

ORDINANCE NO. 1436

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM DESEERT, 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.

CASE NOS. ZOA25-0001

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;

WHEREAS, the Zoning Ordinance Amendment (“Project”) is initiated by the City of Palm Desert Development Services Department and modifies Title 25 (Zoning) of the Palm Desert Municipal Code to add single family residential and day care centers as allowed land use types; 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, the proposed Project would not create any nonconforming uses or structures and makes the Municipal Code and General Plan consistent with existing structures and uses; 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, pursuant to the requirements of the CEQA, the State Guidelines for Implementation of CEQA (State CEQA Guidelines), and the City of Palm Desert CEQA Implementation Requirements, the City of Palm Desert Development Services Department has determined that the Project will not have a significant impact on the environment under Section 15061(b)(3) General Rule of the CEQA Guidelines of the CEQA Guidelines; therefore, no further environmental review is necessary; and

WHEREAS, the Planning Commission of the City of Palm Desert, California, did on the 15<sup>th</sup> day of July 2025, hold a duly noticed public hearing to consider the request for approval of the above-noted Project request and adopted Planning Commission Resolution 2895 recommending the City Council approve said Project; and

WHEREAS, the City Council of the City of Palm Desert, California, did on the 28<sup>th</sup> of August, 2025, hold a duly noticed public hearing to consider the request by the Applicant for approval of the above-noted Project request and approved Council

Resolution 2025-063. Resolution 2025-063 was approved in error as it should have been brought forward as an Ordinance, as it is being introduced today; and

WHEREAS, the City Council of the City of Palm Desert, California, did on the 23<sup>rd</sup> day of October 2025, 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 City Council 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 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. General Plan Consistency. There is a substantial public benefit to be derived from the Zoning Ordinance Amendment and the proposed amendment furthers the goals of the General Plan. The Zoning Ordinance Amendment is in line with the General Plan, as amended via General Plan Amendment 25-0001, approved by the City Council on August 28th, 2025 as Ordinance 1435.

The approved General Plan Amendment clarified that single family residential units are allowed within the City Center/Downtown designation, which is consistent with the Palm Desert Municipal Code and with existing single family residential units constructed and used within the area. The removal of a minimum density allows additional opportunities for development of sites within the area to increase the amount of housing units. The General Plan Amendment clarified original intention and existing uses for the City Center/Downtown.

SECTION 3. CEQA Determination. The City Council finds that the Project is 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.

SECTION 4. Council Resolution 2025-063 Rescinded. The City Council hereby rescinds Council Resolution 2025-063, which mistakenly approved this Project as a Resolution instead of as an Ordinance on August 28, 2025.

SECTION 5. Zoning Ordinance Amendment. The City Council approves the Zoning Ordinance Amendment presented, as depicted in Exhibit "A."

SECTION 6. 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 7. Posting and Publication. The City Clerk of the City of Palm Desert, California, is hereby directed to publish a summary of 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 NOVEMBER 13, 2025.

Signed by:  
*Jan C. Harnik*  
DC37D0D20CC44D4...  
\_\_\_\_\_  
JAN C. HARNIK  
MAYOR

ATTEST:

Signed by:  
*Anthony J. Mejia*  
8063A189723D437...  
\_\_\_\_\_  
ANTHONY J. MEJIA  
CITY CLERK

I, Anthony J. Mejia, City Clerk of the City of Palm Desert, California, do hereby certify that Ordinance No. 1436 is a full, true, and correct copy, and was introduced at a regular meeting of the Palm Desert City Council on October 23, 2025, and adopted at a regular meeting of the City Council held on November 13, 2025, by the following vote:

AYES: NESTANDE, PRADETTO, AND QUINTANILLA  
NOES: NONE  
ABSENT: NONE  
ABSTAIN: NONE  
RECUSED: TRUBEE AND HARNIK

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Palm Desert, California, on 11/24/2025.

Signed by:  
*Anthony J. Mejia*  
8063A189723D437...  
\_\_\_\_\_  
ANTHONY J. MEJIA  
CITY CLERK

EXHIBIT A

See following pages

**§ 25.18.040. Land Use and Permit Requirements.**

Table 25.18-1 (Use Matrix for Downtown Districts) identifies allowed uses and corresponding permit requirements for the downtown districts and all other provisions of this title. Descriptions/ definitions of the land uses can be found in Chapter 25.99 (Definitions). The special use provisions column in the table identifies the specific chapter or section where additional regulations for that use type are located within this title.

Uses that are not listed are not permitted. However, the Commission may make a use determination as outlined in Section 25.72.020 (Use Determinations).

**TABLE 25.18-1. USE MATRIX FOR DOWNTOWN DISTRICTS**

- P = use permitted by right
- A = use requires administrative use permit
- C = use requires approval of conditional use permit
- N = use not permitted

Land Use	Zone				Special Use Provisions
	D	D-O	DE	DE-O	
<b>Residential Uses</b>					
Accessory dwelling unit	P	P	P	P	25.34.030
Assisted Living	N	N	N	C	
Condominium	C <sup>1</sup>	C <sup>1</sup>	C	C	25.16.040.B
Dwelling, duplex	C <sup>1</sup>	C <sup>1</sup>	C	P	25.16.040.B
Dwelling, multifamily	C <sup>1</sup>	C <sup>1</sup>	C	P	25.16.040.B
Dwelling, single-family	C <sup>1</sup>	C <sup>1</sup>	C	<del>N</del> P	25.16.040.B
Group home	C <sup>1</sup>	C <sup>1</sup>	C	N	25.16.040.B
Junior accessory dwelling unit	P	P	P	P	25.34.030
Home-based business	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	25.34.020
<b>Agriculture-Related Uses</b>					
Garden, private	C <sup>1</sup>	C <sup>1</sup>	N	P	
Greenhouse, private	N	N	C	P	
Horticulture, private	N	N	C	P	
<b>Recreation, Resources Preservation, Open Space, and Public Assembly Uses</b>					
Club, private	N	N	N	C	
Day care center	C <sup>1</sup>	C <sup>1</sup>	N	<del>N</del> C <sup>1</sup>	
Day care, large family	N	N	N	P	25.10.040.F
Day care, small family	N	N	N	P	
Institution, educational	N	N	C	C	

Land Use	Zone				Special Use Provisions
	D	D-O	DE	DE-O	
Institution, general	N	N	C	C	
Institution, religious	N	N	C	C	
Mechanical or electronic games, ≤ 4	P <sup>1</sup>	P <sup>1</sup>	P	N	
Mechanical or electronic games, ≥ 5	C <sup>1,2</sup>	C <sup>1,2</sup>	C	N	
Recreational facility, incidental	N	N	N	C	25.10.040.H
Recreation facility, private	N	N	N	P	
Recreation facility, public	N	N	N	C	
<b>Retail, Service, and Office Uses</b>					
Accessory massage establishments	P	P	P	N	25.34.160
Ancillary commercial	N	N	A	N	25.16.040.E
Animal Clinic	C <sup>1,6</sup>	C <sup>1,6</sup>	C <sup>1,6</sup>	N	25.34.210
Art gallery	P	P	P	A	
Art studio	P <sup>1</sup>	P <sup>1</sup>	A	A	
Book and card shops	P	P	N	N	
Bed and breakfast	N	N	C	C	
Cannabis storefront retail	C	N	C	N	25.34.120
Cannabis testing and research laboratory	N	N	N	N	25.34.120
Clothing and apparel shops	P	P	P	N	
Convention and visitor's bureau	P <sup>1</sup>	P <sup>1</sup>	C	N	
Drugstore	P <sup>1</sup>	P <sup>1</sup>	N	N	
Financial institution	P <sup>1</sup>	P <sup>1</sup>	C	N	
Furniture stores and home furnishings	P	P	P	N	
Gift and accessories boutiques (including small antiques)	P	P	P	N	
Grocery store < 35,000 SF	C <sup>1</sup>	C <sup>1</sup>	N	N	
Health club, gyms or studios	C <sup>1,2</sup>	C <sup>1,2</sup>	C <sup>2</sup>	N	
Hotel	C	C	C	C	
Independent stand-alone massage establishments	P <sup>1</sup>	P <sup>1</sup>	C	N	25.34.160
Jewelry shops	P	P	P	N	
Liquor store	P <sup>1</sup>	P <sup>1</sup>	N	N	
Liquor, beverage, and food items shop	P <sup>1</sup>	P <sup>1</sup>	N	N	
Luggage shops	P	P	P	N	
Medical, clinic	P <sup>1</sup>	P <sup>1</sup>	P	N	

Land Use	Zone				Special Use Provisions
	D	D-O	DE	DE-O	
Medical, office	P <sup>1</sup>	P <sup>1</sup>	P	A <sup>5</sup>	
Medical, hospital	P <sup>1</sup>	P <sup>1</sup>	C	C	
Medical, laboratory	N	N	P	N	
Mortuary	C <sup>1</sup>	C <sup>1</sup>	N	N	
Office, professional	P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>	25.28.040.C
Office, local government	P <sup>1</sup>	P <sup>1</sup>	P	N	
Office, neighborhood government	N	N	N	C	
Office, travel agency	P <sup>3</sup>	P <sup>3</sup>	P	N	25.10.040.K
Outdoor sales	A <sup>1</sup>	A <sup>1</sup>	A	N	
Personal services	P	P	P	N	
Restaurant	C <sup>2</sup>	C <sup>2</sup>	C <sup>1</sup>	N	25.16.040.H
Retail	P	P	P	N	
Retail, bulky items	P <sup>1</sup>	P <sup>1</sup>	C	N	
Retail, Golf carts and neighborhood electric vehicles (NEV)	C	N	C	N	25.34.190
Spa	P	P	P	C	
Sundries shops (general merchandise)	P	P	P	N	
Time-share project	C <sup>1</sup>	C <sup>1</sup>	N	N	
<b>Utility, Transportation, Public Facility, and Communication Uses</b>					
Fire station	C	C	C	C	
Commercial communication tower	C	C	C		
Commercial parking lot	P	P	C	C	25.10.040.I
Office parking lot	N	N	N	C	25.10.040.L
Public service facility	N	N	N	C	
Utility facility	N	N	N	C	
Utility installation	C	C	N	N	
<b>Automobile and Vehicle Uses</b>					
Automotive rental agency	P	P	C	N	
Automotive service station	C	C	N	N	
<b>Temporary Uses</b>	See Section 25.34.080				

- 1 Uses prohibited along El Paseo facing ground floor frontages.
- 2 The establishment may be permitted with an administrative use permit but may be elevated to a conditional use permit at the discretion of the ZA based on parking, traffic, or other impacts.
- 3 Office professional uses along El Paseo facing ground floor frontages within the El Paseo Overlay district may be allowed subject to a conditional use permit per Section 25.28.040(El Paseo Overlay district).

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4. Home occupation uses are permitted in residential dwelling units in approved residential and mixed-use developments.
5. Medical offices existing and operating with an appropriate City business license prior to 2023 are permitted by right to continue operating without requiring an administrative use permit.
6. Use only permitted on properties with frontage along Highway 111.

(Ord. 1313, 2016; Ord. 1329 § 4, 2017; Ord. 1350A § 2, 2019; Ord. 1358 § 2, 2020; Ord. 1393 § 12, 2023; Ord. 1405 § 2, 2023; Ord. No. 1416, 8/22/2024)