



## Planning Commission Staff Report

Date: May 8, 2013

Case No.: 5.1296 PD 363 "SOL PS / TTM 36525"

Application Type: Planned Development District in lieu of a Change of Zone and Tentative Tract Map

Location: Northeast corner of Avenida Caballeros & Amado Road.

Applicant: SOL PS, LLC

Zone: Section 14 Specific Plan - High Density Residential

General Plan: HD - High Density Residential (15 to 30 du/ac)

APNs: 508-580-055 through -069, 071, 074, and 075

---

### PROJECT DESCRIPTION

A request by SOL PS, LLC, for approval of a Planned Development District in lieu of a Change of Zone (PDD) and a Tentative Tract Map (TTM). The PDD proposes 46 single-family residential units (SFR's) on individual lots in a gated community for which deviations in the development standards have been sought.<sup>1</sup> The Tentative Tract Map proposes a subdivision of the 7.11 acres into 46 single family residential lots, private roadways, and shared private open space.

### RECOMMENDATION

1. Certify the previously adopted Mitigated Negative Declaration as an adequate environmental analysis under the California Environmental Quality Act (CEQA) of the proposed PDD and TTM.
2. Approve a preliminary Planned Development District in lieu of a change of zone, subject to conditions of approval, and recommend approval of the same

---

<sup>1</sup> Single Family Residential uses are prohibited in the HR land use area of the Section 14 Specific Plan. The project also seeks deviations in the minimum development standards for an R-1 zone.

by the City Council.

3. Recommend approval by the City Council of Tentative Tract Map 34165 subject to conditions.

### PRIOR ACTIONS

February 25, 2013, Architectural Advisory Committee (AAC) voted 4-0 recommending approval to the Planning Commission with the condition that the applicant considers integrating pedestrian access points (gates) in the exterior perimeter wall along the public streets to encourage pedestrian activity on the public streets.

### BACKGROUND AND SETTING

The site is located in the central part of Palm Springs, diagonally across (to the northeast) of the Convention Center. The project fronts North Avenida Caballeros and Amado Road (both roadways are classified as 4-lane secondary thoroughfares in the General Plan).



Aeria photo of project site

**Table 1: Surrounding land uses, General Plan, Zoning**

	Land Use	General Plan	Zoning
North	Single-Family Residential	PDD 321 (The Morrison)	PDD 321 (The Morrison)
East	Multi Family Residential	High Density Residential	High Density Residential
South	Vacant / truck parking for convention center	Tourist Resort Commercial	Tourist Resort Commercial
West	Convention Center Parking Lot (future hotel site)	High Density Residential	High Density Residential

**STAFF ANALYSIS:**

General Plan/Specific Plan:

The project is located in Section 14. The Section 14 Specific Plan (S14SP) is established as both the zoning document and the implementing document of the General Plan (GP) for this area of the City.

**Table 2: General Plan and Specific Plan Consistency Analysis**

Item	General Plan / Specific Plan	Proposed PDD 363
1 GP Consistency: Land Use	PDD projects must be consistent with the General Plan and Specific Plan).	<ul style="list-style-type: none"> <li>Land use designation: HR.</li> <li>Single Family prohibited in HR. (DOES NOT CONFORM)</li> <li>With approval of the PDD, SFR use is conforming.</li> </ul>
2 GP Consistency: Connect development with neighborhood  Pedestrian path of travel separate from vehicular	<p>Section 3.1 Vision (Page 3-4)  <i>Connect residential development to commercial areas via enhanced walkway / bikeway network</i></p> <p><i>GP CR7.1 Provide barrier-free accessibility for all handicapped residents, employees and visitors, including special design for rural street profiles to accommodate ADA-required path of travel separation from vehicular lanes.</i></p> <p><i>GP 7.12 Ensure that appropriate pedestrian facilities are provided as a component of new development.</i></p>	<ul style="list-style-type: none"> <li>Project has no internal sidewalks.</li> <li>Condition of approval to add pedestrian gates at each lot abutting the public street (CONFORMS WITH COMPLIANCE WITH CONDITION)</li> <li>Project to construct portion of class 1 bikeway on Avenida Caballeros. (CONFORMS)</li> <li>Condition of approval for 4 foot sidewalks along private streets. (CONFORMS WITH COMPLIANCE WITH CONDITION)</li> </ul>
3 GP / S14SP Density	HR: 15 to 30 du/acre	Project proposes 6.5 du/acre. (DOES NOT CONFORM), With approval of the PDD in lieu of Change of

			Zone the proposed density is conforming.
4	GP / S14SP relation to Planned Development District	Section 9.1.4 " <i>Specific Plan amendments</i> ": Require approval by the Planning Commission and City Council. PDD in lieu of a Change of Zone as outlined in PSZC 94.07.00	The proposed PDD, if approved, would be deemed an amendment to the Specific Plan and also by reference would amend the land use designation in the General Plan from HR to Medium Density Residential (6 to 15 du/ac) for this project area. (CONFORMS WITH APPROVAL OF THE PDD)
5	GP Consistency: Circulation & Non-motorized Transportation Master Plan	Section 4.3 Pedestrian/Bikeway/Shuttle Network (Page 4-7) " <i>Generally following the established street grid, this network would connect resort uses and attractions and help boost Section 14's image as a recreational resort.</i> " Establish a Class 2 bikeway on Caballeros and a Class 3 bikeway on Amado Road	Project proposes meandering sidewalks along the public street-front with a Class I bikeway along Avenida Caballeros and a Class 3 bikeway along Alejo Road, (CONFORMS)
6	GP Consistency: Prohibit gated communities	<i>GP CD 14.6 Prohibit gated community entries and perimeter walls around entire neighborhoods. Instead, provide privacy through design features such as meandering streets, ample landscaping, and house placement that provides privacy and exclusivity.</i>	<ul style="list-style-type: none"> <li>Project is proposed as a gated community (DOES NOT CONFORM),</li> <li>COA requires perimeter pedestrian gates.</li> </ul>
7	SP Consistency: Decorative paving	Section 5.2.13 Paving Materials for Sidewalks and Crosswalks. (Page 5-42) " <i>Crosswalks and intersection paving should incorporate colored, patterned concrete and/or interlocking pavers... creating a mosaic pattern of selected Cahulla symbols or art forms.</i> "	<ul style="list-style-type: none"> <li>Guest parking areas, private roadway intersections and entry drives proposed with decorative interlocking pavers.</li> <li>Final patterns submitted with final PDD and coordinated with the Tribal Historic Preservation Office. COA included to address Tribal review.</li> <li>COA included to add decorative paving at crosswalks and sidewalk intersections at the public streets.</li> </ul>
8	SP Consistency: perimeter walls.	7.2.5 Fences/Walls (Page 7-11) " <i>No wall or fence visible from a street shall extend more than 25 feet horizontally without a visual break created by an articulation and/or architectural detailing in the wall plane facing the street.</i> "	<ul style="list-style-type: none"> <li>Uninterrupted lengths of perimeter walls are longer than 25 feet (DOES NOT CONFORM).</li> <li>COA is included for final review and approval of perimeter wall designs by the AAC.</li> </ul>
9	GP Consistency:	General Plan page 4-14, " <i>As development and funding allows,</i>	<ul style="list-style-type: none"> <li>No landscape median is proposed. (DOES NOT CONFORM)</li> </ul>

	Landscape requirements	<i>the following specific street segments are to be developed with landscaped medians in order to enhance traffic flow and create more attractive thoroughfares... - Avenida Caballeros from Alejo Road to Ramon."</i>	<ul style="list-style-type: none"> <li>(Condition of approval to add landscaped median in Caballeros).</li> </ul>
10	SP Landscape requirements	SP p 5-23 <i>Shade trees in an informal pattern at a maximum spacing of 30 feet along street edge of Amado and at least a five foot wide sidewalk.</i>	<ul style="list-style-type: none"> <li>Shade trees spacing is wider than 30 ft (DOES NOT CONFORM)</li> <li>Condition of Approval required 30' shade tree spacing.</li> </ul>
11	SP Landscape requirements	SP p.5-11 pairs of palm trees 60' oc and informally spaced shade trees	Proposed as required (CONFORMS)

**Table 3: Comparison of development standards to Proposed Amended PDD 363**

	<b>Zoning: Underlying R-4 Zone</b>	<b>Specific Plan HR:</b>	<b>Proposed PDD 363:</b>
Density	1,500 sf min. lot area/unit for multi-family (30 du/ac) SFR prohibited	500sf lot area per DU for hotels, SFRs are prohibited in HR	<ul style="list-style-type: none"> <li>6.47 du/ac</li> <li>(Density is less than Specific Plan and Zoning Code)</li> <li>(With approval of the PDD both the lower density and the SFR use would be deemed conforming)</li> </ul>
Minimum Lot Size	2 acres for R-4, however this development proposes SFR's on individual lots; typical minimum lot size for R-1 is 7,500 square feet	N/A	<ul style="list-style-type: none"> <li>Lot sizes vary between 4,152 sf (0.09 ac) and 6,222 square feet (0.13 ac) (DOES NOT CONFORM:</li> <li>Requires approval of PDD to conform)</li> </ul>
Min Lot Width and Depth	130 x 155	N/A	<ul style="list-style-type: none"> <li>Lot widths vary between 50 feet and 61 feet</li> <li>Lot depths vary between 80 feet and 100 feet (DOES NOT CONFORM;</li> <li>requires approval of PDD to conform)</li> </ul>
Building Height	30 feet	30 feet and 3 stories	29 feet (CONFORMS)
SP 6.3.1(a) Open Space at Grade		Provide a minimum of common open space at grade	(CONFORMS). (roof decks are optional and thus not factored in to this analysis)
SP 6.3.1 (b) Access to common open space	n/a	Those areas of common open space shall be easily accessible by all residents	Common areas accessible; (CONFORMS)
SP 6.3.1 (c) Architectural character	n/a	Avoid flat planar walls and box-like appearances	The Architecture is modern, with rectilinear forms and accent colors; (CONFORMS)
Yards (PSZC	Bldgs over 15 ft set	Per PSZC	<ul style="list-style-type: none"> <li>Reduced setbacks as noted below</li> </ul>

92.05.03)	back equal to the height		(DOES NOT CONFORM, • (requires approval of the PDD to conform) <u>Proposed minimum setbacks:</u> <u>Front Yard - 5 feet,</u> <u>Side Yard (one side only per lot) 0</u> <u>Side Yard - 3 feet,</u> <u>Rear Yard - 6 feet.</u> <u>Lots that abut an adjacent development - 10 feet</u> <u>Rear Lots abutting the Morrison (Lots 15 through 21) - 20 feet</u> <u>Minimum proposed %-age required usable open space: 30%</u>
Front Yard (PSZC 92.05.03)	30 feet	Per PSZC	• Vary between 5 ft and 18 ft; (DOES NOT CONFORM, • (requires approval of the PDD to conform)
Side Yard (PSZC 92.05.03)	20 feet for buildings over 15 feet in height	Per PSZC	• Vary between zero (0) ft and 3 ft; • (DOES NOT CONFORM, • (requires approval of the PDD to conform)
Corner Side Yards (PSZC 92.05.03)	30 feet	Per PSZC	• Vary between 3 ft and 20 ft (DOES NOT CONFORM, • (requires approval of the PDD to conform)
Rear Yard (PSZC 92.05.03)	20 feet	Per PSZC	• Vary between 6 ft and 25 ft; (DOES NOT CONFORM, • (requires approval of the PDD to conform)
Distance bet. Bldgs (PSZC 02.05.03)	15 ft	Per PSZC	• Average distance is approximately 3 ft; (DOES NOT CONFORM, • (requires approval of the PDD to conform)
Lot coverage (PSZC 02.05.04)	45% usable open space for R-4, however typical R-1 max lot coverage is 35%	Per PSZC	• Between 33% and 49% lot coverage; per PDD; • Usable open space varies between 48% and 63% per lot (CONFORMS)
Off-street parking (PSZC 93.06.00)	2 spaces / single family residence; Condos in a PDD: 1.5 spaces per 2 bdrm unit; plus 1 guest parking space for every 4 units	Per PSZC	46 single family dwelling units require 92 covered parking spaces; 92 provided (conforms)  Guest parking requires 12 spaces, 22 provided. (CONFORMS)
Landscape	Water efficient landscape ordinance; must comply to state ordinance	Per State Ordinance	COA to require certification of conformance to the State Water Efficient Landscape Ordinance (CONFORMS)
Uses permitted	SFR's not permitted	SFR's not permitted	(DOES NOT CONFORM) Requires approval of the PDD to conform
Access from public streets	PSZC 93.06	Per PSZC	Primary access from Amado Road with on-site turn-around to avoid backing into traffic. 3 emergency access gates along Caballeros (CONFORMS)

*Policy requirement for PDD's to provide Public Benefits*

In September 2008, the City Council adopted a policy requiring that PDD's provide a specific "public benefit" proportionate to the nature, type and extent of the relief granted from the development standards and requirements.

The applicant is requesting relief from the following development standards of the PSZC and Section 14 Specific Plan:

- The addition of single family residences as a permitted use in a high density land use zone of the Section 14 Specific Plan.
- Reduced density (from HR 15 to 30 du/ac to 6.5 du/ac)
- Reduced front, side and rear yard setbacks.
- Reduced setbacks for buildings in excess of 15 feet in height.
- Reduced minimum lot sizes for single family residences from 7,500 square feet to an average of 4,560 square feet (minimum proposed lot size is 4,152 square feet and 6222 square feet is the maximum proposed lot size).
- Elimination of General Plan and Specific Plan-required landscape median islands along Avenida Caballeros.
- No provision for pedestrian sidewalks along interior private streets

The applicant is proposing the following as the Public Benefit of the project:

- the project itself (putting vacant land into productive use),
- sustainability features (electric charging station, bike racks, pre-wire for solar photo-voltaic panels),
- improved energy efficiency of over the minimum requirement of the California Building Code Title 24.

**REQUIRED FINDINGS**

Findings for the Planned Development District in Lieu of a Change of Zone.

Pursuant to PSZC Section 94.03.00 "*Planned Development Districts in lieu of a Change of Zone*" findings shall be made in support of approval of the PDD application in accordance with Section 93.07 (Zone Change) of the Zoning Code. Those findings are listed below with Staff's analysis. The Section 14 Specific Plan requires amendments to be approved by the Planning Commission and the City Council. No specific findings are noted for Section 14 Specific Plan Amendments.

1. *The proposed change of zone is in conformity with the general plan map and report. Any amendment of the general plan necessitated by the proposed change of zone should be made according to the procedure set forth in the State Planning Law either prior to the zone change, or notice may be given and hearings held on such general plan amendment concurrently with notice and*

*hearings on the proposed change of zone.*

The PDD seeks to amend the Section 14 Specific Plan, which is the implementing document for the General Plan for this area of the City. The PDD seeks approval for:

- The addition of single family residences as a permitted use in a high density land use zone of the Section 14 Specific Plan.
- Reduced density (from HR 15 to 30 du/ac to 6.5 du/ac)
- Reduced front, side and rear yard setbacks.
- Reduced percentage of open space per lot.
- Reduced setbacks for buildings in excess of 15 feet in height.
- Reduced minimum lot sizes for single family residences from 7,500 square feet to an average of 4,560 square feet.
- Elimination of General Plan and Specific Plan-required landscape median islands along Avenida Caballeros.
- Creation of a gated community (inconsistent with General Plan GP CD 14.6)
- No provision for pedestrian sidewalks along interior private streets

The proposed PDD if approved would have the effect of a change of zone and an amendment to the General Plan and Specific Plan. If approved the project would be deemed consistent.

*2. The subject property is suitable for the uses permitted in the proposed zone, in terms of access, size of parcel, relationship to similar or related uses, and other considerations deemed relevant by the commission and council.*

The proposed site plan incorporates private streets that conform to the minimum width required. The project includes adequate means of emergency access. The proposed single family use is consistent with adjacent recent similar developments, such as the Morrison, just north of the subject parcel. Approval of the PDD is required to permit single family uses in a high density land use designation. The project proposes lot sizes that are adequate to provide usable outdoor space, including small pools and spas. Thus the project is deemed consistent with this finding.

*3. The proposed change of zone is necessary and proper at this time, and is not likely to be detrimental to the adjacent property or residents.*

The project proposes single family dwelling units on small, individual lots in a gated community. Similar projects adjacent to this project (The Morrison) have recently been developed with a similar housing type and have all been sold to individual homeowners. Although the high density residential land use designation would also permit development of greater densities than that proposed, there is demand in the new home market at this time to support this type of development. The use would not be detrimental to adjacent property or residents, in fact, it continues a similar form of single



family residential development in this area that would be complementary in its overall form and density. The proposed project conforms to this finding.

A draft set of conditions of approval are proposed in the attached Exhibit A.

*Tentative Tract Map Amendment*

Findings are required for the proposed subdivision pursuant to Section 66474 of the Subdivision Map Act. These findings and a discussion of the project as it relates to these findings follow:

*a. The proposed Tentative Tract Map is consistent with all applicable general and specific plans.*

The proposed TTM is not consistent with the General Plan and the Section 14 Specific Plan because the General Plan and Specific Plan designate these parcels for development of high density residential uses (15 to 30 du/ac). The proposed density of the tract map is 6.5 dwelling units per acre (du/ac) and the units are single family units – which are not permitted in the HR / R-4 zone. The applicant has requested approval of a Planned Development District in lieu of a Change of Zone. A PDD in lieu of a Change of Zone may be used to amend or modify the Section 14 Specific Plan pursuant to Specific Plan section 9.1.3. The PDD proposes a density of 6.5 du/ac and single family uses. With the approval of the PDD, the density of the project and the single family use would be deemed consistent with the General Plan and the Specific Plan.

*b. The design and improvements of the proposed Tentative Tract Map are consistent with the zone in which the property is located.*

The proposed project design and improvements are generally not consistent with the Section 14 Specific Plan HR zones and the underlying R-4 zone in which the property is located. The PDD proposes a set of development standards and design details with smaller setbacks than would otherwise be required by the underlying zone. The overall density is less than the minimum allowable for the zone and the average lot size is smaller than required by the zone. Improvements proposed include single family homes which are prohibited in the HR land use areas of the Section 14 Specific Plan. The project seeks approval to amend the Section 14 Specific Plan by permitting single family uses on these specific parcels in the HR land use area. With the approval of the PDD, the project will be consistent with this finding.

*c. The site is physically suited for this type of development.*

The project site is flat and is located in an area with all urban services and utilities, including streets. The project proposes 46 single family residential dwelling units on individual lots with private streets and private common open space. It is surrounded by similar residential uses, including other single family residences on small lots as well as condominium units. The site has adequate vehicular access to the public street along

Amado Road and emergency vehicular access via Avenida Caballeros. The project site is diagonally across the corner from the City's Convention Center. A 5-story mixed-use hotel project is proposed on the parcel immediately west of this parcel. The site is physically suited for this type of development.

*d. The site is physically suited for the proposed density of development.*

The project proposes 46 single family dwelling units on approximately 7.11 acres or roughly 6.5 du/ac which is less than the allowable density under the Specific Plan and General Plan. The site abuts improved public streets with existing utilities and with right of way widths that are projected in the City's 2007 General Plan update to operate at normal levels of service (LOS).

*e. The design of the subdivision is not likely to cause environmental damage or substantially and avoidably injure fish, wildlife, or their habitats.*

The Initial Study prepared for the project determined that with implementation of proposed mitigation measures, any environmental impacts regarding project construction effects on air quality, and noise will be reduced to a level that is less than significant. There is no known wildlife habitat in the vicinity of the project site.

*f. The design of the subdivision or type of improvements is not likely to cause serious public health problems.*

The design of the proposed subdivision includes connections to all public utilities including water and sewer systems. The layout of internal private streets provides access to each lot. With the approval of the PDD, the residential uses proposed would be found to be consistent with the General Plan, and the Specific Plan. The subdivision is proposed with no sidewalks on the interior private streets. Pedestrians within the development would have to walk in the streets. Although sidewalks are not required by the State Subdivision Map Act, providing sidewalks would provide a separation of vehicular and pedestrian movement and improve the project's consistency with the General Plan. A condition of approval has been proposed requiring sidewalks within the development.

*g. The design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision.*

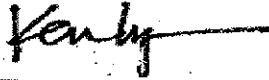
There are no known public easements across the subject property; therefore the design of the subdivision will not conflict with easements for access through or use of the property. Any utility easements can be accommodated within the project design.

## ENVIRONMENTAL ASSESSMENT

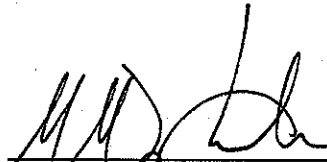
The PDD and TTM applications are considered a project under the guidelines of the California Environmental Quality Act (CEQA). An initial study was conducted on the site analyzing the project which concluded that there were aspects of the project that may cause a significant impact on the environment. A 20-day public review period for the Draft Mitigated Negative Declaration (DMND) was held beginning on April 8, 2013 and ending on April 29, 2013. No comments were received that would require modification or recirculation of the DMND. Mitigation measures that would reduce the significant impacts to a less than significant level have been proposed.

## NOTIFICATION

A notice was mailed to all property owners within a four hundred (400) foot radius of the subject parcels in accordance with state law. As of the writing of this report, staff has not received correspondence on the subject project. Notice has also been given to the Agua Caliente Band of Cahuilla Indians and the proposed project will be reviewed by the Tribal Planning Commission and Tribal Council for recommendation to the City, prior to the public hearing with the City Council.



Ken Lyon  
Associate Planner



Margo Wheeler, AICP  
Director of Planning Services

## ATTACHMENTS

1. Vicinity Map
2. Draft Resolution
3. Exhibit A - Draft Conditions of Approval
4. Exhibit B - Lot Areas / Lot Coverage / Open Space per lot
5. Initial Study / Proposed Mitigated Negative Declaration / Mitigation Measures
6. Reduced site plans, tract map, floor plans & elevations

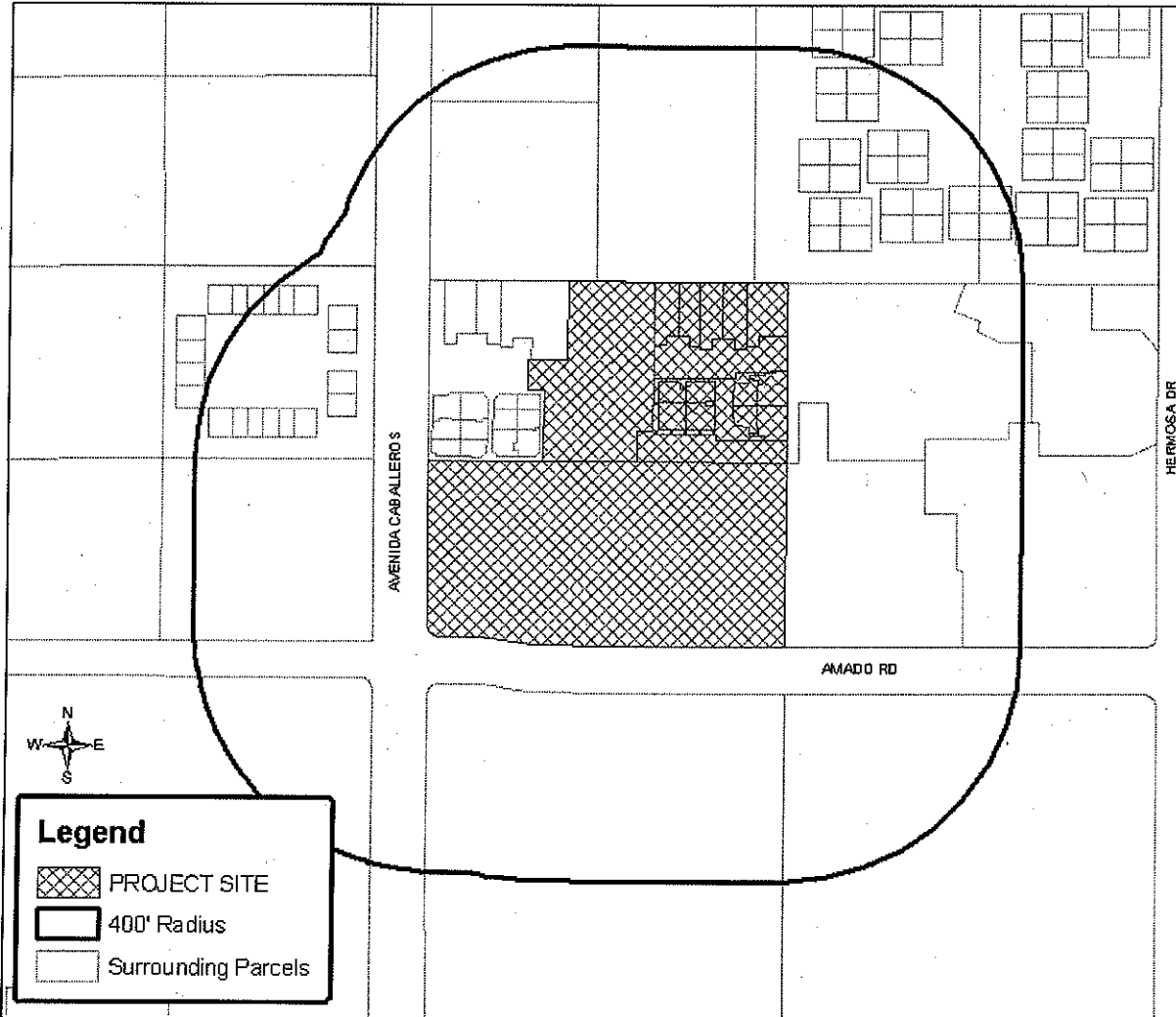
**EXHIBIT B - PDD 363 - SOL PS - LOT AREA/COVERAGE/OPEN SPACE PER LOT**

LOT #	AREAS (S.F.)			TABULATED PERCENTAGES		
	Lot Area (LA)	Bldg Area (BA)	Driveway Area (DA)	Lot Coverage (BA/LA)	Open Space (LA-BA/LA)	Usable Landscape (LA-BA-DA/LA)
1	4839	2052	320	42%	58%	51%
2	5035	2052	96	41%	59%	57%
3	4926	2052	240	42%	58%	53%
4	4584	2052	240	45%	55%	50%
5	4274	2052	160	48%	52%	48%
6	4921	2052	96	42%	58%	56%
7	5161	2009	128	39%	61%	59%
8	4300	2009	128	47%	53%	50%
9	4205	2052	80	49%	51%	49%
10	4395	2009	128	46%	54%	51%
11	4300	2009	160	47%	53%	50%
12	4477	2052	135	46%	54%	51%
13	4339	2052	106	47%	53%	50%
14	4440	2052	80	46%	54%	52%
15	6222	2052	540	33%	67%	58%
16	4725	2052	80	43%	57%	55%
17	4820	2009	104	42%	58%	56%
18	4630	2009	104	43%	57%	54%
19	4820	2009	104	42%	58%	56%
20	4725	2009	104	43%	57%	55%
21	5712	2009	104	35%	65%	63%
22	4189	2052	120	49%	51%	48%
23	4689	2009	190	43%	57%	53%
24	4708	2009	188	43%	57%	53%
25	4648	2009	188	43%	57%	53%
26	4589	2009	188	44%	56%	52%
27	4529	2009	188	44%	56%	51%
28	4804	2009	156	42%	58%	55%
29	5497	2052	134	37%	63%	60%
30	4399	2052	128	47%	53%	50%
31	4286	2052	160	48%	52%	48%
32	4393	2009	160	46%	54%	51%
33	4704	2009	80	43%	57%	56%
34	4704	2052	80	44%	56%	55%
35	4152	2009	142	48%	52%	48%
36	4402	2009	222	46%	54%	49%
37	4652	2009	264	43%	57%	51%
38	4780	2009	280	42%	58%	52%
39	4755	2009	267	42%	58%	52%
40	4732	2052	115	43%	57%	54%
41	4423	2009	197	45%	55%	50%
42	4447	2009	147	45%	55%	52%
43	4395	2052	179	47%	53%	49%
44	4455	2052	147	46%	54%	51%
45	4515	2052	115	45%	55%	52%
46	4574	2052	83	45%	55%	53%
<b>Average:</b>	<b>4560</b>					

**PLANNED DEVELOPMENT DISTRICT**



# Department of Planning Services Vicinity Map



## CITY OF PALM SPRINGS

**CASE NO:** 5.1296 PDD 363,  
TTM 36525

**APPLICANT:** SOL PS, LLC

**DESCRIPTION:** A Planned Development District in lieu of a Change of Zone and a Tentative Tract Map for a gated community of 46 two and three story single family residential units on individual lots, located on a roughly 7.1 acre parcel at the northeast corner of North Avenida Caballeros and Amado Road. Zone HR, Section 14 Specific Plan. APN: 508-580-055 through -069, 071, 074, and 075

RESOLUTION NO.

OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA APPROVING A PRELIMINARY PLANNED DEVELOPMENT DISTRICT IN LIEU OF A CHANGE OF ZONE FOR CASE 5.1296 PDD 363, CHANGING THE DEVELOPMENT STANDARDS, DENSITY AND TYPE OF RESIDENTIAL UNITS AT AN APPROXIMATELY 7.11 ACRE PARCEL AT THE NORTHEAST CORNER OF AVENIDA CABALLEROS AND AMADO ROAD, AND RECOMMENDING APPROVAL BY THE CITY COUNCIL OF THE PDD AMENDMENT AND TENTATIVE TRACT MAP 36525, A SUBDIVISION OF 46 SINGLE FAMILY RESIDENTIAL LOTS WITH PRIVATE STREETS, PRIVATE COMMON OPEN SPACE, OFF-STREET PARKING; SECTION 14 SPECIFIC PLAN ZONE HR (UNDERLYING ZONE R-4, SECTION 14 (IL)/T4/R4.

WHEREAS, Sol PS, LLC, ("Applicant") has filed an application with the City pursuant to Section 94.03.00 (Planned Development District), 94.04.00 (Architectural Review), 94.07.00 (Zone Change) of the Zoning Code and Section 9.1.4 of the Section 14 Specific Plan seeking approval for a preliminary Planned Development District in Lieu of a Change of Zone proposing 46 single family residential units and deviations in the underlying development standards on an approximately 7.11 acre parcel at the northeast corner of Avenida Caballeros and Amado Road; and

WHEREAS, the applicant has submitted an application with the City pursuant to Section 9.62 of the City of Palm Springs Municipal Code and the State of California Subdivision Map Act for Tentative Tract Map No. 36525, and

WHEREAS, notice of public hearing of the Planning Commission of the City of Palm Springs to consider Case 5.1296 PDD 363 & TTM 36525 was given in accordance with applicable law; and

WHEREAS, on May 8, 2013, a public hearing on Case 5.1296 PDD 363 / TTM 36525 was held by the Planning Commission in accordance with applicable law; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) Guidelines, the project has been determined to be a project subject to environmental 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 PDD and TTM applications are considered a project under the guidelines of the California Environmental Quality Act (CEQA). An initial study was conducted on the site analyzing the project which concluded that there were aspects of the

project that may cause a significant impact on the environment. A draft mitigated negative declaration (DMND) was proposed and a 20-day public review period for the Draft Mitigated Negative Declaration (DMND) was held beginning on April 8, 2013 and ending on April 29, 2013. No comments were received that would require modification or recirculation of the DMND. Mitigation measures that would reduce the significant impacts to a less than significant level have been proposed

Section 2: Pursuant to Section 94.03.00 (E) "*Planned Development Districts*" of the Zoning Code, a Planned Development District in lieu of a Change of Zone (PDD) may be established in accordance with the procedures required by Section 94.07.00

Section 3: The Commission makes the following findings regarding the preliminary Planned Development District in lieu of a Change of Zone:

Pursuant to PSZC Section 94.03.00 "*Planned Development Districts in lieu of a Change of Zone*" findings shall be made in support of approval of the PDD application in accordance with Section 93.07 (Zone Change) of the Zoning Code. Those findings are listed below. The Section 14 Specific Plan requires amendments to be approved by the Planning Commission and the City Council. No specific findings are noted for Section 14 Specific Plan Amendments.

1. *The proposed change of zone is in conformity with the general plan map and report. Any amendment of the general plan necessitated by the proposed change of zone should be made according to the procedure set forth in the State Planning Law either prior to the zone change, or notice may be given and hearings held on such general plan amendment concurrently with notice and hearings on the proposed change of zone.*

The PDD seeks to amend the Section 14 Specific Plan, which is the implementing document for the General Plan for this area of the City. The PDD seeks approval for:

- The addition of single family residences as a permitted use in a high density land use zone of the Section 14 Specific Plan.
- Reduced density (from HR 15 to 30 du/ac to 6.5 du/ac)
- Reduced front, side and rear yard setbacks.
- Reduced percentage of open space per lot.
- Reduced setbacks for buildings in excess of 15 feet in height.
- Reduced minimum lot sizes for single family residences from 7,500 square feet to an average of 4,560 square feet.
- Elimination of General Plan and Specific Plan-required landscape median islands along Avenida Caballeros.
- Creation of a gated community (inconsistent with General Plan GP CD 14.6)
- No provision for pedestrian sidewalks along interior private streets

The proposed PDD if approved would have the effect of a change of zone and an amendment to the General Plan and Specific Plan. If approved the project would be deemed consistent.

2. *The subject property is suitable for the uses permitted in the proposed zone, in terms of access, size of parcel, relationship to similar or related uses, and other considerations deemed relevant by the commission and council.*

The proposed site plan incorporates private streets that conform to the minimum width required. The project includes adequate means of emergency access. The proposed single family use is consistent with adjacent recent similar developments, such as the Morrison, just north of the subject parcel. Approval of the PDD is required to permit single family uses in a high density land use designation. The project proposes lot sizes that are adequate to provide usable outdoor space, including small pools and spas. Thus the project is deemed consistent with this finding.

3. *The proposed change of zone is necessary and proper at this time, and is not likely to be detrimental to the adjacent property or residents.*

The project proposes single family dwelling units on small, individual lots in a gated community. Similar projects adjacent to this project (The Morrison) have recently been developed with a similar housing type and have all been sold to individual homeowners. Although the high density residential land use designation would also permit development of greater densities than that proposed, there is demand in the new home market at this time to support this type of development. The use would not be detrimental to adjacent property or residents, in fact, it continues a similar form of single family residential development in this area that would be complementary in its overall form and density. The proposed project conforms to this finding.

A draft set of conditions of approval are proposed in the attached Exhibit A.

Section 4: *Tentative Tract Map* Additional findings are required for the proposed subdivision pursuant to Section 66474 of the Subdivision Map Act. The Planning Commission makes the following findings as it relates to the Tentative Tract Map application:

a. *The proposed Tentative Tract Map is consistent with all applicable general and specific plans.*

The proposed TTM is not consistent with the General Plan and the Section 14 Specific Plan because the General Plan and Specific Plan designate these parcels for development of high density residential uses (15 to 30 du/ac). The proposed density of the tract map is 6.5 dwelling units per acre (du/ac) and the units are single family units – which are not permitted in the HR / R-4 zone. The applicant has requested approval of a Planned Development



District in lieu of a Change of Zone. A PDD in lieu of a Change of Zone may be used to amend or modify the Section 14 Specific Plan pursuant to Specific Plan section 9.1.3. The PDD proposes a density of 6.5 du/ac and single family uses. With the approval of the PDD, the density of the project and the single family use would be deemed consistent with the General Plan and the Specific Plan.

*b. The design and improvements of the proposed Tentative Tract Map are consistent with the zone in which the property is located.*

The proposed project design and improvements are generally not consistent with the Section 14 Specific Plan HR zones and the underlying R-4 zone in which the property is located. The PDD proposes a set of development standards and design details with smaller setbacks than would otherwise be required by the underlying zone. The overall density is less than the minimum allowable for the zone and the average lot size is smaller than required by the zone. Improvements proposed include single family homes which are prohibited in the HR land use areas of the Section 14 Specific Plan. The seeks approval to amend the Section 14 Specific Plan by permitting single family uses on these specific parcels in the HR land use area. With the approval of the PDD, the project will be consistent with this finding.

*c. The site is physically suited for this type of development.*

The project site is flat and is located in an area with all urban services and utilities, including streets. The project proposes 46 single family residential dwelling units on individual lots with private streets and private common open space. It is surrounded by similar residential uses, including other single family residences on small lots as well as condominium units. The site has adequate vehicular access to the public street along Amado Road and emergency vehicular access via Avenida Caballeros. The project site is diagonally across the corner from the City's Convention Center. A 5-story mixed-use hotel project is proposed on the parcel immediately west of this parcel. The site is physically suited for this type of development.

*d. The site is physically suited for the proposed density of development.*

The project proposes 46 single family dwelling units on approximately 7.11 acres or roughly 6.5 du/ac which is less than the allowable density under the Specific Plan and General Plan. The site abuts improved public streets with existing utilities and with right of way widths that are projected in the City's 2007 General Plan update to operate at normal levels of service (LOS).

*e. The design of the subdivision is not likely to cause environmental damage or substantially and avoidably injure fish, wildlife, or their habitats.*

The Initial Study prepared for the project determined that with implementation of proposed mitigation measures, any environmental impacts regarding project construction effects on air quality, and noise will be reduced to a level that is less than significant. There is no known wildlife habitat in the vicinity of the project site.

*f. The design of the subdivision or type of improvements is not likely to cause serious public health problems.*

The design of the proposed subdivision includes connections to all public utilities including water and sewer systems. The layout of internal private streets provides access to each lot. With the approval of the PDD, the residential uses proposed would be found to be consistent with the General Plan, and the Specific Plan. The subdivision is proposed with no sidewalks on the interior private streets. Pedestrians within the development would have to walk in the streets. Although sidewalks are not required by the State Subdivision Map Act, providing sidewalks would provide a separation of vehicular and pedestrian movement and improve the project's consistency with the General Plan. A condition of approval has been proposed requiring sidewalks within the development.

*g. The design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision.*

There are no known public easements across the subject property; therefore the design of the subdivision will not conflict with easements for access through or use of the property. Any utility easements can be accommodated within the project design.

**Section 5:** Pursuant to the City Council Policy dated September 17, 2008 (Public Benefit), the applicant requests the following deviations from the development standards of the Section 14 Specific Plan and the underlying R-4 zone and offers Public Benefit as noted below:

- The addition of single family residences as a permitted use in a high density land use zone of the Section 14 Specific Plan.
- Reduced density (from HR 15 to 30 du/ac to 6.5 du/ac)
- Reduced front, side and rear yard setbacks.
- Reduced setbacks for buildings in excess of 15 feet in height.
- Reduced minimum lot sizes for single family residences from 7,500 square feet to an average of 4,560 square feet (minimum proposed lot size is 4,152 square feet and 6222 square feet is the maximum proposed lot size).
- Elimination of General Plan and Specific Plan-required landscape median islands along Avenida Caballeros.
- No provision for pedestrian sidewalks along interior private streets

The applicant is proposing the following as the Public Benefits of the project:

- the project itself (putting vacant land into productive use),
- sustainability features (electric charging station, bike racks, pre-wire for solar photovoltaic panels),

- improved energy efficiency of over the minimum requirement of the California Building Code Title 24.

The Planning Commission finds the proposed public benefits proposed are proportionate to the degree of relief from the development standards sought via the PDD.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby approves Case 5.1296 PDD 363 a gated development of 46 single family residential units on individual lots on a roughly 7.11 acre parcel with private streets, off-street parking and private open space, and Tentative Tract Map No. 36525 a request to subdivide a roughly 7.11 acre parcel into 46 single family lots, private streets and private open space, subject to the conditions of approval set forth in Exhibit A and the development standards set forth in Exhibit B and recommends approval of the same by the City Council.

ADOPTED this eighth day of May, 2013.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

---

Margo Wheeler, AICP  
Director of Planning Services

**EXHIBIT B**  
**CASE 5.1296 PDD 363 TTM 36525**  
**LOT AREA, COVERAGE, OPEN SPACE AND SETBACKS FOR "SOL PS"**

EXHIBIT B - PDD 363 - SOL PS - LOT AREA/COVERAGE/OPEN SPACE PER LOT

LOT #	AREAS (S.F.)			TABULATED PERCENTAGES		
	Lot Area (LA)	Bldg Area (BA)	Driveway Area (DA)	Lot Coverage (BA/LA)	Open Space (LA-BA/LA)	Usable Landscape (LA-BA-DA/LA)
1	4839	2052	320	42%	58%	51%
2	5035	2052	96	41%	59%	57%
3	4926	2052	240	42%	58%	53%
4	4584	2052	240	45%	55%	50%
5	4274	2052	160	48%	52%	48%
6	4921	2052	96	42%	58%	56%
7	5161	2009	128	39%	61%	59%
8	4300	2009	128	47%	53%	50%
9	4205	2052	80	49%	51%	49%
10	4395	2009	128	46%	54%	51%
11	4300	2009	160	47%	53%	50%
12	4477	2052	135	46%	54%	51%
13	4339	2052	106	47%	53%	50%
14	4440	2052	80	46%	54%	52%
15	6222	2052	540	33%	67%	58%
16	4725	2052	80	43%	57%	55%
17	4820	2009	104	42%	58%	56%
18	4630	2009	104	43%	57%	54%
19	4820	2009	104	42%	58%	56%
20	4725	2009	104	43%	57%	55%
21	5712	2009	104	35%	65%	63%
22	4189	2052	120	49%	51%	48%
23	4689	2009	190	43%	57%	53%
24	4708	2009	188	43%	57%	53%
25	4648	2009	188	43%	57%	53%
26	4589	2009	188	44%	56%	52%
27	4529	2009	188	44%	56%	51%
28	4804	2009	156	42%	58%	55%
29	5497	2052	134	37%	63%	60%
30	4399	2052	128	47%	53%	50%
31	4286	2052	160	48%	52%	48%
32	4393	2009	160	46%	54%	51%
33	4704	2009	80	43%	57%	56%
34	4704	2052	80	44%	56%	55%
35	4152	2009	142	48%	52%	48%
36	4402	2009	222	46%	54%	49%
37	4652	2009	264	43%	57%	51%
38	4780	2009	280	42%	58%	52%
39	4755	2009	267	42%	58%	52%
40	4732	2052	115	43%	57%	54%
41	4423	2009	197	45%	55%	50%
42	4447	2009	147	45%	55%	52%
43	4395	2052	179	47%	53%	49%
44	4455	2052	147	46%	54%	51%
45	4515	2052	115	45%	55%	52%
46	4574	2052	83	45%	55%	53%
<b>Average:</b>	<b>4560</b>					

Proposed minimum setbacks per lot:

Front Yard - 5 feet,  
Side Yard (one side only per lot) 0  
Side Yard - 3 feet,  
Rear Yard - 6 feet.  
Lots that abut an adjacent development - 10  
Feet setback  
Rear Lots abutting the Morrison (Lots 15  
through 21) - 20 feet setback

Proposed Lot Coverage and Open Space per lot

Minimum required usable open space per lot: 30%  
Maximum lot coverage per lot: 50%.

RESOLUTION NO. \_\_\_\_\_

**EXHIBIT A**

Case (5.1296 PDD 363 TTM 36525)

(Sol PS; Northeast corner of Amado Road and Avenida Caballeros)

(May 8, 2013)

**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 (5.1296 PDD 363 TTM 36525); 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 (January 29, 2013), 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. Tentative Map. This approval is for Tentative Tract Map 36525, date stamped March 20, 2013. This approval is subject to all applicable regulations of the Subdivision Map Act, the Palm Springs Municipal Code, and any other applicable City Codes, ordinances and resolutions.
- ADM 6. 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 5.1293 PDD 363 TTM 36525. 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 7. 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, bikeways, parking areas, landscape, irrigation, lighting, signs, walls, and fences between the curb and property line, including sidewalk or bikeway easement areas that extend onto private property, 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 8. Time Limit on Approval. Approval of the (Planned Development District (PDD) and Tentative Tract Map (TTM) shall be valid for a period of two (2) years from the effective date of the approval. Extensions of time may be granted by the Planning Commission upon demonstration of good cause.

Extensions of time may be approved pursuant to Code Section 9.63.110. Such extension shall be required in writing and received prior to the expiration of the original approval.

ADM 9. 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 10. 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 11. 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 12. Tribal Fees Required. As the property is Indian reservation land, fees as required by the Agua Caliente Band of Cahuilla Indians Tribal Council, including any applicable habitat conservation plan fees shall be paid prior to consideration of this project by the Planning Commission.
- ADM 13. Comply with City Noise Ordinance. This use shall comply with the provisions of Section 11.74 Noise Ordinance of the Palm Springs Municipal Code. Violations may result in revocation of this Conditional Use Permit.
- ADM 14. CC&R's The applicant prior to issuance of building permits shall submit a draft declaration of covenants, conditions and restrictions ("CC&R's") to the Director of Planning for approval in a format to be approved by the City Attorney. These CC&R's may be enforceable by the City, shall not be amended without City approval, and shall require maintenance of all property in a good condition and in accordance with all ordinances
- ADM 15. CC&R's.
- ADM 22. CC&R's. Prior to recordation of a final Tentative Tract Map or issuance of building permits, the applicant shall submit a draft declaration of covenants, conditions and restrictions ("CC&R's") to the Director of Planning for approval in a format to be approved by the City Attorney. The draft CC&R package shall include:



- a. The document to convey title
- b. Deed restrictions, easements, of Covenant Conditions and Restrictions to be recorded.
- c. Provisions for joint access to the proposed parcels, and any open space restrictions.
- d. A provision, which provides that the CC&R's may not be terminated or substantially amended without the consent of the City and the developer's successor-in-interest.

Approved CC&R's are to be recorded following approval of the final map. The CC&R's may be enforceable by the City, shall not be amended without City approval, and shall require maintenance of all property in a good condition and in accordance with all ordinances,

ADM 23. CC&R's Deposits & Fees. The applicant shall submit to the City of Palm Springs, a deposit in the amount of \$3,500, for the review of the CC&R's by the City Attorney. A \$675 filing fee shall also be paid to the City Planning Department for administrative review purposes

ADM 24. CC&R's Noise Disclosure. The CC&R's shall have a disclosure statement regarding the location of the project relative to roadway noise, City special events, roadway closures for special events and other activities which may occur in the vicinity of the Palm Springs Convention Center. Said disclosure shall inform perspective buyers about traffic, noise and other activities which may occur in this area.

ADM 25. Notice to Tenants. The applicant shall provide all tenants with a copy of the Conditions of Approval for this project.

## **ENVIRONMENTAL ASSESSMENT CONDITIONS**

ENV 1. Notice of Exemption. The project is exempt from the California Environmental Quality Act (CEQA); therefore, an administrative fee of \$64 shall be submitted by the applicant in the form of a money order or a cashier's check payable to the Riverside County Clerk within two business days of the Commission's final action on the project. This fee shall be submitted by the City to the County Clerk with the Notice of Exemption. Action on this application shall not be considered final until such fee is paid (projects that are Categorically Exempt from CEQA).

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](http://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. Mitigation measures are defined in the approved project description.
- ENV 4. 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 5. 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)
- ENV 6. 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. Water Efficient Landscaping Conformance. The project is subject to the Water Efficient Landscape Ordinance (Chapter 8.60.00) of the Palm Springs Municipal Code and all other water efficient landscape ordinances. The applicant shall submit a landscape and irrigation plan to the Director of Planning for review and approval prior to the issuance of a building permit. Landscape plans shall be wet stamped and approved by the Riverside County Agricultural Commissioner's Office prior to submittal. Prior to submittal to the City, landscape plans shall also be certified by the local water agency that they are in conformance with the water agency's and the State's Water Efficient Landscape Ordinances.
- PLN 3. Submittal of Final PDD. The Final Planned Development plans shall be submitted in accordance with Section 94.03.00 (Planned Development District) of the Zoning Ordinance. Final development plans shall include site plans, building elevations, floor plans, roof plans, grading plans, landscape plans, irrigation plans, exterior lighting plans, sign program, mitigation monitoring program, site cross sections, property development standards and other such documents as required by the Planning Commission and Planning Department. Final Planned Development District applications must be submitted within two (2) years of the City Council approval of the preliminary planned development district.
- PLN 4. Conditions Imposed from AAC Review. The applicant shall incorporate the following comments from the review of the project by the City's Architectural Advisory Committee:
- a. Study the feasibility of adding pedestrian gates to all lots that abut a public street and at emergency access gates.
- PLN 5. 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. The applicant shall submit a sign program to the Department of Planning Services prior to the issuance of building permits.
- PLN 6. Flat Roof Requirements. Roof materials on flat roofs (less than 2:12) must conform to California Title 24 thermal standards for "Cool Roofs". Such roofs must have a minimum initial thermal emittance of 0.75 or a minimum SRI of 64 and a three-year aged solar reflectance of 0.55 or greater. Only matte (non-specular) roofing is allowed in colors such as beige or tan.

- PLN 7. Maintenance of Awnings & Projections. All awnings shall be maintained and periodically cleaned.
- PLN 8. 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 9. 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 10. Pool Enclosure Approval Required. Details of fencing or walls around pools (material and color) and pool equipment areas shall be submitted for approval by the Planning Department prior to issuance of Building Permits.
- PLN 11. Exterior Alarms & Audio Systems. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.
- PLN 12. Outside Storage Prohibited. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.
- PLN 13. 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 14. Bicycle Parking. The project shall be required to provide secure bicycle parking facilities on site for use by residents and guests. Location and design shall be approved by the Director of Planning.
- PLN 15. Prior to recordation of the final subdivision map, the developer shall submit for review and approval the following documents to the Planning Department which shall demonstrate that the project will be developed and maintained in accordance with the intent and purpose of the approved tentative map:
- a. The document to convey title.
  - b. Deed restrictions, easements, covenant conditions and restrictions that are to be recorded.
  - c. The approved documents shall be recorded at the same time that the subdivision map is recorded. The documents shall contain provisions for joint access to the proposed parcels and open space restrictions. The approved documents shall contain a provision which provides that they may not be terminated or substantially amended without the consent of the City and the developer's successor-in-interest.
- PLN 16. Update of City's Zoning Map. Upon approval of the proposed Change of

Zone, Tract Map and/or Planned Development District, the applicant shall be responsible for costs associated with update of the City's GIS based zoning maps.

- PLN 17. Lots 15 through 21 – Rear Yard Landscape Any perimeter landscaping in the north yard setback (north wall) of these lots shall not exceed 1 foot over the height of the perimeter wall.
- PLN 18. Lots 15 through 21 – Translucent Glass All north elevation windows and openings of structures on these lots shall be translucent glass.
- PLN 19. Provide four foot wide sidewalks alongside the private streets immediately behind the curb.
- PLN 20. Decorative Paving Provide decorative paving at crosswalks and intersection paving incorporating colored or patterned concrete or precast pavers that creates a mosaic pattern of selected Cahuilla symbols or art forms (pursuant to the Section 14 Specific Plan; Section 5.2.13 (p.5-42)). Coordinate final design with the Preservation/Cultural Affairs Officer of the Agua Caliente Band of Cahuilla Indians.
- PLN 21. Perimeter walls Provide a visual break in the perimeter walls every 25 feet. Walls shall not exceed 6 feet in height, however minimal "accent panels" (roughly 3 feet in length) may be permitted to a maximum height of 7 feet. Coordinate the review of the final design with the City's Architectural Advisory Committee for approval by the Director of Planning.
- PLN 22. Lots 15 through 21 – Roof top decks and third story space is prohibited.
- PLN 23. Perimeter Pedestrian Gates Required. Provide pedestrian gates at all lots that abut the public right-of-way of Amado Road and Avenida Caballeros and at the emergency vehicular access points.
- PLN 24. No Gated Development. Remove the electronically-controlled vehicular gates.
- PLN 25. Setbacks. Setbacks for individual lots shall be as follows:
- a. Front Yard - 5 feet,
  - b. Side Yard (one side only per lot) 0
  - c. Side Yard - 3 feet,
  - d. Rear Yard - 6 feet.
  - e. Lots that abut an adjacent development - 10
  - f. feet
  - g. Rear Lots abutting the Morrison (Lots 15
  - h. through 21) - 20 feet Front Yard
  - i. Minimum usable open space per lot 30%
  - j. Maximum lot coverage 50%. Requests for lot coverage greater than

50% shall be processed as a minor amendment to the PDD and require Planning Commission Approval.

- PLN 26. Shade Trees Along Amado Road Plant shade trees in an informal pattern at a maximum spacing of 30 feet along the street edge of Amado. Include all deep tree watering and root barriers as required by standard details issued by the Department of Public Works.
- PLN 27. Pre-wire for Photovoltaics. Provide industry standard pre-wiring for future installation of photovoltaic panels at all homes. (Public Benefit)
- PLN 28. Electric Vehicle Charging Stations Provide at least two (2) electric vehicle charging stations at two guest parking spaces. (Public Benefit)
- PLN 29. Energy Efficiency All structures to demonstrate 10% or greater energy efficiency than the minimum required by California Building Code Title 24, or alternatively provide the minimum level of LEED certification for the buildings. (Public Benefit)
- PLN 30. (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**

The Engineering Division recommends that if this application is approved, such approval is subject to the following conditions being completed in compliance with City standards and ordinances.

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer.

#### **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. The applicant shall be required to construct asphalt concrete paving for streets in two separate lifts. The final lift of asphalt concrete pavement shall be postponed until such time that on-site construction activities are complete, as may be determined by the City Engineer. Paving of streets in one lift prior to completion of on-site construction will not be allowed, unless prior authorization has been obtained from the City Engineer. Completion of asphalt concrete paving for streets prior to completion of on-site construction activities, if authorized by the City Engineer, will require additional paving requirements prior to acceptance of the street improvements, including, but not limited to: removal and replacement of damaged asphalt concrete pavement, overlay, slurry seal, or other repairs, as required by the City Engineer.
- ENG 4. Master planned roadways (Avenida Caballeros and Amado Road) shall be improved to the *Final Section 14 Master Development Plan/Specific Plan* (dated November, 2004) design standards on and adjacent to the site, as generally identified herein, or to alternative design standards proposed by the applicant and approved by the City.
- ENG 5. When public dedications of easements or rights-of-way over Tribal Allottee land are required, the applicant shall be responsible for compliance with all Bureau of Indian Affairs (B.I.A.) requirements, including payment of any BIA fees, obtaining appraisals and payment of just compensation to the underlying owner. It is the applicant's responsibility to determine what additional costs or other requirements may be necessary to obtain any required public dedications as identified by the City for this development. Required public dedications for easements or rights-of-way are "without limitation as to tenure"; easements granted with a defined term, or made in connection with an underlying Indian Land Lease, shall not be accepted.
- ENG 6. Upon completion of required improvements by the applicant, and as a condition of acceptance by the City Engineer, the applicant shall prepare for the City Engineer's approval, an Affidavit of Completion in accordance with Section 169.16, Title 25, of the Code of Federal Regulations, for any improvements constructed by the applicant for which an easement was dedicated to the City through the Bureau of Indian Affairs. The Affidavit of Completion shall be provided to and approved by the City Engineer prior to final acceptance of the project, including issuance of a final certificate of occupancy. The applicant shall be responsible for obtaining the necessary form for the Affidavit of Completion from the Palm Springs Agency of the Bureau of Indian Affairs, and for having it completed as necessary by the applicant's Engineer of Record.

#### AVENIDA CABALLEROS

- ENG 7. Dedicate a property line - corner cut back at the southwest corner of the subject property in accordance with City of Palm Springs Standard Drawing No. 105.

- ENG 8. Remove the existing street improvements as necessary (14 feet of removal of curb and gutter per each of the two locations with 10 feet of curb and gutter transition on each side of the two curb cuts) at the alignments of the two proposed streets located approximately 160 feet and 225 feet north of the centerline of Amado Road (i.e., northwest and southwest of Lot 33). The on-site area adjacent to the two proposed streets shall be constructed with turf block and will be accessible only to the fire department for emergency access. Each of the proposed streets shall be secured by a gate with a Knox box for fire department emergency access and is for ingress or egress, as needed for emergency access. The portions of pedestrian/jogging path and bicycle path at the locations that could potentially be driven on by emergency vehicles, shall be reinforced in order to support the 73,000 pound weight of the emergency equipment that will potentially be using the two gated entries.
- ENG 9. The existing driveway into the existing condominium complex located approximately 500 feet north of the centerline of Amado Road shall be used as another secondary emergency access to the site. A gate and Knox box shall be installed at the west property line where it crosses the existing roadway and shall be accessible for fire department emergency access only. An on-site turnaround area south of the emergency access roadway shall be constructed with turf block.
- ENG 10. Construct a meandering 5 feet wide pedestrian/jogging path behind the existing curb along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 210 and the Section 14 Final Master Development Plan Specific Plan for the Agua Caliente Band of Cahuilla Indians (dated November, 2004).
- ENG 11. Construct a 10 feet wide Class 1 meandering bicycle path (Caltrans Design Manual – Chapter 1000 – Bikeway Planning and Design) along the entire frontage. The bicycle path shall be constructed of colored Portland cement concrete. The admixture shall be Desert Sand, Palm Springs Tan, or approved equal color by the Engineering Division.
- ENG 12. Remove the existing asphalt concrete curb ramp, and construct a Type A curb ramp meeting current California State Accessibility standards at the northeast corner of the intersection of Avenida Caballeros and Amado Road in accordance with City of Palm Springs Standard Drawing No. 212.
- ENG 13. In accordance with the Section 14 Final Master Development Plan Specific Plan (dated November 2004), the applicant shall plant palm trees in groups of two at a spacing of approximately 60 feet apart, with shade trees in an informal pattern with drought tolerant plants (in accordance with Figure 5-6 in the Section 14 Specific Plan), as approved by the Director of Planning Services. The applicant shall be responsible for the perpetual maintenance of the new palm trees and other parkway landscaping along the Avenida Caballeros frontage. The specific landscape improvements described in this condition may be modified by the applicant, in consultation with the City, provided that the intent of the Section 14 Specific Plan guideline is maintained.



- ENG 14. This development shall construct improvements in accordance with the Section 14 Final Master Development Plan Specific Plan for the Agua Caliente Band of Cahuilla Indians (dated November, 2004). No off-site parking shall be allowed on North Avenida Caballeros during and after development of this site.
- ENG 15. All broken or off grade street improvements along the project frontage shall be repaired or replaced.
- ENG 16. Construct a 14-foot wide raised, landscaped median island in accordance with the General Plan and as specified by the City Engineer from the south side of the most northern emergency secondary access to Avenida Caballeros (entrance into the adjacent existing development). Provide a left turn pocket as required and allowed by the City Engineer. The median nose width shall be constructed 4 feet wide and shall have stamped concrete. The left turn pockets shall be designed in accordance with Section 405 of the current edition of the Caltrans Highway Design Manual, as approved by the City Engineer.
- ENG 17. Submit landscaping and irrigation system improvement plans for review and approval by the City Engineer and Director of Parks and Recreation. The irrigation system shall be separately metered from the parkway landscaping to be maintained by the applicant, for future use by the City upon acceptance of the median landscaping by the City. The plans shall be approved in conjunction with the street improvement plans for the median and prior to issuance of a building permit, unless otherwise allowed by the City Engineer.
- ENG 18. All median landscaping shall be guaranteed for a period of one year from the date of acceptance by the City Engineer. Any landscaping that fails during the one year landscape maintenance period shall be replaced with similar plant material to the satisfaction of the City Engineer, and shall be subject to a subsequent one year landscape maintenance period.

#### AMADO ROAD

- ENG 19. Dedicate abutters rights of access to Amado Road along the entire frontage of the project, excluding the 100 feet wide approved access point; vehicular access to Amado Road shall be prohibited.
- ENG 20. Construct a 6 inch curb and gutter, 32 feet north of centerline along the entire frontage, in accordance with City of Palm Springs Standard Drawing No. 200.
- ENG 21. In accordance with the Section 14 Final Master Development Plan Specific Plan (dated November 2004), the applicant shall plant shade trees in an informal pattern at a spacing of 30 feet or less, in a 4 feet wide parkway with a 5 feet wide sidewalk north of the parkway (in accordance with Figure 5-16 in the Section 14 Specific Plan), as approved by the Director of Planning Services. Dedicate sidewalk

easements as needed. The applicant shall be responsible for the perpetual maintenance of the new shade trees along the Amado Road frontage. The specific street and landscape improvements described in this condition may be modified by the applicant, in consultation with the City, provided that the intent of the Section 14 Specific Plan guideline is maintained.

- ENG 22. Construct a 50 feet wide new street intersection for the Main Entry with the centerline of the Main Entry located approximately 410 feet east of the centerline of Avenida Caballeros. The Main Entry shall be constructed with 25 feet radius curb returns and spandrels, and an 8 feet wide cross-gutter, in accordance with City of Palm Springs Standard Drawing No. 200 and 206.
- ENG 23. Construct a Type A curb ramp meeting current California State Accessibility standards on each side of the Main Entry intersection in accordance with City of Palm Springs Standard Drawing No. 212.
- ENG 24. 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, from edge of proposed gutter to clean sawcut edge of pavement along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 110 and 325. 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 25. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

#### ON-SITE PRIVATE STREETS

- ENG 26. Dedicate easements for public utility purposes, with the right of ingress and egress for service and emergency vehicles and personnel over the proposed private streets.
- ENG 27. All on-site private streets shall be two-way with a minimum 24 feet wide travelway (as measured from back of curb) where no on-street parking is proposed.
- ENG 28. All on-site private streets shall be constructed with standard 6 inch curb and gutter, a wedge curb, a mow strip at roadway grade, or other approved curbs, and cross-gutters, as necessary to accept and convey street surface drainage of the on-site streets to the on-site drainage system. Construct a Type B2 gutter, modified to 3 feet wide, along the centerline of the on-site private streets in accordance with City of Palm Springs Standard Drawing No. 200.
- ENG 29. The minimum pavement section for all on-site pavement shall be 2½ inches asphalt concrete pavement over 4 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal. 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 30. Parking shall be restricted along both sides of the 24 feet wide on-site private streets, as necessary to maintain a minimum 24 feet wide clear two-way travel way. Alternatively, the guest parking areas scattered throughout the development, shall be used in lieu of on-street parallel parking. Regulatory Type R26 "No Parking" signs or red curb shall be installed along the private streets as necessary to enforce parking restrictions. The Home Owners Association (HOA) shall be responsible for regulating and maintaining required no parking restrictions, which shall be included in Covenants, Conditions, and Restrictions (CC&R's) required for the development.
- ENG 31. The gated entry at the Main Entry on Amado Road is subject to review and approval by the City Engineer and Fire Marshall. The applicant shall provide an exhibit showing truck turning movements around the entry, demonstrating the ability of standard size vehicles to maneuver through the entry (without reversing) if unable to enter the project. A minimum of 50 feet shall be provided between the back of sidewalk on the adjacent street and the gated entry directory/control panel, with an approved maneuvering area provided between the directory/control panel and the entry gates. The ingress and egress lanes shall be a minimum of 20 feet wide, unless otherwise approved by the Fire Marshall. A Knox key operated switch shall be installed at every automatic gate. Secured automated vehicle gates or entries shall utilize a combination of a Tomar Strobeswitch™, or approved equal, and an approved Knox key electric switch when 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. In the event of a power failure, the gates shall be defaulted or automatically transferred to a fail safe mode allowing the gate to be pushed open without the use of special knowledge or any equipment. If a two-gate system is used, the override switch must open both gates.

#### SANITARY SEWER

- ENG 32. The existing on-site private sewer system (shown as dark lines on Tentative Tract Map No. 36525) shall be removed in conjunction with this development. There shall be no public or private sewer main lines traversing any residential lot in this development. The proposed on-site private sewer system shall connect to the existing sewer main in Amado Road with a standard sewer lateral connection in accordance with City of Palm Springs Standard Drawing No. 405.
- ENG 33. All sanitary facilities shall be connected to the public sewer system via the on-site private sewer system. New laterals shall not be connected at manholes.
- ENG 34. All on-site sewer systems shall be privately maintained by a Home Owners Association (HOA). Provisions for maintenance of the on-site sewer system

acceptable to the City Engineer shall be included in the Covenants, Conditions and Restrictions (CC&R's) required for this project.

ENG 35. If an on-site private sewer system is proposed to collect sewage from the development and connect to the existing public sewer system, sewer plans shall be submitted to the Engineering Division for review and approval. Private on-site sewer mains for residential projects shall conform to City sewer design standards, including construction of 8 inch V.C.P. sewer main and standard sewer manholes. Sewer manhole covers shall be identified as "Private Sewer". A profile view of the on-site private sewer mains is not necessary if sufficient invert information is provided in the plan view, including elevations with conflicting utility lines. Plans for sewers other than the private on-site sewer mains, i.e. building sewers and laterals from the buildings to the on-site private sewer mains, are subject to separate review and approval by the Building Division. The plans shall be approved by the City Engineer prior to issuance of any building permits.

## GRADING

ENG 36. Submit a Precise Grading & Paving Plan prepared by a California registered Civil engineer to the Engineering Division for review and approval. The Precise Grading Plan shall be approved by the City Engineer prior to issuance of grading permit.

- a. 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.
- b. The first submittal of the 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 Tentative Tract Map; a copy of current Title Report; a copy of Soils Report; a copy of the associated Hydrology Study/Report; and a copy of the project-specific Final Water Quality Management Plan.

- ENG 37. Prior to approval of a Grading Plan or issuance of any 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 38. In accordance with an approved PM-10 Dust Control Plan, temporary dust control perimeter fencing shall be installed. Fencing shall have screening that is tan in color; green screening will not be allowed. Temporary dust control perimeter fencing shall be installed after issuance of Grading Permit, and immediately prior to commencement of grading operations.
- ENG 39. 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 40. 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, perimeter fencing shall be removed, as required by the City Engineer.
- ENG 41. Prior to issuance of grading permit, the applicant shall provide verification to the City that the fee has been paid to the Agua Caliente Band of Cahuilla Indians in accordance with the Tribal Habitat Conservation Plan (THCP).
- ENG 42. The applicant shall obtain approvals to connect to the Tachevah outlet drain 72 inch reinforced concrete pipe from the Riverside County Flood Control and Water Conservation District (RCFC). An Encroachment Permit shall be issued from RCFC, and a copy provided to the City Engineer, prior to approval of a grading plan. For RCFC requirements, contact the RCFC Encroachment Permit Section at (951) 955-1266.
- ENG 43. Drainage swales shall be provided adjacent to all curbs and sidewalks to keep nuisance water from entering the public streets, roadways, or gutters.
- ENG 44. 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 online SMARTS system. 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 45. This project requires preparation and implementation of a stormwater pollution prevention plan (SWPPP). As of September 4, 2012, all SWPPPs shall include a post-construction management plan (including Best Management Practices) in accordance with the current Construction General Permit. Where applicable, the approved final project-specific Water Quality Management Plan shall be incorporated by reference or attached to the 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 46. 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 (if there is disturbance of 5,000 square feet or more) at the time of issuance of grading permit for mitigation measures for erosion/blowsand relating to this property and development.
- ENG 47. 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 48. 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. No certificate of occupancy will be issued until the required certification is provided to the City Engineer.
- ENG 49. The applicant shall provide pad elevation certifications for all building pads in conformance with the approved grading plan, to the Engineering Division prior to construction of any building foundation.
- ENG 50. 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 51. This project shall 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 contaminated stormwater and non-stormwater runoff, shall 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 contaminated stormwater and non-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, including provisions in Covenants, Conditions, and Restrictions (CC&R's) required for the development.
- ENG 52. 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 Precise Grading and Paving Plan.
- ENG 53. 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 54. Prior to issuance of certificate of occupancy or final City approvals, 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).

#### DRAINAGE

- ENG 55. All stormwater runoff passing through the site shall be accepted and conveyed across the property in a manner acceptable to the City Engineer. For all stormwater runoff falling on the site, facilities approved by the City Engineer shall be required to contain the increased stormwater runoff generated by the development of the property, as described in the Preliminary Hydrology Study (dated February 26, 2013) by Amir Engineering. The volume of increased stormwater runoff due to development of the site, and the required stormwater runoff mitigation measures for the proposed development shall be determined upon review and approval of the hydrology study by the City Engineer and may require redesign or changes to site configuration or layout consistent with the findings of the final hydrology study.
- ENG 56. Submit storm drain improvement plans for all on-site storm drainage system facilities for review and approval by the City Engineer.
- ENG 57. Construct storm drain improvements, including but not limited to catch basins, and storm drain lines, for drainage of on-site streets into the Tachevah Outlet Drain 72 inch reinforced concrete pipe in Avenida Caballeros if approved by the Riverside County Flood Control & Water Conservation District. The Final Hydrology Study for Tentative Tract Map 36525 shall include catch basin sizing, storm drain pipe sizing, and calculations to determine if the Tachevah Outlet Drain has the capacity to accept the drainage from the development and other specifications for construction of required on-site storm drainage improvements.
- ENG 58. All on-site storm drain systems shall be privately maintained by a Homeowners Association (HOA). Provisions for maintenance of the on-site storm drain systems acceptable to the City Engineer shall be included in Covenants, Conditions and Restrictions (CC&R's) required for this project.
- ENG 59. The project is subject to flood control and drainage implementation fees. The acreage drainage fee at the present time is \$9,212.00 per acre in accordance with Resolution No. 15189. Fees shall be paid prior to issuance of a building permit.

#### GENERAL

- ENG 60. 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. The developer shall be responsible for removing, grinding, paving and/or overlaying existing asphalt concrete pavement of off-site streets as required by and at the discretion of the City Engineer, including additional pavement repairs to pavement repairs made by utility companies for utilities installed for the benefit of the proposed development (i.e. Desert Water Agency, Southern California Edison, Southern California Gas Company, Time Warner, Verizon, Mission Springs Water District,



etc.). Multiple excavations, trenches, and other street cuts within existing asphalt concrete pavement of off-site streets required by the proposed development may require complete grinding and asphalt concrete overlay of the affected off-site streets, at the discretion of the City Engineer. The pavement condition of the existing off-site streets shall be returned to a condition equal to or better than existed prior to construction of the proposed development.

- ENG 61. All proposed utility lines shall be installed underground.
- ENG 62. All existing utilities shall be shown on the improvement plans for the project. The existing and proposed service laterals shall be shown from the main line to the property line.
- ENG 63. 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 by the City Engineer.
- ENG 64. The original improvement plans prepared for the proposed development and approved by the City Engineer shall be documented with record drawing "as-built" information and returned to the Engineering Division prior to issuance of a final certificate of occupancy. Any modifications or changes to approved improvement plans shall be submitted to the City Engineer for approval prior to construction.
- ENG 65. 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 66. All proposed trees within the public right-of-way and within 10 feet of the public sidewalk and/or curb shall have City approved deep root barriers installed in accordance with City of Palm Springs Standard Drawing No. 904.

#### MAP

- ENG 67. A Final Map shall be prepared by a California registered Land Surveyor or qualified Civil Engineer and submitted to the Engineering Division for review and approval. A Title Report prepared for subdivision guarantee for the subject property, the traverse closures for the existing parcel and all lots created therefrom, and copies of record documents shall be submitted with the Final Map to the Engineering Division as part of the review of the Map. The Final Map shall be approved by the City Council prior to issuance of building permits.
- ENG 68. A copy of draft Covenants, Conditions and Restrictions (CC&R's) shall be submitted to the City Attorney for review and approval for any restrictions related to the Engineering Division's recommendations. The CC&R's shall be approved by the City

Attorney prior to approval of the Final Map, or in the absence of a Final Map, shall be submitted and approved by the City Attorney prior to issuance of Certificate of Occupancy.

ENG 69. Upon approval of a final map, the final map shall be provided to the City in G.I.S. digital format, consistent with the "Guidelines for G.I.S. Digital Submission" from the Riverside County Transportation and Land Management Agency." G.I.S. digital information shall consist of the following data: California Coordinate System, CCS83 Zone 6 (in U.S. feet); monuments (ASCII drawing exchange file); lot lines, rights-of-way, and centerlines shown as continuous lines; full map annotation consistent with annotation shown on the map; map number; and map file name. G.I.S. data format shall be provided on a CDROM/DVD containing the following: ArcGIS Geodatabase, ArcView Shapefile, ArcInfo Coverage or Exchange file (e00), DWG (AutoCAD 2004 drawing file), DGN (Microstation drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variations of the type and format of G.I.S. digital data to be submitted to the City may be authorized, upon prior approval of the City Engineer.

#### TRAFFIC

- ENG 70. A minimum of 48 inches of clearance for handicap accessibility shall be provided on public sidewalks or pedestrian paths of travel within the development. Minimum clearance on public sidewalks (or pedestrian paths of travel) shall be provided by either an additional dedication of a sidewalk easement (if necessary)) and widening of the sidewalk, or by the relocation of any obstructions within the public sidewalk along the Avenida Caballeros and Amado Road frontages of the subject property.
- ENG 71. All damaged, destroyed, or modified pavement legends, traffic control devices, signing, striping, and street lights, associated with the proposed development shall be replaced as required by the City Engineer prior to issuance of a Certificate of Occupancy.
- ENG 72. Submit traffic striping plans for Amado Road, prepared by a California registered civil engineer, for review and approval 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 certificate of occupancy.
- ENG 73. Install a 24 inch stop sign, stop bar, and "STOP" legend for traffic exiting the development at the intersection of Amado Road and the Main Entry in accordance with City of Palm Springs Standard Drawing Nos. 620-625 and the California Manual on Uniform Traffic Control Devices for Streets and Highways, dated January 13, 2012, or subsequent editions in force at the time of construction, as required by the City Engineer.
- ENG 74. If identified by a name, install a street name sign at the intersection of Amado Road and the Main Entry in accordance with City of Palm Springs Standard Drawing Nos.

620 through 625 and the California Manual on Uniform Traffic Control Devices for Streets and Highways, dated January 13, 2012, or subsequent editions in force at the time of construction, as required by the City Engineer.

- ENG 75. Install stop controls at on-site street intersections, as may be required by the City Engineer. Stop signs within the development may be customized, provided the sign maintains the minimum standards for stop signs in the California Manual on Uniform Traffic Control Devices for Streets and Highways, dated January 13, 2012, or subsequent editions in force at the time of construction, subject to review and approval by the City Engineer.
- ENG 76. 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 January 13, 2012, or subsequent editions in force at the time of construction.
- ENG 77. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

## **FIRE DEPARTMENT CONDITIONS**

### **GENERAL CONDITIONS**

These Fire Department conditions may not provide all requirements. Detailed plans are still required for review.

- FID 1      These conditions are subject to final plan check and review. Initial fire department conditions have been determined on the site plan dated January 8, 2013. Additional requirements may be required at that time based on revisions to site plans.
- FID 2      Fire Department Conditions were based on the 2010 California Fire Code. Four complete sets of plans for private fire service mains, fire alarm, or fire sprinkler systems must be submitted at time of the building plan submittal.
- FID 3      **Plot Plan:** Prior to completion of the project, an 8.5"x11" plot plan or drawing, and an electronic version in an industry standard file format capable of being used in a geographical information system (GIS) preferably an ESRI shape file(s) shall be provided to the fire department. The GIS file shall be projected in the California State Plane Zone VI coordinate system and capable of being re-projected into the North American Datum 1983 coordinate system. PDF files by themselves will not meet this requirement. The GIS and ESRI shape file(s) shall clearly show

all access points, fire hydrants, KNOX™ box locations, fire department connections, dwelling unit or suite identifiers, main electrical panel location(s), sprinkler riser and fire alarm locations. Industry standard symbols used in emergency management and pre-fire planning are encouraged. Large projects may require more than one page. AutoCAD files will be accepted but must be approved prior to acceptance.

**FID 4 PLANS AND PERMITS**

When there are significant changes in occupancy, water supply, storage heights, type, and quantity of storage, storage configurations, Tenant Improvements or any other changes which may affect the fire sprinkler system design, the owner, tenant or contractor shall submit plans and secure permits.

Complete plans for private fire service mains or fire sprinkler systems should be submitted for approval well in advance of installation. Plan reviews can take up to 20 working days. Submit a minimum of four (4) sets of drawings for review. Upon approval, the Fire Prevention Bureau will retain two sets.

Plans shall be submitted to:

**City of Palm Springs  
Building and Safety Department  
3200 E. Tahquitz Canyon Way  
Palm Springs, CA 92262**

**Counter Hours: M – TH, 8:00 AM – 11:00 AM and 2:00 PM – 6:00 PM**

A deposit for Plan Check and Inspection Fees is required at the time of Plan Submittal. The minimum fee is \$ 208.00. These fees are established by Resolution of the Palm Springs City Council.

Complete listings and manufacturer's technical data sheets for all system materials shall be included with plan submittals. All system materials shall be UL listed or FM approved for fire protection service and approved by the Fire Prevention Bureau prior to installation.

Plans shall indicate all necessary engineering features, including all hydraulic reference nodes, pipe lengths and pipe diameters as required by the appropriate codes and standards. Plans and supportive data (calculations and manufacturer's technical data sheets) shall be submitted with each plan submittal. Complete and accurate legends for all symbols and abbreviations shall be provided on the plans.

Plot Plan: Prior to completion of the project, a 8.5"x11" plot plan and an electronic CAD version shall be provided to the fire department. This shall clearly show all access points, fire hydrants, knox box locations, fire department connections, unit identifiers, main electrical panel locations, sprinkler riser and fire alarm locations. Large projects may require more than one page.

**FID 5 Public Safety CFD:** The Project will bring a significant number of additional residents to the community. The City's existing public safety and recreation services, including police protection, criminal justice, fire protection and suppression, ambulance, paramedic, and other safety services and recreation, library, cultural services are near capacity. Accordingly, the City may determine to form a Community Services District under the authority of Government Code Section 53311 etseq, or other appropriate statutory or municipal authority. Developer agrees to support the formation of such assessment district and shall waive any right to protest, provided that the amount of such assessment shall be established through appropriate study and shall not exceed \$500 annually with a consumer price index escalator. The district shall be formed prior to sale of any lots or a covenant agreement shall be recorded against each parcel, permitting incorporation of the parcel in the district.

**FID 6 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 7 Access Road Dimensions (CFC 503.2.1):** 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 8 Fire Apparatus Access Gates (8.04.260 PSMC):** Entrance gates shall have a clear width of at least 15 feet and be equipped with a frangible chain and padlock.

**FID 9 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 operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to

comply with the requirements of ASTM F 2200 and an approved Knox key electric switch. Secured non-automated vehicle gates or entries shall utilize an approved padlock or chain (maximum link or lock shackle size of ¼ inch). Approved security gates shall be a minimum of 14 feet in unobstructed drive width on each side with gate in open position.

In the event of a power failure, the gates shall be defaulted or automatically transferred to a fail safe mode allowing the gate to be pushed open without the use of special knowledge or any equipment. If a two-gate system is used, the override switch must open both gates.

If there is no sensing device that will automatically open the gates for exiting, a fire department approved Knox electrical override switch shall be placed on each side of the gate in an approved location.

A final field inspection by the fire code official or an authorized representative is required before electronically controlled gates may become operative. Prior to final inspection, electronic gates shall remain in a locked-open position.

FID 10

**Fire Department Access:** Fire Department Access Roads shall be provided and maintained in accordance with (Sections 503 CFC)

- **Minimum Access Road Dimensions:**

1. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, a greater width for private streets may be required by the City engineer to address traffic engineering, parking, and other issues. The Palm Springs Fire Department requirements for two-way private streets, is a **minimum width of 24 feet** is required for this project, unless otherwise allowed by the City engineer. No parking shall be allowed in either side of the roadway.
2. Roads must be 30 feet wide when parking is not allowed on only one side of the roadway.
3. Roads must be 40 feet wide when parking is not restricted.

FID 11

**Dimensions (CFC 503.2.1):** Fire apparatus access roads shall have an unobstructed width of not less than 20 feet except for approved security gates in accordance with Section 503.6 and an unobstructed vertical clearance of not less than 13 feet 6 inches.

FID 12

**Roadway Dimensions:** Private streets shall have a minimum width of at least 20 feet, pursuant to California Fire Code 503.2.1 however, a greater width for private streets may be required by the City engineer to address traffic engineering, parking, and other issues. The Palm Springs Fire Department requirements for two-way private streets, is a **minimum width of 24 feet**, unless otherwise allowed by the City engineer. No

parking shall be allowed in either side of the roadway.

FID 13      **Turning radius (CFC 503.2.4):** 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 14      **Required Turn Arouds (CFC 505.2.5):** Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with approved provisions for the turning around of fire apparatus. The City of Palm Springs has two approved turn around provisions. One is a cul-de-sac with an outside turning radius of 45 feet from centerline. The other is a hammerhead turnaround meeting the Palm Springs Public Works and Engineering Department standard dated 9-4-02. These will be required on the two dead end roads at the southwest corner of the complex.

FID 15      **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.

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. Decomposed granite (DG), grass, dirt, sand and other materials that can wash away, develop ruts or be dug up shall not be used. Interlocking pavers, turf block or other similar materials may be allowed, subject to the provision of proper base material and compliance with City Engineering Department compaction requirements. Prior to permit sign-off, compaction test results shall be submitted to the City Engineering Department for approval.

FID 16      **Premises Identification (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 numbers or alphabetical letters. Numbers shall be a minimum of 4 inches high for SFR occupancies and 6" - 12" for all other occupancies depending on distance from street with a minimum stroke width of 0.5 inch. Where access is by means of a private road and the building cannot be viewed from the *public* way, a monument, pole or other sign or means shall be used to identify the structure.

FID 17      **Fire Hydrant Flow and Number of Fire Hydrants (CFC 508.5):** Fire hydrants shall be provided in accordance with CFC Appendix B, Fire Flow Requirements for Buildings, for the protection of buildings, or portions of buildings, hereafter constructed. The required fire hydrant flow for this

project is 750 gallons per minute (with fire sprinklers) (CFC Appendix B) and one available fire hydrant must be within 250 feet from any point on lot street frontages. (CFC Appendix C)

**FID 18**      **Operational Fire Hydrant(s) (CFC 508.1, 508.5.1 & 1412.1):** Operational fire hydrant(s) shall be installed within 250 feet of all combustible construction. They shall be installed and made serviceable prior to and during construction. No landscape planting, walls, or fencing is permitted within 3 feet of fire hydrants, except ground cover plantings.

**FID 19**      **NFPA 13D Fire Sprinklers Required:** An automatic fire sprinkler system is required. Only a C-16 licensed fire sprinkler contractor shall perform system design and installation. System to be designed and installed in accordance with NFPA standard 13D, 2010 Edition, as modified by local ordinance. The contractor should submit fire sprinkler plans as soon as possible. No portion of the fire sprinkler system may be installed prior to plan approval.

**FID 20**      **Residential Smoke and Carbon Monoxide Alarms Installation with Fire Sprinklers (CFC 907.2.10.1.2, 907.2.10.2 & 907.2.10.3; CRC R315):** Provide and install Residential Smoke and Carbon Monoxide Alarms (Kidde SM120X Relay / Power Supply Module connected to multi-station Kidde smoke and carbon monoxide alarms or equal system and fire sprinkler flow switch). Alarms shall receive their primary power from the building wiring, and shall be equipped with a battery backup. In new construction, alarms shall be interconnected so that operation of any smoke alarm, carbon monoxide alarm or fire sprinkler flow switch causes all smoke and carbon monoxide alarms within the dwelling to sound and activate the exterior horn/strobe.

The wiring of this system shall be in accordance with Kidde SM120X Relay / Power Supply Module manual and Figure 2 (see attached). The 120 volt device wired to turn on when alarm sounds is the exterior horn / strobe. The pull for fire device is the fire sprinkler flow switch.

**FID 21**      **Additional Residential Smoke Alarm Requirements (NFPA 72: 29.5.1.3):** Where the interior floor area for a given level of a dwelling unit, excluding garage areas, is greater than 1,000 Sq. Ft., the additional requirements are that all points on the ceiling shall have:

- a. A smoke alarm within a distance of 30 ft travel distance or
- b. An equivalent of one smoke alarm per 500 Sq. Ft. of floor area.

One smoke alarm per 500 Sq. Ft. is evaluated by dividing the total interior square footage of floor area per level by 500 Sq. Ft.

**FID 22**      **Carbon Monoxide Alarm or Detector Locations (NFPA 720: 9.4.1.1 &**



**9.4.1.2; CRC R315.3):** Carbon monoxide alarms or detectors shall be installed as follows:

- (1) Outside of each separate dwelling unit sleeping area in the immediate vicinity of the bedrooms
- (2) On every occupiable level of a dwelling unit, including basements, excluding attics and crawl spaces
- (3) Other locations where required by applicable laws, codes, or standards

Each alarm or detector shall be located on the wall, ceiling, or other location as specified in the manufacturer's published instructions that accompany the unit.

**FID 23 Audible Residential Water Flow Alarms (CFC 903.4.2):** An approved audible sprinkler flow alarm (Wheelock horn/strobe # MT4-115-WH-VFR with WBB back box or equal) shall be provided on the exterior of the building in an approved location. The horn/strobe shall be outdoor rated.

**FID 24 Marking (CFC 503.3):** NO PARKING – FIRE LANE signs shall be posted where necessary, including both sides of proposed gates located in the southwest corner of the complex. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

**END OF CONDITIONS**