

## **ORDINANCE NO. 1187**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COACHELLA APPROVING CHANGE OF ZONE (CZ 21-02) FOR THE AVENUE 53 CHANGE OF ZONE PROJECT FROM M-S (MANUFACTURING SERVICE) TO R-M URBAN (MULTIPLE-FAMILY RESIDENTIAL, 20-38 DU/AC), ON APPROXIMATELY 50.6 ACRES OF 118 ACRES OF VACANT, AGRICULTURAL LAND LOCATED SOUTH OF AVENUE 53, NORTH OF AVENUE 54, AND WEST OF TYLER STREET (APN: 778-390-003, 778-390-004, 778-390-005, and 778-390-007). CITY-INITIATED; APPLICANT.**

**WHEREAS**, the Proposed Project, as set forth in Environmental Assessment (EA 21-02) and Change of Zone (CZ 21-02) consists of the above-referenced application on approximately 118 acres of vacant agricultural land located south of Ave 53, north of Ave 54, and west of Tyler St. (APN: 778-390-003, 778-390-004, 778-390-005, and 778-390-007); 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 policies, call for the subject property to include multi-family residential 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 21-02), the project site contains the M-S (Manufacturing Service) zone which does not allow for the 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 Department with the consent of the Property Owner proposes to create the following Zoning District:

- R-M Urban (Multiple-Family Residential, 25-38 DU/AC)

**WHEREAS**, the City completed Environmental Assessment/Initial Study (EA 21-02) 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 August 9, 2021 and ending on August 30, 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 Planning Commission conducted a duly noticed public hearing on Change of Zone No. 21-02 and EA 21-02 on September 1, 2021 to consider staff recommendations and prior written and oral testimony regarding the project and recommended to the City Council adoption of a negative declaration and approval of Change of Zone No. 21-02; and,

**WHEREAS**, the City Council conducted a duly noticed public hearing on Change of Zone No. 21-02 and Environmental Assessment 21-02 on October 13, 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 21-02 Map marked “Exhibit A” from M-S (Manufacturing Service) to R-M Urban (Multiple-Family Residential, 20-38 DU/AC), on approximately 50.6 acres of 118 acres of vacant, agricultural land located on the north side of Avenue 53, North of Avenue 54, and West of Tyler Street (APN: 778-390-003, 778-390-004, 778-390-005, and 778-390-007).

**Section 2.** Compliance with the Environmental Quality Act (“CEQA”). As the advisory body for the Project, the Planning Commission has reviewed and considered the information contained in the Negative Declaration, Initial Study, comments received, and other documents contained in the administrative record for the Project. The Planning Commission recommends that the City Council find that the Negative Declaration, Initial Study and administrative record contain a complete and accurate reporting of the environmental impacts associated with the Project. The Planning Commission further recommends that the City Council find that 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 3. Findings on Environmental Impacts.** Based on the whole record before it, including the Negative Declaration, Initial Study, the administrative record and all other written and oral evidence presented, the City Council finds that all environmental impacts of the Project are insignificant as outlined in the Negative Declaration and Initial Study. The City Council 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. The City Council finds that the Negative Declaration contains a complete, objective, and accurate reporting of the environmental impacts associated with the Project and reflects the independent judgment and analysis of the City Council.

**Section 4. Wildlife Resources.** Pursuant to Fish and Game Code Section 711.4(c), all project applicants and public agencies subject to CEQA shall pay a filing fee for each Proposed Project, as specified in subdivision 711.4(d) for any adverse effect on wildlife resources or the habitat upon which wildlife depends unless a “no effect” finding is made by the California Department of Fish and Game. This fee is due and payable as a condition precedent to the County Clerk’s filing of a Notice of Determination.

**Section 5. Findings for Change of Zone 21-02.** The City Council does hereby approve of Change of Zone (CZ 21-02) with the findings listed below:

**Findings for Change of Zone 21-02:**

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 5 – Airport District policies, that allows for the proposed development. The proposed change of zone is in keeping with the policies of the Urban Employment Center 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, Urban (Multiple-Family Residential, 25-38 DU/AC) 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

53 and Avenue 54, which are arterial roadways 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 residential single-family neighborhoods, vacant properties in unincorporated Riverside County. Armtec Defense Products complex is on Heavy Industrial zoned property and the residential zoning created by this change of zone would establish a 750-foot distance buffer. 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 6. 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 7. Effective Date.** This ordinance shall take effect thirty (30) days after its second reading by the City Council.

**Section 8. 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.

**PASSED, APPROVED and ADOPTED** this 27<sup>th</sup> day of October 2021.

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Steven A. Hernandez  
Mayor

**ATTEST:**

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Angela M. Zepeda  
City Clerk

**APPROVED AS TO FORM:**

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Carlos Campos  
City Attorney

STATE OF CALIFORNIA            )  
COUNTY OF RIVERSIDE        ) ss.  
CITY OF COACHELLA            )

**I HEREBY CERTIFY** that the foregoing Ordinance No. 1187 was duly and regularly introduced at a meeting of the City Council on the 13<sup>th</sup> day of October 2021, and that thereafter the said ordinance was duly passed and adopted at a regular meeting of the City Council on the 27<sup>th</sup> day of October 2021.

AYES:

NOES:

ABSENT:

ABSTAIN:

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Andrea J. Carranza, MMC  
Deputy City Clerk

# EXHIBIT A

## AVENUE 53 CHANGE OF ZONE PROJECT – CHANGE OF ZONE EXHIBITS



