

RESOLUTION NO. 2017-_____

**GENERAL PLAN AMENDMENT NO. 02-16 AND
ZONING MAP AMENDMENT NO. 02-16**

A RESOLUTION OF THE CITY COUNCIL OF DESERT HOT SPRINGS, CALIFORNIA, 1) DENYING THE ASSOCIATED NEGATIVE DECLARATION; AND 2) DENYING GENERAL PLAN AMENDMENT NO. 02-16 AND ZONING MAP AMENDMENT NO. 02-16, AMENDING THE GENERAL PLAN LAND USE MAP FROM R-L (LOW DENSITY RESIDENTIAL) TO I-L (LIGHT INDUSTRIAL FOR THE TWO PARCELS LOCATED ON THE EAST SIDE OF LITTLE MORONGO ROAD BETWEEN DESERT VIEW AVENUE AND 13TH AVENUE (APNS 663-260-0001 AND 002)

WHEREAS, an applicant to Desert Hot Springs, California ("City"), is requesting that the City approve a Negative Declaration and an amendment to the General Plan from R-L (Low Density Residential) to I-L (Light Industrial), and Zone Map Amendment as shown on Exhibit A (the "Project"); and

WHEREAS, the City, acting as Lead Agency, has determined that the requested General Plan Amendment will not have a significant impact on the environment; and

WHEREAS, following a duly noticed public hearings (and continuances thereof), the Desert Hot Springs Planning Commission recommended to the City Council to DENY the Project based upon the following findings:

- A. That the proposed Project would be detrimental to the public interest, health, safety, convenience, or welfare of the City; for the following reasons: 1) It would create an improper balance of uses and development in the area inasmuch as the Project is too close to existing single-story, single family residences; 2) there is a large public outrage from neighboring residents, 3) the project is too close to a major thoroughfare and the High School (Pierson Blvd); 4) the waste generated will impact the neighboring residents; 5) the project is in the wrong location, should be further south; and

WHEREAS, said Project was submitted for consideration to the City Council for decision following a duly noticed public hearing on June 20, 2017.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. ADMINISTRATIVE RECORD

The City Council has considered all of the evidence submitted into the administrative record for the recommendations listed in this City Council Resolution, including, but not limited to, the following:

- (a) Desert Hot Springs Municipal Code and Desert Hot Springs General Plan;
- (b) the Project;
- (c) The Negative Declaration;
- (d) Staff Report;

- (e) Staff presentation at the public hearing conducted at the Planning Commission;
- (f) Testimony and/or comments from interested parties including the Applicant and its representatives submitted to the City in both written and oral form at, or prior to, the public hearing conducted at the Planning Commission Meeting;
- (g) Verbatim transcripts of the Planning Commission hearings on the Project;
- (h) Public comments, both written and oral, received and/or submitted at, or prior to, the public hearing conducted at the Planning Commission Meeting and the City Council Meeting held on June 20, 2017, supporting and/or opposing the Project.

Section 2. ENVIRONMENTAL

Pursuant to the provisions of the California Environmental Quality Act (CEQA), the City Council determines:

Based upon the initial study, the negative declaration, the comments received thereon, and the record before the City Council, the City Council hereby finds that the negative declaration prepared for the Project represents the independent judgment of the City and that there is no substantial evidence that the approval of the Project may have any significant environmental impact. The documents and other material which constitute the record on which this decision is based are located in the Department of Planning. The City Council, therefore, certifies the negative declaration prepared for the project.

Section 3. GENERAL PLAN AMENDMENT AND MAP

The Desert Hot Springs General Plan Land Use Map is hereby NOT amended to designate the properties shown in Exhibit "A" from R-L (Low Density Residential) to I-L (Light Industrial).

Section 4. FINDINGS

The City Council has considered all of the evidence submitted into the administrative record for the proposed Project and bases its denial on the following findings:

- (a) That the proposed Project would not be detrimental to the public interest, health, safety, convenience, or welfare of the City;
 - a. It would create an improper balance of uses and development in the area inasmuch as the Project is too close to existing single-story, single family residences; 2) there is a large public outrage from neighboring residents, 3) the project is too close to a major thoroughfare and the High School (Pierson Blvd); 4) the waste generated will impact the neighboring residents; 5) the project is in the wrong location, should be further south
- (b) That the proposed Project would maintain the appropriate balance of land uses within the City;
 - a. It would create an improper balance of uses and development in the area inasmuch as the Project is too close to existing single-story, single family

residences; 2) there is a large public outrage from neighboring residents, 3) the project is too close to a major thoroughfare and the High School (Pierson Blvd); 4) the waste generated will impact the neighboring residents; 5) the project is in the wrong location, should be further south.

Section 5. RESOLUTION

NOW THEREFORE, LET IT BE RESOLVED THAT THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS DOES NOT AMEND THE GENERAL PLAN AS SHOWN ON EXHIBIT A AND DOES NOT APPROVE THE NEGATIVE DECLARATION.

Section 6. CERTIFICATION

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which Resolution is passed and adopted.

PASSED AND ADOPTED by the City Council of the City of Desert Hot Springs at a regular meeting duly held on the 20th day of June 2017, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

[SIGNATURES FOLLOW ON THE NEXT PAGE]

ATTEST:

Jerryl Soriano, City Clerk

APPROVED:

Scott Matas, Mayor

APPROVED AS TO FORM:

Jennifer Mizrahi, City Attorney