

ORDINANCE NO. _

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA ADOPTING HILLSIDE RESIDENTIAL DESIGN STANDARDS, AMENDING PALM DESERT MUNICIPAL CODE TITLE 25 AND MAKING A FINDING THE OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

CASE NO. ZOA 25-5001

WHEREAS, Government Code Section 65800 et seq. provides for the amendment of any and all adopted City of Palm Desert (“City”) zoning laws, ordinances, rules and regulations; and

WHEREAS, the Zoning Ordinance Amendment (ZOA) is initiated by the City of Palm Desert to adopt Hillside Residential Design Standards and modify sections of the Palm Desert Municipal Code (PDMC) Title 25 (Zoning) to incorporate objective standards and processes for new residential developments within the Hillside Residential zoning district; and

WHEREAS, the City has complied with the requirements of the Local Planning and Zoning Law (Government Code section 65100 et seq.), and the City’s applicable ordinances and resolutions with respect to approval of amendments to Title 25 of the Palm Desert Municipal Code (“Zoning Ordinance”); 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 this ZOA; and

WHEREAS, the ZOA has complied with the requirements of the "City of Palm Desert Procedure for Implementation of CEQA" Resolution No. 2024-035, in that the Director of Development Services has determined that the ZOA is not a project subject to CEQA under section 15378, or in the alternative, is exempt from CEQA under State CEQA Guidelines section 15061(b)(3) and categorically exempt under section 15320; and

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

WHEREAS, the Planning Commission of the City of Palm Desert, California, did on December 16, 2025, hold a duly noticed public hearing to previously consider the request by the City of Palm Desert for approval of ZOA 25-5001 and adopted Planning Commission Resolution No. 2909 recommending that the City Council approve the ZOA; and

ORDINANCE NO _

WHEREAS, the City Council of the City of Palm Desert, California, did on January 8, 2026, hold a duly noticed public hearing to previously consider the request by the City of Palm Desert for approval of ZOA 25-5001; and

WHEREAS, the Planning Commission of the City of Palm Desert, California, did on March 3, 2026, hold a duly noticed public hearing to consider revised ZOA 25-5001, and unanimously recommended that the City Council approve the revised ZOA; and

WHEREAS, the City Council of the City of Palm Desert, California, did on April 23, 2026, hold a duly noticed public hearing to consider the revised ZOA 25-5001 as recommended by the Planning Commission; 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, to exist to justify approval of said request.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. Findings. The City Council of the City of Palm Desert hereby finds that:

1. The City of Palm Desert, California (“City”) is a municipal corporation, duly organized under the constitution and laws of the State of California; and
2. The Planning and Zoning Law authorizes cities to establish by ordinance the regulations for land use and development.
3. The Hillside Residential Design Standards and ZOA adopted by this Ordinance are intended to constitute objective development standards as defined by Government Code section 65589.5.

SECTION 2. CEQA. The City Council finds that adoption of this ZOA is not a “project” within the meaning of State CEQA Guidelines section 15378. The ZOA adopts and clarifies objective Hillside Residential Design Standards applicable to properties within the existing HPR zoning district and corrects internal inconsistencies within the Palm Desert Municipal Code. The ZOA does not increase allowable density or expand the geographic area subject to development. Rather, it refines and implements development standards governing building pad size, allowable building area, grading, and design requirements intended to protect hillside views, natural landforms, and neighborhood character, while improving clarity and consistency in the City’s development review process. Because the ZOA does not authorize new development or increase the intensity of development beyond that already allowed under existing

ORDINANCE NO _

regulations, it will not result in a reasonably foreseeable significant physical change in the environment and therefore does not constitute a “project” under CEQA. In addition, the ZOA constitutes an organizational and administrative activity of government that will not result in direct or indirect physical changes in the environment and is therefore excluded from the definition of a “project.”

Even if adoption of this ZOA were a “project” under CEQA, it would be exempt from environmental review. The ZOA is exempt pursuant to State CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility that the ordinance may have a significant effect on the environment, as the ZOA does not increase development intensity or density and instead imposes standards that limit and regulate development within an existing zoning designation.

In addition, the ZOA is categorically exempt pursuant to State CEQA Guidelines section 15320 because it does not change the geographic area in which the City’s existing land use regulatory authority is exercised and instead refines the manner in which such authority is implemented within the existing HPR zoning district. Finally, none of the exceptions to the use of categorical exemptions set forth in State CEQA Guidelines section 15300.2 applies, as the ordinance will not result in cumulative impacts, does not present unusual circumstances that would result in a significant environmental effect, will not damage scenic resources within a designated scenic highway, is not located on a hazardous waste site pursuant to Government Code section 65962.5, and will not cause a substantial adverse change in the significance of a historical resource.

The City Council directs staff to file a Notice of Exemption for this ZOA with the County Clerk and State Clearinghouse in accordance with State CEQA Guidelines.

SECTION 3. Adoption of Hillside Residential Design Standards. The City Council approves and adopts the Hillside Residential Design Standards as attached hereto and incorporated herein as Exhibit A.

SECTION 4. Zoning Ordinance Amendment. and The City Council adopts ZOA 25-5001, as attached hereto and incorporated herein as Exhibit B. The PDMC Sections and Subsections amended by this ZOA include Subsection (A) of Section 25.10.050, Section 25.72.080 in its entirety, and Section 25.78.020 in its entirety.

SECTION 5. Effective Date. This Ordinance takes effect 30 days after its adoption.

SECTION 6. Publication. The City Clerk is directed to certify to the adoption of this Ordinance and post or publish this Ordinance as required by law.

ORDINANCE NO _

SECTION 7. Custodian of Records. The custodian of records for this Ordinance is the City Clerk and the records comprising the administrative record are located at 73-510 Fred Waring Drive, Palm Desert, CA.

SECTION 8. Severability. If any provision of this Ordinance or its application to any person or circumstance is held to be invalid by a court of competent jurisdiction, such invalidity has no effect on the other provisions or applications of the Ordinance that can be given effect without the invalid provision or application, and to this extent, the provisions of this Ordinance are severable. The City Council declares that it would have adopted this Ordinance irrespective of the invalidity of any portion thereof.

PASSED, APPROVED, AND ADOPTED ON _____.

EVAN TRUBEE
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 _____, 2026, and adopted at a regular meeting of the City Council held on _____, 2026, 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