

RESOLUTION NO. 2023-43

A RESOLUTION OF THE COACHELLA CITY COUNCIL APPROVING OF GENERAL PLAN AMENDMENT NO. 23-02 TO AMEND THE CITY OF COACHELLA GENERAL PLAN 2035 AND THE OFFICIAL GENERAL PLAN DESIGNATION MAP. APPLICANT: CITY-INITIATED

WHEREAS, the City initiated General Plan Amendment No. 23-02 to address text amendments to the General plan Chapter 4 Land Use and Community Character Element which include establishment of the Downtown Transition land use and deletion of General Plan Designation Compatible Uses Table 4-1. The General Plan map was updated to include the Vista Del Agua Specific Plan, designate the Downtown Transition land use area, and identify land uses for parcels that were erroneously omitted in the General Plan 2035.

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, The City’s proposed Zoning Code and General Plan Amendment is in accordance with Section §15183 (Projects Consistent with a Community Plan or Zoning) of the California Environmental Quality Act (CEQA) Guidelines, subsection (a) which states that additional environmental review is not required for projects “which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified”, except as might be necessary to determine whether there are project-specific significant effects.

WHEREAS, based on that analysis, the City Council does not require preparation of a subsequent or supplemental EIR because in this case, the proposed project is consistent with the City’s General Plan 2035 and Final Environmental Impact Report (EIR), which were adopted and certified by the City Council on April 22, 2015. Therefore, the proposed project is consistent with State CEQA Guidelines Section §15168(c)(2) since it is within the programmatic scope covered by the Final EIR and there is no substantial evidence that the proposed Zoning Code Update would require additional environmental analysis.

WHEREAS, on June 7, 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, after said public hearing, the Planning Commission recommended that the City Council approve this Resolution; and,

WHEREAS, on June 28, 2023 the City Council 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 CITY COUNCIL 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. 23-01. The City Council 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.

SECTION 3. Findings. The City Council 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 and exercise the City’s land use powers to protect the health, safety, and welfare of the public.

The City Council 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 limits include have assigned land use and that the City’s Pueblo Viejo Implementation Strategy Plan is implemented with appropriate land use to ensure a thriving downtown environment.

SECTION 4. CEQA. The City Council finds that proposed Zoning Code and General Plan Amendment is in accordance with Section §15183 (Projects Consistent with a Community Plan or Zoning) of the California Environmental Quality Act (CEQA) Guidelines, subsection (a) which states that additional environmental review is not required for projects “which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified”, except as might be necessary to determine whether there are project-specific significant effects. In this case, the proposed project is consistent with the City’s GP 2035 and Final Environmental Impact Report (EIR) which were adopted and certified by the City Council on April 22, 2015. Therefore, the proposed project is consistent with State CEQA Guidelines Section §15168(c)(2) since it is within the programmatic scope covered by the Final EIR and there is no substantial evidence that the proposed Zoning Code Update would require additional environmental analysis.

Similarly, the proposed project is consistent with CEQA Guidelines Section §15183 (d)(1)(C) since it meets the consistency with “a general plan of a local agency”, and with Section §15183 (d) (2) which states that “an EIR was certified by the lead agency for the.... general plan”.

Additionally, the proposed project is consistent with CEQA Guidelines Section §15162(a) in that no subsequent environmental documentation will be required for the proposed project. Specifically, the proposed project is not proposing any substantial changes to the City’s GP 2035 [§15162(a)(1)], would not result in substantial changes due to the GPU and Zoning Code Update [§15162(a)(2)], nor would it present new information of substantial importance, which was not

known and could not have been known with the exercise of reasonable due diligence at the time the previous EIR was certified as complete, showing any of the following [§15162(a)(3)]:

- A. The project will have one or more significant effects not discussed in the previous EIR
- B. Significant effects previously examined will be substantially more severe than shown in the previous EIR
- C. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative
- D. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative

The proposed project is further analyzed for consistency with the certified 2015 EIR prepared for the City's General Plan 2035 in the Findings of Consistency Memorandum (Exhibit C) prepared pursuant to the applicable provisions of §15183 of the California Environmental Quality Act (CEQA) Guidelines. Since the Zoning Code Update is a regulatory document that affects the entire City, any future development and redevelopment project in the City would have to be analyzed at a project level for all CEQA related impacts.

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 City Hall. City Clerk is the custodian of the record of proceedings.

SECTION 6. Execution of Resolution. The Mayor shall sign this Resolution and the City Clerk shall attest and certify to the passage and adoption thereof.

PASSED APPROVED and ADOPTED this 28th day of June 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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 Resolution No. 2023-43 was duly adopted by the City Council of the City of Coachella at a regular meeting thereof, held on this 28th day of June 2023 by the following vote of Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Delia Granados
Deputy City Clerk