

## ATTACHMENT #2

### RESOLUTION NO. 2025-\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, APPROVING, PURSUANT TO THE CERTIFIED FINAL ENVIRONMENTAL IMPACT REPORT (SCH #2024071208), FOR THE CITY OF INDIAN WELLS COMPREHENSIVE GENERAL PLAN UPDATE AND ASSOCIATED ZONE MAP AMENDMENT, GENERAL PLAN AMENDMENT NO. 2025-01 ADOPTING A COMPREHENSIVE UPDATE TO THE CITY'S GENERAL PLAN AND APPROVING AN ORDINANCE TO ADOPT ZONE MAP AMENDMENT NO. 2025-01 AMENDING THE CITY'S OFFICIAL ZONING MAP CONSISTENT WITH THE UPDATED GENERAL PLAN LAND USE MAP.**

**WHEREAS**, Government Code Section 65300, *et seq.* requires the City of Indian Wells ("City") to adopt and maintain a General Plan that contains certain elements, describes its long-term goals, and develop policies and programs to achieve those goals; and

**WHEREAS**, the City last updated its General Plan in 1996 to guide the physical development of the City; and

**WHEREAS**, the General Plan has been periodically amended, including updates to the Housing Element as required by State law; and

**WHEREAS**, in May 2020, the City Council approved a professional contract with De Novo Planning Group to prepare a comprehensive update to the City's General Plan (the "Project" or the "General Plan Update"); and

**WHEREAS**, the City has sought to proactively engage the public in the update to the General Plan, including four visioning workshops, pop-up events, online surveys, social media posts, public review draft comment period, and various briefings to the Planning Commission and City Council throughout the duration of the Project; and

**WHEREAS**, the General Plan Update contains State-mandated elements of Land Use, Open Space, Conservation, Safety, Noise and Circulation as well as other topics of local importance, including community design, sustainability, economic development, and public facilities; and

**WHEREAS**, an Existing Conditions Report, which is not an official part of the adopted General Plan, was prepared in support of the General Plan Update and contains background information relevant to the General Plan Elements; and

**WHEREAS**, the existing Housing Element adopted by the City Council on April 4, 2024 (2021-2029 Housing Element of the General Plan) will remain in full force and effect following adoption of the General Plan Update; and

**WHEREAS**, each Element of the General Plan Update contains the diagrams, data, analysis, standards and policies required by State law; and the degree of specificity and level of detail for each Element of the General Plan Update reflects local conditions and circumstances; and

**WHEREAS**, the General Plan Update and its Elements comprise a logical, integrated, internally consistent and compatible statement of goals, policies and objectives; and

**WHEREAS**, the General Plan Update is in the public interest because it plans for future growth through orderly development, ensures adequate public services and facilities are available to the public, and supports fiscal sustainability by encouraging economic prosperity; and

**WHEREAS**, this Resolution also recommends City Council approve the Ordinance to adopt Zone Map Amendment 2025-01 amending the City's official Zoning Map consistent with the updated land use designations shown on the General Plan Update Land Use Map (Figure CD-2) as required by the State of California; and

**WHEREAS**, pursuant to the California Environmental Quality Act ("CEQA") (California Public Resources Code §§ 21000, *et seq.*) and the State CEQA Guidelines (14 California Code of Regulations, §§15000, *et seq.*), the City prepared a Programmatic Environmental Impact Report ("EIR") to evaluate the environmental impacts associated with implementation of the Indian Wells General Plan Update; and

**WHEREAS**, the City released the Public Review Draft General Plan and associated EIR on November 7, 2024 and invited comments until December 23, 2024; and

**WHEREAS**, notice of a public hearing of the Planning Commission to consider General Plan Amendment No. 2025-01 for the General Plan Update and Zone Map Amendment No. 2025-01 updating the City's official Zoning Map was given in accordance with applicable law; and

**WHEREAS**, on January 30, 2025, the Planning Commission conducted a duly noticed public hearing to consider the Draft EIR for the Project and adopted PC Resolution No. 2025-02 recommending City Council certify the Final EIR, make the findings required by CEQA, adopt a statement of overriding considerations, and approve a mitigation monitoring and reporting program; and

**WHEREAS**, on January 30, 2025, the Planning Commission held a duly noticed Public Hearing on the General Plan Update, Zone Map Amendment, and recommended approval to City Council; and

**WHEREAS**, on February 13, 2025, the City Council held a duly noticed Public Hearing on the General Plan Update, Zone Map Amendment, and associated EIR; and

**WHEREAS**, on February 13, 2026 the City Council adopted a Resolution certifying the Final EIR for the General Plan Update, adopting the required CEQA findings, Statement of Overriding Considerations, and approving the Mitigation Monitoring and Reporting Program; and

**WHEREAS**, after careful consideration of the staff report, public testimony, and all the information presented at the hearing, including project materials and exhibits, the City Council finds that the General Plan Amendment and associated Zone Map Amendment is consistent with General Plan goals and policies pertaining to land development, city image, orderly growth, and economic development.

**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. Findings.** In accordance with Section 21.06.015 of the City of Indian Wells Zoning Code, the following findings for approving General Plan Amendment No. 2025-01 are made:

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

**FACT:** The comprehensive update to the General Plan is internally consistent with the goals and objectives, and policies of the General Plan. All General Plan Elements have been updated to provide for and promote overall goals, objectives and policies that are consistent with each other, integrated, and internally consistent.

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

**FACT:** 1. The comprehensive update to the General Plan will not be detrimental to the public interest, health, safety, convenience, or welfare of the City because it has been developed to guide and accommodate land uses, housing and circulation infrastructure in accordance with current law, community need, and future demand. The updated Land Use Map and associated Zone Map Amendment 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 transition of some of the City's vacant parcels from Open Space and Community Commercial to Resort Commercial better aligns with the City's vision as a resort destination and will fiscally benefit the City in the future as an additional source of transient occupancy tax (TOT) as these properties develop. In addition, the new Public Benefit Land Use Designation improves access to affordable housing, park, recreation and opens space uses and allows the City to provide a greater diversity of housing types, such as multifamily, condominiums, and townhomes, while allowing for greater recreational opportunities. 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 General Plan Land Use Map was amended to convert existing vacant property along the north side of HWY 111 east and west of Miles Avenue from Community Commercial and Open Space to Resort Commercial land use designations. This area is already developed and served by existing roadways and utilities. Future Resort Commercial development of these sites would be consistent with the existing land use and zoning of the contiguous properties and would be a continuation of existing uses within the surrounding vicinity. Future buildout of the General Plan Land Uses within this area would not physically divide an established community and would be adequately served by existing utility infrastructure and public services.

**SECTION 3.** CEQA Having considered the administrative record, the certified EIR and all written and oral evidence presented to the City Council, the Council finds that all environmental impacts of the General Plan Update have been addressed within the FEIR, as set forth in the Resolution certifying the Final EIR, and directs staff to file a Notice of Determination for the General Plan Update under CEQA.

**SECTION 4.** The City Council **ADOPTS** the Resolution approving General Plan Amendment No. 2025-01 for the comprehensive Update to the City of Indian Wells General Plan, attached hereto as **Exhibit "A"** and incorporated herein by reference, and approves the Ordinance to adopt Zone Map Amendment 2025-01 attached hereto as **Exhibit "B"** and incorporated herein by reference.

**SECTION 5.** This Resolution shall take effect upon adoption.

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

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Indian Wells, California, at an adjourned regular meeting held on this 13<sup>th</sup> day of February 2025.

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**BRUCE WHITMAN**  
**MAYOR**

**CERTIFICATION FOR RESOLUTION NO. 2025-\_\_\_\_**

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 (5); that the above and foregoing Resolution was duly and regularly passed and adopted at an adjourned regular meeting of the City Council of the City of Indian Wells on the 13<sup>th</sup> day of February 2025, by the following vote:

AYES:

NOES:

**ATTEST:**

**APPROVED AS TO FORM:**

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**ANGELICA AVILA**  
**CITY CLERK**

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**TODD LEISHMAN FOR**  
**BEST BEST & KRIEGER LLP**  
**CITY ATTORNEY**

**EXHIBIT "A"**

**CITY OF INDIAN WELLS  
GENERAL PLAN UPDATE 2040**

**(Attachment 3 to Staff Report)**

**EXHIBIT "B"**

**ORDINANCE  
ZONE MAP AMENDMENT**

**(Attachment 4 to Staff Report)**