

PLANNING COMMISSION RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CATHEDRAL CITY, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE APPROVING CHANGE OF ZONE NO. 16-001

WHEREAS, the City of the Cathedral City, California (“City”) is requesting that the City take the following actions on the subject parcels:

- Change of Zone from OS-R20-H (Open Space Residential with 20 acres minimum net lot size, with a Hillside Overlay) to OS (Open Space)

WHEREAS, the City, acting as Lead Agency, has determined that Change of Zone No. 16-001 (“CZ 16-001”) will not have a significant impact on the environment and is exempt from the California Environmental Quality Act (CEQA) pursuant to section 15601 (b) (3) of the State CEQA Guidelines

WHEREAS, following a duly noticed public hearing on March 16, 2016, the Cathedral City Planning Commission recommended that the City Council approve CZ 16-001 and the associated exemption to the California Environmental Quality Act (CEQA) pursuant to section 15601 (b) (3) of the State CEQA Guidelines.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CATHEDRAL CITY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The Planning Commission has considered all of the evidence submitted into the administrative record for the recommendations listed in this Planning Commission Resolution No. _____, including, but not limited to, the following:

- (a) Cathedral City Municipal Code and Cathedral City General Plan;
- (b) The Staff Report prepared by Robert Rodriguez, dated March 16, 2016, including all Exhibits attached hereto;
- (c) Staff presentation at the public hearing conducted at the Planning Commission Meeting held on March 16, 2016;
- (d) 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 held on March 16, 2016;

(e) 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 March 16, 2016; supporting and/or opposing the staff recommendation.

Section 2. Pursuant to the provisions of the California Environmental Quality Act (CEQA), the Planning Commission makes the following environmental determinations and recommendations:

That the City of Cathedral City acting as lead agency has determined that Change of Zone No. 16-001 is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines, the general rule that applies only to projects that have the potential to cause a significant effect on the environment, and where it can be seen with certainty that there is no possibility that the project may have a significant effect on the environment, the project is not subject to CEQA.

Section 3. The Planning Commission has considered all of the evidence submitted into the administrative record for proposed Change of Zone No. 16-001 and bases its recommendation for the City Council to adopt an Ordinance to approve Change of Zone No. 16-001 on the following findings:

- (a) The proposed Change of Zone would change the zoning of 14 properties located on the south side of East Palm Canyon Drive between the City boundary on the west and Bankside on the east from OS-R20-H to OS;
- (b) The proposed Change of Zone is in the best interests of the public health, safety, necessity, convenience, general welfare, and is in accordance with good zoning practices;
- (c) The proposed change of zone is in conformity with the General Plan land use map and report, and development standard for the proposed zone is the same as the lot area designated on the General Plan map for the properties subject to the proposed change of zone;
- (d) The subject properties are suitable for the uses permitted in terms of access, size of parcel, relationship to similar or related uses, and other considerations deemed relevant by the Planning Commission;
- (e) The proposed change of zone is necessary and proper at this time, and is not likely to be detrimental to the adjacent property or residents.

Section 4. In view of all of the evidence, and based on the foregoing findings and conclusions, the Planning Commission hereby recommends as follows:

- 1) That the City Council adopt an Ordinance to approve Change of Zone No. 16-001 with the following conditions:

- A. The existing single-family residence remain legal, conforming;
and
- B. The vacant property identified as APN 687-040-058 be excluded
from Change of Zone No. 16-001.

**Section 5. The Secretary shall certify as to the adoption of this resolution
and shall cause the same to be processed in the manner required by law.**

**THE FOREGOING RESOLUTION WAS APPROVED AND ADOPTED on this
16th day of March, 2016, by the following vote:**

AYES:
NOES:
ABSTAIN:
ABSENT:

John Rivera, Chair

ATTEST AND APPROVED AS TO CONTENT:

Robert Rodriguez, Development Services Manager/
Secretary to the Planning Commission

PREPARED BY:

Robert Rodriguez
Development Services Manager

APPROVED AS TO LEGAL FORM:

Erica L. Vega
Assistant City Attorney