

RESOLUTION NO. 2017-81

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION (ENVIRONMENTAL ASSESSMENT NO. 17-01) FOR ARCHITECTURAL REVIEW NO. 17-03, CUP 279, AND CHANGE OF ZONE 17-01, FOR PROPERTY LOCATED SOUTH OF INDUSTRIAL WAY, EAST OF ENTERPRISE WAY ON EITHER SIDE OF POLK STREET. COACHELLA GREEN LLC, APPLICANT.

WHEREAS, the Coachella Green Project, as set forth in Architectural Review No. 17-03, CUP 279 and CZ 17-01, consists of the above referenced applications on 49 acres of land located south of Industrial Way, east of Enterprise Way on either side of Polk Street. (APN 763-131-082 thru 086 inclusive), and the Project includes the following requests: Conditional Use Permit (CUP 279) for the development of a commercial cannabis cultivation complex including fourteen industrial buildings totaling 644,567 square feet and common parking, landscaping and security fencing. Architectural Review 17-03 for the architectural design of the two buildings proposed for commercial cannabis operations; a change of zone that proposes to change the zone from M-H, (Heavy Manufacturing) to M-S (Manufacturing Service) zoning; and

WHEREAS, the City completed Environmental Assessment/Initial Study No. 17- 01 for the Proposed Project pursuant to the California Environmental Quality Act, as amended; and

WHEREAS, based on this Environmental Assessment/Initial Study and proposed mitigation measures therein, the City has made a determination that the Project will not have a significant impact on the environment and has prepared a Mitigated Negative Declaration for this Project; and

WHEREAS, a Notice of Intent to Adopt a Mitigated Negative Declaration for the Project was posted with the County Clerk on October 23, 2017 and duly noticed and published in the Desert Sun Newspaper, a local newspaper of general circulation, on October 22, 2017; and

WHEREAS, the proposed Mitigated Negative was made available for a 30-day public review period commencing on Monday, October 23, 2017 ending on Monday, November 13, 2017; and

WHEREAS, interested and concerned individuals and public agencies had the opportunity to review and comment on the proposed Mitigated Negative Declaration; and

WHEREAS, on November 15, 2017 the Planning Commission held a duly noticed public hearing at 1515 6th Street, Coachella, California to review the project and the related environmental documents, at which time during the hearing members of the public were given an opportunity to testify regarding the project, and the Commission recommended to City Council with a 4/0 vote adoption of the Mitigated Negative Declaration; and

WHEREAS, findings of the Initial Study indicated that the Proposed Project would not create any significant impacts to air quality, biological resources, cultural resources, geology and soils, traffic and transportation and noise provided certain mitigation measures were incorporated into the project; and

WHEREAS, the Proposed Project has been conditioned to include recommended mitigation measures of the environmental analysis as set forth in a Mitigation Monitoring and Reporting Program (Exhibit A); and

WHEREAS, the Proposed Project would not be detrimental to the general health, safety and welfare of the community.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COACHELLA DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

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

SECTION 2. Compliance with the Environmental Quality Act (“CEQA”). As the advisory body for the Project, the City Council has reviewed and considered the information contained in the draft Mitigated Negative Declaration, Initial Study, comments received, and other documents contained in the administrative record for the Project. The City Council finds adequacy in the CEQA documents and the City Council finds that the Mitigated Negative Declaration, Initial Study and administrative record contain a complete and accurate reporting of the environmental impacts associated with the Project. The City Council further finds that the Mitigated Negative Declaration and the Initial Study have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Coachella’s Local CEQA Guidelines.

SECTION 3. Findings on Environmental Impacts. Based on the whole record before it, including the Mitigated Negative Declaration, Initial Study, the administrative record and all other written and oral evidence presented to the City Council, the City Council finds adequacy in the documents and finds that all environmental impacts of the Project are either insignificant or can be mitigated to a level of insignificance pursuant to the mitigation measures outlined in the Mitigated Negative Declaration, the Initial Study and the Mitigation Monitoring and Reporting Program. The City Council further finds that there is no substantial evidence in the administrative record supporting a fair argument that the Project may result in any significant environmental impacts. The City Council finds that the Mitigated Negative Declaration contains a complete, objective, and accurate reporting of the environmental impacts associated with the Project and reflects the independent judgment and analysis of the City Council.

SECTION 4. Wildlife Resources. Pursuant to Fish and Game Code Section 711.4(c), all project applicants and public agencies subject to CEQA shall pay a filing fee for each Proposed Project, as specified in subdivision 711.4(d) for any adverse effect on wildlife resources or the habitat upon which wildlife depends unless a “no effect” finding is made by the California Department of Fish and Game. This fee is due and payable as a condition precedent to the County Clerk’s filing of a Notice of Determination.

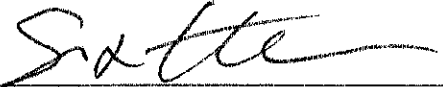
SECTION 5. Recommendation Regarding Adoption of the Mitigated Negative Declaration. The City Council hereby adopts the Mitigated Negative Declaration and adopts the Mitigation Monitoring Program.

SECTION 6. Adoption of Mitigation Monitoring and Reporting Program. The City Council hereby approves and adopts the Mitigation Monitoring and Reporting Program prepared for the Project, attached hereto as Exhibit "A".

SECTION 7. 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 City Hall. The Development Services Director is the custodian of the record of proceedings.

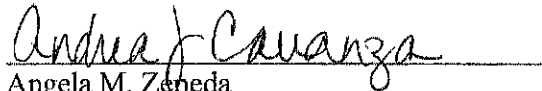
SECTION 8. Execution of Resolution. The Mayor shall sign this Resolution and the City Clerk shall attest and certify to the passage and adoption thereof.

PASSED, APPROVED and ADOPTED this 29th day of November, 2017.



Steven A. Hernandez
Mayor

ATTEST:



for _____
Angela M. Zepeda
City Clerk

APPROVED AS TO FORM:



Carlos Campos
City Attorney

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF COACHELLA)


I HEREBY CERTIFY that the foregoing Resolution No. 2017-81 was duly adopted by the City Council of the City of Coachella at a regular meeting thereof, held on the 29th day of November, 2017 by the following vote of Council:

AYES: Councilmember Bautista, Councilmember Sanchez, and Mayor Hernandez.

NOES: None.

ABSENT: Councilmember Brown and Mayor Pro Tem Martinez.

ABSTAIN: None.



Andrea J. Carranza, MMC
Deputy City Clerk