



Planning Commission Staff Report

Date: March 9, 2011

Case No.: 5.1253 – CUP / 6.524 VAR

Type: Conditional Use Permit / Variance

Location: SEC 19th Avenue and Karen Avenue

APN: 666-330-001

Applicant: Solar Power Inc.

General Plan: RBC (Regional Business Center)

Zone: E-I (Energy – Industrial)

From: Craig A. Ewing, AICP, Director of Planning Services

Project Planner: Ken Lyon, Associate Planner

PROJECT DESCRIPTION:

The applicant has requested a conditional use permit (CUP) for the installation and operation of a 4.98 megawatt solar energy conversion system (SECS) project. The proposed tracking solar power generating system will be located on 24 acres of a roughly 98 acre parcel. A variance application is included seeking reductions in setback requirements of the Zoning Code from 50 feet to 20 feet.

RECOMMENDATION:

That the Planning Commission

1. Adopts the Mitigated Negative Declaration (MND) as an adequate analysis of the environmental impacts of the proposed project,
2. Approves Case 5.1253 CUP subject to the conditions in the attached draft resolution,
3. Denies Case 6.524 VAR a variance request reducing the setbacks for energy uses from 50 feet to 20 feet.

PRIOR ACTIONS:

1. On November 22, 2010 the Architectural Advisory Committee (AAC) reviewed the project and voted 4-0-3 (Kleindienst, Orgega, King absent) to recommend approval to the Planning Commission. The committee offered the following comments;
 - Concern about inability for seedlings to take hold to establish adequate groundcover to control wind-borne dust and sand blowing up from the site once it is cleared and graded.

BACKGROUND AND SETTING:

The project proposes to install approximately twenty (20) acres of tracking solar collectors. An additional four (4) acres will be comprised of service roadways and structures for inverters, transformers, and other equipment. There are no occupied structures proposed on the site. Although the panels would have periodic maintenance and service workers, there would be no permanent workers at the site.

The project site would be accessed from both 19th Avenue and Karen Avenue. Non-paved gravel service roads located at the perimeter of the solar panels provide access to the panels for routine washing, maintenance and servicing. The panels are designed to be mounted on racks powered by motors that electronically track the panel angle relative to the position of the sun. The bottom of the panels is approximately four feet above the ground to minimize scouring of the panel surfaces due to blowsand. The top of the panels are approximately ten feet above grade at maximum angle.

The 24-acre project area is proposed to be scraped, graded, and cleared of existing vegetation to facilitate the installation of the panels. The site has no potable water and is not proposed to be irrigated. An 8 foot chain link fence with barbed wire at the top is requested by the applicant at the perimeter of the 24 acre portion of the parcel.

The variance application seeks to reduce the setbacks for energy uses from 50 feet to 20 feet along the street-fronts of the proposed project. (The project fronts both Karen Avenue and 19th Avenue.)

A project summary is attached for further description of the tracking photo-voltaic solar panels.

A separate application made by the landowner of the 98-acre parcel for a Change of Zone and a Tentative Parcel Map is also being processed concurrently by the City. While these applications require separate actions by the City, the relationship of these separate applications to the subject application will be described briefly in this staff report.

Surrounding Land uses:

The project site is currently undeveloped and is located in an industrial area in the northern part of the City. The subject site is an approximately 98-acre parcel located on the north side of Interstate 10, west of Indian Canyon Drive. The site is surrounded by existing wind turbines, a gas-powered electrical generating plant, industrial uses and vacant land.

Table 1: Surrounding Land Uses, Zoning and General Plan Uses

	Land Use	General Plan	Zoning
North	Wind Turbines	Industrial w/Wind Energy Overlay	E-I (Energy – Industrial)
South	Interstate 10 freeway (vacant)	RBC (Regional Business Center)	E-I
East	Light Industrial	RBC w/Wind Energy Overlay	M-2 (Manufacturing)
West	Wind Turbines	Industrial w/Wind Energy Overlay	E-I



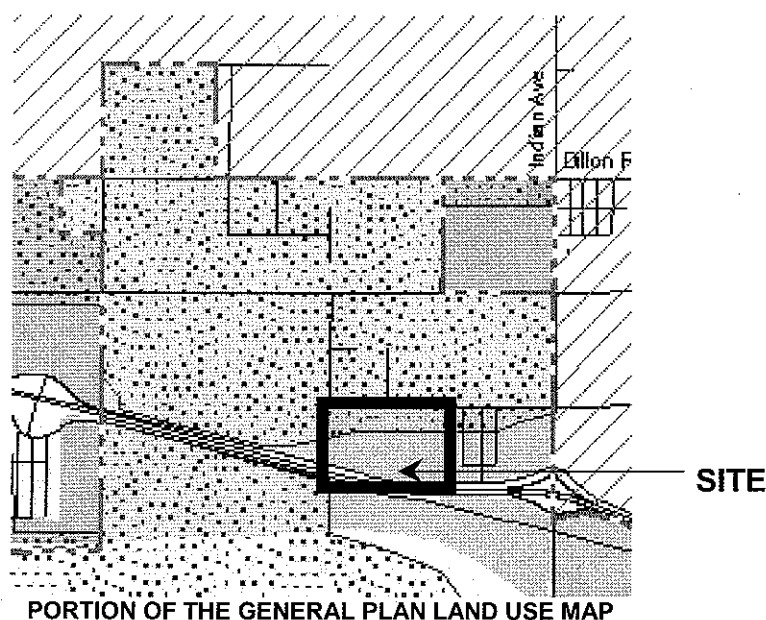
AERIAL PHOTO SHOWING THE SUBJECT PARCEL.

ANALYSIS:

General Plan

The General Plan land use designation for the site is Regional Business Center (RBC). The northern portion of the site (roughly 30 acres) also lies within the Wind Energy Overlay area (shown as dotted in the portion of the General Plan land use map below). This overlay area is intended to encourage alternative energy generating systems such as Wind Energy Conversion Systems (WECS). The project lies mostly within this

alternative energy overlay and is also in close proximity to a high voltage electrical transmission corridor that runs between Phoenix and Los Angeles. The RBC land use designation envisions a wide variety of business, commercial and industrial uses in a "multi-use environment". This proposed alternative energy producing project, while not directly tied to freeway-related uses, is consistent with alternative energy industrial uses that are envisioned in the RBC. The 98 acre parcel on which this project is proposed essentially fronts the freeway along its southern border, however this solar project is proposed at the northernmost portion of the site. The freeway-fronting portion of the parcel remains available for other future development and uses that would direct relate to the freeway. Staff therefore believes the project is consistent with the General Plan Regional Business Center Land Use designation.



Zoning

The project is located in the Energy-Industrial (E-I) zone. Solar Energy Collection Systems (SECS) are permitted in the E-I zone subject to approval of a Conditional Use Permit (CUP) pursuant to PSZC Section 92.17.2.01. The development standards of the zone are summarized in Table 2 below.

Table 2: Proposed project compared to E-I Zone Development Standards:

	E-I Zone Requirements	Proposed Project
Minimum Lot Size	5 acres	24 acres of a 98-acre parcel (conforms)
Minimum Lot width & depth	250 feet x 250 feet	conforms
Maximum Lot Coverage	No limit for energy uses	conforms
Setbacks	Minimum 50 feet for energy uses, 25 foot front for other uses	20 feet, requires Variance to conform
Landscape	No landscape requirements	No landscaping proposed,.
Fencing	Maximum 4.5 feet front & side	8 feet chain link and barbed wire

	front, 8 feet side & rear, no chain link in front & side front yards, barbed wire is permitted at alternative energy sites	all sides (Does not conform)
Building Height	30 feet	10 feet for solar panels (conforms)
Outdoor storage	Adequately screened & enclosed	conforms

Fencing

For security reasons, the applicant proposes 6 foot chain link fences with barbed wire at the top, at the entire perimeter of the 24 acre area. Section 93.02.00 (A) of the Zoning Code allows the approval of 6 foot fences at the front and side front if it is deemed that there are hazards on the site that warrant the additional height to protect the public. The potential hazard caused by the proposed electrical equipment on the site may warrant the additional height. The zoning code requires fences at front and side front yards to be ornamental fencing. In this case, the applicant argues that the utilitarian nature of the area does not justify the use of ornamental fencing and has proposed chain link. The fences will be "ornamental" vertical steel picket fences only where they cross the Garnet Wash as required by the Riverside County Flood Control District so as not to collect debris and impede stormwater flow through the wash. Interior side and rear yard fences may be 8 feet with barbed wire at the top in the E-I zone.

Variance.

The EI-zone requires setbacks of 50 feet from any property line for energy uses. The applicant has submitted a variance (VAR) application seeking a reduction in the setbacks, from fifty (50) feet to twenty (20) feet for all perimeter setbacks. The findings for evaluating the Variance are outlined in PSZC Section 94.06.00 and are analyzed below.

Parking

Parking standards are regulated by Section 93.06.00 of the City's Zoning Code. There is no specific quantity of off-street parking prescribed for energy uses. The proposed project has no permanent employees on site however periodic service and maintenance vehicles and workers will access the site on roughly a weekly basis and will use the proposed compacted gravel service roads to access all the panels for routine cleaning, inspection, repair and maintenance.

Parking lots are required to be developed with asphalt or concrete surfaces and curbs. The project is proposed with gravel service drives. The parking area is proposed to be constructed with compacted gravel, and thus does not conform to that requirement of the Zoning Code.

Architecture

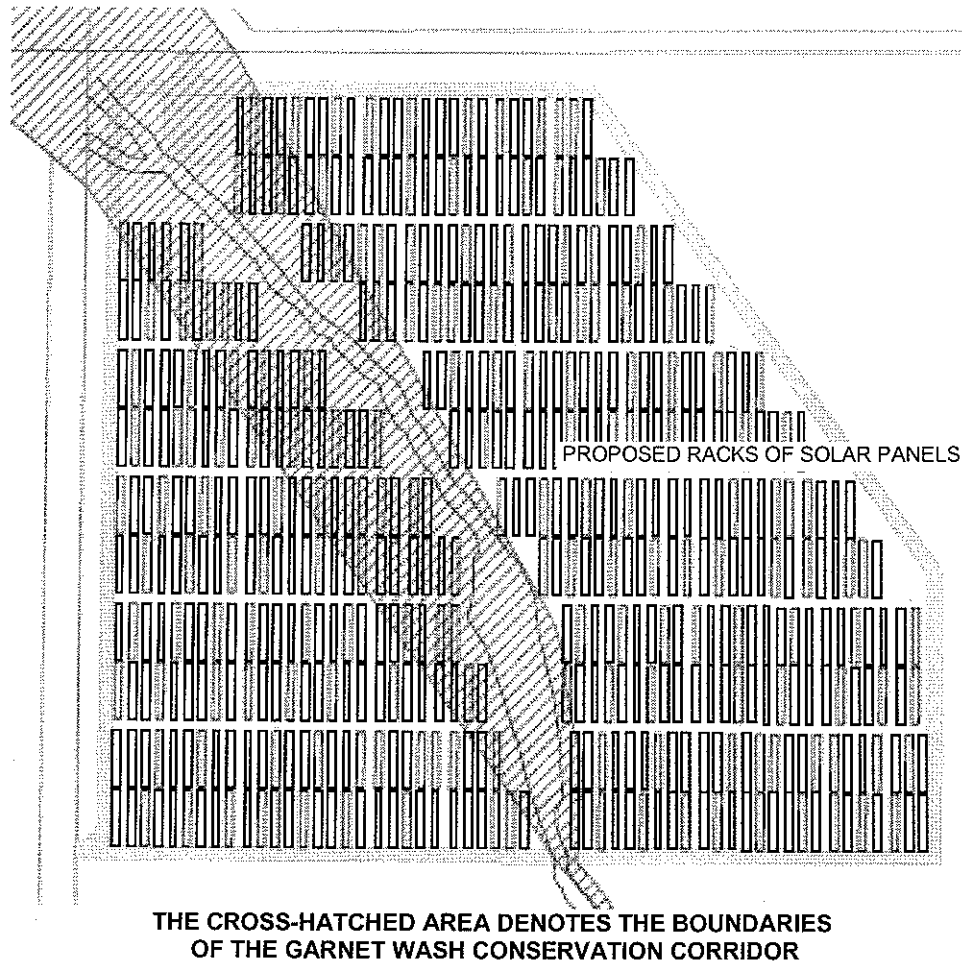
The equipment enclosures are simple painted steel structures. There are no habitable buildings proposed on the site.

Landscape

There are no landscape requirements for energy uses in the E-I zone. Within the site, the existing vegetation will be scraped and cleared. Staff has added a condition of approval for dust control measures on areas between and under the panels. The applicant prefers to seed the graded area of the site under the proposed solar panels with native grasses and provide water from water trucks until the seedlings germinate and take root, however staff has concerns that seeding will not be successful given the extremely windy and non-irrigated conditions at the site.

The Garnet Wash Conservation Corridor.

The Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) has designated the Garnet Wash as a "Conservation Corridor" for preserving fluvial (water borne) sand movement from the mountainous area to the northwest (the "sand source") to the Whitewater Flood Plain (the "sand deposition area"). Development may occur on the parcel, including that area which is within the conservation corridor as long as it does not impede, redirect or change the velocity or net volume of water and sand flow within the Garnet Wash Conservation Corridor. Development that is proposed **within** the Garnet Wash Conservation Corridor requires special review procedures (A Joint Project Review, or "JPR") that are coordinated between the City, the Coachella Valley Conservation Commission (CVCC) and wildlife agencies. As indicated in the diagram below, the applicant is proposing to locate roughly 15% of the solar panels in the Garnet Wash Conservation Corridor. A JPR process was initiated by the Applicant on February 2, 2011.



Pursuant to the MSHCP ("the Plan"), the City, as a permittee within the Plan, may allocate (or "take") up to 10% of land within a specific conservation area for development. Land within a conservation area may only be "taken" at a rate roughly at which similar suitable habitat is acquired and added to the total conservation acreage within the Plan. Thus land taken and land added must be in "rough step" with each other.

Although the applicant proposes to locate some of the photovoltaic panels within the Garnet Wash Conservation Corridor, it has been determined through the JPR process that the structures proposed to be within the wash, namely the vertical columns on which the tracking arrays of solar panels will be mounted, do not obstruct, impede, or change the direction, quantity, or velocity of fluvial sand movement through the conservation corridor. As such no "Take" is required to be calculated from the Garnet Wash Conservation Corridor for this project. Specific conditions related to development activities within the conservation corridor have been imposed and are noted in the attached Conditions of Approval.

Concurrent Planning Department Applications.

As noted above, there are two separate Planning applications currently being processed for this 98-acre parcel: The first is this Conditional Use Permit and Variance by Solar

Power Inc. The second application is a Change of Zone (CZ) and Tentative Parcel Map (TPM) which has been filed by the land owner, Noble & Company. The Change of Zone application is a request to change the zoning designation from Energy-Industrial (E-I) to Manufacturing (M-2). The TPM proposes to subdivide the 98-acres into 3 smaller parcels.

The two applications are being evaluated independently of one another and each has its own public hearing. The applications do not adversely impact each other in any way. The Change of Zone would impose the development standards of the M-2 zone on the entire 98-acre parcel. The development standards for the M-2 zone are slightly less rigorous with respect to setbacks for energy uses. The variance request that is part of this application would not be required if the site were zoned M-2^a. The proposed solar project would not conform to the landscape requirements of the M-2 zone which requires a minimum of five feet of street front setback to be landscaped. The environmental analysis of this project was done using both the E-I and the M-2 development standards.

REQUIRED FINDINGS:

Conditional Use Permit Findings.

The Conditional Use Permit process outlined in Section 94.02.00 of the Zoning Code requires the Planning Commission to make a number of findings for approval of the permit. Those findings are analyzed by staff in order below:

- 1) *That the use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by this Zoning Code.*

The applicant proposes solar collector uses (solar energy conversion systems (SECS) on 24 acres of a roughly 98 acre site in the E-I zone. Solar collector uses are permitted in the E-I zone subject to a conditional use permit.

- 2) *That the use is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the general plan, and is not detrimental to existing uses or to future uses specifically permitted in the zone in which the proposed use is to be located.*

The E-I zone is intended for the development of alternative energy uses and other incidental industrial uses. The SECS array proposed will augment the production of electrical energy, similar to that of the existing WECS near the site. The General Plan land use designation for the subject parcel is Regional Business Center (RBC). The RBC land use designation is a mixed use designation intended for uses that serve a

^a Setbacks for M-2 are 25 feet at street frontages. The 20 foot setbacks requested by this applicant could be evaluated under the slightly less demanding findings of the Administrative Minor Modification (AMM) for a 20% reduction in setbacks.

more regional service area accessible by the proximity to the Interstate 10 freeway. The area is also immediately adjacent to major high voltage transmission lines that parallel the freeway. The proposed solar collector field will generate clean electricity for use throughout the Coachella Valley and the entire southwest region. As such, the proposed use is not detrimental to existing or future uses specifically permitted in the zone or the General Plan land use designation.

- 3) *That the site for the intended use is adequate in size and shape to accommodate such use, including yards, setbacks, walls or fences, landscaping, and other features required in order to adjust such use to those existing or permitted future uses of land in the neighborhood.*

The proposed project area is comprised of a leasehold for 24 acres of an approximately 98 acre site. Service roads and utility panels and enclosures are proposed that support the solar panel installation. The project is proposed with perimeter fencing and security lighting that will conform to the City's outdoor lighting ordinance.

- 4) *That the site for the proposed use relates to streets and highways properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use.*

The project is designed to provide adequate access to the public streets via an entrance and service drives off both Karen Avenue and 19th Avenue. The only vehicular traffic to the site would be periodic maintenance vehicles that clean and service the solar panels. The project does not produce traffic impacts that would reduce the Level of Service (LOS) for the network of public roads in the vicinity. Therefore the project is consistent with this finding. A condition of approval requiring the applicant to pave portions of 19th Avenue and Karen Avenue is included.

That the conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare and may include minor modification of the zone's property development standards. mitigation measures outlined in an environmental assessment.

A draft set of conditions of approval necessary to ensure compliance with the Zoning Ordinance requirements and to ensure the public health, safety and welfare are proposed and included in Exhibit A of this staff report.

Variance Findings.

Section 94.06.00 (B) (*Variance*) of the City's Zoning Code outlines the required findings that must be made in order to approve a variance request. The applicant is seeking a reduction of setbacks for energy uses from 50 feet to 20 feet. The required variance findings are outlined below with Staff's analysis:

1. *Because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict*

application of the Zoning Code would deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.

The applicant asserts that the presence of the Garnet Wash and the SCE transmission line right-of-way on the site creates special circumstances that deprive the applicant the ability to develop the site with the same electrical generating capacity that other sites in the vicinity and under the same zone classification without these constraints. The applicant proposes to lease 24 acres of a 98-acre parcel. Photo-voltaic panels are rectilinear in their construction and layout of the PV panel installation is less efficient on this part of the site because of the diagonal crossing of the site by the wash and the transmission lines. The landowner and applicant have agreed to a lease agreement for this specific acreage and portion of the site. This agreement may create constraints to develop the area with solar panels, but there are other portions of the 98 acre site which would allow efficient rectilinear installation of the panels without spatial interruption due to the wash and the power lines while still conforming to the 50 foot perimeter setback. Therefore, other portions of the 98 acre parcel could accommodate the PV array without the need for setback reductions. There are no special circumstances related to this property due to size, shape, topography, location or surroundings. .

2. Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which subject property is situated.

The E-I zone requires a 50 foot setback for "Energy Uses". These include solar collectors, wind turbines and co-generation facilities. The applicant is proposing front, side and rear yard setbacks of twenty feet. Wind turbines have additional setback requirements imposed under Zoning Code Section 94.02.00 (H) (*Conditions for Specific Uses*). The maximum height for both energy and other uses (except wind turbines) is thirty (30) feet. Other properties in the vicinity are zoned E-I and M-2. In comparing the setback requirements of those parcels to this one, it is noted that front yard setback in the M-2 zone is 25 feet. For M-2 the side and rear yard setbacks are zero. Solar energy uses on properties in the vicinity with zoning other than E-I enjoy less stringent setbacks, however solar energy projects on others parcels in the E-I zone are subject to the same 50 foot setbacks for energy uses that are imposed on this parcel. Although the granting of a variance would allow setbacks for alternative energy uses on this parcel to be similar to those in the M-2 zone, it would create a grant a special privilege to this parcel that would be inconsistent with the limitations imposed on similar properties in the E-I zone.

3. The granting of the variance will not be materially detrimental to the public health, safety, convenience or welfare or injurious to property and improvements in the same vicinity and zone in which subject property is situated.

The proposed reduction in setbacks for energy uses from 50 feet to 20 feet will pose no

adverse impact to persons working or residing on or around the project site. The project is provided with adequate service roads around the entire project site for adequate access and clear space for servicing and maintaining the proposed panels.

4. *The granting of such variance will not adversely affect the general plan of the city.*

The project site is an open, industrial area primarily used for the installation of wind turbines (WECS). The environmental features of the site are essentially flat and the surrounding land uses are similar alternative energy and industrial uses. The development patterns in the area and adjacent uses are compatible and similar to the proposed solar panel uses; no adverse impact would occur.

Staff has therefore concluded that two of the required four findings for granting a variance cannot be met in this case.

CONCLUSION:

The proposed project is consistent with the General Plan and Zoning Code and is recommended for approval by the AAC. The project is consistent with the findings for a Conditional Use Permit, but not for a Variance for the reduction of perimeter yard setbacks. The project, if approved, will contribute to the City's growing number of alternative energy industries and provide an additional source of electrical energy generation for the region.

In the event that the Planning Commission approves the CUP but denies the Variance, the applicant would have the opportunity to (1) appeal the Variance decision to the City Council, (2) redesign the project, conforming to the 50 foot setback standards of the E-1 zone, or if the City approves the Change of Zone to M-2 for the 98-acre parcel, (3) the applicant could submit the current design with an Administrative Minor Modification application (AMM) requesting 20% reductions in the M-2 setbacks from 25 feet to 20 feet. AMM's may be approved by either the Planning Commission or the Director of Planning.

ENVIRONMENTAL DETERMINATION:

This CUP application is considered a project under the definitions of the California Environmental Quality Act (CEQA). The City has evaluated the project under CEQA Guidelines and determined that the project has the potential to cause significant impacts. Mitigation Measures have been proposed that would reduce any potentially significant impacts to a less than significant level. A Mitigated Negative Declaration (MND) has been prepared and circulated for a twenty day public review and comment period. The Planning Commissioners also received complete copies of the environmental document at that time. No comments have been received that would necessitate recirculation of the environmental analysis. Staff believes the analysis is a complete description of the project, its potential adverse impacts and the owner/applicant has agreed in writing to the recommended Mitigation Measures that will

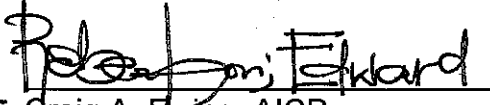
reduce any potentially significant impacts to less than significant levels.

NOTIFICATION:

A notice was mailed to all property owners within a four hundred foot radius. As of the writing of this report, no correspondence from the public has been received by staff.



Ken Lyon
Associate Planner

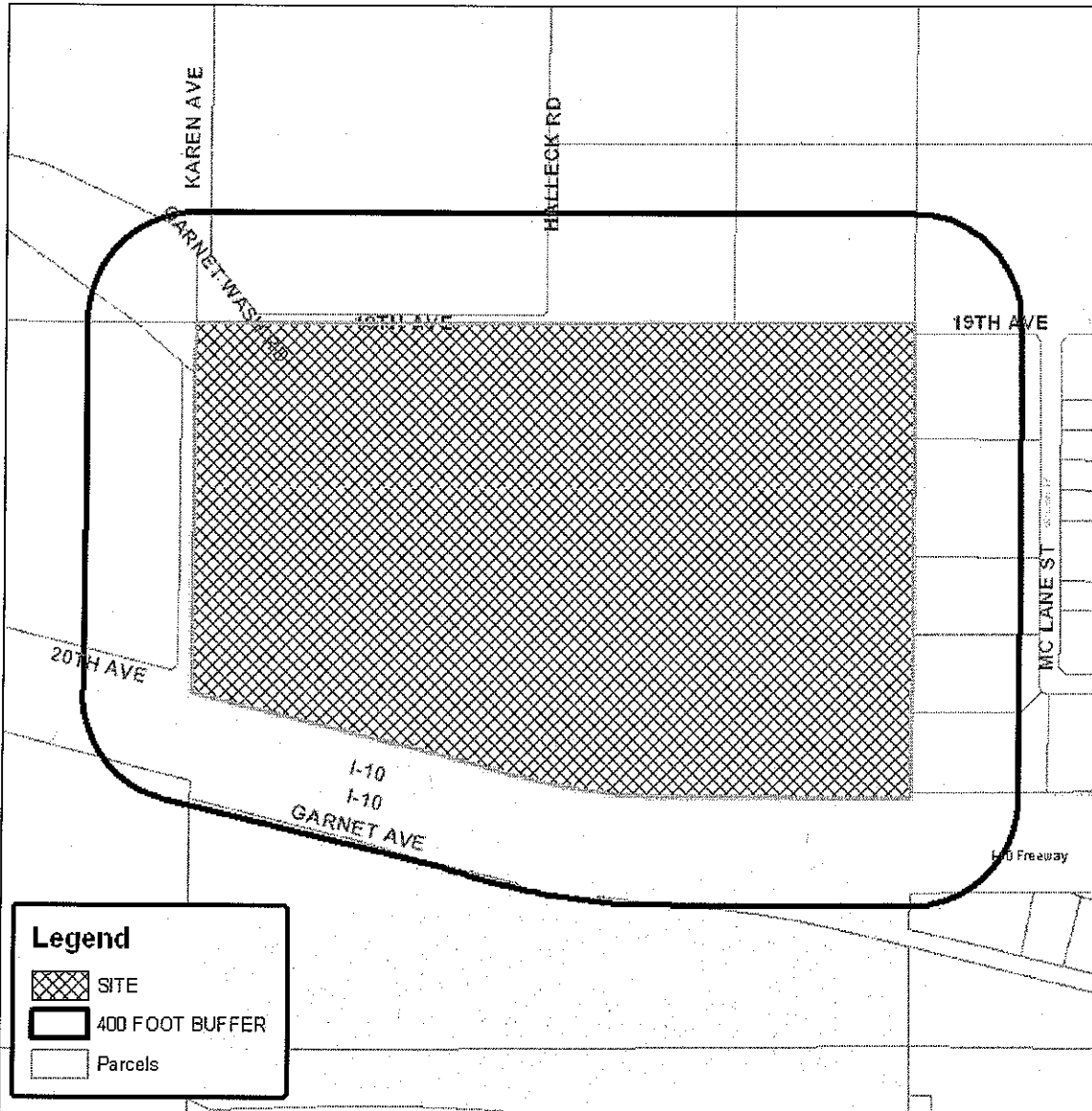

for _____
Craig A. Ewing, AICP
Director of Planning Services

Attachments:




1. 400' Radius Vicinity Map
2. Draft Resolution & Conditions of Approval
3. Reduced Site Plan and Elevations
4. Project Summary Description



Department of Planning Services Vicinity Map



Legend

-  SITE
-  400 FOOT BUFFER
-  Parcels

CITY OF PALM SPRINGS

CASE NO.: 5.1253 CUP /
6.524 VAR

APPLICANT: Solar Power Inc.

DESCRIPTION: A request by Solar Power Inc for a Conditional Use Permit for a solar electrical generating facility located on a 24 acre portion of a 98 acre parcel at the southeast corner of Karen Road and 19th Avenue, Zone E-I. A variance seeking relief from certain development standards is also part of the application.

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA FOR APPROVAL OF CASE 5.1253 CUP, A CONDITIONAL USE PERMIT FOR A 4.96 MEGAWATT SOLAR ENERGY PRODUCTION FACILITY ON ROUGHLY 24 ACRES OF AN APPROXIMATELY 98 ACRE PARCEL AT THE SOUTHEAST CORNER OF 19TH AVENUE AND KAREN AVENUE; ZONE E-I, SECTION 15/T3/R4; APN 666 330 001.

WHEREAS, Solar Power Inc, "applicant", has filed an application with the City pursuant to Section 94.02.00 (Conditional Use Permit) of the Zoning Code seeking approval to establish a 4.96 MW Solar energy production facility on 24 acres of a roughly 98 acre parcel at the southeast corner of 19th Avenue and Karen Avenue; and

WHEREAS, on November 22, 2010, the Architectural Advisory Committee met and voted 4-0-3 to recommend approval of the project to the Planning Commission, stating their concern about inability for seedlings to take hold to establish adequate groundcover to control wind-borne dust and sand blowing up from the site once it is cleared and graded.; and

WHEREAS, a notice of public hearing for Case 5.1253 CUP was given in accordance with applicable law; and

WHEREAS, on March 9, 2011, a public meeting on Case 5.1253 CUP was held by the Planning Commission in accordance with applicable law; and

WHEREAS, the proposed project is considered a "project" pursuant to the terms of the California Environmental Quality Act ("CEQA") An Initial Study was conducted and the project was found to cause potentially significant impacts to the environment. Mitigation measures have been proposed reducing any potentially significant impacts to less than significant. The applicant has agreed in writing to all proposed mitigation measures. A Notice of Intent to Adopt a Mitigated Negative Declaration was prepared and circulated for public comment for a period of 20 days. No new information was discovered that would require further analysis under CEQA; and

WHEREAS, the Planning Commission has carefully reviewed and considered all of the evidence presented in connection with the hearing on the project, including, but not limited to, the staff report, and all written and oral testimony presented.

THE PLANNING COMMISSION HEREBY FINDS AS FOLLOWS:

Section 1: Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the Planning Commission adopts a Mitigated Negative Declaration including mitigation measures that reduce any potentially significant impacts caused by the project to less than significant.

Section 2: Pursuant to PSZC Section 94.02.00 (Conditional Use Permit), the Planning Commission finds as follows:

- 1) *That the use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by this Zoning Code.*

The applicant proposes solar collector uses (solar energy conversion systems (SECS) on 24 acres of a roughly 98 acre site in the E-I zone. Solar collector uses are permitted in the E-I zone subject to a conditional use permit.

- 2) *That the use is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the general plan, and is not detrimental to existing uses or to future uses specifically permitted in the zone in which the proposed use is to be located.*

The E-I zone is intended for the development of alternative energy uses and other incidental industrial uses. The SECS array proposed will augment the production of electrical energy, similar to that of the existing WECS on the site. The General Plan land use designation for the subject parcel is Regional Business Center (RBC). The RBC land use designation is a mixed use designation intended for uses that serve a more regional service area accessible by the proximity to the Interstate 10 freeway. The area is also immediately adjacent to major high voltage transmission lines that parallel the freeway. The proposed solar collector field will generate clean electricity for use throughout the Coachella Valley and the entire southwest region. As such, the proposed use is not detrimental to existing or future uses specifically permitted in the zone or the General Plan land use designation.

- 3) *That the site for the intended use is adequate in size and shape to accommodate such use, including yards, setbacks, walls or fences, landscaping, and other features required in order to adjust such use to those existing or permitted future uses of land in the neighborhood.*

The proposed project area is comprised of a leasehold for 24 acres of an approximately 98 acre site. Service roads and utility panels and enclosures are proposed that support the solar panel installation. The project is proposed with perimeter fencing and security lighting that will conform to the City's outdoor lighting ordinance.

- 4) *That the site for the proposed use relates to streets and highways properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use.*

The project is designed to provide adequate access to the public streets via an entrance and service drives off both Karen Avenue and 19th Avenue. The only vehicular traffic to the site would be periodic maintenance vehicles that clean and service the solar panels. The project does not produce traffic impacts that would

reduce the Level of Service (LOS) for the network of public roads in the vicinity. Therefore the project is consistent with this finding.

That the conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare and may include minor modification of the zone's property development standards. mitigation measures outlined in an environmental assessment.

A draft set of conditions of approval necessary to ensure compliance with the Zoning Ordinance requirements and to ensure the public health, safety and welfare are proposed and included in Exhibit A of this staff report.

Section 3: Pursuant to Zoning Code Section 94.06.00 (B) (Variance), the Planning Commission finds as follows:

Variance Findings.

Section 94.06.00 (B) (*Variance*) of the City's Zoning Code outlines the required findings that must be made in order to approve a variance request. The applicant is seeking a reduction of setbacks for energy uses from 50 feet to 20 feet and elimination of all landscape requirements for the project area.

1. *Because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of the Zoning Code would deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.*

The applicant asserts that the presence of the Garnet Wash and the SCE transmission line right-of-way on the site creates special circumstances that deprive the applicant the ability to develop the site with the same electrical generating capacity that other sites in the vicinity and under the same zone classification without these constraints. Reductions in the perimeter setbacks from 50 feet to 20 feet are requested. The applicant proposes to lease 24 acres of a 98-acre parcel. Photo-voltaic panels are rectilinear in their construction and layout of the PV panel installation is less efficient on this part of the site because of the diagonal crossing of the site by the wash and the transmission lines. The landowner and applicant have agreed to a lease agreement for this specific acreage and portion of the site. This agreement may create constraints to develop the area with solar panels, but there are other portions of the 98 acre site which would allow efficient rectilinear installation of the panels without spatial interruption due to the wash and the power lines while still conforming to the 50 foot perimeter setback. Therefore, other portions of the 98 acre parcel could accommodate the PV array without the need for setback reductions.

2. *Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant*

of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which subject property is situated.

The E-I zone requires a 50 foot setback for "Energy Uses". These include solar collectors, wind turbines and co-generation facilities. The applicant is proposing front, side and rear yard setbacks of twenty feet. Wind turbines have additional setback requirements imposed under Zoning Code Section 94.02.00 (H) (*Conditions for Specific Uses*). The maximum height for both energy and other uses (except wind turbines) is thirty (30) feet. Other properties in the vicinity are zoned E-I and M-2. In comparing the setback requirements of those parcels to this one, it is noted that front yard setback in the M-2 zone is only 25 feet. For M-2 the side and rear yard setbacks are zero. Solar energy uses on properties in the vicinity with zoning other than E-I enjoy less stringent setbacks, however solar energy projects on others parcels in the E-I zone are subject to the same 50 foot setbacks for energy uses that are imposed on this parcel. Although the granting of a variance would allow setbacks for alternative energy uses on this parcel to be similar to those in the M-2 zone, it would grant a special privilege to this parcel that would be inconsistent with the limitations imposed on similar properties in the E-I zone.

3. *The granting of the variance will not be materially detrimental to the public health, safety, convenience or welfare or injurious to property and improvements in the same vicinity and zone in which subject property is situated.*

The proposed reduction in setbacks for energy uses from 50 feet to 20 feet will pose no adverse impact to persons working or residing on or around the project site. The project is provided with adequate service roads around the entire project site for adequate access and clear space for servicing and maintaining the proposed panels.

4. *The granting of such variance will not adversely affect the general plan of the city.*

The project site is an open, industrial area primarily used for the installation of wind turbines (WECS). The environmental features of the site are essentially flat and the surrounding land uses are similar alternative energy and industrial uses. The development patterns in the area and adjacent uses are compatible and similar to the proposed solar panel uses; no adverse impact would occur.

The Planning Commission has therefore concluded that two of the required four findings for granting a variance cannot be met in this case.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby approves Case 5.1253 - CUP for the establishment of a 4.96 Megawatt Solar Energy Production Facility on 24 acres of a roughly 98 acre parcel at the southeast corner of 19th Avenue and Karen Avenue, subject to the attached conditions set forth in Exhibit A, and denies Case 6.524 VAR a variance application

seeking reductions in perimeter setbacks from 50 feet to 20 feet for energy uses in the E-I zone..

ADOPTED this ____ day of _____ 2011.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

Craig A. Ewing, AICP
Director of Planning Services

RESOLUTION NO. _____

EXHIBIT A

Case 5.1253 CUP
Solar Power Inc. for a 4.96 MW Solar Energy Conversion System
At the Southeast Corner of 19th Avenue and Karen Avenue

March 9, 2011

CONDITIONS OF APPROVAL

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer, the Director of Planning Services, the Director of Building and Safety, the Chief of Police, the Fire Chief or their designee, depending on which department recommended the condition.

Any agreements, easements or covenants required to be entered into shall be in a form approved by the City Attorney.

ADMINISTRATIVE CONDITIONS

- ADM 1. Project Description. This approval is for the project described per Case 5.1253 CUP; except as modified with the approved Mitigation Monitoring Program and the conditions below;
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans, date stamped October 21, 2010, including site plans, architectural elevations, exterior materials and colors, landscaping, and grading on file in the Planning Division except as modified by the approved Mitigation Measures and conditions below.
- ADM 3. Conform to all Codes and Regulations. The project shall conform to the conditions contained herein, all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, and any other City County, State and Federal Codes, ordinances, resolutions and laws that may apply.
- ADM 4. Minor Deviations. The Director of Planning or designee may approve minor deviations to the project description and approved plans in accordance with the provisions of the Palm Springs Zoning Code.
- ADM 5. Indemnification. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative officers concerning Case 5.1253 CUP. The City of Palm Springs will promptly

notify the applicant of any such claim, action, or proceeding against the City of Palm Springs and the applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Palm Springs fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Palm Springs. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

- ADM 6. Maintenance and Repair. The property owner(s) and successors and assignees in interest shall maintain and repair the improvements including and without limitation all structures, sidewalks, parking areas, landscape, irrigation, lighting, signs, walls, and fences between the curb and property line, in a first class condition, free from waste and debris, and in accordance with all applicable law, rules, ordinances and regulations of all federal, state, and local bodies and agencies having jurisdiction at the property owner's sole expense. This condition shall be included in the recorded covenant agreement for the property if required by the City.
- ADM 7. Time Limit on Approval. Approval of this Conditional Use Permit shall be valid for a period of two (2) years from the effective date of the approval. Once constructed, the Conditional Use Permit, provided the project has remained in compliance with all conditions of approval, does not have a time limit.
- ADM 8. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05.00. Permits will not be issued until the appeal period has concluded.
- ADM 9. Public Art Fees. This project shall be subject to Chapters 2.24 and 3.37 of the Municipal Code regarding public art. The project shall either provide public art or payment of an in lieu fee. In the case of the in-lieu fee, the fee shall be based upon the total building permit valuation as calculated pursuant to the valuation table in the Uniform Building Code, the fee being 1/2% for commercial projects or 1/4% for residential projects with first \$100,000 of total building permit valuation for individual single-family units exempt. Should the public art be located on the project site, said location shall be reviewed and approved by the Director of Planning and Zoning and the Public Arts Commission, and the property owner shall enter into a recorded agreement to maintain the art work and protect the public rights of access and viewing.

- ADM 10. Park Development Fees. The developer shall dedicate land or pay a fee in lieu of a dedication, at the option of the City. The in-lieu fee shall be computed pursuant to Ordinance No. 1632, Section IV, by multiplying the area of park to be dedicated by the fair market value of the land being developed plus the cost to acquire and improve the property plus the fair share contribution, less any credit given by the City, as may be reasonably determined by the City based upon the formula contained in Ordinance No. 1632. In accordance with the Ordinance, the following areas or features shall not be eligible for private park credit: golf courses, yards, court areas, setbacks, development edges, slopes in hillside areas (unless the area includes a public trail) landscaped development entries, meandering streams, land held as open space for wildlife habitat, flood retention facilities and circulation improvements such as bicycle, hiking and equestrian trails (unless such systems are directly linked to the City's community-wide system and shown on the City's master plan).
- ADM 22. Notice to Tenants. The applicant shall provide all tenants with a copy of the Conditions of Approval for this project.
- ADM 23. Conditional Use Permit Availability. The applicant shall provide a copy of this Conditional Use Permit to all buyers and potential buyers (conditional use permits only)

ENVIRONMENTAL ASSESSMENT CONDITIONS

- ENV 1. Coachella Valley Multiple-Species Habitat Conservation Plan (CVMSHCP) Local Development Mitigation Fee (LDMF) required. All projects within the City of Palm Springs, not within the Agua Caliente Band of Cahuilla Indians reservation are subject to payment of the CVMSHCP LDMF prior to the issuance of certificate of occupancy.
- ENV 2. California Fish & Game Fees Required. The project is required to pay a fish and game impact fee as defined in Section 711.4 of the California Fish and Game Code. This CFG impact fee plus an administrative fee for filing the action with the County Recorder shall be submitted by the applicant to the City in the form of a money order or a cashier's check payable to the Riverside County Clerk prior to the final City action on the project (either Planning Commission or City Council determination). This fee shall be submitted by the City to the County Clerk with the Notice of Determination. Action on this application shall not be final until such fee is paid. The project may be eligible for exemption or refund of this fee by the California Department of Fish & Game. Applicants may apply for a refund by the CFG at www.dfg.ca.gov for more information.

- ENV 3. Mitigation Monitoring. The mitigation measures of the environmental assessment shall apply. The applicant shall submit a signed agreement that the mitigation measures outlined as part of the negative declaration or EIR will be included in the plans prior to Planning Commission consideration of the environmental assessment.
- ENV 4. Garnet Wash Conservation Corridor. Portions of the project lie within the Garnet Wash Conservation Corridor (GWCC) as described in the Coachella Valley Multiple Species Habitat Conservation Plan. (CVMSHCP). The Garnet Wash Conservation Corridor provide fluvial (water borne) movement of sand from the "sand source" (upstream mountain areas) to the "sand deposition area" which is critical for replenishing the sand habitat of several species. Development in the GWCC must adhere to the requirements for development outlined in the CVMSHCP which includes no alteration to the movement of sand through the subject parcel. Those development areas that lie within the GWCC shall not have any structures, soil stabilizers or other treatment that would inhibit, block, alter the flow, or velocity of the fluvial movement of sand through that portion of the GWCC that crosses the site. (Refer to www.cvmshcp.org for further regulatory requirements.)
- ENV 5. Long Term Soil Stabilization and Dust Control. Those portions of the site that are to be graded, cleared, and grubbed of natural vegetation for the installation of the solar panel structures shall be provided with a long term soil stabilization program acceptable to the City of Palm Springs to control wind borne dust and particulates. This may be either an overlay of gravel at sizes of 3/4" or larger or other equivalent means as approved by the Dust Control Management Division of the City Public Works Department.
- ENV 6. CVMSHCP Joint Project Review (JPR) The project proposes development within the Garnet Wash Conservation Corridor and thus is subject to the Joint Project Review process. The applicant shall conform to all requirements imposed by the JPR process.
- ENV 7. Cultural Resource Survey Required. Prior to any ground disturbing activity, including clearing and grubbing, installation of utilities, and/or any construction related excavation, an Archaeologist qualified according to the Secretary of the Interior's Standards and Guidelines, shall be employed to survey the area for the presence of cultural resources identifiable on the ground surface.
- ENV 8. Cultural Resource Site Monitoring. There is a possibility of buried cultural or Native American tribal resources on the site. A Native American Monitor shall be present during all ground-disturbing activities. (check for duplication in engineering conditions)
- a). A Native American Monitor(s) shall be present during all ground disturbing activities including clearing and grubbing, excavation, burial of utilities,

planting of rooted plants, etc. Contact the Agua Caliente Band of Cahuilla Indian Cultural Office for additional information on the use and availability of Cultural Resource Monitors. Should buried cultural deposits be encountered, the Monitor shall contact the Director of Planning. After consultation the Director shall have the authority to halt destructive construction and shall notify a Qualified Archaeologist to further investigate the site. If necessary, the Qualified Archaeologist shall prepare a treatment plan for submission to the State Historic Preservation Officer and Agua Caliente Cultural Resource Coordinator for approval.

- b). Two copies of any cultural resource documentation generated in connection with this project, including reports of investigations, record search results and site records/updates shall be forwarded to the Tribal Planning, Building, and Engineering Department and one copy to the City Planning Department prior to final inspection.

PLANNING DEPARTMENT CONDITIONS

- PLN 1. Outdoor Lighting Conformance. Exterior lighting plans, including a photometric site plan showing the project's conformance with Section 93.21.00 Outdoor Lighting Standards of the Palm Springs Zoning ordinance, shall be submitted for approval by the Department of Planning prior to issuance of a building permit. Manufacturer's cut sheets of all exterior lighting on the building and in the landscaping shall be included. If lights are proposed to be mounted on buildings, down-lights shall be utilized. No lighting of hillsides is permitted.
- PLN 2. Sign Applications Required. No signs are approved by this action. Separate approval and permits shall be required for all signs in accordance with Zoning Ordinance Section 93.20.00.
- PLN 3. Flat Roof Requirements. Roof materials on flat roofs must conform to California Title 24 thermal standards for "Cool Roofs". Such roofs must have a minimum initial thermal emittance of 0.75 and minimum initial solar reflectance of 0.70. Only matte (non-specular) roofing is allowed in colors such as off-white, beige or tan.
- PLN 4. Screen Roof-mounted Equipment. All roof mounted mechanical equipment shall be screened per the requirements of Section 93.03.00 of the Zoning Ordinance.
- PLN 5. Surface Mounted Downspouts Prohibited. No exterior downspouts shall be permitted on any facade on the proposed building(s) that are visible from adjacent streets or residential and commercial areas.

- PLN 6. Exterior Alarms & Audio Systems. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.
- PLN 7. Outside Storage Prohibited. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.
- PLN 8. No off-site Parking. Vehicles associated with the operation of the proposed development including company vehicles or employees vehicles shall not be permitted to park off the proposed building site unless a parking management plan has been approved.
- PLN 9. (add any additional conditions imposed by the Planning Commission or City Council here)

POLICE DEPARTMENT CONDITIONS

- POL 1. Developer shall comply with Section II of Chapter 8.04 "Building Security Codes" of the Palm Springs Municipal Code.

BUILDING DEPARTMENT CONDITIONS

- BLD 1. Prior to any construction on-site, all appropriate permits must be secured.

ENGINEERING DEPARTMENT CONDITIONS

STREETS

- ENG 1. Any improvements within the public right-of-way require a City of Palm Springs Encroachment Permit.
- ENG 2. Submit street improvement plans prepared by a registered California civil engineer to the Engineering Division. The plans shall be approved by the City Engineer prior to issuance of any building permits.
- ENG 3. If the underground electrical line across 19th Avenue will not be owned and maintained by Southern California Edison, the applicant shall apply for an Encroachment License for installation of private underground utilities within the public right-of-way of 19th Avenue. The application for the Encroachment License shall be approved by the City Council prior to issuance of permits related to the utility lines.
- ENG 4. As a condition of any Encroachment License granted to the applicant for the installation of private underground utilities in the public right-of-way, the applicant will be required to become a member of Underground Service Alert (USA) and to comply with applicable state law regarding the marking of underground utilities.

19TH AVENUE

- ENG 5. Dedicate a half street public right-of-way width of 44 feet along the entire frontage of the property (identified by Assessor's Parcel No. 666-330-001), together with a property line - corner cut back at the southeast corner of the intersection of 19th Avenue and Karen Avenue in accordance with City of Palm Springs Standard Drawing No. 105.
- ENG 6. Construct a minimum 20 feet wide 6 inch concrete driveway at the project entry, unless otherwise approved by the City Engineer, from the property line to the proposed edge of pavement. The access shall be gated and locked; and lock box key provided to the Fire Department for emergency access.
- ENG 7. Construct pavement with a minimum pavement section of 3 inches asphalt concrete pavement over 6 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, for a minimum 24 feet wide travel way across the frontage of the property to the project entry as required by the City Engineer. If an alternative pavement section is proposed, the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.
- ENG 8. Construct a turn-around area meeting the requirements of the Fire Marshall and City Engineer, at the project entry.

KAREN AVENUE

- ENG 9. Dedicate a half street public right-of-way width of 30 feet along the entire frontage of the property (identified by Assessor's Parcel No. 666-330-001), together with a property line - corner cut back at the northeast corner of the intersection of Karen Avenue and 20th Avenue in accordance with City of Palm Springs Standard Drawing No. 105.
- ENG 10. Construct a minimum 20 feet wide 6 inch concrete driveway at the project entry, unless otherwise approved by the City Engineer, from the property line to the proposed edge of pavement. The access shall be gated and locked; and lock box key provided to the Fire Department for emergency access.
- ENG 11. Construct pavement with a minimum pavement section of 3 inches asphalt concrete pavement over 6 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, for a minimum 24 feet wide travel way across the frontage of the property to the project entry as required by the City Engineer. If an alternative pavement section is proposed, the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.

- ENG 12. Construct a turn-around area meeting the requirements of the Fire Marshall and City Engineer, at the project entry.
- ENG 13. Paving on Karen Avenue from the Karen Avenue project entrance north to 19th Avenue, or the construction of curb and gutter, sidewalk, curb ramps, spandrels or cross gutters at any location on Karen Avenue, will not be required in conjunction with this development.

ON-SITE

- ENG 14. The on-site perimeter access roads shall be a minimum of 20 feet wide and be accessible to fire apparatus weighing up to 73,000 pounds in accordance with the fire code.
- ENG 15. Construction, use, and maintenance of the all of the proposed on-site access roads shall comply with the Chapter 8.50 (Fugitive Dust Control) of the Palm Springs Municipal Code.

GRADING

- ENG 16. The applicant shall employ an environmental consultant whose responsibility shall be to monitor the applicant's compliance with all required mitigation measures associated with the project on behalf of the City Engineer. The environmental consultant shall work independently of the applicant, and shall report to the City Engineer to identify measures satisfied in accordance with the Mitigated Negative Declaration adopted for the project. All applicable mitigation measures shall be satisfied prior to issuance of a grading permit, or shall be satisfied during the course of construction, (as the case may be), as determined by the City Engineer upon recommendation by the environmental consultant.
- ENG 17. Submit a Rough Grading Plan prepared by a California registered civil engineer to the Engineering Division for review and approval. A Fugitive Dust Control Plan shall be prepared by the applicant and/or its grading contractor and submitted to the Engineering Division for review and approval. The applicant and/or its grading contractor shall be required to comply with Chapter 8.50 of the City of Palm Springs Municipal Code, and shall be required to utilize one or more "Coachella Valley Best Available Control Measures" as identified in the Coachella Valley Fugitive Dust Control Handbook for each fugitive dust source such that the applicable performance standards are met. The applicant's or its contractor's Fugitive Dust Control Plan shall be prepared by staff that has completed the South Coast Air Quality Management District (AQMD) Coachella Valley Fugitive Dust Control Class. The applicant and/or its grading contractor shall provide the Engineering Division with current and valid Certificate(s) of Completion from AQMD for staff that have completed the required training. For information on attending a Fugitive Dust Control Class and information on the Coachella Valley

Fugitive Dust Control Handbook and related "PM10" Dust Control issues, please contact AQMD at (909) 396-3752, or at <http://www.AQMD.gov>. A Fugitive Dust Control Plan, in conformance with the Coachella Valley Fugitive Dust Control Handbook, shall be submitted to and approved by the Engineering Division prior to approval of the Grading plan. The Grading Plan shall be approved by the City Engineer prior to issuance of grading permit.

a) The first submittal of the Rough Grading Plan shall include the following information: a copy of final approved conformed copy of Conditions of Approval; a copy of a final approved conformed copy of the Site Plan; a copy of current Title Report; a copy of Soils Report; a copy of the associated Hydraulics Study/Report; and a copy of the associated Final Project-Specific Water Quality Management Plan.

- ENG 18. In accordance with the mitigation measure AQ-1 included in the Mitigated Negative Declaration adopted for the project: *The project will be subject to SCAQMD Rule 403.1. The project will be expected to adhere to the requirements in this Rule and in any other applicable dust control rules of the state or the City in order to limit the fugitive dust emitted during the construction phase of the project.*
- ENG 19. In accordance with the mitigation measure AQ-2 included in the Mitigated Negative Declaration adopted for the project: *Grading will be limited to no more than 5 acres per day to limit the amount of fugitive dust generated by the project during the grading phase.*
- ENG 20. In accordance with the mitigation measure AQ-3 included in the Mitigated Negative Declaration adopted for the project: *Exposed surfaces shall be watered no less than three times per day to control fugitive dust.*
- ENG 21. In accordance with the mitigation measure AQ-4 included in the Mitigated Negative Declaration adopted for the project: *Surfaces beneath the installed solar panels will be compacted and a soil stabilizer will be applied and then monitored weekly to prevent dust until native vegetation starts to establish on the site.*
- ENG 22. In accordance with the mitigation measure BIO-2 included in the Mitigated Negative Declaration adopted for the project: *Although burrowing owls were not found within the project boundaries, a preconstruction survey, completed by a qualified biologist, should occur prior to breaking ground on the site. If any burrowing owls are found, passive relocation measures will be initiated in accordance with California Burrowing Owl Consortium—Burrowing Owl Mitigation Guidelines, and as outlined in the CVMSHCP. Passive relocation will involve the use of one-way doors on burrows to prevent owls from returning to burrows in impact areas, and all relocation activity will be conducted by a qualified biologist. Owls will be relocated to unimpacted areas of the project site. If structures*

(wildlife burrows, standpipes, or other utilized elements) that have been recognized during pre-activity surveys as supporting either a nesting burrowing owl pair or resident owl are removed to accommodate the proposed project, these structures and burrows will be relocated or replaced on the project site. Relocated and replacement burrows will be established within suitable foraging habitat within the project site in accordance with accepted guidelines.

- ENG 23. In accordance with the mitigation measure BIO-4 included in the Mitigated Negative Declaration adopted for the project: *A worker environmental awareness program shall be prepared and presented that include the penalties associated with violation of any of the resource protection laws governing the resources on the project site. The worker education program should include a handout detailing basic biology of the burrowing owl and other sensitive species that occur on the site, existing threats to their survival, and actions to be taken on the job site. The handout will also include a Signed Authorization page, whereby the person being trained acknowledges having been trained and accepted the conditions of work onsite.*
- ENG 24. In accordance with the mitigation measure CR-1 included in the Mitigated Negative Declaration adopted for the project: *In the event that cultural resources are exposed during ground-disturbing activities, construction activities (e.g., grading, grubbing, or vegetation clearing) shall be halted in the immediate vicinity of the discovery. An archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards (NPS 1983) should then be retained to evaluate the find's significance under CEQA. If the discovery proves to be significant, additional work, such as data recovery excavation, may be warranted and should be discussed in consultation with the lead agency.*
- ENG 25. Prior to issuance of a Grading Permit, the applicant shall obtain written approval to proceed with construction from the Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist. The applicant shall contact the Tribal Historic Preservation Officer or the Tribal Archaeologist at (760) 699-6800, to determine their requirements, if any, associated with grading or other construction. The applicant is advised to contact the Tribal Historic Preservation Officer or Tribal Archaeologist as early as possible. If required, it is the responsibility of the applicant to coordinate scheduling of Tribal monitors during grading or other construction, and to arrange payment of any required fees associated with Tribal monitoring.
- ENG 26. In accordance with an approved PM-10 Dust Control Plan, temporary dust control perimeter fencing shall be installed at the limits of grading and/or disturbed areas. Fencing shall have screening that is tan in color; green screening will not be allowed. Perimeter fencing shall be installed after issuance of Grading Permit, and immediately prior to commencement of grading operations.

- ENG 27. Temporary dust control perimeter fence screening shall be appropriately maintained, as required by the City Engineer. Cuts (vents) made into the perimeter fence screening shall not be allowed. Perimeter fencing shall be adequately anchored into the ground to resist wind loading.
- ENG 28. Within 10 days of ceasing all construction activity and when construction activities are not scheduled to occur for at least 30 days, the disturbed areas on-site shall be permanently stabilized, in accordance with Palm Springs Municipal Code Section 8.50.022. Following stabilization of all disturbed areas, temporary dust control perimeter fencing shall be removed, as required by the City Engineer.
- ENG 29. The applicant shall obtain all required environmental permits (i.e. Section 401 Water Quality Certification, Section 404 Permit, and Section 1602 Streambed Alteration Agreement) required for temporary or permanent construction within the Garnet Wash. The applicant shall provide copies of required permits prior to approval of grading plans. Alternatively, the applicant shall provide a copy of a determination from the U.S. Army Corps of Engineers that the project does not impact waters of the U.S., and a letter from the California Department of Fish and Game authorizing construction of the project without an agreement.
- ENG 30. The applicant shall submit a copy of the Spill Prevention Control and Countermeasures Plan developed in accordance with the U.S. Code of Federal Regulations, Title 40, Part 112, prior to issuance of grading permit.
- ENG 31. A Notice of Intent (NOI) to comply with the California General Construction Stormwater Permit (Water Quality Order 2009-0009-DWQ as modified September 2, 2009) is required for the proposed development via the California Regional Water Quality Control Board (Phone No. (760) 346-7491). A copy of the executed letter issuing a Waste Discharge Identification (WDID) number shall be provided to the City Engineer prior to issuance of a grading or building permit.
- ENG 32. Projects causing soil disturbance of one acre or more, must comply with the General Permit for Stormwater Discharges Associated with Construction Activity and shall prepare and implement a stormwater pollution prevention plan (SWPPP). The project applicant shall cause the approved final project-specific Water Quality Management Plan to be incorporated by reference or attached to the project's SWPPP as the Post-Construction Management Plan. A copy of the up-to-date SWPPP shall be kept at the project site and be available for review upon request.
- ENG 33. In accordance with City of Palm Springs Municipal Code, Section 8.50.022 (h), the applicant shall post with the City a cash bond of two thousand dollars (\$2,000.00) per disturbed acre for mitigation measures for erosion/blowsand relating to this property and development.

- ENG 34. A Geotechnical/Soils Report prepared by a California registered Geotechnical Engineer shall be required for and incorporated as an integral part of the grading plan for the proposed development. A copy of the Geotechnical/Soils Report shall be submitted to the Engineering Division with the first submittal of a grading plan.
- ENG 35. The applicant shall provide all necessary geotechnical/soils inspections and testing in accordance with the Geotechnical/Soils Report prepared for the project. All backfill, compaction, and other earthwork shown on the approved grading plan shall be certified by a California registered geotechnical or civil engineer, certifying that all grading was performed in accordance with the Geotechnical/Soils Report prepared for the project. Documentation of all compaction and other soils testing are to be provided. The City will not "final" the project until the required certification is provided to the City Engineer.
- ENG 36. The applicant shall provide pad elevation certifications for all structure pads in conformance with the approved grading plan, to the Engineering Division prior to construction of any structure foundation.
- ENG 37. In cooperation with the Riverside County Agricultural Commissioner and the California Department of Food and Agriculture Red Imported Fire Ant Project, applicants for grading permits involving a grading plan and involving the export of soil will be required to present a clearance document from a Department of Food and Agriculture representative in the form of an approved "Notification of Intent To Move Soil From or Within Quarantined Areas of Orange, Riverside, and Los Angeles Counties" (RIFA Form CA-1) prior to approval of the Grading Plan. The California Department of Food and Agriculture office is located at 73-710 Fred Waring Drive, Palm Desert (Phone: 760-776-8208).

WATER QUALITY MANAGEMENT PLAN

- ENG 38. This project will be required to install measures in accordance with applicable National Pollution Discharge Elimination System (NPDES) Best Management Practices (BMP's) included as part of the NPDES Permit issued for the Whitewater River Region from the Colorado River Basin Regional Water Quality Control Board (RWQCB). The applicant is advised that installation of BMP's, including mechanical or other means for pre-treating stormwater runoff, will be required by regulations imposed by the RWQCB. It shall be the applicant's responsibility to design and install appropriate BMP's, in accordance with the NPDES Permit, that effectively intercept and pre-treat stormwater runoff from the project site, prior to release to the City's municipal separate storm sewer system ("MS4"), to the satisfaction of the City Engineer and the RWQCB. Such measures shall be designed and installed on-site; and provisions for perpetual maintenance of the measures shall be provided to the satisfaction of the City Engineer.

- ENG 39. A Final Project-Specific Water Quality Management Plan (WQMP) shall be submitted to and approved by the City Engineer prior to issuance of a grading or building permit. The WQMP shall address the implementation of operational Best Management Practices (BMP's) necessary to accommodate nuisance water and storm water runoff from the site. Direct release of nuisance water to the adjacent property (or public streets) is prohibited. Construction of operational BMP's shall be incorporated into the Rough Grading Plan.
- ENG 40. Prior to issuance of any grading or building permits, the property owner shall record a "Covenant and Agreement" with the County-Clerk Recorder or other instrument on a standardized form to inform future property owners of the requirement to implement the approved Final Project-Specific WQMP. Other alternative instruments for requiring implementation of the approved Final Project-Specific WQMP include: requiring the implementation of the Final Project-Specific WQMP in Home Owners Association or Property Owner Association Covenants, Conditions, and Restrictions (CC&R's); formation of Landscape, Lighting and Maintenance Districts, Assessment Districts or Community Service Areas responsible for implementing the Final Project-Specific WQMP; or equivalent. Alternative instruments must be approved by the City Engineer prior to the issuance of any grading or building permits.
- ENG 41. Prior to issuance of "final" approval by City, the applicant shall: (a) demonstrate that all structural BMP's have been constructed and installed in conformance with approved plans and specifications; (b) demonstrate that applicant is prepared to implement all non-structural BMP's included in the approved Final Project-Specific WQMP, conditions of approval, or grading/building permit conditions; and (c) demonstrate that an adequate number of copies of the approved Final Project-Specific WQMP are available for the future owners (where applicable).
- ENG 42. For industrial facilities subject to the General Permit for Stormwater Discharges Associated with Industrial Activity as defined by Standard Industrial Classification the (SIC) code, prior to issuance of "final" approval by the City, the applicant shall demonstrate that General Permit coverage has been obtained by providing a copy of the Notice of Intent submitted to the SWRCB and a copy of the notification of the issuance of a Waste Discharge Identification (WDID) Number or other proof of filing.

DRAINAGE

- ENG 43. In accordance with the mitigation measure HWQ-2 included in the Mitigated Negative Declaration adopted for the project: *A hydraulics investigation and report will be submitted to the City of Palm Springs for approval prior to issuance of the grading permit. The Hydraulic Study shall include a HEC-RAS Analysis, a scour analysis determining maximum depth of scour along the Garnet Wash within the project site limits, establish the base flood elevations and the limits of the 100-year floodway and floodplain along the Garnet Wash, as well as study*

the possibility (or not) of a back-ponding effect onto the project site from the existing culverts that take the Garnet Wash drainage under Interstate 10. Any additional measures included in that report shall be implemented by the project proponent. The analysis should begin at least 1,000 feet downstream of Interstate 10 and continue through the project site and beyond approximately 400 feet upstream of Karen Avenue.

- ENG 44. The project shall comply with provisions of Chapter 8.68 "Flood Damage Prevention" of the Palm Springs Municipal Code, Section 8.68.170 "Standards of Construction", section (a) "Anchoring". In accordance with the Code, all structures shall be constructed with foundations adequately anchored to withstand the maximum total scour potential during the 100-year storm.
- ENG 45. The project shall comply with provisions of Chapter 8.68 "Flood Damage Prevention" of the Palm Springs Municipal Code, Section 8.68.170 "Standards of Construction", section (c)(2) "Non Residential Construction". In accordance with the Code, all mechanical and electrical equipment shall be elevated a minimum of 2 feet above the base flood elevation. Natural grade shall be determined as the average grade of native soils surrounding each foundation, not including gravel fill placed around the foundation.
- ENG 46. There shall be no structures or obstructions installed on the project site at the Garnet Wash that could impede the flow of the Garnet Wash (such as chain link fencing that could entrap debris in the fencing fabric).
- ENG 47. In accordance with the Coachella Valley Multiple Species Habitat Conservation Plan *Fluvial Sand Transport Only Area*, development within those portions of the Garnet Wash Fluvial Sand Transport Conservation Corridor shall not impede water-borne sand transport across the parcel in its natural direction of flow. In addition, water-borne sediments and floodwaters within the Garnet Wash Conservation Corridor shall not be artificially retained on-site.
- ENG 48. In accordance with the mitigation measures BIO-1 and HWQ-1 included in the Mitigated Negative Declaration adopted for the project: *To prevent contaminated wastewater from entering downstream habitats, designated areas shall be set aside for equipment washing and small batch mixing of concrete or other chemicals. The set aside areas shall be lined with an impermeable liner, and all washings or residue shall be collected and properly disposed of following construction.*

GENERAL

- ENG 49. Any utility trenches or other excavations within existing asphalt concrete pavement of off-site streets required by the proposed development shall be backfilled and repaired in accordance with City of Palm Springs Standard Drawing No. 115.

- ENG 50. All proposed utility lines shall be installed underground.
- ENG 51. All existing utilities shall be shown on the improvement plans required for the project. The existing and proposed service laterals shall be shown from the main line to the property line.
- ENG 52. Upon approval of any improvement plan by the City Engineer, the improvement plan shall be provided to the City in digital format, consisting of a DWG (AutoCAD 2004 drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variation of the type and format of the digital data to be submitted to the City may be authorized, upon prior approval of the City Engineer.
- ENG 53. The original improvement plans prepared for the proposed development and approved by the City Engineer (if required) shall be documented with record drawing "as-built" information and returned to the Engineering Division prior to issuance of a "final" approval by City. Any modifications or changes to approved improvement plans shall be submitted to the City Engineer for approval prior to construction.
- ENG 54. Nothing shall be constructed or planted in the corner cut-off area of any (intersection or) driveway which does or will exceed the height required to maintain an appropriate sight distance per City of Palm Springs Zoning Code Section 93.02.00, D.
- ENG 55. This property is subject to the Coachella Valley Multiple Species Habitat Conservation Plan Local Development Mitigation fee (CVMSHCP-LDMF). The LDMF shall be paid prior to issuance of Building Permit.

TRAFFIC

- ENG 56. Submit traffic striping and signage plans for 19th Avenue and Karen Avenue, prepared by a California registered civil engineer, for review and approval by the City Engineer. Parking shall be prohibited within the surfaces of 19th Avenue and Karen Avenue, required to be paved in conjunction with this development. The proposed west end of pavement and north end of pavement on 19th Avenue and Karen Avenue, respectively, shall have road barricades and road ends signs as required by the City Engineer. All required traffic striping and signage improvements shall be completed in conjunction with required street improvements, to the satisfaction of the City Engineer, and prior to issuance of a "final" approval by the City.
- ENG 57. Construction signing, lighting and barricading shall be provided during all phases of construction as required by City Standards or as directed by the City Engineer. As a minimum, all construction signing, lighting and barricading shall be in

accordance with Part 6 "Temporary Traffic Control" of the California Manual on Uniform Traffic Control Devices for Streets and Highways, dated September 26, 2006, or subsequent editions in force at the time of construction.

ENG 58. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

FIRE DEPARTMENT CONDITIONS

- FID 1. These conditions are subject to final plan check and review. Initial fire department conditions have been determined on the site plan dated and received on 10/21/2010. Additional requirements may be required at that time based on revisions to site plans.
- FID 2. Fire Department Conditions were based on the 2007 California Fire Code. Four complete sets of plans for fire alarm and fire protection systems must be submitted at time of the building plan submittal.
- FID 3. **Access During Construction (CFC 503):** Access for firefighting equipment shall be provided to the immediate job site at the start of construction and maintained until all construction is complete. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13'6". Fire Department access roads shall have an all weather driving surface and support a minimum weight of 73,000 lbs.
- FID 4. **Buildings and Facilities (CFC 503.1.1):** Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
- FID 5. **Fire Department Access:** Minimum width of 20' Fire Department Access Roads shall be provided and maintained in accordance with (Sections 503 CFC) along the perimeter and interior roadways.
- FID 6. **Fire Department Access:** Access to the proposed site shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. 19th Avenue and Karen Avenue have been identified as the main access roads and are to meet the conditions set forth in CFC 503.2.3.
- FID 7. **Secondary Fire Department Access:** Secondary access points are required due to the Garnet Wash that runs through this project. Access is required on

both sides of the Garnet Wash. All access locations with gates shall meet the Security Gate requirements stated in CFC 503.6.

- FID 8. **Surface (CFC 503.2.3):** Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus (73,000 lbs. GVW) and shall be surfaced so as to provide all-weather driving capabilities.
- FID 9. **Premises Identification (CFC 505.1):** New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4" high with a minimum stroke width of 0.5".
- FID 10. **Turning radius (CFC 503.2.4):** The required turning radius of a fire apparatus access road shall be determined by the fire code official. Fire access road turns and corners shall be designed with a minimum inner radius of 25 feet and an outer radius of 43 feet. Radius must be concentric.
- FID 11. **Security Gates (CFC 503.6):** The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained at all times. Approved security gates shall be a minimum of 14 feet in unobstructed drive width on each side with gate in open position. Secured automated vehicle gates or entries shall utilize approved Knox access switches as required by the fire code official. Secured non-automated vehicle gates or entries shall utilize an approved padlock or chain (maximum link or lock shackle size of ¼ inch) when required by the fire code official.
- FID 12. **Key Box Required to be Installed (CFC 506.1):** Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location.
- FID 13. **Location of Knox boxes:** A Knox box shall be installed at every locked gate. Boxes shall be mounted at 5 feet above grade. Show location of boxes on plan elevation views. Show requirement in plan notes.

END OF CONDITIONS

PROPERTY OF SOLAR RIVER, INC.
 1115 OLIVADO AVENUE
 RIVERSIDE, CALIFORNIA 92501
 PHONE: 951-745-0900
 FAX: 916-745-0999

PHOTOVOLTAIC SYSTEM
 DESIGNED BY:
SOLAR RIVER, INC.

1115 OLIVADO AVENUE
 RIVERSIDE, CALIFORNIA 92501
 PHONE: 951-745-0900
 FAX: 916-745-0999

PROJECT NAME

North Palm Springs 4A
 Southeast Corner of 18th Ave
 and Karen Avenue,
 Palm Springs, CA 92239

TEL: 951-745-0900
 FAX: 916-745-0999



1115 OLIVADO AVENUE
 RIVERSIDE, CALIFORNIA 92501
 PHONE: 951-745-0900
 FAX: 916-745-0999

Preparation

PROJECT NUMBER	0033 SRRPVW06
DATE	10-18-2010
DRAWN BY	MS
APPROVED BY	MS
COPYRIGHT	© 2010 SOLAR RIVER, INC.
CONDITIONAL USE PERMIT	
SITE PLAN	
& DETAILS	
SHEET NUMBER	
CUP-1	

UTILITY INFORMATION
 GAS: CALIFORNIA GAS SERVICE
 WATER: SOUTHERN CALIFORNIA GAS CO.
 SEWER: SOUTHERN CALIFORNIA GAS CO.
 TELEPHONE: VERIZON COMMUNICATIONS

TOPOGRAPHIC MAPS
 CONVEYED PHOTOGRAPHICALLY BY OUR ROAD COMMISSION DATED 12/02/07

FEMA FLOOD MAP DESIGNATION
 FEMA FLOOD ZONE X - OTHER AREAS
 CHARTERED FLOOD ZONE X-1000 DATED 07/23/08 FLOOD ZONE X
 FEMA FLOOD ZONE X - OTHER AREAS
 CHARTERED FLOOD ZONE X-1000 DATED 07/23/08 FLOOD ZONE X

EXPLANATORY NOTES
 1. TO INCLUDE ALL LINES OF ROAD FUTURE AREAS ARE PROPOSED IN CONFORMANCE WITH THE PERMITS.
 2. NO UNLAWFUL/UNDESIRABLE UTILITY STORAGE FACILITIES ARE PROPOSED IN CONFORMANCE WITH THE PERMITS.
 3. NO SUBSTANTIAL SEPTIC DISPOSAL SYSTEMS ARE PROPOSED IN CONFORMANCE WITH THE PERMITS.
 4. PROJECT ACCESS SHALL BE OBTAINED FROM HIGHWAY 18 AND 19TH AVENUE.

ADDITIONAL LEGEND
 CL OR E
 CONTINGENT
 EXISTING/PROPOSED USE
 EXISTING ROADS
 EXIST-OR-NOT
 PROJECT BOUNDARY
 INDUSTRIAL (OR BUSINESS) TRAIL (BT)
 ZONING (BOTH)

SCHOOL DISTRICT
 DISTRICT 180 & TRINITY CO. WY
 TELEPHONE: (760) 415-0400

PROJECT AREA
 18TH AVENUE
 1115 OLIVADO AVENUE
 RIVERSIDE, CA 92501
 PHONE: 951-745-0900
 FAX: 916-745-0999

PROJECT OWNER/LESSEE
 SEE CITY APPLICATION

OWNER/LESSEE
 SEE CITY APPLICATION

PROJECT DATA
 THE DUNE PROJECT SEE 525 WITH THE BOUNDARY OF THE CHOCOMA VALLEY WATERSHED SERVICE IMPROVEMENT PLAN IS SUBJECT TO CHANGE PER 100 AND WILL FOLLOW THE APPROVING AGENCIES IN THE END.

LEGAL DESCRIPTION
 BEING A PORTION OF THE BOUNDARY 1/4 OF SECTION 15, TOWNSHIP 35N, RANGE 12E, COUNTY OF CALIFORNIA, PALM SPRINGS, COUNTY OF CALIFORNIA, STATE OF CALIFORNIA.

APPLICANT
 1115 OLIVADO AVENUE
 RIVERSIDE, CA 92501
 PHONE: 951-745-0900
 FAX: 916-745-0999

PROJECT OWNER/LESSEE
 SEE CITY APPLICATION

OWNER/LESSEE
 SEE CITY APPLICATION

PROJECT DATA
 THE DUNE PROJECT SEE 525 WITH THE BOUNDARY OF THE CHOCOMA VALLEY WATERSHED SERVICE IMPROVEMENT PLAN IS SUBJECT TO CHANGE PER 100 AND WILL FOLLOW THE APPROVING AGENCIES IN THE END.

LEGAL DESCRIPTION
 BEING A PORTION OF THE BOUNDARY 1/4 OF SECTION 15, TOWNSHIP 35N, RANGE 12E, COUNTY OF CALIFORNIA, PALM SPRINGS, COUNTY OF CALIFORNIA, STATE OF CALIFORNIA.

APPLICANT
 1115 OLIVADO AVENUE
 RIVERSIDE, CA 92501
 PHONE: 951-745-0900
 FAX: 916-745-0999

PROJECT OWNER/LESSEE
 SEE CITY APPLICATION

OWNER/LESSEE
 SEE CITY APPLICATION

PROJECT DATA
 THE DUNE PROJECT SEE 525 WITH THE BOUNDARY OF THE CHOCOMA VALLEY WATERSHED SERVICE IMPROVEMENT PLAN IS SUBJECT TO CHANGE PER 100 AND WILL FOLLOW THE APPROVING AGENCIES IN THE END.

LEGAL DESCRIPTION
 BEING A PORTION OF THE BOUNDARY 1/4 OF SECTION 15, TOWNSHIP 35N, RANGE 12E, COUNTY OF CALIFORNIA, PALM SPRINGS, COUNTY OF CALIFORNIA, STATE OF CALIFORNIA.

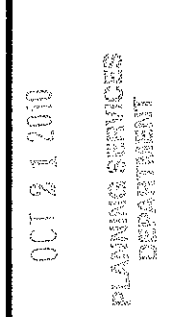
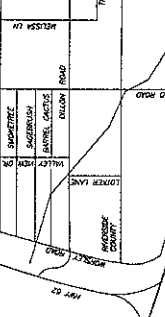
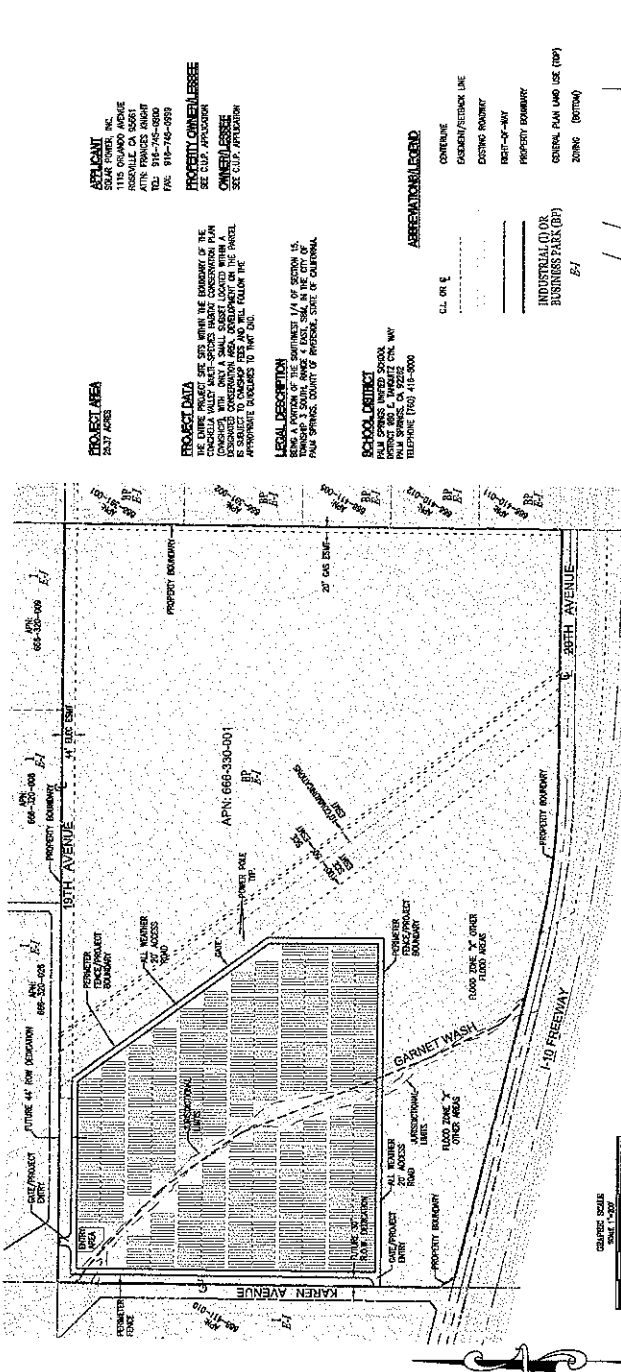
APPLICANT
 1115 OLIVADO AVENUE
 RIVERSIDE, CA 92501
 PHONE: 951-745-0900
 FAX: 916-745-0999

PROJECT OWNER/LESSEE
 SEE CITY APPLICATION

OWNER/LESSEE
 SEE CITY APPLICATION

PROJECT DATA
 THE DUNE PROJECT SEE 525 WITH THE BOUNDARY OF THE CHOCOMA VALLEY WATERSHED SERVICE IMPROVEMENT PLAN IS SUBJECT TO CHANGE PER 100 AND WILL FOLLOW THE APPROVING AGENCIES IN THE END.

LEGAL DESCRIPTION
 BEING A PORTION OF THE BOUNDARY 1/4 OF SECTION 15, TOWNSHIP 35N, RANGE 12E, COUNTY OF CALIFORNIA, PALM SPRINGS, COUNTY OF CALIFORNIA, STATE OF CALIFORNIA.



RECEIVED
 SHEET NO. 1
 SHEET 1 - PRELIMINARY GROUND PLAN

OCT 21 2010

PLANNING SERVICES
 DEPARTMENT

6.524
 5.1253

PROPERTY OF SOLAR POWER, INC.
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PHOTOVOLTAIC SYSTEM
 DESIGNED BY:
SOLAR POWER INC.
 1116 Odgers Avenue
 Roseville CA 95661-5247
 Phone : 916-745-0900
 Fax : 916-745-0999

Project Name
North Palm Springs 4A
 Southeast Corner of 18th Ave
 and Karen Avenue,
 Palm Springs, CA 92265
 LAT: 33°54'35" N (03.90973)
 LONG: 116°33'45" W (-116.5625)

ETG
 Engineering
 Technology
 Group
 2005 E. New Ave, Apt 33
 Palm Springs, CA 92264

Presentation
 Scale: 1" = 100'
 Date: 10-18-2010
 Project Number: CH33 504/PWP
 Approved By: MS
 Drawn By: MS
 Checked By: MS
 Copyright © 2010 SOLAR POWER, INC.

CONVENTIONAL USE PERMIT
**PRELIMINARY
 GRADING PLAN**
 SHEET NUMBER
 CUP-2

GRADING AND DISTURBANCE NOTES:
 1. ALL EXISTING LIMITS WHERE THE SITE ARE TO BE UNDISTURBED.
 2. PROPOSED SITE GRADING IS CONSIDERED WITH EXISTING TOPOGRAPHY. NO SITE GRADING IS PROPOSED WITHIN THE JURISDICTIONAL LIMITS OF THE GARRET WASH.
 3. EXISTING TOPOGRAPHY SHALL BE MAINTAINED TO THE MAXIMUM EXTENT POSSIBLE AND SHALL BE COVERED WITH A GRASS OR SOFTWOOD MAT AT A MINIMUM OF 10% COVER WITH THE PROPOSED INTERCROPPED ROSEWOODS.

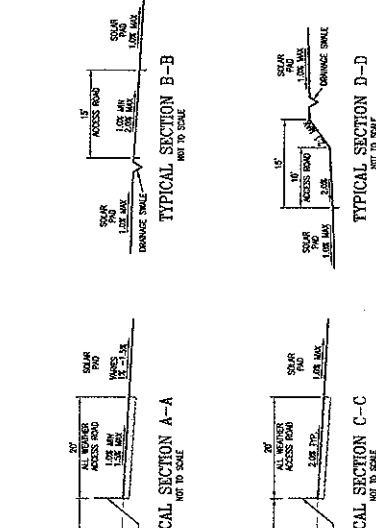
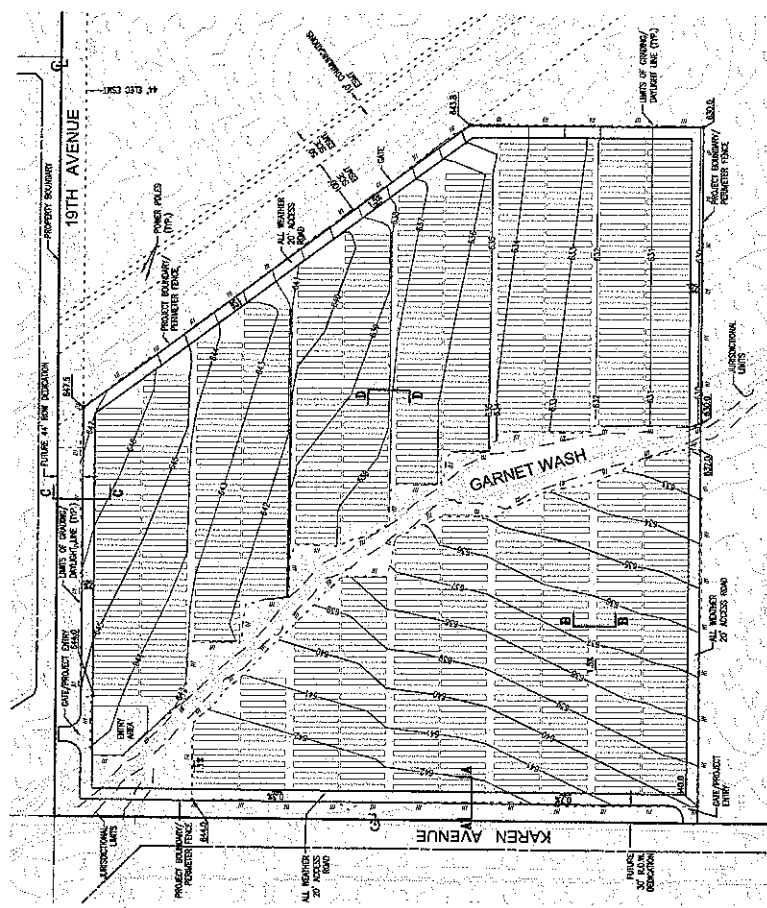
LEGEND/ABBREVIATIONS
 POINT-OF-WAY
 CENTERLINE
 DASHED/STREET LINE
 DASHED/AREAS/LIMITS OF GRADING
 PROJECT BOUNDARY

PRELIMINARY EARTHWORK QUANTITIES:

	CUT	FILL
R/W	15,500 C.Y.	7,650 C.Y.
ROADSIDE (0-17)	-	3,700 C.Y.
CLAY/PAVED (0-17)	-	3,700 C.Y.
SHOULDER (0-50)	-	1,650 C.Y.
TOTAL:	15,500 C.Y.	15,500 C.Y.
TOTAL GRAD AREA:	1,104,198 S.F. (25.4 AC)	

THE QUANTITIES PROVIDED HEREIN ARE "PRELIMINARY" AND FOR ESTIMATING PURPOSES ONLY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR OBTAINING ALL NECESSARY RECORDS. THE CONTRACTOR SHALL ALSO PERSONAL INSURE ESTIMATES FOR GRADING AND CONSTRUCTION PURPOSES.

NO.	LINE	DATE	REVISIONS	APP'D DATE



RECEIVED

OCT 21 2010

PLANNING SERVICES
 DEPARTMENT

Description of the Generating Facility and the site

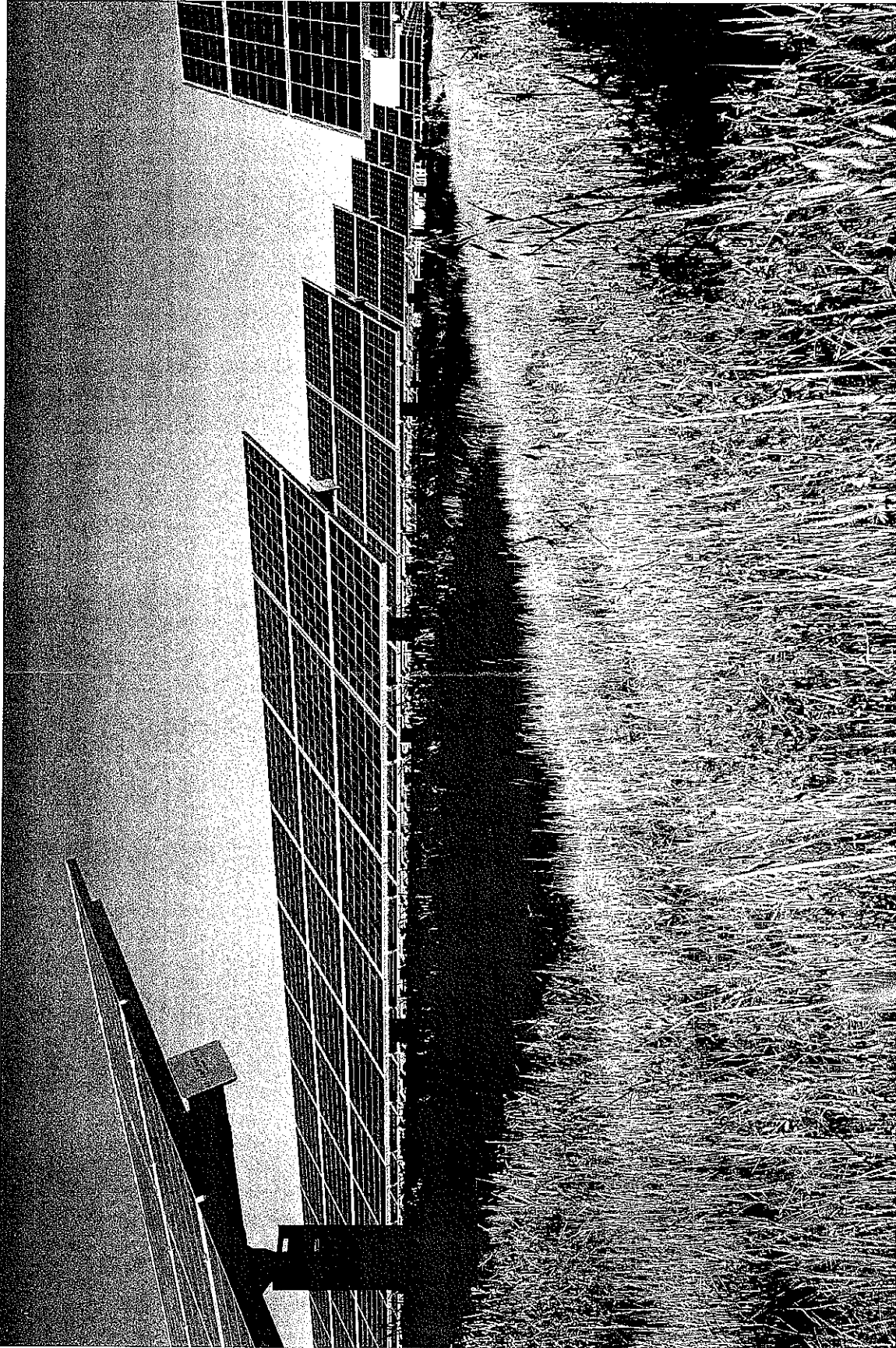
Name and Address of the Generating Facility

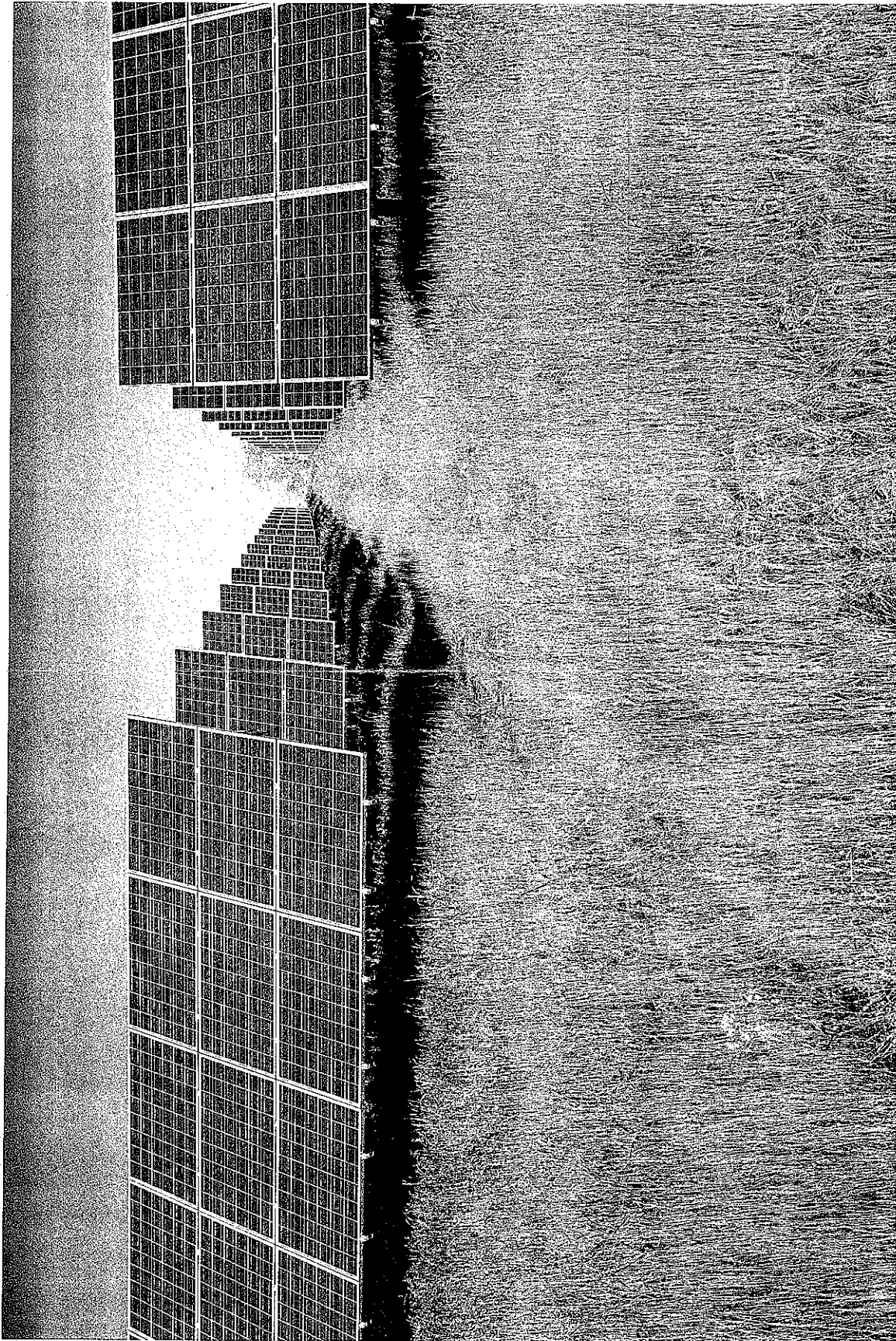
North Palm Springs #4A on the south of 19th Street and east of Karen Ave,
Palm Springs, CA 92240 – APN -666-330-001

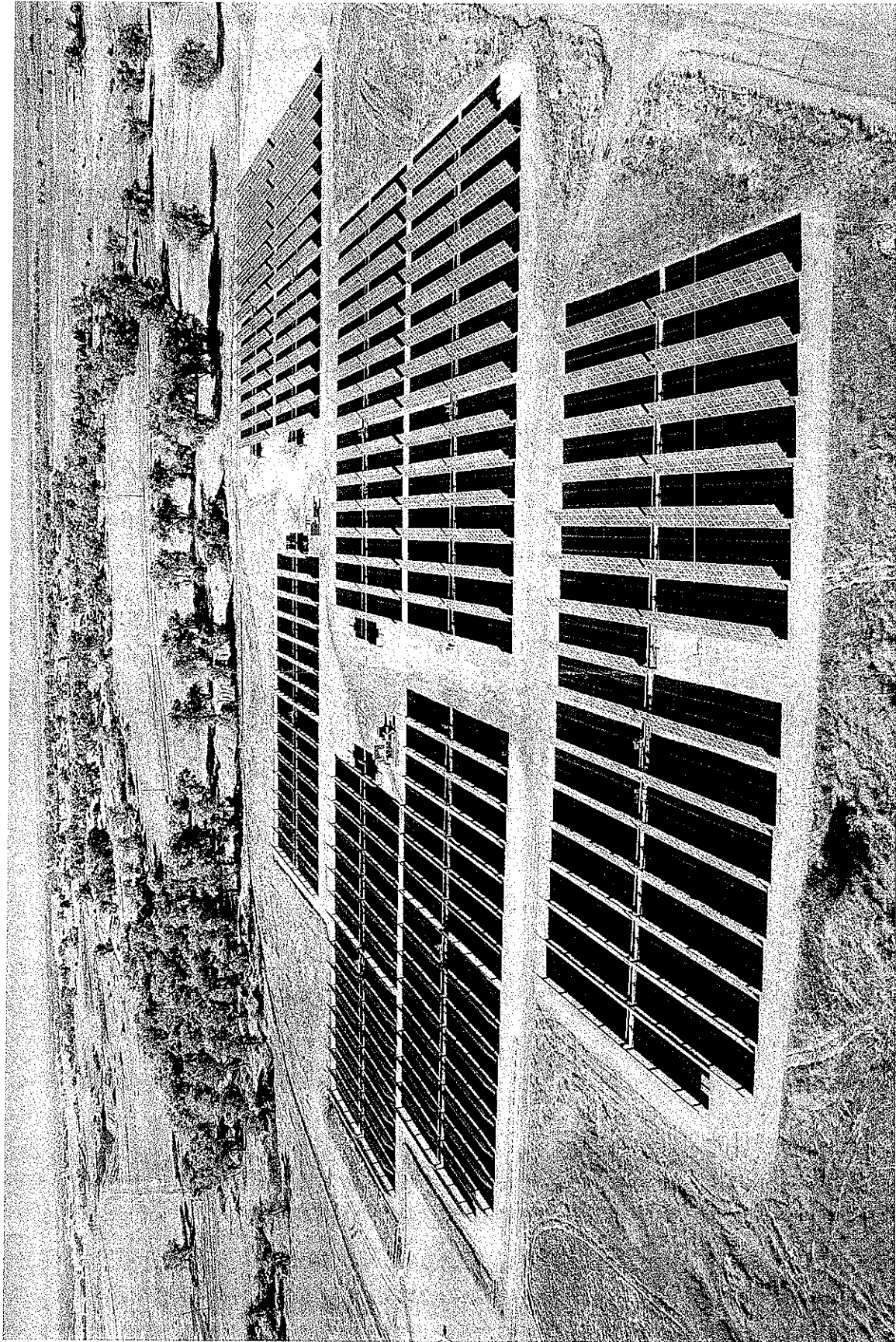
Description of the Generating Facility

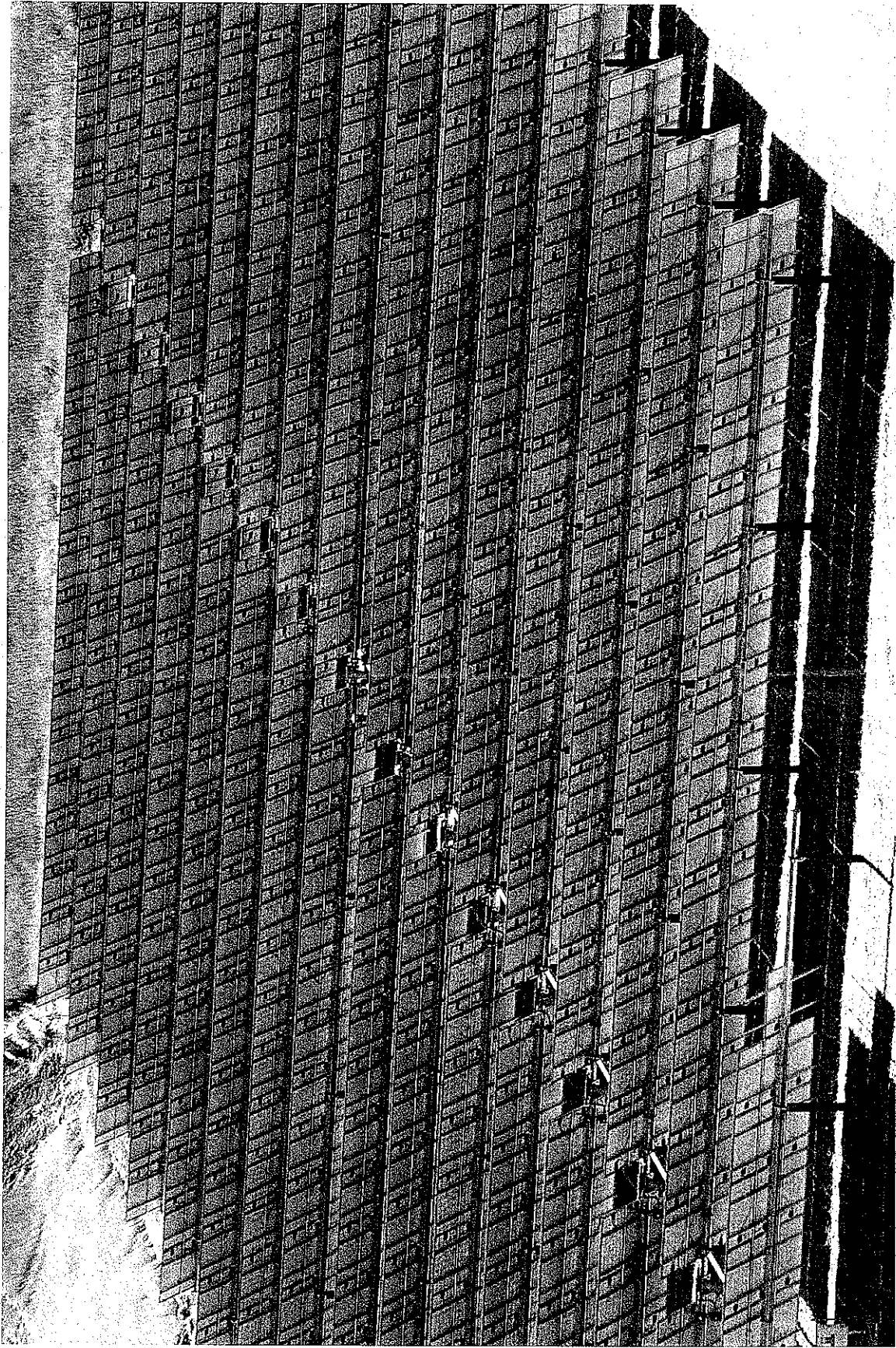
The North Palm Springs #4A proposed photovoltaic solar facility is approximately a 4.96 MW DC utility interactive photovoltaic system located on the south side of 19th Ave. and east of Karen Ave, Palm Springs, in Riverside County, California. The major components of the system consist of photovoltaic modules, multiple inverters, single axis trackers, meteorological stations, combiner boxes, a production monitoring system, DC open-blade disconnects, electrical switchgear and all required over current protection devices. The modules will be installed on a support structure supported by mechanically driven steel piers. The motors will track the sun from east to west on a single axis controlled by tracking software that allows for backtracking and tilt of modules from 45°E to 45°W. Meteorological stations will supply the tracking software with data for improved functionality. Meteorological components will consist of anemometers, pyrometers, ambient temperature sensors and irradiance sensors that send information to a data acquisition system (DAS).

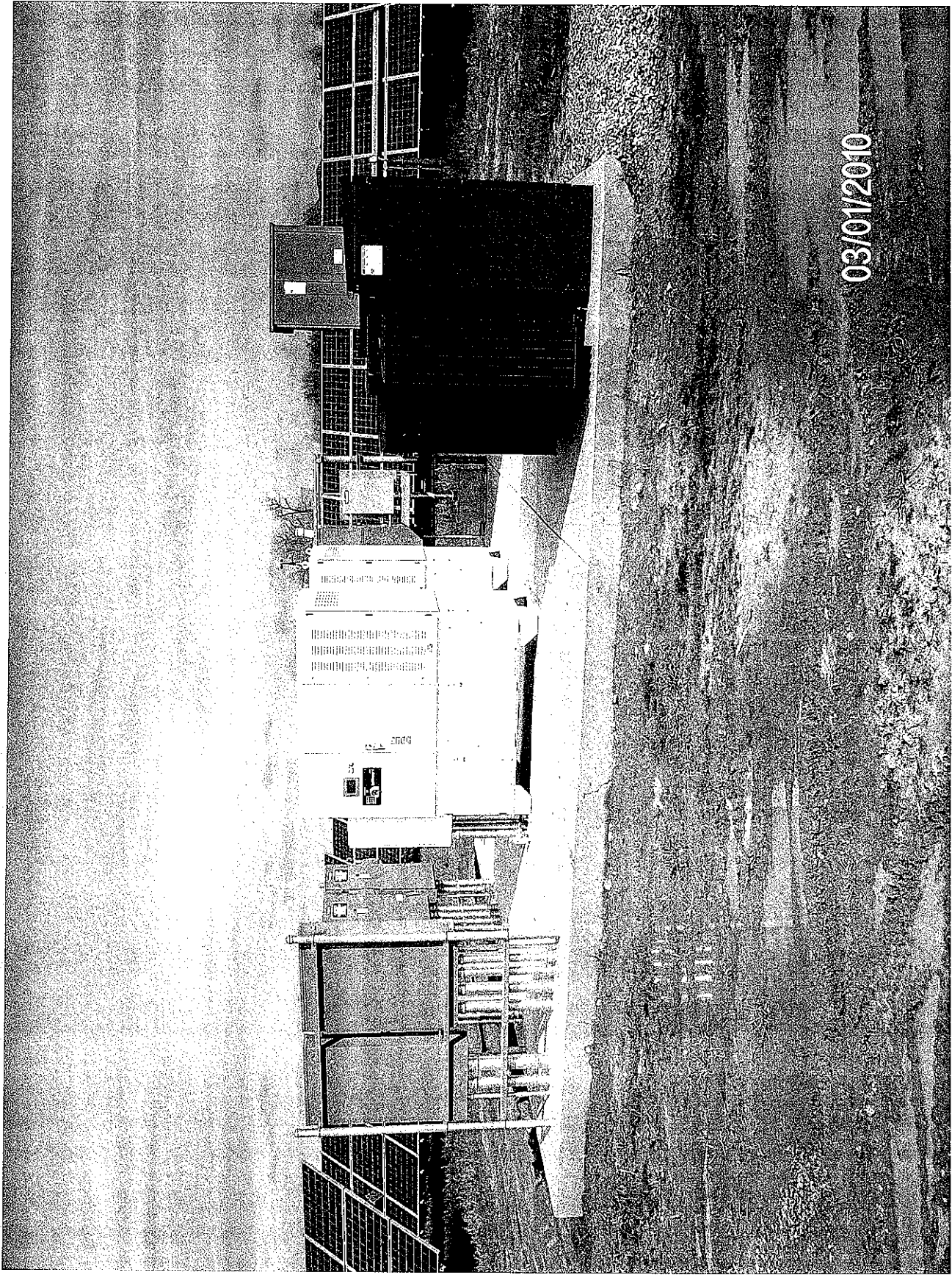
Multiple inverters will supply AC power to switchgear. The output from the switchgear main circuit breaker will then be configured to the correct voltage to tie into the existing utility grid. The site perimeter will be secured by a 6 ft. chain link security fence and a locked entrance gates.











03/01/2010