

ORDINANCE NO. 1156

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA APPROVING CHANGE OF ZONE NO. 14-01 FROM C-G (GENERAL COMMERCIAL), R-S (RESIDENTIAL SINGLE-FAMILY) AND M-S (MANUFACTURING SERVICE) TO S-P (SPECIFIC PLAN-VISTA DEL AGUA) ZONE TO BE DEVELOPED IN ACCORDANCE WITH THE VISTA DEL AGUA FINAL SPECIFIC PLAN; CVP PALM SPRINGS, APPLICANT

WHEREAS, the Applicant has filed an application for General Plan Amendment 14-01 for a land use designation amendment respectively along with Specific Plan 14-01, Change of Zone 14-01 (map amendment), Tentative Parcel Map (TPM) 36872 (finance and conveyance map), (collectively the “Project Approvals”), to allow for the future development of a mixed use residential and commercial project with various public facilities and open space on approximately 275 acres of vacant land located south of and adjacent to the I-10 freeway and Vista Del Sur, north of Avenue 48 and east of Tyler Street, as well as approximately 29 acres of off-site infrastructure improvements (the “Vista Del Agua Project” or the “Project”); and

WHEREAS, the 275 acre project area are currently zoned General Commercial (C-G), Residential Single Family (R-S), Manufacturing –Service (M-S); and

WHEREAS, the City has processed the Project Approvals pursuant to the Coachella Municipal Code and the State Government Code, and the California Environmental Quality Act as amended under which a Draft EIR was prepared (DEIR); and

WHEREAS, the DEIR was circulated as required by law and, together with all comments and responses to those comments, was provided to the City Council as the Final EIR (FEIR) for the Project; and

WHEREAS, in compliance with the requirements of the California Environmental Quality Act (CEQA), prior to recommending approval of this Change of Zone, the Planning Commission of the City of Coachella adopted Resolution PC 2019-54 recommending that the City Council certify the final Environmental Impact Report for the Vista Del Agua Project Approvals (SCH # 2015031003) which include the Change of Zone; and

WHEREAS, on June 19 , 2019 the Planning Commission of the City of Coachella held a duly noticed and Public Hearing at which interested persons had an opportunity to testify in support of, or opposition to, the Change of Zone and at which the Planning Commission considered the Change of Zone as presented by the Applicant, together with the recommendations of the Development Services Director; and

WHEREAS, on February 10, 2020 the City gave public notice as required under Government Code section 66451.3 by mailing notices to property owners within at least 300 feet of the Project and on February 16, 2020 published a public notice in the Desert Sun of the holding of a public hearing at which the Project would be considered, and

WHEREAS, the City Council continued the February 26, 2020 public hearing to the April 8, 2020 City Council meeting and again to the May 13, 2020 City Council meeting in order to respond to two written comments received; and

WHEREAS, in compliance with the requirements of the California Environmental Quality Act (CEQA), prior to recommending approval of Change of Zone 14-01 the City Council of the City of Coachella adopted Resolution 2020-02 certifying the final Environmental Impact Report, adopting CEQA findings and Statement of Overriding Considerations for the Vista Del Agua Project Approvals; and

WHEREAS, on May 13, 2020 the City Council of the City of Coachella held a duly noticed and published Public Hearing at which interested persons had an opportunity to testify in support of, or opposition to, the Change of Zone and at which the City Council considered the Change of Zone and appeal as presented by the Applicant, together with the recommendations of the Development Services Director and the Planning Commission; and

WHEREAS, the City Council, considering the entire record before it, including but not limited to recommendation of the Development Services Director as provided in the Staff Report dated May 13, 2020 and documents incorporated therein by reference and any other written or oral evidence within the record or provided at the public hearing of this matter, hereby finds that Change of Zone 14-01 is within the scope of EIR 14-01; and

WHEREAS, the evidence before the City Council supports the conclusion that Change of Zone 14-01 be approved as does the record consisting of the staff report, case file, exhibits on display and public hearing testimony; and

WHEREAS, all other prerequisites to the adoption of this Ordinance have occurred; and

WHEREAS, the City Council, considering the entire record before it, including but not limited to the recommendation of the Development Services Director as provided in the Staff Report dated May 13, 2020 and documents incorporated therein by reference and any other written or oral evidence within the record or provided at the public hearing of this matter, hereby approves Change of Zone No. 14-01 as shown in the attached "Exhibit A" with the following findings:

Findings for Approval of Change of Zone No. 14-01:

1. The proposed Change of Zone will serve the public necessity, convenience, general welfare, and will provide good zoning practice for the vicinity of the site so that is consistent with the overall vision of the Specific Plan, as amended. The Specific Plan provides a balance of land uses including residential and commercial land uses and will provide a diverse mix of housing opportunities at varying densities for current and future residents. The Specific Plan proposes active and passive open space consistent with the City's General Plan.

2. The proposed Change of Zone is consistent with the intent and purpose of the General Plan, as amended by General Plan Amendment 14-01, in that the proposed Specific Plan zone allows commercial uses, single family and multifamily residential development that is in keeping with the goals and policies of the General Plan, as amended. The General Plan seeks to define and raise the profile and image of the City, to obtain needed infrastructure and thus to improve the quality

of life. The Project would not adversely affect the public convenience, health, safety, or general welfare, or result in an illogical land use pattern as the Project site currently has General Plan designations of General Neighborhood, Suburban Retail District, Suburban Neighborhood, and Neighborhood Center. The development standards in the Specific Plan will result in an enhanced development design for the subject property rather than using standard zoning and development regulations. Any development within the Project will be developed in accordance with the Vista Del Agua Specific Plan including the design guidelines.

3. The proposed Project will extend access and infrastructure from Dillon Road via Shadow View Blvd, Vista Del Sur, Avenue 47 and Avenue 48 into this area of the City. It also will provide for associated commercial and residential development. The Project would not adversely affect the public convenience, health, safety, or general welfare, or result in an illogical land use pattern as the Project site currently has General Plan designations of General Neighborhood, Suburban Retail District, Suburban Neighborhood and Neighborhood Center. The development standards in the Specific Plan will result in an enhanced development design for the subject property rather than using standard zoning and development regulations. Any development within the Project will be developed in accordance with the Vista Del Agua Specific Plan including the design guidelines.

4. This Project is consistent with the goals and policies of the Housing Element of the General Plan because it provides a range and diversity of housing types and densities including single family and multi-family housing at various densities.

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

SECTION 1. Adoption. The City Council does hereby adopt Change of Zone 14-01 for the 275-acre project site pursuant to the facts and reasons stated herein and in the Planning Commission Resolution PC 2019-20, a copy of which is on file in the office of the City Clerk and incorporated herein by reference.

SECTION 2. Effective Date. This Ordinance shall take effect thirty (30) days after its second reading by the City Council.

SECTION 3. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

SECTION 4. Certification. The City Clerk shall certify the passage of this Ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published as required by law, in a local newspaper of general circulation and which is hereby designated for that purpose.

SECTION 5. CEQA. The City Council finds that this Change of Zone is subject to the California Environmental Quality Act (CEQA). Change of Zone 14-01 is within the scope of EIR 14-04 and the City Council has adopted Resolution No. 2020-02, certifying Final Environmental Impact Report 14-04: an Environmental Impact Report that has been prepared for the Vista Del Agua Project Approvals in accordance with the California Environmental Quality Act (CEQA) along with specific findings and a statement of overriding considerations.

PASSED, APPROVED and ADOPTED this 27th day of May 2020.

Steven A. Hernandez
Mayor

ATTEST:

Angela M. Zepeda
City Clerk

APPROVED AS TO FORM:

Carlos Campos
City Attorney

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

I HEREBY CERTIFY that the foregoing Ordinance No. 1156 was duly and regularly introduced at a meeting of the City Council on the 13th day of May 2020, and that thereafter the said ordinance was duly passed and adopted at a regular meeting of the City Council on the 27th day of May 2020.

AYES:

NOES:

ABSENT:

ABSTAIN:

Andrea J. Carranza, MMC
Deputy City Clerk

“Exhibit A”

Vista Del Agua - Change of Zone Exhibit

Existing Zoning: M-S (Manufacturing Service), Residential Single-Family, C-G (General Commercial), and R-S (Residential Single-Family)

Proposed Zoning: SP (Specific Plan – Vista Del Agua)

