

RESOLUTION NO. PC 2026-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COACHELLA, CALIFORNIA DENYING VARIANCE NO. 25-05, A REQUEST FOR A VARIANCE TO ALLOW AN EXISTING, UNPERMITTED DETACHED 210 SQUARE-FOOT PATIO STRUCTURE LOCATED LESS THAN FIVE (5) FEET FROM THE PROPERTY LINE, AT 50346 CAMINO LORETO; AND DETERMINING THAT THE PROJECT IS COMPLIANT WITH SECTION 15073 OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES. APPLICANT: ALEXIS VELAZQUEZ

WHEREAS, Alexis Velazquez filed an application for Variance 25-05, requesting approval of a rear yard and side yard setback variance to allow an existing, as-built accessory structure with setbacks of less than five (5) feet from the rear and side property lines; said structure consists of an approximately 210-square-foot patio constructed without permits at 50346 Camino Loreto, Assessor's Parcel No. 779-300-001 (the "Project"); and,

WHEREAS, the proposed project is categorically exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act as "New Construction or Conversion of Small Structures" (CEQA Guidelines, Section 15303); and,

WHEREAS, the proposed patio construction is inconsistent with the residential development standards of the Zoning Ordinance and can only be permitted with approval of a variance pursuant to Chapter 17.76 Variances of the Coachella Municipal Code, subject to supported written findings of determination; and,

WHEREAS, a notice of a public hearing to consider Variance 25-05 was issued in accordance with Coachella Municipal Code Section 17.74.010G, inclusive of the publication on January 25, 2026, of a legal public hearing notice which was published in the Desert Sun, the City's newspaper of record and mailing of a public hearing notice to a certified list of property owners within 300 feet of the subject properties on January 25, 2026; and,

WHEREAS, the Planning Commission conducted a duly noticed public hearing on Variance 25-05 on February 4, 2026 at 1515 6th Street, Coachella, California regarding the proposed Project; and,

WHEREAS, at the Planning Commission hearing, the Applicant and members of the public were present and were afforded an opportunity to testify regarding the Project.

WHEREAS, at the conclusion of the public hearing and following discussion, the Planning Commission approved this Resolution to deny Variance 25-05 as conditioned with the motion vote outcome specified in the meeting minutes for the February 4, 2026, Planning Commission meeting.

NOW, THEREFORE, BE IT RESOLVED, THE PLANNING COMMISSION OF THE CITY OF COACHELLA, CALIFORNIA DOES HEREBY FIND DETERMINE AND RESOLVE AS FOLLOWS:

SECTION 1. Incorporation of Recitals. The Planning Commission hereby specifically finds that all of the facts set forth in the recitals of this Resolution are true and correct and are incorporated into this Resolution by reference and constitute a material part of this Resolution.

SECTION 2. Environmental Findings. The Planning Commission has independently reviewed the administrative record for the proposed project, public hearing, the staff report, and all attachments thereto, which are all incorporated herein by reference and are on file with the Community Development Department for the City of Coachella, and the Planning Commission finds that the proposed project is categorically exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act as “New Construction or Conversion of Small Structures” (CEQA Guidelines, Section 15303);

SECTION 3. Variance Findings. Based upon the evidence presented at the hearing, including the staff report, the Planning Commission hereby finds and determines the Project does not comply with the necessary findings as required by Coachella Municipal Code Section 17.76 and hereby finds that:

1. The 7,840 SF corner lot is within the S-N Suburban Neighborhood zone which requires a detached accessory structure to provide a minimum setback of 5 feet from the side and rear property line, as required by the development standards of that zone. The proposed accessory structure proposes a 3’7” rear yard setback and 3’11” side yard setback, below the required minimum 5 foot rear yard and side yard setback required in the zone for detached accessory structures. The subject property has a total existing rear yard setback of 27 feet. The minimum required rear yard setback of a property in this zone is 20 feet. The rear yard exceeds the minimum required setback requirements of this zone, therefore there are no special circumstances within the rear yard of the subject property that would result in practical difficulties or unnecessary hardships with the general purpose and intent of the Chapter of the Municipal Code to construct a detached accessory structure that could meet the Coachella Municipal Code requirements.
2. The subject property is oriented in an east-west orientation which is not at the recommended orientation for energy conservation per policy 5.10 of the Land Use and Community Charter of the City of Coachella General Plan which recommends lots at a north-west orientation. The subject property is within the Mariposa Pointe community, a subdivision that is planned for 155 total homes. 31 of the homes within the subdivision are planned to be designed in a north-south orientation, and the remaining 124 homes are planned to be designed in an east-west orientation. A majority, but not all of the homes are designed in an east-west orientation. Therefore, the east-west orientation is not a special circumstance within the subject residential community. The lot width of the subject property is approximately 77 feet, which is more than the minimum 60 foot lot width required within the Suburban Neighborhood zone. The subject property provides an existing 27-foot rear yard setback which is greater than the 20-foot minimum setback required in

the S-N Suburban Neighborhood zone. The subject parcel is 7,840 SF, which is more than the minimum required 6,000 SF lot size required in the S-N zone. Due to the subject property meeting City of Coachella Municipal Code standards for lot dimensions and rear yard size requirements, there is sufficient space in the rear yard to provide a detached accessory shade structure within the subject property rear yard that would be in compliance with the Coachella Municipal Code.

3. The subject property does not possess any special circumstances or unique physical characteristics related to its lot size, lot shape, or setbacks for the subject property as indicated in the above Finding 2. The lot is consistent with other properties in the same zoning district and vicinity, and the existing development conforms to standard parcel configurations and setback patterns. The variance is not necessary for the preservation and enjoyment of a substantial property right of constructing a detached accessory structure, as there are no special circumstances, practical difficulties, or unnecessary hardships that would prevent or restrict the construction of a detached accessory structure that meets Coachella Municipal Code standards.
4. The existing patio accessory structure would not be detrimental to the public or injurious to the property or improvements in the same zone or vicinity in which the property is located. The patio structure is located in the rear yard of the subject property, and is only visible from internal public right-of-way streets along Avenida San Domingo, Calle Xavier, and Comino Loreto at the southwest corner of the subdivision. The patio structure is in compliance with design standards for accessory structures within single family zones pursuant to Section 17.19.020 (D)(8). The subject patio structure is architecturally compatible with the main house, as the patio is painted a brown to match the colors found at the exterior of the primary dwelling, and provide dark tan shingles compatible with the roof of the primary dwelling. Detached accessory structures are not required to provide roof material that matches the roof material of the primary dwelling. The patio roof provides dark tan shingles that are in compliance with the design requirements of the above section. If the project is approved, the patio structure would be subject to the conditions of approval provided by the Building Division and the Riverside County Fire Department, and the patio structure would be subject to the California Building Standards that will ensure the patio would not be permitted without substantially meeting building safety standards. The conditions of approval for the project if approved, would ensure the variance is not materially detrimental to the public welfare or injurious to the property or improvements in the same zone.
5. The granting of the variance would not adversely affect any element of the General Plan, as the General Plan does not preclude accessory patio structures within a 5-foot setback or less within the Suburban Neighborhood designation.

Staff concludes that the findings set forth in Coachella Municipal Code Chapter 17.76.020 cannot affirmatively be made for the proposed Variance 25-05. The proposed variance is consistent with the City of Coachella General Plan, but not consistent with the Coachella Municipal Code. The proposed project does not meet the findings necessary to make the determination to approve the Variance pursuant to

Coachella Municipal Code Section 17.76.020(B).

SECTION 4. Location and Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings are based are located at Coachella Civic Center. The Community Development Director is the custodian of the record of proceedings.

SECTION 5. Execution of Resolution. The Chairman shall sign this Resolution and the City Clerk shall attest and certify to the passage and adoption thereof.

SECTION 6. Planning Commission Denial Based on the foregoing recitals and findings above, and the written and oral comments, facts and evidence presented, the City of Coachella Planning Commission hereby denies Variance No. 25-05, a request for a variance to allow an existing, unpermitted detached 210 square-foot patio structure located less than five (5) feet from the property line, at 50346 Camino Loreto; and determining that the project is compliant with section 15073 of the California Environmental Quality Act (CEQA) Guidelines.

PASSED APPROVED and ADOPTED this 4th day of February 2026 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Isela Murillo, Chairperson
Planning Commission

ATTEST:

Kendra Reif
Planning Commission Secretary

APPROVED AS TO FORM:

City Attorney

