

ATTACHMENT #2

RESOLUTION NO. 2024-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, ADOPTING AN ADDENDUM TO THE CITY'S GENERAL PLAN ENVIRONMENTAL IMPACT REPORT IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; APPROVING GENERAL PLAN AMENDMENT NO. 2024-02 AMENDING THE GENERAL PLAN LAND USE ELEMENT AND LAND USE MAP TO ADD A PUBLIC BENEFIT LAND USE DESIGNATION; AND DIRECTING STAFF TO FILE A NOTICE OF DETERMINATION

WHEREAS, pursuant to Government Code Section 65300 et seq., cities and counties are required to adopt a comprehensive, long-term General Plan to guide the social, economic, and physical development of their communities; and

WHEREAS, Government Code Section 65302(c) mandates that said General Plan include a Housing Element to adequately plan for the City's existing and projected housing needs, including its share of the regional housing need (RHNA); and

WHEREAS, the California Government Code requires that cities review and update their Housing Elements every eight years, according to a schedule set forth by the State Department of Housing and Community Development ("HCD"); and

WHEREAS, the City of Indian Wells has been assigned an allocation of 382 new housing units as its share of the Regional Housing Needs Assessment ("RHNA") in Southern California for the 6th Housing Element cycle covering the Planning Period 2021–2029; and

WHEREAS, on December 2, 2021, in accordance with Government Code section 65585(b)(1), the City submitted a Draft of the 2021–2029 Housing Element Update to HCD for their initial 60-day review, and received a findings letter from HCD indicating that revisions were necessary to be compliant with state Housing Law; and

WHEREAS, the City Council adopted, readopted and submitted subsequent drafts of the 2021–2029 Housing Element Update to HCD on June 13 2022, and July 6, 2023 responding to HCDs comment letters; and

WHEREAS, on November 15, 2023, in accordance with Government Code section 65585(b)(1), the City submitted the fourth subsequent draft 2021–2029 Housing Element Update ("subsequent draft Housing Element") to HCD for a fourth 60-day review period; and

WHEREAS, HCD issued a letter on December 12, 2023, finding that the subsequent draft Housing Element now meets the statutory requirements of the state Housing Element Law, and that the City must formally adopt the subsequent draft Housing Element and complete any necessary rezoning to accommodate the City's RHNA, prior to HCD certification of the City's 2021-2029 Housing Element; and

WHEREAS, on April 4, 2024, the City Council of the City of Indian Wells held a duly noticed public hearing and readopted the 2021–2029 Housing Element; and

WHEREAS, the City's readopted 2021-2029 Housing Element includes Program No. 3 (Production of New Housing Units [Shortfall Program]) to rezone between 8 to 10 acres of the approximate 34 acre vacant site at the northeast corner of Miles Avenue and Warner Trail (APN: 633-360-002) to address the City's lower income RHNA shortfall; and

WHEREAS, the required rezoning program involves text amendments to the General Plan Land Use Element and associated Land Use/Zoning Map to establish a new "Public Benefit" land use designation to accommodate the City's RHNA; and

WHEREAS, the City's re-adopted 2021-2029 Housing Element cannot be found by HCD to be in substantial compliance until the City has completed the rezoning program identified in Program No. 3 of the readopted Housing Element; and

WHEREAS, the City previously certified the General Plan Program Environmental Impact Report ("PEIR"), adopted a Mitigation Monitoring and Reporting Program, adopted a Statement of Overriding Considerations, and approved the General Plan on February 1, 1996, pursuant to the California Environmental Quality Act ("CEQA"); and

WHEREAS, pursuant to State CEQA Guidelines section 15162, a lead agency shall consider whether additional CEQA review is required when considering a subsequent discretionary approval for a project for which an PEIR was certified; and

WHEREAS, the City has prepared an Addendum to the General Plan PEIR pursuant to Public Resources Code Section 21166 and CEQA Guidelines Sections 15162 and 15164; and

WHEREAS, the City has independently reviewed and considered the previously certified PEIR and Addenda and other documents in the record before it and has determined that the General Plan Amendment and associated Zone Text and Zone Map Amendments would not result in any new significant environmental impacts or a substantial increase in the severity of previously identified significant environmental impacts and has therefore; and

WHEREAS, on April 25, 2024, the Planning Commission held a duly noticed public hearing and recommended City Council adopt the General Plan Amendment and associated Zone Text and Zone Map Amendments to implement the rezoning program identified in the adopted Housing Element; and

WHEREAS, a duly noticed public hearing on the General Plan Amendment and associated Zone Text and Zoning Map Amendments for the rezoning program was held by the City Council; and

WHEREAS, the City Council has considered the Planning Commission's recommendation along with information and testimony presented by City staff, the City's Housing Element consultant, community residents and other interested parties at a public hearing held on May 16, 2024.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF INDIAN WELLS RESOLVES AS FOLLOWS:

SECTION 1. The Recitals above are true and correct and are hereby adopted as findings as if fully set forth herein.

SECTION 2. The City Council has reviewed and considered the information contained in the certified PEIR and Addenda and all supporting documentation, copies of which are on file at the City's office and are incorporated by reference as though set forth fully herein. Based on this review, the City finds that any comments received regarding the General Plan Amendment have been examined and determined to not modify the significant conclusions of the PEIR and Addenda. The City further finds that no additional feasible mitigation measures within the City's authority are necessary to reduce the environmental impacts of the General Plan Amendment, because all impacts of the General Plan Amendment are either less than significant, will be mitigated to a level of less than significant through compliance with the existing mitigation, or remain significant and unavoidable even with the imposition all of feasible mitigation. Finally, based on the substantial evidence set forth in the record, including but not limited to the certified PEIR and Addenda, the City finds that none of the conditions triggering the need for subsequent environmental review have occurred. Specifically, the City finds that no subsequent environmental review is required pursuant to State CEQA Guidelines section 15162 because:

a. No substantial changes are proposed by the General Plan Amendment which will require major revisions of the PEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

b. No substantial changes have occurred with respect to the circumstances under which the General Plan Amendment is being undertaken which will require major revisions of the PEIR due to the involvement of new significant, environmental effects or a substantial increase in the severity of previously identified significant effects; and

c. No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the PEIR was certified, shows that: (i) either the General Plan Amendment will have one or more new significant effects; (ii) significant effects of modifications to the Project examined in the PEIR will be substantially more severe; (iii) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the General Plan Amendment, but the City declined to adopt the measure or alternative; or (iv) mitigation measures or alternatives which are considerably different from those analyzed in the PEIR and Addenda would substantially reduce one or more significant effects on the environment of the General Plan Amendment, but the City declines to adopt the measure or alternative.

SECTION 3. The City Council **ADOPTS** an Addendum to the General Plan Environmental Impact Report (SCH No. 94092037) pursuant to Public Resources Code Section 21166 and CEQA Guidelines Sections 15162 and 15164 and hereby directs staff to (1) prepare, execute and file with the County Clerk and Office of Planning and Research a Notice of Determination within five working days of the approval of this Resolution and (2) post the Notice of Determination and the Addendum on the City's website in accordance with Public Resources Code section 21082.1(c).

SECTION 4. In accordance with Section 21.06.015 of the City of Indian Wells Zoning Code, the following findings for approving General Plan Amendment No. 2024-02 are made:

1. The proposed General Plan Amendment is internally consistent with the General Plan:

FACT: The amendment will replace the current Residential Medium Density (“RMD”) land use designation for the site with a new Public Benefit land use designation. The amendment is internally consistent with the goals and objectives, and policies of the General Plan, including the Land Use Element and the adopted Housing Element. The adopted Housing Element identifies the availability of adequate sites to accommodate the City’s share of the Regional Housing Need on sites that have been previously identified for residential development, consistent with the City’s Land Use Element. A candidate site (APN: 633-360-002) has been identified in Program 3 of the adopted Housing for a future General Plan Amendment and Development Code Amendment to establish residential densities consistent with those identified in the Housing Element Update for the subject property. The City’s formal adoption of General Plan Amendment 2024-02 will result in implementation of this Housing Element program to help satisfy the City’s lower income RHNA.

2. The proposed General Plan Amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City:

FACT: Designating the new Public Benefit land use at the site will facilitate lower income housing opportunities within the City which will directly benefit citizens with a wide range of economic backgrounds, including workforce housing, disadvantaged groups, and those with special housing needs. The allowable park, recreation, and open space amenities will promote health, safety, convenience and the general welfare for residents and visitors.

3. The proposed General Plan Amendment will maintain the appropriate balance of land uses within the City:

FACT: The affordable housing, park, recreation and opens space uses allowed within the Public Benefit zone will provide a greater diversity of housing types, such as multifamily, condominiums, and townhomes, while allowing for greater recreational opportunities at the site as compared to the existing RMD land use designation. This will allow both younger and older generations of Indian Wells’ residents to remain in the community while attracting a broader economic base of residents to the City. The amendment will protect and enhance established neighborhoods while helping the City evolve into a more integrated, walkable, and cohesive community.

4. In case of an amendment to the General Plan Land Use Plan (i.e., Map), the subject parcel(s) is physically suitable (including, but not limited to access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested land use designation(s) and the anticipated land use developments(s).

FACT: The Project does not propose site-specific development; rather, it involves amendments to the General Plan Land Use Element, Zoning Code, and General Plan Land Use/Zoning Map to implement the required rezoning program to accommodate the City’s RHNA. The parcel proposed for amendments under the Project (APN 633-360-002) is designated Medium Density Residential, allowing for the development of up to 238 residential dwelling units. Similarly, the Project’s proposed PB-1 designation would allow for the development of up to 238 units. The parcel is bounded by Warner Trail, followed by single-family residential uses to the west; institutional uses (Gerald R. Ford Elementary School) to the north; the Indian Wells Tennis Garden to the east; and Miles

Avenue, followed by the Whitewater River flood control channel to the south. The area surrounding the site is generally developed and served by existing roadways and utilities. Future residential development of the site would be consistent with the land use and zoning of adjacent properties and would be a continuation of existing uses within the surrounding area. Implementation of the Project would not physically divide an established community, as residential development has been anticipated within this area and would be evaluated at the project level for consistency with the City's General Plan goals and policies.

SECTION 5. The City Council **APPROVES** General Plan Amendment No. 2024-02 amending the General Plan Land Use Element and General Plan Land Use/Zoning Map attached hereto as Exhibit "A" and incorporated herein by reference.

SECTION 6. The Clerk shall certify the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Indian Wells, California, at a regular meeting held on this 16th day of May 2024.

GREG SANDERS
MAYOR

CERTIFICATION FOR RESOLUTION NO. 2024-_____

I, Angelica Avila, City Clerk of the City of Indian Wells, California, **DO HEREBY CERTIFY** that the whole number of the members of the City Council is five; that the above and foregoing Resolution was duly and regularly passed and adopted at a regular meeting of the City Council of the City of Indian Wells on the 16th day of May 2024 by the following vote:

AYES:

NOES:

ATTEST:

APPROVED AS TO FORM:

ANGELICA AVILA
CITY CLERK

TODD LEISHMAN FOR
BEST BEST & KRIEGER
CITY ATTORNEY

EXHIBIT "A"

GENERAL PLAN AMENDMENT NO. 2024-02

(following page)

The City of Indian Wells General Plan Land Use Element, Chapter II, is hereby amended to read in its entirety as follows:

Chapter II: Community Development
IIA. LAND USE

Introduction and Authority

A community's quality of life is most often perceived in terms of the physical development of the land and its setting within the environmental surroundings. Aesthetically pleasing buildings, within well organized and properly distributed developments, help exemplify a community's values. The regulation of land usage, distribution, and intensity is within the domain of the General Plan. The Land Use Element specifically identifies these items, in both text and map format. Because of this, the Land Use Element of a general plan is typically the most recognized and referenced element.

The City of Indian Wells originally incorporated in order to control development, preserve the quality of life, and protect the City from the increasing pressures of surrounding communities. The quality of life in Indian Wells is quite unique and is defined by its environmental beauty, low-scale development pattern, and world class resorts. The City recognizes that unwarranted encroachment into any of these factors potentially jeopardizes the community's lifestyle.

California Government Code Section 65302(a) states,

"The general plan shall include a land use element which designates the proposed general distribution and general location and extent of the use of the land for housing, business, industry, open space, including agriculture, natural resources, recreation, and enjoyment of scenic beauty, education, public building and grounds, solid and liquid waste disposal facilities, and other categories of public and private uses of land."

Land use designations, goals, and policies identified in this Element are intended to promote orderly development and economic vitality with community character, historical identity, and the stewardship of natural resources.

The Land Use Element is consistent with all other elements of the General Plan and is based on community values and goals.

Organization of the Element

This Element is organized in a manner that facilitates clear understanding of the land use conditions in Indian Wells, and the direction for future development in the form of goals and policies. Existing land use conditions are discussed, followed by a description of the land use program, including text and maps. The description of the plan is supported in the goals and policies section. Policy statements are identified to provide specific directions for Indian Wells to achieve the quality of life the residents expect. The final section of this Element addresses various mechanisms the City is authorized to utilize in order to implement the land use policies.

Summary of Existing Conditions

The purpose of this section is to generally describe the City's land use conditions, infrastructure, community services, and fiscal plan as they existed at the time of the Element's update in 2006.

Existing Development Pattern

Indian Wells is characterized by beautiful golf courses, private communities, world-renowned resorts, and beautiful surroundings. The residents of the City have successfully maintained their high quality of life through prudent use of land use controls. The City currently has many mechanisms to ensure quality development, including but not limited to: the General Plan, Architecture and Landscape Design Standards, the Zoning Code, and private community Covenants, Conditions, and Restrictions (CC&Rs).

Overall, developed land areas within the Indian Wells General Plan Area encompass approximately 9,348 acres, accounting for 97 percent of the total Plan Area. The majority of the undeveloped land is open space, which includes private open space in golf course residential communities and the steep terrain of the Santa Rosa Mountains in the southern part of the City. The largest areas of vacant, but potentially developable lands, are located at the intersection of Miles Avenue and Washington Street adjacent to the Indian Wells Tennis Garden and the intersection of Miles Avenue and Highway 111. Other non-developed lands include golf courses, The Living Desert, and drainage channels.

Approximately 20 percent of all developed lands are residential (not including the private open space area associated with the residential development. (1980.5 acres). All single-family residential uses, with few exceptions, are single story. Three story multi-unit structures are located within the Vintage Club community and two-story multi-unit structures are found in the easternmost area of the City, south of Highway 111, in the Racquet Club HOA community.

Non-residential uses include mixed-use retail and office commercial centers and hotel resorts. *Four* commercial centers are located on the north and south sides of Highway 111, west of Cook Street. Additional small-scale commercial developments are located along Highway 111, including a center south of the Highway, on the east side of Club Drive and an office on the southwest corner of Highway 111 and Manitou Drive. The resorts are located on the north and south sides of Highway 111, in the central part of the City. The retail and office developments west of Cook Street are one and two stories in height, while the *Renaissance* Esmeralda Resort, the tallest structure in the City, is seven stories. The remaining vacant land in the City, approximately 278.7 acres, is shown in Figure IIA-1.

Land Use Inventory

Existing Land Uses

A comprehensive land use inventory of all land areas in Indian Wells was conducted in June, 2005- October 2006. The inventory was completed utilizing City base maps, aerial photos and a visual survey of the General Plan Area. Land uses, as existed in June, 2005-October 2006, are shown in Figure IIA-1. Land area estimates, by land use type, are identified in Table IIA-1.

Redevelopment Areas

The City of Indian Wells is strongly committed to redevelopment activities. Currently, the City has one redevelopment project areas; the Consolidated Whitewater Redevelopment Project Area. The Redevelopment Project Areas is shown in Figure IIA 1.

Infrastructure and Community Services

The development of land is highly correlated with the ability to provide sites with public infrastructure and services. Adequate distribution systems, along with sufficient human and natural resources, are necessary ingredients to the successful provision of urban services. The following section provides summary background information on the provision of public services and facilities to the City of Indian Wells.

Water

Water for domestic use, fire flow, agriculture, and irrigation is provided to Indian Wells by the Coachella Valley Water District (CVWD). The District currently encompasses approximately 1,000 square miles. Indian Wells is located within the 400-square mile Whitewater River Subbasin, which includes areas one mile west of the junction of Highway 111 and Interstate 10 to the Salton Sea, 70 miles to the southeast. The Whitewater River Subbasin is further divided into subareas, with Indian Wells located in the Upper Thermal Subarea.

Water Facilities

The major east to west CVWD water lines are located in Highway 111, Fred Waring Drive, Fairway Drive, and north of the Whitewater River flood control channel in Miles Avenue. North to south lines are located in Cook Street, Eldorado Drive, Indian Wells Lane, and Elkhorn Trail. A booster pump station is located in the Vintage Club. The City also includes private wells, such as wells located in golf courses for the purpose of watering the facility.

Reclaimed Water

CVWD encourages plans to expand programs for reclamation and reuse of water resources in accordance with California Department of Health Water Quality Guidelines. Reclaimed water is presently available from the CVWD's Plant No. 10, located northerly of the Whitewater River Channel and easterly of Cook Street. Toscana Country Club signed a contract in September 2004 to use recycled water on its two 18-hole golf courses.

THE CITY OF
INDIAN WELLS
 CALIFORNIA

General Plan

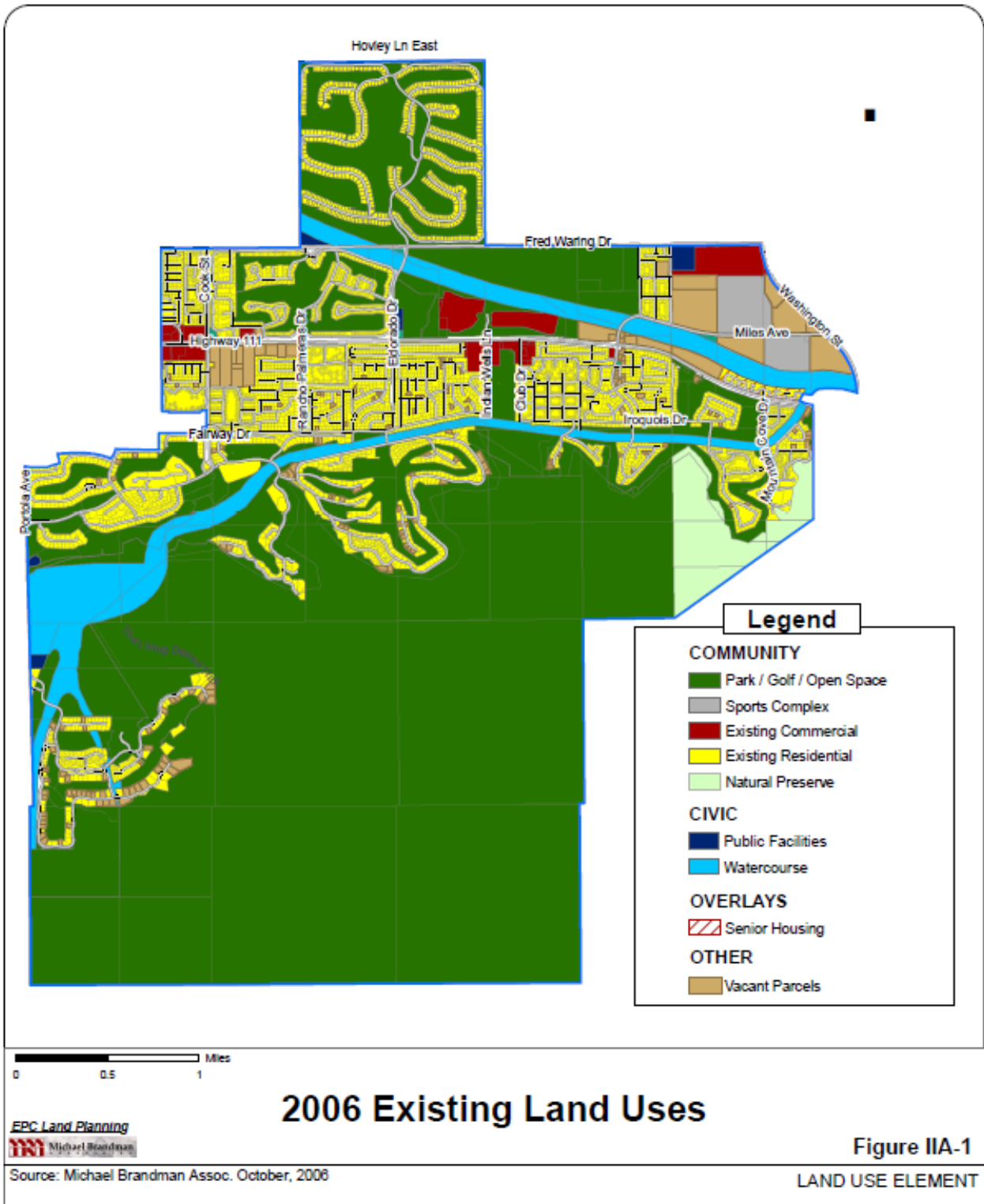
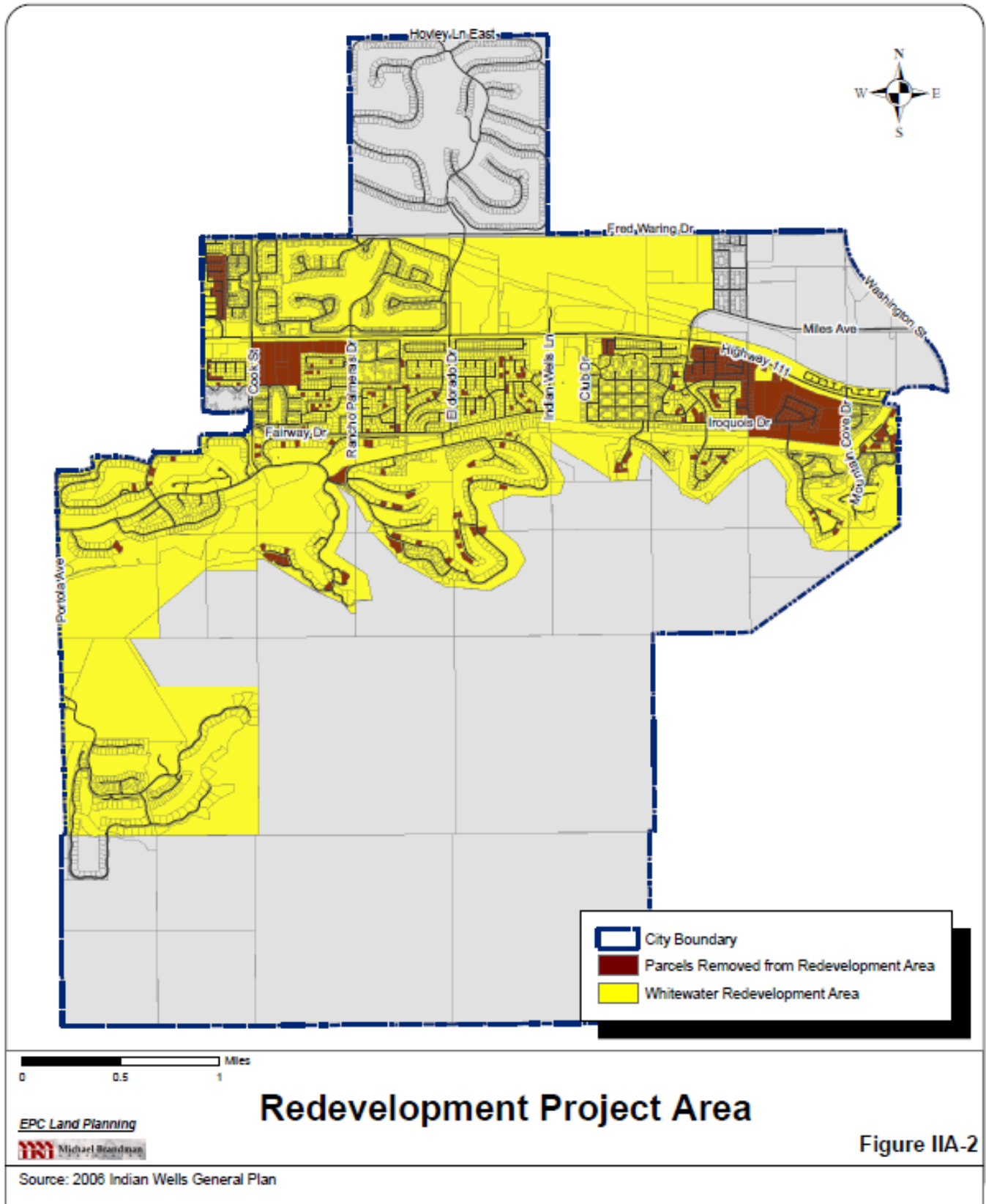


Table IIA-1. 2006 Existing Land Uses

Land Use Type	Acreage	% of Total*	No. of Units
Residential	1,980.5	20.5	4,807**
Commercial, Office, Sports Complex	244.0	2.5	*
Open Space, Parks, Natural Preserve, Golf Course, Recreation Overlay	6,190.6	64.3	*
Public Facilities	27.4	0.2	*
Watercourses, Drainage Channels	316.2	3.2	*
Streets	589.3	6.1	*
Vacant Land	278.7	2.8	*
TOTAL	9,626.7	100.0	4,807
Source: MBA/EPC GIS Data Base and Survey. Riverside County GIS. * Percentages rounded to equal 100. * *Includes detached and attached housing units per CA. Dept. of Finance, 1/1/2006			

General Plan



Wastewater Service

Indian Wells' sewer services are provided by the Coachella Valley Water District (CVWD). Effluent is transported via sewer lines to the Palm Desert treatment facilities located off Cook Street, northwest of the City limits.

The District's three major wastewater reclamation plants each have an ultimate capacity of handling 20 million gallons of effluent a day. The largest of the three, The Palm Desert Regional Wastewater Reclamation Plant, serves Indian Wells. Tertiary, or third stage facilities at this plant allow the District to provide water to serve several area golf courses, including Toscana Country Club.

To handle growth, capacity is being increased at the District's regional plant in Palm Desert. Improvements include construction of a 15 million dollar, 24 million gallons per day sludge handling plant to be completed in mid-2007.

Gas

Natural gas is currently supplied by the Southern California Gas Company. Presently, 6-inch high-pressure supply lines are located in Highway 111 and Cook Street.

Electrical Distribution

The City of Indian Wells receives electrical service primarily from Southern California Edison Company (SCE). A small portion of the eastern area of the City is served by the Imperial Irrigation District (IID). Southern California Edison's major transmission circuits are located one mile north of the City on Country Club Drive. An electrical substation is located north of Fred Waring Drive, within the City limits.

Solid Waste/Landfills

Indian Wells contracts with Burrtec Waste and Recycling Services for solid waste collection services. Solid waste generated in the area is taken to the Edom Hill transfer station and then delivered to either the El Sobrante Land Canyon or Badlands solid waste landfill.

Burrtec Waste and Recycling Services provides solid waste recycling programs. The programs include recycling grass clippings and other landscape materials into compost for reuse as fertilizer, as well as backyard pick-up service for newspapers, glass, plastic, tin, and aluminum from residential

areas. Commercial recycling includes the above materials plus cardboard and green waste.

Educational Facilities

Desert Sands Unified School District

The City of Indian Wells is part of the Desert Sands Unified School District (DSUSD). Gerald Ford elementary school is the only school in the City and is located at the intersection of Fred Waring Drive and Warner Trail. Palm Desert middle school and Palm Desert high school are located near the City.

Development Fees

The Desert Sands Unified School District bases its fees upon the conclusions in the *Residential Development School Fee Justification Study 2005*.

The Desert Community College District

The Desert Community College District, known as the College of the Desert (COD), covers 5,479 square miles. It encompasses five K-12 districts and portions of three counties: Riverside, San Bernardino, and Imperial. The District has three educational facilities with the closest campus to Indian Wells located in Palm Desert. The other sites are the Copper Mountain Campus in Joshua Tree and the Eastern Valley Center in Indio.

Additional College Opportunities

Indian Wells is served by universities and colleges in other cities and counties. The nearest university is the California State University, San Bernardino's Palm Desert campus on which the Indian Wells Center for Educational Excellence and Indian Wells Theater are located. University of California, Riverside (UCR) also has a satellite campus located in Palm Desert. Major universities in Los Angeles, Riverside, and San Diego provide expanded opportunities. Private colleges and vocational schools are also provided in nearby communities.

Libraries

Four branches of the Riverside Public Library/Riverside County Free Library system are located near Indian Wells. Two branches are in Palm Desert, one branch is in Indio, and one branch is in La Quinta. The City of Indian Wells presently participates in the Riverside County Free Library System. In addition, the City of Indian Wells is also part of the Rancho Mirage Public Library.

Civic Center

Located on the northeast corner of the Highway 111 and Eldorado Drive intersection, the Civic Center Complex houses City Hall, a Riverside County Sheriff substation, and Riverside County Fire Station No. 55. A stand of date palms is preserved in front of City Hall, and was dedicated as the City's first park, Indian Wells Date Palm Preserve. City Hall is proposed to be expanded in its present location over the next 5 years.

Hospitals and Health Care Services

Both the private and public sectors are involved in the planning of health facilities. Within the Coachella Valley, several private facilities serve Indian Wells' residents. Eisenhower Medical Center in Rancho Mirage, Desert Regional Medical Center in Palm Springs, and John F. Kennedy Memorial Hospital in Indio provide the most extensive service at the local level. The Eisenhower Urgent Care Center is located in the City of Indian Wells within the Wall Street West Complex and provides non-emergency health care services to the community.

In addition to the privately-owned facilities, the Riverside County Health Department operates various health programs. Most of the continuing community personal health and mental health services for the desert area are located in County facilities in Indio.

Police Protection

Police protection is provided by the Riverside County Sheriff's Department under contract with the City. A Sheriff's substation is located in the Civic Center Complex. The Sheriff's Department provides protective response, investigatory, and patrol services. As part of the City's contract with the Sheriff's Department, a Community Services Officer is assigned to patrol the City on a 24-hour basis.

In addition to police protection services provided by the Sheriff's Department, most private, gated communities have private, internal security services for their residents. These forces work in conjunction with the Sheriff's Department.

Fire Protection, Paramedic/Ambulance Services

The City of Indian Wells provides fire protection and paramedic services in Indian Wells under contract with Riverside County. Station No. 55 is located within the Civic Center Complex. The paramedic unit is housed in the fire

station and provides no-cost treatment and emergency transportation for City residents.

Flood Protection

The desert region is subject to intense storms which result in sudden and substantial runoff and flash flooding. The City of Indian Wells has two major flood control channels. The Whitewater River and Deep Canyon flood control channels generally run west to east north of Highway 111 and south of Highway 111, respectively.

The City's Floodplain Management Ordinance specifies construction standards for all areas of special flood hazard. All new construction and improvements are required to be constructed using methods and practices that minimize flood damage and provide adequate drainage. The Flood Zones map (Figure IVA-3), along with additional detail regarding flood hazards, is found in the Community Safety Element.

Economic Conditions

Cities utilize Capital Improvement Programs (CIP) to chart how they will achieve revenues and pay for capital improvements. The CIP is a five-year program, revised annually. Capital Improvement Programs are implementation tools for the General Plan.

Capital Improvement Program

The City of Indian Wells is currently operating within a Capital Improvement Program for fiscal years 2004-05 through 2008-09. The 2004-2009 CIP identifies a total of 44 capital projects, costing an estimated \$134,288,775. Capital projects are organized into functional groups, including: Streets & Highway, Traffic Safety, Government Buildings, Parks & Landscaping, Golf Course *Improvements*, Drainage & Improvements, and Miscellaneous Improvements. Revenues to pay for the capital projects are provided by the Capital Improvement Fund, Measure "A" Transportation Fund, Citywide Public Improvement Fund, Art in Public Places Fund, RDA Whitewater Capital Improvement Fund, Golf Resort Improvement Fund, and the Low/Moderate Housing Fund, and Transportation Uniform Mitigation Fees (TUMF).

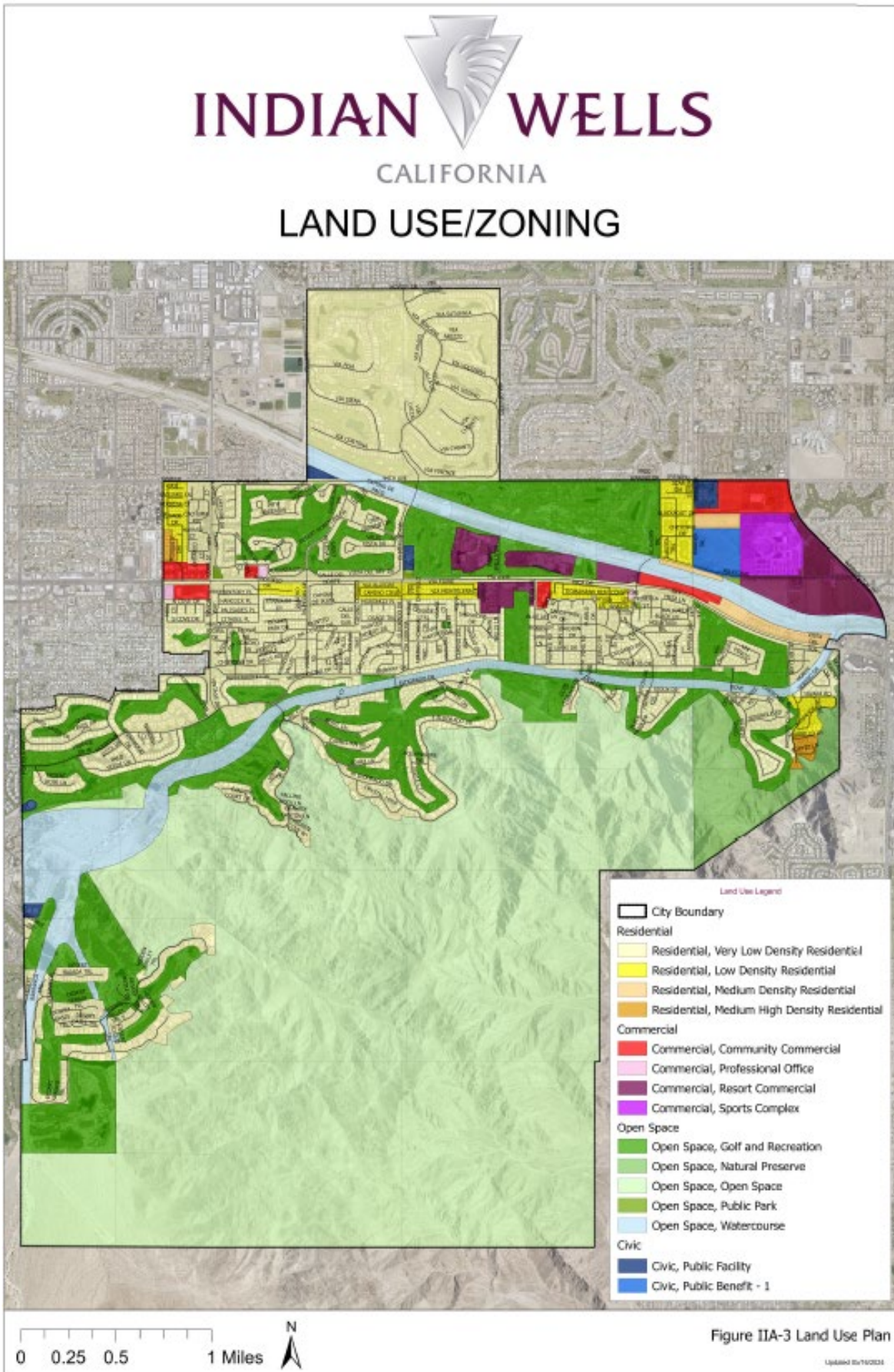
Description of the Land Use Plan

The remaining sections of this Element describe the Land Use Plan for the City of Indian Wells. The Land Use Plan is composed of both descriptive text and an illustrative map. The text discusses the long-term development vision of the City, including land use designations and buildout assumptions. The Land Use Plan map identifies the location and distribution of the land uses **as shown in Figure IIA-3**. The text and map are supported by land use goals and policies.

Land Use Plan

Indian Wells is a unique desert community that intends to remain the premier residential/resort city in the Coachella Valley. The residential quality of life is the City's primary concern. The Land Use Plan, therefore, strives to maintain and preserve the existing residential nature of the City. The quality of life will be maintained by a balance of lower intensity residential densities with site development and environmental quality standards. Additional *development* opportunities are provided for near the intersection of Miles Avenue and Washington Street adjacent to the Indian Wells Tennis Garden and the intersection of Miles Avenue and Highway 111.

The predominantly residential character of the community will continue to be supported through revenues from the resort industry. The City has positioned itself, however, to diversify its revenue base by designating significant portions of the area around the Indian Wells Tennis Garden as *Resort Commercial*.



Based on the Land Use Plan map, Figure IIA-3, full buildout within the current City limits could increase from 4,807 residential units to 5,635 residential units. The City's population would increase to an estimate of 10,802 persons factoring in a vacancy rate of 0 percent. However, the City has a historical vacancy rate of approximately 48% reflecting the seasonal nature of the population, therefore, the adjusted buildout population is approximately 5,185 (Note. The California Department of Finance uses the 48% vacancy rate in determining the City's "official" population). The buildout statistics are based on full development of all vacant lands. Land Use Plan buildout potentials and assumptions are shown in Table IIA-2. Existing demographics, including housing and population characteristics, are discussed in detail in the Housing Element.

Table IIA-2. 2025 General Plan Land Use Buildout Estimate

Land Use Designation	Acres	Units ⁽¹⁾ or Floor Area Ratio (FAR)	Sq. Ft. ⁽²⁾
Residential			
Very Low Density (1.0-3.0 du/ac)	1,921.7	4,341	
Low Density (3.1-4.5 du/ac)	138.4	534	
Medium Density (4.6-7.0 du/ac)	51.42	322	
Medium High Density (7.1-12.0 du/ac)	18.7	195	
Residential Subtotal	2,130.22	5,392	
Commercial			
Professional Office	9.3	FAR 0.5	202,554
Resort Commercial	151.2	No FAR	1,561,313
Sports Complex	90.7	No FAR	4,404,392
Community Commercial	87.8	FAR 0.75	3,824,568
Commercial Subtotal	339.0		9,992,827
Open Space			
Golf Course Recreation Overlay	1,520.4		
Public Park	6.0		
Open Space	4,465.7		
Natural Preserve	198.5	5⁽³⁾	
Watercourse	613.2		
Open Space Subtotal	6,506.8		
Civic/Other			
Public Facility	27.4		
Public Benefit ⁽⁴⁾ (8.0-24.0 du/ac)	33.98	238	
Streets	589.3		
Civic/Other Subtotal	650.68	238	
Totals	9,626.7	5,635	9,992,827
Estimated Population (no vacancy rate included)		10,802	
Estimated Population with vacancy rate per California Dept. of Finance)		5,185	
Source: MBA/EPC GIS (1) Based on acres per category times actual density of category as calculated by GIS (2) Assumes FAR unless otherwise noted in Table. (3) General Plan allows 1/du per 40 acres in Natural Preserve Area. (4) residential uses are restricted to "Residential Areas" as defined by the applicable Public Benefit zoning district.			

Land Use Plan buildout potentials are required to identify the full buildout of all designated lands in the Plan Area for environmental analysis purposes. Because of this, projections are usually higher than actual buildouts. Buildout also includes existing developed areas that may currently be built at lower densities than permitted by the designation, which also inflates the buildout figures.

Land Use Designations

The land use designations described in this section establish the type and intensity of future development, as identified in the Land Use Plan map and buildout table.

Residential

The Plan provides for residential densities which range from one dwelling unit per 40 gross acres to twelve dwelling units per gross acre. It should be noted that the upper end of each density range is not guaranteed, but rather represents the potential density that could be achieved after specified performance standards are met. To maintain the City's existing low density residential character, the majority of the residentially designated lands are identified as Very Low Density (1.0-3.0 du/ac). The following criteria will be used to determine maximum residential density within each density range:

- compatibility with surrounding land uses;
- floodplain protection;
- adequacy of public infrastructure, including water, sewer, gas, and electricity;
- proximity to health care facilities, commercial areas, and other services;
- provision of neighborhood-serving open space and recreation;
- access and proximity to major streets;
- preservation of natural resources and vegetation; and
- mitigation of negative environmental impacts such as noise, traffic, and light and glare.

Residential Designations

Very Low Density (1.0-3.0 du/ac): Single family detached homes on lots a minimum of 12,000 square feet (sq. ft.).

Low Density (3.1-4.5 du/ac): Single family detached homes on lots a minimum of 8,500 sq. ft.

Medium Density (4.6-7.0 du/ac): Single family detached homes, cluster developments, and attached units.

Medium High Density (7.1-12.0 du/ac): Attached dwelling units such as townhouses, condominiums, and congregate care for seniors.

Commercial

The resorts will continue to be the primary commercial use in the City. A significant portion of *the* area surrounding the Indian Wells Tennis Garden is designated as Resort Commercial which would allow both retail and office uses. The Land Use Plan also identifies 9.3 acres designated for Professional Office development.

Commercial Designations

Community Commercial (FAR 0.75): Attractively designed retail, office, and shopping areas. Uses may include retail shops, offices, restaurants, personal service shops, grocery stores, movie theaters, hotels and resort complexes, and similar uses.

Resort Commercial (No FAR Restriction): Attractively designed hotel and resort complexes. The developments will have quality architectural design and extensive landscaping. Parking areas will be screened from public streets with landscaping, buffer areas, or decorative walls. Uses include hotels as the primary use with ancillary tourist commercial uses that may include restaurants, related convention facilities, and supporting retail and personal services.

Professional Office (FAR 0.50): Attractively designed professional offices that are compatible with surrounding neighborhoods and adjacent areas. Developments will be a maximum of two stories in height and will have extensive landscaping. Parking areas will be screened from public streets with landscaping, buffer areas, or decorative walls.

Typical uses would include administrative and professional offices, medical and dental offices, and financial institutions.

Civic

This designation includes two categories: Public Facility and Public Benefit. As public facilities follow, rather than lead development, new areas for public facilities will be designated as development occurs. The uses within this category, however, include utility agency substations, the Gerald Ford Elementary School, and City Hall. Uses that provide a public benefit will also be identified and located as appropriate on the land use map.

Civic Designation

Public Facility: Facilities such as the Civic Center, police and fire stations, public utilities, schools and other governmental or public facilities, such as auditoriums, museums, and libraries.

Public Benefit (8.0-24.0 du/ac): Space for the provision of uses that are beneficial to the public, including affordable housing and supporting uses, such as public park, recreation, open space, and parking.

Open Space and Recreation

The Open Space and Recreation category encompasses six designations, as described below. The designations are intended to provide a range of public and private open spaces and recreational areas for enjoyment and safety of the residents. The Watercourse designation, particularly, is applied to areas subject to flood hazard within the 100-year floodplain. Floodplain areas include the City's two flood control channels and an area of unimproved floodway in the Deep Canyon area.

Open Space and Recreation Designations

Public Parks: Publicly owned parkland which is dedicated or reserved for passive recreational use by the public.

Golf and Recreation: Public and private golf courses and tennis facilities.

Open Space: Privately and publicly owned lands maintained in a natural state. Development in these areas is subject to the Hillside Management Plan.

Natural Preserve (1.0 du/40 gross ac): Privately owned lands with limited residential development permitted subject to the restrictions of the Hillside Management Plan (HMP), consistent with the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP).

Sports Complex: Publicly and privately owned land and improvements to accommodate professional or amateur sporting events. This includes the Indian Wells Tennis garden and related facilities.

Watercourse: Includes the Whitewater River and Deep Canyon flood control channels and other areas subject to flood hazard. Federal standards prohibit development in the floodway. Some Watercourse areas, however, are used for golfing. The 100-year and 500-year flood zones are depicted in the Community Safety Element, Figure IVA-3.

Goals and Policies

The land use goals and policies identified in this section translate the City's long-range vision into public policy. The policies will be used on a daily basis to evaluate development proposals and guide City-wide decisions. The section is organized by goals and policies pertaining to Land Development, City Image, Orderly Growth, and Economic Development.

Land Development

Goal IIA1

Development which maintains the City's quality residential and resort character, with adequate provisions for the housing needs of all economic segments of the community.

Residential Policies

IIA1.1 Require multifamily structures located adjacent to single-family parcels to incorporate adequate screening into project design to prevent view intrusion.

IIA1.2 Assist in the development of adequate housing to meet the needs of very low, low, and moderate income households through implementation of the Housing Program set forth in the Housing Element.

IIA1.3 Encourage clustering of residential uses to minimize impacts from noise, flooding, slope instability, and other environmental hazards, or to achieve other desirable City objectives. Clustering of units on smaller than identified lot sizes may be approved in all residential categories, except within the Very Low Density designation. Clustering in the Very Low Density designation can only occur if a specific plan or master plan is approved by the City Council, in accordance with the procedures established in the Zoning Code.

IIA1.4 Prohibit residential development in areas of greater than 65 **Community Noise Equivalent Level (CNEL)** unless effective mitigation measures can be incorporated into project designs to reduce noise levels to 65 CNEL in outdoor activity areas and 45 CNEL in indoor areas.

IIA1.5 All residential developments are subject to the density and lot size requirements established in the General Plan (unless clustering is utilized). Residential development must also comply with any adopted regulations, such as but not limited to, design guidelines, environmental mitigation measures, and impact fees.

Commercial Policies

IIA1.6 Encourage new commercial development that relates to the City's resort industry.

IIA1.7 Commercial developments shall be located and designed to minimize the impact on traffic circulation and residential land uses.

IIA1.8 Require physical separation (i.e., setbacks or barriers) where commercial development abuts residential development, and where land uses abut major arterial highways.

IIA1.9 All commercial development shall be consistent with the requirements of the General Plan, including use types and must comply with any applicable Use Permit conditions, design guidelines, impact fees, or other development-related requirements for a particular site.

General Development Policies

IIA1.10 Assist in the consolidation of contiguous smaller parcels for development purposes.

IIA1.11 The following types of development shall be prohibited in Indian Wells:

- Linear or "Strip" Commercial Development
- Heavy Polluting Industry
- Billboards

IIA1.12 Require development to utilize low intensity lighting and/or screening to minimize light spillover and glare.

IIA1.13 Require all new development proposals to provide evidence of land use compatibility with current and future land uses.

IIA1.14 Require sufficient areas of open space in all new development projects.

IIA1.15 All development projects will provide sufficient off-street parking to adequately serve the projected vehicles generated by the land use.

IIA1.16 Permit the use of solar panels to maximize energy efficiency provided the panels are screened from public view in accordance with the City's design guidelines.

IIA1.17 Require the installation of water conservation devices in new development pursuant to the Uniform Building, Mechanical, and Electrical Codes.

IIA1.18 (1) The City will encourage green building design which could include conserving non-renewable energy and non-renewable materials. promoting water efficient landscaping and other methods to support environmental conservation and to assist in the concerns of global warming.

(2) The City will provide public information on Sustainable Development Practices which will assist in acceptable levels of global resource depletion and environmental pollution.

City Image

Goal IIA2

Maintain the City of Indian Wells as a beautiful and aesthetically pleasing community.

Public Improvement Policies

IIA2.1 Continue the Art in Public Places program, including the identification of funding sources and potential sites for public art display. The program may include, but is not limited to, City entry monumentation, streetscape treatments (including street signs), and other public area improvements.

Private Development Policies

IIA2.2 Encourage development which capitalizes on the area's natural environmental setting and preserves views of scenic hillside areas.

IIA2.3 Regulate building height to avoid obtrusive breaks in the natural skyline and to be responsive to surrounding settings.

IIA2.4 Implement the Hillside Management Plan (HMP) consistent with the Coachella Valley Multiple Species Habitat Plan (CVMSHCP).

IIA2.5 Maintain and promote high quality urban design to ensure and enhance the quality image and residential character of the City.

IIA2.6 All development in the City will comply with approved design standards, including but not limited to, architecture, landscaping, site design, and other development related regulations intended to enhance and promote the image of Indian Wells.

Orderly Growth

Goal IIA3

New development which is coordinated with the provision of infrastructure and public services.

Infrastructure and Community Services Policies

IIA3.1 Require right-of-way and other necessary improvements to be installed by developers as each property develops.

IIA3.2 Locate new development where infrastructure and community services are available or can be expanded without adverse effects on existing uses.

IIA3.3 Encourage the provision of cost-efficient public services, such as low maintenance, water efficient public landscaping.

IIA3.4 Continue to contract with public and private entities for the provision of public services as long as these services are more economical, more accessible, and/or better serve the needs of residents than City-provided services.

IIA3.5 Coordinate the planning of future public services and facilities with adjoining cities and County service providers to ensure the efficient delivery of services.

IIA3.6 Work with other public agencies in developing multi-functional public service centers in the community.

IIA3.7 Continue to work with Riverside County to provide comprehensive planning and future fire protection services.

IIA3.8 Continue to upgrade older water mains in the City as needed to ensure adequate water pressure for fire fighting.

IIA3.9 Periodically survey residents to assess the perceived adequacy of City services and facilities.

IIA3.10 Encourage the provision of community facilities.

Economic Development

Goal IIA4

Protection of the fiscal integrity of Indian Wells.

Revenue Generating Policies

IIA4.1 Maintain significant revenue-generating land uses in the City, particularly Resort Commercial uses, to assure a balance of costs and revenues over time.

IIA4.2 Continue to promote the City of Indian Wells through regional and local business associations, tourist councils and committees, and other methods.

IIA4.3 Assess the probability of market support for commercial projects to ensure anticipated fiscal benefits can be realized and the competitive position of the City is not jeopardized by undermining the market performance of effective existing commercial uses.

IIA4.4 Continue to utilize Redevelopment activities to improve the City's fiscal position.

Expenditure Control Policies

IIA4.5 Require that development pay its pro-rata share of the cost of public services and facility expansions required by that development.

IIA4.6 Define benefit-related areas in which appropriate development fees will be established to defray the costs necessary to provide public services to the area.

IIA4.7 Review the fiscal viability of future development projects in terms of net effect resulting from construction and probable land use activities.

Implementation of the Land Use Element

Indian Wells is authorized by law to utilize a variety of mechanisms to implement the policies of the Land Use Element. The following summarizes the most common methods for implementing land use elements. Indian Wells is not limited by the ordinances, plans, and documents listed here.

Zoning Ordinance: The City will update and revise the zoning text and map to ensure State mandated consistency between the General Plan and Zoning Ordinance.

Capital Improvement Program: The City's Capital Improvement Program is possibly the most important implementation tool available. Because of this, it will be consistent with, and implement the General Plan.

Specific Plans: Specific plans are implementing tools for general plans and must be consistent with the General Plan, as required by State Government Code Section 65454.

Redevelopment Plan: The Redevelopment Plan must be consistent with the General Plan.

Design Guidelines and Standards: Design guidelines and standards are used to preserve and enhance the physical appearance of the City, and therefore must be consistent with the General Plan.

Public Facility and Service Plans: Although the City does not provide water, sewer, fire, police, and other public services, all outside agency plans must be consistent with the General Plan.

Hillside Management Plan: The City will revise the Hillside Management Ordinance for the area within the Santa Rosa and San Jacinto Mountains to be consistent with the Coachella Valley Multiple Habitat Conservation Plan (CVMSHCP).

The Land Use Element's success is the responsibility of all City residents and staff, the development community, service agencies, and City decision-makers. All land use actions by the City should be directed towards the implementation of the policies identified in this Element.