

ORDINANCE NO. _____

**SPECIFIC PLAN AMENDMENT NO. 90-43A
CHANGE OF ZONE NO. 17-001**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CATHEDRAL
CITY, CALIFORNIA, APPROVING SPECIFIC PLAN AMENDMENT NO. 90-
43A AND CHANGE OF ZONE NO. 17-001**

WHEREAS, Specific Plan No. 90-43 was adopted by the City Council of the City of Cathedral City by Ordinance Number 295 on July 24, 1990; and

WHEREAS, the proposed amendments to the Specific Plan are consistent with the established goals and objectives of the Specific Plan; and

WHEREAS, the proposed Change of Zone from PLC (Planned Limited Commercial) to PCC (Planned Community Commercial) for Planning Unit 1 of Specific Plan 90-43 is consistent with the CG (General Commercial) General Plan land use designation; and

WHEREAS, the City, acting as Lead Agency, has determined that Specific Plan Amendment No. 90-43A ("SPA 90-43A") and Change of Zone No. 17-001 ("CZ 17-001") 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; and

WHEREAS, following a duly noticed public hearing on July 19, 2017, the Cathedral City Planning Commission recommended that the City Council approve SPA 90-43A and CZ 17-001 and the associated exemption to the California Environmental Quality Act (CEQA) pursuant to section 15601 (b) (3) of the State CEQA Guidelines; and

WHEREAS, following a duly noticed public hearing on August 9, 2017 the City Council of Cathedral City approved this Ordinance approving SPA 90-43A and CZ 17-001 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 CITY COUNCIL OF THE CITY OF CATHEDRAL CITY
DOES HEREBY ORDAIN AS FOLLOWS:**

Section 1. RECITALS

The above recitals are true and correct and incorporated herein.

Section 2. EVIDENCE

The City Council has considered all the evidence submitted into the administrative record in approving this Ordinance including, but not limited to, the following:

- (a) Specific Plan No. 90-43;
- (b) Cathedral City Municipal Code and Cathedral City General Plan;
- (c) The Staff Reports;
- (d) The staff presentations at the public hearings conducted at the Planning Commission meeting held on July 19, 2017 and the City Council meeting held on August 9, 2017;
- (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 hearings conducted at the Planning Commission meeting held on July 19, 2017 and the City Council meeting held on August 9, 2017;
- (f) 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 July 19, 2017 and the City Council meeting held on August 9, 2017; supporting and/or opposing the staff recommendation.

Section 3. OFFICIAL ZONING MAP

The Official Zoning Map of the City of Cathedral City is hereby amended to change the zoning designation for the area within Planning Unit 1 as shown in Attachment 2 (Specific Plan Site Map) from PLC (Planned Limited Commercial) to PCC (Planned Community Commercial).

Section 4. OFFICIAL SPECIFIC PLAN TEXT

The text of the Specific Plan is hereby amended as shown in Attachment 4 (Draft Specific Plan 90-43A).

Section 5. ENVIRONMENTAL FINDINGS

The City Council finds that this Ordinance is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to section 15601 (b) (3) of the State CEQA Guidelines.

Section 6. 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 hereby adopted shall remain in full force and effect.

Section 7. EFFECTIVE DATE

This Ordinance shall take effect thirty (30) days after certification.

Section 8. POSTING

The City Clerk shall within 15 days after passage of this Ordinance, cause it to be posted in at least three (3) designated public places; shall certify to the adoption and posting of this Ordinance; and shall cause this Ordinance and its certification, together with proof of posting, to be entered in the Book of Ordinances of the City.

Section 9. CERTIFICATION

The foregoing Ordinance was approved and adopted at a meeting of the City Council held on August 9, 2017, 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