

B. General Plan Amendment No. 24-001

Recommendation:

1. Find that no further environmental review is required under the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15162 (Subsequent EIRs and Negative Declarations).
2. Adopt a resolution approving General Plan Amendment No. 24-001 based on the findings and conclusions contained in the staff report.

RESOLUTION NO. _____

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF CATHEDRAL CITY, CALIFORNIA, ADOPTING GENERAL PLAN AMENDMENT 24-001 TO REVISE THE LAND USE DESIGNATION OF APPROXIMATELY 3.43 ACRES DESIGNATED AS CN (NEIGHBORHOOD COMMERCIAL) ON THE GENERAL PLAN LAND USE MAP TO RL (LOW DENSITY RESIDENTIAL).

WHEREAS, pursuant to Section 65300 of the State Planning and Zoning Law (Division 1 Title 7 of the California Government Code) on July 28, 2021, the City of Cathedral City adopted Resolution No. 2021-24 adopting the 2040 General Plan Update to provide comprehensive, long-range planning guidelines for future growth and development which incorporates the following thirteen elements: Land Use, Circulation and Mobility, Housing, Parks and Recreation, Community Design, Arts and Culture, Economic and Fiscal Health, Environmental Justice, Healthy and Sustainable Community, Open Space and Conservation, Air Quality and Climate Stability, Safety, and Public Services and Facilities. Each element of the General Plan provides Goals, Programs, and Policies as required by State Law; and

WHEREAS, General Plan Amendment 24-001 proposes to amend the General Plan Land Use Map so that the designation of the approximately 3.43-acre rectangular area along the Ramon Road frontage of Assessor's Parcel Numbers 670-130-014 and 670-130-015 is re-designated from CN (Neighborhood Commercial) to RL (Low Density Residential); and

WHEREAS, the RL (Low Density Residential (2-4.5 du/ac)) designation, which provides for single-family residential development on individual lots typically ranging from about 7,500 to 20,000 square feet, is proposed for application to the subject site; and

WHEREAS, the Project Site is identified in the adopted Housing Element as site #11 in the land inventory presented in Table H-37 of the Housing Element which identifies parcels available to meet the City's Regional Housing Needs Assessment (RHNA).

WHEREAS, the proposed General Plan Amendment 24-001 does not require further environmental review under the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15162 (Subsequent EIRS and Negative Declarations); and

WHEREAS, on July 17, 2024, the Planning Commission conducted a duly noticed public hearing on General Plan Amendment 24-001 at the City of Cathedral City Council Chambers, and adopted a Resolution recommending that the City Council adopt General Plan Amendment 24-001 to amend the Land Use Map; and

WHEREAS, on August 14, 2024, the City Council conducted a duly noticed public hearing on General Plan Amendment 24-001 at the City of Cathedral City Council Chambers, and adopted a Resolution approving General Plan Amendment 24-001 to amend the Land Use Map; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

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

Section 1. The Recitals set forth above are true and correct and incorporated herein by this reference.

Section 2. Based upon the foregoing, oral and written testimony presented by members of the public and City staff (including reports and presentations made at the public hearing), the City Council finds that no further environmental review is required under the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines, Section 15162 (Subsequent EIRs and Negative Declarations), as follow:

1. No substantial changes are proposed that would require major revisions of the previously Adopted EIR for the General Plan Update (approved July 28, 2021) due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
2. No substantial changes have occurred with respect to circumstances under which the project was undertaken that would require major revisions of the previously Adopted EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
3. No new information of substantial importance which was no known and could not have been known with the exercise of reasonable diligence at the time the previous Adopted EIR was approved has been identified; and
4. The General Plan Amendment would revert approximately 3.4 acres designated on the General Plan Land Use Map for CN (Neighborhood Commercial) back to RL (Low Density Residential). On the basis that it can generally be assumed that low density residential land uses would result in comparable or less intense environmental impacts than commercial uses, it is reasonable to assume that the proposed General Plan Amendment would result in equal or less intense impacts than those evaluated in the Adopted EIR.

Section 3. Based upon the foregoing, oral and written testimony presented by members of the public and City staff (including reports and presentations made at the public hearing), the City Council adopts General Plan Amendment 24-001 based on the following findings:

- a. The proposed General Plan Amendment ("GPA") from CN (Neighborhood Commercial) to RL (Low Density Residential) is consistent with the land use designation in place prior to the adoption of the 2040 General Plan Update. The proposed change in land use designation is consistent with the established goals, policies and objects of the General Plan;
- b. The proposed GPA is consistent with the General Plan Housing Element. The subject site comprises a portion of site #11 identified in the Housing Element land inventory for above-moderate-income units. In combination with other units proposed and approved, the residential development of the subject site as facilitated by the GPA will enable the city to meet its Regional Housing Needs allocation. The current designation of the site as CN (Neighborhood Commercial) is inconsistent with the Housing Element

land inventory. The proposed GPA would resolve this inconsistency between the General Plan Land Use Map and the General Plan Housing Element.

- c. The proposed GPA is consistent with entitlements for the site (Tentative Tract Map No. 37755 and Planned Unit Development No. 19-001A) that were approved prior to the adoption of the 2040 General Plan Update. These entitlements are approved to subdivide APNs 670-130-004, -005, -014, and -015 into 110 single family lots. The current designation of the subject site, as CN (Neighborhood Commercial), is inconsistent with the approved entitlements for the residential development of APNs 670-130-014 and -015. The proposed GPA would resolve this inconsistency between the General Plan Land Use Map and approved entitlements that pre-date the 2040 General Plan Update.
- d. It is in the best interest of the community to have an internally consistent General Plan and maintain a certified Housing Element.
- e. Adoption of this General Plan Amendment is not in conflict with Section 65358(b) of the California Government Code relating to the number of amendments permitted per year, because this amendment is the first amendment of calendar year 2024.

Section 4. Based upon the forgoing, oral and written testimony presented by members of the public and City staff (including reports and presentations made at the public hearing), the City Council adopts General Plan Amendment 24-001, attached hereto as Exhibit 1.

THE FOREGOING RESOLUTION WAS APPROVED AND ADOPTED on this 14th day of August 2024, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

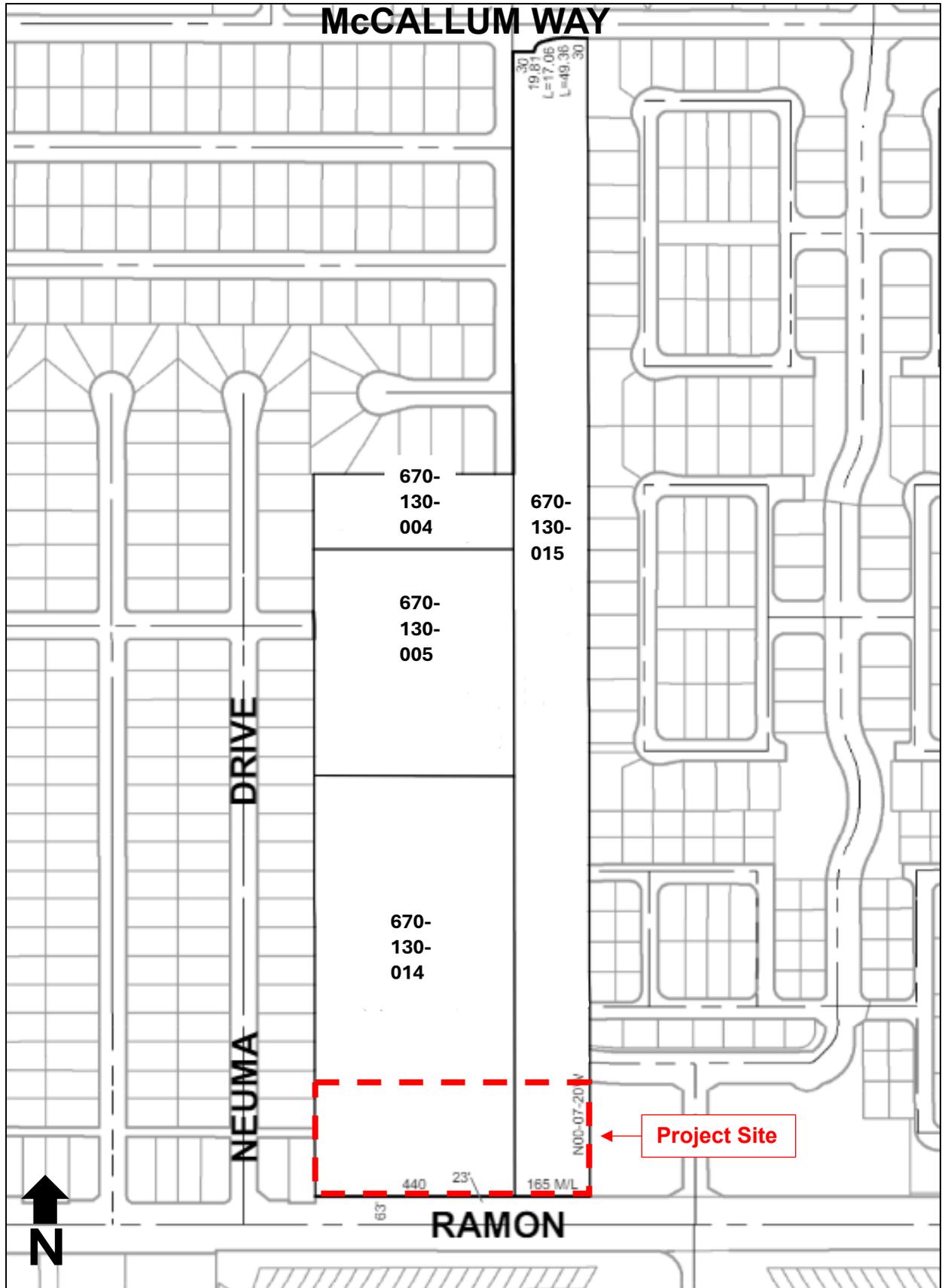
Mark Carnevale, Mayor

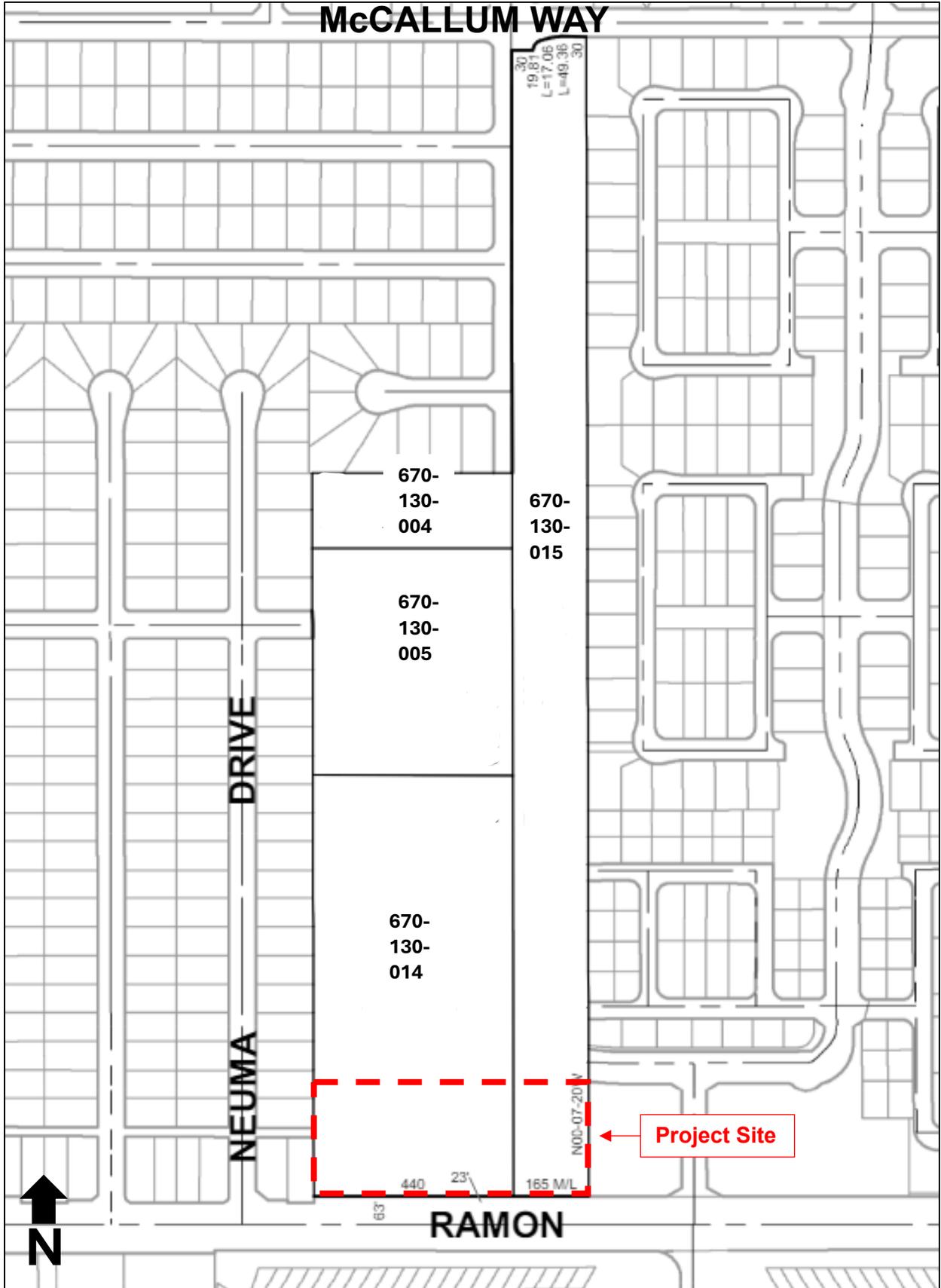
ATTEST AND APPROVED AS TO CONTENT:

Tracey R. Hermosillo, City Clerk

APPROVED AS TO LEGAL FORM:

Eric S. Vail, City Attorney







AUGUSTINE BAND OF CAHUILLA INDIANS

84-001 AVENUE 54 COACHELLA, CA 92236 | T: 760-398-4722 F: 760-369-7161

TRIBAL CHAIRPERSON: AMANDA AUGUSTINE TRIBAL TREASURER: WILLIAM VANCE

TRIBAL COUNCIL MEMBER: RONNIE VANCE

Date: 05/28/2024

Dear: Dominique Camps
Associate Planner

SUBJECT: General Plan Amendment 24-001 (APN 670-130-014 and -015)

Thank you for the opportunity to offer input concerning the development of the above-identified project. We appreciate your sensitivity to the cultural resources that may be impacted by your project and the importance of these cultural resources to the Native American peoples that have occupied the land surrounding the area of your project for thousands of years. Unfortunately, increased development and lack of sensitivity to cultural resources have resulted in many significant cultural resources being destroyed or substantially altered and impacted. Your invitation to consult on this project is greatly appreciated.

At this time, we are unaware of specific cultural resources that may be affected by the proposed project, however, in the event, you should discover any cultural resources during the development of this project please contact our office immediately for further evaluation.

Very truly yours,

Jacobia Kirksey

Jacobia Kirksey, Tribal Operations Specialist
Augustine Band of Cahuilla Indians





July 10, 2024

[VIA EMAIL TO: dcamps@cathedralcity.gov]
City of Cathedral City
Dominique Camps
68700 Avenida Lalo Guerrero
Cathedral City, CA Y92234

Re: Tribal Consultation Pursuant to SB18 General Plan Amendment 24-001 (APN 670-130-014 and -015), City of Cathedral City

Dear Dominique Camps,

The Agua Caliente Band of Cahuilla Indians (ACBCI) appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in the Mountain View Estates project. We have reviewed the documents and have the following comments:

- * Formal government to government consultation under California Senate Bill 18 (SB-18).
- * Please review the comments made on the ISMND.
- * Please add into the mitigation measures that landowner will relinquish ownership of all cultural resources.
- * An Agua monitor needs to be on-site during all initial ground disturbing activities.
- * There are Tribal Cultural Resources within a mile radius from the project site.

Again, the Agua Caliente appreciates your interest in our cultural heritage. If you have questions or require additional information, please call me at (760) 883-1137. You may also email me at ACBCI-THPO@aguacaliente.net.

Cordially,

Luz Salazar
Cultural Resources Analyst
Tribal Historic Preservation Office
AGUA CALIENTE BAND
OF CAHUILLA INDIANS

AGUA CALIENTE BAND OF CAHUILLA INDIANS

TRIBAL HISTORIC PRESERVATION



03-007-2024-003

July 16, 2024

[VIA EMAIL TO:dcamps@cathedralcity.gov]
City of Cathedral City
Dominique Camps
68700 Avenida Lalo Guerrero
Cathedral City, CA Y92234

Re: Tribal Consultation Pursuant to SB18 General Plan Amendment 24-001 (APN 670-130-014 and -015), City of Cathedral City

Dear Dominique Camps,

The Agua Caliente Band of Cahuilla Indians (ACBCI) appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in the GPA 24-01 project. The project area is not located within the boundaries of the ACBCI Reservation. However, it is within the Tribe's Traditional Use Area. For this reason, the ACBCI THPO requests the following:

*At this time the concerns of the ACBCI THPO have been addressed and proper mitigation measures have been proposed to ensure the protection of tribal cultural resources. This letter shall conclude our consultation efforts under SB 18.

Again, the Agua Caliente appreciates your interest in our cultural heritage. If you have questions or require additional information, please call me at (760) 883-1137. You may also email me at ACBCI-THPO@aguacaliente.net.

Cordially,

Luz Salazar
Cultural Resources Analyst
Tribal Historic Preservation Office
AGUA CALIENTE BAND
OF CAHUILLA INDIANS