

ORDINANCE NO. 1216

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA, APPROVAL OF CHANGE OF ZONE NO. 24-07 THAT PROPOSES TO PRE-ZONE 51 PARCELS TO RESIDENTIAL ESTATE AND GENERAL COMMERCIAL, LOCATED WEST OF CALHOUN STREET, SOUTH OF AVENUE 51, NORTH OF AVENUE 52; AND EAST OF JACKSON STREET. CITY OF COACHELLA, APPLICANT. (*First Reading*)

WHEREAS, pursuant to the authority granted to the City of Coachella (“City”) by Article XI, Section 7 of the California Constitution, the City has the police power to regulate the use of land and property within the City in a manner designed to promote public convenience and general prosperity, as well as public health, welfare, and safety; and,

WHEREAS, the proposed Ordinance would pre-rezone 51 parcels located east of Jackson Street. west of Calhoun Street, south of Avenue 51 and north of Avenue 52 implement the General Plan; and

WHEREAS, the Project is permitted pursuant to the Coachella Municipal Code, for a Change of Zone; and,

WHEREAS, the proposed use is necessary or desirable for the development of the community, is consistent with the objectives of the City’s General Plan, and is not detrimental to the existing uses or the uses specifically permitted in the zone in which the proposed use is to be located; and,

WHEREAS, the proposed area is adequate in size and shape to accommodate the proposed zoning and,

WHEREAS, the City has processed said application pursuant to Title 17 of the Coachella Municipal Code, and the California Environmental Quality Act of 1970 as amended; and,

WHEREAS, pursuant to the provisions of the California Environmental Quality Act, it was determined that the prior EIR prepared for the 2015 General Plan Update and 2023 General Plan Addendum was sufficient and that no additional analysis is required for the proposed pre-zoning; and,

WHEREAS, the proposed pre-zoning as stipulated by the City is necessary to protect the public health, safety and welfare of the community.

WHEREAS, on October 2, 2024 the Planning Commission held a duly noticed public hearing to review the project at which time during the hearing members of the public were given an opportunity to testify regarding the Project; and

WHEREAS, after said public hearing, the Planning Commission recommended that the City Council approve this Ordinance.

WHEREAS, on October __, 2024 the City Council held a duly noticed public hearing to review the project at which time during the hearing members of the public were given an opportunity to testify regarding the Project; and

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Incorporation of Recitals. The City Council of the City of Coachella, California, hereby finds that the foregoing recitals are true and correct and are incorporated herein as substantive findings of this Ordinance.

SECTION 2. Consistency with City of Coachella General Plan. The proposed change of zone is consistent with the City of Coachella General Plan land use designations. The subject area will allow for the pre-zoning of Residential Estate (R-E) and General Commercial (G-C) development in a manner consistent with the Estate Rancho and Suburban Retail land use designations of the general plan. 2. The site is physically suitable for the proposed zoning designations. The proposed zoning will provide for land uses consistent with the Residential Estate and General Commercial zoning designations.

SECTION 3. CEQA Analysis. The City has determined that analyses of project environmental effects are best provided through use of an Addendum that was adopted as Environmental Assessment No. 23-03 by the City Council on July 2, 2023 prepared in association with a General Plan Amendment that established General Plan land uses for the subject properties and that none of the conditions set forth in Public Resources Code Section 21166 or Section 15162 of the State CEQA Guidelines requiring preparation of a subsequent or supplemental EIR have been met. 1) There are no substantial changes to the project that would require major revisions of the certified 2015 Program EIR or the Addendum due to new significant environmental effects or a substantial increase in severity of impacts identified in the 2015 Program EIR or the Addendum; 2) Substantial changes have not occurred in the circumstances under which the project is being undertaken that will require major revisions to the certified 2015 Program EIR or the Addendum to disclose new significant environmental effects or that would result in a substantial increase in severity of impacts identified in the 2015 Program EIR; and 3) There is no new information of substantial importance that was not known at the time the 2015 Program EIR or the Addendum was certified, indicating any of the following:

- The project will have one or more new significant effects not discussed in the 2015 Program EIR or the Addendum.
- There are impacts determined to be significant in the 2015 Program EIR or the Addendum that would be substantially more severe; and
- There are additional mitigation measures or alternatives to the project that would substantially reduce one or more significant effects identified in the 2015 Program EIR or the Addendum; and
- There are additional mitigation measures or alternatives rejected by the project proponent that are considerably different from those analyzed in the 2015 Program EIR or the Addendum that would substantially reduce a significant impact identified in that EIR

SECTION 4. Amendment to City of Coachella Zoning Map is hereby amended as identified in Change of Zone No. 24-07 Exhibit A.

SECTION 5. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or any part thereof, is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance, or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase would be subsequently declared invalid or unconstitutional.

SECTION 6. Publication and Effective Date. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause this Ordinance to be published or posted as required by law, which shall take full force and effect thirty (30) days from its adoption.

PASSED, APPROVED, AND ADOPTED this _____ of _____, 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Steven Hernandez, Mayor
City of Coachella

ATTEST:

Angela M. Zepeda, City Clerk
City of Coachella

APPROVED AS TO FORM:

Carlos Campos, Best Best & Krieger LLP
City Attorney