

**From:** [Anthony Mejia](#)  
**To:** [Michelle Nance](#)  
**Subject:** FW: Concern about STR Ordinance Changes on 10/10/24 City Council Agenda  
**Date:** Friday, October 11, 2024 12:06:53 PM  
**Attachments:** [pdlogo\\_aeb5f777-9f3d-40d4-9b90-9e3c0c146f24.png](#)  
[emailsignature2024\\_50d41331-3e8d-4bf3-8f3e-be06df544be4.png](#)  
**Importance:** High

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For second reading staff report, please include this email as an attachment.



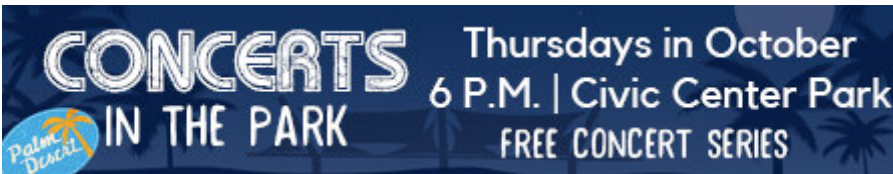
**Anthony Mejia**

*City Clerk*

City of Palm Desert

73510 Fred Waring Drive, Palm Desert, CA 92260

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**From:** Richard Cannone <[rcannone@palmdesert.gov](mailto:rcannone@palmdesert.gov)>  
**Sent:** Friday, October 11, 2024 12:05 PM  
**To:** Anthony Mejia <[amejia@palmdesert.gov](mailto:amejia@palmdesert.gov)>  
**Cc:** Todd Hileman <[thileman@palmdesert.gov](mailto:thileman@palmdesert.gov)>  
**Subject:** FW: Concern about STR Ordinance Changes on 10/10/24 City Council Agenda

Anthony, see below. Can we include this email as a public comment/backup item for the second reading, confirming what I stated to Councilmember Harnik last night?



**Richard D. Cannone, AICP**

*Director of Development Services*

City of Palm Desert

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**From:** William Choplin [REDACTED]  
**Sent:** Friday, October 11, 2024 12:01 PM  
**To:** Richard Cannone <[rcannone@palmdesert.gov](mailto:rcannone@palmdesert.gov)>  
**Subject:** Re: Concern about STR Ordinance Changes on 10/10/24 City Council Agenda

—  
Mr. Cannone,

Thank you for the follow up. The permitted zone language for off-site PR is easy to understand. William Choplin

On Oct 11, 2024, at 8:15 AM, Richard Cannone <[rcannone@palmdesert.gov](mailto:rcannone@palmdesert.gov)> wrote:

Mr. Choplin, good morning. Attached are the updated STR regulations that the City Council approved last night at the first reading/public hearing.

Thank you again for reaching out.

Best regards,  
Richard

**Richard D. Cannone, AICP**

<pdlogo\_aeb5f777-9f3d-40d4-9b90-9e3c0c146f24.png> *Director of Development Services*  
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**From:** William Choplin [REDACTED]  
**Sent:** Thursday, October 10, 2024 3:57 PM  
**To:** Richard Cannone <[rcannone@palmdesert.gov](mailto:rcannone@palmdesert.gov)>  
**Subject:** Re: Concern about STR Ordinance Changes on 10/10/24 City Council Agenda

Mr. Cannone,

Thank you for all your effort to keep me informed about your progress. Your prompt response is very much appreciated.

Have a good evening,

William

On Oct 10, 2024, at 2:58 PM, Richard Cannone <[rcannone@palmdesert.gov](mailto:rcannone@palmdesert.gov)> wrote:

Mr. Choplin:

I just left you a voicemail. We are revising the language so that it is clear, that to have an off-site STR you must be in a Functioning HOA that allows them.

The reason we have “units with one bedroom or less” is included as prohibited, is because the owner must stay on site and the guest must sleep in a bedroom. Individuals with a one-bedroom or studio could use their unit as an off-site STR since they won’t be staying at the property.

**Richard D. Cannone, AICP**

<pdlogo\_aeb5f777-9f3d-40d4-9b90-9e3c0c146f24.png> Director of Development Services  
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**From:** William Choplin [REDACTED]  
**Sent:** Thursday, October 10, 2024 1:52 PM  
**To:** Richard Cannone <[rcannone@palmdesert.gov](mailto:rcannone@palmdesert.gov)>  
**Cc:** Anthony Mejia <[amejia@palmdesert.gov](mailto:amejia@palmdesert.gov)>  
**Subject:** Re: Concern about STR Ordinance Changes on 10/10/24 City Council Agenda

Mr. Cannone,

Thank you for your voicemail and email reply to my questions.

My main concern was verifying that off-site STRs in the PR zone are only permitted with the approval by an HOA. Same as the current STR ordinance.

My initial concern resulted from the proposed language "Not within an HOA". It seems this language could be interpreted as allowing an STR in residential neighborhoods without an HOA. Lorena explained that the language is intended to allow an on-site STR without an HOA. Since it is also under the off-site STR paragraph, it confused me. Not within an HOA may need some clarification in the off-site language. The bullets in the off-site paragraph listing the permitted zones is the same as the on-site list except for R1, R2 & R3. In the on-site paragraph Not within an HOA means the property owner can get a permit for a single family home in the PR zone. Since it reads exactly the same in the off-site paragraph, I interpreted it to have the same meaning allowing a permit for a single family home. The language in the current STR ordinance regarding the PR zone is more straightforward and easy to understand. It seems to me that it says the same thing.

The only other difference between the on-site and off-site paragraphs is under Prohibited Units "Units with one bedroom or less" is included in on-site but not included in off-site.

The STR agenda item for today recommends a public hearing on this ordinance proposal. Will that be decided at the council meeting tonight?

Thanks again for your time,

William Choplin

On Oct 10, 2024, at 12:27 PM, Richard Cannone <[rcannone@palmdesert.gov](mailto:rcannone@palmdesert.gov)> wrote:

Mr. Choplin:

I just left you a voicemail, but also wanted to respond to your questions below.

Currently, STRs are permitted in single-family homes in the PR zone in the following instances:

1. It is an on-site STR, meaning the owner rents a bedroom or

casita while the owner remains on-site; see PDMC [Section 5.10.070](#), “The city shall prohibit the issuance of new short-term rental permits within the R-1 and R-2 zones, and the PR zones under certain circumstances as described below. These requirements do not apply to on-site owner short-term rental permits.”

2. An off-site STR is permitted provided they have HOA approval; see PDMC [Section 5.10.070\(C\)](#), “A new short-term rental permit within the PR zones will not be issued unless issuance of the permit is approved in writing by the homeowners' association having jurisdiction over the property.”

The proposed code update would still allow the two instances above, however, for an off-site STR to be allowed it must be governed by a Functioning HOA (see lines 51-61). An HOA that was established solely for landscape maintenance, would not meet the definition of a Functioning HOA and thereby would be prohibited from having an off-site STR.

I hope that addresses your concern, but please do not hesitate to reach me by telephone or email.

Best regards,  
Richard

**Richard D. Cannone, AICP**

<pdlogosmall\_72e0e3f9-Director of Development Services  
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**From:** William Choplin [REDACTED]  
**Sent:** Wednesday, October 9, 2024 5:11 PM  
**To:** Kevin Swartz <[kswartz@palmdesert.gov](mailto:kswartz@palmdesert.gov)>; Information Mail <[info@palmdesert.gov](mailto:info@palmdesert.gov)>  
**Subject:** Concern about STR Ordinance Changes on 10/10/24 City Council Agenda

Kevin,

I was reviewing the City Council agenda for 10/10/24 and noticed that changes to

the STR ordinance are being considered. You may recall I was involved in the changes to the STR ordinance in 2020 that restricted STRs in the PR zone to HOAs that permitted STRs. STRs in neighborhoods with single family homes were not permitted.

I'm concerned about the description I copied from the agenda about Off-Site STRs. Under the Permitted Residential Zones it describes the Planned Residential District zone allows STRs

- (i) Not within and HOA
- (ii) Not within a Functioning HOA or
- (iii) Within a Functioning HOA...

The new language seems to allow STRs in all types of housing except those designated under Prohibited Unit Types in all zones. If the ordinance changes are approved by the City Council, will STRs be allowed again in the single family homes in the PR zone?

Thank you,

William Choplin  
40669 Diamondback Dr  
Palm Desert

#### Off-Site Short-term Rentals

1.

#### Permitted Residential Zones

a. b. c. d.

Estate Residential District (RE)

Single-Family/Mobile Home Residential District (R-1M)

Multifamily Residential District (R-3)

Planned Residential District (PR), where the short term rental unit is:

(i) Not within an HOA;

(ii) (iii)

Not within a Functioning HOA; or

Within a Functioning HOA and the owner is permitted under state law or the current Declaration of Covenants, Conditions, and Restrictions (CC&Rs) of the Functioning HOA to operate a short-term rental.

Prohibited Unit Types in all zones:

- 1. Apartments
- 2. Accessory dwelling units
- 3. Junior accessory dwelling units

Downtown Edge Transition Overlay (DEO) Downtown Edge District (DE)

Downtown (D)

228. 228 **5.10.080 Off-site short-term  
rentals prohibited in HPR**

229. 229 **zone.**

<Attachment to Short Term Rental Update Ordinance UPDATED.pdf>