

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, MAKING A FINDING OF EXEMPTION UNDER CEQA AND APPROVING A PROPOSED STREET VACATION OF AN 8,582 SQUARE FOOT PORTION OF SHADOW LAKE DRIVE IN FAVOR OF A PROPERTY AT 73745 SHADOW LAKE DRIVE IS CONSISTENT WITH THE CITY OF PALM DESERT GENERAL PLAN (APNS: 627-342-001)
CASE NOS. ST23-0008

WHEREAS, Gordon German, the owner of the property located at 73745 Shadow Lake Drive, did submit a request for a street vacation to vacate an 8,582 square foot portion of Shadow Lake Drive adjacent to 73745 Shadow Lake Drive; and

WHEREAS, the Project site (73745 Shadow Lake Drive) has a land use designation of Conventional Suburban Neighborhood in the General Plan adopted on November 10, 2016; 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, pursuant to the requirements of the CEQA, the State Guidelines for Implementation of CEQA (State CEQA Guidelines) and the City of Palm Desert CEQA Implementation Requirements, the City of Palm Desert Development Services Department has determined that the Project will not have a significant impact on the environment and that the Project is exempt under Section 15301(c) – Class 1, Existing Facilities; therefore, no further environmental review is necessary; and

WHEREAS, street vacation proceedings may be initiated by the City Council or may act on a petition or request of an interested person, pursuant to Chapter 3, Part 3, Division 9 of the Streets and Highways Code; and

WHEREAS, California Government Code Section 65402 requires that prior to the streets being vacated by the City Council, the Planning Commission shall make a finding that the proposed street vacation is consistent with the City's General Plan; and

WHEREAS, the Planning Commission of the City of Palm Desert, California, did on the 19th day of March 2024, consider the request for street vacation identified above and adopt Planning Commission Resolution 2860 finding the request to be consistent with the Palm Desert General Plan ; and

WHEREAS, pursuant to Sections 8322 and 8323 of the California Streets and Highways Code, due notice of the public hearing was given;

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred; and

CITY COUNCIL RESOLUTION

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

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

SECTION 2. Findings for Street Vacation. Under Chapter 3, Part 3, Division 9 of the California Streets and Highways Code, the City Council hereby finds:

1. The proposed street vacation conforms with the City of Palm Desert General Plan. The proposed street vacation is consistent with the City of Palm Desert General Plan, including goals and policies relating to land use and mobility.
2. The proposed street vacation will have no environmental effects that adversely impact the public safety or welfare.
3. The portion of right of way being vacated is unnecessary for present or prospective public use.

SECTION 3. Project Approval. The City Council finds that the proposed street vacation of a 8,852 square foot portion of Shadow Lake Drive adjacent to 73745 Shadow Lake Drive legally described in Exhibit A and depicted in Exhibit B, attached hereto is consistent with the General Plan.

ADOPTED ON _____, 20__.

Karina Quintanilla
MAYOR

ATTEST:

ANTHONY J. MEJIA
CITY CLERK

CITY COUNCIL RESOLUTION

I, Anthony J. Mejia, City Clerk of the City of Palm Desert, hereby certify that Resolution No. 2022-__ is a full, true, and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Desert on _____, 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 _____, 2024.

ANTHONY J. MEJIA
CITY CLERK

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