a hierarchy of roads and, secondarily, to carry

short trips between adjacent neighborhoods. A community collector has emergency parking only and has a significant amount of parallel and perpendicular pedestrian traffic.

Community facility. A noncommercial use established primarily for the benefit and service of the population of the community in which it is located.

Conditional use. A use which requires a special degree of control because of characteristics peculiar to it, or because of size, technological processes of type of equipment, or because of the exact location with reference to surroundings, streets and existing improvements or demands upon public facilities.

Condominium. A state of realty consisting of separate interests in residential buildings together with undivided interests common in other portions of the same property unit as a separate interest, and common areas are entire condominium except units granted; thus, owners of condominiums are grantees of units. Each grantee owns a separate interest in their unit and an interest as granted in common in common areas. Condominium means condominium projects, community apartment projects, and stock cooperatives, as defined in Section 1351 of the California [Civil Code](#).

Condominium conversion project. A project for which a valid map and conditional use permit application have been submitted to the City after the adoption of the ordinance codified in this chapter to divide one or more parcels of real property into condominiums/condominium hotels and the creation of separate ownership of the units therein with a separate interest in the space within all structures thereon. This shall not apply to those conversion projects for which a valid map was approved by the City prior to adoption of said ordinance.

Condominium hotel or “condotel.” Any condominium hotel that is intended for transient use and is subject to Chapter [3.28](#), Transient Occupancy Tax. A condominium hotel is a commercial use and can only be located within a commercial zone or multifamily residential zone with approval of a conditional use permit. A condominium hotel is not considered a residential property and may not be used as a permanent place of residence.

Construction sign. A temporary sign stating the names of those individuals or firms directly connected with the construction or development project, their addresses and their telephone numbers.

Convalescent home, nursing home, rest home, and home for the aged. Each is a facility licensed by the State Department of Public Health, the State Department of Social Welfare, or the county, which provides bed and ambulatory care for patients with post-operative convalescent, chronically ill, or dietary problems, and persons unable to care for themselves; but not including alcoholics, drug addicts, or persons with mental or contagious diseases or afflictions.

Convention and visitors bureau. An establishment primarily engaged in marketing and promoting communities and facilities to businesses and leisure travelers through a range of activities, such as assisting organizations in locating meeting and convention sites; providing travel information on area attractions, lodging accommodations, restaurants; providing maps; and organizing group tours of local historical, recreational, and cultural attractions.

Conventional development. A development, other than a condominium, apartment, or cluster development, with each dwelling unit situated on a residential lot of record and no lot containing more than one dwelling unit.

Country club. A club organized and operated primarily for social and outdoor recreation purposes, including incidental accessory uses and structures.

Crematory. Land used for the cremation of the dead.

Crops and horticulture, limited. Raising and harvesting of plants, tree crops, row crops, or field crops on an agricultural or commercial basis, including packing and processing as part of an established residential use. Includes horticulture establishments engaged in the cultivation of flowers, fruits, vegetables, or ornamental trees and shrubs for wholesale and incidental retail sales. This classification includes accessory agricultural buildings accessory to such uses and roadside stands for display/sale of agricultural products grown on the premises. Excludes uses for which other garden, nursery, or landscape merchandise are stored and sold on the site.

Day care facilities. Facilities that provide care and supervision of minor children for periods of less than 24 hours. These facilities include the following, all of which are required to be licensed by the State Department of Social Services:

1. Day care center. A commercial or nonprofit child or adult day care facility not operated as a small or large family day care home. Includes infant centers, preschools, extended day care facilities, and facilities for adults who require supervision and care because of advanced age, mental or physical deterioration, dementia, Alzheimer's disease, or similar disabling condition. These may be operated as part of a business, school, or religious facility, or as an independent land use.
2. Day care, large family. A day care facility located in a single-family residence where an occupant of the residence provides care and supervision for 9 to 14 children. Children under the age of 10 years who reside in the home count as children served by the day care facility.
3. Day care, small family. A day care facility located in a single-family residence where an occupant of the residence provides care and supervision for eight or fewer children. Children under the age of 10 years who reside in the home count as children served by the day care facility.

Density, gross. The total number of dwelling units permitted on an acre of land exclusive of all existing public streets and right-of-way, but including all streets or right-of-way to be developed.

Density, net. The same as density except proposed streets and rights-of-way shall be excluded.

Disabled person. Persons as defined in United States Code, Title 42, Section 423 and shall also include handicapped persons, as defined in the California [Health and Safety Code](#) Section 50072.

Domestic animal. Means any domesticated animal or household pet that is not sold for commercial purposes and that is commonly maintained in a dwelling unit.

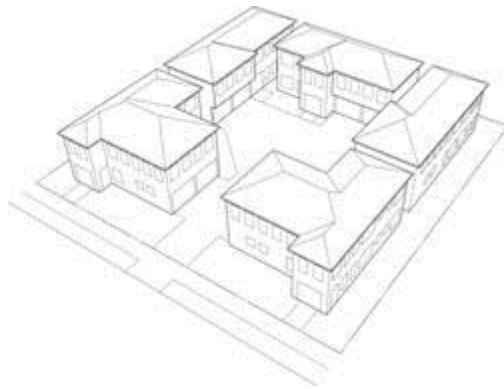
Driveway. A vehicular passageway for the exclusive use of the occupants of a property and their guests. A driveway shall not be considered as a street.

Drugstore. An establishment engaged in the retail sale of prescription drugs, nonprescription medicines, cosmetics, and related supplies, including tobacco stores.

Dwelling, duplex. An attached permanent building containing two dwelling units.

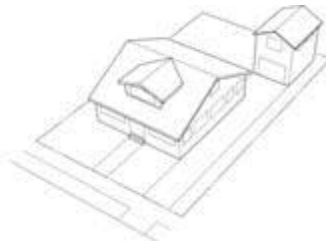
Dwelling group. One or more buildings, not more than two stories in height, containing dwelling units and arranged around two or three sides of a court which opens onto a street, including single-family, duplex, and multiple-family dwellings.

Figure 25.99-2: Example of a Dwelling Group



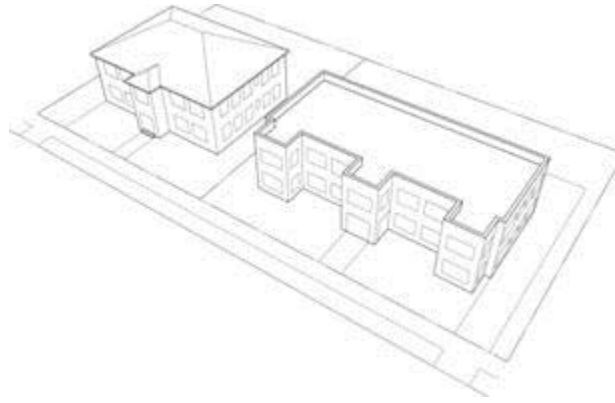
Dwelling, guest. Living quarters within an accessory building which occupies not more than one-tenth of the area of the lot on which it is situated, for use exclusively by temporary, nonpaying guests of the resident family, such quarters having no kitchen.

Figure 25.99-3: Guest Dwelling



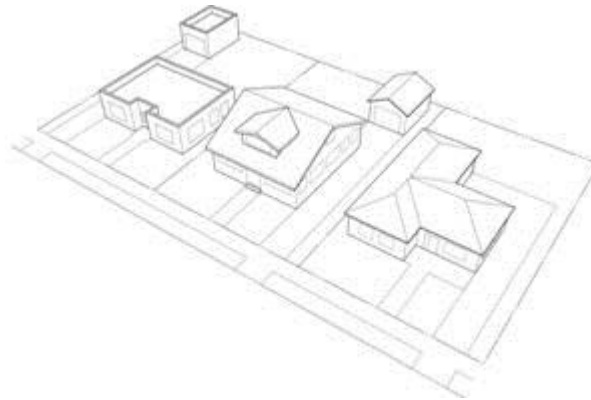
Dwelling, multiple-family. A permanent building containing three or more dwelling units.

Figure 25.99-4: Multifamily Dwelling



Dwelling, single-family. A permanent building containing one dwelling unit.

Figure 25.99-5: Single-Family Dwelling



Dwelling unit. One or more rooms and a single kitchen, designed for occupancy by one family for living and sleeping purposes.

Easement. A recorded right or interest in the land of another, which entitles the holder thereof to some use, privilege, or benefit out of or over the land.

Electric substation. A moderate- to large-scale facility serving a subarea, entire City, or region, including power substations, water transmission lines, wireless base stations, sewer collectors and pump stations, switching stations, gas transmission lines, water storage tanks and reservoirs, and similar structures.

Eligible tenant. A tenant who has had a valid lease or rental agreement in a unit that is proposed to be converted in connection with a condominium conversion project or for a minimum of 36 months prior to the first tenant notification prior to filing the application for a condominium conversion project pursuant to Section 66427.1(b) of the Subdivision Map Act. In the event that occupancy of the unit was first permitted more recently than 36 months prior to the first tenant notification, then eligible tenant means a tenant who has had a valid lease or rental agreement since a date within 30 days of the date on which occupancy was first permitted.

Emergency shelter. A facility that provides immediate short-term housing and supplemental services for the homeless. Supplemental services may include food, counseling, and access to other programs.

Externally lighted sign. A sign whose immediate source of illumination is not enclosed by the surface of the sign structure.

Face or wall of a building. The outer surface of any main exterior wall or foundation of a building, including windows and store fronts.

Family. Any group of individuals living together as the functional equivalent of a family where the residents may share living expenses, chores, eat meals together and are a close group with social, economic and psychological commitments to each other. A family includes, for example, the residents of residential care facilities and group homes for people with disabilities. A family does not include larger institutional group living situations such as dormitories, fraternities, sororities, monasteries or nunneries.

Farmworker housing. A property which consists of a tract of land and all vehicles, mobile homes, buildings or other structures pertaining thereto, any part of which may be used or occupied by persons employed as migrant farmworkers including sleeping facilities, provided in whole or in part by the employer of such persons, owner, lessee, or operator thereof, with or without stipulated agreement as to the duration of their stay, whether or not they are supplied with meals but who are supplied with such utility services as are necessary for their habitation of such property.

Fence. A freestanding structure of metal, masonry, composition, or wood or any combination thereof resting on or partially buried in the ground level, and used for confinement, privacy, protection, screening or partition purposes.

Financial institution. An establishment such as a bank or trust company, credit agency, holding (but not primarily operating) company, lending and thrift institution, or investment company. Also includes automated teller machines (ATM).

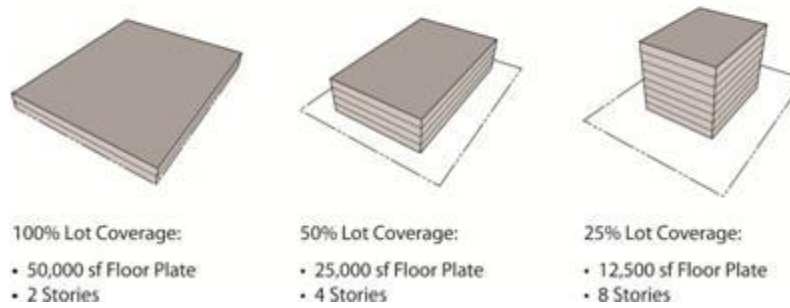
Fire station. A building housing firefighting apparatus and firefighters.

Floor area, gross. The total horizontal area, in square feet, including the exterior walls of all floors of a structure.

Floor area ratio. The numerical value obtained by dividing the gross floor area of a building or buildings located upon a lot or parcel of land by the total area of such lot or parcel of land.

Figure 25.99-6: Floor Area Ratio

The following are examples of how a building with a total floor area of 100,000 sf can be configured on 50,000 sf lot to achieve a FAR of 2.0.



Formula business. A type of retail, service, or restaurant establishment that has 20 or more other establishments in operation anywhere in the world. These establishments are primarily defined as having standardized operational protocols, merchandise, décor, color scheme, uniformed apparel, standardized signage, a trademark or service mark.

Freestanding sign. A sign supported by upright pedestals or braces placed upon or into the ground and detached from any building.

Freeway. A high-speed divided arterial highway for through traffic with full control access and grade separations at major intersections. A freeway has emergency parking only and no parallel and perpendicular pedestrian movements.

Freeway signage. Any building sign that is visible and has frontage along the Interstate 10.

Garage, private. A building, or a portion of a building, enclosed and used primarily for the parking of automobiles belonging to the occupants of the property.

Garage, public. A building other than a private garage used for the maintenance or temporary storage of motor vehicles.

Garden, private. A predominately landscaped area adjacent to and accessible from a residential unit for the sole use of the occupants of the residential unit.

Golf cart, neighborhood electric vehicle (NEV) retail sales (indoor). An indoor retail showroom establishment selling and renting new or used golf carts, neighborhood electric vehicles, and/or mopeds. These vehicles shall be limited to golf carts as defined in Section 345 of the California Vehicle Code or neighborhood electric vehicles (NEVs) as defined in Section 385.5 of the California Vehicle Code. This use may include the sale of customary accessories and parts only when part of a dealership selling new vehicles on the same site. These uses do not include service stations, which are separately defined. This use does not include outdoor display area.

Golf cart, neighborhood electric vehicle (NEV) retail sales (outdoor). A retail establishment selling and/or renting new and/or used golf carts, neighborhood electric vehicles, and/or mopeds. These vehicles shall be limited to golf carts as defined in Section 345 of the California Vehicle Code, and neighborhood electric vehicles (NEVs) as defined in Section 385.5 of the California Vehicle Code. This use may include the sale of customary accessories and parts only when part of a dealership selling new vehicles on the same site.

These uses do not include service stations, which are separately defined. Facilities may include outdoor retail display area.

General Plan, the Palm Desert General Plan. the General Plan of the City.

Grade, ground elevation. The average elevation of the finished ground surface surrounding a building.

Grazing. The act of pasturing livestock on growing grass or other growing herbage, or on dead grass or other dead herbage existing in the place where grown, as the principal sustenance of the livestock so grazed.

Greenhouse, commercial. A facility for the indoor propagation of plants for commercial sale.

Greenhouse, private. A private facility for the indoor propagation of plants.

Grocery store. A self-serve retail market selling foods and household merchandise.

Gross area. The horizontal area within the lot lines of a lot or parcel of land, before public streets, easements, or other areas to be dedicated or reserved for public use are deducted from such lot or parcel.

Group home. Any facility used to provide nonmedical residential care, day treatment, adult day care, or foster family agency services. Typically used to assist abused or neglected children, people who are physically disabled, or the mentally impaired.

Habitable room. Any room for sleeping or living purposes excluding such enclosed places as closets, bath, or toilet rooms, connecting corridors, unfinished attics, foyers, storage spaces, utility rooms, spaces used exclusively for cooking or eating, and similar spaces.

Health club. Fitness centers, gymnasiums, health, and athletic clubs including indoor sauna, spa, or hot tub facilities; and indoor tennis, handball, racquetball, and other indoor sports activities.

Height of a sign. The greatest vertical distance measured from the ground level directly beneath the sign to the top of the sign.

Helicopter. A form of aircraft in the broad category of rotorcraft which depends for its support and motion in the air principally on lift generated by one or more power-driven rotors that rotate on a substantially vertical axis, or any steep gradient aircraft.

Heliport. An area of land or water or a structural surface which is used, or intended for use, for the landing and take-off of helicopters whether on a regular or irregular basis, and any appurtenant areas which are used, or intended for use, for heliport buildings and other heliport facilities.

Helistop. An area on a roof of a building or other structure, or on the ground, used by helicopters or steep gradient aircraft for the purpose of picking up or discharging passengers or cargo.

Hillside areas. Those areas of land which are so designated in Section [25.78.020](#) (Hillside Development Plan).

Hillside ridge. A ridgeline that is formed by the juncture of two or more sloping planes that project outward from a mountain range and descend towards the valley floor more particularly identified on the exhibit labeled Hillside Planned Residential Zone Ridges, on file in the office of the City clerk.

Home-based business. An occupation conducted as an accessory use within a dwelling unit.

Horticulture, private. The private cultivation of ornamental plants, native plants, fruits, vegetables, and flowers in gardens and landscapes. This use type does not include retail sales on premises.

Hotel. Any building or portion thereof with access provided through a common entrance, lobby, or hallway to six or more guestrooms, and which rooms are designed, intended to be used or are used, rented, or hired out as temporary or overnight accommodations for guests.

Identification sign. A sign limited to the identifying name, symbol, or insignia, or any combination thereof, of a building, use, or persons occupying the premises on which the sign is located.

Improvements. Any manmade actions which add to the value or enhance the value of land, e.g., streets, utilities, and buildings.

Independent stand-alone massage establishment. Any certified massage establishment where revenue from massage services exceeds 50 percent of the establishment's total revenue.

Industry. The manufacture, fabrication, processing, reduction, or destruction of any article, substance, or commodity, or any other treatment thereof in such a manner as to change the form, character, or appearance thereof, and includes storage elevators, truck storage yards, warehouses, wholesale storage, and other similar types of enterprise.

Institution, educational. Private or public schools, colleges or universities qualified by the state Board of Education to give general academic instruction.

Institution, general. Publicly or privately owned and operated activities, nonprofit organizations, or philanthropic activities that cannot be considered residential, commercial, or industrial uses.

Institution, religion. A church or other religious organization.

Intensity. The magnitude of activity affecting the development of densities, traffic flow, commercialism, tourism, and land use.

Internally lighted sign. A sign with an immediate source of illumination that is completely enclosed by the surface of the sign structure.

Junior accessory dwelling unit. A residential unit that:

1. Is no greater than 500 square feet in size;
2. Is contained entirely within an existing or proposed single-family structure;
3. Includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-family structure; and
4. Includes an efficiency kitchen, as defined by in Section [25.34.030](#)(C)(4) of this code.

Junk. Any worn-out, cast-off, or discarded article or material.

Junk and salvage yard. Any property used for the breaking up, dismantling, sorting, storage, distribution, or sale of any scrap, waste material, or junk.

Kennel. Any lot where four or more dogs or cats over the age of four months are kept or maintained. The term “pet boarding” should be used interchangeably with “kennel.”

Kitchen. Any room in a building or dwelling unit which is used for cooking and preparation of food.

Landscaping. The planting of suitable plant materials or a combination of plant materials with minimum areas of paving, gravel, or otherwise dust-free materials including an adequate irrigation system.

Laundry. A building where clothing and fabrics are washed, other than a laundrette, and is defined in this title as an industrial use.

Library. A place in which literary, musical, artistic, or reference materials (as books, manuscripts, recordings, or films) are kept for use but not for sale.

Light industrial and research and development. A laboratory facility that is primarily used for non-office

scientific research. This use can include the design, development, and testing of biological, chemical, electrical, magnetic, mechanical, and/or optical components in advance of product manufacturing. This use does not involve the fabrication, mass manufacture, or processing of the products.

Line of sight. A visual path emanating from an average eye level adjudged to be five feet above the ground level.

Liquor, beverage and food items shop. A retail establishment that sells a variety of alcoholic and nonalcoholic beverages and food items.

Liquor store. A retail establishment that primarily sells a variety of alcoholic beverages for off-premises consumption.

Livestock raising, noncommercial. The raising and keeping of livestock, poultry, or insects for any noncommercial purposes.

Living area. The interior area of a dwelling unit which may be occupied for living purposes by humans, including basements and attics (if permitted). Livable floor area does not include a garage or any accessory structure.

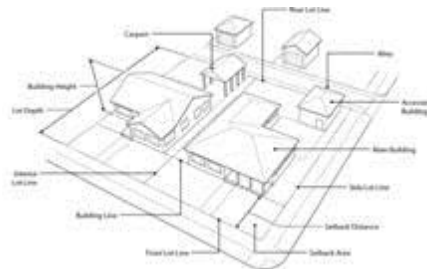
Loading space. An off-street space or berth on the same lot with a main building, or contiguous to a group of buildings, for the temporary parking of a group of commercial vehicles, while loading or unloading, and which has access from a street, alley, or other permanent means of ingress or egress.

Local street. A low-speed, low-volume highway primarily for access to residential, business, and other abutting property. A local street has parking and a significant amount of parallel and perpendicular pedestrian traffic.

Loft. See Mezzanine.

Lot. Any numbered or lettered parcel shown on a recorded tract map, a record of survey recorded pursuant to an approved division of land, or a parcel map.

Figure 25.99-7: Standard Lot Configuration



Lot, corner. A lot located at the intersection or interception of two or more streets at an angle of not more than 135 degrees, which lot shall be considered a corner lot. If greater than one 135 degrees, the lot shall be considered an exterior lot.

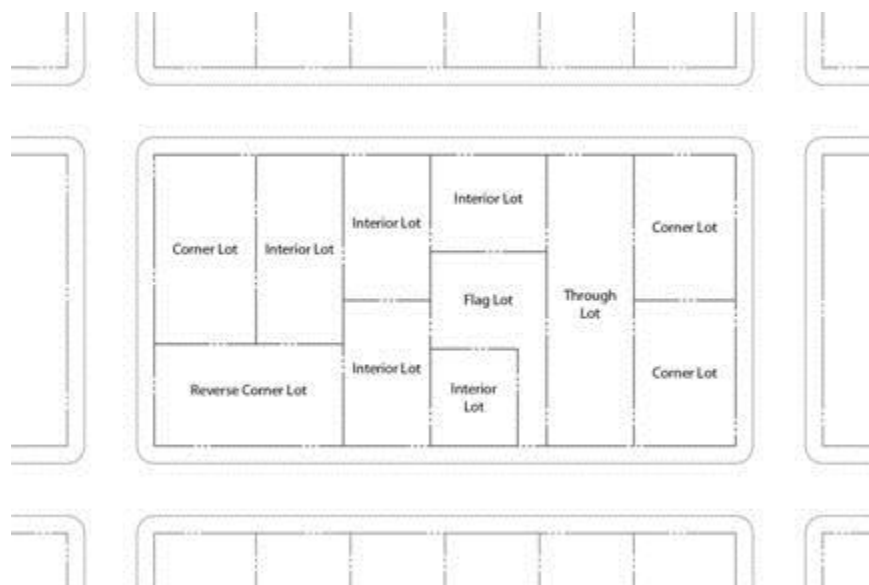
Lot coverage. The percentage of a lot covered by the total square footage of the main building, garage, and/or any accessory buildings that are larger than 150 square feet.

Lot depth. The average horizontal distance between the front and rear lot lines measured in the mean direction of the side lot lines.

Lot, flag. A lot so shaped and designed that the main building site area is set back from the street on which it fronts and includes an access strip not less than 20 feet in width at any point connecting the main building site area to the frontage street.

Lot, interior. A lot other than a corner or reverse corner lot.

Lot, key. The first lot to the rear of a reverse corner lot and not separated by an alley.

Figure 25.99-8: Lot Types

Lot line. Any line bounding a lot. Property line means the same as lot line.

Lot line, front. On an interior lot, the front lot line is the property line abutting the street. On a corner or reverse corner lot, the front lot line is the shorter property line abutting a street, except in those cases where the subdivision or parcel map specified another line as the front lot line. On a through lot or a lot with three or more sides abutting a street or a corner or reverse corner lot with lot lines of equal length, the zoning administrator shall determine which property line shall be the front lot line for the purposes of compliance with yard and setback provisions of this title. On a private street or easement, the front lot line shall be designed as the edge of the easement.

Lot line, interior. A lot line not abutting a street.

Lot line, rear. A lot line not abutting a street which is opposite and most distant from the front lot line; in the case of an irregularly shaped lot, a line within the lot, having a length of not less than 10 feet. A lot which is bounded on all sides by streets may have no rear lot lines.

Lot line, side. Any lot line not a front lot line or rear lot line.

Lot, reverse corner. A corner lot, the side line of which is substantially a continuation of the front lot lines of the lot to its rear, whether across an alley or not.

Lot, through. A lot having frontage on two dedicated parallel or approximately parallel streets.

Lot width. The horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines.

Low income. Income does not exceed 80 percent of the then-current area median household income of the County of Riverside adjusted for family size by the state

Department of Housing and Community Development in accordance with adjustment factors adopted and amended from time to time by the US Department of Housing and Urban Development pursuant to Section 8 of the United States Housing Act of 1937.

Maintenance facility. A facility used for providing maintenance and repair services for vehicles and operational equipment.

Maintenance yard. An area of land devoted to maintenance and repair services for vehicles and operational equipment. Outdoor storage and repair activities may have noise and visual impacts on the surrounding areas.

Manufactured home park. Any area or tract of land where one or more manufactured home lots are sold, rented, or leased or held out for rent or lease to accommodate manufactured homes used for human habitation, and includes mobile home accommodation structures. The rental paid for any such manufactured home is deemed to include rental for the lot it occupies.

Manufactured housing. A structure that meets the following criteria:

1. Transportable in one or more sections.
2. When in the traveling mode, is 8 body feet or more in width, or 40 body feet or more in length, or, when erected on site, is 320 or more square feet.
3. Built on a permanent chassis.
4. Designed to be used as a residential dwelling.
5. Erected with or without a permanent foundation when connected to the required utilities.
6. Includes the plumbing, heating, air conditioning, and electrical systems contained therein.

This term shall include any structure which meets all the requirements of this definition except the size requirements so long as the manufacturer voluntarily files a certification and complies with the standards established under this definition. Manufactured home includes a mobile home subject to the National Manufactured Housing Construction and Safety Act of 1974 (42 USC Section 5401 et seq.). See also Mobile home.

Marquee. A roofed structure or awning or canopy attached to and supported by the building and extended over a building line and into public property.

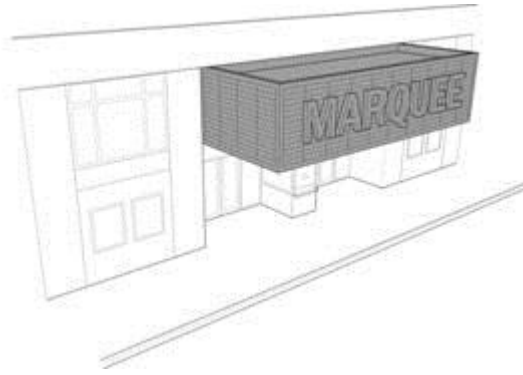


Figure 25.99-9: Marquee

Master plan of arterial highways. The master plan of the City designating adopted and proposed routes for all arterial highways within the City.

Master plan of drainage. An engineering report outlining the drainage facilities needed for the proper development of a specific increment of the City, and duly adopted by the Council.

Mechanical or electronic game. Any machine, apparatus, contrivance, appliance, or device which may be operated or played upon the placing or depositing therein of any coin, check, slug, ball, or any other article or device, or by paying therefor either in advance of or after use, involving in its use either skill or chance, including but not limited to tape machine, card machine, pinball machine, bowling game machine, shuffle board machine, marble game machine, horseracing machine, baseball game machine, football game machine, electronic video game, or any other similar machine or device.

Medical, clinic. An organization of doctors providing physical or mental health service and medical or surgical care of the sick or injured but does not include inpatient or overnight accommodations. May also include laboratories that are ancillary to the primary use.

Medical, hospital. Hospitals and similar facilities engaged primarily in providing diagnostic services and extensive medical treatment, including surgical and other hospital services. These establishments have an organized medical staff, inpatient beds, and equipment and facilities to provide complete healthcare. May include on-site accessory clinics and laboratories, accessory retail uses, and emergency heliports.

Medical, laboratory. An establishment primarily engaged in providing professional analytic or diagnostic services to the medical profession, or to the patient on direction of a physician; or an establishment primarily engaged in making dentures, artificial teeth, and orthodontic appliances to order for the dental profession.

Medical marijuana dispensary, as set forth in the Compassionate Use Act, or dispensary. Any facility or location where medical marijuana is publicly made available to and/or distributed by or to one or more of the following: a primary caregiver, a qualified patient, or a person with an identification card, in strict accordance with California [Health and Safety Code](#) Section 11362.5 et seq.

Medical, offices. A health facility in an office environment providing health services including without limitation preventative and rehabilitation treatment, diagnostic services,

testing and analysis. This use includes offices providing medical, dental, surgical, rehabilitation, podiatric, optometric, chiropractic, and psychiatric services, and medical or dental laboratories incidental to these offices, but excluding inpatient services and overnight accommodation.

Medical, research facility. A laboratory facility that is primarily used for medical scientific research.

Mezzanine. An intermediate level of a building interior containing floor area without complete enclosing interior walls or partitions placed in any story or room and not separated from the floor or level below by a wall. The floor area of any mezzanine shall be counted as part of the total floor area for any floor area or FAR limitation. In addition, when the total floor area of any such mezzanine exceeds 33.3 percent of the total floor area in that room, it shall constitute an additional story. No more than 1 continuous mezzanine may be permitted in any 1 room.

Mobile home. A structure designed and equipped for human habitation, and for being drawn by a motor vehicle, to be used with or without a foundation system. Mobile home does not include a recreational vehicle, commercial coach, or factory-built housing.

Moderate income. Income does not exceed 120 percent of the then-current median household income of the County of Riverside adjusted for family size by the State Department of Housing and Community Development in accordance with adjustment factors adopted and amended from time to time by the US Department of Housing and Urban Development pursuant to Section 8 of the United States Housing Act of 1937.

Monument sign. A freestanding sign that is detached from a building and having a support structure that is a solid-appearing base constructed of a permanent material, such as concrete block or brick. All other freestanding sign types not meeting the definition of a monument sign shall be either a pole sign or a pylon sign.

Monument sign, freeway-oriented. A freestanding sign that is detached from a building and having a support structure that is a solid-appearing base constructed of a permanent material, such as concrete block or brick on commercially zoned properties within the Freeway Commercial Overlay zone and greater than 10 acres in size and abutting Interstate 10.

Mortuary. Facilities providing funeral preparation and funeral services including embalming, memorial services, and cremation.

Motel. Shall be referred to in this title as hotel, inn, motor inn, or lodge and means a building or group of buildings containing guest rooms or dwelling units designed, intended, or used primarily for the accommodation of transient automobile travelers; including but not limited to buildings or building groups designated as auto cabins, motor courts, or motor hotels.

Motor vehicle. A self-propelled device used or intended to be used for the transportation of freight or passengers upon a street or highway, excepting a device moved by human power or a device used exclusively upon stationary rails or tracks.

Movable-frame hive. Any hive design that allows the beekeeper to readily remove the combs from the hive during hive inspections, in order to monitor and manage conditions within the colony.

Nameplate. A sign not exceeding 1 foot by 3 feet signifying only the name of the occupant and their occupation or specialty.

Net area. The total horizontal area within the property lines of a lot or parcel of land exclusive of all rights-of-way and all easements that physically prohibit the surface use of a portion of the property.

Nightclub. A place of business open after 10:00 p.m. which provides for the on-site consumption of food or alcoholic beverages with entertainment which includes, but is not limited to, music, dancing, comedy, and karaoke.

Noncommercial. An enterprise or activity which is not normally conducted for profit or gain.

Nonconforming structure. A lawfully established building or structure that does not conform to the regulations of this title or is designed for a use that does not conform to the regulations of this title for the district in which it is located, either on December 11, 1975, or as the result of subsequent amendments to this title.

Nonconforming use. The lawfully established use of a building, structure, or land that does not conform to the use regulations of this title for the district in which it is located, either on December 11, 1975, or as the result of subsequent amendments to this title.

Nursery. An establishment providing for the cultivation and sale of ornamental trees, shrubs, and plants, including the sale of garden and landscape materials (packaged and/or bulk sale of unpackaged materials) and equipment.

Office, accessory. An office that is incidental and accessory to another business or sales activity which is the primary use (part of the same tenant space or integrated development). The qualification criteria for this definition is that the floor area of the accessory office use shall not exceed 50 percent of the total net habitable or leasable floor area of the tenant space for a single-use development or the combined floor area of an integrated development for a mixed-use project.

Office, local government. An administrative, clerical, or public contact office of a government agency, including postal facilities, together with the incidental storage and maintenance of vehicles.

Office, professional. Offices of administrative businesses providing direct services to consumers (e.g., insurance companies, utility companies), government agency and service facilities (e.g., post office, civic center), professional offices (e.g., accounting, attorneys, employment, public relations), and offices engaged in the production of intellectual property (e.g., advertising, architectural, computer programming, photography studios). This use does not include medical offices (see Medical, offices), financial institutions (see Financial institution), temporary offices, or offices that are incidental and accessory to another business or sales activity that is the primary use (see Office, accessory). Outdoor storage of materials is prohibited.

Office, travel agency. A business that accommodates travelers, as by securing tickets, arranging for reservations and giving information.

Open space, developed. Open space substantially free of structures but possibly containing improvements which are part of a development plan or are appropriate for the residents of any residential development.

Open space, natural. Any parcel of land or water which is essentially unimproved and devoted to an open space use.

Orchard. An area of land devoted to the cultivation of fruit or nut trees.

Organizational documents. The declaration of restrictions, articles of incorporation, bylaws, and any contracts for the maintenance, management, or operation of all or any part of a condominium conversion project.

Outdoor advertising structure or sign. A sign placed for the purpose of advertising products or services that are not produced, stored, or sold on the property upon which the sign is located.

Outdoor sales. Permanent outdoor sales and rental establishments including equipment and other uses where the business is not conducted entirely within a structure.

Parcel. The same definition as lot.

Parking lot, commercial. A designated outdoor area used for parking motor vehicles that serves commercial establishments.

Parking lot, office. A designated outdoor area used for parking motor vehicles that serves office developments.

Parking stall. The space within a building or a private or public parking area, exclusive of driveways, ramps, columns, office, and working areas, for the parking of one automobile, not less than 20 feet in length and not less than 9 feet in width.

Park, public. Parks, play lots, playgrounds, and nonprofessional/noncommercial athletic fields, including park and playground equipment, accessory structures, and facilities.

Parkway. A relatively low-speed arterial highway abutting and distributing trips to a variety of land uses. This facility primarily serves short-range trips. A parkway has emergency parking only and will have considerable parallel and perpendicular pedestrian movement.

Pathway. An access way to accommodate pedestrians, bicycles, and electric carts.

Pedestrian-way. A right-of-way for pedestrians, free from vehicular traffic and including access ramps, stairs, and mechanical lifts and routes through buildings which are available for public use.

Personal services. Establishments providing nonmedical services as a primary use, including but not limited to barber and beauty shops, clothing rental, dry cleaning pick-up

stores with limited equipment, home electronics and small appliance repair, laundromats (self-service laundries), shoe repair shops, and tailors. These uses may also include accessory retail sales of products related to the services provided, spas and hot tubs for rent, and tanning salons.

Personal Storage. A commercial land use facility consisting of the rental of space for the storage of personal property and/or the storage of recreational vehicles. An industrial warehouse is not considered commercial storage. This definition shall also apply to “Self-Storage” and “Recreational Vehicle Storage Facility”

Pest control facility. A business establishment specializing in the elimination of vermin, insects, etc., from a building, especially by the controlled application of toxic chemicals.

Planned development. A development of parcels of land as a coordinated project which has been developed according to an approved specific plan. Adequate control of the development is provided in order to maintain aesthetic values and to protect the investment of developers as well as the community as a whole. Planned developments may be residential, commercial, or industrial in nature or a combination of any 2 or more.

Planned street line. The planned right-of-way for a major or secondary highway or traffic collector street. A yard abutting such a highway or street shall be measured from this planned right-of-way line.

Planned unit development industrial. A development of industrial parcels of land as a coordinated project which has been developed according to an approved specific plan. Adequate control of the development is provided in order to maintain aesthetic values and to protect the investment of developers as well as the community as a whole.

Planned unit development residential. A development of residential parcels of land as a coordinated project which has been developed according to an approved specific plan. Adequate control of the development is provided in order to maintain aesthetic values and to protect the investment of developers as well as the community as a whole.

Political sign. Any sign concerning candidates for political office or involving a ballot issue.

Pool. Any structure for swimming, bathing, or wading or as a fish pond or similar use.

Price sign. A sign limited to the name or identification of items or products offered for sale on the premises, and the price of the items or products.

Private. Belonging to or restricted for the use or enjoyment of particular persons.

Projecting sign. A sign other than a wall sign suspended from or supported by a building or structure and projecting outward therefrom.

Public safety area. A strip of land adequate in width adjacent to and parallel with a street right-of-way.

Public service facility. A broad land use category of governmental and quasi-governmental building or complexes that provide public services, such as municipal buildings, fire stations, police stations, public information centers, and similar facilities.

Public way. Any street, alley, pedestrian way, pathway, channel, viaduct, subway, bridge, easement, right-of-way, or other way in which the public has a right of use.

Real estate sign. A temporary sign advertising the sale, lease, exchange, or rent of the property upon which it is located, and the identification of the person or firm handling the sale, lease, or rent.

Real estate tract sales office. A temporary use of a building for the sole purpose of selling tract residences within a particular subdivision or series of subdivisions.

Recording studio. A facility for sound recording and mixing.

Recreational vehicle. A travel trailer, pickup camper, or motorized home, with or without motive power, designed for human habitation for recreational or emergency occupancy.

Recreation facility, commercial. Any use or development either public or private, providing amusement, pleasure, or sport, which is operated or carried on primarily for financial gain.

Recreation facility, incidental. Any use or development either public or private providing amusement, pleasure, or sport which is subservient to a primary land use (e.g., pool as part of an apartment complex). These facilities are generally permitted by right if the facilities are customarily part of the primary use.

Recreation facility, private. Any private use or development providing amusement, pleasure, or sport, which is not carried on primarily for financial gain.

Recreation facility, public. Any public development either public or private, providing amusement, pleasure, or sport.

Re-queen. To replace the queen bee in a colony with a younger and more productive queen, a common practice in beekeeping to prevent bee swarming.

Restaurant. Any use providing for the preparation, retail sale, and on-site consumption of food and beverages. Restaurants include but are not limited to cafes, coffee shops, sandwich shops, ice cream parlors, fast food take-out and drive-through stores, and places of business with similar uses. The term restaurant may include the licensed sale of alcoholic beverages for consumption on the premises, provided that the sales of food and nonalcoholic beverages equals or exceeds 51 percent of gross sales of food and beverages. Businesses where the sales of food and nonalcoholic beverages do not exceed 51 percent of gross sales of food and beverages shall be deemed a bar or lounge.

Retail. The selling of goods, wares, or merchandise directly to the ultimate consumer.

Retail, bulky items. The selling of large-sized merchandise.

Riding and hiking trail. A trail or way designed for and used by equestrians, pedestrians, and cyclists using non-motorized bicycles.

Right-of-way. An area or strip of land, either public or private, on which a right of passage has been recorded.

Roof deck—prohibited. A roof deck is any configuration of the uppermost roof of a building, or the main roof of a building, which allows regular access by the building's users, tenants, or visitors for any purpose, is prohibited.

Roof sign. A sign affixed on, above, or over the roof of any building, or any sign affixed to the wall of a building so that it projects above the eave line of a roof. The lowest point of a mansard style roof shall be considered the eave line.

Salvage. Any article or material which is to be or intended to be reclaimed or saved from destruction.

San Pablo overlay frontage. The lineal width, expressed in feet, of all ground-floor commercial storefronts within the San Pablo Overlay District, as depicted in Figure 25.28-1, which faces the public right-of-way. This shall include ground-floor commercial storefronts which face private parking areas that take direct vehicle access from San Pablo Avenue.

Scenic highway. Any highway designated a scenic highway by an agency of the City, county, state, or federal government.

Senior citizen. Any person who is 62 years of age or older.

Service. An act, or any result of useful labor, which does not, in itself, produce a tangible commodity.

Setback area. The area between the building line and the property line, or when abutting a street, the ultimate right-of-way line.

Setback distance. The distance between the building line and the property line, or when abutting a street, the ultimate right-of-way line.

Shopping center. An integrated development of retail and service commercial activities on one lot of land sharing common parking facilities and serving a wide spectrum of community shopping needs.

Sidewalk. That portion of a thoroughfare, other than a roadway, set apart by curbs, barriers, markings, or other delineations for pedestrian travel.

Sign. Any device used for visual communications or attraction, including any identification announcement, declaration, demonstration, display, illustration, insignia, or symbol used to advertise or promote the interest of any person; together with all parts, materials, frame and background.

Sign and advertising device do not include the following for purposes of this title:

1. Official notices issued by any court or public body or officer.
2. Notices posted by any public officer in performance of a public duty or by any person in giving any legal notice.
3. Directional, warning, or information signs or structures required by or authorized by law or by federal, state, or county authority.
4. The flag of the state or of the United States or any official flag of any other state or country.

Sign face. The surface or that portion of a sign that is visible from a single point as a flat surface or a plane and considered together with the frame and the background.

Single-room occupancy (SRO). A residential property that includes multiple single room dwelling units. Each unit is for occupancy by a single eligible individual. The unit need not, but may, contain food preparation or sanitary facilities, or both.

Spa. Any premises, place of business, or membership club providing facilities devoted especially to health, beauty, and relaxation that deal with the cosmetic, therapeutic, and/or holistic treatments, where people visit for professionally administered personal care treatments.

Special category tenants. Those eligible tenants who also qualify as disabled, senior citizen, low-income, or very low-income individuals as defined under California law.

Specific plan. A detailed plan covering a selected area of the City for the purposes of implementation of the General Plan, while also providing flexibility in development standards, innovative land uses and developments, and a variety of housing and other development types pursuant to the requirements of the [Government Code](#) of the State.

Sports courts. As described in Section [25.40.070](#), a sports court is considered a walled or fenced area for playing one of various games with a ball such as racquet ball, hand ball, basketball, badminton and other similar outdoor activities.

Stable, boarding. The keeping and training of horses which are not owned by the occupant or owner of the property. Boarding of horses includes the giving of private lessons (1 trainer/1 student), but does not include group lessons, group clinics, shows or similar related activities.

Stable, private. A building or a portion of a building used to shelter and feed equines which are used exclusively by the occupants of the property on which the stable is situated.

Story. That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above.

Street or highway. A public or private vehicular right-of-way other than an alley.

Street centerline. The centerline of a street right-of-way as established by official survey.

Street opening. A curb break, or a means, place, or way provided for the purpose of gaining vehicular access between a street and abutting property.

Structural alterations. Any change in the supporting members of a building or structure.

Structure. Anything placed, constructed or erected, which may be readily movable or collapsible, and may require a fixed location on the ground or attached to something having a fixed location on the ground, except business signs and other improvements of a minor character.

Subdivision Map Act. Those provisions set forth in [Government Code](#) Section 66410 et seq., as amended or superseded.

Swarming. The natural method of honeybee colonies to reproduce, resulting in the departure of part of the bee population with a queen to create a new honey bee colony.

Swimming pool. An artificial body of water having a depth in excess of 18 inches, designed, constructed, and used for swimming, dipping, or immersion purposes by men, women, or children.

Theater, auditorium. Indoor facilities for public assembly and group entertainment, other than sporting events (e.g., civic theaters, facilities for live theater and concerts, exhibition and convention halls, motion picture theaters, auditoriums). Does not include outdoor theaters, concert and similar entertainment facilities, and indoor and outdoor facilities for sporting events.

Time-share project. One wherein a purchaser receives the right in perpetuity, for life, or for a term of years to the recurrent, exclusive use, or occupancy of a lot, parcel, unit, room(s), or segment of real property, annually or on some other seasonal or periodic basis, for a period of time that has been or will be allotted from the use or occupancy periods into which the project has been divided and includes, but is not limited to, time-share estate, interval ownership, vacation license, vacation lease, club membership, time-share use, and hotel/condominium. A time-share project is subject to a single conditional use permit for time-sharing purposes and a plan of time-sharing set forth in covenants, conditions, and restrictions encumbering such real property, and all real property which is subject to the single conditional use permit and which shall be subsequently annexed under such plan.

Townhouse development. A cluster development consisting of attached two-story dwelling units.

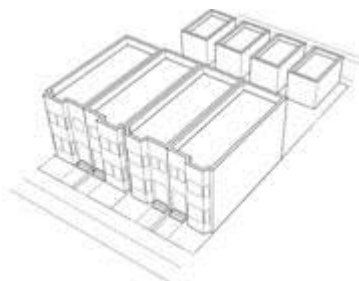


Figure 25.99-10: Townhouse Development

Transitional and supportive housing. A shelter provided to the homeless for an extended period, often as long as 18 months and generally integrated with other social services and counseling programs to assist in the transition to self-sufficiency through the acquisition of a stable income and permanent housing.

Ultimate right-of-way. The right-of-way shown as ultimate on an adopted precise plan of highway alignment; or the street rights-of-way shown within the boundary of a recorded tract map, a recorded parcel map, or a recorded development plan. The latest adopted or recorded document in the cases mentioned in this section shall take precedence. If none of these exist, the ultimate right-of-way shall be considered the right-of-way required by the highway classification as shown on the master plan of arterial highways. In all other instances, the ultimate right-of-way shall be considered to be the existing right-of-way.

Unit. The particular area of land or airspace that is designed, intended, or used for exclusive possession or control of individual owners or occupiers.

Use. The purpose, for which land or a building is occupied, arranged, designed, or intended, or for which either land or building is or may be occupied or maintained.

Use, accessory. A use customarily incidental and accessory to the principal use of the land or building site, or to a building or other structure located on the same building site as the principal use.

Use, principal. The main purpose, for which land or a building is occupied, arranged, designed or intended, or for which either land or building is or may be occupied or maintained.

Use, temporary. A use which is required for the proper function of the community or temporarily required in the process of establishing a permitted use, or construction of a public facility. Such use shall be permitted only after the issuance of a temporary use permit as established by the provisions of this title.

Utility facility. Buildings, substations, equipment, and other operations that serve more than 1 property and are related to the provisions of public utility services such as electricity, natural gas, and other utilities. This category includes the following:

- Fixed-base structures and facilities serving as junction points for transferring utility services from 1 transmission voltage to another or to local distribution and service voltages. These uses include any of the following facilities that are not exempted from land use permit requirements by [Government Code](#) Section 53091: electrical substations and switching stations, natural gas regulating and distribution facilities, public water system wells, treatment plants and storage, telephone switching facilities, wastewater treatment plants, settling ponds, and disposal fields. These uses do not include office or customer service centers or equipment and material storage yards.

- Pipelines for potable water, reclaimed water, natural gas, and sewage collection and disposal, and facilities for the transmission of electrical energy for sale, including

transmission lines for a public utility company. Also includes telephone, telegraph, cable television, and other communications transmission facilities utilizing direct physical conduits.

Utility installation. The equipment and utility infrastructure that is required for an individual development.

Vacancy rate. The number of vacant apartment dwelling units being offered for rent or lease in the City of Palm Desert shown as a percentage of the total number of apartment dwelling units offered for or under rental or lease agreement in the City. The vacancy rate shall be established by a public or private service that monitors apartment vacancies within the City.

Valet parking. Whenever a parking attendant is utilized to park cars in an assigned area that is not available to the general public.

Vehicle, commercial. A vehicle which when operated upon a highway is required to be registered as a commercial vehicle by the state [Vehicle Code](#), and which is used or maintained for the transportation of persons for hire, compensation or profit or designed, and used primarily for the transportation of property.

Vehicle sign. Any sign that is attached to or painted on a vehicle or trailer that is parked on or adjacent to any property, the principal purpose of which is to direct people to a business, or attract attention to a product sold or business located on the same property or nearby. On street-legal vehicles, the following signs or insignia are not considered to be vehicle signs, and are not regulated as vehicle signs:

1. Messages on a vehicle where the primary purpose of which is to be used in the regular course of business to transport the personnel or products, or to provide the services (not including general advertising) that are advertised on the vehicle.
2. Commercial messages that do not exceed a total of 3 square feet in size.
3. Commercial messages on mass transit vehicles that pass through the City.

Vehicle storage facility. A facility to store operative or inoperative vehicles, storage of parking towaways, impound yards, and storage lots for buses and recreational vehicles, but do not include vehicle dismantling.

Vehicular accessway. A private, nonexclusive vehicular easement affording access to abutting properties.

Very low income. Income that does not exceed 50 percent of the then-current area median household income of the County of Riverside adjusted for family size by the state Department of Housing and Community Development in accordance with adjustment factors adopted and amended from time to time by the US Department of Housing and Urban Development pursuant to Section 8 of the United States Housing Act of 1937.

Wall sign. A sign attached to or erected on the exterior wall of the building or structure or on a canopy marquee or similar overhang with the exposed face of the sign in a plane

approximately parallel to the plane of the exterior wall and not extending above the eave line. The lowest part of a mansard-style roof shall be considered the eave line.

Warehouse ~~or storage facility~~. A facility for the storage of farm products, furniture, household goods, or other commercial goods of any nature.

Wholesale. A business establishment engaged in selling to retailers or jobbers, rather than consumers.

Window sign. A sign posted, painted, placed, or affixed in or on a window exposed to public view. An interior sign that faces a window exposed to public view that is located within 5 feet of the window is considered a window sign for the purpose of calculating the total area of all window signs.

Wing wall. An architectural feature in excess of 6 feet in height which is a continuation of a building wall projecting beyond the exterior walls of a building.

Yard. Any open space on the same lot with a building or dwelling group, which space is between the setback lines and the lot lines of the parcel or the planned street line and is unoccupied and unobstructed except for the projections permitted by this title.

Zone. A zoning district, as defined in the State Conservation and Planning Act, shown on the zoning map to which uniform regulations apply.

Zoning map. The official zoning map of the City which is a part of this title.

Zoning Ordinance, this ordinance. The comprehensive Zoning Ordinance of the City. (Ord. 1393 § 33, 2023; Ord. 1384 § 2, 2022; Ord. 1366 § 2, 2021; Ord. 1358 § 2, 2020; Ord. 1331 § 3, 2017; Ord. 1321, 2017; Ord. 1304 § 1, 2016; Ord. 1303 § 7, 2016; Ord. 1302 § 5, 2016; Ord. 1292 § 4, 2015; Ord. 1279 § 21, 2015; Ord. 1277 § 7, 2014; Ord. 1267A § 2, 2014; Ord. 1259 § 1, 2013)