

RESOLUTION NO. 2026-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, DENYING AN APPEAL AND CONFIRMING THE DECISION OF THE PLANNING COMMISSION OF THE CITY OF PALM DESERT, CALIFORNIA, TO ADOPT AN INITIAL STUDY MITIGATED NEGATIVE DECLARATION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND APPROVING A PRECISE PLAN FOR THE CONSTRUCTION OF A 546 SINGLE FAMILY UNIT RESIDENTIAL COMMUNITY LOCATED SOUTH OF FRANK SINATRA DRIVE AND WEST OF PORTOLA AVENUE

CASE NO. PP/EA 25-0003

WHEREAS, Blue Fern West (“Applicant”), submitted a Precise Plan and Initial Study Mitigated Negative Declaration to construct 546 single-family residences on approximately 81 acres, including onsite circulation, utility infrastructure, stormwater facilities, lighting, and open space areas. The project is consistent with the City’s Planned Residential (PR)-22 density designation (7–22 units per acre). The community will include a mix of single- and two-story homes distributed across four planning areas to provide a variety of housing types. The project is located South of Frank Sinatra Drive and west of Portola Avenue on APN 620-170-009 (“Project”); and

WHEREAS, the Project site is within the PR-22 zoning district, and is designated as Town Center Neighborhood by the Palm Desert General Plan; and

WHEREAS, an Initial Study (IS) was prepared for the Project pursuant to the requirements of CEQA and concluded that a Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) be prepared and conduct proper notifications pursuant to CEQA guidelines, as the Project would have no potentially significant impacts on the environment with mitigation measures incorporated; and

WHEREAS, the Project complied with the requirements of the "2024 Local Guidelines for Implementing the California Environmental Quality Act for the City Palm Desert" Resolution No. 2024-035, an Initial Study Mitigated Negative Declaration was prepared and found that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent; and

WHEREAS, under Section 21067 of the Public Resources Code, Section 15367 of the State 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, the proposed Project establishes site layout, minimum lot sizes, circulation, recreation and open space areas, and location of single and two-story homes, including the allowance of two-story homes along the eastern perimeter of the project; and

WHEREAS, the proposed Project conforms to the General Plan land use designation for Town Center Neighborhood and the development standards listed in the City's Zoning Ordinance for the PR-22 zoning district; and

WHEREAS, on November 18, 2025, the Palm Desert Planning Commission conducted a duly noticed public hearing and approved the Project and adopted the MND and MMRP via Planning Commission Resolution 2904; and

WHEREAS, on November 18, 2025, the Palm Desert Planning Commission conducted a duly noticed public hearing and approved Tentative Tract Maps 39159 and 39160, via Planning Commission Resolutions 2905 and 2907 respectively, which were found to be consistent with the MND and MMRP adopted via Planning Commission Resolution 2904; and

WHEREAS, Palm Desert Municipal Code (PDMC) Section 25.60.080 establishes a 15-day appeal period for land use decisions and establishes that the City Council as the appeal authority for decisions by the Planning Commission; and

WHEREAS, on November 24, 2025, within the 15 calendar days of the Planning Commission Decision, the City of Palm Desert received an appeal application and fee from Supporters Alliance for Environmental Responsibility ("Appellant") appealing the Planning Commission's decision to adopt Planning Commission Resolution No. 2904, and agreed to an appeal hearing date of January 8, 2026; and

WHEREAS, the Appellants reasons for an appeal state that an environmental impact report [EIR] needed to be prepared because there is a fair argument that the Project may have adverse environmental impacts, including, but not limited to, impacts to air quality an biological resources; and

WHEREAS, the City published a Notice of Intent to Adopt a Mitigated Negative Declaration on October 1, 2025, in accordance with CEQA guidelines. The public review period for the MND was from October 1, 2025 through October 20, 2025. During this review period, the City received a comment letter from the Department of Toxic Substances Control and the California Department of Fish and Wildlife; and

WHEREAS, the CEQA Guidelines do not require a lead agency to prepare written responses to comments received (CEQA Guidelines Section 15088), written responses were provided to both agencies and are found in Section 2.0 of the ISMND. In response to the comment letters, the ISMND revised two (2) Biological Resources mitigation measures, added one (1) Biological Resources mitigation measure, and revised language on the Hazards and Hazardous Materials section. Revisions to the MND do not constitute substantial revisions and therefore did not require recirculation under CEQA Guidelines section 15073.5.; and

WHEREAS, Air Quality impacts were analyzed in the ISMND and found to have a less than significant impact. No comments were provided during the CEQA public review period related to Air Quality.

WHEREAS, Impacts for Biological resources were analyzed and found to have a less than significant impact with mitigation incorporated. A total of four (4) mitigation measures were incorporated in the ISMND, including three (3) from input provided by California Department of Fish and Wildlife; and

WHEREAS, in the City of Palm Desert's role as the lead agency under CEQA, the Planning Commission found that the Project complied with the requirements of the "2024 Local Guidelines for Implementing the California Environmental Quality Act for the City Palm Desert" Resolution No. 2024-035, an Initial Study Mitigated Negative Declaration was prepared and found that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. The Planning Commission further found that all environmental impacts of the Project are either insignificant or can be mitigated to a less than significant level pursuant to the mitigation measures outlined in the MND, Initial Study, and the Mitigation Monitoring and Reporting Program (MMRP). Furthermore, the MND was not substantially revised after public notice of its availability, and recirculation was not required. (State CEQA Guidelines, § 15073.5.) The MND contains a complete, objective, and accurate reporting of the environmental impacts associated with the Project and reflects the independent judgment of the Planning Commission. Therefore, there was no substantial evidence in the record supporting a fair argument that the Project may result in significant environmental impacts and that any comments received to date regarding the Project were examined and determined not to modify the conclusions of the MND; and

WHEREAS, pursuant to the requirements of Section 25.60.080 of the PDMC, an appeal hearing shall be scheduled for a public hearing within 40 days of the date of the appeal filing, unless otherwise agreed to by the applicant/appellant; and

WHEREAS, the Applicant and Appellant agreed to a January 8, 2026 City Council public hearing for the appeal hearing; and

WHEREAS, the City Council of the City of Palm Desert, California, did on the 8th day of January, 2026, hold a duly noticed public hearing to consider the request by the Appellant; and

WHEREAS, at the said public hearing, upon hearing and considering all testimony and arguments, if any, of all interested persons desiring to be heard, the City Council did find the following facts and reasons, which are outlined in the staff report, exist to justify denial of the appeal and confirmation of the Planning Commission approval:

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. Appeal Determination. The City Council confirms the decision by the Planning Commission approving the Project; and

SECTION 3. Execution of Resolution. The Mayor signs this Resolution, and the City Clerk shall attest and certify to the passage and adoption thereof.

ADOPTED ON _____.

EVAN TRUBEE
MAYOR

ATTEST:

ANTHONY J. MEJIA
CITY CLERK

I, Anthony J. Mejia, City Clerk of the City of Palm Desert, hereby certify that Resolution No. 2026-__ 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 _____, 2026.

ANTHONY J. MEJIA
CITY CLERK