RESOLUTION NO. 9175

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIO, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF AN AMENDMENT OF THE CENTRAL HIGHWAY 111 CORRIDOR SPECIFIC PLAN (SP 05-11-17A)

WHEREAS, the City of Indio, has filed an application for an amendment of the Central Highway 111 Corridor Specific Plan to allow drive-thru restaurants as a conditional use in the Neighborhood Commercial District; and

WHEREAS, the project was previously reviewed under the California Environmental Quality Act and an Environmental Impact Report was certified by the Indio City Council on March 15, 2006, mitigation measures and a statement of overriding considerations were adopted, a Notice of Determination was filed with the Clerk of the County of Riverside and conditions under which the environmental Impact Report was adopted have not changed since that time; and,

WHEREAS, on November 8, 2006 the Planning Commission conducted a duly advertised public hearing, reviewed staff reports, considered testimony both for and against the proposed Central Highway 111 Corridor Specific Plan Amendment, and concluded its proceedings.

WHEREAS, on December 6, 2006 the City Council conducted a duly advertised public hearing, reviewed staff reports, considered testimony both for and against the proposed Central Highway 111 Corridor Specific Plan Amendment, and concluded its proceedings.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF INDIO, CALIFORNIA, HEREBY RESOLVES, AS FOLLOWS:

Section 1. To APPROVE Central Highway 111 Corridor Specific Plan Amendment 05-11-17(A) based on the following findings:

1. That the proposed Specific Plan Amendment is consistent with the goals and objectives of the Indio General Plan 2020 in that the proposed amendment to the Neighborhood Commercial Designation of the Central Highway 111 Corridor Specific Plan is consistent with the Neighborhood Commercial (NC)) Land Use Policies. The proposed Specific Plan Amendment will facilitate the orderly development of commercial development.

2. That the Specific Plan Amendment is consistent with the intent of the Indio Zoning Regulations in that the proposed standards are in accordance with setbacks, height limits, parking standards and all other applicable codes.

3. That the site is physically suitable for the anticipated development in that it is an existing urban area with compatible adjacent uses.

4. That the anticipated development in the Specific Plan is not likely to cause substantial environmental damage or substantially and unavoidably injure fish, wildlife, or their habitats. The Environmental Impact Report prepared for the initial Central Highway 111 Corridor Specific Plan found that although the Specific Plan could have an impact on the environment, most impacts would be less than significant after implementation of mitigation measures, with the exception of certain emissions which would exceed South Coast Air Quality Management District (SCAQMD) thresholds and could be considered significant and a statement of overriding considerations was adopted..

5. That the proposed Central Highway 111 Corridor Specific Plan Amendment will not result in substantial environmental damages because the environmental impacts associated with adoption and implementation of the Amendment of the Specific Plan were adequately addressed in the Certified Highway 111 Corridor Specific Plan Final Environmental Impact Report for which mitigation measures and a statement of overriding considerations were adopted by the City Council on March 15, 2006, and no new impacts will be created.

Section 2. That Table 5-1 Permitted Uses of the Central Highway 111 Corridor Specific Plan be amended as follows:

Table 5-1: Permitted Uses[1]

	Zoning District			
Land Use	NC-SP	CC-SP	MU-SP	RH-SP
Administrative Office	A	A	A	N
Alcohol sales (on-site consumption)	C	C	C	N
Arcade Game	N	C	C	N
Barber/Beauty Shop	C	Y	Y	N
Bed and Breakfast	N	N	C	C
Billboards	N	N	N	N
Business/Professiona l Office	C	N	Y	N
Carnival/Fair Circus	T	T	T	N
Car Wash	N	N	N	N
Check Cashing	N	N	N	N
Christmas Tree/Pumpkin Sales/Seasonal Sales	T	T	T	T
Communication Facility (Cell Tower)	C	C	N	N
Community Center	N	N	C	C
Construction Office	T	T	T	T
Convenience Story	N	N	N	N
Day Care Center	N	N	C	N
Day Care – home	N	N	C	C
Drive-thru Facility	C	C	N	N

(Non-food)				
Financial Institution	C	Y	Y	N
Fire/Police Substation	Y	Y	Y	C
Gas Station	N	N	N	N
Grocery Store (Less than 15,000 sq. ft.)	N	N	N	N
Grocery Store (Greater than 15,000 sq. ft.)	C	C	C	N
Health Club	N	N	C	N
Home occupation	N	N	Y	Y
Hospital	N	N	N	N
Hotel-Conference Center	N	C	C	N
Industrial	N	N	N	N
Liquor Store	C[2]	C[2]	N	N
Medical Office	N	N	N	N
Mini-warehouse	N	N	N	N
Model Homes	N	N	T	T
Motel	N	N	N	N
Motion Picture Theater	N	C	N	N
Museum	N	N	N	N
Nightclub	N	C	N	N
Outdoor Event	T	T	T	T
Outdoor Sales	T	T	T	N
Outdoor Storage	N	N	N	N
Park, public/private	Y	Y	Y	Y
Parking Lots/Structure/Garage	A	A	A	A
Performing Arts Center	N	C	N	N
Public Library	N	Y	Y	N
Recreational Vehicle Storage	N	N	N	N
Religious Institution	N	N	N	N
Research and Development	N	N	N	N
Residential Accessory Structures	N	N	A	A
Residential, High Density	N	N	Y	Y
Residential, Low Density	N	N	Y	N
Residential, Senior Housing	N	N	Y	Y
Restaurant	C	Y	Y	N
Restaurant with drive-	~~N~~ **C**	N	N	N

thru				
Retail	C	Y	Y	N
School, Business/Professional	N	N	N	N
Social Club	N	N	C	N
Vehicle Leasing and Rental	N	N	N	N
Vehicle Repair	N	N	N	N
Vehicle Sales	N	N	N	N
Veterinary Clinic	N	N	C	N
Wholesale Nursery	N	N	N	N
Yard Sales	N	N	T	T
[1] All uses not specified herein shall be prohibited, unless the Planning Commission determines on a case by case basis that a particular use is similar in nature and no more objectionable to those specified. [2] Liquor for off-site consumption is a conditionally permitted use when accessory to a permitted or conditionally permitted use with a floor area of 20,000 sq. ft. or more.				

PASSED, APPROVED, and ADOPTED this 6th day of December, 2006 by the following vote:

AYES: Gilbert, Ramos Watson, Godfrey
NOES: None
ABSENT: Fesmire, Wilson

GENE GILBERT, MAYOR

ATTEST:

CYNTHIA HERNANDEZ, CMC
CITY CLERK