

CITY OF PALM DESERT STAFF REPORT

MEETING DATE: August 28, 2025

PREPARED BY: Carlos Flores, AICP, Interim Deputy Director of Development Services

SUBJECT: APPROVE A GENERAL PLAN AMENDMENT AND ZONING ORDINANCE AMENDMENT TO PERMIT SINGLE-FAMILY DWELLINGS AND DAY CARE CENTERS IN THE DOWNTOWN EDGE TRANSITION OVERLAY - CEQA DETERMINATION

RECOMMENDATION:

1. Hold a public hearing and introduce an Ordinance entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM DESEERT, CALIFORNIA, APPROVING A GENERAL PLAN AMENDMENT TO MODIFY THE CITY CENTER/DOWNTOWN SECTION OF THE GENERAL PLAN TO REMOVE MINIMUM DENSITY REQUIREMENTS AND CLARIFIES ALLOWED LAND USE TYPES AND MAKING A FINDING OF EXEMPTION UNDER CEQA."
2. Adopt a Resolution entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, APPROVING A ZONING ORDINANCE AMENDMENT TO MODIFY TITLE 25 (ZONING) OF THE PALM DESERT MUNICIPAL CODE TO ADD SINGLE FAMILY RESIDENTIAL AND DAY CARE CENTERS AS AN ALLOWED LAND USE TYPE AND MAKING A FINDING OF EXEMPTION UNDER CEQA."

Executive Summary

City staff is proposing a General Plan Amendment (GPA) and a Zoning Text Amendment (ZOA) to include the following:

GPA (Case File GPA25-0001):

- Add language explicitly allowing single-family dwellings in City Center/Downtown, near residential edges (Alessandro Dr, Shadow Mountain Dr, Tumbleweed Ln).
- Remove 12-unit/acre minimum density and set maximum density at 40 units/acre.
- Revise and clarify language in the "Intent and Purpose" section of the City Center/Downtown land use designation to reinforce the allowance of moderate- to high-intensity mixed-use development and explicitly state that hotel uses are permitted.

ZOA (Case File ZOA25-0001):

- Amend Chapter 25.18.040 (Land Use and Permit Requirements) to:
 - Permit single-family dwellings by right in DE-O (instead of being prohibited)
 - Allow day care centers with a Conditional Use Permit (CUP) in DE-O

BACKGROUND/ANALYSIS:

On November 10, 2016, the City Council adopted Resolution No. 2016-86, which certified an Environmental Impact Report (EIR) for a comprehensive update of the City's General Plan, and Resolution No. 2016-87, which adopted the City's General Plan update. This update established

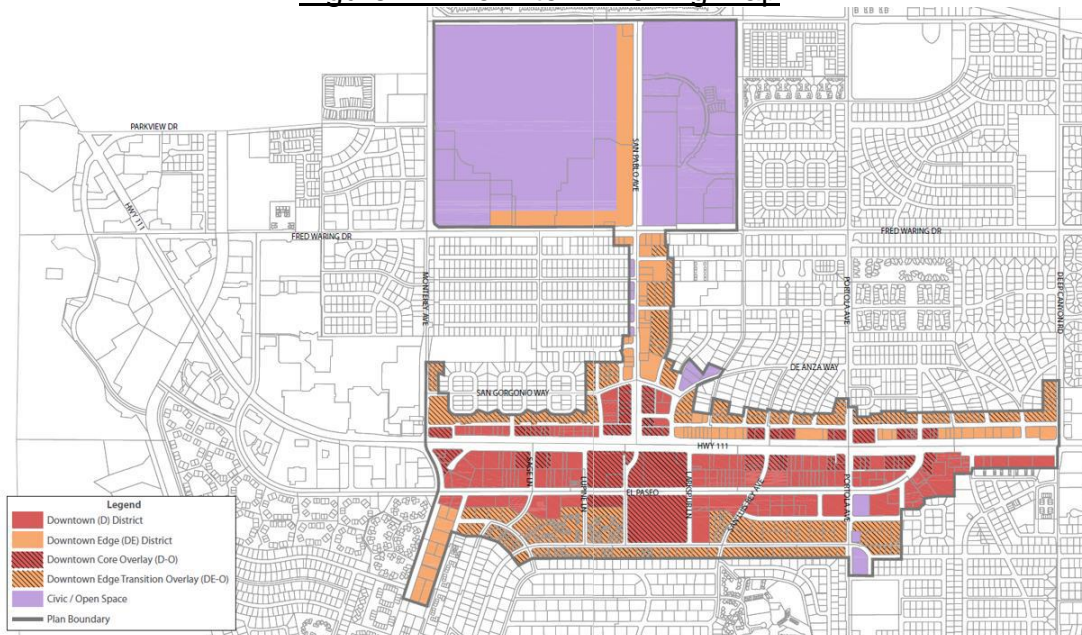
the City Center/Downtown land use designation in the Highway 111 area. The intent of the City Center/Downtown designation is to provide high intensity mixed-use development anchored by civic, cultural, entertainment, retail, and dining activity.

At the November 2016 meeting, the City Council also passed Ordinance No. 1313, approving the One Eleven Development Code, and passing it to a second reading on December 8, 2016. The One Eleven Development Code is the zoning document for the Highway 111 Corridor area located along Highway 111, generally east of Monterey Avenue/Highway 74 and west of Deep Canyon Road. The One Eleven Development Code also includes areas adjacent to the El Paseo Shopping District, San Pablo Avenue, and transitional areas along Alessandro Drive and Shadow Mountain Drive. The intent was to provide for a mixture of residential, commercial, and office land uses oriented around pedestrian-oriented spaces and walkable streets within the City Center/Downtown land use designation.

Ordinance No. 1313 established zoning regulations for development and land uses within the City Center/Downtown, including the establishment of two (2) zoning districts, four (4) overlay districts, and one special district as shown in Figure 1 below:

- Downtown (D) District
- Downtown Core Overlay (D-O)
- Downtown Edge (DE) District
- Downtown Edge Transition Overlay (DE-O)
- El Paseo Overlay
- San Pablo Overlay
- Civic/Open Space Special District

Figure 1 – Downtown Zoning Map



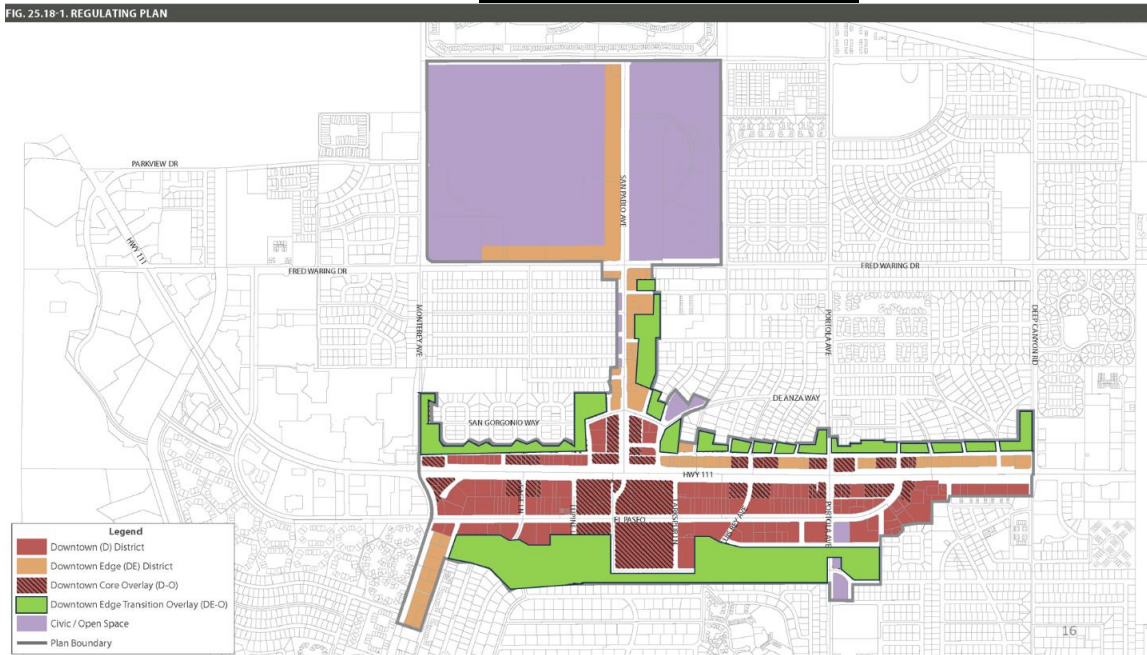
Ordinance No. 1313 created Chapter 25.18.040 within the Palm Desert Municipal Code (PDMC), which established which uses are permitted by right, require a use permit, or are prohibited,

broken down by district or overlay. Per Chapter 25.18.040, single-family dwellings are permitted by approval of a conditional use permit in the D and DE Districts and the D-O. They are prohibited within the DE-O.

The DE-O is focused along the edges of the City Center/Downtown land use area, abutting Alessandro Drive, Shadow Mountain Drive, and Tumbleweed Lane. The DE-O is mostly comprised of a mixture of residential uses, with occasional nonresidential uses. The DE-O currently has single-family dwellings located on multiple parcels, which are currently considered legal nonconforming given that their construction and use were prior to the approval of Ordinance No. 1313. New single-family dwellings are currently prohibited from construction within DE-O. If any existing single-family dwelling within the DE-O is vacated for six (6) months, it is not allowed to re-establish itself as a single-family dwelling and must conform with a permitted use pursuant to Chapter 25.18.040.

Day care centers are also prohibited within the DE-O. Day care centers are defined in the PDMC as *“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.”* Large and small family day care centers are permitted by right in DE-O and educational institutions are allowed with approval of a Conditional Use Permit (CUP). Historically, Day care centers were allowed on parcels within the DE-O, such as the building at 44911 Cabrillo Way, which was the former site of the “Wallaroo Kids Learning Center daycare/preschool facility” approved by CUP 04-18. This building would currently be prohibited from being used as a new daycare/preschool.

Figure 2 – DE-O Locations



On June 5, 2025, staff met with the Downtown Subcommittee to discuss future planning objectives and goals for the downtown area. During the meeting, staff presented information highlighting inconsistencies between the General Plan and the Zoning Ordinance. It was explained that these discrepancies would be brought before the Planning Commission and City Council for further discussion and a determination on how best to move forward with the planning objectives.

Project Description:

GPA

GPA25-0001 revises the “City Center/Downtown” allowed land uses section to reflect that single-family dwellings are allowed. The text would be revised to add: *“Single family residential may be located in areas of downtown abutting existing neighborhoods near Alessandro Drive, Shadow Mountain Drive and Tumbleweed Lane.”*

The GPA25-0001 would also remove a minimum density threshold of 12 units to the acre within City Center/Downtown and establish that density would be up to 40 units to the acre. A minimum density of 12 units to the acre meant that single-family dwellings could only develop on parcels that were no greater than 3,630 square feet in size, a standard which severely restricted areas which would allow for single-family dwellings.

The GPA25-0001 also includes clean up within the City Center/Downtown “Intent & Purpose” to establish that it would allow moderate to high intensity mixed use development and explicitly state it allows hotels, which was the intended use.

ZOA

ZOA25-0001 amends Chapter 25.18.040 to make single-family dwellings within the DE-O permitted by right instead of prohibited. In City staff’s review of the City Center/Downtown land use areas, the DE-O is the only area where single-family dwellings currently exist but the only zoning designation where it is currently prohibited.

The ZOA25-0001 would also amend the same Chapter 25.18.040 to allow Day care centers with approval of a Conditional Use Permit (CUP). The DE-O allows for all other types of day cares and educational institutions but prohibits Day care centers, which are allowed in the D and D-O zoning districts with approval of a CUP.

DE-O areas are appropriate for the continued use of existing single-family dwellings, for future construction of new single-family dwellings, and for future use of Day care centers. DE-O is located in areas that strategically abut residential and nonresidential areas to create an appropriate transition between downtown and surrounding residential areas. If approved, the change would remove existing nonconformities and would not establish any new nonconformities.

Legal Review:

This report has been reviewed by the City Attorney's Office.

Planning Commission Recommendation:

On July 15, 2025, the Planning Commission held a duly noted public hearing and adopted Planning Commission resolution No. 2895 which recommended the City Council approve GPA/ZOA 25-0001, as presented.

Environment Review:

The City's Development Services Department finds that this is not a "project," as defined in the California Environmental Quality Act (CEQA) because it does not have a 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. Pursuant to Section 15061(b)(3) General Rule of the CEQA Guidelines of the CEQA Guidelines, CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This Project itself does not have the potential to impact the physical environment.

Public Input

Public noticing was conducted for August 28, 2025, City Council meeting per the requirements of PDMC Section 25.60.060 and Government Code Sections 65090 to 65094 and 65854. This includes the requirements of Section 65854 recently updated pursuant to Assembly Bill 2904. A public hearing notice was published a minimum of 20 days before the hearing date in The Desert Sun newspaper on August 8, 2025. City staff has received no comments on the project as of the date of this report.

FINANCIAL IMPACT:

There is no financial impact with this action.

ATTACHMENTS:

1. Draft Ordinance
 - a. Exhibit A General Plan Amendment
2. Draft Resolution
 - a. Exhibit A Zoning Ordinance Amendment
3. Public Hearing Notice