

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS 1) ADDING CHAPTER 17.200 "COACHILLIN' SPECIFIC PLAN" TO TITLE 17 "ZONING" OF THE DESERT HOT SPRINGS MUNICIPAL CODE TO ESTABLISH ZONING STANDARDS FOR THE COACHILLIN' SPECIFIC PLAN AREA

WHEREAS, the City of Desert Hot Springs ("City") has a responsibility to plan and regulate the use of property within the City; and

WHEREAS, the City has received an application to amend the Municipal Code through the adoption of the Coachillin' Specific Plan SP 01-17 ("Specific Plan") for a vacant 153.71 acre property (APN 666-340-004, -006), as well as supporting applications for General Plan Amendment (GPA 02-17), Conditional Use Permit (CUP 17-17), and Tentative Parcel Map (TPM 37158); and

WHEREAS, the City has reviewed the Addendum documents (draft Initial Study / Mitigated Negative Declaration) to a certified Mitigated Negative Declaration (State Clearinghouse number 2008081058) and all environmental documents using its independent judgement; and

WHEREAS, the Desert Hot Springs Municipal Code ("DHSMC") provides for the adoption of Specific Plans and related actions, as follows:

- Chapter 17.88 provides for the adoption of Zoning Ordinance Amendments;
- Chapter 17.100 provides for the adoption of General Plan Amendments;
- Chapter 17.128 provides for the approval of Specific Plans; and

WHEREAS, the City Council desires to add Chapter 17.200 "Coachillin' Specific Plan", provide a comprehensive set of zoning regulations to facilitate the development of the subject site, while at the same time ensuring that such development does not conflict with the General Plan, is not inconsistent with surrounding uses, and is not detrimental to the public health, safety and welfare; and

WHEREAS, the City Council finds that the adoption of this ordinance has been adequately evaluated by an Addendum Initial Study and Mitigated Negative Declaration prepared in accordance with the applicable provisions of the California Environmental Quality Act (CEQA), and that on October 17, 2017 the City Council certified the Addendum documents for the project as a whole (draft Initial Study / Mitigated Negative Declaration) to a certified Mitigated Negative Declaration (State Clearinghouse number 2008081058) and Mitigation Monitoring Program prepared from the Initial Study; and

WHEREAS, the City Council finds this ordinance is not detrimental to the public interest, health, safety, convenience, or welfare of the City and is for the convenience and general welfare of the City; and

WHEREAS, this amendment is compatible with the general objectives of the General Plan and the Coachillin' Specific Plan, in that the subject uses and standards conform goals, policies and standards of the General Plan and Specific Plan; and

WHEREAS, on November 7, 2017, the City's Planning Commission held a public hearing, considered the proposed Specific Plan and related documents, and made a recommendation to the City Council; and

WHEREAS, on November 7, 2017, the City Council concluded the public hearings and considered this Ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS DOES ORDAIN AS FOLLOWS:

Section 1. RECITALS.

The Recitals are true and correct and are hereby incorporated by this reference.

Section 2. EVIDENCE

That the City Council has considered all of the evidence submitted into the administrative record, which includes, but is not limited to, the following:

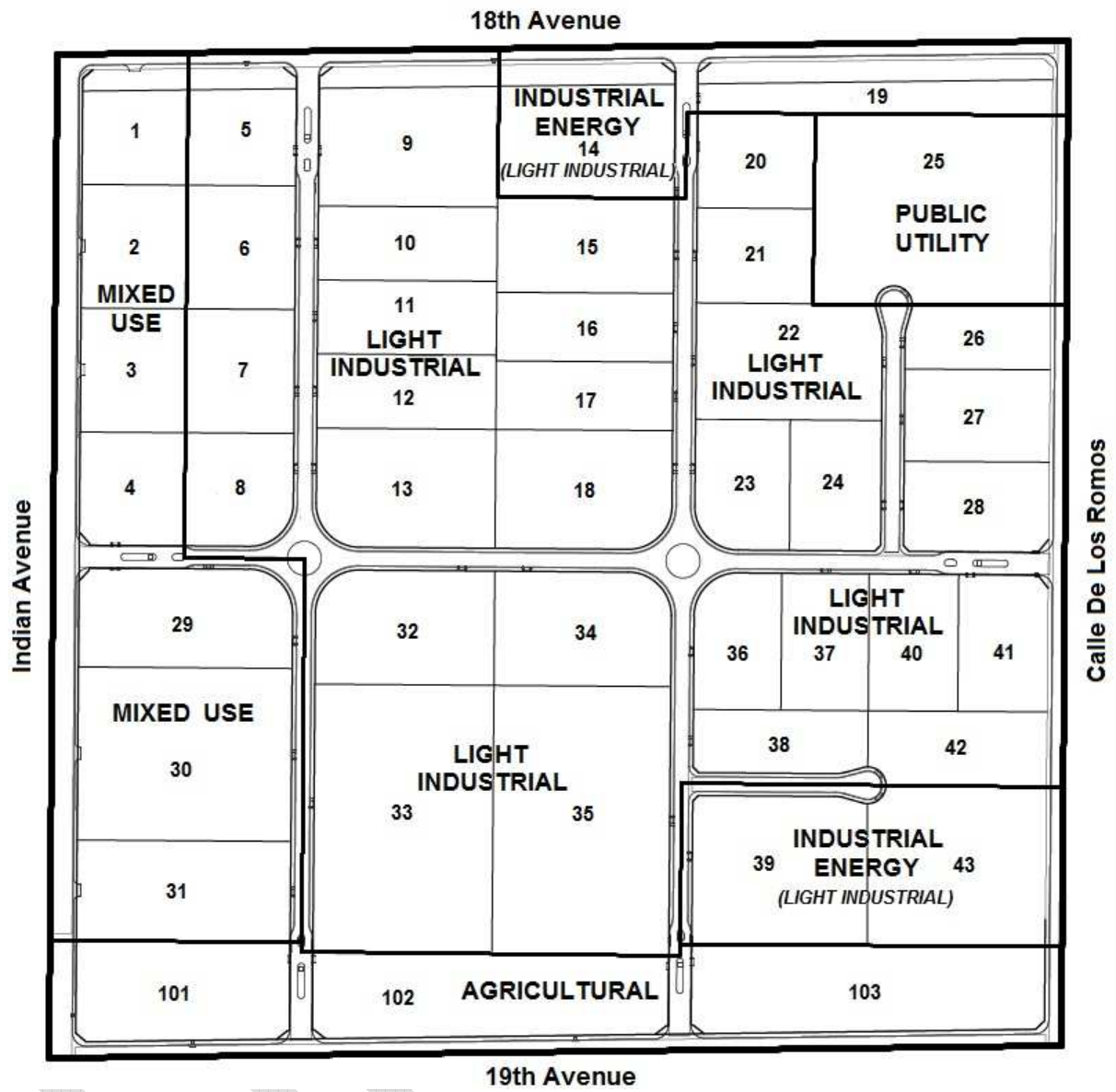
- (a) The City's Municipal Code and its General Plan, including updates;
- (b) The documents that consist of the Project, including staff reports;
- (c) All of the environmental documents;
- (d) The adopted Coachillin' Specific Plan;
- (e) Testimony and/or comments from all persons including the Applicant 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;
- (f) Planning Commission's recommendation; and
- (g) Public comments, both written and oral, received and/or submitted at, or prior to the City Council's consideration of this ordinance.

Section 3. ADDING CHAPTER 17.200 "COACHILLIN' SPECIFIC PLAN" TO TITLE 17 "ZONING" OF THE DESERT HOT SPRINGS MUNICIPAL CODE.

Chapter 17.200 "Coachillin' Specific Plan" is hereby added to Title 17 "Zoning" of the DHSMC as follows:

17.200.010. – Coachillin' Specific Plan Map

The area of the Coachillin' Specific Plan is set forth on the following map, including the establishment of zoning districts for all parcels.



17.200.020 – Coachillin’ Specific Plan Table of Allowed Uses

The following tables for permitted and conditionally permitted uses shall govern within the Coachillin’ Specific Plan; any definition, procedure or other standard not contained within these tables shall be subject to the provisions of the Coachillin’ Specific Plan and City of Desert Hot Springs Zoning Code. In the event of conflicts between the Coachillin’ Specific Plan and the Zoning Code, the Specific Plan shall apply.

COACHILLIN’ SPECIFIC PLAN – TABLE OF ALLOWED USES					
LAND USE / ZONING DISTRICT	MU (Mixed Use)	LI (Light Industrial)	IE (Industrial Energy)	AG (Agricultural)	PU (Public Utility)
AGRICULTURE, RESOURCE, OPEN SPACE					
Commercial Gardening, excl. Cannabis	P	P	P	P	X

COACHILLIN' SPECIFIC PLAN – TABLE OF ALLOWED USES					
LAND USE / ZONING DISTRICT	MU (Mixed Use)	LI (Light Industrial)	IE (Industrial Energy)	AG (Agricultural)	PU (Public Utility)
Crop Production, excl. Cannabis	P	P	P	P	X
Plant Nurseries, With On-Site Sales	P	P	X	X	X
Plant Nurseries, Without On-Site Sales	P	P	X	X	X
Wind Machines and Wind Farms	C	C	C	C	C
Vermiculture	P	P	P	P	P
MANUFACTURING AND PROCESSING					
Distribution	D	P	P	P	X
Food Products	D	P	C	P	X
Furniture and Fixtures	P	P	C	X	X
Laundries and Dry-Cleaning Plants	C	D	X	X	X
Light Manufacturing Facilities	D	P	P	X	X
Medium Manufacturing Facilities	D	P	P	X	X
Mixed Use Office/Industrial	P	P	P	X	X
Printing/Publishing	D	D	X	X	X
Recycling Facilities	D	D	D	X	X
Recycling—Reverse Vending Machines	P	P	P	X	X
Storage Yard	X	D	C	X	C
Warehousing	D	P	D	X	C
Wholesaling	D	P	P	X	X
RECREATION, EDUCATION, PUBLIC ASSEMBLY					
Art Galleries	P	X	X	X	X
Athletic Facilities	P	D	X	X	X
Community Centers	D	C	X	X	X
Convention Centers	D	D	X	X	X
Convention Facilities	D	D	X	X	X
Health/Fitness Facilities	P	P	X	X	X
Indoor Recreation Centers	D	D	X	X	X
Membership Organization Facilities	D	D	X	X	X
Museums	P	P	X	X	X

COACHILLIN' SPECIFIC PLAN – TABLE OF ALLOWED USES					
LAND USE / ZONING DISTRICT	MU (Mixed Use)	LI (Light Industrial)	IE (Industrial Energy)	AG (Agricultural)	PU (Public Utility)
Organization Offices	P	P	P	X	X
Schools	X	D	X	X	X
Studios for Dance, Art, Music, Photography, Etc.	P	P	X	X	X
Theatres and Meeting Halls	D	D	X	X	X
RESIDENTIAL					
Caretaker/Watchpersons' Dwelling/Bunkhouse	P	P	P	X	P
RETAIL TRADE					
Accessory Retail Uses	P	P	D	X	X
Bars and Drinking Establishments	D	X	X	X	X
Building Material Stores	P	P	X	X	X
Drive-In and Drive-Through Sales	D	C	X	X	X
Farm and Ranch Supply Stores	P	P	P	X	X
Gift Shops	P	X	X	X	X
Grocery Stores	P	X	X	X	X
Outdoor Retail Sales, Temporary	T	T	X	X	X
Restaurants, No Beer, Wine or Liquor	D	D	X	X	X
Restaurants, With Beer, Wine or Liquor	D	C	X	X	X
Retail Stores, Tourist/Traveler Oriented	P	C	X	X	X
SERVICES					
Automatic Teller Machine (ATM)	P	X	X	X	X
Business Support/Secretarial Services	P	C	X	X	X
Medical Services, Clinics and Labs	D	D	X	X	X
Offices, Permanent	P	P	D	X	X
Offices, Temporary	T	T	T	X	X
Personal Services	D	X	X	X	X
Public and Quasi-Public Uses	D	D	D	X	X
Public Utility and Safety Facilities	D	D	D	X	D
Research and Development Facilities	D	P	P	X	X
Power Supply & Generation (Substation, Solar, Wind)	D	D	D	D	C

COACHILLIN' SPECIFIC PLAN – TABLE OF ALLOWED USES					
LAND USE / ZONING DISTRICT	MU (Mixed Use)	LI (Light Industrial)	IE (Industrial Energy)	AG (Agricultural)	PU (Public Utility)
TRANSPORTATION AND COMMUNICATIONS					
Telecommunications Facilities, Major (cell towers, etc)	D	D	D	D	D
Telecommunications Facilities, Minor (antennae for building rooftops, or small intra-project communication uses)	P	P	P	P	P

CANNABIS OR MARIJUANA USES					
Marijuana Dispensaries	P in Parcel 29 Only	X	X	X	X
Marijuana Cultivation Facilities	D	D	D	X	X
Marijuana Manufacturing Facilities	D	D	X	X	X
Marijuana Testing Facilities	D	D	X	X	X
Marijuana Distribution Facilities	D	D	D	X	X
Marijuana Microbusiness Facilities	D	D	D	X	X

17.200.030 – Coachillin' Specific Plan Development Standards

The following tables for permitted uses and development standards shall govern within Coachillin' Specific Plan. Any definition, procedure or other standard not contained within these tables shall be subject to the provisions of the Coachillin' Specific Plan and City of Desert Hot Springs Zoning Code. In the event of conflicts between the Coachillin' Specific Plan and the Zoning Code, the Specific Plan shall apply.

COACHILLIN' SPECIFIC PLAN – DEVELOPMENT STANDARDS	
Gross Lot Area	153.71 gross acres
Front Setback	25
Rear Setback	10
Side Setbacks	10
Side Setback (Street Side)	10
Lot Coverage (Maximum)	80%
	Subject to Specific Plan Design Guidelines

Structure Height (Maximum): - Parcels adjacent to Indian canyon drive, 18 th , 19 th & Calle de Los Romos: - Interior parcels:	55' / 2 Stories 65' / 3 Stories Subject to Specific Plan Design Guidelines
Perimeter Wall / Fencing Height (Maximum)	10' (From Top of Adjacent Curb)
Parking Spaces Required	Specific Plan Design Guidelines and Chapter 17.48.040
Loading Spaces Required	Specific Plan Design Guidelines and Chapter 17.52.030
Parking Landscape Standards	Specific Plan Design Guidelines and Chapter 17.40.250
Signing	Specific Plan Design Guidelines and Chapter 17.44

17.200.040 – Review and Approval

- A. All uses within the Coachillin' Specific Plan Planning Areas shall be subject to review and approval for conformance with this Chapter. In the event of conflicts between the Coachillin' Specific Plan and the Zoning Code, the Specific Plan shall apply.**
- B. Uses which are indicated as "P" (Permitted) shall require, for any related construction or development, review and approval by the Community Development Director or Planning Commission, in accordance with the Coachillin' Specific Plan and Zoning Code Chapter 17.80 (Design Review).**
- C. Uses which are indicated as "D" (Allowed Uses) shall require review and approval by the Community Development Director in accordance with the Coachillin' Specific Plan and Zoning Code Chapter 17.92 (Development Permits) .**
- D. Uses which are indicated as "C" (Conditionally Permitted) shall require review and approval by the Planning Commission in accordance with the Coachillin' Specific Plan and Zoning Code Chapter 17.76 (Conditional Use Permits).**
- E. Uses which are indicated as "T" (Temporary Uses) shall require review and approval by the Community Development Director in accordance with the Coachillin' Specific Plan and Zoning Code Chapter 17.136 (Temporary Use Permits).**
- F. Uses which are indicated as "X" are not allowed.**
- G. Required findings for approval of Design Review (Section 17.80.040) or Conditional Use Permit (Section 17.76.050) shall include consideration of the Coachillin' Specific Plan Design Guidelines (Appendix 10.30).**

Section 4. ENVIRONMENTAL FINDINGS

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 Addendum to 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, which cannot be mitigated pursuant to the Mitigation Monitoring Plan. 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 5. GENERAL PLAN CONSISTENCY FINDINGS

The City Council finds this amendment is compatible with the general objectives of the General Plan and any applicable specific plan, in that the subject uses would be conditionally permitted in Commercial General districts, similar to other permitted and conditionally permitted uses, and in that the use will be subject to strict review and conditions.

Section 6. GENERAL FINDINGS

The City Council finds this ordinance is not detrimental to the public interest, health, safety, convenience, or welfare of the City.

Section 7. SEVERABILITY

That 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 8. AMENDING OF BAIL SCHEDULE

That the City Attorney's Office is hereby directed to determine whether this ordinance necessitates amendment of the City's Bail Schedule and to cause such necessary amendments to be made and filed with the local branches of the Superior Court of the County of Riverside.

Section 9. EXECUTION AND CERTIFICATION

That the City Clerk is directed to do all things necessary to cause the execution of this ordinance immediately upon its adoption and shall thereafter certify to the passage of this ordinance and cause the same to be published according to law.

Section 10. EFFECTIVE DATE

That this ordinance shall take effect thirty (30) days after its second reading by the City Council.

PASSED AND ADOPTED by the City Council of the City of Desert Hot Springs at a regular meeting held on the 21st day of November, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Jerryl Soriano, City Clerk

Scott Mattas, Mayor

APPROVED AS TO FORM:

Jennifer A. Mizrahi, City Attorney

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