

## **ORDINANCE NO. 1178**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COACHELLA APPROVING CHANGE OF ZONE 20-04 TO ADD THE R-C (RETAIL CANNABIS OVERLAY) ZONE TO THE EXISTING C-G (GENERAL COMMERCIAL) ZONE ON PROPERTY LOCATED AT 46-156 DILLON ROAD, COACHELLA CAN LLC (ARMEN PARONYAN), APPLICANT.**

**WHEREAS**, Armen Paronyan (on behalf of Coachella Can LLC) filed an application for Change of Zone 20-04 on property located at 46-156 Dillon Road, and attendant applications Conditional Use Permit 330 and 331 (Property known as Assessor's Parcel No.603-102-024) ("Project"); and,

**WHEREAS**, the Planning Commission conducted a duly noticed public hearing on Change of Zone 20-04 and CUP 330 and CUP 331 on March 3, 2021 at the Coachella Permit Center, 53-990 Enterprise Way, Coachella, California and recommended that the City Council approve Change of Zone 20-04 and CUP 330 and CUP 331; and,

**WHEREAS**, at the Planning Commission hearing the Applicant and members of the public were present and were afforded an opportunity to testify regarding the Project; and,

**WHEREAS**, the Project is permitted pursuant to Chapter 17.47 of the Coachella Municipal Code, and the attendant application for a Conditional Use Permit to allow the Project; and,

**WHEREAS**, the proposed use is necessary or desirable for the development of the community, is consistent with the objectives of the City's General Plan, and is not detrimental to the existing uses or the uses specifically permitted in the zone in which the proposed use is to be located; and,

**WHEREAS**, the proposed site is adequate in size and shape to accommodate the proposed development; and,

**WHEREAS**, the site for proposed use relates properly to streets which are designed to carry the type and quantity of traffic to be generated by the proposed use; and,

**WHEREAS**, the Project is exempt from the provisions of the California Environmental Quality Act, as amended; and,

**WHEREAS** the City Council conducted a duly noticed public hearing on Change of Zone 20-04 and CUP 330 and CUP 331 on April 28, 2021 at the Coachella City Hall, 1515 6<sup>th</sup> Street, Coachella, California and the applicant and the public were afforded an opportunity to testify regarding the Project; and,

**WHEREAS**, the conditions as stipulated by the City are necessary to protect the public health, safety and welfare of the community.

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

**Section 1.** That the City of Coachella Official Zoning Map be amended as shown on the attached Change of Zone 20-04 map marked “Exhibit A” from C-G (General Commercial) to CG-RC (General Commercial-Retail Cannabis Overlay Zone) on property located at 46-156 Dillon Road, with the findings listed below:

**Findings for Change of Zone 20-08:**

1. The Project is consistent with the goals, objectives, policies, and implementation measures of the Coachella General Plan 2035. The site has a Regional Retail District land use designation that allows for the proposed development. The proposed change of zone is in keeping with the policies of the Regional Retail District land use classification and the Project is internally consistent with other General Plan policies for this type of development.
2. The Project is in compliance with the applicable land use regulations and development standards of the City’s Zoning Code. The site plan proposes a retail cannabis business, consumption lounge, commercial kitchen and take out window including indoor and outdoor seating areas. The Project complies with applicable C-G (General Commercial) and Section 17.47.020 property development standards as proposed.
3. Every use, development of land and application of architectural guidelines and development standards shall be considered on the basis of the suitability of the site for a particular use or development intended, and the total development, including the prescribed development standards, shall be so arranged as to avoid traffic congestion, ensure the protection of public health, safety and general welfare, prevent adverse effects on neighboring property and shall be in accord with all elements of the general plan. The proposed change of zone is compatible with existing surrounding land uses that include commercial land uses.
4. The Project will be compatible with neighboring properties with respect to land development patterns and application of architectural treatments. The plans submitted for this Project propose a cannabis business with a consumption lounge and a fast food restaurant with an indoor and outside seating areas that are permitted in the C-G (General Commercial) zone pursuant approved Conditional Use Permits. Surrounding properties to the project site include commercial and vacant land uses. As such, the Project will be in keeping with the scale, massing, and aesthetic appeal of the existing area and future development
5. The Project is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303 (C) that exempts the conversion of existing small structures from one use to another where only minor modifications are made to the interior and exterior of the structure.

**Section 2. SEVERABILITY.** The City Council declares that, should any provision, section, paragraph, sentence or word of this ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation the remaining provisions, sections, paragraphs, sentences or words of this ordinance as hereby adopted shall remain in full force and effect.

**Section 3. EFFECTIVE DATE.** This ordinance shall take effect thirty (30) days after it's second reading by the City Council.

**Section 4. CERTIFICATION.** The City Clerk shall certify to the adoption of this Ordinance and shall cause it to be published and circulated in the City of Coachella.

**PASSED, APPROVED and ADOPTED** this 25<sup>th</sup> day of August 2021.

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Steven A. Hernandez  
Mayor

**ATTEST:**

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Angela M. Zepeda  
City Clerk

**APPROVED AS TO FORM:**

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Carlos Campos  
City Attorney

STATE OF CALIFORNIA            )  
COUNTY OF RIVERSIDE        ) ss.  
CITY OF COACHELLA            )

**I HEREBY CERTIFY** that the foregoing Amendment to Ordinance No. 1178 was duly and regularly introduced at a meeting of the City Council on the 14<sup>th</sup> day of April 2021, and that thereafter the said ordinance amendment was duly passed and adopted on the 25<sup>th</sup> day of August 2021.

AYES:

NOES:

ABSENT:

ABSTAIN:

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Andrea J. Carranza, MMC  
Deputy City Clerk

Exhibit A  
Change of Zone 20-04

