

RESOLUTION NO. PC2023-09**A RESOLUTION OF THE COACHELLA PLANNING COMMISSION
RECOMMENDING THAT THE CITY COUNCIL ADOPT AN
ADDENDUM TO ENVIRONMENTAL IMPACT REPORT FOR THE CITY
OF COACHELLA GENERAL PLAN UPDATE (SCH # 2009021007)
PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.
APPLICANT: MAHLON TOBIAS**

WHEREAS, the Applicant has filed an application for General Plan Amendment 23-01 for a land use designation amendment, along with Environmental Assessment 23-01, (collectively the “Project Approvals”), to change the land use designation from “Urban Employment Center” to “Industrial District” on a 38.8 acre site (APN 763-260-001) located at the southeast corner of Avenue 54 and Tyler Street.

WHEREAS, in 2015, the City of Coachella (“City”) adopted a General Plan Update to guide development and provide a basis for decision-making for the City through 2035; and

WHEREAS, pursuant to the California Environmental Quality Act (Pub. Resources Code, § 21000 *et seq.*) (“CEQA”) and the State CEQA Guidelines (Cal. Code of Regs., tit. 14, § 15000 *et seq.*), in 2015 the City certified the Final Environmental Impact Report (“CGPU EIR”) (SCH # 2009021007), in connection with the General Plan Update; and

WHEREAS, the CGPU EIR considered buildout conditions of the Proposed Land Use Plan, which included the maximum buildout potential of a 38.8-acre site located at the southeast corner of Avenue 54 and Tyler Street (“Project Site”) under the “Urban Employment Center” land use designation; and

WHEREAS, the Applicant proposes a General Plan Amendment to change the land use designation of the 38.8-acre site from “Urban Employment Center” to “Industrial District” (“Project”); and

WHEREAS, pursuant to CEQA, when taking subsequent discretionary actions in furtherance of a project for which an Environmental Impact Report (“EIR”) has been certified or a Mitigated Negative Declaration (“MND”) has been adopted, the lead agency is required to review any changed circumstances to determine whether any of the circumstances under Public Resources Code section 21166 and State CEQA Guidelines section 15162 require additional environmental review; and

WHEREAS, by way of preparation of an Addendum, attached hereto as Exhibit “A” and incorporated herein, the City has evaluated the Project in light of the standards for subsequent environmental review outlined in Public Resources Code section 21166 and State CEQA Guidelines section 15162; and

WHEREAS, based on that analysis, the Planning Commission does not require preparation of a subsequent or supplemental EIR because there is no possibility for new significant

environmental effects or a substantial increase in the severity of previously identified significant environmental effects; and

WHEREAS, the City, as lead agency, determined an Addendum to the certified CGPU EIR should therefore be prepared for the Project’s proposed minor technical changes; and

WHEREAS, the Addendum, attached hereto as Exhibit “A” and incorporated herein, to the certified CGPU EIR was prepared pursuant to CEQA, the State CEQA Guidelines, and the City’s Local CEQA Guidelines; and

WHEREAS, pursuant to State CEQA Guidelines section 15164, subdivision (c), the Addendum is not required to be circulated for public review, but can be attached to the certified CGPU EIR; and

WHEREAS, on May 17, 2023 the Planning Commission held a duly noticed public hearing to review the project, as modified 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

WHEREAS, after said public hearing, the Planning Commission recommended that the City Council approve this Resolution; and,

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

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

SECTION 1. Recitals. The above recitals are true and correct and incorporated herein as findings of fact.

SECTION 2. Compliance with the California Environmental Quality Act. The Planning Commission has reviewed and considered the information contained in the Addendum to the CGPU EIR, comments received, and other documents contained in the administrative record for the Project. The Planning Commission finds adequacy in the CEQA documents and finds that the Addendum to the CGPU EIR and administrative record contain a complete and accurate reporting of the environmental impacts associated with the Project and reflects the independent judgment and analysis of the Planning Commission. The Planning Commission finds that the Addendum to the CGPU EIR, as shown in “Exhibit A” attached and made a part hereto, has been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Coachella’s Local CEQA Guidelines.

SECTION 3. Findings on the Necessity for a Subsequent or Supplemental Environmental Impact Report. Based on substantial evidence set forth in the record, including but not limited to, the CGPU EIR, the Addendum, and all related information presented to the Planning Commission, the Planning Commission finds that, based on the whole record before it, none of the conditions under State CEQA Guidelines section 15162 requiring subsequent environmental review have occurred because the Project:

- (a) will not result in substantial changes that will require major revisions of the CGPU EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and
- (b) will not result in substantial changes with respect to the circumstances under which the Project is developed that would require major revisions of the CGPU EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and
- (c) does not present new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the CGPU EIR documents were adopted, as applicable, showing any of the following: (i) that the modifications would have one or more significant effects not discussed in the earlier environmental documentation; (ii) that significant effects previously examined would be substantially more severe than shown in the earlier environmental documentation; (iii) that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects, but the applicant declined to adopt such measures; or (iv) that mitigation measures or alternatives considerably different from those analyzed previously would substantially reduce one or more significant effects on the environment, but which the applicant declined to adopt.

SECTION 4. Findings on Environmental Impacts. Based on the Addendum, the administrative record, and having considered the CGPU EIR and all written and oral evidence presented to the Planning Commission, the Planning Commission finds that all environmental impacts of the Project have been addressed within the certified CGPU EIR. The Planning Commission finds that no new or additional mitigation measures or alternatives are required. The Planning Commission 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 beyond those analyzed in the certified CGPU EIR. The Planning Commission finds that the Addendum contains a complete, objective, and accurate reporting of the environmental impacts associated with the Project and reflects the independent judgment and analysis of the Planning Commission.

SECTION 5. Adoption of the Addendum to the CGPU Environmental Impact Report. The Planning Commission hereby approves and adopts the Addendum prepared for the Project.

SECTION 6. 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. City Clerk is the custodian of the record of proceedings.

SECTION 7. Execution of Resolution. The Planning Commission Chair shall sign this Resolution and the Planning Commission Secretary shall attest and certify to the passage and adoption thereof.

APPROVED AND ADOPTED by the members of the City of Coachella Planning Commission on this 17st day of May, 2023.

Ruben Gonzalez,
Planning Commission Chair

ATTEST:

Gabriel Perez, Planning Commission Secretary

APPROVED AS TO FORM:

Carlos Campos, City Attorney

I, Gabriel Perez, Planning Secretary, City of Coachella, California, certify that the foregoing Resolution was adopted by the Planning Commission at a regular meeting of the Planning Commission held on the 17th day of May, 2023, and was adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gabriel Perez
Planning Commission Secretary