

A. CASE NO.: Zoning Code Amendment 25-0003

APPLICANT:

LOCATION:

REQUEST:

PLANNING COMMISSION RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CATHEDRAL CITY, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING TITLE 9 PLANNING AND ZONING OF THE CATHEDRAL CITY MUNICIPAL CODE TO ADD CHAPTER 9.09 (PUBLIC NOTIFICATION AND COMMUNITY MEETINGS) AND TO AMEND CHAPTERS 9.05, 9.52, 9.72, 9.74, 9.76, AND 9.78 TO DELETE EXISTING PROVISIONS THAT CONFLICT WITH NEW CHAPTER 9.09 RELATING TO PUBLIC NOTIFICATION REQUIREMENTS

WHEREAS, Section 65090 of the California Government Code mandates the minimum public hearing noticing requirements, including publishing of the notice in a newspaper of general circulation and providing mailed notice to real property owners within a 300-foot radius of project sites; and

WHEREAS, Section 65090 of the California Government Code also provides that in addition to the notice requirements contained in section 65090, a local agency may give notice of the hearing in any other manner it deems necessary or desirable; and

WHEREAS, the Planning Commission of the City of Cathedral City requested evaluation of the public hearing notification requirements for development projects, including potential changes to increase public awareness and participation.

WHEREAS, on March 5, 2025 and April 16, 2025, the the Planning Commission of the City of Cathedral City discussed proposed revisions to the Planning and Zoning Code to allow for expanded public hearing notification requirements.

WHEREAS, on May 21, 2025, the Planning Commission of the City of Cathedral City conducted a public hearing on zoning code amendment 25-0003, and recommended City Council adoption of an ordinance expand public hearing notification standards and to provide for community engagement of certain development projects.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CATHEDRAL CITY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Pursuant to the provisions of the California Environmental Quality Act (CEQA), the Planning Commission makes the following environmental determinations and recommendations:

- (a) Pursuant to Title 14, Chapter 3, Section 15061(b)(3) of the California Code of Regulations, the “*common sense exemption*” of CEQA Guidelines which states that a “project is exempt from CEQA if: [t]he activity is covered by the common sense exemption that CEQA

applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.”

Section 2. The Planning Commission hereby recommends as follows:

- (a) That the City Council adopt an ordinance, attached as Exhibit 1, to amend Title 9 of the Cathedral City Municipal Code to add Chapter 9.09 (Public Notification and Community Meetings) and to amend Chapters 9.05, 9.52, 9.72, 9.74, 9.76, and 9.78 to delete existing provisions that conflict with new Chapter 9.09 relating to public notification requirements.

Section 3. The Secretary shall certify as to the adoption of this resolution and shall cause the same to be processed in the manner required by law.

THE FOREGOING RESOLUTION WAS APPROVED AND ADOPTED on this 21st day of May 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Rich Malacoff, Chair

ATTEST AND APPROVED AS TO CONTENT:

Andrew Firestine
Secretary to the Planning Commission

APPROVED AS TO LEGAL FORM:

Stephanie Gutierrez
Assistant City Attorney

Exhibit 1

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CATHEDRAL CITY CALIFORNIA, AMENDING TITLE 9 PLANNING AND ZONING OF THE CATHEDRAL CITY MUNICIPAL CODE TO ADD CHAPTER 9.09 (PUBLIC NOTIFICATION AND COMMUNITY MEETINGS) AND TO AMEND CHAPTERS 9.05, 9.52, 9.72, 9.74, 9.76, AND 9.78 TO DELETE EXISTING PROVISIONS THAT CONFLICT WITH NEW CHAPTER 9.09 RELATING TO PUBLIC NOTIFICATION REQUIREMENTS

WHEREAS, Section 65090 of the California Government Code mandates the minimum public hearing noticing requirements, including publishing of the notice in a newspaper of general circulation and providing mailed notice to real property owners within a 300-foot radius of project sites; and

WHEREAS, Section 65090 of the California Government Code also provides that in addition to the notice requirements contained in section 65090, a local agency may give notice of the hearing in any other manner it deems necessary or desirable; and

WHEREAS, the Planning Commission of the City of Cathedral City requested evaluation of the public hearing notification requirements for development projects, including potential changes to increase public awareness and participation; and

WHEREAS, on May 21, 2025, the Planning Commission of the City of Cathedral City conducted a public hearing on zoning code amendment 25-0003, and recommended City Council adoption of an ordinance expand public hearing notification standards and to provide for community engagement of certain development projects.

WHEREAS, the City Council of the City of Cathedral City deems it is necessary and desirable to expand the minimum public hearing notification requirements to provide for additional community participation and engagement.

THEREFORE, THE CITY COUNCIL OF THE CITY OF CATHEDRAL CITY ORDAINS AS FOLLOWS:

SECTION 1. AMENDMENT OF TITLE 9 PLANNING AND ZONING OF THE CITY OF CATHEDRAL CITY MUNICIPAL CODE

Title 9 of the Cathedral City Municipal Code is amended to add Chapter 9.09 (Public Notification and Community Meetings) and revise Chapters 9.05, 9.52, 9.72, 9.74, 9.76, and 9.78 as shown in Exhibits "A" and "B", attached hereto.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The Project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3), referred to as the commonsense exemption which states that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA

SECTION 3. SEVERABILITY

If any chapter, sections, subsections, subdivisions, sentences, clauses, phrases, or portion of this ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The city council hereby declares that it would have adopted this ordinance, and each chapter, sections, subsections, subdivisions, sentences, clauses, phrases, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 4. POSTING

The city clerk shall, within fifteen (15) days after passage of this ordinance, cause it to be posted in at least three (3) designated public places; shall certify to the adoption and posting of this ordinance; and shall cause this ordinance and its certification, together with proof of posting, to be entered in the book of ordinances of this city.

SECTION 5. CERTIFICATION

The foregoing ordinance was approved and adopted at a meeting of the City Council held on the ____ day of _____, 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

NANCY ROSS, MAYOR

ATTEST:

TRACEY HERMOSILLO, CITY CLERK

APPROVED AS TO FORM:

ERIC S. VAIL, CITY ATTORNEY

EXHIBIT A

Title 9 of the Cathedral City Municipal Code is revised to add Chapter 9.09 as follows:

Chapter 9.09 Public Notification and Community Meetings

Section 9.09.010 Public Hearing and Public Notice

Section 9.09.020 Community Engagement

Section 9.09.010 Public Hearing and Public Notice.

- A. Public hearing required. The following procedures shall govern the notice and public hearing, where required pursuant to this title. The designated approving authority shall hold a public hearing to consider all applications for a conditional use permit, variance, design review, planned unit development, specific plan, zoning code and/or map amendment, pre-zoning, development agreement, and General Plan amendment considered by the Commission or Council.
 1. Notice affecting an ordinance or zoning ordinance amendment. If a proposed ordinance or amendment to a zoning ordinance affects the permitted uses of real property, notice of the hearing shall be given pursuant to this chapter, except that the notice shall be published, posted, mailed, and delivered, as applicable, at least 20 days before the hearing
- B. Notice of hearing. Pursuant to California Government Code Sections 65090 to 65094, not less than 10 days before the scheduled date of a hearing, public notice shall be given of such hearing in the manner listed below. The notice shall state the date, time, and place of hearing, identify the hearing body, and provide a general description of the matter to be considered and the real property which is the subject of the hearing
 1. Mailed Notice. At least 10 days prior to the date of the public hearing, the Director, or the City Clerk for hearings before Planning Commission and/or City Council, shall provide notice by First Class mail delivery to:
 - a. The applicant, the real property owner or real property owner's duly authorized agent, and any occupant of the subject property; and
 - b. All real property owners of record ~~and occupants~~ within a minimum 500-foot radius of the subject property as shown on the latest Riverside County tax assessor's assessment roll or

a larger radius if deemed necessary by the Director in order to provide adequate public notification. For project sites of 10 acres or greater in size, the radius shall be increased to 750 feet; and

c. All business owners of non-residential property and occupants and residents of non-owner occupied real property located within city and within the required 500 foot or 750 foot radius of the subject property; and

d. Any person or group who has filed a written request for notice regarding the specific application; and

e. Each local agency expected to provide water, sewage, streets, roads, schools, or other essential facilities or services to the project, whose ability to provide those facilities and services may be significantly affected.

e.f. As provided for in government code section 65093, the failure of any person or entity to receive notice given pursuant to this chapter shall not constitute grounds for any court to invalidate the actions of a local agency for which the notice was given.

2. Published Notice. Notice of public hearing shall be published in at least one newspaper of general circulation in the City.

3. Posting of notices. At least 10 days before the date of the public hearing, or 20 days pursuant to paragraph A.1 above, the Director or the City Clerk, for hearings before the Planning Commission and/or City Council, shall publish a notice in at least three places.

C. In addition to the notice required by this section, the City may give notice of the hearing in any other manner it deems necessary or desirable.

D. Receipt of notice. Failure of any person or entity to receive any properly issued notice required by law for any hearing required by this title shall not constitute grounds for any court to invalidate the actions of a designated approving authority for which the notice was given.

~~Section 9.09.020 On-Site Public Notice Signs~~

~~A. Applicability. All projects requiring a public hearing before the Planning Commission and/or City Council shall be required to post one or more public notice signs on the property, which is the subject of the proposed development, in accordance with the requirements of this subsection.~~

~~1.—Public Notice Sign Requirements.~~

- ~~a.—The applicant shall post a minimum of one public notice sign on the property that is the subject of the proposed development. The signs shall be unilluminated, four feet by four feet in size, and shall include a description of the proposed development, the date, time, and location of the public hearing, and the location where further information can be obtained.~~
- ~~b.—The sign shall be placed in an area of the property most visible to the public, not more than five feet from the front property line in residential areas, and not more than three feet from the front property line in commercial and industrial areas. Placement of the sign shall not be permitted to cause traffic sight obstructions.~~
- ~~c.—For properties less than five acres in size, one sign per street frontage shall be posted on site.~~
- ~~d.—For properties greater than five acres in size, one sign per five hundred feet of street frontage shall be posted on site. For properties that are unusually shaped or within a unique location, the Director may increase or reduce the number of signs, but the reduction shall be no less than one sign per street frontage.~~

~~2.—Sign Posting Acknowledgement.—A completed Sign Posting Acknowledgment form prepared and signed and dated by the applicant or an authorized representative of the applicant, which shall contain photographic evidence of the installed signs, shall be submitted to the development Services Department no later than ten calendar days prior to the scheduled public hearing. This document shall be mailed or dropped off or emailed to the assigned Project Planner.~~

~~3.—Timing of Sign Installation.~~

- ~~a.—Signs shall be installed no later than ten (10) days prior to the scheduled date of the public hearing.~~
- ~~b.—Posted signs must remain visible on the property until the last decision-making action specified by the Community and Economic Development Department.~~

~~4.—Maintenance.~~

- ~~a.—The applicant and owner shall be responsible for maintaining the public notice sign such that it is readable during the period it is required to be in place. If the sign or structure is damaged, defaced or otherwise made illegible, the applicant/owner shall repair or replace the sign in accordance with the standards of this subsection. The applicant shall pay the replacement cost of such board.~~

~~5. Removal~~

- ~~a. The applicant shall remove the sign(s) from the project site no later than 10 calendar days following the end of the appeal period for the project.~~

Section 9.09.030-020 Community Engagement

- A. Purpose. The purpose of the community engagement meeting is for an applicant of a proposed project to hold a meeting with surrounding and adjacent neighboring residents, property owners, and businesses prior to submitting an application to the City. The intent is to present project information and engage in a public outreach meeting early in the development review process of new projects so that the community would have an early opportunity to become familiar with the proposed project and identify any associated project issues or concerns. The community engagement meeting is intended to assist in producing applications that are responsive to neighborhood concerns, and to reduce the likelihood of delays and appeals. The City expects an applicant to take into consideration the reasonable concerns and recommendations of the neighbors and other interested persons when preparing an application.
- B. Applicability. Community engagement meetings are required for any for any project that is five (5) acres, or greater, and requires discretionary approval, including, but not limited to, any request for a discretionary approval of a Conditional Use Permit, Tentative Map, Planned Unit Development, Specific Plan, General Plan Amendment, Change of Zone, Development Agreement, Variance, or combination thereof. At the discretion of the Director, the Director may require Community Engagement Meetings for any project less than 5 acres due to extraordinary or exceptional factors.
- C. Time frames to hold a community engagement meeting.
 1. An applicant shall conduct a community engagement meeting not more than thirty days prior to, and not later than 20 days after, the date the project application is submitted to the City.
 2. The applicant shall not be required to hold more than one ~~neighborhood review~~community engagement meeting. However, if the Director determines that there are substantive and significant changes between the project presented at the community meeting and when the project is determined to be accepted by the city, the Director may require the applicant to conduct an additional neighborhood review meeting to solicit additional feedback prior to the scheduling of any required public hearings.
- D. City Participation. The ~~neighborhood review~~community engagement meeting is intended to be a developer-community interaction, and the developer is solely and exclusively responsible for holding the meeting

required in this section. City staff are not required to attend and/or participate in the community meetings, and the meeting shall not be considered a public hearing. There will be other official opportunities for residents and neighbors to make comments during the development review process that would follow the neighborhood review meeting. Any City staff attendance at a neighborhood review meeting is for informational purposes only, does not represent the City's position on the merits of the development proposal and does not constitute an approval or denial of an application, now or submitted in the future.

E. Procedures.

1. The applicant shall select the meeting time and place. The starting time selected shall be limited to a weekday evening after 6:00 p.m. or a weekend at any reasonable time and shall not occur on a Federally recognized holiday. The meeting shall be held at a location open to the public and in compliance with the Americans with Disabilities Act. The public meeting shall be held within the city of Cathedral City and as close to the subject property as practical to minimize the distance that attendees need to travel to participate, unless an alternate meeting location is approved by the Director.
2. The applicant shall send by regular first class mail a written notice announcing the community engagement meeting to the Director and those parties that would receive notice within a 500 foot or 750 foot radius of the project site, as specified in section ~~9.09.020.E.209.09.010.B.1~~ of this chapter. The Director at his/her discretion may request the applicant to increase the mailing area size for the written notification if he/she believes that the nature of the project will result in the need for more public awareness.
3. The notice shall include the date, time and location of the meeting and briefly discuss the nature and location of the proposal. The notice shall be mailed not less than 20 days prior to the meeting date. The mailing list shall be obtained from the Director by the applicant ~~and based on the most recent property tax assessment rolls of the Riverside County Assessor's Office.~~
4. A sign at the building entrance and the notices sent by mail shall each contain the following statement: *The intent of this meeting is to facilitate an early informal discussion between the project developer and the neighbors regarding the project. While required by the City of Cathedral City this meeting is not conducted by the City of Cathedral City and is in addition to any future hearings or public comment opportunities available under the City's development review processes.*
5. At the community engagement meeting, the applicant shall describe the proposed application to persons in attendance. The attendees

may identify any issues that they believe should be addressed in the application and recommend that those issues be submitted for City consideration and analysis.

6. The applicant shall prepare and make available the following materials for review and discussion at the public meeting:
 - a. Type, location, conceptual building elevations and total number of dwelling units for residential expected to be built; and
 - b. Type, location, and conceptual building elevations for non-residential projects; and
 - c. Conceptual site plan/plat layout showing buildings, road layout, parking, landscaping, topography and open space areas, and adjacent properties; and
 - d. Aerial photograph showing the subject property and adjacent properties.
 - e. At the community engagement meeting, a sign-in-in sheet shall be distributed to all meeting attendees that specifies the date, time, and location of the community engagement meeting and asks for the name, address, phone number, and electronic mail address of each meeting attendee, and whether the attendee wishes to receive notice of any future meetings or public hearings public hearing related to the project.
 - f. At the community engagement meeting, the applicant shall take notes of the discussion on the proposed application for eventual submittal to the City.
- F. Community Engagement Summary Report.
1. The applicant shall submit a community engagement summary report summarizing the outcome of the community meetings required by this section and submit the community engagement report to the City prior to the first public hearing or other public meeting for the project held by the City. The summary report will be included as an exhibit as a part of the agenda report that is published prior to the public hearing, and shall include the following:
 - a. Dates, times, and locations of all meetings that attendees that received notice to attend to discuss the project, as specified in section 9.09.~~030020~~.E.2 of this chapter
 - b. A copy of the mailed notice
 - c. The names and affiliation of those that attended the meeting that represented the applicant.

- d. The names and department of staff that attended the meeting.
 - e. A sign-in sheet listing the names of the attendees that participated in the process, including their name, address, phone number, electronic mail address, and identifying whether the attendee requested notice of any future meeting or hearing.
 - f. An affidavit of the mailed notices
 - g. Copies of written materials and plans presented at the community engagement meeting
 - h. A copy of any written comments received during the meeting and a written summary of issues or concerns raised by attendees during the community engagement meeting.
2. If the applicant did not receive any responses to the meeting notice and no one attended the community engagement meeting or persons in attendance made no comments, the applicant shall submit evidence as indicated above, with the notes reflecting the absence of comment, attendance, or both.

G. Consideration of the community engagement summary report.

The City shall consider as part of the development review process the concerns and issues raised by the neighbors and applicant at the community engagement meeting, including any agreed-upon solutions or resolutions to outstanding issues or areas of contention. The City, however, shall not be bound in its decision-making by any agreements or understandings made between the neighbors and applicants. Nothing in this section shall be construed to delegate development review decision-making authority to participants in the community engagement meeting.

Exhibit B

Existing Code Section Revisions

Section 9.05.045 of Title 9 of the Cathedral City Municipal Code is amended to read as follows:

Section 9.05.045. Setting of public hearing before the planning commission.

Upon completion of the staff report required by Section 9.050.040 of this chapter, a public hearing shall be held by the planning commission in order to consider the proposed development agreement and the director's staff report. The city planner shall give notice of the public hearing and the planning commission's intention to consider at the hearing recommending adoption of a proposed development agreement to the city council. Such notice shall be provided in accordance with chapter 9.09 of this title.

Section 9.05.050 of Title 9 of the Cathedral City Municipal Code is amended to read as follows:

Section 9.05.050. Contents and manner of providing notice of public hearing.

Except as provided in Section 9.05.095 of this chapter, notice of any public hearing required by this chapter shall be provided in accordance with chapter 9.09 of this title.

Section 9.05.065 of Title 9 of the Cathedral City Municipal Code is amended to read as follows:

Section 9.05.065. Hearing before the city council—Review criteria.

- A. After the recommendation of the planning commission or after the expiration of the time period specified in Section 9.50.060 of this chapter for planning commission consideration, the city planner shall give notice of a public hearing before the city council to consider the proposed development agreement. The notice shall be provided in the manner set forth in chapter 9.09 of this title. After it completes the public hearing and considers the recommendation, if any, of the planning commission, the city council may approve, disapprove or approve with amendments the proposed development agreement. The

city council may, but need not, refer the matters not previously considered by the planning commission during its hearing back to the planning commission for report and recommendation. The planning commission shall hold a public hearing in accordance with this chapter on any matters referred back to it by the city council.

- B. The development agreement may not be approved unless the city council finds that the development agreement:
 - 1. Is consistent with the objectives, policies, general land uses and programs specified in the general plan and any applicable specific plan;
 - 2. Is compatible with the uses authorized in the zone in which the real property is located;
 - 3. Is in conformity with the public necessity, public convenience, general welfare and good land use practices;
 - 4. Will not be detrimental to health, safety and the general welfare;
 - 5. Will not adversely affect the orderly development of the property;
 - 6. Will have a positive fiscal impact on the city; and
 - 7. Contains the mandatory terms and conditions set forth in Section 9.05.100 of this chapter.

Section 9.05.085 of Title 9 of the Cathedral City Municipal Code is amended to read as follows:

Section 9.05.085 Periodic review

- A. Pursuant to Section 65865.1 of the Government Code, the city council shall hold a public hearing to review the development agreement at least every twelve months from the date the development agreement is entered into. The purpose of this periodic review is to determine whether the applicant or authorized successor in interest thereto has complied in good faith with the terms or conditions of the development agreement.
- B. The city planner shall give notice of the public hearing in the manner specified in chapter 9.09 of this title.
- C. The applicant or any authorized successor in interest thereto shall demonstrate at the hearing good faith compliance with the terms of the development agreement.

- D. If, as a result of such periodic review, the city council finds and determines, on the basis of substantial evidence, that the applicant or authorized successor in interest thereto has not complied in good faith with the terms or conditions of the development agreement, the city council may commence proceedings to enforce, modify or terminate the development agreement pursuant to Section 9.05.095 of this chapter.

Section 9.05.095 of Title 9 of the Cathedral City Municipal Code is amended to read as follows:

Section 9.05.095 Modification or termination procedures

- A. If upon a finding under subsection (D) of Section 9.05.085 or 9.05.090 of this chapter, the city council determines to proceed with modification, suspension or termination of the development agreement, the city council shall hold a public hearing and give notice of such hearing pursuant to chapter 9.09 of this title.
- B. At the time set for the hearing, the city council may take such action, as it deems necessary to protect the interests of the city. Any action to terminate, modify or suspend the development agreement shall be by ordinance and shall be based upon findings, supported by substantial evidence.

Section 9.52.090 of Title 9 of the Cathedral City Municipal Code is amended to read as follows:

Section 9.52.090. Amendment.

This chapter may be amended only after the following steps have been taken:

- A. Conservancy/Land-Holding Trust — Public Hearing. The Cathedral City mountain conservancy or the Cathedral City land-holding trust shall hold at least one public hearing before any amendment is made to this chapter. Notice of the public hearing shall be provided in accordance with chapter 9.09 of this title. In addition, notice shall be mailed to residents in accordance with Section 9.52.040(C)(1)(a) of this chapter.
- B. Conservancy/Land-Holding Trust — Action. The approval by the conservancy or land- holding trust of an amendment to this chapter shall be by resolution carried by the affirmative vote of not less than a

majority of its total voting members. Upon approval by the conservancy or land-holding trust, the amendment to this chapter shall be transmitted to the planning commission.

- C. Planning Commission — Public Hearing. The planning commission shall hold at least one public hearing before any amendment is made to this chapter. Notice of the public hearing shall be in accordance with chapter 9.09 of this title. In addition, notice shall be mailed to residents in accordance with the provisions of Section 9.52.040(C)(1)(a) of this chapter.
- D. Planning Commission — Action. The approval by the planning commission of an amendment made to this chapter shall be by resolution of the commission carried by the affirmative vote of not less than a majority of its total voting members. Upon approval by the planning commission, the amendment to this chapter shall be transmitted to the city council.
- E. City Council — Public Hearing. Before adopting the amendment to this chapter, the city council shall hold at least one public hearing. Notice of the public hearing shall be in accordance with chapter 9.09 of this title. In addition, notice shall be mailed to residents in accordance with the provisions of Section 9.52.040(C)(1)(a) of this chapter.
- F. City Council — Action. No amendment to this chapter shall pass unless carried by the affirmative vote of four-fifths of the city council.

Section 9.72.070 of Title 9 of the Cathedral City Municipal Code is amended to read as follows:

Section 9.72.070. Planning commission and city council public hearings—
Procedure.

- A. Notice of public hearing shall be provided in accordance with chapter 9.09 of this title.

Section 9.72.080 of Title 9 of the Cathedral City Municipal Code is amended to read as follows:

Section 9.72.080. Appeal process.

- A. Any person aggrieved or affected by the final determination of the planning commission concerning an application for a conditional use permit including any conditional requirement imposed on the project may appeal the decision within ten calendar days from the planning

commission's decision by filing the city's appeal application with the planning department and paying the established fee as set forth by the city council.

- B. The city planner or designee shall schedule a public hearing and provide notice in accordance with chapter 9.09 of this title.
- C. The city planner or designee shall transmit to the city council a written report, copies of the application, and copies of all other papers constituting the record upon which the commission's decision was taken, including, but not limited to, the minutes of all hearings thereon and shall submit to the council a written report, prepared from the record upon which the final determination was made, stating the factual and legal basis on which the commission found and determined that the application met or failed to meet the criteria and requirements provided in this chapter for granting a conditional use permit.
- D. The council may affirm, reverse or modify, in whole or in part, any final determination, condition or requirement of the commission which is appealed from or ordered to be reviewed by the council. After reviewing the record of the commission's proceedings relating to the decision, condition or requirement appealed from or ordered to be reviewed by the council, including, but not limited to, the application, minutes of hearings, notice of appeal and the commission's report, the council may affirm without further action the determination, requirement or condition appealed from or ordered to be reviewed.
- E. On the date a notice of appeal is filed under this chapter, or on the date the council orders a review of the commission's determination, condition or requirement, all proceedings in furtherance of the determination, condition or requirement appealed from or ordered to be reviewed by the council, including the effective date of the permit in question, shall be stayed until the final determination by the council of the appeal or council-initiated review.

Section 9.72.13 of Title 9 of the Cathedral City Municipal Code is amended to read as follows:

Section 9.72.130. Revocation.

- A. The planning commission and/or the city council, on their own motion may, initiate a revocation and shall hold a hearing to make a recommendation to the city council upon the question of the revocation of a conditional use permit granted under, or pursuant to, the

provisions of this chapter. The city council shall be the final acting body for all revocation proceedings.

- B. Revocations shall be a public hearing and notice of such hearing shall be provided in accordance chapter 9.09 of this title.
- C. A conditional use permit, whether granted automatically for a nonconforming prior use, or pursuant to a hearing, may be revoked if the commission and council find:
 - 1. That the use is detrimental to the public health or safety or is a nuisance.
 - 2. That the conditional use permit was obtained by misrepresentation or nonstatement of facts.
 - 3. That the use for which the permit was granted is not being exercised.
 - 4. That the use for which the permit was granted has ceased; or been suspended for one year or more.
 - 5. That the condition of the improvements, if any, on a property for which a nonconforming conditional use permit is operative is such, that they can be used or altered so as to be used in conformity with the uses permitted in the zone in which such property is located without impairing the constitutional rights of any person.
 - 6. That the applicant has failed to comply with the development approval and/or conditions of approval.

Section 9.74.070 of Title 9 of the Cathedral City Municipal Code is amended to read as follows:

Section 9.74.070 Public hearing-Date-Notice

- A. Upon the filing of any such application and the payment of the required fee, the secretary of the planning commission shall set a date for one public hearing thereon before said commission. Notice of the public hearing shall be provided in accordance with chapter 9.09 of this title.

Section 9.74.110 of Title 9 of the Cathedral City Municipal Code is amended to read as follows:

Section 9.74.110 Council action.

Upon receipt of a recommendation for approval, together with the commission's report and reasons relative thereto, the council shall within not less than ten nor more than thirty days of said receipt conduct a public hearing, with notice as provided in accordance with chapter 9.09 of this title. After the council has conducted said hearing with notice thereof as provided above, the council shall either:

- A. Confirm the recommendation of the commission and effect such change or amendment by ordinance; or
- B. If the council does not agree with all or any part of the commission's recommendations, refer the matter back to the commission for a report on the parts in question. Upon receiving the report of the commission, the council may, by ordinance, effect any change or amendment even though the commission does not concur.

Section 9.74.130 of Title 9 of the Cathedral City Municipal Code is amended to read as follows:

Section 9.74.130 Denial-Appeal

- A. If the commission denies or does not make a determination within the time limit specified, the applicant may, within ten days from the date the notification of denial was mailed to said applicant or upon termination of the time limit, appeal to the council by written notice of appeal filed with the city clerk. Said appeal shall be filed in duplicate and shall set forth specifically wherein the commission's findings were in error and wherein the public necessity, convenience, welfare, or good zoning practice required such change or amendment.
- B. Upon receipt of such appeal, the city clerk shall immediately notify the secretary of the commission, and the commission shall make a report to the council disclosing in what respect it failed to find that the public necessity, convenience, general welfare, or good zoning practice required the change or amendment involved. The council may grant any appealed application, but before making, any change in or deviation from the recommendation of the commission, the council shall conduct a public hearing thereon with notice as provided in accordance with chapter 9.09 of this title and shall first refer to the planning commission for report and recommendation any change or amendment not previously considered by the commission during its hearing.

- C. The procedure of the council - in effecting a change or amendment initiated by commission or council order, rather than by application of property owners, which has been disapproved by the commission, shall be the same as that set forth for the granting of an appealed application.

Section 9.74.200 of Title 9 of the Cathedral City Municipal Code is amended to read as follows:

Section 9.74.200 Public Hearing-Commission-Notice

- A. The hearing date shall be set by the secretary of the planning commission for not less than ten, nor more than forty-five days after the initiating motion by the commission or council.
- B. Notice of the public hearing shall be provided in accordance with chapter 9.09 of this title.

Section 9.74.220 of Title 9 of the Cathedral City Municipal Code is amended to read as follows:

Section 9.74.220 Public Hearing-Council-Date and Notice

- A. The council hearing date shall be set by the city clerk for not more than thirty days after the filing of the commission's recommendation.
- B. Notice shall be given as provided in chapter 9.09 of this title

Section 9.76.040 of Title 9 of the Cathedral City Municipal Code is amended to read as follows:

Section 9.76.040. Procedure

- A. Applications. Applications for variances shall be made to the planning commission in writing on forms provided by the city for this purpose and shall set forth in detail such information as may be required and as may relate to the findings specified in Section 9.76.030. Notwithstanding any other provision of this chapter, a uniform fee, as established by the city council, shall be paid upon the filing of each application for a variance. The city planner shall cause to be made an investigation of facts bearing on the application that will provide necessary information to assure that the action on each such application is consistent with the intent and purpose of the ordinance

codified herein and shall make these facts part of the case record. No application shall be regarded as having been filed until the fee referred to above has been deposited with the city.

- B. Advertised Public Hearing on Variance Application. Upon receipt of an application for variance, the city planner shall, after any necessary environmental review, set the time and place for an advertised public hearing thereon. Public notice shall be provided in accordance with chapter 9.09 of this title.

Section 9.78.060 of Title 9 of the Cathedral City Municipal Code is amended to read as follows:

Section 9.78.060 Planning Commission Action

- A. Any item not expressly mentioned in Sections 9.78.040 and 9.78.050 shall be acted on by the planning commission which shall consider the recommendations of staff, the architectural review committee, and all applicable municipal codes.
- B. The findings of staff and the architectural review committee shall be forwarded to the planning commission in the form of a written report.
- C. The planning commission shall have full authority to take final action on projects and can add, modify, or delete any condition of approval recommended by staff or the architectural review committee.
- D. These projects are subject to the Cathedral City public hearing notice requirements contained in chapter 9.09 of this title.
- E. The planning commission's action is final unless appealed to the city council subject to Section 2.04.100 of this code.



City of Cathedral City Public Hearing Notice Notice of Availability for Public Review and Environmental Determination

Notice is hereby given that the Cathedral City Planning Commission will hold a Public Hearing on the following:

CASE(S)

Zoning Ordinance Amendment 25-0003

APPLICANT/REPRESENTATIVE

City of Cathedral City
Community and Economic Development Department

PROPOSAL

A proposal to amend Title 9 of the Cathedral City Municipal Code to add Chapter 9.09 (Public Notification and Community Meetings) and to amend Chapters 9.05, 9.52, 9.72, 9.74, 9.76, and 9.78 to delete existing provisions that conflict with new Chapter 9.09 relating to public notification requirements.

LOCATION

City-wide.

ENVIRONMENTAL DETERMINATION

The Project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3), referred to as the common sense exemption which states that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

All information regarding the proposed project is available for public review at the City of Cathedral City Civic Center, Planning Department, 68-700 Avenida Lalo Guerrero during regular business hours (Monday through Friday, 8:00 AM - 4:30 PM)

DATE AND TIME OF HEARING

May 21, 2025, at 6:00 PM, or as soon thereafter as the matter may be heard.

PLACE OF HEARING

Cathedral City Civic Center — Council Chambers
68-700 Avenida Lalo Guerrero
Cathedral City, CA 92234

Any person may appear at the hearing and be heard

in support of, or opposition to, or provide other testimony on the proposed project or environmental determination. In addition, persons may also submit written testimony on the proposed project or environmental determination, which must be received by the Project Planner prior to the close of the public hearing.

The Planning Commission, at the public hearing or during deliberations, may approve, deny, or propose changes to the project or to the environmental determination.

If you challenge any of these items in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence.

For further information, contact the Project Planner at:

Sandra Molina, Deputy Director
Community and Economic Development
68-700 Avenida Lalo Guerrero
Cathedral City, CA 92234
(760) 202-2433

NOTE: In compliance with the Americans with Disability Act, if you need special assistance to participate in this meeting, please contact the Planning Department at (760) 770-0340. Notification 48 hours prior to the meeting will enable the city to make reasonable accommodations to ensure accessibility to this meeting. {28 CFR 35.104 ADA TITLE II}