

SPECIFIC PLAN 90-43A
East Date Palm Drive between Dinah Shore/35th Avenue
June 1, 1990 (Amended August 9, 2017)

PROJECT LOCATION:

The Specific Plan area is bounded by Date Palm Drive to the west, Eagle Canyon Drive to east, Dinah Shore Drive to the north and 35th Avenue to the south as depicted in Exhibit A, dated June 1, 1990. For reference within this Specific Plan project area the block north of Victoria Avenue will be referred to as Planning Unit 1 and the area south of Victoria will be referred to as Planning Unit 2.

SPECIFIC PLAN STATE LAW COMPLIANCE:

This Specific Plan has been prepared pursuant to California Government Code Section 65451 and includes all the required components and General Plan Elements except for the following:

Energy
Solid Waste Disposal

Energy: This component is not included in the Specific Plan since the Specific Plan site and surrounding areas are largely developed. All energy facilities required to serve the subject area have been planned for and are available. Permitted development within the Specific Plan area will not call for any substantial upgrading of existing facilities.

Solid Waste Disposal: This component is not addressed because the City of Cathedral City contracts trash services from Palm Desert Disposal and sewer service from Coachella Valley Water District. Private septic systems are serviced by private companies. All disposal sites are located outside the limits of Cathedral City. These services will continue throughout the City and will be available to the Specific Plan area. Detailed analysis of solid waste disposal systems and trash enclosures will be studied during development review.

GENERAL PLAN COMPLIANCE:

This Specific Plan is in compliance with the provisions of the adopted General Plan. The General Plan does permit commercial land uses and the zoning reflects the General Plan land use designations. This Specific Plan will make provisions for mixed, commercial and residential use within Planning Unit 2 of the Specific Plan area and will thus allow for residential development to continue as a conforming use within Planning Unit 2. All necessary public facilities required by the General Plan will be addressed by the Specific Plan for implementation.

PROJECT GOALS AND OBJECTIVES:

GOAL A	To allow commercial development that is compatible with the existing and planned residential uses within the specific plan and adjacent areas.
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- OBJECTIVE: To create standards which facilitate individual development interests which provide a unified concept while protecting the nature of the residential area.
- OBJECTIVE: To allow for specifically limited commercial development in the ~~PLC (Planned Limited Commercial)~~ and PCC (Planned Community Commercial) zone.
- OBJECTIVE: To allow various housing types as permitted in the R2 (Multiple Family Residential) zone within the designated eastern portion of Planning Unit 2.
- GOAL B: To enhance traffic safety by minimizing direct access to Date Palm Drive.
- OBJECTIVE: To provide access alternative through common driveways and aisles throughout the Specific Plan area.
- OBJECTIVE: To require the construction of proper commercial loading areas and customer parking areas for commercial properties which do not cause on or off-site circulation or access conflicts with either Date Palm Drive or Eagle Canyon Drive.
- GOAL C: To encourage owners to consolidate lots of record or assemble parcels through acquisitions into larger parcels to maximize development potential.
- OBJECTIVE: To allow developers the opportunity to assemble lots as needed to develop parcels which provide a practical design solution for this area.
- GOAL D: To bring about the improvement of public facilities including streets, drainage, sewer.
- OBJECTIVE: To set development requirements which gain ultimate rights-of-way, mitigate downstream drainage impacts, and generally improve the public facilities serving the plan area.

DEVELOPMENT STANDARDS:

To implement the above mentioned goals and objectives, the following development and use conditions shall be observed:

1. The site shall consist of two planning units as depicted in Exhibit A, dated June 1, 1990. The base zones are as follows:

Planning Unit	Base Zone
1	<u>PCC (Planned Community Commercial)</u> PLC (Planned Limited Commercial)
2	PCC (Planned Community Commercial)

Allowable uses and other land use regulations within the area of this specific plan shall be as prescribed in the ~~PLC~~ and PCC zoning districts. Furthermore, all applicable regulations of the Zoning Ordinance or any other City codes, Ordinances, and Resolutions shall supplement the ~~PLC~~ and PCC regulations.

2. Uses permitted in the R2 zone shall be allowed in Planning Unit 2 where lots have frontage on Eagle Canyon Drive and expansion of such existing uses shall meet all current R2 standards.
3. Conversion of existing residential uses (to commercial office uses only) shall be permitted within Planning Unit 2 provided that the required parking, setbacks, and landscaping are provided.
4. The following uses are prohibited within the specific plan area and if existing shall be allowed to continue as legal nonconforming:

Automotive, truck and recreational vehicle sales
Automotive repair and services*
Automobile service stations*
Mobile home sales and service
Fast food restaurants/drive-thru restaurants*
Bars and cocktail lounges (except when in conjunction with a restaurant of greater than 1,800 square feet of customer service area dedicated to dining).
All cannabis businesses
Sexually oriented businesses

* These uses may be permitted subject to approval of a Conditional Use Permit on properties with primary Date Palm Drive frontage.

Expansion of existing legal nonconforming uses as listed above, site improvements, and building remodeling/additions involving said uses may be permitted if approved by the Planning Commission pursuant to a Conditional Use Permit provided the Commission finds the following:

- a. Expansion of use, site improvements and building additions and remodeling do not occur beyond site boundaries of prior development approvals pertaining to the site;
 - b. Existing site improvements and buildings are substantial in nature and likely to remain in good condition in the future if the use continued; further, said existing improvements substantially comply or can comply with the City's minimum site improvement standards should minor improvements be permitted;
 - c. Proposed improvements are minor in nature in comparison to the existing site improvements and use;
 - d. Proposed improvements meet all City development standards;
 - e. All Conditional Use Permit evaluation criteria are found to be met, pursuant Division H, Article V.
5. Where a commercial use has lot frontage on Eagle Canyon Drive, a six foot high masonry wall shall be constructed on site seven feet from the property line except where building orientation creates a buffer by eliminating activity on that side of the project. The seven foot planter area shall contain: an irrigation system and landscaping with turf, an oleander hedge (which reaches a minimum height of 15 feet), and minimum 15 gallon trees which are spaced 15 feet on center along the Eagle Canyon frontage.
6. At time of development commercial property reciprocal public street access provisions shall be offered which state that common street access shall be constructed at the interior lot line so as to be shared by adjacent future development. This condition shall apply only when adjacent property(ies) are undeveloped or when previous development has planned for reciprocal access.
7. Each parcel shall be permitted a single access drive from Date Palm Drive except no access shall be permitted to Date Palm Drive where access is available to a side street or via a commercial/reciprocal/access drive. Any improvement to an existing development requiring design review or conditional use permit shall also require reevaluation of Date Palm Drive access and existing driveways.
8. Each parcel shall be permitted a single access drive from Eagle Canyon Drive. The drive shall be a maximum of 16 feet wide, limited to employee and customer access only, and designed so as to be prohibitive or greatly discourage delivery truck access.
9. The owner of any parcel proposed for development shall execute a recordable, irrevocable covenant not opposing formation of an Assessment District for ~~sanitary sewer and~~ street right-of-way improvements.
10. ~~Prior to issuance of a building permit, a \$3,000 per gross acre fee shall be collected to mitigate all drainage impacts as outlined in the Drainage Report dated March 16, 1987 contained in the Specific Plan 87-22 case file. All funds collected shall be placed in a restricted fund for the eventual development of a Master Drainage System. If the City~~

~~Council Determines that a drainage program is no longer viable for the drainage area, the deposited funds shall be returned to the property owner.~~