



CITY COUNCIL STAFF REPORT

DATE: September 4, 2013 Public Hearing

SUBJECT: PROPOSED CITY COUNCIL ORDINANCE AMENDING THE PALM SPRINGS MUNICIPAL CODE (SECTIONS 8.05, 14.20, 93.23 AND 94.02-92.08 AND 94.09) TO EXPAND PUBLIC HEARING NOTIFICATION AND REQUIRE NOTICING SIGNAGE (CASE 5.1302 ZTA).

FROM: David H. Ready, City Manager

BY: Margo Wheeler, AICP, Director of Planning Services

SUMMARY

The existing procedure required by code for public hearing notices is proposed to be expanded to provide more methods of noticing to more persons.

RECOMMENDATION:

1. Open the public hearing and receive public testimony;
2. Waive the reading of the ordinance text in its entirety and read by title only; and
3. INTRODUCE ON FIRST READING ORDINANCE NO. _____, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA AMENDING SECTIONS 8.05, 14.20, 93.23, AND 94.02 – 94.08 AND ADDING SECTION 94.09 TO THE PALM SPRINGS MUNICIPAL CODE RELATING TO PUBLIC HEARING NOTIFICATION AND NOTICING SIGNAGE (CASE 5.1302 ZTA)."

PREVIOUS ACTIONS:

On August 14, 2013, the Planning Commission held a public hearing on this matter. The Planning Commission voted to change staff's original proposal of notifying the 4 nearest neighborhood organizations to a half mile radius. Staff concurs with this change and it is reflected in the ordinance presented.

The Planning Commission voted that neighborhood meetings remain only "strongly recommended" as they are now. Staff believes that requiring meetings ensures that they will occur.

STAFF ANALYSIS:

The following charts depict the changes proposed.

Public Hearing Notification Requirements		
	Current Code	Proposed
Mailing Distance	400'	500'
Signage	Recommended	Required
Neighborhood Meeting	Recommended	Recommended (PC)

Specifically	
Distance	Five hundred feet will match the most stringent requirements of State Law.
Parties	Notification will be required to go to Registered Neighborhood Organizations within one half mile of subject property.
Signs	2' X 3', 6' above grade signs shall be required to be posted on sites for GPA's, Rezoning including: PDD and CUP (new construction).
Neighborhood Meetings	A neighborhood meeting is recommended for all GPA, RZ, and PDD applications. Such a meeting would be held by the developer in order to answer questions by concerned citizens. Staff will attend and monitor only.

A handout with specific details on both sign posting and neighborhood meetings is provided.

These methods are the most proven to ensure adequate notification of citizenry concerned about specific projects.

Additionally, the Land Use permit process, which is administrative, has no provision for notification. The proposal is to require notification neighborhood organizations within 1/2 mile so that they may comment with issues and concerns and also to be notified of the use in their neighborhood.

The attached ordinance reflects proposed changes to the code.

NOTIFICATION:

Notice was provided by advertisement in the Desert Sun. No comments have been received at this time.

ENVIRONMENTAL DETERMINATION:

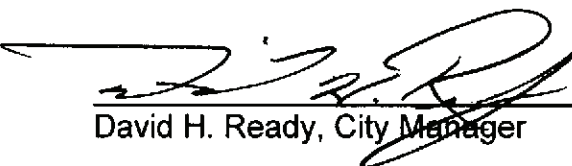
The subject zoning text amendment calls for minor modifications in the City's public hearing noticing requirements and neighborhood meeting requirements. Therefore, it can be seen with certainty that there is no possibility that the zone text amendment will have a significant effect on the environment and the zone text amendment is exempt pursuant to CEQA's "Common Sense" Exemption. (CEQA Guidelines § 15061(b)(3).)

FISCAL IMPACT:

None.



M. Margo Wheeler, AICP
Director of Planning Services



David H. Ready, City Manager

Attachments:

1. Draft Ordinance - Zone Text Amendment
2. Planning Commission Resolution No. 6342
3. Planning Commission Minutes (Aug. 14, 2013)
4. Proposed On-Site Posting Requirements & Affidavit
5. Proposed Neighborhood Meeting Requirements & Notice
6. Existing On-Site Posting Directions
7. Existing Developer Outreach to Neighborhoods Directions

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA AMENDING SECTIONS 8.05, 14.20, 93.23, AND 94.02 - 94.08 AND ADDING SECTION 94.09 TO THE PALM SPRINGS MUNICIPAL CODE RELATING TO PUBLIC HEARING NOTIFICATION AND NOTICING SIGNAGE (CASE 5.1302 ZTA).

City Attorney's Summary

This Ordinance amends sections 8.05 and 14.20 of the Palm Springs Municipal Code, amends sections 93.02 and 94.02 through 94.08 of the Palm Springs Zoning Code, and adds section 94.09 to the Palm Springs Zoning Code to modify the existing procedure for public hearing notification and to require noticing signage.

The City Council of the City of Palm Springs hereby finds:

- A. A notice of public hearing of the City Council of the City of Palm Springs, California for Case 5.1302 ZTA (Zone Text Amendment) was given in accordance with applicable law; and
- B. On September 4, 2013 a public hearing of the City Council was held to review said case, and at said hearing the City Council reviewed and considered all of the evidence presented in connection with the hearing on the project, including, but not limited to, the staff report, and all written and oral testimony presented.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ORDAINS:

SECTION 1. The City Council hereby finds that the proposed zone text amendment (Case 5.1302 ZTA) is exempt from the California Environmental Quality Act ("CEQA"). The zone text amendment calls for minor modifications in the City's public hearing noticing requirements and neighborhood meeting requirements. Therefore, it can be seen with certainty that there is no possibility that the zone text amendment will have a significant effect on the environment and the zone text amendment is exempt pursuant to CEQA's "Common Sense" Exemption. (CEQA Guidelines § 15061(b)(3).)

SECTION 2. Pursuant to PSZC Section 94.07.01 (Zoning Ordinance Text Amendment), the City Council finds as follows:

The proposed zoning code amendment is consistent with the intent of the zoning code, because, according to Section 91.00.00, the Zoning Code is adopted "For the purpose of promoting and protecting the public health, safety and welfare of the people of the City of Palm Springs and to provide for the social, physical and

economic advantages resulting from comprehensive and orderly planned use of land resources..."; and the amendment proposes to modify the existing procedure for public hearing notification by expanding the radius, requiring signage on vacant lots and neighborhood meetings for changes of general plan designation and rezoning.

- A. The proposed zoning code amendment is consistent with the intent of the general plan, because, the intent of the General Plan is expressed in "The Palm Springs Vision" and goals contained in the opening pages of the 2007 Palm Springs General Plan:

The Palm Springs Vision

- A world-renowned desert resort community where residents and visitors enjoy safe neighborhoods, an exciting social environment and a relaxing leisure experience.
- We provide responsive, friendly and efficient public services within a government that fosters unity among all our citizens;

Goal AD1: Maintain a contemporary General Plan that serves as a valid foundation for decision making in the future.

Policy ADI.5: Provide the opportunity for adequate public review and comment for development projects that have the potential to impact the community.

Section 3. The Palm Springs Municipal Code and Palm Springs Zoning Code are hereby amended as set forth in the attached Exhibit "A."

Section 4. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after passage.

PASSED, APPROVED, AND ADOPTED this _____ day of _____ 2013.

STEPHEN P. POUQUET, MAYOR

ATTEST:

JAMES THOMPSON, CITY CLERK

EXHIBIT A

- Section 1. Section 8.05.140 (a) of the Palm Springs Municipal Code is amended to delete 300' and change to 500'.
- Section 2. Section 14.20.110 of the Palm Springs Municipal Code is amended to delete 94.02.00 B 4 and change to 94.09.00.
- Section 3. 94.07.00.B.6.b is amended to delete 94.07.00(B)(4) and change to 94.09.00.
- Section 4. 94.08.00.A.10 is amended to delete 94.07.00 and 94.07.01 and change each to 94.09.00.
- Section 5. 94.06.00.E.3 is to be deleted and a new section shall read "The Planning Commission shall provide for a public hearing to be held in the manner provided for in Section 94.09".
- Section 6. 94.02.00.B.4. is to be deleted and a new section shall read "The Planning Commission shall provide for a public hearing to be held in the manner provided for in Section 94.09".
- Section 7. 94.02.00.C.2. is amended to delete 94.02.00(B)(4) to change to 94.09.00.
- Section 8. 94.05.08.C is amended to delete 94.05.06 and change to 94.09.00.
- Section 9. 94.03.00.E is amended to delete "of the Conditional Use Permit as set forth in 94.02.00(B)" and change to "as set forth in 94.09.00".
- Section 10. 94.03.00.G is amended to delete 94.02.00 and change to 94.09.00.
- Section 11. 93.23.15.I. is amended to delete 94.02.00.C and change to 94.09.00.
- Section 12. 94.07.00.B.4 is to be deleted and a new section shall read "The Planning Commission shall provide for a public hearing to be held in the manner provided for in Section 94.09.
- Section 13. 94.06.00.c is to be deleted and a new section shall read "The Planning Commission shall provide for a public hearing to be held in the manner provided for in Section 94.09."
- Section 14. 94.09 to be adopted to read as follows:

94.09.00 PUBLIC HEARING PROCEDURE.

A. Hearing Date.

A hearing date shall be set by the Department of Planning Services for the Planning Commission after an application has been verified as complete.

B. Notice.

Notice of public hearing shall contain the date, time and place of the hearing and the identity of the hearing body and the location and proposed use of the subject property and a general description of the matter that is the subject of the hearing.

C. Publication.

When a provision of this title requires notice of a public hearing to be given, notice shall be published in at least one newspaper of general circulation within the city at least 10 days prior to the hearing.

D. Posting.

The public hearing notice shall also be posted in one public location within the city at least 10 days prior to the hearing.

E. Mailing.

1. Mailing Labels.

a. The applicant shall submit a list of all owners of property and lessees and sub-lessees of record as shown on the latest equalized assessment roll of the County Assessor. Addresses within 500' of the exterior boundaries of the subject property, together with a map showing the 500' radius drawn accurately with the subject property identified, that further identifies the individual parcel of each property owner shall be submitted.

b. If any property on this list is owned by the United States Government in trust for the Indian tribe, a subsequent list of the names and addresses of individual Indian owners shall be obtained from the Bureau of Indian Affairs and signed by the Director of Indian Affairs or his authorized representative.

c. All mailing addresses of owners within a condominium complex must be included.

d. All mailing addresses of lessees and sub-lessees of record must be included.

e. All mailing addresses of subject property's owner, project applicant and owner's representative shall be included.

f. A certified letter from a title company or other qualified source verifying the accuracy of the information must accompany the submittal.

g. No application shall be accepted for filing without the required mailing list and three (3) sets of gummed and typed mailing labels in the form required by the department of planning.

h. The Director of Planning or his/her designee shall check the submitted list and map against city records and shall verify the accuracy and completeness of said list as so checked.

2. Notices.

Notices shall be mailed at least 10 days prior to the hearing date to all persons listed in Section 1 herein.

3. Number of owners to whom the notice would be mailed.

If the number of owners to whom the notice would be mailed pursuant to this section is greater than one thousand (1,000) the city may, in lieu of mailed notice, provide notice by placing a display advertisement of at least one-eighth page in at least one newspaper of general circulation within the city in which the hearing is conducted at least 10 days prior to the hearing.

4. Neighborhood Organization Notification.

Notification shall also be sent via electronic mail to the representatives listed on the City's Neighborhood Organizations Web Page within one-half mile of the subject site.

5. Request for Notification.

Pursuant to CGC 65092 when a provision of this title requires notice of a public hearing, the notice shall also be mailed at least 10 days

before the hearing to any person who has filed a written request for notification with the City Clerk or the Secretary of the Planning Commission and provided stamped self-addressed envelopes or a fee as set by City Council.

6. Additional Notice.

The Director of Planning Services may require additional notice of the hearing by expanding the area of notification or using other means of notification or both.

7. Failure of person to receive notice pursuant to CGC 65093.

The failure of any person or entity to receive notice given pursuant to this title shall not constitute grounds for any court to invalidate the actions of the city.

F. On-Site Posting.

1. Objective.

The purpose of the City of Palm Springs' On-site Posting requirement is to advise neighbors, who do not receive mailed notification, about pending development applications, so that they can become informed about the project and participate in the development process, if they so choose.

2. Applicant Responsibility.

The Project applicant is responsible for placing a "Project under Consideration" sign in a clearly visible location on the property within 10 days prior to the first public meeting.

3. Applicable Projects.

The following projects are required to provide on-site posting:

- a. General Plan Amendments
- b. Conditional Use Permits (New Construction)
- c. Zoning Map Amendments
- d. Planned Development District Applications

4. Sign Posting Criteria.

a. Sign Criteria.

1. Sign face shall be 3/4 or 1-inch exterior grade plywood board.
2. Posts shall be 4 x 4 wood (or similar) securely sunk into the ground.
3. The signs shall be entirely white, except for sign copy described below.
4. Sign and copy sizes are based on project area, as follows:

1 acre or less	24"Hx36"W	2"	1.5"
1.01 to 9.99 acres	36"Hx48"W	3"	2"
More than 10 acres	48"Hx48"W	4"	3"

5. Sign Copy Criteria.

- a. The sign copy must be black Helvetica Bold letters on a white background.
- b. Letters that state: "Project Under Consideration" shall be two times the minor letter size.
- c. Minor letters shall specify:
 1. Project case number and type (PDD, Rezoning, etc.)
 2. The property address, if one has been assigned
 3. The applicant's name and contact phone number
 4. A description of the proposal (e.g. office, residential, etc.)
 5. The lot area (number of acres or square feet)
 6. The project site zoning
 7. The City Planning Department phone number
 8. The seal of the City of Palm Springs at least 4" in height.

6. Sign Placement Criteria.

- a. Free-standing signs shall have the lower edge no less than 6 feet and no more than 7 feet above grade.
- b. The sign must be placed no more than 5 feet from the property line or sidewalk.

7. Number of Signs.

- a. One notification sign is required for projects of 5 acres or less.
- b. Projects over 5 acres must have a sign on each street frontage.
- c. The Director may determine that additional signs shall be posted.

8. Timing.

a. The required number of signs shall be posted on the property at least 10 days prior to the first public meeting of a duly appointed City Commission or Committee.

b. Required signs shall remain visible and legible from 10 days prior to the first public meeting until final action is taken. The applicant is responsible for ensuring compliance with this paragraph.

9. Verification of Posting.

The project applicant must submit to the city verification of on-site posting. Verification shall be provided by a photograph of the on-site sign, and a signed affidavit stating that the sign has been placed on the subject property on a date specific in conformity with these provisions.

The project applicant shall be responsible to ensure the sign remains visible on-site throughout the period before the hearing and the appeal period.

10. Inadequate Notice.

If it is determined that adequate notice has not been provided in accordance with this subsection, the City body, shall table or deny the application.

11. Illegal Removal of Signage.

It is unlawful to intentionally or knowingly remove a notification sign that has been posted in accordance with this subsection or to conceal the sign message.

12. Additional Provisions.

a. Following final action on the project, all on-site meeting notification signs shall be removed within 14 days unless authorized by the City for other legal posting, such as PM-10 dust control.

b. Posting on utility poles, light poles, trees or in the public-right-of-way is prohibited.

Section 17.

A new Section 94.02.01.D.2 shall be inserted to read:

a. Notification that the application has been filed will be sent via electronic mail to the representative(s), as listed on the City's Neighborhood Organizations Web Page, within one-half mile of the subject site.

b. Notification shall also be mailed to any person who has filed a written notification request with the City Clerk or Director of Planning and provided a stamped self-addressed envelope.

Subsequent subsections shall be re-numbered.

RESOLUTION NO. 6342

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA RECOMMENDING APPROVAL OF A PROPOSED ZONE TEXT AMENDMENT FOR SECTIONS 8.05, 14.20, 93.23, 94.02-08 OF THE PALM SPRINGS MUNICIPAL CODE, RELATING TO PUBLIC HEARING NOTIFICATION AND ESTABLISHING NEIGHBORHOOD MEETINGS (CASE 5.1302 ZTA).

WHEREAS, the proposed amendment is considered a "project" pursuant to the terms of the California Environmental Quality Act ("CEQA"), and the it has been recommended that the proposed amendment be determined to be Categorically Exempt from the provisions of CEQA under Section 15305 (Minor Alterations in Land Use Limitations) of the Guidelines for the California Environmental Quality Act because the proposed zone text amendment proposes only insignificant changes to the title and provides for increased public notification for development projects.

WHEREAS, a notice of public hearing of the Planning Commission of the City of Palm Springs, California for Case 5.1302 ZTA (Zone Text Amendment) was given in accordance with applicable law; and

WHEREAS, on August 14, 2013 a public hearing of the Planning Commission was held to review said case, and at said hearing the Planning Commission reviewed and considered all of the evidence presented in connection with the hearing on the project, including, but not limited to, the staff report, and all written and oral testimony presented.

THE PLANNING COMMISSION HEREBY FINDS AS FOLLOWS:

SECTION 1. Pursuant to CEQA, the Planning Commission hereby recommends that the City Council determine that the proposed zone text amendment (Case 5.1302 ZTA) is Categorically Exempt from the provisions of CEQA under Section 15305 (Minor Alterations in Land Use Limitations) of the Guidelines for the California Environmental Quality Act because the proposed zone text amendment proposes only insignificant changes to the title and including the establishment of neighborhood meetings and expanded notification for public hearings.

SECTION 2: Pursuant to PSZC Section 94.07.01 (Zoning Ordinance Text Amendment), the Planning Commission finds as follows:

- A. The proposed zoning code amendment is consistent with the intent of the zoning code, because, according to Section 91.00.00, the Zoning Code is adopted "For the purpose of promoting and protecting the public health, safety and welfare of the people of the city of Palm Springs and to provide for the social, physical and economic advantages resulting from comprehensive and orderly planned use of land resources..."; and the amendment proposes to modify the existing procedure for public hearing notification by expanding the radius, requiring

signage on vacant lots and neighborhood meetings for changes of general plan designation and rezoning.

- B. The proposed zoning code amendment is consistent with the intent of the general plan, because, the intent of the General Plan is expressed in "The Palm Springs Vision" and goals contained in the opening pages of the 2007 Palm Springs General Plan:

The Palm Springs Vision

- A world-renowned desert resort community where residents and visitors enjoy safe neighborhoods, an exciting social environment and a relaxing leisure experience.
- We provide responsive, friendly and efficient public services within a government that fosters unit among all our citizens;

Goal AD1: Maintain a contemporary General Plan that serves as a valid foundation for decision making in the future.

Policy ADI.5: Provide the opportunity for adequate public review and comment for development projects that have the potential to impact the community.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby recommends that the City Council determine that the proposed zone text amendment Case 5.1302 ZTA is Categorical Exempt from the provisions of CEQA under Section 15305 (Minor Alterations in Land Use Limitations) of the Guidelines for the California Environmental Quality Act and also recommends adoption of an ordinance to approve a zone text amendment (Case 5.13020 ZTA), as set forth in Exhibit A.

ADOPTED this 14th day of August, 2013.

AYES: 5, Commissioner Calerdine, Chair Donenfeld, Vice-Chair Hudson, Commissioner Klatchko and Commissioner Lowe

NOES: None

ABSENT: 2, Commissioner Roberts and Commissioner Weremiuk

ABSTAIN: None

ATTEST: CITY OF PALM SPRINGS, CALIFORNIA

M. Margo Wheeler, AICP
Director of Planning Services

ACTION: To approve, as amended (minutes of June 26, 2013).

(Noting Commissioner Lowe's abstention on the minutes of June 26, 2013.)

Motion Commissioner Calderine, seconded by Chair Donenfeld and unanimously carried on a roll call vote.

AYES: Commissioner Calderine, Commissioner Klatchko, Commissioner Lowe, Vice Chair Hudson and Chair Donenfeld

ABSENT: Commissioner Roberts and Commissioner Weremiuk

PUBLIC HEARINGS:

2. TENTATIVE PARCEL MAP APPLICATION BY THE BUREAU OF INDIAN AFFAIRS ON BEHALF OF DIANA BOW AND LUCILE BOW TO SUBDIVIDE A ROUGHLY FIVE ACRE PARCEL INTO TWO CONFORMING PARCELS AND A CLASS 15 CATEGORICAL EXEMPTION (MINOR LAND DIVISIONS) PURSUANT TO CEQA FOR A PARCEL LOCATED ON THE NORTH SIDE OF ACANTO ROAD, ALLOTMENT 80C, ZONE R-1-B; SECTION 35 (IL) (CASE TPM 36431). (KL)

Staff reported that the applicant has requested a continuance to the next meeting of September 11, 2013.

ACTION: To continue on a date certain of September 11, 2013.

Motion Chair Donenfeld, seconded by Commissioner Lowe and unanimously carried on a roll call vote.

AYES: Commissioner Calderine, Commissioner Klatchko, Commissioner Lowe, Vice Chair Hudson and Chair Donenfeld

ABSENT: Commissioner Roberts and Commissioner Weremiuk

3. APPLICATION BY THE CITY OF PALM SPRINGS FOR CHANGES TO THE MUNICIPAL CODE REQUIRING EXPANDED NOTIFICATION REQUIREMENTS, INCLUDING NEIGHBORHOOD ASSOCIATIONS FOR CERTAIN APPLICATIONS (CASE 5.1302 ZTA). (MW)

Director Wheeler presented the proposed zone text amendment to expand the notification requirements.

Chair Donenfeld opened the public hearing and with no appearances coming forward the public hearing was closed.

The Commissioners discussed specifying a certain distance instead of 4 of the closest neighborhood organizations for notification.

Commissioner Calderine suggested adding language that the signs are maintained.

Commissioner Klatchko requested consideration of a distinctive color of the signs rather than a white sign.

Commissioner Klatchko expressed concern that requiring a meeting would not apply to every project and the timeframe should be much longer such as a 30 day notice so that the applicant has a chance to comment. He concurred with a certain distance instead of a set number to notify the neighborhood organizations.

Chair Donenfeld explained that the Planning Department also notifies the Neighborhood Organizations of the new cases that have been submitted. He prefers those that are directly more affected be notified rather than a broader range.

ACTION: Recommend approval to the City Council, as amended:

1. Neighborhood Organization Notification: Notification will be sent via electronic mail to the representatives within one half mile of the subject site."
2. Sign Copy Criteria - B: "Project Logo" Consideration shall be two times the minor letter size" and the City of Palm Springs seal shall be required with a minimum of 4" in height.
3. Delete - C. Neighborhood Meetings Requirement.
4. Add to 3. Applicant is required to ensure the sign is up and visible throughout the period of the hearing, including the appeal period.

Motion Commissioner Calderine, seconded by Commissioner Lowe and unanimously carried on a roll call vote.

AYES: Commissioner Calderine, Commissioner Klatchko, Commissioner Lowe, Vice Chair Hutton and Chair Donenfeld

ABSENT: Commissioner Roberts and Commissioner Weremiuk

~~UNFINISHED BUSINESS:~~

- ~~4. PROPOSED MINOR AMENDMENT TO PDD 321 BY THE CITY OF PALM SPRINGS, CALIFORNIA TO ESTABLISH UNIFORM DEVELOPMENT STANDARDS AND PROCEDURES FOR PROCESSING CHANGES FOR ALL LOTS IN PDD 321, "THE MORRISON"; SECTION 14 SPECIFIC PLAN (CASE 5-1082 AMND-F PDD 321. (KL)~~



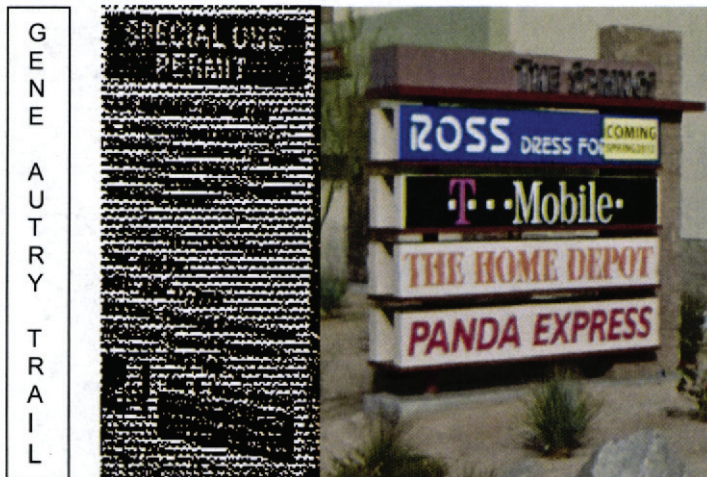
CITY OF PALM SPRINGS
DEPARTMENT OF PLANNING SERVICES

SAMPLE
SIGN POSTING AFFIDAVIT

CASE NUMBER: _____

MEETING DATE: _____

_____ does hereby certify that a notice as required by the Zoning code, was visibly posted for a period of not less than ten (10) calendar days prior to the first scheduled hearing.



Signature

Date

This affidavit must be returned to the Department of Planning Services, during regular business hours three (3) business days prior to the subject application being heard by the Architectural Advisory Committee, Planning Commission or City Council.



CITY OF PALM SPRINGS

DEPARTMENT OF PLANNING SERVICES

GENERAL PLAN AMENDMENT AND REZONING MEETING REQUIREMENTS

APPLICANT'S STEPS TO TAKE FOR ANY NEIGHBORHOOD MEETING:

SETTING UP

- Meeting should be held at least 7 days prior to the Architectural Advisory Committee or Planning Commission meeting (whichever comes first).
- Determine a place and time for your meeting, within the following guidelines:

Time: Start between 5:30 p.m. – 6:30 p.m.

Days: Monday, Tuesday, or Thursday only (never on scheduled Planning Commission nights or holidays).

Place: Must be a commercial or public location (not a private residence), as close as possible to the project location, and located within the city.

- Prepare notice (see sample on following page). If the City is conducting the notification, provide information for items b through e, but do not provide a complete notice.

Contents:

- a. Thorough description of proposed project. Include "From . . . To . . .," street address and / or Assessor Parcel Number.
 - b. Date of meeting.
 - c. Time of meeting: Provide a start time, but do not list an end time.
 - d. Place of meeting: Include room number / name and directions.
 - e. Contact name and phone number for night of meeting for directions / questions (contact number must be available up to and during the time of the meeting).
 - f. Tentative date of Planning Commission meeting.
- Fax or E-notice meeting information to the Department of Planning Services 760-323-8245. City staff will assess for suitability of time and location. Approval or corrections to notice will be faxed back within 2 working days. **DO NOT MAIL NOTICE UNTIL CITY APPROVED.**

MAILING

- Approved notices must be mailed to all property owners and Lessees and Sub-Lessees (as recorded with the Riverside County Assessor's office) within five hundred (500') of subject property and send via electronic mail to the City of Palm Springs registered Neighborhood Organizations within one half mile of subject property.
- Notices must be postmarked at least 10 days prior to the neighborhood meeting date.

MEETING

- Applicant and / or representative(s) are responsible to conduct the meeting, answer questions and open and close the facility. City staff will attend, but only to monitor.
- Applicant must ensure that someone is available to answer the phone number given at least one half (1/2) hour before and after the start time regardless of attendance.
- Applicant must remain on-site at least one half (1/2) hour after the start time regardless of attendance.

FILING

- Applicant must complete the Neighborhood Meeting Affidavit (attached) indicating time and date of meeting and attach the mailing list used along with a copy of the notice. This affidavit must be notarized.
- Affidavit with attached mailing list must be delivered to the department of Planning, at least seventy-two (72) hours prior to the Architectural Advisory Committee or Planning Commission meeting.



On-site Posting of Pending Project

Objective

The purpose of the City of Palm Springs' **On-site Posting** requirement is to advise neighbors about pending development applications, so that they can become informed about the project and participate in the development process, if they so choose.

Applicant Responsibility

Project applicant is responsible for placing a "Project Under Consideration" sign in a clearly visible location on each frontage of the property.

Applicable Projects

The following projects are required to provide on-site posting:

- General Plan Amendments
- Zoning Map Amendments
- Planned Development Permits
- Conditional Use Permits (New Construction)

Sign Posting Criteria

Sign Criteria:

- Sign face shall be ¾ or 1-inch exterior grade plywood board.
- Posts shall be 4 x 4 wood (or similar) securely sunk into the ground.
- The signs shall be entirely white, except for sign copy described below.
- Sign and copy sizes are based on project area, as follows:

<i>Project Size</i>	<i>Sign Size</i>	<i>Major Letter Size</i>	<i>Minor Letter Size</i>
1 acre or less	24" H x 36" W	2"	1.5"
1.01 to 9.99 acres	36" H x 48" W	3"	2"
More than 10 acres	48" H x 96" W	4"	3"

Sign Placement Criteria

Sign Placement Criteria

- Free-standing signs shall have the lower edge no less than 6 feet and no more than 7 feet above grade.
- The sign must be placed no more than 5 feet from the property line or sidewalk.

Number of Signs.

- One notification sign is required for projects of 5 acres or less.
- Projects over 5 acres must have a sign on each street frontage.
- The Director may determine that additional signs shall be posted.

On-site Posting of Pending Project – Page 2

Sign Copy Criteria

- The sign copy must be black Helvetica Bold letters on a white background.
- Major letters shall state: “Project Under Consideration”
- Minor letters shall specify:
 - Project case number and type (PDD, rezoning, variance, etc.)
 - The property address, if one has been assigned
 - The applicant’s name and contact phone number
 - A description of the proposal (e.g. office, residential, etc.),
 - The proposed traffic access and building height,
 - The lot area (number of acres or square feet)
 - The project site zoning
 - The City Planning Department phone number
 - The City seal at least 4” in height.

Timing

- The required number of signs shall be posted on the property at least 10 days prior to the first public meeting of a duly appointed City Commission or Committee.
- Required signs shall remain visible and legible from 10 days prior to the first public meeting until final action is taken. The applicant is responsible for ensuring compliance with this paragraph.
- Following final action on the project, all on-site meeting notification signs shall be removed within 14 days unless authorized by the City for other legal posting, such as PM-10 dust control.

Verification of Posting

- The project applicant must submit to the city verification of on-site posting. Verification shall be provided by a photograph of the on-site sign, and a signed affidavit stating that the sign has been placed on the subject property on a date specific in conformity with these provisions.
- The project applicant shall be responsible to ensure the sign remains visible on-site throughout the period before the hearing and the appeal period.

Illegal Removal of Signage

- It is unlawful to intentionally or knowingly remove a notification sign that has been posted in accordance with this subsection or to conceal the sign message.

For more information, contact our Department of Planning Services at 760-323-8245.

EXISTING CITY MATERIALS



On-site Posting of Pending Project

Objective

The purpose of the City of Palm Springs' **On-site Posting** requirement is to advise neighbors about pending development applications, so that they can become informed about the project and participate in the development process, if they so choose.

Applicant Responsibility

Project applicant is responsible for placing a "Project Under Consideration" sign in a clearly visible location on each frontage of the property within 14 calendar days after submitting a Project Application to the City.

Applicable Projects

The following projects are required to provide on-site posting:

- General Plan Amendments
- Zoning Map Amendments
- Planned Development Permits
- Conditional Use Permits (New Construction)
- Hillside Development Applications
- Variances

Sign Posting Criteria

Sign Criteria:

- Sign face shall be $\frac{3}{4}$ or 1-inch exterior grade plywood board, except as noted below for window signs.
- Posts shall be 4 x 4 wood (or similar) securely sunk into the ground
- The signs shall be entirely white, except for sign copy described below.
- Sign and copy sizes are based on project area, as follows:

<i>Project Size</i>	<i>Sign Size</i>	<i>Major Letter Size</i>	<i>Minor Letter Size</i>
1 acre or less	24" H x 36" W	2"	1.5"
1.01 to 9.99 acres	36" H x 48" W	3"	2.25"
More than 10 acres	48" H x 96" W	4"	3"

Sign Placement Criteria:


- Free-standing signs shall have the lower edge no less than 6 feet and no more than 7 feet above grade.
- The sign must be placed no more than 5 feet from the property line or sidewalk.
- On corner vacant lots, please check with our Engineering Department to make sure that the signs are not visibility hazards.
- In existing buildings, clearly visible signs should be located inside large windows or outside on the building's exterior. Interior window signs may be printed on paper, but shall conform to all other provisions of size, copy, etc.

See page 2 for additional information

On-site Posting of Pending Project – Page 2

Sign Copy Criteria (see sample, below):

- The sign copy must be black Helvetica Bold letters on a white background.
- Major letters shall state: "Project Under Consideration"
- Minor letters shall specify:
 - Project case number and type (PDD, rezoning, variance, etc.)
 - The property address, if one has been assigned
 - The applicant's name and contact phone number
 - A description of the proposal (e.g. office, residential, etc.),
 - The proposed traffic access and building height,
 - The lot area (number of acres or square feet)
 - The project site zoning
 - The City Planning Department phone number
- A map showing the project boundaries in relation to adjoining public roads.

PROJECT UNDER CONSIDERATION	
A Planned Development Permit is proposed for this site.	
Case No. 5.0000 / PD-000	
Address: 4667 E. Main Street	
Applicant: ABC Development Co. / 760-555-1234	
The project is a 35 unit residential condominium with common recreational facilities and underground parking. Access will be taken from Main Street and Elm Street. Proposed building height is 28 feet.	
Lot Area: 3.25 acres	
Zone: R-3	
P. S. Planning Tel. No.	
760-323-8245	

Verification of Posting

At the time of the public hearing, the project applicant must have submitted to the City verification of on-site posting. Verification shall be provided by a photograph of the on-site sign, and a signed an affidavit stating that the sign have been placed on the subject property in conformity with these provisions.

Additional Provisions

Following final action on the project, all on-site sign shall be removed within 14 days, unless authorized by the City for other legal posting, such as PM-10 dust control.

Posting on utility poles, light poles, trees or in the public-right-of-way is prohibited.



DEVELOPER OUTREACH TO NEIGHBORHOODS

The City of Palm Springs Planning Department strongly recommends that project applicants notify surrounding property owners and any Neighborhood Organizations located in or near the project to solicit input in the beginning stage of the design and development process.

Here are some of the benefits that can result from early consultation with the neighbors:

- Neighborhood Organizations have testified in support of projects when their input was sought early in the process.
- Neighborhood feedback can strengthen projects and add value to final results.
- Neighborhood feedback may prevent problems at a later stage in the development process, often avoiding expensive delays.
- Neighborhood feedback and involvement may enhance your social and business image, leading to more business opportunities.
- The Planning Commission and the City Council prefer to know that development applicants have contacted Neighborhood Organizations and sought their input.
- Neighborhood Organizations can streamline a developer's contact with property owners, bring together disparate voices, help resolve contentious issues, and assist with positive relationships.

Numerous Neighborhood Organizations* have been officially recognized by the city and together make up a very active Neighborhood Involvement Committee which can help you with your outreach efforts through assistance with meetings, mailing lists, and meeting rooms.

For assistance please contact Lee Bonno, Director of Public Affairs, City of Palm Springs, 760-323-8255, or by email at Lee.bonno@palm Springs-ca.gov

The community of Neighborhood Organizations and the City of Palm Springs look forward to working with you and thank you for your cooperation.

*Palm Springs, by City Ordinance, established the Office of Neighborhood Involvement in April 2005, to enhance citizen involvement in and citizen communication with City government.

**CITY OF PALM SPRINGS
PUBLIC HEARING NOTIFICATION**




Date: September 4, 2013
Subject: Case 5.1302 – Expanding Notification Requirements

AFFIDAVIT OF PUBLICATION

I, Kathie Hart, Chief Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was published in the Desert Sun on September 24, 2013.

I declare under penalty of perjury that the foregoing is true and correct.

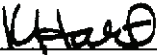


Kathie Hart, CMC
Chief Deputy City Clerk

AFFIDAVIT OF POSTING

I, Kathie Hart, Chief Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was posted at City Hall, 3200 E. Tahquitz Canyon Drive, on the exterior legal notice posting board, and in the Office of the City Clerk and on August 22, 2013.

I declare under penalty of perjury that the foregoing is true and correct.




Kathie Hart, CMC
Chief Deputy City Clerk

AFFIDAVIT OF MAILING

I, Kathie Hart, Chief Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was mailed to each and every person on the attached list on August 22, 2013, in a sealed envelope, with postage prepaid, and depositing same in the U.S. Mail at Palm Springs, California. (6 notices)

I declare under penalty of perjury that the foregoing is true and correct.



Kathie Hart, CMC
Chief Deputy City Clerk

NOTICE OF PUBLIC HEARING
CITY COUNCIL
CITY OF PALM SPRINGS

CASE 5.1302 ZTA
APPLICATION BY THE CITY OF PALM SPRINGS
FOR CHANGES TO THE MUNICIPAL CODE REQUIRING EXPANDED
NOTIFICATION REQUIREMENTS, INCLUDING NEIGHBORHOOD
ASSOCIATIONS FOR CERTAIN APPLICATIONS

NOTICE IS HEREBY GIVEN that the City Council of the City of Palm Springs, California, will hold a public hearing at its meeting of September 4, 2013. The City Council meeting begins at 6:00 p.m. in the Council Chamber at City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

The purpose of the hearing is to consider an application by the City of Palm Springs to amend the Palm Springs Municipal Code Chapter 8.05, 14.20, and Zoning Code Sections 93.23 and 94.02 through 94.08, inclusive, to expand notification to require neighborhood organization notification for land use permits.

REVIEW OF INFORMATION: The staff report and other supporting documents regarding this item are available for public review at City Hall between the hours of 8:00 a.m. and 6:00 p.m., Monday through Thursday. Please contact the Office of the City Clerk (760) 323-8204 if you would like to schedule an appointment to review these documents.

COMMENTS: Response to this notice may be made verbally at the Public Hearing and/or in writing before the hearing. Written comments may be made to the City Council by letter (for mail or hand delivery) to:

James Thompson, City Clerk
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Any challenge of the proposed project in court may be limited to raising only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the City Clerk at, or prior to, the public hearing. (Government Code Section 65009[b][2]).

An opportunity will be given at said hearing for all interested persons to be heard. Questions regarding this case may be directed to M. Margo Wheeler, Director of Planning Services, at (760) 323-8245.

Si necesita ayuda con esta carta, por favor llame a la Ciudad de Palm Springs y puede hablar con Nadine Fieger telefono (760) 323-8245.


James Thompson, City Clerk