

CHAPTER 7

ESTABLISHMENT OF SPECIFIC PLAN ZONING DISTRICTS



Establishment of Specific Plan Zoning Districts

A. Introduction

This Chapter establishes zoning districts for the North City Specific Plan. An objective of the Specific Plan is to create a forward-looking and responsible plan that provides for development of the Specific Plan area with land uses and intensities appropriately designated to meet the needs of anticipated growth. The Specific Plan districts support this objective by providing for a suitable mixture of uses and development standards that will create vitality, build community, and be responsive to the North City environmental context.

The Specific Plan districts have been determined, in part, by three environmental factors:

- The presence of environmentally sensitive lands within the recently established **Multiple Species Habitat Conservation Plan (MSHCP)**. As discussed in Chapter I of this Plan, the MSHCP Area covers more than half of North City. Zoning of properties within the MSHCP Area is described in Section C of this chapter.
- The incidence of a multitude of **drainage and watercourses** within the Specific Plan area. Section D of this chapter describes the existing drainage washes and minor streams in the Specific Plan area that may require additional federal, state or regional permitting.
- **Significant topography**. Section E establishes the Hillside Overlay (-HO) District, which addresses special siting issues requiring development regulations in addition to those found in the underlying zoning districts.

B. Specific Plan Districts

The Specific Plan contains eight base zoning districts and one overlay district for North City (Figure 7-1). Four of these zoning districts are subject to the existing provisions of the Cathedral City Municipal Code (CCMC), as follows:

- **Light Industrial (I-1)**, pursuant to Chapter 9.40 (I-1 Light Industrial District)
- **Residential Estate (RE)**, pursuant to Chapter 9.12 (RE Residential Estate District)
- **Open Space Residential (OS-R20)**, pursuant to Chapter 9.44 (OS-R Open Space Residential District)



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- **Open Space (OS)**, pursuant to Chapter 9.42 (OS Open Space District), with the following addition:
 - Wind turbines are permitted with a Conditional Use Permit (CUP).

The North City Specific Plan establishes the following new zoning districts:

- **Mixed Use-Neighborhood (MU-N)**
- **Mixed Use-Urban (MU-U)**
- **Business Park (BP)**
- **Edom Hill – Light Industrial (EH-LI)**
- **Hillside Overlay (-HO)**

The Specific Plan districts and associated regulations are described in Chapters 8 through 11 of this Plan and provide property and business owners, developers and their designers with basic development criteria that reinforce the desired character of North City. Applicable design standards and guidelines for residential, commercial, mixed use, and industrial uses are included in Chapter 12 of this Plan.



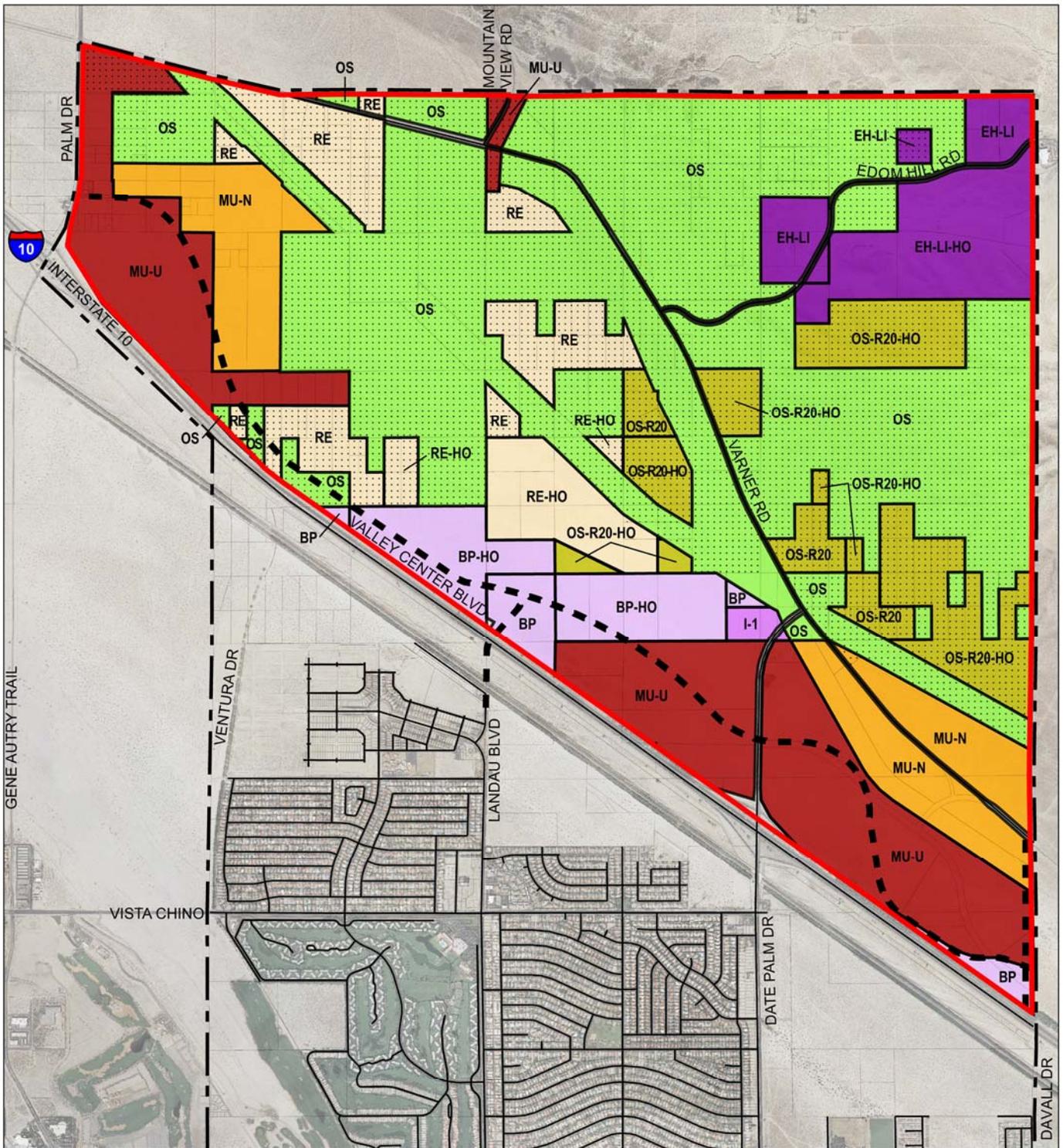


Figure 7-1: Specific Plan Zoning Districts

- Specific Plan Area
- City Boundary
- MSHCP Conservation Area
- Mixed Use - Urban (MU-U)
- Mixed Use - Neighborhood (MU-N)
- Business Park (BP)
- Edom Hill Light Industrial (EH-LI)
- Light Industrial (I-1)
- Residential Estate (RE)
- Open Space Residential (OS-R20)
- Open Space (OS)
- HO Hillside Overlay
- Existing Road
- Future Road (approximate alignment)



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C. Zoning within the MSHCP Conservation Area

1. Intent

The MSHCP Conservation Area (Conservation Area) covers more than half of the North City Specific Plan area (Figure 7-1). As described in Chapter 1 of this Plan, the MSHCP limits development within the Conservation Area in order to conserve large areas of land as natural and undeveloped and maintain their function as prime habitat for several endangered species. The intent of this section is to describe how zoning is dealt with in the MSHCP Conservation Area.

2. Conservation Target

The Coachella Valley Conservation Commission (CVCC), a joint powers authority of elected representatives who administer the MSHCP, is targeting a minimum of 90% conservation within the Conservation Area. Its primary purpose is to buy land from willing sellers in the Conservation Area and to manage that land. As a corollary, the MSHCP permits new development to occur within the Conservation Area as long as total new development (including land needed for necessary public infrastructure) does not exceed 10% of the total Conservation Area land acreage, and that new development occurs at appropriate locations that do not disrupt sensitive habitat and essential ecological processes. Consistent with this goal and the intent of the MSHCP, the North City Specific Plan allows limited development in the Conservation Area.

The total amount of land within the Conservation Area in North City is 2,846 acres. The majority of the land, approximately 1,426 acres, is either owned by a utility company, or has already been purchased and is already owned by public agencies and non-profit organizations with the intent to conserve the land in its natural form. Land acquisition has been occurring for this purpose since 1996, when the MSHCP process was initiated. This conservation land was either already zoned Open Space by the City's Zoning Ordinance or has been rezoned by the North City Specific Plan to Open Space to be consistent with its use (Figure 7-1).

3. Preferred Development Areas

Approximately 1,426 acres of land within the Conservation Area is privately owned or is held by local agencies. Approximately 45 of these acres, well within the 10% allowance, have been identified by the City as preferred areas for development (preferred development areas), and have been rezoned by this Specific Plan to Mixed Use Commercial (MU-C). These areas are located along arterial highways at highly traveled intersections (therefore making successful



commercial development and infrastructure accessibility more feasible), are under private ownership, and will have minimal impact on habitat and essential ecological processes once developed. These areas are located at the Palm Drive/Varner Road intersection and Mountain View Drive/Varner Road intersection, as illustrated in Figure 7-1.

4. Development Rights

Pursuant to the MSHCP, any property within the Conservation Area with vested development rights may apply for a development permit, pursuant to the standards of the Cathedral City Zoning Ordinance, as long as the proposed development in conjunction with other new development and infrastructure within the Conservation Area does not exceed 10% of the total Conservation Area land acreage. Development proposals must also obtain CVCC approval.

Setting up a program that allows the transfer of development rights from land within the Conservation Area to property outside the Conservation Area (within or outside the Specific Plan area) would minimize the impact of limiting development on private property within the Conservation Area. The ability to transfer development rights would provide flexibility to deal with site constraints and market demand while still ensuring maintenance of the overall Specific Plan goals. Transfer of Development Rights (TDR) Programs are further described in Appendix C, along with a sample TDR ordinance.



D. Watercourses within the Specific Plan Area

1. Intent

As illustrated in Figure 7-2, two major drainage washes (Morongo Wash and Long Canyon/Willow Hole watershed) and other minor streamlines crisscross the Specific Plan area, potentially affecting development on a significant number of properties. Storm water within the North City Specific Plan area currently flows into these two major watersheds.

The intent of this section is to notify property owners and developers of the potential need for additional review and permitting requirements when alteration of a watercourse is proposed on their property. In addition, this section is intended to delineate major floodways and drainage channels within the Specific Plan area. Recommendations for a storm drainage system for the Specific Plan area are laid out in Chapter 6, Section E.

2. Responsible Agencies

The Coachella Valley Water District (CVWD) and the Riverside County Flood Control District (RCFCD) are responsible for the management of regional drainage within and near Cathedral City. This includes rivers, major streams and their tributaries, and areas of significant sheet flooding. While CVWD and RCFCD have the primary responsibility for regional facilities, in close cooperation and coordination with the City, the City remains directly responsible for the management of local drainage.

3. Additional Permitting Agencies

Additional state or federal permitting may be required for streambed alteration based on the exact location of delineated waterways, natural washes, channels and floodways in the entire Specific Plan area. Each individual property owner shall work with the applicable stormwater management agency (CVWD, RCFCD, U.S. Army Corps of Engineers, City of Cathedral City, etc.) to establish any additional constraints or requirements. Any principal use or conditional use permitted in the underlying zone district is permitted subject to the conditions and restrictions, as related to regional drainage, imposed by the applicable stormwater management agency.



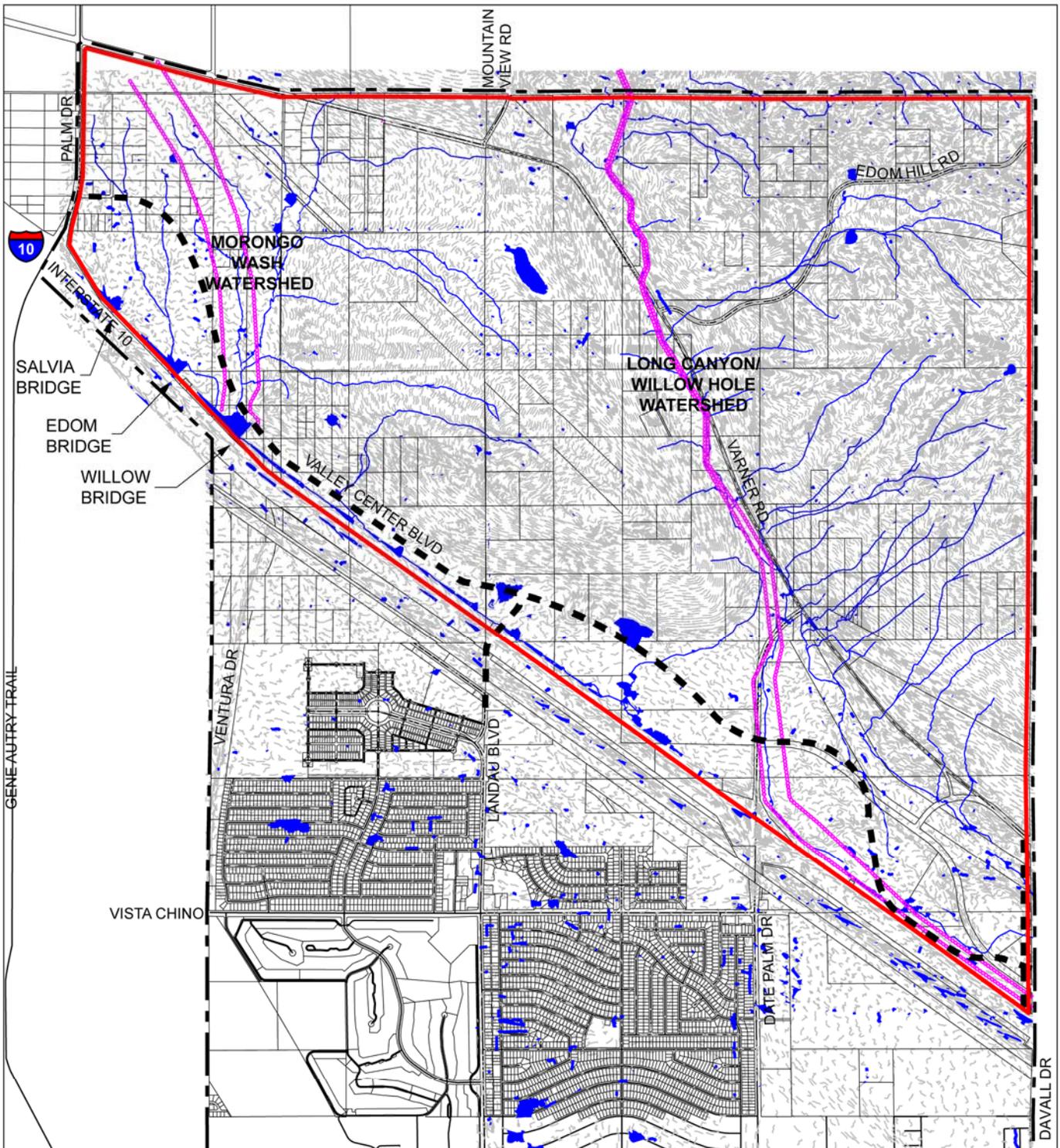


Figure 7-2: Storm Water Stream Lines and 100 Year Flood Line Map

- ▭ Specific Plan Area
- City Boundary
- 2'-4' Pond Depth
- Storm Water Stream Line
- - - 100-Year Flood Line
- Future Road (approximate alignment)



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E. Hillside Overlay (-HO) District

The Specific Plan area has an outstanding backdrop of natural landforms, including Flat Top Mountain and Edom Hill. Edom Hill is the most dramatic topographical feature in North City. The views from it are spectacular. There is a 360-degree view of the cities of the Coachella Valley; the Santa Rosa, San Jacinto, San Bernardino and Little San Bernardino mountains; and Joshua Tree National Park. These views, both from and of Edom Hill, are an important asset of the Specific Plan area and should be preserved. The ridgeline and the hillside portions of Flat Top Mountain are also dramatic and highly visible from parts of the City below. Future development on Flat Top Mountain should be sensitive of these views.



Dramatic views of and from Flat Top Mountain and Edom Hill.

I. Intent

The intent of the Hillside Overlay is to:

- Provide a method to protect views of Edom Hill and Flat Top Mountain from I-10 and other major public roadways within and outside the Specific Plan area,
- Regulate the alteration of the natural landscape and terrain to ensure minimal visual disruption of existing natural settings,
- Preserve, in their natural state, topographic features of high scenic value, including significant slopes, ridgelines, and geological formations,
- Ensure that any alteration of the natural landscape from earth-moving activity, as well as from new development, blends with the existing terrain of the site and surroundings, and
- Prohibit the placement of any signs within the Hillside Overlay that are visible from I-10 and other major public roadways.

2. Hillside Overlay Boundary

The Hillside Overlay (Figure 7-3) has been established based on all of the following criteria:

- **Slope:** Areas with slopes of 15 percent or greater.
- **Height:** Areas above the 600-foot contour level for Flat Top Mountain and 800-foot contour level for Edom Hill.



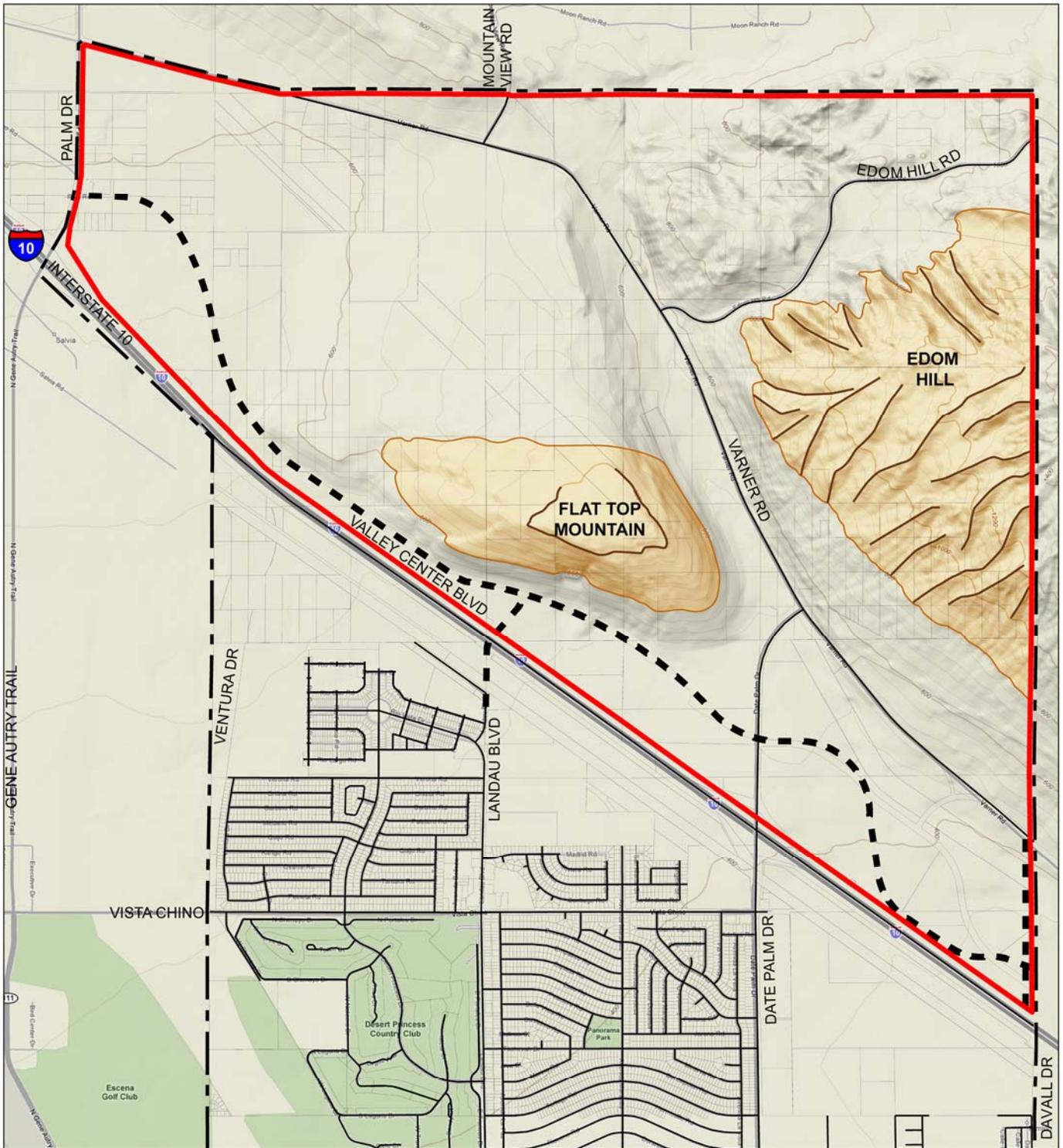


Figure 7-3: Significant Ridgelines and Hillside Overlay

- Specific Plan Area
- City Boundary
- Significant Ridgelines
- Hillside Overlay
- Future Road (approximate alignment)



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- **Viewshed:** Areas visible from I-10 and other major public roadways such as Date Palm Drive, Landau Boulevard, DaVall Drive, and future Valley Center Boulevard.
- **Ridgelines:** Location of significant ridgelines, as defined in Section 3 below.

All parcels that fall partly or fully within the Hillside Overlay boundary are considered to be within the Hillside Overlay and have the suffix “-HO” appended to their base zoning designation, as illustrated in Figure 7-1.

3. Ridgelines

Ridgelines are defined as the line formed by the meeting of the tops of sloping surfaces of land. Significant ridgelines are ridgelines that, in general, are highly visible and dominate the landscape. The locations of the significant ridgelines within the Specific Plan area are shown in Figure 7-3, and the criteria used for their designation, are set forth below.

The designation of the significant ridgelines is based on the following criteria:

- **Topographic complexity:** Ridges that have a significant difference in elevation from the valley or canyon floor. Generally, these ridges are observable from any location on the valley floor or from a public road. Views to Flat Top Mountain from the flat areas directly to the north of I-10 fall in this category.
- **Near/far contrast:** Ridges that are a part of a scene, which includes a prominent landform in the foreground and a major backdrop ridge with an unbroken skyline. This includes a view into a valley from a public road or viewpoint located at a higher altitude, such as along the valley rim or a pass. Often, layers of ridges are visible into the distance, such as when looking west from Edom Hill Road, and from Varner Road looking east toward Edom Hill Road and the views beyond. This contrast can be experienced when viewing an entire panorama or a portion of a panorama from an elevated point.

4. Building and Height Development Regulations

The following regulations apply to all development on properties within the Hillside Overlay District:

- (a) Ridgelines shall not be subject to development. In addition, grading, building pad or building development is prohibited within 100 vertical feet below, and 100 horizontal feet from, an established ridgeline (Figure 7-4).
- (b) The highest point of a structure that requires any permit shall be located at least 50 vertical feet below, and 100 horizontal feet from, a significant ridgeline, excluding chimneys, rooftop antennas, small wind turbines¹, and amateur radio antennas (Figure 7-4).

¹ A “small wind turbine” is defined as a wind energy conversion system that is rated 100 kW or less and can be used to power homes or businesses.



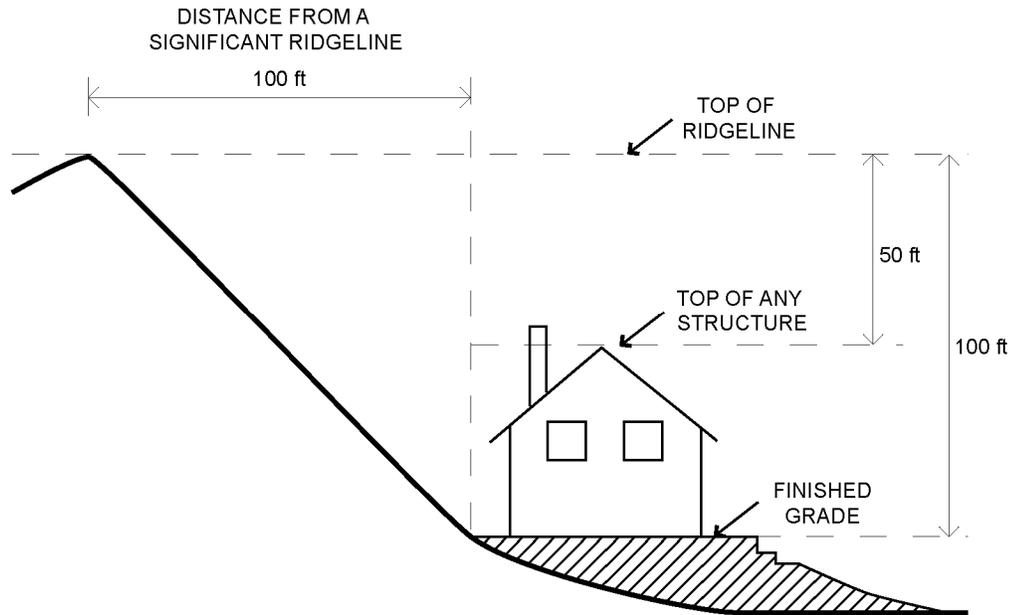


Figure 7-4: Required Distances from Significant Ridgelines

- (c) Development shall not be permitted in areas where the slope of the property exceeds 20 percent, unless a variance is granted as described in (d) below.
- (d) Where structures on a lot or parcel of land cannot meet the standards prescribed by subsection (c) above, a variance as provided for in Chapter 9.76 (Variances) of the Cathedral City Municipal Code (CCMC) shall be required. In addition to the findings in Chapter 9.76, findings shall be made that:
- alternative sites within the property or project have been considered and eliminated from consideration based on physical infeasibility or the potential for substantial habitat damage or destruction if any such alternative site is used; and
 - the proposed project maintains the maximum view of the applicable significant ridgeline through the use of design features for the project such as, but not limited to,
 - minimized grading
 - reduced structural height
 - clustered structures, shape, materials, and color that allow the structures to blend with the natural setting
 - use of locally indigenous vegetation for concealment of the project, as identified in the plant list provided in Chapter 12 of this Plan



5. Submittal Requirements

In addition to the submittal requirements outlined in the CCMC, all projects within the Hillside Overlay District shall be required to submit the following additional documentation:

- (a) Graphics, such as photo-simulations, showing the impact of the proposed project on the views of the ridgelines from the major travel corridors as follows:
 - I-10 right-of-way, traveling both directions,
 - Date Palm Drive, between I-10 and Varner Road, traveling northward,
 - Landau Boulevard extension, as proposed, between I-10 and future Valley Center Boulevard, traveling northward,
 - DaVall Drive extension, as proposed, between I-10 and future Valley Center Boulevard, and
 - Proposed alignment of Valley Center Boulevard, traveling both directions.
- (b) Graphics showing compliance with required distances from significant ridgelines.

6. Exemptions for Certain Projects

- (a) This chapter shall apply to all properties and projects covered by its terms, except it shall not apply to any project that has obtained a vested right to develop under California or federal law as of the effective date of the Specific Plan.
- (b) If allowed by the applicable zoning district, the construction of one single-family home on a legal lot of record in existence on the effective date of the Specific Plan shall be exempt.

