

PLANNING COMMISSION RESOLUTION NO. 2837

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM DESERT, CALIFORNIA, ADOPTING A NOTICE OF EXEMPTION PURSUANT TO THE STATE OF CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND RECOMMENDING THAT THE CITY COUNCIL APPROVE A CHANGE OF ZONE FROM PC-4 TO PC-2 FOR THE PROPERTY LOCATED ON PARCEL 1 OF PARCEL MAP NO 36614 AT 72221 HIGHWAY 111 (ASSESSOR'S PARCEL NUMBER 640-020-054)  
CASE NO. CZ23-0001

WHEREAS, 72221 Highway 111 ("Applicant"), submitted a request to change the zoning designation of a 1.34-acre parcel located at 72221 Highway 111, legally described as Parcel 1 of PM 36614 from Resort Planned Commercial (PC-4) to District Planned Commercial (PC-2); and

WHEREAS, the Project site has a land use designation of Suburban Retail Center in the Palm Desert General Plan adopted on November 10, 2016, and a zoning designation of Resort Commercial Center (PC-4); and

WHEREAS, the Project site has been developed with existing improvements, which generally consist of a multi-tenant commercial building and related parking lot and landscaping; and

WHEREAS, the Project site is adequately served by existing public utilities and services; and

WHEREAS, under Section 21067 of the Public Resources Code, Section 15367 of the State California Environmental Quality Act (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, under Palm Desert Municipal Code (PDMC) Chapter 25.02 establishes that the Suburban Retail Center General Plan land use designation is implemented by the District Commercial Center (PC-2) zoning designation; therefore, consistent with the 2016 Palm Desert General Plan; and

WHEREAS, the proposed Change of Zone will render the existing improvements on the site or land uses nonconforming with any applicable Palm Desert Zoning Ordinance standards; 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 Project has complied with the requirements of the "City of Palm Desert Procedure for Implementation of CEQA" Resolution No. 2019-41, in that the Director of Development Services has determined that the Project will not have a foreseeable significant impact on the environment and that the Project is eligible for an exemption exempt Section 15061(b)(3) General Rule of the CEQA Guidelines; therefore, no further environmental review is necessary at this time; and

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WHEREAS, the Planning Commission of the City of Palm Desert, California, did on the 18<sup>th</sup> day of July 2023, hold a duly noticed public hearing to consider the request by the Applicant for approval of the above-noted Project request; 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 Planning Commission did find the following facts and reasons, which are outlined in the staff report, exist to justify approval of said request:

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Palm Desert, California, as follows:

SECTION 1. Recitals. The Planning Commission hereby finds that the foregoing recitals are true and correct and are incorporated herein as substantive findings of this Resolution.

SECTION 2. General Plan Consistency. The Planning Commission hereby finds that the proposed zone change to PC-2 is consistent with the City of Palm Desert General Plan.

SECTION 3. CEQA. The application has complied with the requirements of the “City of Palm Desert Procedure for Implementation of CEQA” Resolution No. 2019-41, in that the Planning Commission finds that the Project is an exemption from CEQA per Section 15061(b)(3) of the CEQA guidelines as the Project is a determination on whether a use that is not listed shall be deemed a conditional use. No direct, foreseeable impact on the environment can be identified at this time.

SECTION 4. Project Recommendation. The Planning Commission hereby recommends to the Palm Desert City Council approval of Case No. CZ23-0001 to change the zoning designation of Parcel 1 of PM 36614 to District Commercial Center (PC-2) as depicted in Exhibit A, attached hereto; and

SECTION 5. Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings are based are located at the City’s office at 73510 Fred Waring Drive, Palm Desert, CA 92260. Richard D. Cannone, AICP, the Secretary to the Palm Desert Planning Commission, is the custodian of the record of proceedings.

SECTION 6. Execution of Resolution. The Chairperson of the Planning Commission signs this Resolution, and the Secretary to the Commission shall attest and certify to the passage and adoption thereof.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Palm Desert, California, as follows:

1. That the above recitations are true and correct and constitute the findings for recommendation by the Planning Commission in this case.
2. That the Planning Commission does hereby recommend approval of Case No. CZ23-0001.

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ADOPTED ON July 18, 2023.

Nancy DeLuna  
Nancy DeLuna (Jul 25, 2023 18:24 PDT)

NANCY DE LUNA  
CHAIRPERSON

ATTEST:




RICHARD D. CANNONE, AICP  
SECRETARY

I, Richard D. Cannone, AICP, Secretary of the City of Palm Desert, hereby certify that Resolution No. 2837 is a full, true, and correct copy, and was duly adopted at a regular meeting of the Planning Commission of the City of Palm Desert on July 18, 2023, by the following vote:

AYES: DE LUNA, GREENWOOD, GREGORY, and PRADETTO  
NOES: NONE  
ABSENT: HOLT  
ABSTAIN: NONE  
RECUSED: NONE

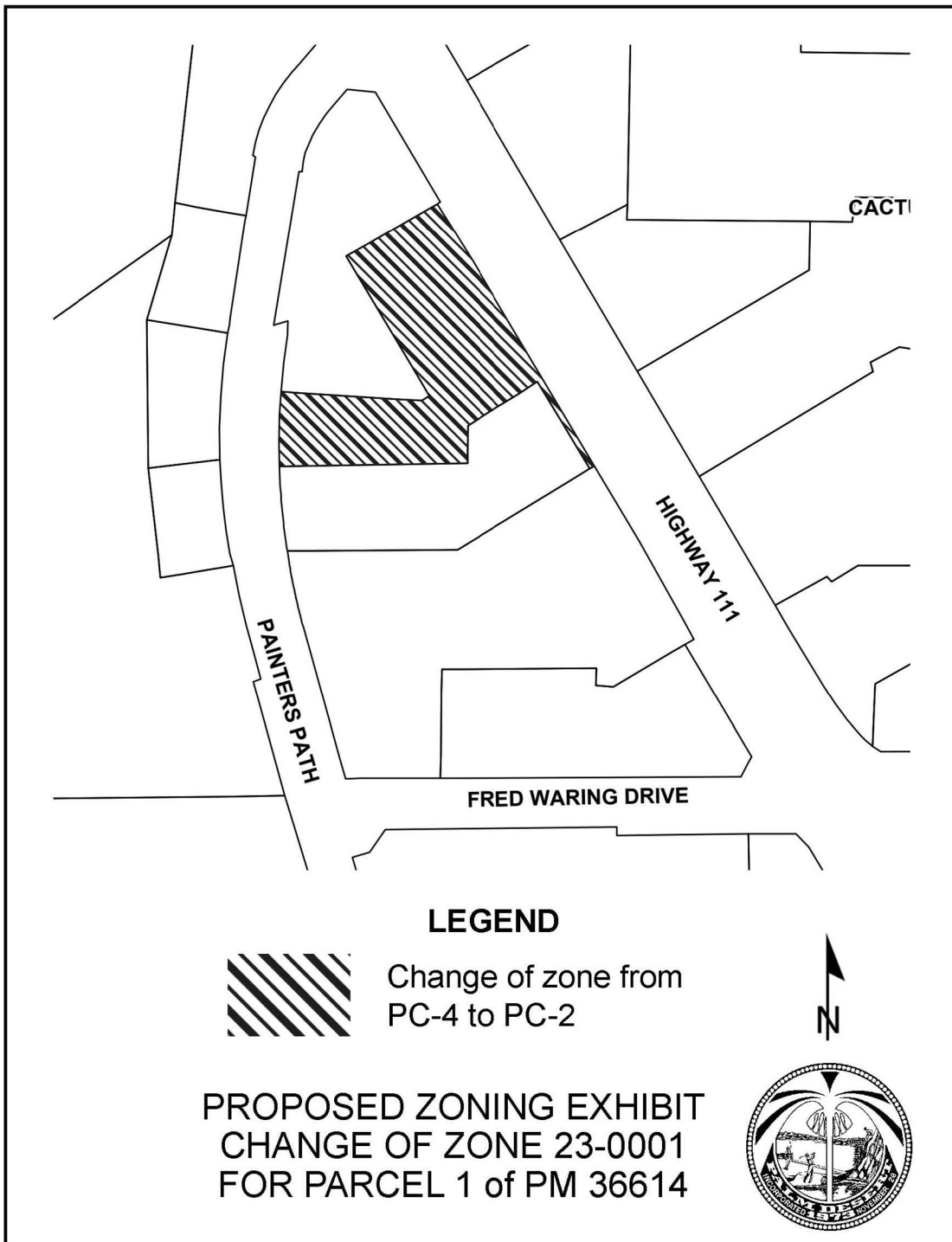
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Palm Desert, California, on July 20<sup>th</sup>, 2023.



RICHARD D. CANNONE, AICP  
SECRETARY

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EXHIBIT A









# Res No 2837

Final Audit Report

2023-07-26

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## "Res No 2837" History

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