

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS, CALIFORNIA, 1) CERTIFYING THE NEGATIVE DECLARATION; AND 2) APPROVING THE GENERAL PLAN AMENDMENT - HOUSING ELEMENT UPDATE 2013-2021 OF THE GENERAL PLAN.

WHEREAS, the City of Desert Hot Springs, California ("City"), is in the process of updating its General Plan, but in the interim, would like to adopt the Housing Element as a priority (the "Project"); and

WHEREAS, the City, acting as Lead Agency, has prepared a negative declaration for the Project; and

WHEREAS, on October 8, 2019, and following a duly noticed public hearing, the City's Planning Commission reviewed a staff report, environmental documentation, 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 on October 22, 2019.

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) Draft "Housing Element Update 2013-2021";
- (c) All environmental documents;
- (d) Staff Report;
- (e) Staff presentation at the public hearing conducted at the Planning Commission meeting;
- (f) Testimony and/or comments from interested parties in both written and oral form at, and prior to, the public hearing conducted at the Planning Commission meeting;
- (g) 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 October 22, 2019 supporting and/or opposing the Project.

Section 2. ENVIRONMENTAL

Pursuant to the provisions of the California Environmental Quality Act (CEQA), the City Council determines: The City has prepared the attached Initial Study and determined that the Initial Study identifies no potentially significant project effects and thus has concluded: The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15064(f) (3) and 15070(b).

Based on the environmental evaluation presented in the attached Initial Study, the Project would not cause significant adverse effects related to aesthetics, agricultural and forestry resources, air quality, biological resources, cultural resources, energy, geology/soils, greenhouse gas emissions, hazards/hazardous materials, hydrological resources, land use/planning, mineral resources, noise, population/housing, public services, recreation, transportation, tribal cultural resources, utilities/service systems, and wildfire. The Project does not have any impacts that are individually limited, but cumulatively considerable.

Section 3. FINDINGS FOR GENERAL PLAN AMENDMENT

The City Council has considered all of the evidence submitted into the administrative record for the proposed General Plan Amendment and in accordance with Section 17.100.050 of the Desert Hot Springs Municipal Code, bases its approval on the following findings:

A. That the proposed amendment is internally consistent with the General Plan;

The Project has been evaluated against the General Plan of the City of Desert Hot Springs to identify any potential internal inconsistencies and the City Council has concluded that the Project is not internally inconsistent with the current, adopted General Plan.

B. That the proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City;

The Project has been reviewed and the City Council has concluded that the proposal would not be detrimental to the public interest, health, safety, convenience or welfare of the City.

C. That the proposed amendment would maintain the appropriate balance of land uses within the City; and

The Project has been reviewed and the City Council has concluded that the proposal would maintain the appropriate balance of land uses within the City.

D. That in the case of an amendment to the General Plan Land Use Map, the subject parcel(s) is physically suitable (including, but not limited to access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested land use designation(s) and the anticipated land use development(s).

The Project does not include an amendment to the General Plan Land Use Map.

**Section 4. APPROVAL OF 1) NEGATIVE DECLARATION and 2)
GENERAL PLAN AMENDMENT- HOUSING ELEMENT 2013-2021**

The City Council hereby approves the 1) Negative Declaration, and 2) General Plan Amendment- Housing Element Update 2013-2021.

Section 5. 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.

Section 6. 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 7. 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.

PASSED AND ADOPTED by the City Council of the City of Desert Hot Springs at a regular meeting duly held on the 22nd of October, 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

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