

ORDINANCE NO. 1352

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDIO, CALIFORNIA, APPROVING A PROJECT MASTER PLAN AMENDMENT (PMP 00-1-13) TO ALLOW A MODIFICATION TO DEVELOPMENT STANDARDS WITHIN THE SITE OF AN EXISTING RPD-5 SINGLE FAMILY RESIDENTIAL AND GOLF COURSE COMMUNITY LOCATED NORTH OF WESTWARD HO DRIVE, BETWEEN DUNE PALM ROAD AND THE WHITEWATER STORM CHANNEL; INDIAN SPRINGS GOLF AND COUNTRY CLUB**

**WHEREAS**, on January 21, 2003, Roger Snellenberger Development filed with the City of Indio an application for a Project Master Plan Amendment (PMP 00-1-13) to modify residential development standards to decrease the minimum rear yard setback for pools and spas on lots adjacent to the golf course within the Indian Springs Golf and Country Club; and,

**WHEREAS**, environmental impacts were analyzed and a determined to be categorically exempt pursuant to Section 15301 and 15305 of the California environmental Quality Act (CEQA) Guidelines, (Class 1 – Existing Facilities and Class 5 – Minor Alterations in Land Use Limitations, respectively). The proposed modification would not create any significant environmental effects on the environment; and,

**WHEREAS**, on July 23, 2003, the Planning Commission conducted a duly advertised public hearing, reviewed staff reports, considered testimony both for and against, and concluded its proceedings; and recommended to the City Council approval of the proposed Project Master Plan Amendment; and,

**WHEREAS**, on September 3, 2003, the City Council conducted a duly advertised public hearing, reviewed staff reports, considered testimony both for and against the proposed Project Master Plan Amendment, concluded its proceedings, and approved the Project Master Plan Amendment (PMP 00-1-13).

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

**Section 1.** To APPROVE the amendment to Project Master Plan (PMP 00-1-13) based on the following findings:

1. The proposal is consistent with the Indio General Plan 2020, which intends for RPD-5 designation to be a low density residential, family-oriented development. The adopted Project Master Plan is consistent with the RPD-5 land use designation of the General Plan and the proposed amendment does not materially change the development intensity that was originally envisioned for the project.

2. The proposed modification to the Project Master Plan will not affect the Indio Code of Ordinances which seeks to have consistency between zoning classification and the general plan land use designation. The proposed modification will not change the approved land uses and the lots will remain for the sole purpose of Indian Springs Golf and Country Club residential use.
3. Environmental impacts were analyzed and determined to be categorically exempt from review pursuant to Section 15301 and 15305 of the California environmental Quality Act (CEQA) Guidelines, (Class 1 – Existing Facilities and Class 5 – Minor Alterations in Land Use Limitations, respectively). The proposed modification would not create any significant environmental effect on the environment.

**Section 2.** To approve the Project Master Plan Amendment (PMP 00-1-13) subject to the following conditions.

1. All original conditions of approval for the Indian Springs Golf and Country Club Project Master Plan 00-1-13 contained in Ordinance 1285 shall remain in full force and effect, except as modified herein.
2. The applicant shall amend the Project Master Plan for Indian Springs Golf and Country Club to incorporate amended text as conditioned herein, and shall provide the City with ten (10) copies of the amended Project Master Plan.
3. The Project Master Plan shall incorporate the amended development standard for swimming pools and spas. Swimming pools and spas shall require a minimum three-foot setback from rear property lines when abutting the golf course. Security fencing regulations for pools shall be incorporated into the Project Master Plan in compliance with the Uniform Building Code.

**Section 3.** That the above recitations are true and correct and constitute the findings of the City Council regarding the Project Master Plan Amendment and this project.

**Section 4.** That the proposed amendments to Project Master Plan 00-1-13 are on file in the Office of the City Clerk and are available for review by the public.

**Section 5.** The City Clerk/Deputy City Clerk shall certify to the passage and adoption of this ordinance and shall cause a summary of same to be published once in the Desert Sun, a newspaper of general circulation, printed, published, and circulated within the City of Indio and the same shall be in full force and effect thirty (30) days after its adoption.

**PASSED, APPROVED, and ADOPTED** this 17th day of September 2003, by the following vote:

**AYES:** Bethel, Fesmire, Gilbert, Wilson

**NOES:** None

**ABSENT:** Godfrey



**MICHAEL H. WILSON, MAYOR**

**ATTEST:**



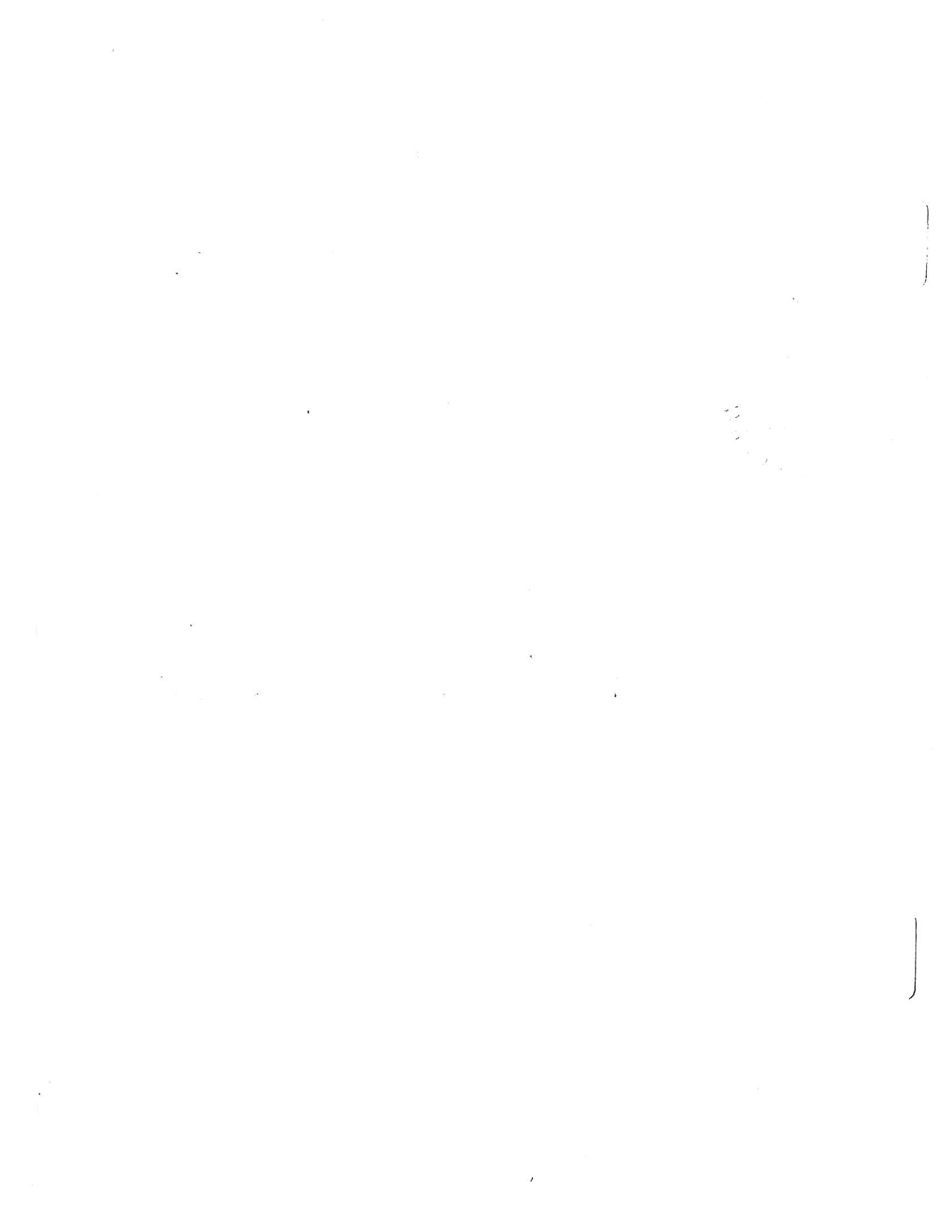
**CYNTHIA HERNANDEZ  
DEPUTY CITY CLERK, CMC**

#### **CERTIFICATION**

I, Cynthia Hernandez, Deputy City Clerk, of the City of Indio, California, do hereby certify the foregoing to be a full, true and correct copy of Ordinance No. 1352, duly introduced and adopted at a meeting of the City Council of the City of Indio held on September 3, 2003 and passed at a regular meeting held on September 17, 2003.



**CYNTHIA HERNANDEZ  
DEPUTY CITY CERK, CMC**



**ORDINANCE NO. 1351**

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDIO, CALIFORNIA,  
APPROVING CHANGE OF ZONE 03-6-612 FOR PROPERTY LOCATED AT 46-740  
CALHOUN STREET (ASSESSORS PARCEL NUMBER 612-130-003)**

**WHEREAS**, on July 23, 2003 Robert Cornell (the "Applicant") filed with the Development Services Department, an application for change of zone to have certain real property rezoned from "RC" (Regional Commercial) to "IP" (Industrial Park) on approximately 1.74 acres of vacant land located on the east side of Calhoun Street, approximately 425 feet south of Date Avenue (APN 612-130-003); and

**WHEREAS**, on July 23, 2003 the Planning Commission conducted a duly advertised public hearing, reviewed staff reports, considered testimony both for and against, and concluded its proceedings; and recommended to the City Council approval of Change of Zone 03-6-612; and

**WHEREAS**, on September 3, 2003 the City Council conducted a duly advertised public hearing, reviewed staff reports, considered testimony both for and against Change of Zone 03-6-612, concluded its proceedings, and found as follows:

Change of Zone Findings:

1. The proposed Change of Zone is consistent with the goals and policies of the Indio General Plan 2020. The proposed Change of Zone will result in consistency between the General Plan and the Industrial Park zoning designation.
2. The proposed Change of Zone is consistent with the Indio Code of Ordinances. Any proposed industrial development will be required to meet the maximum lot coverage, minimum street frontage, lot depth, and meet or exceed minimum development standards with regard to building height, parking, landscaping, and setbacks.
3. That the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) as a Class 32 exemption (Section 15332, In-Fill Development Project). Any proposed development on the site will be consistent with the applicable general plan designation as well as with applicable zoning designation and regulations. Future development on-site will occur within the Indio city limits and is substantially surrounded by urban uses. The project site has no value, as habitat for endangered, rare or threatened species. Approval of Change of Zone 03-6-612 would not result in any significant effects relating to traffic, noise, air quality, or water quality. Furthermore, the site can be adequately served by all required utilities and public service.

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

**Section 1.** To APPROVE Change of Zone 03-6-612 for 46740 Calhoun Street (APN 612-130-003).

**Section 2.** The City of Indio Municipal Zoning Map is hereby amended, as shown in Exhibit "D", attached hereto and by this reference incorporated herein.

**Section 3.** All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**Section 4.** That the above recitations are true and correct and constitute the findings of the City of Indio City Council regarding Change of Zone 03-6-612.

**Section 5.** That the records for Change of Zone 03-6-612 are on file in the Office of the City Clerk and are available for review by the public.

**Section 6.** The City Clerk/Deputy City Clerk shall certify to the passage and adoption of this ordinance and shall cause a summary of same to be published once in the Desert Sun, a newspaper of general circulation, printed, published, and circulated within the City of Indio and the same shall be in full force and effect thirty (30) days after its adoption.

**PASSED, APPROVED, and ADOPTED** this 17th day of September 2003, by the following vote:


**AYES:** Bethel, Fesmire, Gilbert, Wilson

**NOES:** None

**ABSENT:** Godfrey


  
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**MICHAEL H. WILSON, MAYOR**

**ATTEST:**

  
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**CYNTHIA HERNANDEZ**  
**DEPUTY CITY CLERK, CMC**

**CERTIFICATION**

I, Cynthia Hernandez, Deputy City Clerk, of the City of Indio, California, do hereby certify the foregoing to be a full, true and correct copy of Ordinance No. 1351, duly introduced and adopted at a meeting of the City Council of the City of Indio held on September 3, 2003 and passed at a regular meeting held on September 17, 2003.

  
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**CYNTHIA HERNANDEZ**  
**DEPUTY CITY CERK, CMC**

ORDINANCE NO. 1350

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDIO, CALIFORNIA, APPROVING A SPECIFIC PLAN AMENDMENT (SP 99-11-11) TO ALLOW MODIFICATIONS TO LAND USE REGULATIONS AND DEVELOPMENT STANDARDS ON THE SITE OF AN EXISTING 400-UNIT RECREATIONAL VEHICLE SUBDIVISION LOCATED AT 80-501 AVENUE 48; OUTDOOR RESORTS MOTORCOACH COUNTRY CLUB, INC

WHEREAS, on April 15, 2003 Outdoor Resorts Motorcoach Country Club, Inc. filed with the City of Indio an application for Specific Plan Amendment (SP 99-11-11) to modify land use descriptions and development standards to allow the use of "casita" units, pergola structures, and pools and spas on individual RV lots on the 80-acre site located at 80-501 Avenue 48; and,

WHEREAS, environmental impacts were analyzed and a Mitigated Negative Declaration was adopted for this project as part of the Outdoor Resorts Specific Plan, approved by the City Council on May 7, 2000. The proposed modifications would not create any significant environmental effects on the environment that were not previously analyzed; and,

WHEREAS, on July 23, 2003 the Planning Commission conducted a duly advertised public hearing, reviewed staff reports, considered testimony both for and against, and concluded its proceedings; and recommended to the City Council denial of the proposed Specific Plan Amendments; and,

WHEREAS, on July 24, 2003 the applicant filed an application to appeal the Planning Commission's decision and requested City Council to approve the proposed Specific Plan Amendment (SP 99-11-11); and,

WHEREAS, on September 3, 2003 the City Council conducted a duly advertised public hearing, reviewed staff reports, considered testimony both for and against the proposed Specific Plan Amendment, concluded its proceedings, and overturned the recommendation of the Planning Commission and approved the Specific Plan Amendment (SP 99-11-11).

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

**Section 1.** To APPROVE the amendment to Specific Plan (SP 99-11-11) based on the following findings:

1. The proposal is consistent with the Indio General Plan 2020 which intends for RM designations to be a transition zone between low density developments and higher density multifamily projects, and must be located on or near major arterials, bus routes, and within close proximity to shopping. The adopted Specific Plan is consistent with the RM land use designation of the General Plan and the proposed amendments do not materially change the development intensity that was originally envisioned for the project.
2. The proposed modification to the Specific Plan will not affect the Indio Code of Ordinances which seeks to have consistency between zoning classification and the general plan land



use designation. The proposed modifications will not change the approved land uses and the lots will remain for the sole purpose of motorcoach residential use, and will change the allowable accessory uses for the motorcoach lots.

3. A Mitigated Negative Declaration has been adopted, pursuant to the guidelines of the California Environmental Quality Act, and environmental impacts for the original project were examined in the environmental assessment submitted by the applicant, along with a Traffic Study, Cultural Resources Study, Paleontological Resources Inventory, and fiscal impact study.

**Section 2.** To approve the Specific Plan Amendment (SP 99-11-11) subject to the following conditions.

1. All original conditions of approval for the Outdoor Resorts Specific Plan 99-11-11 contained in Ordinance 1274 shall remain in full force and effect, except as modified herein.
2. The applicant shall amend the Specific Plan for Outdoor Resorts to incorporate amended text and approved graphics as presented and conditioned herein, and shall provide the City with ten (10) copies of the amended Specific Plan.
3. The proposed Section VIII of the Specific Plan entitled "Revisions to Private Storage Buildings" shall be revised to incorporate land use regulations and development standards for "casita" units restricting their use and size to the graphics presented with this application. The Specific Plan and the Covenants, Conditions, and Restrictions (CC & R's) shall restrict the use of "casita" units to an accessory use of an active RV Residential Use, and shall prohibit the rental of the "casita" unit for dwelling purposes. The applicant shall submit proof of CC&R's to the satisfaction of the City Attorney's office showing compliance with this condition.
4. Swimming pools and spas shall provide a minimum five-foot setback from side and rear property lines. A minimum three-foot setback shall be required from rear property lines abutting a golf course or open space lot. Security fencing regulations for pools shall be incorporated into the Specific Plan in compliance with the Uniform Building Code.
5. Pergolas and shade structures shall provide a minimum five-foot setback from side and rear property lines or perimeter walls. A minimum three-foot setback shall be required from rear property lines abutting a golf course or open space lot. Freestanding pergolas and shade structures shall be a minimum of 10 feet from any other structure.
6. The applicant shall meet and confer with the Fire Department and comply with all departmental directives deemed necessary and appropriate to the implementation of this Specific Plan modification.
7. Private Storage Buildings shall be prohibited. All text references to Private Storage Buildings shall be replaced with "Casita units" in Specific Plan 99-11-11. The conversion of existing storage units into a "casita" unit shall be prohibited, unless otherwise approved by the Building Official and the Fire Department.



8. All "casita" units shall comply with the Uniform Building Code regulations pertaining to habitable structures.
9. The PMP shall be amended to include a provision requiring all pools and spas to be serviced and maintained on a year-round basis.
10. The PMP shall include be amended to include Photographs 5, 6, and 7, presented at the City Council meeting of September 3, 2003, as design criteria for all "casita" units.

**Section 3.** That the above recitations are true and correct and constitute the findings of the City Council regarding the Specific Plan Amendment and this project.

**Section 4.** That the proposed amendments to Specific Plan 99-11-11 are on file in the Office of the City Clerk and are available for review by the public.

**Section 5.** The City Clerk/Deputy City Clerk shall certify to the passage and adoption of this ordinance and shall cause a summary of same to be published once in the *Desert Sun*, a newspaper of general circulation, printed, published, and circulated within the City of Indio and the same shall be in full force and effect thirty (30) days after its adoption.

**PASSED, APPROVED, and ADOPTED** this 17th day of September 2003, by the following vote:

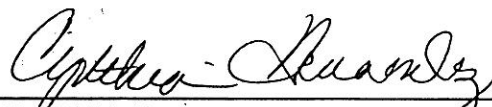
**AYES:** Bethel, Fesmire, Gilbert, Wilson

**NOES:** None

**ABSENT:** Godfrey

  
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**MICHAEL H. WILSON, MAYOR**

**ATTEST:**

  
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**CYNTHIA HERNANDEZ**  
**DEPUTY CITY CLERK, CMC**

#### **CERTIFICATION**

I, Cynthia Hernandez, Deputy City Clerk, of the City of Indio, California, do hereby certify the foregoing to be a full, true and correct copy of Ordinance No. 1350, duly introduced and adopted at a meeting of the City Council of the City of Indio held on September 3, 2003 and passed at a regular meeting held on September 17, 2003.

  
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**CYNTHIA HERNANDEZ**  
**DEPUTY CITY CERK, CMC**

