

**D. Change of Zone (CZ) 23-001 from Planned Community Commercial to Multiple Family Residential (R3)**

Recommendation: To provide second reading by title only and adopt an ordinance amending the Zoning Map, to re-zone the property located at the northeast corner of Date Palm Drive and the extension of Rosemount Road from Planned Community Commercial to Multiple Family Residential.

**ORDINANCE NO. \_\_\_\_**

**ZONING MAP AMENDMENT CZ 23-001**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CATHEDRAL CITY, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND ADOPTING AN AMENDMENT TO THE ZONING MAP (CHANGE OF ZONE 23-001)**

**WHEREAS**, the City Council of the City of Cathedral City (the “City Council”) desires to increase housing units available to local residents and workforce members; and

**WHEREAS**, the Zoning Map was adopted by City Council by Ordinance 861 on September 14, 2021; and

**WHEREAS**, on October 19, 2023, S2 Builders, represented by Stefan Vogel, (“Applicant”) submitted an application to amend the General Plan (GPA 23-002), a Change of Zone (CZ 23-001) and Design Review 23-002 (“Project”). The Project proposes to construct 12 apartment buildings to include a total of 204 apartment dwelling units, along with a clubhouse, and recreation facilities including a pool and open space; and

**WHEREAS**, the Change of Zone will support the goals of the General Plan, including the Housing Element, and the City’s Strategic Plan promoting increased housing production; and

**WHEREAS**, an Initial Study/Mitigated Negative Declaration was prepared for the Project, pursuant to the provisions of the California Environmental Quality Act (CEQA), which determined that the potential impacts to air quality, biological, cultural and Tribal cultural, noise, could be mitigated to levels of insignificance; and

**WHEREAS**, on November 20, 2024 the City of Cathedral City Planning Commission considered the proposed Project during a duly noticed, regularly scheduled public hearing, and, after considering all evidence, including public testimony, both written and oral, voted to adopt a Resolution recommending that the City Council adopt General Plan Amendment 23-002, Change of Zone 23-001, and approve Design Review 23-002 for the Project; and

**WHEREAS**, on January 8, 2025 the City Council held a duly noticed public hearing to consider the Planning Commission’s recommendation on the Project.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CATHEDRAL CITY DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1. CITY COUNCIL RECORD.** The City Council has considered all of the evidence, including written and oral communications submitted into the administrative record for the provisions listed in this Ordinance No. \_\_\_\_\_, including, but not limited to, the following:

1. Cathedral City Municipal Code and Cathedral City General Plan, including the adopted General Plan and Land Use Map;

2. The Staff Report prepared by Cynthia Schultz, including all Exhibits attached thereto;
3. Staff's presentation at the public hearing conducted at the City Council meeting held on January 8, 2025;
4. Planning Commission Resolution No. PC 2024-05, A Resolution of the Planning Commission of the City of Cathedral City, California Recommending City Council Action on the Project, outlining each recommended action; and
5. Testimony and/or comments on the Project 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 hearing conducted at the City Council meeting held on January 8, 2025; and
6. Public comments on the Project, both written and oral, received and/or submitted at, or prior to, the public hearing conducted at the City Council meeting held on January 8, 2025.

**SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT.** The City Council hereby adopts an Initial Study/Mitigated Negative Declaration and Mitigation Measures and Monitoring Program prepared for the Project.

**SECTION 3. ZONING MAP AMENDED.** The City Council hereby amends the Zoning Map based on the following findings:

1. The City Council considered all of the evidence submitted into the administrative record, which includes, but is not limited to: a) the Staff Report prepared for the Project; b) the staff presentation; c) public comments, both oral and written, received and/or submitted at, or prior to, the public hearing supporting and/or opposing the staff recommendation; and d) testimony and/or comments from the applicant and its representatives submitted to the City in both written and oral form at, or prior to, the public hearing; and
2. The proposed change of zone is in conformity with the General Plan land use map, as amended, and the lot area development standard for the proposed zone is the same as the lot area designated on the General Plan Map for the property, subject to the proposed General Plan Amendment and zone change; and
3. The subject property is suitable for the uses permitted in terms of access, size and shape of parcel, relationship to similar or related uses, and other considerations deemed relevant by the Commission and Council as the project is consistent with applicable zoning standards; and
4. The proposed change of zone to permit the Project is desirable for the development of the community in that it allows diverse housing types and tenure for local residents and workforce, is in harmony with the Housing, Administration, and Land Use Elements or objectives in the General Plan, and is not detrimental to existing uses or to uses specifically permitted in the R3 Zoning District; and

**SECTION 4. SEVERABILITY** If any chapter, section, subsection, subdivision, sentence, clause, phrase, or portion of this ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance, and each chapter, section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

**SECTION 5. EFFECTIVE DATE.** This Ordinance shall take effect thirty (30) days after its second reading by the City Council.

**SECTION 6. POSTING.** The City Clerk shall, within fifteen (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 this City.

**SECTION 7. CERTIFICATION**

The foregoing Ordinance was approved and adopted at a meeting of the City Council held on the 8<sup>th</sup> day of January, 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Nancy Ross, Mayor

ATTEST:

\_\_\_\_\_  
Tracey R. Hermosillo, City Clerk

APPROVED AS TO FORM:

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

MAP DEPICTING AREA/PARCEL SUBJECT TO ZONING AMENDMENT  
CZ 23-001 AMENDING ZONING DISTRICT FROM PCC TO R3

