



STAFF REPORT
6/7/2023

TO: Planning Commission Chair and Commissioners

FROM: Gabriel Perez, Development Services Director

SUBJECT: City of Coachella Zoning Consistency Update - General Plan Amendment No. 23-03, Zoning Ordinance Amendment No. 22-03, and Change of Zone No. 23-01 includes an Update of the Official Zoning Map and Zoning Ordinance for consistency with the Coachella General Plan (Continued from May 17, 2023)

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission:

1. Find and determine that additional environmental review is not required pursuant to CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan or Zoning); and
2. Approve Resolution No. PC2023-11 recommending that the City Council approve General Plan Amendment No. 23-02 amending the City of Coachella 2035 General Plan and the Official General Plan Map.
3. Approve Resolution No. PC2023-12 recommending that the City Council approve Zoning Ordinance Amendment No. 22-03 and Change of Zone No. 23-01 amending the Official Zoning Map and Amending Municipal Code Title 17 (Zoning) for consistency with the City of Coachella 2035 General Plan.

BACKGROUND:

The City Council adopted the Coachella General Plan 2035 on April 22, 2015, that established the goals, policies, and implementation strategies that will implement the vision for the City of Coachella. The General Plan 2035 also included a new adopted General Plan Land Use Map and a Zoning Consistency Analysis that called for the establishment of new zoning districts that currently do not exist in the City's Official Zoning Map.

Many of the existing zoning districts are inconsistent with the General Plan Land Use Map, thereby creating a lack of regulatory clarity and hardship for residents, businesses, and developers to establish new businesses or develop their properties. In many instances, planning staff must communicate with potential applicants that the proper zoning district does not exist when they consult with staff about potential development projects or businesses. The inconsistent zoning led

the City to apply State grant funding for professional services to complete focused zoning efforts to comply with the City's Housing Element.

The City Council adopted the Pueblo Viejo Implementation Strategy Plan on October 23, 2019, and in the adopting Council Resolution 2019-59 Council requested that staff bring back General Plan Amendments, Zoning Amendments, and related environmental assessments that are necessary to implement the zoning districts drafted in the Strategy Plan. The Pueblo Viejo Plan identifies four (4) new zones that would be established in the Downtown. Since the zoning amendments have not occurred for the Pueblo Viejo District, projects such as the Pueblo Viejo Villas and Tripoli mixed-use project require planned unit development overlay zoning approvals from the Planning Commission and City Council.

In 2022 Planning staff engaged the professional services of Raimi + Associates to assist in preparation of the Zoning Consistency Update that would include the following:

- Prepare new or revised citywide zones to implement the 2035 General Plan
- Consolidate and incorporate the zones in the Pueblo Viejo Strategy Implementation Plan into the Zoning Code
- Update the Official Citywide Zoning Map
- Provide environmental clearance for the above changes to the Zoning Code and General Plan
- Update the General Plan Land Use Map for consistency with the Zoning Code and address "clean up."

DISCUSSION/ANALYSIS:

Zoning Code Updates

The City of Coachella Municipal Code (C.M.C.), Title 17, Zoning, is known as "The Comprehensive Zoning Ordinance of the City of Coachella" and is referenced herein as the "Zoning Code." The City's Zoning Code is adopted as a means to implement the General Plan and currently includes 13 zoning districts. The Zoning Consistency Analysis developed with the 2035 General Plan Update effort identified Zoning Code changes necessary to implement the General Plan as follows:

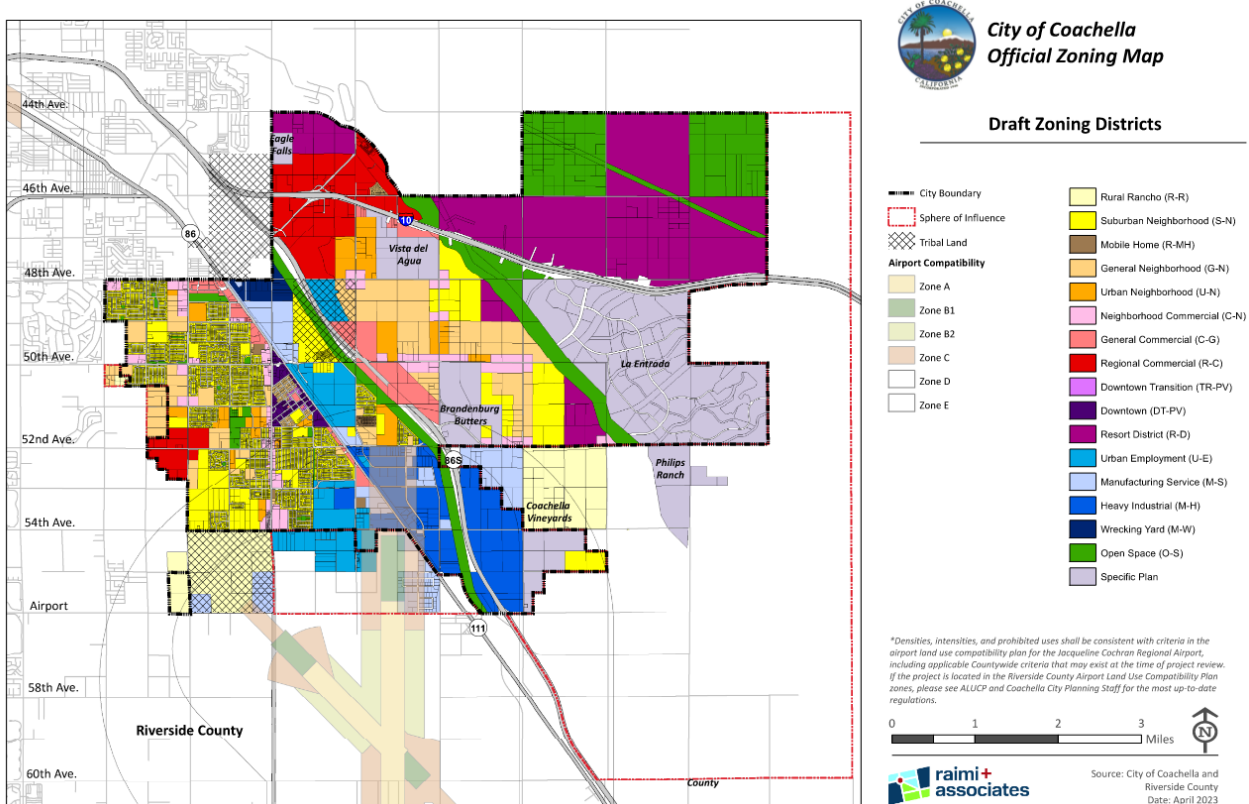
- Reclassify five (5) zones (Agricultural Transition to Rural Rancho, Residential Single Family and 6000 Overlay to Suburban Neighborhood, Residential Multiple Family to General Neighborhood, Tourist Commercial to Regional Commercial Zones)
- Revise eight (8) zones (Agricultural Reserve, Residential Estate, Mobilehome Park, Neighborhood Commercial, General Commercial, Manufacturing Service, Heavy Industrial, and Wrecking Yard Zones)
- Create four (4) new zoning districts (Urban Neighborhood, Urban Employment, Resort District, , Open Space Zones)
- Delete the Tourist Commercial District and incorporate it into the Regional Commercial and Resort Districts.

Additionally, the Pueblo Viejo Implementation Strategy Plan identified the need to create four (4) new Downtown zones rather than a single district identified in the General Plan. Staff observed that many of the permitted uses and development standards identified for the 4 recommended Downtown zones were similar and propose to simplify the recommendations by consolidating them into two new zoning districts as follows:

- Downtown Pueblo Viejo, DT-PV: Achieves more intensified urban development standards in key destination areas of Pueblo Viejo.
- Downtown Transition, DT-PV: Allows for less intensified development standards as a transition between residential zoning and more intense Downtown zoning.

The proposed Downtown Zones would allow for uses and establish development standards that would facilitate a thriving downtown environment with everyday shopping and dining as envisioned in the General Plan defined by active building facades and frontages that provide for shops, restaurants, hotels, residences, and community facilities. Currently, the existing C-G, Commercial General zone assigned to key Pueblo Viejo areas is a limiting factor in downtown growth and does not allow for mixed-use development.

Figure 1: Zoning Map Update consistent with Zoning Consistency Update



The table below provides a summary of existing zones, revised or new zones and the corresponding General Plan designation. New zones are shown in red text.

Table 1: Summary of Existing, Revised and New Zones for Zoning Consistency Update

Current Chapter #	Current Zoning District	New Chapter #	New/Revised Zoning District	New Density Range (du/ac)	New FAR	Corresponding GPLU
Residential Zones						
17.10	Agricultural Reserve (A-R)	17.10	Agricultural Reserve (A-R)	Up to 0.025	-	Agricultural Rancho
17.12	Agricultural Transition (A-T)	17.11	Rural Rancho (R-R)	0.4 to 1	-	Rural Rancho
17.14	Residential Estate (R-E)	17.12	Residential Estate (R-E)	1 to 2.2	-	Estate Rancho
17.16	Residential Single Family (R-S)	17.13	Suburban Neighborhood (S-N)	2 to 8	-	Suburban Neighborhood
17.18	6000 Overlay (R-O-6000)					
17.20	Residential Multiple Family (R-M)	17.14	General Neighborhood (G-N)	8 to 25	-	General Neighborhood
		17.15	Urban Neighborhood (U-N)	20 to 38	0.5	Urban Neighborhood
17.22	Mobilehome Park (R-MH)	17.22	Mobile Home Park (R-MH)	(1 mobile home/ 4,500 sf)	-	Varies
Commercial and Mixed Use Zones						
		17.16	Urban Employment (U-E)	30 to 65	2	Urban Employment
		17.17	Resort District (R-D)	Up to 8	0.1	Resort District
	Transition Area Pueblo Viejo Zone (TR-PV)	17.18	Downtown Transition (TR-PV)	Up to 25	1.5	Downtown Transition
Pueblo Viejo Plan	Sixth Street Pueblo Viejo Zone (SS-PV)	17.18	Downtown Zone (DT-PV) – collapses several Pueblo Viejo zones	20 to 65	3	Downtown Center
	Grapefruit Boulevard Pueblo Viejo Zone (GB-PV)					
	Cesar Chavez Street Pueblo Viejo Zone (CC-PV)					
17.24	Neighborhood Commercial (C-N)	17.24	Neighborhood Commercial (C-N)	15 to 40	1.5	Neighborhood Center
17.26	General Commercial (C-G)	17.26	General Commercial (C-G)	-	1	Suburban Retail
17.28	Tourist Commercial (C-T)	17.28	Regional Commercial (R-C)	10 to 15	2	Regional Retail
Industrial and Other Zones						
17.30	Manufacturing Service (M-S)	17.30	Manufacturing Service (M-S)	-	2	Industrial
17.32	Heavy Industrial (M-H)	17.32	Heavy Industrial (M-H)	-	2	Industrial
17.34	Wrecking Yard (M-W)	17.34	Wrecking Yard (M-W)	-	2	Industrial
		17.35	Open Space (OS)	-	-	Parks and Open Space

Several notable proposed Zoning Code modifications depart from the City's existing development standards and permitted uses as follows:

- Affordable Housing Requirement – Pueblo Viejo. For the Downtown Pueblo Viejo, DT-PV, and Downtown Transition, TR-PV, Zones, a minimum of 10% of all residential units for projects of more than 10 units must be affordable for low and/or moderate-income residents consistent with the adopted Pueblo Viejo Revitalization Implementation Plan.
- Recreational Vehicle (RV) Storage limitation in the M-S, Manufacturing Service, M-H, Heavy Industrial Zones, and M-W, Wrecking Yard Zones. Establishes a cap of 15% for the area RV storage uses can occupy within the M-S, M-H, and M-W Zones. Currently, the Municipal Code does not expressly permit RV Storage and the use has been interpreted to be similar to a mini-storage warehouse. The Zoning Code modification is proposed to ensure that a sufficient balance of revenue and employment generating uses compatible with the intent of the M-S, M-H, and M-W Zones. Existing and proposed projects would total 62 acres, or 3% of the total area within the M-S, M-H, and M-W Zones. On May 4, 2023, the Economic Development Subcommittee discussed limitations for both RV and Mini-storage and recommended further limitations of 10% for these uses in the M-S, M-H, and M-W Zones.
- Suburban Neighborhood Zone includes a proposed minimum lot size reduction from 7,200 sq. ft. to 5,400 sq. ft. Currently, 5,000 sq. ft. lot sizes are only permitted in the R-S, Residential Single Family Zone with custom development standards approved through a planned unit development (PUD) overlay.
- Objective Design Standards for single-family residential units. State law under Senate Bill (SB) 330 requires new housing development to be reviewed against objective design standards. Currently, the City does not have any adopted objective design standards and cannot apply subjective design criteria such as compatibility with the surrounding built environment for new residential development. The proposed supplemental standards for single-family residential units address site planning and building façade standards to ensure adequate building modulation and variation of building materials. Objective design standards for multi-family residential units are under development and will be considered separately by the City Council in June 2023.

General Plan Modifications

The Zoning Consistency Update project includes addition of text in the City of Coachella 2035 General Plan Chapter 4 Land Use and Community Character to establish the Downtown Transition land use. The General Plan Designation Compatible Uses Table 4-1 is proposed to be deleted and will instead be applied within text of permitted uses of zoning districts within the Zoning Code. The General Plan map is updated to include the Vista Del Agua Specific Plan, designate the Downtown Transition land use area, and identify land uses for parcels that were erroneously omitted in the 2035 General Plan Update.

Public Review and Comments

The draft of the Zoning Consistency Update document and zoning map were published on the City website beginning May 2, 2023, and the City hosted two virtual questions and answer sessions for the public in English and Spanish on May 8 and May 11, 2023, that were advertised on the City's social media platforms. The comment letters received by Planning staff are listed in Attachment 6 and staff has outlined responses below and included modification in the draft Zoning Consistency Update. The items highlighted in blue are items that were not modified in the draft Zoning Consistency Update and require additional consideration by the Planning Commission.

- **David Turner Letter on behalf of Tyler 52 and Associates Inc regarding 51-996 Tyler Street** – Request to allow commercial day care services in the Urban Neighborhood Zone.

Staff Recommendation:

- Amend the code to allow commercial daycare facilities in Urban Employment (UE) zone.
- **David Turner Letter on behalf of Dakota Dunes, Inc regarding 85-220 Avenue 50** – 1) Request to allow legacy uses on his multitenant property with industrial type uses in the new Urban Employment Zone without being considered nonconforming and requirements of a Conditional Use Permit; and 2) Allow Towing and Impounding as a use in the Urban Employment Zone

Staff Recommendation:

- Add following language to 17.16.020.C. Conditional Uses for Urban Employment zone:
5. Light Industrial uses as permitted in the M-S (Manufacturing Service) Zone, and as stand-alone uses operating indoors. Such uses in existence and permitted at the time of adoption of this code amendment shall be permitted to continue as a permitted use without obtaining a conditional use permit.
- No recommendation for towing and impounding uses.
- **David Turner Letter on behalf of CVE regarding Manufacturing Service Zone RV Storage limitations** – Request that staff determine where storage facilities be located and create subcategory where they be allowed, whether or not that encompasses the 15% limitation.

Options for Planning Commission to consider:

- Maintain current requirement.
- Make it more restrictive - reduce to 10%. (Economic Development Subcommittee is considering making this requirement more restrictive for RV storage and ministorage.)
- Another option is to limit these uses on parcels that do not front on the major arterials.
- **Fountainhead Development Letter request to remove the Fountainhead Commercial Site (Southeast corner of Cesar Chavez Street and Avenue 50) from the Downtown Center General Plan Land Use to allow auto-oriented uses.**

Staff Recommendation: Change the GPLU and Zoning to Urban Employment to better reflect current and proposed uses in this area.

- Current GPLU – Downtown Center
- Recommended GPLU – Urban Employment
- Draft Zone – Downtown (DT-PV)
- Recommended Zone – Urban Employment (U-E)

- **Law Office of Luis Lopez Letter regarding request to rezone properties (APN 612-250-010, 612-250-011, and 612-250-012) to General Neighborhood zoning.**

Staff Recommendation: Allow existing single family uses to continue as permitted uses. The property owners referenced in the letter would be able to enjoy their property with existing single-family homes as conforming uses while also maintaining the ability to incorporate multi-family or commercial uses in the future as permitted in the Neighborhood Commercial Zone.

ENVIRONMENTAL REVIEW:

The City's proposed Zoning Code and General Plan Amendment is in accordance with Section §15183 (Projects Consistent with a Community Plan or Zoning) of the California Environmental Quality Act (CEQA) Guidelines, subsection (a) which states that additional environmental review is not required for projects "which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified", except as might be necessary to determine whether there are project-specific significant effects. In this case, the proposed project is consistent with the City's General Plan 2035 and Final Environmental Impact Report (EIR), which were adopted and certified by the City Council on April 22, 2015. Therefore, the proposed project is consistent with State CEQA Guidelines Section §15168(c)(2) since it is within the programmatic scope covered by the Final EIR and there is no substantial evidence that the proposed Zoning Code Update would require additional environmental analysis.

Similarly, the proposed project is consistent with CEQA Guidelines Section §15183 (d)(1)(C) since it meets the consistency with "a general plan of a local agency", and with Section §15183 (d) (2) which states that "an EIR was certified by the lead agency for the.... general plan".

Additionally, the proposed project is consistent with CEQA Guidelines Section §15162(a) in that no subsequent environmental documentation will be required for the proposed project. Specifically, the proposed project is not proposing any substantial changes to the City's GP 2035 [§15162(a)(1)], would not result in substantial changes due to the GPU and Zoning Code Update [§15162(a)(2)], nor would it present new information of substantial importance, which was not known and could not have been known with the exercise of reasonable due diligence at the time the previous EIR was certified as complete, showing any of the following [§15162(a)(3)]:

- A. The project will have one or more significant effects not discussed in the previous EIR
- B. Significant effects previously examined will be substantially more severe than shown in the previous EIR
- C. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative
- D. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

A memorandum of the consistency findings for the Zoning Consistency Update project with CEQA is provided as Attachment 3.

Additional General Plan Implementation Measures

The proposed General Plan and Zoning Code changes will provide greater regulatory clarity and certainty for residents, businesses and developers to establish new businesses or develop their properties. Upon adoption of the Zoning Consistency Update, the City Council is recommended to direct staff to initiate updates to the engineering standard specifications for roadways to implement the Mobility Element of the General Plan. Currently, the City's engineering standard specifications are inconsistent with the General Plan roadway standards, which creates difficulty in administering the General Plan for new development (Attachment 1).

ALTERNATIVES:

- 1) Find and determine that additional environmental review is not required pursuant to CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan or Zoning); Adopt Resolution No. PC2023-11; and Adopt Resolution No. PC2023-12 recommending approval of the Zoning Consistency Update.
- 2) Find and determine that additional environmental review is not required pursuant to CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan or Zoning); Adopt Resolution No. PC2023-11; and Adopt Resolution No. PC2023-12 recommending approval of the Zoning Consistency Update *with amendments*.
- 3) Recommend denial of the Zoning Consistency Update.
- 4) Continue this item and provide staff with direction.

FISCAL IMPACT:

There is no expected fiscal impact of the adoption of the Zoning Consistency Update. The adoption of the Zoning Consistency Update would provide greater certainty to residents, property owners, and developers in the development review process and is anticipated to result in increased development activity in the City that could result in greater permit and sales tax revenues.

RECOMMENDED ALTERNATIVE(S):

Staff recommends Alternative #1 as noted above.

Attachment:

1. Resolution No. PC2023-11, General Plan Amendment No. 23-02
Exhibit A – City of Coachella 2035 General Plan Amendment text modifications – Chapter 4 Land Use and Community Character Element
Exhibit B – General Plan Map (clean-up land use modifications)
2. Resolution No. PC2023-12, Zoning Ordinance Amendment No. 23-03 and Change of Zone No. 23-01
Exhibit A – Draft Ordinance
Exhibit A.1 - Zoning Consistency Update Zoning Text Modifications
Exhibit A.2 - Official Zoning Map (Zoning Consistency Update changes)

3. Finding of Consistency Memorandum for compliance with the California Environmental Quality Act (CEQA) – (Exhibit C for Resolution No. PC2023-11 and Exhibit A.3 for Resolution No. PC2023-12)
4. Coachella General Plan 2035 (online version): <https://www.coachella.org/departments/general-plan-2035>
5. Pueblo Viejo Implementation Strategy Plan - 2019 (online version): <https://www.coachella.org/home/showpublisheddocument/7799/637068247169270000>
6. Recommended Changes Memo – Zoning Consistency Update
7. Public Comments Letters Received (5)
8. Updated General Plan Map – Changes in Blue Highlight
9. Existing Permitted Areas of RV and Mini-Storage Uses