

ORDINANCE NO. 2024- _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
PALM DESERT, CALIFORNIA UPDATING CHAPTER
12.04 - ENCROACHMENTS AND MAKING A FINDING OF
EXEMPTION UNDER CEQA.

THE CITY COUNCIL OF THE CITY OF PALM DESERT DOES HEREBY
ORDAIN AS FOLLOWS:

SECTION 1. Amendment to Municipal Code. The City Council hereby adopts the updated section of the Palm Desert Municipal Code Chapter 12.04 - Encroachments, attached hereto as Attachment “A.”

SECTION 2. CEQA Exemption. The City Council finds and determines that the proposed ordinance amendment qualifies for exemption from the California Environmental Quality Act (CEQA) for the “common sense” exemption under Section 15061(b)(3). The ordinance introduces procedures specifically designed to safeguard environmental interests without authorizing physical changes. There is no possibility of a significant environmental impact. The ordinance primarily addresses administrative processes and regulatory guidance, without permitting construction activities, or any physical alterations. It refines regulatory compliance and oversight rather than promoting physical development. No specific encroachments are approved under this ordinance. Thus, the ordinance is procedural in nature and it bears no potential for significant environmental impact, supporting its qualification for the CEQA “common sense” exemption.

SECTION 3. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 4. Posting and 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 thirty (30) days after its adoption.

ADOPTED ON _____, 2024.

KARINA QUINTANILLA
MAYOR

ATTEST:

ANTHONY J. MEJIA
CITY CLERK

I, Anthony J. Mejia, City Clerk of the City of Palm Desert, California, do hereby certify that Ordinance No. ____ is a full, true, and correct copy, and was introduced at a regular meeting of the Palm Desert City Council on _____, 2024, and adopted at a regular meeting of the City Council held on _____, 2024, 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