

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS, CALIFORNIA REPEALING THE FOLLOWING SPECIFIC PLANS, WHICH IN LIGHT OF THE NEW GENERAL PLAN AMENDMENT NO. GPA-20-1 AND ZONING AMENDMENT NO. ZA-20-1, ARE OUTDATED: 1) DESERT HIGHLANDS SPECIFIC PLAN, 2) EAGLE POINT SPECIFIC PLAN, 3) INDIAN HILLS SPECIFIC PLAN, 4) MOUNTAIN VIEW ESTATES II SPECIFIC PLAN, 5) ARROYO VISTA/RANCHO DEL ORO SPECIFIC PLAN, 6) VORTEX SPECIFIC PLAN, 7) INDIGO LAKE SPECIFIC PLAN, AND 8) VISTA DEL MONTE SPECIFIC PLAN

WHEREAS, the City of Desert Hot Springs (“Applicant or City”), is requesting to approve a General Plan Update and an amendment to the General Plan Land Use Map to update the General Plan and re-designate several properties in the City (the “Project”); and

WHEREAS, in doing so, it was discovered that the following Specific Plans are outdated, unnecessary and do not make sound planning sense: 1) DESERT HIGHLANDS SPECIFIC PLAN, 2) EAGLE POINT SPECIFIC PLAN, 3) INDIAN HILLS SPECIFIC PLAN, 4) MOUNTAIN VIEW ESTATES II SPECIFIC PLAN, 5) ARROYO VISTA/RANCHO DEL ORO SPECIFIC PLAN, 6) VORTEX SPECIFIC PLAN, 7) INDIGO LAKE SPECIFIC PLAN, AND 8) VISTA DEL MONTE SPECIFIC PLAN (“Specific Plans”); and

WHEREAS, on May 12, 2020, and following a duly noticed public hearing, the City’s Planning Commission reviewed a staff report, environmental documentation, draft findings and public testimony, and based thereon, adopted a recommendation to the City Council to approve the Project and rescind the named Specific Plans; and

WHEREAS, on May 26, 2020, and following a duly noticed public hearing, the City Council is considering this Resolution; and

WHEREAS, having reviewed and considered all testimony and materials made available to the City, including but not limited all environmental documents and reports, the staff reports, and all the testimony and evidence in the record of the proceedings with respect to the proposed Project, the City adopted this Resolution.

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

Section 1. RECITALS

The above recitals are hereby incorporated herein.

Section 2. 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 Specific Plans, and/or documents associated therewith, and Exhibit A (Maps of the Specific Plans);
- (c) All environmental documents, including but not limited to, the Draft Environmental Impact Report, public comments in response to the Draft EIR, and final EIR;
- (d) Staff Report;
- (e) Staff presentation at the public hearing conducted at the Planning Commission meeting;
- (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 and City Council meetings;
- (g) Public comments, both written and oral, received and/or submitted at, or prior to, the public hearing conducted at the Planning Commission and City Council meetings.

Section 3. ENVIRONMENTAL FINDINGS.

Based upon the Environmental Impact Report (EIR), the comments received thereon, and the record before the City Council, the City Council hereby finds that the EIR prepared for the Project represents the independent judgment of the City and incorporates the environmental findings contained in the Resolution titled, "A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL ADOPT "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS, CALIFORNIA, 1) CERTIFYING THE ENVIRONMENTAL IMPACT REPORT; 2) ADOPTING FINDINGS OF FACT PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS; AND 3) APPROVING GENERAL PLAN AMENDMENT AND LAND USE MAP NO. GPA-20-1, AMENDING THE GENERAL PLAN AND LAND USE MAP FOR SEVERAL PROPERTIES IN THE CITY.".

Section 4. FINDINGS FOR SPECIFIC PLANS

The City Council has considered all of the evidence submitted into the administrative record for the proposed rescission of the Specific Plans and in accordance with Section 17.128.170 of the Desert Hot Springs Municipal Code, bases its repeal on the following findings.

- A. The Specific Plans are inconsistent with the General Plan;
- B. The Specific Plans would not be detrimental to the public interest, health, safety, convenience, or welfare of the City;
- C. The subject property for all Specific Plans is not physically suitable for the requested land use designation(s) and the anticipated land use development(s);
- D. The Specific Plans will not ensure development of desirable character which will be compatible with existing and proposed development in the surrounding neighborhood; and
- E. The Specific Plans will not contribute to a balance of land uses so that residents may work and shop in the community in which they live.
- F. The Specific Plans are outdated and will not comply with the new General Plan.

Section 5. REPEAL OF SPECIFIC PLANS

The City Council hereby repeals the Specific Plans.

Section 6. CERTIFICATION

The Planning Commission Clerk shall certify to the passage and adoption of this Resolution.

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. EFFECTIVE DATE

That this Resolution shall take effect as provided by State law.

PASSED AND ADOPTED by the City Council of the City of Desert Hot Springs at a regular meeting duly held on the 26th of May, 2020, by the following vote:

AYES:

NAYS:

ABSENT:

ATTEST:

APPROVED:

Jerryl Soriano, City Clerk

Scott Matas, Mayor

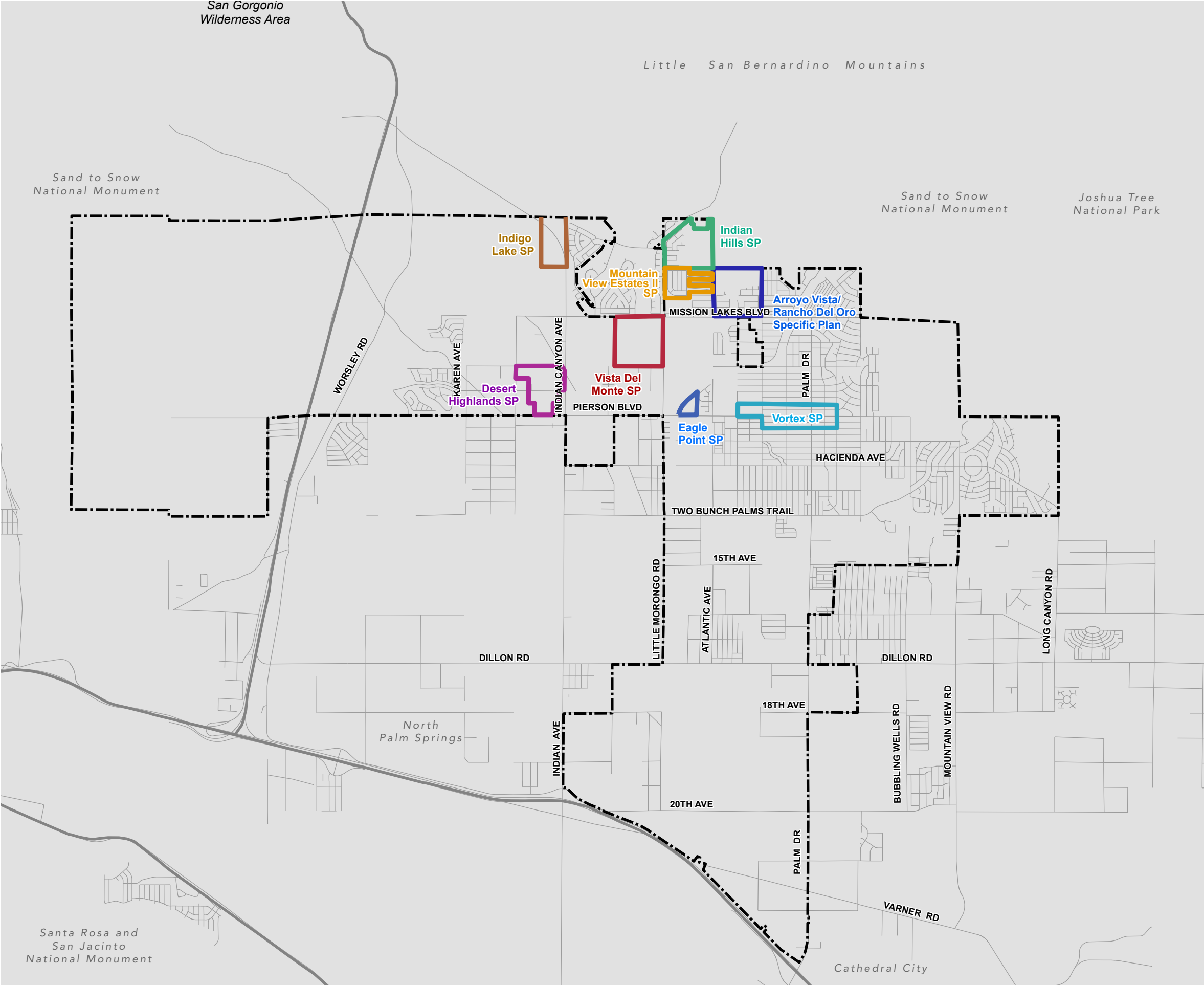
APPROVED AS TO FORM:

Jennifer Mizrahi, City Attorney

EXHIBIT A

DESERT HOT SPRINGS GENERAL PLAN

Specific Plan to be Repealed



Specific Plans to be Repealed

- Arroyo Vista/Rancho Del Oro Specific Plan
- Desert Highlands SP
- Eagle Point SP
- Indian Hills SP
- Indigo Lake SP
- Mountain View Estates II SP
- Vista Del Monte SP
- Vortex SP

Base Map Features

- City Boundary
- Streets

Source: City of Desert Hot Springs, 2020.

