

RESOLUTION NO. PC2023-12

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COACHELLA, CALIFORNIA, APPROVING ZONING ORDINANCE AMENDMENT NO. 22-03 AND RECOMMENDING TO THE CITY COUNCIL AMENDMENTS TO COACHELLA MUNICIPAL CODE TITLE 17, ZONING, AND THE OFFICIAL COACHELLA ZONING MAP REGARDING ZONING CONSISTENCY UPDATES FOR IMPLEMENTATION OF THE COACHELLA GENERAL PLAN 2035. CITY-INITIATED.

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 amend Title 17 (Zoning) to implement the General Plan 2035 by reclassifying five (5) zones, revised eight (8) zones, create four (4) new zones and delete one (1) zone including the list of permitted uses and development standards as well as amend the City of Coachella Official Zoning Map; and,

WHEREAS, 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.

WHEREAS, based on that analysis, the Planning Commission does not require preparation of a subsequent or supplemental EIR because 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.

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 Ordinance.

NOW THEREFORE, THE PLANNING COMMISSION OF THE CITY OF COACHELLA, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Incorporation of Recitals. The Planning Commission 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 Resolution.

SECTION 2. Recommendation to City Council. Based on the entire record before the Planning Commission, all written and oral evidence presented to the Planning Commission, and the findings made in the staff report and this Resolution, the Planning Commission of the City of Coachella hereby recommends that the City Council adopt an Ordinance entitled: “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA, AMENDING COACHELLA MUNICIPAL CODE TITLE 17, ZONING, AND THE OFFICIAL COACHELLA ZONING MAP REGARDING ZONING CONSISTENCY UPDATES FOR IMPLEMENTATION OF THE COACHELLA GENERAL PLAN 2035” which is attached hereto as Exhibit “A” including Zoning Consistency Update Zoning Text Modifications of Exhibit A.1 and the Official Zoning Map in Exhibit A.2

SECTION 3. Findings. The Planning Commission finds that the amendments to the Coachella Municipal Code proposed by the above referenced ordinance are consistent with and implement the goals and policies of all elements of the General Plan and exercise the City’s land use powers to protect the health, safety, and welfare of the public.

The Planning Commission also finds that the proposed amendments to the Coachella Municipal Code would not be detrimental to the public interest, health, safety, convenience, or welfare of the City in that they will establish appropriate uses and development standards as envisioned by the General Plan 2023. Furthermore, the Zoning Code update is a major objective of the Coachella Housing Element to ensure that the City has planned for housing capacity to accommodate the 6th Cycle Regional Housing Need Allocation (RHNA).

The Planning Commission also finds that the proposed amendments to the Coachella Municipal Code are internally consistent with other applicable provisions of this Zoning Code.

SECTION 4. CEQA. The Planning Commission finds that 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 GP 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

The proposed project is further analyzed for consistency with the certified 2015 EIR prepared for the City’s General Plan 2035 in the Findings of Consistency Memorandum (Exhibit C) prepared pursuant to the applicable provisions of §15183 of the California Environmental Quality Act (CEQA) Guidelines. Since the Zoning Code Update is a regulatory document that affects the entire City, any future development and redevelopment project in the City would have to be analyzed at a project level for all CEQA related impacts.

SECTION 5. Certification. The Secretary shall certify to the adoption of this Resolution.

APPROVED AND ADOPTED by the members of the City of Coachella Planning Commission on this 17th day of May, 2022.

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