

RESOLUTION NO. PC2021-21

A RESOLUTION OF THE CITY OF COACHELLA PLANNING COMMISSION RECOMMENDING TO THE COACHELLA CITY COUNCIL APPROVAL OF ZONING ORDINANCE AMENDMENT 21-03, AMENDMENTS TO SECTIONS 17.72.010 AND 17.74.050 OF TITLE 17 (ZONING) OF THE COACHELLA MUNICIPAL CODE TO REGULATE TIME EXTENSION REQUESTS FOR ARCHITECTURAL REVIEW AND CONDITIONAL USE PERMITS.

WHEREAS, the Coachella Zoning Code currently includes post-determination procedures for expired Conditional Use Permit (“CUP”) and Architectural Review (“AR”) reviews by the Planning Commission which procedure can be abused by applicants; and,

WHEREAS, the Planning Commission believes that the review of expiring CUP and AR actions merit additional scrutiny and consideration by the Planning Commission in order to impose reasonable land use conditions of approval upon these uses, the Planning Commission finds that this will provide the added scrutiny needed to address the negative impacts posed by these conditional uses; and,

WHEREAS, the City Council believes that the review of expiring CUP actions merit additional scrutiny and consideration by the Planning Commission in order to impose reasonable land use conditions of approval upon these uses, the City Council finds that this will provide the added scrutiny needed to address the negative impacts posed by these conditional uses; and,

WHEREAS, California Government Code, Section 65800 et seq. authorizes the City of San Coachella (“City”) to adopt and administer zoning laws, ordinances, rules, and regulations as a means of implementing the General Plan; and,

WHEREAS, on September 26, 2021, the City gave proper notice of the public hearing for the proposed ordinance by publishing in a newspaper of general circulation notice of a Planning Commission public hearing at which the ordinance would be considered; and,

WHEREAS, the Planning Commission conducted a properly noticed public hearing on October 6, 2021 at which members of the public were afforded an opportunity to comment upon this Ordinance, the recommendations of staff and public testimony; and,

WHEREAS, after such hearing, the Planning Commission recommended that the City Council approve this Ordinance; and,

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Coachella, California hereby resolve as follows:

Section 1. Incorporation of Recitals

The Planning Commission hereby finds that all of the facts in the Recitals are true and correct and are incorporated and adopted as findings of the Planning Commission as fully set forth in this resolution.

Section 2. CEQA Findings

This Ordinance has been assessed in accordance with the California Environmental Quality Act (CEQA), the State and local CEQA Guidelines, and the environmental regulations of the City. The proposed Ordinance qualifies as being exempt from CEQA pursuant to Section 15060(c)(2) of the CEQA Guidelines (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and Section 15060(c)(3) of the CEQA Guidelines (the activity is not a “project” as defined in Section 15378 of the CEQA Guidelines because it has no potential for resulting in physical change to the environment, directly or indirectly).

Section 3. Zoning Ordinance Amendment Findings

With respect to ZOA 21-03, the Planning Commission finds as follows for the proposed storefront retail microbusiness:

1. The proposed amendments are consistent with the goals, objectives, policies, and implementation measures of the Coachella General Plan 2035 as they would encourage timely development of public improvements and health community design related to Architectural Review and Conditional Use Permits as encouraged in Land Use Goal 3 for development patterns and design comprised of complete, walkable, attractive, family-friendly neighborhoods, districts and corridors that support healthy and active lifestyles.
2. The proposed amendments will not adversely affect the public health, safety, and welfare, in that the proposed amendments would encourage timely property development that may include on-site and off-site improvements that benefit the public and promote health community design encouraged in the Coachella General Plan 2035.

Section 4. Planning Commission Approval

Based on the foregoing recitals and findings above, and the written and oral comments, facts and evidence presented, the City of Coachella Planning Commission recommends to the City Council approval of Zoning Ordinance Amendment (ZOA 21-03) as set forth in “Exhibit A”

PASSED APPROVED and ADOPTED this 6th day of October 2021.

Stephanie Virgen, Chairperson
Coachella Planning Commission

ATTEST:

Yesenia Becerril
Planning Commission Secretary

APPROVED AS TO FORM:

Carlos Campos
City Attorney

I HEREBY CERTIFY that the foregoing Resolution No. PC2021-21, was duly adopted at a regular meeting of the Planning Commission of the City of Coachella, California, held on the 6th day of October 2021, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Yesenia Becerril
Planning Commission Secretary