

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS, CALIFORNIA, AMENDING GENERAL PLAN AMENDMENT AND LAND USE MAP GPA 20-1 TO CORRECT CERTAIN TYPOGRAPHICAL ERRORS PERTAINING TO THE DENSITY NUMBER FOR THE FOLLOWING: 1) PAGE LU-8, TABLE LU-1: LAND USE CATEGORIES (TO REFLECT CORRECTED DENSITY NUMBER); 2) PAGE LU-9 LAND USE MAP (TO REFLECT CORRECTED DENSITY NUMBER); 3) LU-14, RESIDENTIAL HIGH LAND USE DESIGNATION (TO REFLECT CORRECTED DENSITY NUMBER); AND 4) LU-15, MIX USE CORRIDOR LAND USE DESIGNATION (TO REFLECT CORRECTED DENSITY NUMBER)

WHEREAS, the City is a charter City; and

WHEREAS, after a duly noticed public hearing, on May 26, 2020, the City Council adopted and approved 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, GPA 20-1 (the "General Plan Amendment"); and

WHEREAS, pursuant to the California Environmental Quality Act ("CEQA"), Public Resources Code Sections 21000, *et seq.*, and its implementing regulations, California Code of Regulations Section 15000, *et seq.*, ("CEQA Guidelines"), the City, acting as Lead Agency, reviewed and certified a Environmental Impact Report (State Clearinghouse number 2019080101) prepared for the proposed General Plan Amendment and determined that, following the implementation of certain mitigated measures; and

WHEREAS, the City adopted and approved, pursuant to the CEQA Guidelines Section 15093, the Statement of Overriding Considerations; and

WHEREAS, therefore, CEQA analysis has already been performed for this Resolution; and

WHEREAS, pursuant to Section 15162(a) of the CEQA Guidelines, once an EIR has been certified, no subsequent environmental review needs to be completed unless there are substantial changes in the project that warrant additional review; and

WHEREAS, for this Resolution, there are no substantial changes in the environmental impacts; and

WHEREAS, the General Plan Amendment was and is a comprehensive planning document which took years to prepare; and

WHEREAS, after the duly noticed Public hearing at the Planning Commission on May 12, 2020, the Planning Commission understood the complexity and enormity of the General Plan Amendment and adopted Staff's recommendation which was:

"Recommendation to include revisions to the General Plan Update, Zoning Code, and EIR as recommended by City staff and identified during the staff presentation.

Recommendation that staff review the wind energy policies and requirements within the Riverside County General Plan and County Zoning Ordinance and where warranted, include in the future update to the Desert Hot Springs Zoning Code.

Recommendation that staff has the ability to make minor revisions to the General Plan and/or Zoning Code to address any typographical errors and/or technical corrections prior to the City Council meeting. These changes will be presented to the City Council for approval in the form of an errata.”; and

WHEREAS, although the City Council has already adopted the General Plan Amendment, the Planning Commission’s intent was to allow City Council to address typographical errors and/or technical corrections; and

WHEREAS, the City’s General Plan Amendment consultant, MIG, stated in its attached letter that there were typographical errors with respect to the minimum residential density for the Residential High and Mixed-Use Corridor Land Use Designations (see Exhibit “A” attached hereto and incorporated by this reference); and

WHEREAS, this proposed Resolution will correct the typographical errors contemplated herein to the General Plan Amendment; and

WHEREAS, the City Council finds that this proposed Resolution is merely to correct typographical errors; and

WHEREAS, the City Council finds that pursuant to Government Code Section 65356, this proposed Resolution correcting typographical errors need not be reconsidered by the Planning Commission because it is not a substantive modification to the General Plan Amendment, and it instead corrects typographical errors; and

WHEREAS, a duly public hearing was held on June 16, 2020, before the City Council, at which the City Council received public testimony, reviewed and considered all testimony and materials made available to the City Council regarding this proposed Resolution correcting typographical errors; 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 Resolution, 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) All environmental documents;
- (c) Staff Report;
- (d) Testimony and/or comments from interested parties submitted to the City in both written and oral form at, or prior to, the public hearing conducted at the City Council meeting;
- (f) Public comments, both written and oral, received and/or submitted at, or prior to, the public hearing conducted at the City Council meeting held on June 16, 2020, supporting and/or opposing this proposed Resolution.

Section 3. ENVIRONMENTAL FINDINGS.

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

Pursuant to the California Environmental Quality Act ("CEQA"), Public Resources Code Sections 21000, *et seq.*, and its implementing regulations, California Code of Regulations Section 15000, *et seq.*, ("CEQA Guidelines"), the City, acting as Lead Agency, reviewed and certified a Environmental Impact Report (State Clearinghouse number 2019080101) prepared for the proposed General Plan Amendment and determined that, following the implementation of certain mitigated measures. The City adopted and approved, pursuant to the CEQA Guidelines Section 15093, the Statement of Overriding Considerations. Therefore, CEQA analysis has already been performed for this Resolution. Pursuant to Section 15162(a) of the CEQA Guidelines, once an EIR has been certified, no subsequent environmental review needs to be completed unless there are substantial changes in the project that warrant additional review. For this Resolution, there are no substantial changes in the environmental impacts.

Section 4. FINDINGS FOR GENERAL PLAN AMENDMENT

The City Council has considered all of the evidence submitted into the administrative record for the proposed Resolution 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;*
- B. *That the proposed amendment 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*
- 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).

E. That the proposed amendment merely fixes typographical errors.

Section 5. APPROVAL OF GENERAL PLAN AMENDMENT

The City Council hereby approves the attached amended pages to the General Plan and Land Use Map No. GPA-20-1, which are attached hereto and incorporated herein as Exhibit "B":

- 1) PAGE LU-8, TABLE LU-1: LAND USE CATEGORIES (TO REFLECT CORRECTED DENSITY NUMBER);
- 2) PAGE LU-9 LAND USE MAP (TO REFLECT CORRECTED DENSITY NUMBER);
- 3) LU-14, RESIDENTIAL HIGH LAND USE DESIGNATION (TO REFLECT CORRECTED DENSITY NUMBER); AND
- 4) LU-15, MIX USE CORRIDOR LAND USE DESIGNATION (TO REFLECT CORRECTED DENSITY NUMBER)

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.

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 pursuant to State law.

PASSED AND ADOPTED by the City Council of the City of Desert Hot Springs at a regular meeting duly held on the 16th of June, 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



June 4, 2020

Rebecca Deming
Community Development Director
City of Desert Hot Springs
65950 Pierson Boulevard
Desert Hot Springs, CA 92240

Subject: General Plan Update and Zoning Code Amendment Typographical Error

Dear Ms. Deming:

Following City Council adoption of the comprehensive General Plan Update and targeted Zoning Code on May 26, 2020, MIG noted a typographical error in the Land Use Element related to the minimum residential density for the Residential High (R-H) and Mixed-Use Corridor (MU-C). As identified in Program 1 (Adequate Sites) in the adopted Housing Element and to ensure internal General Plan consistency, the minimum residential densities for both R-H and MU-C designations should be stated as 20.0 dwelling units per acre instead of 15.0 dwelling units per acres and no minimum density, respectively.

This correction also requires a parallel change in the targeted Zoning Code Amendment to address the error, in Table 17.08.02 (Development Standards – Residential Districts) and Table 17.14.02 (Development Standards-Mixed-Use Districts). The minimum residential densities in the development standards tables for Residential High and Mixed-Use Corridor districts should be changed to 20 dwelling units per acre.

We recommend taking these edits back to the City Council to correct the typographic errors. Recall that as a part of the approval action, the Council authorized correction of typographic errors.

Should you have any questions, please contact me at (818) 388-4286 (cell phone) or lstetson@migcom.com.

Sincerely,

A handwritten signature in blue ink that reads "Laura R. Stetson". The signature is written in a cursive, flowing style.

Laura R. Stetson, AICP
Principal

EXHIBIT B

Land Use Categories and Descriptions

State General Plan law requires the Land Use Element to indicate the type, density, and intensity of development on all lands in the City. While terms like “residential,” “commercial,” or “industrial” are generally understood, State law requires a clear and concise description of the land use categories depicted on the Land Use Policy Map (Figure LU-3).

This Land Use and Community Design Element and the Land Use Policy Map contain the following land use categories:

Residential

The residential designations apply to properties intended to support only residential uses, together with supportive institutional and recreational uses such as schools, fire stations, and public parks. Maximum residential yield is calculated by multiplying the maximum dwelling unit density by the size of the lot in acres, excluding any public rights-of-way.

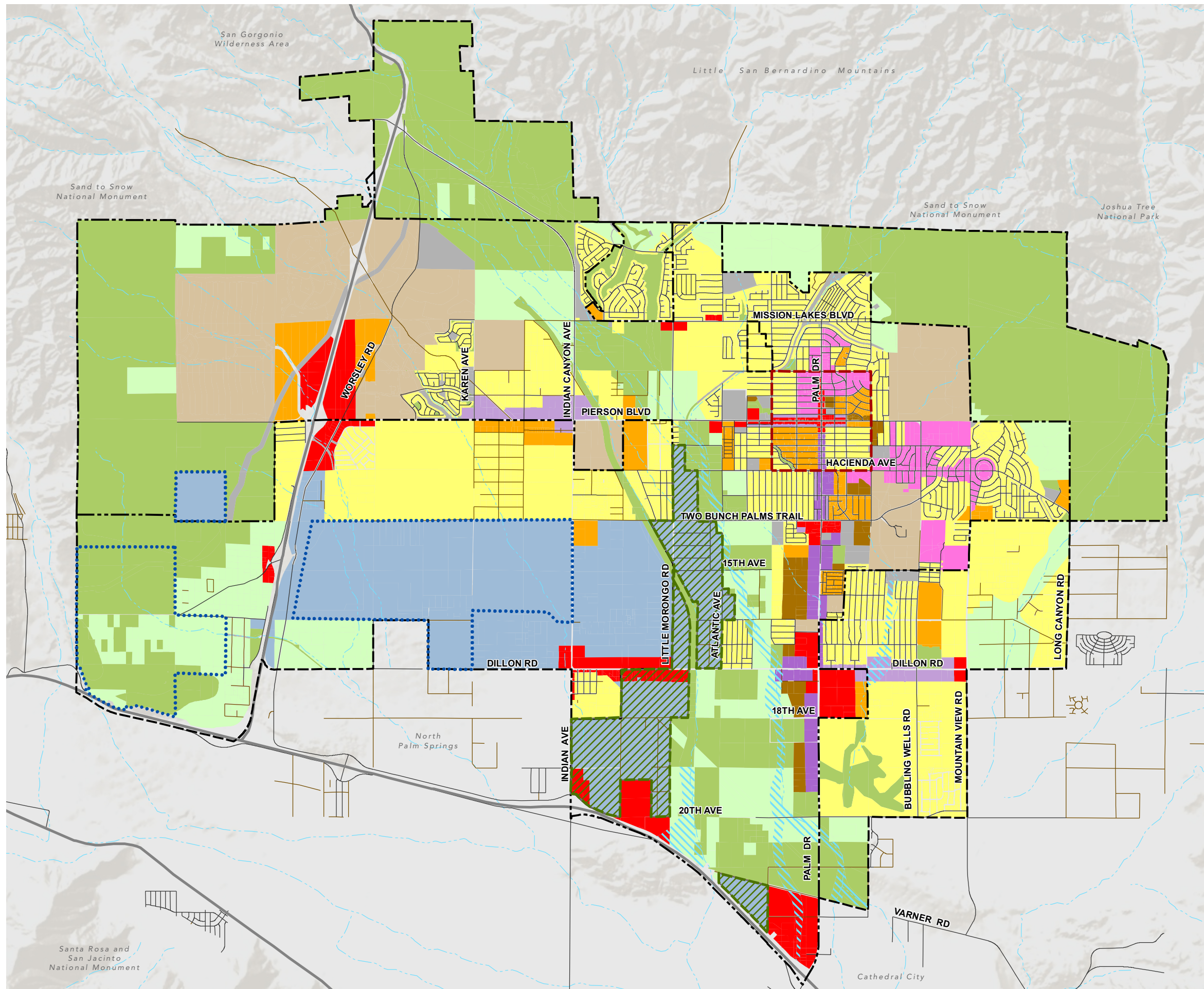
In addition to these residential designations, specific plans may be adopted that allow for higher density residential development and supportive commercial, provided that definitive community benefits are included as part of the development plan.

Table LU-1: Land Use Categories

Land Use Designations		Density/FAR Maximums
R-RD	Residential Rural Desert	1 unit/5 acres
R-L	Residential Low	Up to 6.0 units/acre
R-M	Residential Medium	Up to 20.0 units/acre
R-H	Residential High	20.0 1-30.0 units/acre
C	Commercial	0.30 FAR
V-S	Visitor-Serving	15 units/acre
MU-N	Mixed-Use Neighborhood	15 units/acre
MU-C	Mixed-Use Corridor	20.0 30.0 units/acre
I	Industrial	0.60 FAR
OS	Open Space	N/A
P	Public/Institutional	N/A
SP	Specific Plan	Varies



Figure LU-3 Land Use Policy Map



Land Use Designations

- R-RD: Residential Rural Desert (1 DU/5 AC)
- R-L: Residential Low (Up to 6.0 DU/AC)
- R-M: Residential Medium (Up to 20.0 DU/AC)
- R-H: Residential High (20.0 to 30.0 DU/AC)
- C: Commercial (0.30 FAR)
- V-S: Visitor-Serving
- MU-N: Mixed-Use Neighborhood (15 DU/AC)
- MU-C: Mixed-Use Corridor (20.0 to 30.0 DU/AC)
- I: Industrial: (0.60 FAR)
- OS: Open Space
- P: Public/Institutional
- SP: Specific Plan

Land Use Overlays

- Arts and Culture Overlay
- Industrial Cannabis Overlay
- Floodway Overlay
- Energy Overlay

Base Map Features

- City Boundary
- Sphere of Influence
- Highway
- Major Road
- Minor Road
- Water Courses

Source: City of Desert Hot Springs and Riverside County.
Date: June 9, 2020.





Multi-unit developments in the Residential High designation should include internal playgrounds and other amenities for residents.

Residential High

The Residential High (R-H) designation allows for multiple unit developments between ~~15.1~~20.0 and 30.0 units per acre. This designation is primarily located near transit lines and commercial centers that offer convenient services and amenities to residents. Developments are restricted to a maximum height of four stories. High quality of design is encouraged for long-term sustainability. The development of internal active or passive recreation areas and amenities are required. Proposed developments should be designed to transition to adjacent existing or planned land uses with respect to building height and to create aesthetically pleasing architecture that address scale and massing. Quality site and product design are important in providing an appropriate development at this density.

Density: ~~15.1~~20.0 to 30.0 dwelling units per acre

Population Density: up to 95 persons per acre

Typical Building Height: 2 to 4 stories

Complete Neighborhoods: Access to trails, schools, neighborhood commercial centers, transit lines, bicycle facilities, and employment opportunities; integrated private recreational facilities and communal gathering spaces; building façades oriented toward streets; design for pedestrian emphasis; crime prevention through environmental design approaches; integrated sustainable site design and building features

Sustainability: Orient buildings to maximum roof exposure toward the sun for solar panels; consider passive solar design approaches, require landscaping appropriate for desert environment; encourage green building approaches; require vehicle charging stations; require bicycle parking; include pedestrian access to transit stops



Mixed use can include commercial services on the first floor and residential or office uses on the upper floors, or stand-alone residential or commercial uses.

Mixed Use (Neighborhood and Corridor)

Mixed-use development refers to an integration of residential and commercial uses as part of a cohesive development plan, with the residential component either in the same building as the commercial (vertical mixed use) or on an adjacent lot with a clear relationship to the commercial use (horizontal mixed use). Mixed-use projects must include a viable neighborhood-serving retail and service component.

The Mixed-Use designation is intended to allow for a mix of compatible residential and commercial uses within a single development, with either horizontal or vertical integration. Stand-alone residential uses are also allowed consist with zoning regulations. The design of these developments is integral in establishing their function as places where people can live, work, shop, recreate, and simply enjoy life in a compact district. The design of mixed-use development should encourage socialization and pedestrian activity, combining the typically opposing types of land uses into a complementary relationship.

Mix-Use Neighborhood

Density: maximum 15 dwelling units per acre

Intensity: maximum 1.00 floor-area ratio

Population Density: up to 48 persons per acre

Typical Building Height: 1 to 3 stories

Mix-Use Corridor

Density: ~~maximum 20.0~~ to 30.0 dwelling units per acre

Intensity: maximum 1.50 floor-area ratio

Population Density: up to 95 persons per acre

Typical Building Height: 2 to 4 stories

Complete Neighborhoods: Access to trails, schools, neighborhood commercial centers, transit lines, bicycle facilities, and employment opportunities; integrated private recreational facilities and communal gathering spaces; building façade oriented toward the street; designed for pedestrian emphasis; crime prevention through environmental design approaches; integrated sustainable site design and building features

Sustainability: Orient buildings to maximum roof exposure toward the sun for solar panels; consider passive solar design approaches; require landscaping appropriate for the desert environment; encourage green building approaches; require vehicle charging stations; require bicycle parking; include pedestrian access to transit stops