

**CITY OF PALM DESERT
PLANNING COMMISSION
STAFF REPORT**

MEETING DATE: May 21, 2024

PREPARED BY: Nick Melloni, AICP, Principal Planner

REQUEST: REVIEW OF FISCAL YEAR 2024-25 CAPITAL IMPROVEMENT PROGRAM FOR CONSISTENCY WITH THE CITY OF PALM DESERT GENERAL PLAN

RECOMMENDATION:

Adopt Planning Commission Resolution No. 2867 entitled, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM DESERT CALIFORNIA, FINDING THAT THE PROPOSED CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2024-2025 AND EACH OF THE PROJECTS INCORPORATED THEREIN, ARE CONSISTENT WITH THE PALM DESERT GENERAL PLAN AND A FINDING THAT THE ACTION IS EXEMPT FROM FURTHER ENVIRONMENTAL REVIEW IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

EXECUTIVE SUMMARY:

In accordance with California Government Code (“GC”) Section 65103(c) and GC 65401, the City of Palm Desert Planning Commission (“Planning Commission”) must review the City of Palm Desert’s (“City”) annual capital improvement program (“CIP”) for consistency with the General Plan. To assist the Planning Commission in this effort, staff has evaluated each project for the Fiscal Year (“FY”) 2024-2025 CIP against the relevant General Plan sections, goals, policies, and objectives to demonstrate each project’s consistency with the General Plan.

The CIP schedules the funding and construction of public facilities, including infrastructure construction and rehabilitation projects, and is a component of the proposed City 2024-2025 Budget. The CIP fulfills state law requirements to prepare a coordinated program of proposed public works capital projects for ensuing fiscal years for the City’s budget cycle.

In addition, GC Section 65402 requires that no real property be acquired by dedication or otherwise for street, square, park, or other public purposes, and that no real property be disposed of, no street be vacated or abandoned, and no public building or structure be constructed or authorized, if the General Plan applies thereto, until the location, purpose, and extent of such acquisition or disposition, such street vacation or abandonment, or such public building or structure, have been submitted to and reported upon by the Planning Commission as to its consistency with the General Plan.

BACKGROUND/ANALYSIS:

California law requires that each city in the state adopt a general plan “for the physical development of the county or city, and any land outside its boundaries which in the planning agency’s judgment bears relation to its planning” (Gov. Code § 65300). The General Plan is a

long-range planning and policy document that guides future development within the City’s boundaries, with an overall goal to guide land use planning decisions. Under state law, subdivisions, development agreements, capital improvements, and many other land use actions must be consistent with the adopted General Plan. The current Palm Desert General Plan was approved by the Palm Desert City Council on November 10, 2016, by Resolution No. 2016-87.

Capital improvement planning is typically based upon a five-year term. The projects included in the CIP have been selected and planned as part of the five-year CIP forecast. The CIP forecasts the City’s capital planning efforts over a five-year cycle. Generally, the first two-years of the CIP will become the capital budget for which project funding will be authorized. Because priorities can change, the remaining three (3) years of the CIP serve as a guide for future capital investments. It accounts for anticipated development and the current condition of the City’s infrastructure.

While the City Council has not tasked the Planning Commission with review or approval of the CIP or each project therein, state law requires a city’s “planning agency” (here, the Planning Commission) to annually review the City’s CIP to ensure its consistency with the General Plan. It is not the Planning Commission’s responsibility to evaluate the merits of the proposed CIP projects (which is the City Council’s responsibility), and a Planning Commissioner’s vote in favor of (or against) the recommended resolution does not express approval (or disapproval) of any particular CIP project. The Planning Commission’s role is to evaluate whether CIP projects are consistent with the City’s General Plan.

The FY 2024-2025 CIP Budget has recommended funding for thirteen (13) projects totaling approximately \$38,010,000. The projects being recommended for funding include projects for the annual maintenance and repair of existing public facilities and/or infrastructure, and the design and construction of new public facilities. The overall 5-year CIP program is comprised of thirty (30) projects and totals approximately \$136,210,907, which includes a \$21,831,563 carryover from the FY 2023-2024 CIP budget (Attachment #3). The CIP project and general plan consistency table is provided below (Table 1). This table is also provided in Section 3 of the draft resolution. A General Plan reference table is provided as Attachment #2 of this report.

Table 1 - CIP Project General Plan Consistency Table

PROJECT CODE	PROJECT NAME	FUNDING SOURCE	GENERAL PLAN ELEMENT	APPLICABLE GENERAL PLAN POLICIES
MFA00007	Bridge Inspection & Repair Program	Measure A	Mobility	7.1, 7.2
			Safety	1.4
MFA00006	Citywide Pavement Condition Evaluation	Gas Tax	Mobility	6.3
				7.1, 7.2
CFA00010	Fire Station 102 PA4	Capital Bond Fund	Safety	4.1
			Public Utilities & Services	7.3, 7.8

City of Palm Desert – Planning Commission
 Fiscal Year 2024-2025 - Capital Improvement Program General Plan Consistency

PROJECT CODE	PROJECT NAME	FUNDING SOURCE	GENERAL PLAN ELEMENT	APPLICABLE GENERAL PLAN POLICIES
CFA00017	Fire Station 33 Remodel	Fire Fund	Safety	1.4 4.1
			Public Utilities & Services	7.1, 7.3, 7.8
CFA00019	Fire Station 71 Rebuild	Fire Fund	Safety	1.4 4.1
			Public Utilities & Services	7.1, 7.3, 7.8
TBD	Mountain View Retention Basin	General	Safety	3.3
CFA00027	New Library Facility	Library Capital Projects	Health and Wellness	7.1
			Public Utilities & Services	6.3
CST00005	PD Link	Measure A	Mobility	1.1
Various	PDHA Replacement Expenditures	Housing Authority	Housing	3, 3.D
CDR00006	Stormwater and Drainage Infrastructure Assessment	Measure A	Safety	1.4
CDR00006 MST00008	Stormwater and Drainage Infrastructure Assessment Street Resurfacing Program	Measure A Gas Tax	Public Utilities & Services	3.3
			Mobility	6.3
MST00008	Street Resurfacing Program	Measure A	Mobility	6.3
CST00002	Walk n Roll PD	Measure A	Mobility	1.1 3.1, 3.2 4.2

Staff is recommending that the Planning Commission find the proposed FY 2024-2025 CIP consistent with the General Plan. As the local planning agency, in accordance with GC Section 65103(c), the Planning Commission must determine annually that the CIP is consistent with the City’s General Plan. The Planning Commission could determine that all or part of the proposed Fiscal Year 2024-2025 is inconsistent with the General Plan and/or offer recommendations for any project listed; however, staff believes it has demonstrated how each project in the proposed CIP is consistent with the General Plan. Final consideration of CIP project and design modifications will be subject to City Council approval and further general plan consistency findings

The Planning Commission’s finding will be forwarded to the City Council as required by State law. The final approval of the CIP and its component projects is subject to approval by the City Council.

Environment Assessment/Environmental Review:

The finding of General Plan consistency for the CIP is exempt from environmental review pursuant to the California Environmental Quality Act (“CEQA”) guidelines section 15061(b)(3) because there is no possibility that making this finding may have a significant impact on the environment. The CIP schedules the funding and construction of public facilities including infrastructure construction, rehabilitation projects, and is a component of the proposed City Budget and does not have the potential to cause a significant impact on the environment. No physical changes in the environment contemplated by any of the component projects of the CIP will occur until the required environmental analysis is conducted for said project. Further, the action is not considered a project per CEQA Guidelines Section 15378(b)(5), as it is an administrative activity that will not result in direct or indirect physical changes in the environment.

Legal Review:

This report has been reviewed by the City Attorney’s office.

FINANCIAL IMPACT:

There is no fiscal impact as a result of this request for the state-mandated review of the proposed FY 2024-2025 CIP to determine consistency with the City’s General Plan. The 2024-2025 CIP is included in the proposed FY 2024-2025 budget, which will be presented to the City Council for consideration in June of this year.

ATTACHMENTS:

1. Draft Planning Commission Resolution No. 2867
2. General Plan Reference Guide
3. Draft FY 2023-2029 CIP Project Budget