

RESOLUTION NO. _____

**GENERAL PLAN AMENDMENT NO. 03-16 AND
SPECIFIC PLAN NO. 02-16**

A RESOLUTION OF THE CITY COUNCIL OF DESERT HOT SPRINGS, CALIFORNIA, APPROVING 1) CERTIFICATION OF ADDENDUM TO THE CERTIFIED FINAL ENVIRONMENTAL IMPACT REPORT FOR THE DESERT HOT SPRINGS RESORT CORNERSTONE SPECIFIC PLAN; AND 2) SPECIFIC PLAN NO. 02-16 APPROVING “TUSCAN HILLS SPECIFIC PLAN”; AND 3) GENERAL PLAN AMENDMENT NO. 03-16, AMENDING GENERAL PLAN LAND USE MAP FROM DESERT HOT SPRINGS RESORT CORNERSTONE SPECIFIC PLAN TO “TUSCAN HILLS SPECIFIC PLAN,” FOR THE VACANT PARCELS CONSISTING OF 554 ACRES LOCATED ON THE NORTH SIDE OF PIERSON BLVD EAST OF FOXDALE DRIVE (APNS: 638-340-003, 005, 006, 007 & 638-330-001, 002, 003, & 632-270-006)

WHEREAS, an applicant to Desert Hot Springs, California (“City”), is requesting that the City approve an amendment to the General Plan Land Use Map to re-designate certain properties from the previously approved Desert Hot Springs Resort Cornerstone Specific Plan, to “Tuscan Hills Specific Plan,” adopt the Tuscan Hills Specific Plan, amend the City’s Zoning Ordinance to establish appropriate zoning regulations and guidelines to fulfill the objectives of the Tuscan Hills Specific Plan, and subdivide the property subject to the Tuscan Hills Specific Plan (collectively, the “Project”); and

WHEREAS, the City, acting as Lead Agency, has reviewed a draft Addendum to the certified Final Environment Impact Report (State Clearinghouse number 90020556) prepared for the proposed Project and determined that, following the implementation of certain mitigated measures, the requested General Plan Amendment and Specific Plan will not have a significant impact on the environment; and

WHEREAS, on June 11, 2019, and following a duly noticed public hearing, the Desert Hot Springs Planning Commission reviewed a staff report, environmental documentation, and draft findings, and heard public testimony; and based thereon, adopted a recommendation to the City Council to approve the Project; and

WHEREAS, said Project was submitted for consideration to the City Council for decision following a duly noticed public hearing held on July 2, 2019.

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

Section 1. RECITALS.

That the Recitals set forth above are true and correct and are hereby incorporated herein by this reference.

Section 2. ADMINISTRATIVE RECORD

That 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) Draft "Tuscan Hills Specific Plan";
- (c) Draft Addendum to the Final Environmental Impact Report (FEIR);
- (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 transcript of the Planning Commission hearing 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 held on June 11, 2019, supporting and/or opposing the Project, and the City Council meeting held on July 2, 2019.

Section 3. ENVIRONMENTAL

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

Based upon the Addendum documents (and updated technical studies) to the certified Environmental Impact Report, (hereafter referred to as the "EIR"), State Clearinghouse number 90020556, and taking into consideration the Mitigation Monitoring Plan, the comments received thereon, and the record before the City Council, the City Council hereby finds that the proposed Addendum to the certified EIR 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 Community Development. The City Council, therefore, certifies the Addendum documents to a certified EIR (State Clearinghouse number 90020556) and Mitigation Monitoring Program prepared for the Project.

Section 4. FINDINGS FOR GENERAL PLAN AMENDMENT AND SPECIFIC PLAN

That the City Council has considered all of the evidence submitted into the administrative record for the proposed General Plan Amendment and Specific Plan in accordance with Section 17.100.050 and 17.128.070 of the Desert Hot Springs Municipal Code, and bases its approval on the findings set forth in the Staff Report accompanying this Resolution.

Section 5. APPROVAL OF GENERAL PLAN AMENDMENT AND SPECIFIC PLAN

That the City Council hereby approve General Plan Amendment No. 03-16 to re-designate certain properties from the previously approved Desert Hot Springs Resort Cornerstone Specific Plan, to "Tuscan Hills Specific Plan," as shown on Figure 4.1 of the "Tuscan Hills Specific Plan," attached hereto and incorporated herein by this reference as Exhibit "A," and approve adoption of the Tuscan Hills Specific Plan, known as Specific Plan No. 02-16.

Section 6. CERTIFICATION

That 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.

Section 7. SEVERABILITY

That if any provision, section, paragraph, sentence or word of this Resolution 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 Resolution as hereby adopted shall remain in full force and effect.

Section 8. REPEAL OF CONFLICTING PROVISIONS

That all the provisions heretofore adopted by the City Council that are in conflict with the provisions of this Resolution are hereby repealed.

Section 9. EFFECTIVE DATE

That this Resolution shall take effect immediately upon its passage.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

PASSED AND ADOPTED by the City Council of the City of Desert Hot Springs at a regular meeting duly held on the 2nd day of July 2019, by the following vote:

AYES:

NAYS:

ABSENT:

ATTEST:

APPROVED:

Jerryl Soriano, City Clerk

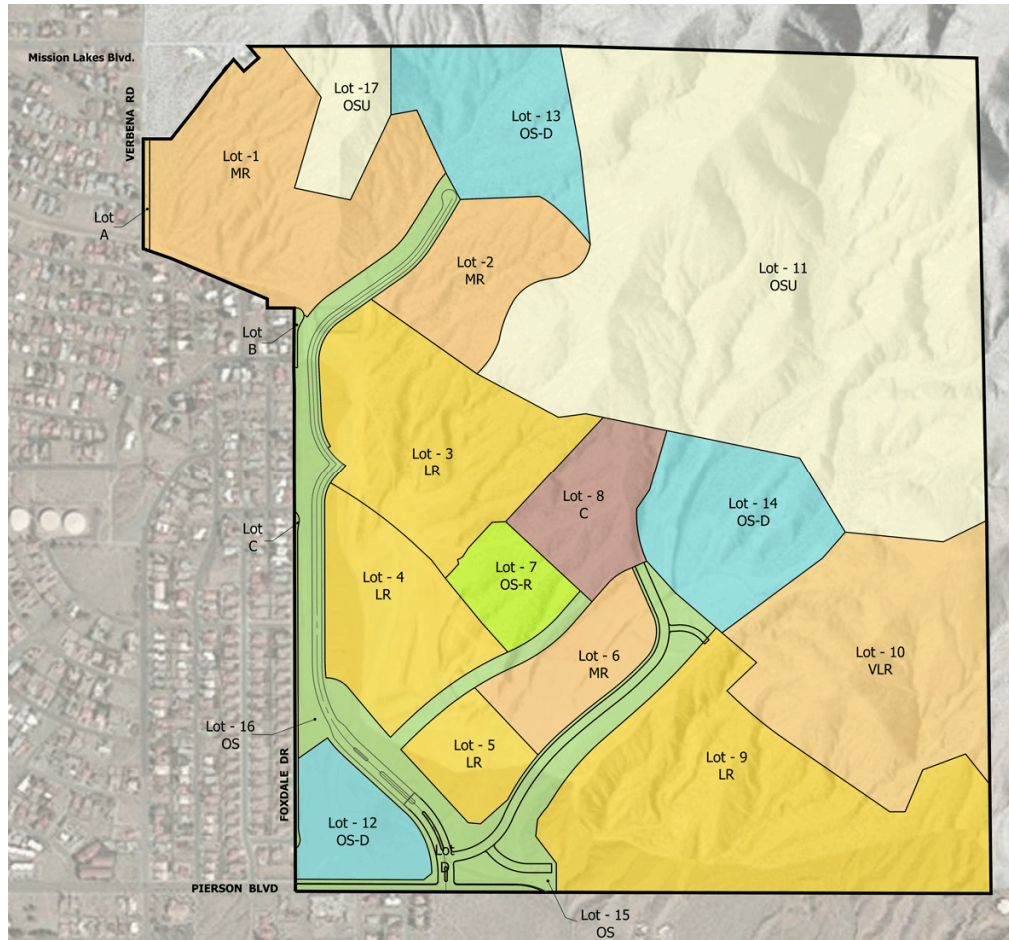
Scott Matas, Mayor

APPROVED AS TO FORM:

Jennifer Mizrahi, City Attorney

EXHIBIT "A"

Figure 4.1 – Tuscan Hills Planning Areas



PLANNING AREA LAND USE			ACREA GE	ROOMS ALLOW ED	TARGET DENSITY
	VLR	Very Low Residential	47.95		10
	LR	Low Residential	130.73		784
	MR	Medium Residential	72.25		1084
	C	Commercial	14.77	334	
	OS-PR	Open Space Private Recreation	8.72		
	OS-F	Open Space Floodway	58.85		
	OS	Open Space	28.66		
	OSU	Open Space Undeveloped	174.51		
		TOTAL	554.86	334	1878