

**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 97-55B).**

WHEREAS, an application was initiated by the City of Cathedral City ("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 certify adopt a Negative Declaration for certain actions involving Planning Areas 1.1 and 2.2 of the RVVSP:

- Adopt a Negative Declaration;
- Approve a General Plan Amendment (GPA 16-003) to change the General Plan Map to modifying the Land Use designation for the subject property;
- Approve a Change of Zone (CZ 16-003) to modify the text of the MF-4 Zone and to change the zone for Planning Area 2.2 from R-6 to R-2;
- To adopt the Rio Vista Village Specific Plan (RVVSP) Amendment (SPA 97-55B), which will amend the land use designations and infrastructure standards for the area shown in Exhibit 'B'.

WHEREAS, the City, acting as Lead Agency, has determined that the above-noted applications will be create no new environmental impacts beyond those analyzed under previous environmental review(s) for the project and a Negative Declaration is appropriate; and

WHEREAS, following a duly noticed public hearing on October 26, 2016, 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) General Plan Amendment No. 16-003, Change of Zone No. 16-003, and Specific Plan Amendment No. 97-55B (Rio Vista Village Specific Plan)
- (d) The Initial Study supporting a Negative Declaration;
- (e) The Staff Reports;
- (f) The staff presentation at the public hearing conducted at the City Council meeting held on October 26, 2016;
- (g) Testimony and/or comments from interested parties submitted to the City in both written and oral form at, or prior to, the public hearings conducted at the Planning Commission meeting held on September 21, 2016; 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 meeting held on October 26, 2016, 2016; and
- (i) 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 October 26, 2016; 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 in the area shown 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 (ie 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. 97-55B.

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 the completion of the Project Area's annexation into the City of Cathedral City, but in no event 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 October 26, 2016, 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'

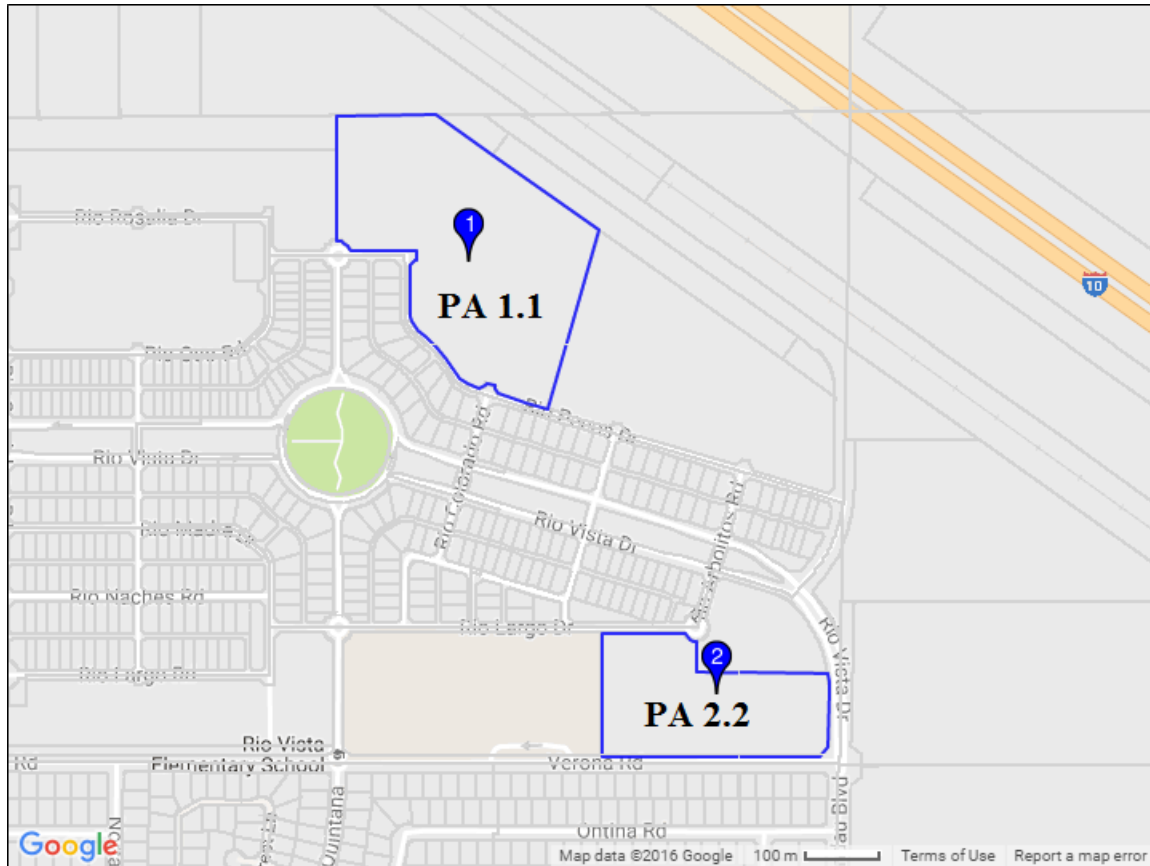


EXHIBIT 'B'

PROPOSED PLAN 97-55b

