

## **ORDINANCE NO. 1183**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COACHELLA APPROVING CHANGE OF ZONE (CZ 20-07) FROM R-S (RESIDENTIAL SINGLE-FAMILY) and R-M (MULTIPLE-FAMILY RESIDENTIAL) to R-M URBAN (MULTIPLE-FAMILY RESIDENTIAL, 20-38 DU/AC), R-M GENERAL (MULTIPLE-FAMILY RESIDENTIAL, 20-25 DU/AC), AND C-N (NEIGHBORHOOD COMMERCIAL) ON APPROXIMATELY 56.9 ACRES OF VACANT, AGRICULTURAL LAND LOCATED ON THE NORTH SIDE OF AVENUE 52, EAST AND WEST OF EDUCATION WAY (APN: 763-060-048). CITY-INITIATED; PETER RABBIT FARMS, OWNER. (*1<sup>ST</sup> Reading*)**

**WHEREAS**, the Proposed Project, as set forth in Environmental Assessment (EA 20-04) and Change of Zone (CZ 20-07) consists of the above-referenced application on approximately 56.9 acres of vacant agricultural land located on the north side of Avenue 52, east and west of Education Way; and the Project seeks to bring the properties into compliance with the General Plan's "Land Use and Community Character Element"; and,

**WHEREAS**, the General Plan Land Use Map and Sub-Area 1 policies, call for the subject property to include medium to high-density residential uses in close proximity to commercial uses, and to create an urban pattern that includes short blocks with good street connectivity and pedestrian amenities; and,

**WHEREAS**, Prior to the approval of this Change of Zone (CZ 18-10), the project site contains only two zoning districts: R-S (Residential Single-Family) and R-M (Multiple-Family Residential). Neither of these two zones provides the proper density and variety of housing types envisioned by the General Plan; and,

**WHEREAS**, to bring the site into compliance with the General Plan, and to comply with the City's Housing Element re-zoning requirements, the City of Coachella Development Services with the consent of the Property Owner proposes to create the following Zoning Districts:

- R-M General (Multiple-Family Residential, 20 – 25 DU/AC)
- R-M Urban (Multiple-Family Residential, 25-38 DU/AC)
- C-N (Neighborhood Commercial); and,

**WHEREAS**, the City completed Environmental Assessment/Initial Study (EA 20-04) for the Proposed Project pursuant to the California Environmental Quality Act, as amended; and,

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

**WHEREAS**, a Notice of Intent to Adopt a Negative Declaration was posted with the County Clerk and the proposed Mitigated Negative was made available for a 20-day public review period commencing on March 25, 2021 and ending on April 13, 2021; and,

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

**WHEREAS**, findings of the Initial Study indicated that the Proposed Project would not create any significant impacts to the environment; and,

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

**WHEREAS**, the City Council conducted a duly noticed public hearing on Change of Zone No. 20-07 on June 9, 2021 in the Council Chambers, 1515 Sixth Street, Coachella, California to consider staff recommendations and prior written and oral testimony regarding the project and wherein the public was given an opportunity to testify; and,

**WHEREAS**, a Negative Declaration was prepared in accordance with the California Environmental Quality Act, as amended.

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

**Section 1.** That the City of Coachella Official Zoning Map be amended as shown on the attached Change of Zone 20-07 Map marked “Exhibit A” from R-S (Residential Single-Family) to R-M Urban (Multiple-Family Residential, 20-38 UN/AC), R-M General (Multiple-Family Residential, 20-25 UN/AC) and C-N (Neighborhood Commercial) on approximately 56.9 acres of vacant, agricultural land located on the north side of Avenue 52, east and west of Education Way (APN: 763-060-048) with the findings listed below.

**Findings for Change of Zone 20-07:**

1. The Project is consistent with the goals, objectives, policies, and implementation measures of the Coachella General Plan 2035. The site has a General Neighborhood land use designation and is part of the Subarea 1 – West Coachella Neighborhoods policies, that allows for the proposed development. The proposed change of zone is in keeping with the policies of the General Neighborhood land use classification and the Project is internally consistent with other General Plan policies for this type of development.
2. The Project complies with the applicable land use regulations and development standards of the City’s Zoning Code. The Project complies with applicable sections of

the General Plan and Section 17.80 of the City of Coachella Municipal Code in that the subject property is vacant land that will be developed in accordance with the R-M, General (Multiple-Family Residential, 20-25 DU/AC), R-M, Urban (Multiple-Family Residential, 25-38 DU/AC) and C-N (Neighborhood Commercial) zoning development standards and the site has conforming width and depth, is generally flat, and can accommodate intensive urban development as anticipated in the future.

3. Every use, development of land and application of architectural guidelines and development standards shall be considered on the basis of the suitability of the site for a particular use or development intended, and the total development, including the prescribed development standards, shall be so arranged as to avoid traffic congestion, ensure the protection of public health, safety and general welfare, prevent adverse effects on neighboring property and shall be in accord with all elements of the general plan. The proposed change of zone is compatible with existing surrounding land uses that include a variety of residential, institutional, and light industrial uses. There is access to Avenue 52, which is a major arterial roadway that can accommodate the future traffic/circulation needs of the site.
4. The Project will be compatible with neighboring properties with respect to land development patterns and application of architectural treatments. Surrounding properties to the project site include multiple-family residential, an elementary school and light industrial uses. As such, the Project will be in keeping with the scale, massing, and aesthetic appeal of the existing area and future development.
5. The Project will not create any significant impacts to the environment based upon a complete and accurate reporting of the environmental impacts associated with the Project contained in the Negative Declaration, Initial Study, and administrative record. The 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 2.** SEVERABILITY. The City Council declares that, should any provision, section, paragraph, sentence or word of this ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this ordinance as hereby adopted shall remain in full force and effect.

**Section 3.** EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after its second reading by the City Council.

**Section 4.** CERTIFICATION. The City Clerk shall certify to the adoption of this Ordinance and shall cause it to be published and circulated in the City of Coachella.

ORDINANCE PASSED AND APPROVED on this \_\_\_\_<sup>th</sup> day of June 2021.

\_\_\_\_\_  
Steven A. Hernandez, Mayor

ATTEST:

\_\_\_\_\_  
Angela M. Zepeda, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Carlos Campos, City Attorney

I, Angela M. Zepeda, City Clerk, City of Coachella, California, certify that the foregoing Ordinance No. 1143 was introduced by the City Council at a regular meeting of the City Council held on the 23<sup>rd</sup> day of October 2019, and was adopted on the 13<sup>th</sup> day of November 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Angela M. Zepeda, City Clerk

“Exhibit A”

B-4 RANCH CHANGE OF ZONE PROJECT – CHANGE OF ZONE EXHIBIT

