

ORDINANCE NO. 1103

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA AMENDING CHAPTER 17.46 OF TITLE 17 (ZONING) OF THE COACHELLA MUNICIPAL CODE IN ORDER TO AMEND THE CITY'S REGULATIONS FOR THE INDUSTRIAL PARK OVERLAY ZONE.

WHEREAS, Chapter 17.46 of the Coachella Zoning Code has established the "IP Industrial Park Overlay Zone" which sets certain regulations for special uses within the City's "M-S (manufacturing service)" and "M-H (heavy manufacturing)" zones; and

WHEREAS, the City Council desires to amend the regulations for the "IP Industrial Park Overlay Zone" in order to (i) restrict it to the "MS" zone and eliminate it from the "M-H zone, (ii) further limit its geographical boundaries to three sub-areas under the General Plan (iii) add a minimum project area requirement, (iv) allow medical cannabis cultivation, processing, testing, manufacturing and distribution by conditional use permit, and (v) amend other development standards in the Overlay Zone; and

WHEREAS, the Planning Commission conducted a properly noticed public hearing on March 15, 2017 at which members of the public were afforded an opportunity to comment upon this Ordinance, the recommendations of staff and public testimony; and

WHEREAS, after such hearing, the Planning Commission recommended by a 3-2 vote that the City Council approve this Ordinance with modifications; and

WHEREAS, the City Council conducted a properly noticed public hearing on April 12, 2017 at which members of the public were afforded an opportunity to comment on this Ordinance, the recommendations of staff and public testimony.

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

(Deleted text is in ~~strikeout~~; additional text is in *bold italics*)

SECTION 1. Chapter 17.46 of Title 17 of the Coachella Municipal Code is hereby amended to read as follows:

Chapter 17.46 - IP INDUSTRIAL PARK OVERLAY ZONE

17.46.010 - Intent and purpose.

This overlay zone is intended to provide for the well-planned and orderly development of industrial parks within the community and to eliminate or adequately mitigate any adverse impacts on the community related to such types of development. The IP (industrial park) overlay zone designation may be applied to ~~any~~ *certain* property

described herein that is zoned M-S (manufacturing service) ~~or M-H (heavy manufacturing)~~. When the IP overlay zone designation is added to such property, the provisions of this article shall apply in addition to the regulations provided by the underlying M-S ~~or M-H~~ zone. Whenever there is a conflict or inconsistency between the provisions of this article and the underlying zone, the provisions of this chapter shall be controlling.

17.46.015 – Property Eligible for IP Industrial Park Overlay Zone Classification.

The IP Industrial Park Overlay Zone classification shall be limited to those projects that are:

- A. Located within Sub-Areas #6 (Downtown Expansion), #7 (South Employment District), or #10 (North Employment District) of the City of the Coachella General Plan; and*
- B. Zoned as M-S (manufacturing service); and*
- C. A minimum of thirty (30) acres in project area (all lots developed according to common plan or scheme).*

17.46.020 - Permitted uses.

- A. Except as expressly conditioned or prohibited in this chapter, All uses permitted in the underlying M-S ~~or M-H~~ zone shall be permitted in the IP overlay zone.;*
- B. Research and Development;*
- C. Professional Office;*
- D. Warehousing and Distribution.*

17.46.023 – Conditional Uses.

The following uses may be permitted in the IP overlay zone subject to obtaining a conditional use permit as specific in Section 17.74.010:

- A. Cannabis cultivation, processing, testing, manufacturing and/or wholesale distribution, subject to the regulatory requirements of Chapter 5.68 of this Code. Retail transaction of cannabis of any kind is prohibited in this Zone.*
 - 1. For purposes of this subsection A., “cannabis cultivation, processing, testing, manufacturing and/or wholesale distribution” shall not be deemed as the permitted uses of “drugs manufacture”, “food products processing, manufacturing, canning, preserving and freezing”, “fruit*

and vegetable packing house”, or “testing laboratories” under Section 17.30.020(A).

17.46.026 – Prohibited Uses.

The following uses are prohibited in the IP overlay zone:

- A. Cannabis dispensaries or other uses engaging in the retail sale, exchange or distribution of cannabis;*
- B. Outdoor storage yard;*
- C. Automobile repair business;*
- D. Automobile body and fender works;*
- E. Any other conditional uses in the M-S Zone, except as set forth in this chapter.*

17.46.030 - Property development standards.

- A. Project Area/Lot Requirements.*
 - 1. Minimum Project Area. Thirty acres. For purposes of this paragraph, “project area” shall mean the combined area of all legally subdivided lots developed as a common plan or scheme by the same or affiliated developer(s).*
 - 2. Minimum individual Lot Size. ~~One~~ Five (5) acres for any lot on which is located a cannabis cultivation, processing, testing, manufacture or distribution use. For all other lots, one (1) acre.*
 - 23. Minimum Lot Width. One hundred eighty (180) feet.*
 - 34. Minimum Lot Depth. Two hundred twenty (220) feet.*
 - 45. Maximum Lot Coverage. Fifty (50) percent. The Development Services Director may allow individual lots within a project area to exceed this standard if he or she finds that: (i) it will result in more orderly development of the project area and (ii) the average lot coverage of all lots within the project area does not exceed fifty (50) percent.*
 - 6. No project subject to this Chapter shall use more than sixty-five percent (65%) of the project area for cannabis cultivation, processing, testing, manufacture or distribution uses.*

B. Front Yard Requirements.

1. Twenty-five (25) feet from the curb on all property fronting on Avenue 54 and Avenue 52.
2. Twenty (20) feet from the curb on all property fronting Industrial Way, Enterprise Way or Polk Street.
3. Ten (10) *feet* from the curb on all property fronting any local street.
4. All front setbacks shall be landscaped in a manner approved by the planning commission.
5. No buildings, facilities or other improvements shall be allowed in a required front yard except for landscaping or block entryways approved by the planning commission. Notwithstanding the foregoing, required yards may be used for automobile parking; provided, that landscaping approved by the planning commission is provided along the frontage of the property.

C. Heights Limits. The maximum height of any building or structure shall be fifty (50) feet.

D. Distance Between *Uses/Buildings*. *No cannabis cultivation, processing, testing, manufacture or distribution use shall be located within 1,000 feet of any residentially zoned lot. The distance shall be measured at the nearest point between any part of the building containing the cannabis use and any lot line of the residential use.*

E. On-Street/Off-Street Parking and Loading.

1. Off-Street Parking and Loading. Off-street parking and loading facilities shall be provided in accordance with the provisions of Section 17.54.010 of this title.
2. On-Street Parking and Loading. On-street parking or loading shall be prohibited.

F. Walls and Screening.

1. Each development on a lot or parcel of property shall be enclosed ~~by fencing or other type of screening approved~~ *with decorative masonry walls and/or wrought iron fencing, subject to review* by the planning commission.
2. ~~All walls, fences or other approved screening shall not be less than six feet in height. Notwithstanding the foregoing, block wall entryways approved~~

~~by the planning commissions shall not exceed forty two (42) inches in height in a required yard. *parking lots and loading areas shall be screened from view to the street with low decorative masonry walls and landscaping, subject to review by the Planning Commission.*~~

~~G. Road Standards.~~

~~1. Collector roads (Enterprise Way and Polk Street) shall consist of:~~

~~a. Right of way of sixty four (64) feet;~~

~~b. Curb to curb road width of forty eight (48) feet; and~~

~~c. Dedicated parkway strip of eight feet.~~

~~2. Interior local roads shall consist of:~~

~~a. Fifty eight (58) feet of right of way;~~

~~b. Forty two (42) feet curb to curb; and~~

~~c. Eight feet dedicated parkway strip.~~

HG. Other Property Development Standards.

1. All utilities shall be underground, until such time as the power transmitted is greater than thirty-four (34) KV and then it shall be brought to the attention of the planning commission prior to any construction.
2. All developments shall include an exterior lighting system to provide adequate are security. Such lighting system shall use high-pressure sodium lights or an equivalent type of light approved by the planning commission.
3. All developments shall be landscaped in a manner approved by the planning commission.

17.46.040 - Architectural review.

All developments shall be subject to architectural review in accordance with Section 17.72.010 of this title, *including planning commission review of design guidelines and signs as described below.* Any addition to or exterior alteration of an existing development also shall be subject to such architectural review.

- A. Design Guidelines. Detailed architectural and/or artist renderings, or pictorial depictions, of allowable building types, architectural themes, and typical common-area landscaping and lighting shall be provided for all industrial park overlay zone developments. Conceptual design guidelines in text describing allowable architectural theming and exterior building materials, roofing and roof line treatments, window and door opening designs, and landscaping plant palettes, must accompany the industrial park overlay zone architectural review submittal. The use of green houses, butler buildings, or other pre-fabricated structures are prohibited unless they are treated architecturally to have the appearance of a contemporary concrete tilt-up building with parapet roof structures. All main buildings shall have variation in exterior wall planes and roof lines to limit massing and monotone design features, subject to review by the planning commission.*
- B. Signs. A comprehensive sign program shall be included as a part of architectural review for new industrial park overlay zone developments.”*

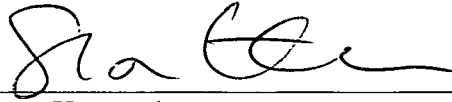
SECTION 2. Effective Date. This ordinance shall take effect thirty (30) days after its adoption.

SECTION 3. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

SECTION 4. Certification. The City Clerk shall certify the passage of this ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published as required by law, in a local newspaper of general circulation and which is hereby designated for that purpose.

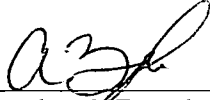
SECTION 5. CEQA. The City Council finds that this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

PASSED, APPROVED and ADOPTED this 26th day of April, 2017.




Steven A. Hernandez
Mayor

ATTEST:



Angela M. Zepeda
City Clerk

APPROVED AS TO FORM:



Carlos Campos
City Attorney

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


I HEREBY CERTIFY that the foregoing Ordinance No. 1103 was duly and regularly introduced at a meeting of the City Council on the 12th day of April, 2017, and that thereafter the said ordinance was duly passed and adopted at a regular meeting of the City Council on the 26th day of April, 2017.

AYES: Councilmember Bautista, Councilmember Sanchez, Councilmember Perez, Mayor Pro Tem Martinez and Mayor Hernandez.

NOES: None.

ABSENT: None.

ABSTAIN: None.



Andrea J. Carranza
Deputy City Clerk