

**CITY COUNCIL OF CATHEDRAL CITY
ORDINANCE NO. _____**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
CATHEDRAL CITY, CALIFORNIA, TO ADOPT RIO VISTA VILLAGE
SPECIFIC PLAN AMENDMENT (SPA 97-55C).**

WHEREAS, an application was initiated by Verano Recovery LLC (“Applicant”) involving certain real property located within the City as depicted in Exhibit ‘A’ and which is more commonly referred to as the Rio Vista Village Specific Plan (“RVVSP”); and

WHEREAS, in order to implement the RVVSP, the City is required to take the following actions to adopt a Mitigated Negative Declaration for certain actions involving Planning Areas 1.1 and 2.2 of the RVVSP:

- Adopt a Mitigated Negative Declaration;
- Adopt the Rio Vista Village Specific Plan (RVVSP) Amendment (SPA 97-55C), which will add a new Section 5.8 within the specific plan text to outline comprehensive development standards for Cluster Single Family Development, and modify other sections of the specific plan document to refer to the new Section 5.8 as described in Exhibit ‘B’.

WHEREAS, the City, acting as Lead Agency, prepared an Initial Study that determined that the above-noted applications will create environmental impacts that can be mitigated to a level of insignificance and a Mitigated Negative Declaration is appropriate; and

WHEREAS, following duly noticed Public Hearings on April 26, 2017 and March 14, 2018 the City Council of Cathedral City approved this Ordinance approving this Amendment to the RVVSP.

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

Section 1. EVIDENCE

The City Council has considered all of the evidence submitted into the administrative record in making the recommendations listed in this Ordinance No. ____ including, but not limited to, the following:

- (a) Cathedral City General Plan and Cathedral City Municipal Code;
- (b) The Rio Vista Village Specific Plan;
- (c) The Initial Study supporting a Mitigated Negative Declaration;
- (e) The Staff Reports;
- (f) The Staff presentation at the Public Hearing conducted at the City Council meetings held on April 26, 2017 and March 14, 2018;
- (g) 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 Planning Commission meeting held on March 15, 2017; and
- (h) 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 meetings held on April 26, 2017 and March 14, 2018; and
- (i) Public Comments, both written and oral, received and/or submitted at, or prior to, the Public Hearing conducted at the City Council meetings held on April 26, 2017 and March 14, 2018; supporting and/or opposing the Staff recommendation.

Section 2. FINDINGS

The City Council has considered all of the evidence submitted into the administrative record for the proposed Rio Vista Village Specific Plan Amendment and bases its action to adopt this Ordinance approving the Specific Plan based on the following findings:

- (a) The proposed Amendments to the RVVSP are consistent with the established goals, policies, and objectives of the General Plan and the Rio Vista Village Specific Plan;
- (b) The proposed Amendments will implement the goals of the RVVSP for development subject to the development standards outlined in Exhibit 'B'.
- (c) The Land Use Policies contained in the Rio Vista Village Specific Plan provide appropriate land uses for the area, respond to market demands, create opportunities for community development, create housing opportunities that are consistent with the New Urbanism (i.e. walkable) community espoused by the Rio Vista Village Specific Plan.

- (d) The proposed Specific Plan Amendment is necessary and proper at this time, and is not likely to be detrimental to adjacent properties or residents.

Section 3. ADOPTION OF ORDINANCE

In view of all of the evidence, and based on the foregoing findings and conclusions, the City Council hereby ordains as follows:

- (a) Adopt this ordinance approving the Rio Vista Village Specific Plan Amendment (SPA) No. 97-55C.

Section 4. SEVERABILITY

The City Council declares that should any provision, section, paragraph, sentence, or word of this Ordinance 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 Ordinance, as adopted, shall remain in full force and effect.

Section 5. EFFECTIVE DATE

This Ordinance shall not become effective until no fewer than 30 days after the second reading of this Ordinance.

Section 6. POSTING

Within 15 days after its passage, the city clerk shall cause each ordinance to be published at least once, with the names of those city council members voting for and against the ordinance, in a newspaper of general circulation published and circulated in the city, or if there is none, he or she shall cause it to be posted in at least three public places in the city or published in a newspaper of general circulation printed and published in the county and circulated in the city. A summary must be prepared and sent to the Desert Sun.

Section 7. CERTIFICATION

The foregoing Ordinance was approved and adopted at a meeting of the City Council held on March 14, 2018, by the following vote:

- Ayes:
Noes:
Abstain:
Absent:

Stan Henry, Mayor

ATTEST:

APPROVED AS TO CONTENT:

Gary F. Howell
City Clerk

Pat Milos
Community Development Director

APPROVED AS TO FORM:

Eric Vail
City Attorney

REVIEWED BY:

Charles McClendon
City Manager

EXHIBIT 'A'

Rio Vista Village Specific Plan

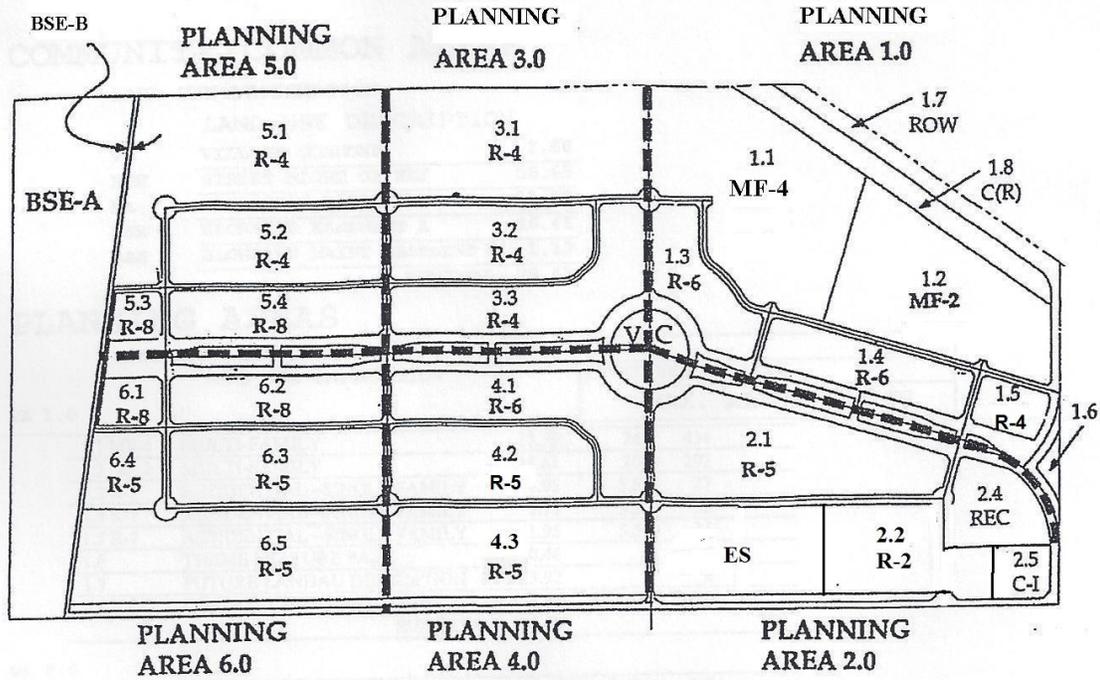


EXHIBIT 'B'

Rio Vista Village Specific Plan Text Amendments

5.2 GENERAL RESIDENTIAL SITE DEVELOPMENT STANDARDS

The following standards establish the permitted densities, setbacks, heights and massing requirements for the design of individual homes and multi-family attached dwellings on parcels within the project.

B. CLUSTER SFD: Small lots with detached dwellings arranged in non-traditional clusters, frequently using private auto courts or common drives and arranged without requiring frontage along public streets. For Cluster SFD Residential Site Plan Development Standards, refer to Section 5.8.

5.8 GENERAL RESIDENTIAL SITE DEVELOPMENT STANDARDS FOR R-2-CLUSTER SFD DEVELOPMENT

CLUSTER SFD: Small lots with detached dwellings arranged in nontraditional clusters, frequently using private auto courts or common drives and arranged without regard for frontage on public streets. The following standards establish the permitted densities, setbacks, heights and massing requirements for the design of individual homes and multi-family attached dwellings on parcels within the project

5.8.1 SETBACK REQUIREMENTS FOR RESIDENTIAL SITES

A STANDARD FRONT SETBACK: 8 feet if fronting on Private Local Street and 2 feet if fronting on a Common Drive.

B REDUCED FRONT SETBACK: Not Applicable

C STANDARD SIDE SETBACK: 5 feet.

D SIDE SETBACK WITH DRIVEWAY: Not Applicable

E SHARED SIDE SETBACK: 5 feet.

F ZERO SIDE SETBACK: Zero feet: no projections, encroachments or openings permitted.

G CORNER SIDE SETBACK: 10 feet.

H REDUCED SIDE SETBACK: Not Applicable

I REAR SETBACK WITH SERVICE LANE: Not Applicable

J REAR SETBACK: 10 feet.

K ENCROACHMENTS AND MISCELLANEOUS PROVISIONS

(1) Fireplaces, bays, cornices, eaves and other similar architectural features may project a maximum of 24 inches into required setbacks.

(2) Shading devices may project a maximum of 24 inches into required front setbacks, a maximum of 24 inches elsewhere unless waived by the Director of Community Development with validating documentation.

(3) Garden walls in front setbacks are not permitted.

(4) Pools and spas must provide a minimum of 5 feet of lateral clearance to any adjacent lot line.

(5) Solar walls may be constructed to a two story height anywhere within the building envelope.

(6) A 3-inch thick, 30 inch by 48 inch concrete slab must be provided along the rear fence/wall directly accessible from the private local street or from the common drive for the placement of trash receptacles. In addition, a 24 inch by 36 inch

concrete pad shall be provided in front of the unit next to the Garage for placing the trash receptacles during the trash pickup day.

5.8.2 SPACE BETWEEN BUILDINGS: For purposes of developing Cluster SFD Residential Development projects that do not follow the standard block pattern, adjacent buildings shall be presumed to have a lot line between them for the purpose of measuring setbacks. The minimum building separations shall be 10 feet.

5.8.3 SPECIAL RESIDENTIAL SITE DEVELOPMENT STANDARDS FOR CLUSTER SFD RESIDENTIAL DEVELOPMENT PROJECTS

The following standards deal with areas of concern regarding the implementation of new urbanism concepts and for complying with applicable local ordinances.

5.8.3.1 COMMON OPEN SPACE: Common open space requirements are deemed met under the Rio Vista Village Specific Plan. Additional common open space shall be provided to establish pedestrian circulation links to areas within and beyond the project boundary.

5.8.3.2 PRIVATE OPEN SPACE: Each single family dwelling site in a Cluster SFD project must contain a minimum of 300 SF of contiguous private open space with a minimum dimension of 10 feet.

5.8.3.3 COMMON DRIVES: Use Private Street

- A. Common drives serving Cluster SFD Residential Development shall be in the form of a private drive having a minimum width of 24 feet curb to curb where no street parking is allowed. Garages shall be setback a minimum of 25 feet.
- B. Private Street shall have a minimum width of 26 feet and shall be signed as 'Emergency Access and Fire Lane-No Parking'. Emergency gated access shall be required that will enable access onto a public street other than the primary access road.

5.8.3.4 PARKING REQUIREMENTS:

- A Each single family dwelling must be provided with a two car garage.
- B If a standard single family lot pattern is used that accommodates on-street parking, no additional guest parking is required. When a non-traditional lot pattern is used, one additional off-street parking space for every two units is required, to be allocated in proximity to dwelling units, and provided onsite.
- C Aggregate parking areas for more than 10 cars must be landscaped so that a minimum of 50% of the paved area is shaded at noon, June 21, within 5 years of issuance of the Certificate of Occupancy. Carports provided for parking where covered parking is not required may be used to meet this requirement.

5.8.3.5 GARAGE ACCESS AND ACCESSIBILITY:

- A Garage may be accessed from either a common drive or directly from the private or public local street.
- B No direct access to Rio Vista Boulevard is permitted.
- C In all cases, from the garage door to the opposite side of the common drive minimum of 25 feet of clear backup space must be provided.
- D Garages on interior lots directly accessing a local street must provide 25 feet of clear back-up space immediately in front of the garage door and occurring behind the front setback line the full width of the garage. The last 24 inches of the required 25 feet as well as the sides of the backup area may be in landscape material.

- E. Garages must be equipped with automatic roll up doors and flanked by at least one wall-mounted carriage light.

5.8.3.6 HEIGHT: No dwelling shall exceed 35 feet or two stories in height measured to the peak of a sloping roof or the parapet of a flat roof.

5.8.3.7 RESIDENTIAL LANDSCAPE REGULATIONS: The following regulations apply to common residential areas. All proposed landscape species must be identified in the Lush and Efficient Gardening in the Coachella Valley produced by CVWD.

A Local Private Street Treatments

- (1) Local streets aligned along a project boundary shall include minimum 15 gallon trees spaced at- 50 feet on center.
- (2) Where dwelling units are oriented to the local street, minimum 15 gallon trees shall be planted at a ratio of 1:1.5 per dwelling unit along the street block.
- (3) Alternative varieties of trees, minimum 15 gallon size, shall be planted at gateways into distinct neighborhoods.
- (4) Street trees, minimum 15 gallon size, shall be planted in any island of the public use easement
- (5) A -three (3) foot landscape setback shall be provided between the sidewalk and the dwelling unit to be planted in groundcover, 4 feet on center and having a maximum plant height at maturity not exceeding 12 inches, with a two-inch thick layer of decomposed granite having a common accent color.
- (6) Guest parking areas shall have a landscape island for every seven spaces and planted with one minimum 15 gallon tree. Guest parking nodes having more than 10 spaces shall have minimum 15 gallon trees planted 25 feet on center within the five foot landscape setback.

5.8.4 SPECIAL RECREATION SITE DEVELOPMENT STANDARDS.

5.8.4.1 PARKING REQUIREMENTS:

- A The parking requirements of the Zoning Code shall apply with regard to the number of parking stalls required, sizes and parking area layout standards.
- B Aggregate parking areas for more than 10 cars must be landscaped so that a minimum of 50% of the paved area is shaded at noon, June 21, within 5 years of issuance of the Certificate of Occupancy.
- C Carports provided for parking where covered parking is not required may be used to meet this requirement.

5.8.4.2 OPEN SPACE: Open space must be landscaped, including paving, plant material, arbors, treillage, water features and seating areas. Since open space is a critical ingredient of community level recreation facilities, no mandatory area is required.

5.8.4.3 TRASH ENCLOSURES AREAS: All portions of the site devoted to trash collection must be screened from the view of all adjacent properties.

5.8.4.4 SITE LIGHTING: Site lighting shall conform to the applicable regulations of the City.

5.8.4.5 SIGNAGE: On-site signage shall conform to the requirements of the sign regulations of the City and according to the recommendations of the Community Character Criteria.