

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS, CALIFORNIA, 1) CERTIFY THE ADDENDUM TO THE MITIGATED NEGATIVE DECLARATION; 2) ADOPT THE MITIGATION MONITORING PLAN; 3) APPROVE COACHILLIN' SPECIFIC PLAN AMENDMENT NO. SP-20-4, AMENDING THE COACHILLIN SPECIFIC PLAN IN THE CITY; AND 4) APPROVE THE ORDINANCE AMENDING CHAPTER 17.200

WHEREAS, an applicant ("Applicant") to the City of Desert Hot Springs, California ("City"), is requesting that the City approve an amendment to the Coachillin' Specific Plan and an amendment to the Coachillin' Specific Plan Land Use Map to (the "Project"); and

WHEREAS, the City, acting as Lead Agency, has reviewed a draft Addendum to the Mitigated Negative Declaration; and

WHEREAS, the underlying Mitigated Negative Declaration prepared for the underlying Coachillin' Specific Plan determined that, following the implementation of certain mitigated measures, the requested Specific Plan will not have a significant impact on the environment so long as mitigation measures were followed; and

WHEREAS, on July 14, 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

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's Planning Commission adopted this Resolution.

NOW, THEREFORE, THE PLANNING COMMISSION 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 Planning Commission has considered all of the evidence submitted into the administrative record for the recommendations listed in this Planning Commission Resolution, including, but not limited to, the following:

- (a) Desert Hot Springs Municipal Code and Desert Hot Springs General Plan;

- (b) All environmental documents, including but not limited to, the Addendum to the Mitigated Negative Declaration and its accompanying mitigation measures, the underlying Mitigated Negative Declaration and its accompanying mitigation measures, the public comments in responses thereto;
- (c) Staff Report;
- (d) Staff presentation at the public hearing conducted at the Planning Commission hearing;
- (e) 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 hearing;
- (f) Public comments, both written and oral, received and/or submitted at, or prior to, the public hearing conducted at the Planning Commission hearing, supporting and/or opposing the Project.

Section 3. ENVIRONMENTAL FINDINGS.

Pursuant to the provisions of the California Environmental Quality Act (CEQA), the Planning Commission determines, and recommends to the City Council to determine:

In or about November 2017, the City Council approved the Coachillin' Specific Plan and certified a Mitigated Negative Declaration for same via Resolution. On _____, the Applicant submitted an application to amend the Coachillin' Specific Plan (the Project). An analysis was prepared in conformance with California Environmental Quality Act ("CEQA") Guidelines Section 5164 to determine whether and to what extent the previous Mitigated Negative Declaration remains sufficient to address the potential impacts of the Project or whether additional documentation is required by CEQA Guidelines Section 15162. The conclusion of the analysis is that substantial evidence supports the conclusion that an Addendum to the Mitigated Negative Declaration adopted by this Resolution is the appropriate environmental review document. All previously adopted mitigation measures in the Mitigated Negative Declaration do apply and will continue to apply to the Project.

Pursuant to further analysis in the Addendum to the Mitigated Negative Declaration reflects the City's independent judgment and analysis of the potential for environmental impacts from the Project. The Addendum to the Mitigated Negative Declaration demonstrates that: (a) there are no substantial changes proposed by the Project or in the circumstances in which the project will be undertaken that require major revisions of the Mitigated Negative Declaration; (b) the proposed revisions do not require preparation of a new subsequent or supplemental Environmental Impact Report or Mitigated Negative Declaration, either due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and (c) the Project is consistent with the previous Mitigated Negative Declaration and would involve only minor changes. The Addendum is attached hereto as Exhibit "A."

Section 4. FINDINGS FOR ADOPTION OF SPECIFIC PLAN

The Planning Commission finds and recommends that the City Council find that it has considered all of the evidence submitted into the administrative record for the proposed Project and in accordance with Section 17.128.070 of the Desert Hot Springs Municipal Code, bases its approval on the following findings:

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

Section 5. APPROVAL OF COACHILLIN' SPECIFIC PLAN AMENDMENT (PROJECT)

The Planning Commission recommends that that City Council hereby 1) approves Coachillin' Specific Plan Amendment SP-20-4, which is attached hereto as Exhibit "B" and incorporated herein by this reference, and 2) adopt related Ordinance to Amend Chapter 17.18.200 of the Desert Hot Springs Municipal Code, which changes are attached in Exhibit "C."

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.

EXHIBIT A

EXHIBIT B

EXHIBIT C

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

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