

**RESOLUTION NO. 2016-\_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CATHEDRAL CITY, ADOPTING A MITIGATED NEGATIVE DECLARATION FOR THE WHITEWATER RIVER BIKE PATH AND APPROVING CONDITIONAL USE PERMIT 16-001.**

**WHEREAS**, the City of Cathedral City, California (“City”) wishes to take the following actions on subject parcels:

- Approval of a Conditional Use Permit to allow the construction of 16±-foot wide concrete bike and pedestrian path along the top of the existing western levee of the Whitewater River between Vista Chino on the north and Ramon Road on the south, and along the north side of Ramon Road from the path’s southerly terminus west to Crossley Road for a total distance of 2.5± miles.
- Adopting and Ordering the filing of an Initial Study/Mitigated Negative Declaration (IS/MND) of the Whitewater River Trail based on the findings pursuant to Section 15070 (b)(1), Decision to Prepare a Negative or Mitigated Negative Declaration since it has been determined that it would have no significant impact on the environment after the effects are mitigated.

**WHEREAS**, the Project implements the goals and policies of the General Plans of the Cities of Cathedral City and Palm Springs.

**WHEREAS**, an Initial Study was prepared pursuant to the provisions of the California Environmental Quality Act (“CEQA”), Division 13 of the Public Resources Code of the State of California, beginning with §21000 (hereinafter “Act”); and

**WHEREAS**, the City of Palm Springs has agreed to serve as a Responsible Agency pursuant to the provisions of the California Environmental Quality Act (“CEQA”); and

**WHEREAS**, pursuant to Section 21152 of the Act, a public notice announcing circulation and availability of the document and intent to Adopt a Mitigated Negative Declaration was published in Desert Sun on February 4, 2016; and

**WHEREAS**, the Initial Study/Mitigated Negative Declaration (“IS/MND”) was circulated for public comment from February 4 through February 23, 2016; and

**WHEREAS**, pursuant to Section 15202 of the CEQA Guidelines, Title 14, Division 6, Chapter 3, Article 13 “Review and Evaluation of EIRs and Negative Declarations”, of the California Code of Regulations, CEQA does not require formal hearings at any stage of the environmental review process, and public comments may be restricted to written communications; and

**WHEREAS**, the IS/MND prepared for this project has concluded, and following public review, it has been determined that the Project will not have a significant effect on the environment with the adoption of avoidance and mitigation measures identified in the IS/MND; and

**WHEREAS**, the City Council has carefully reviewed and considered all of the evidence presented in connection with the Project, including, but not limited to the staff report, the IS/MND, and all written and oral testimony presented.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE CITY OF CATHEDRAL CITY, AS FOLLOWS:**

**SECTION 1.**

The above recitals are all true and correct.

**SECTION 2.**

The Planning Department of the City of Cathedral City, is hereby designated the custodian of the documents and other materials which constitute the record of proceedings upon which the City Council has based its decision. The custodian of the documents is located at 68700 Avenida Lalo Guerrero, Cathedral City, CA 92234, California.

**SECTION 3.**

Pursuant to Section 15063 of the CEQA Guidelines, a Mitigated Negative Declaration (“MND”) of environmental impact was prepared and circulated for a 20-day public review period beginning on February 4 and ending on February 23, 2016. The Mitigated Negative Declaration adequately analyzes the general environmental setting of the Project, its potentially significant environmental impacts, and mitigation measures related to each potentially significant environmental impact for the Project, and has determined that there are no unmitigated potentially significant impacts associated with the Project.

**SECTION 4.**

The Project implements the following goals and policies of the General Plan:

***Goal OS 1** Environmental resources that are protected through the establishment and preservation of open space areas, which also protect residents and property from environmental hazards while providing recreational opportunities and enhancing the beauty and attraction of the community.*

***Goal OS 2** Preservation and enhancement of the City as a balanced mix of built and natural environments that contribute to the overall quality of life for its citizens and visitors, while preserving scenic resources of the desert and mountains.*

**SECTION 5.**

Approve the Conditional Use Permit No. 16-001 and Mitigated Negative Declaration.

**SECTION 6.**

Authorize the Mayor to sign Resolution No. 2016-\_\_\_ approving the Conditional Use Permit and Mitigated Negative Declaration on behalf of the Cathedral City City Council.

**CERTIFICATION**

That the City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of said City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council of said City, and in the minutes of the meeting at which Resolution is passed and adopted.

(CONTINUED ON NEXT PAGE)

**EFFECTIVE DATE**

This Resolution shall take effect upon its adoption.

**PASSED, APPROVED, and ADOPTED** at a regular meeting of the City Council for the City of Cathedral City held on this 24<sup>th</sup> day of February, 2016 by the following vote:

Ayes:

Noes:

Absent:

Abstain:

\_\_\_\_\_  
Stan Henry, Mayor  
City of Cathedral City, California

ATTEST:

\_\_\_\_\_  
Gary F. Howell, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Eric S. Vail, City Attorney

\_\_\_\_\_  
Robert Rodriguez  
Development Services Manager

REVIEWED:

\_\_\_\_\_  
Charles P. McClendon, City Manager