

RESOLUTION NO. PC2023-17

A RESOLUTION OF THE COACHELLA PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL APPROVE GENERAL PLAN AMENDMENT NO. 23-03 TO AMEND THE CITY OF COACHELLA GENERAL PLAN 2035 AND THE OFFICIAL GENERAL PLAN MAP RELATED TO ESTABLISHMENT OF GENERAL PLAN LAND USE DESIGNATIONS FOR THREE AREAS EVALUATED AS PART OF THE GENERAL PLAN PLANNING AREA IN THE CERTIFIED 2015 PROGRAM ENVIRONMENTAL IMPACT REPORT BUT FOR WHICH NO GENERAL PLAN LAND USE DESIGNATION WAS IDENTIFIED. APPLICANT: CITY-INITIATED

WHEREAS, the City of Coachella initiated General Plan Amendment No. 23-03 for a land use designation amendments, along with Environmental Assessment No. 23-03, (collectively the “Project Approvals”), to establish General Plan land use designations for three areas that were evaluated as part of the City of Coachella General Plan Planning Area in the certified 2015 Program Environmental Impact Report (EIR) but for which no General Plan land use designation was identified. The three areas include: (1) the area generally bounded by Dillon Road to the west, Fargo Canyon to the north, parcel boundaries to the east, and East Side Dike to the southeast (Northern Project Area); (2) the area generally bounded by Jackson Street on the west, approximately 0.25 mile north of 51st Avenue on the north, Calhoun Street on the east, and 52nd Avenue on the south (Western Project Area); and (3) the area generally bounded by State Route 86 (SR-86) to the west, Avenue 60 to the north, Lincoln Street to the east, and 62nd Avenue to the south (Southern Project Area). Land Use and Community Character Element Policy 1.2 is proposed for removal in order to allow the annexation of new land into the City before 60 percent of the land within the city limits is built with urban uses or permanently preserved open space.

WHEREAS, in 2015, the City of Coachella (“City”) adopted a General Plan Update to guide development and provide a basis for decision-making for the City through 2035; and

WHEREAS, pursuant to the California Environmental Quality Act (Pub. Resources Code, § 21000 *et seq.*) (“CEQA”) and the State CEQA Guidelines (Cal. Code of Regs., tit. 14, § 15000 *et seq.*), in 2015 the City certified the Final Environmental Impact Report (“CGPU EIR”) (SCH # 2009021007), in connection with the General Plan Update; and

WHEREAS, pursuant to CEQA, when taking subsequent discretionary actions in furtherance of a project for which an Environmental Impact Report (“EIR”) has been certified or a Mitigated Negative Declaration (“MND”) has been adopted, the lead agency is required to review any changed circumstances to determine whether any of the circumstances under Public Resources Code section 21166 and State CEQA Guidelines section 15162 require additional environmental review; and

WHEREAS, by way of preparation of an Addendum, attached hereto as Exhibit “A” and incorporated herein, the City has evaluated the Project in light of the standards for subsequent environmental review outlined in Public Resources Code section 21166 and State CEQA

Guidelines section 15162; and

WHEREAS, based on that analysis which included a comparison of anticipated environmental effects of the proposed project with those disclosed in the 2015 Certified EIR to review whether any conditions set forth in Section 15162 of the State CEQA Guidelines requiring preparation of a subsequent or supplemental EIR are met, the Planning Commission does not require preparation of a subsequent or supplemental EIR because there is no possibility for new significant environmental effects or a substantial increase in the severity of previously identified significant environmental effects; and

WHEREAS, the City, as lead agency, determined an Addendum to the certified CGPU EIR should therefore be prepared for the Project's proposed minor technical changes; and

WHEREAS, the Addendum, Exhibit "A" of Resolution No. PC2023-18, to the certified CGPU EIR was prepared pursuant to CEQA, the State CEQA Guidelines, and the City's Local CEQA Guidelines; and

WHEREAS, in compliance with the requirements of the California Environmental Quality Act (CEQA), prior to recommending approval of General Plan Amendment 23-03, the Planning Commission of the City of Coachella adopted Resolution No. PC 2023-18 recommending that the City Council adopt the Addendum to the certified CGPU EIR.

WHEREAS, on June 21, 2023 and July 5, 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, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF COACHELLA DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

SECTION 1. Recitals. The above recitals are true and correct and incorporated herein as findings of fact.

SECTION 2. General Plan Amendment No. 23-03. The Planning Commission hereby approves text modifications to Chapter 4 Land Use and Community Character Element as shown in "Exhibit A" and a change to Figure 4-23 of the General Plan 2035 Land Use and Community Character Element, entitled "General Plan Designation Map" as shown in "Exhibit B", attached and made a part hereto (collectively, "General Plan Amendment No. 23-03"), and hereby recommends that the City Council approve General Plan Amendment No. 23-03.

SECTION 3. Findings. The Planning Commission finds that the amendments to General Plan proposed by "Exhibit A" and "Exhibit B" are consistent with the goals and policies of all elements of the General Plan, as amended by this Resolution, and exercise the City's land use powers to protect the health, safety, and welfare of the public. The General Plan Land Use Element would retain Policies 1.1 and 1.3 through 1.7, which would continue to support growth in a

sustainable and orderly manner. Policy 1.1 requires establishing city limits that allow for realistic growth, while Policy 1.5 requires that all development and policy decisions conform to the vision and policies for that planning area.

The Planning Commission also finds that the proposed amendments to the Coachella General Plan 2035 would not be detrimental to the public interest, health, safety, convenience, or welfare of the City in that they will ensure parcels within the City of Coachella General Plan Planning Areas has assigned land use.

The Planning Commission also hereby recommends that the City Council adopt these findings.

SECTION 4. CEQA. Based on the Addendum, the administrative record, and having considered the CGPU EIR and all written and oral evidence presented to the Planning Commission, the Planning Commission hereby recommends that the City Council find that all environmental impacts of the Project have been addressed within the certified CGPU EIR. The Planning Commission recommends that the City Council find that no new or additional mitigation measures or alternatives are required. The Planning Commission recommends that the City Council find that there is no substantial evidence in the administrative record supporting a fair argument that the Project may result in any significant environmental impacts beyond those analyzed in the certified CGPU EIR. The Planning Commission recommends that the City Council find that the Addendum contains a complete, objective, and accurate reporting of the environmental impacts associated with the Project and reflects the independent judgment and analysis of the Planning Commission.

Based on substantial evidence set forth in the record, including but not limited to, the CGPU EIR, the Addendum, and all related information presented to the Planning Commission, the Planning Commission recommends that the City Council find that, based on the whole record before it, none of the conditions under State CEQA Guidelines section 15162 requiring subsequent environmental review have occurred because the Project:

1. There are no substantial changes to the project that would require major revisions of the certified 2015 Program EIR due to new significant environmental effects or a substantial increase in severity of impacts identified in the 2015 Program EIR;
2. Substantial changes have not occurred in the circumstances under which the project is being undertaken that will require major revisions to the certified 2015 Program EIR to disclose new significant environmental effects or that would result in a substantial increase in severity of impacts identified in the 2015 Program EIR; and
3. There is no new information of substantial importance that was not known at the time the 2015 Program EIR was certified, indicating any of the following:
4. The project will have one or more new significant effects not discussed in the 2015 Program EIR;
 - There are impacts determined to be significant in the 2015 Program EIR that would be substantially more severe;
 - There are additional mitigation measures or alternatives to the project that would substantially reduce one or more significant effects identified in the 2015 Program EIR; and

- There are additional mitigation measures or alternatives rejected by the project proponent that are considerably different from those analyzed in the 2015 Program EIR that would substantially reduce a significant impact identified in that EIR.

The complete evaluation of potential environmental effects of the project, including rationale and facts supporting the City's findings, is contained in Chapter 3.0 of the Addendum, Exhibit A OF Resolution No. PC2023-18.

SECTION 5. Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings are based are located at Coachella Civic Center. City Clerk is the custodian of the record of proceedings.

SECTION 6. Execution of Resolution. The Planning Commission Chair shall sign this Resolution and the Planning Commission Secretary shall attest and certify to the passage and adoption thereof.

APPROVED AND ADOPTED by the members of the City of Coachella Planning Commission on this 5th day of July, 2023.

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 5th day of July, 2023, and was adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gabriel Perez
Planning Commission Secretary