



## Planning Commission Staff Report

DATE: October 22, 2014

PUBLIC HEARING

SUBJECT: SIERRA OAKS PARTNERS, LLC, FOR A TENTATIVE TRACT MAP TO SUBDIVIDE AN APPROXIMATELY 20-ACRE VACANT PARCEL INTO 40 SINGLE-FAMILY RESIDENTIAL LOTS AND 10 LETTERED LOTS LOCATED AT 655 WEST RAMON ROAD, (CASE NO. TTM 36738)

FROM: Department of Planning Services

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### SUMMARY

The Planning Commission to consider a proposed Tentative Tract Map (TTM36738) to subdivide an approximately 20-acre parcel into 40 single-family residential lots and 10 lettered lots, ranging from 14,214 square feet to 19,031 square feet in size. The subject property is located along the south side of Ramon Road and about 275 feet west of Belardo Road.

### RECOMMENDATION:

Recommend adoption of the environmental document and approval of the map to the City Council subject to the attached conditions of approval.

### BACKGROUND AND SETTING:

<b>Related Relevant City Actions by Planning, Fire, Building, etc...</b>	
6/13/2007	The Planning Commission adopted a Mitigated Negative Declaration and recommended approval of Tentative Tract Map 34938 for a proposed 34-lot subdivision to the City Council.
7/18/2007	The City Council adopted a Mitigated Negative Declaration (MND); approved a change of zone request from R-1-A to R-1C, and approved Tentative Tract Map 34938 for the subdivision of the approximately 20-acre parcel into 34 single-family residential lots and 11 lettered lots for Palm Ridge, LLC.

<b>Most Recent Ownership</b>	
4/15/2014	Sierra Oaks Partners, LLC

<b>Notifications</b>	
9/11/2014	Community Outreach
	Sign Posted – Not required for this Tract Map

<b>Field Check</b>	
June 2014	Staff visited site to observe existing conditions

Site: South of Ramon Road, approximately 275 feet west of Belardo Road.



Proposed Site Aerial Map

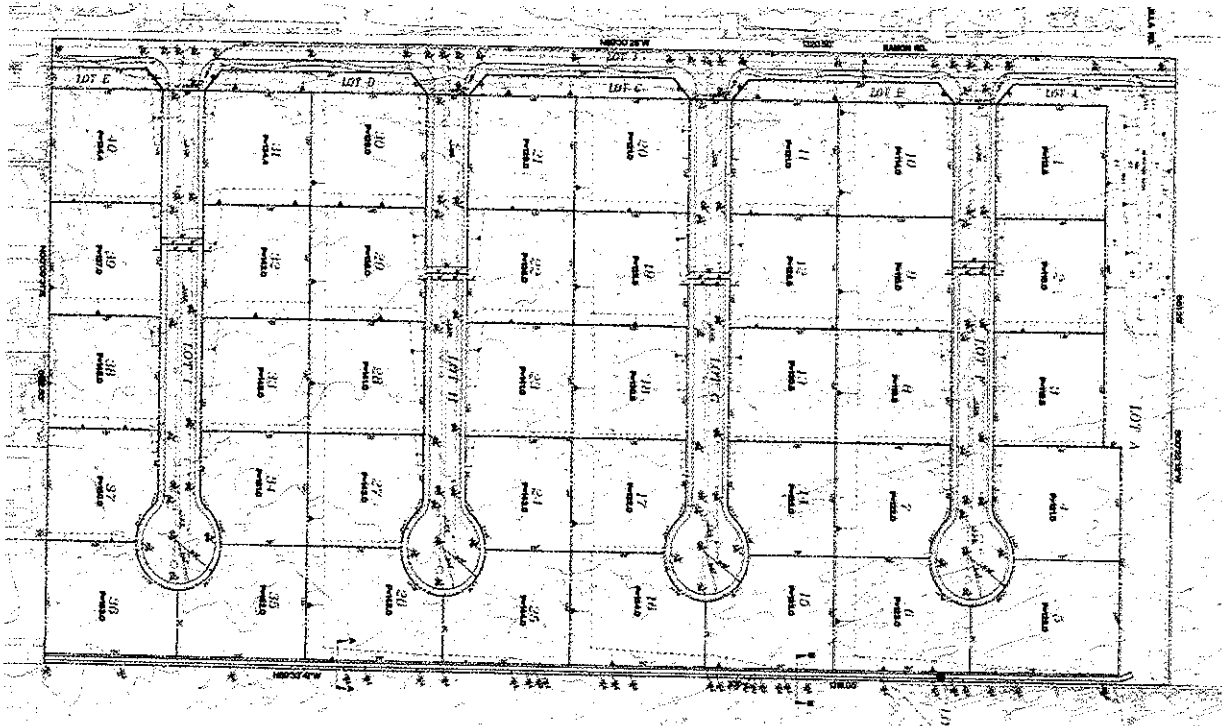
ANALYSIS:

<b>Surrounding Property</b>	<b>Existing General Plan Designations</b>	<b>Existing Land Use</b>	<b>Existing Zoning Designations</b>
Site	Estate Residential; 2 du/acre	Vacant	R-1-C
North	Estate Residential; 2 du/acre	SFR	R-1-A
South	Estate Residential; 2 du/acre	Vacant	R-1-A
East	High Residential; 30 du/acre	Vacant	R-3 (IL)
West	Estate Residential; 2 du/acre	SFR	R-1-A

*General Plan & Zoning:*

The existing General Plan designation of the property is Estate Residential; this designation allows a maximum of two units per acre. The Existing zoning designation is R-1-C; this zoning designation allows the development of single-family residential with a minimum lot size of 10,000 square feet, with a minimum lot width and minimum lot depth of one hundred feet (100'). Properties to the north, west, and south are all designated Estate Residential. Property to the east is designated High Residential. The development of the subject property at a slightly higher density would provide a transition between the higher density residential to the east and the lower density to the west and south. The proposed subdivision would be in character with the surrounding property to the west, north and south by developing single-family residences.

### TTM 36738



#### *Tentative Tract Map:*

The proposed tentative tract map is a request for the creation of 40 new single-family residential lots and 10 lettered lots (Lettered Lots A – J). The lettered lots are for the development of public streets, drainage ways, and retention basins within the new tract. The subject property is approximately 20 acres; the gently sloping vacant parcel is located south of Ramon Road about 275 feet west of Belardo Road. The proposed lots are designed for single-family detached homes with lots ranging from 14,214 to 19,031 square feet in size. The average lot size is 14,384 square feet within the subdivision. As proposed, the lot depth and width is consistent with the requirements of the applicable R-1-C zoning designation.

In 2007, the City Council adopted a Mitigated Negative Declaration; approved a change of zone request from R-1-A to R-1-C, and approved Tentative Tract Map 34938 for the subdivision of the property into 34 single-family residential lots and 11 lettered lots. Also, in 2007, the City Council denied a proposal for a General Plan Amendment that would have changed the existing general plan designation from L-2 (2 units per acre) to L-4 (4 units per acre). In its decision, the Council found that "it would not be in the public interest nor promote good planning in that the requested change would allow density that would exceed the established density of existing development in the neighborhood. The Council further found that the requested amendment was not necessary because the proposed 34-lot subdivision conforms to the general plan designation at the time". The interpretation is that the proposed 34 lots on 20 gross acres amounts to 1.7 units per acre and is within the two units per acre limitation of the L-2 designation.

*Landscape Plan:*

There are no architectural plans submitted at this time however, the applicant has submitted conceptual landscape and planting plans for the Ramon Road frontage and entrance into the subdivision. The conceptual landscape plan illustrates proposed pedestrian walkways and transitioning of the future subdivision into the existing surrounding land uses.

*Access:*

The primary access into the new tract will be from four private cul-de-sacs (Lettered Lots F, G, H & I) along Ramon Road. These cul-de-sacs will provide internal circulation within the subdivision. There are no existing street improvements within the subject property at this time, however all the proposed private streets and access within and around the tract are designed to meet the City's standards. The proposed streets are thirty six feet (36') wide with seven feet (7') wide sidewalks on each side.

*LOT AREA SUMMARY*

LOT	AREA	LOT	AREA	LOT	AREA	LOT	AREA
1	15600	14	14214	26	16641	38	15605
2	15600	15	16041	27	14814	39	15605
3	15600	16	17241	28	15600	40	15605
4	17214	17	15414	29	15600	A	65239
5	19031	18	16200	30	15600	B	5194
6	17231	19	16200	31	15600	C	5255
7	15421	20	16200	32	15600	D	5313
8	16200	21	15000	33	15600	E	2682
9	16200	22	15000	34	14814	F	29491
10	16200	23	15000	35	16641	G	29491
11	15000	24	14214	36	16636	H	29491
12	15000	25	16041	37	14826	I	29491
13	15000					J	45744

*LOTS 1-40 ; RESIDENTIAL LOTS : LOT A ; DRAINAGE/ RETENTION  
 LOT A ; DRAINAGE/ RETENTION : LOTS F-I ; PUBLIC STREETS*

Currently, the applicant is not proposing any single-family residential development within the proposed subdivision. The applicant has indicated to staff that preparations are underway to submit architectural application for the site. Proposed future housing units on the property will have to comply with the uses and development standards as outlined within the R-1-C zoning designation when submitted. Also, there are no perimeter walls or fences being proposed at this time; the height of any future walls or fences must comply with the required standards for single-family residential uses.

### REQUIRED FINDINGS:

Findings are required for the proposed subdivision pursuant to Section 66474 of the Subdivision Map Act. These findings and discussions of the project as it relate to these findings follows:

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

The General Plan designation of the project site is Estate Residential; single-family residential development in this designation is permitted; as proposed, the gross density is consistent with the General Plan. The proposed project will comply with the General Plan, there is no specific plan covering the site.

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

The project site is suitable for the development of single-family homes. The proposed lot sizes and dimensions are consistent with the R-1-C zoning district. The site slopes gently from the southwest to the northeast and can accommodate building pads, external and internal streets, drainage, and all utilities. Adequate access is proposed from Ramon Road.

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

The site slopes gently from the southwest to the northeast. Single-family residential development either exists or is planned for property to the north, west, and south. Property to the east is planned for multi-family residential development. Therefore, the entire area is planned for residential development and this project fits within that scheme.

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

A Mitigated Negative Declaration has been prepared for this project and that document found that with mitigation measures all potential environmental impacts can be reduced to a level less than significant.

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

Storm drainage, sanitary sewer, water, streets and all utilities are readily available to the site and all have capacity to accommodate the project. The subdivision has been designed so that each lot has necessary infrastructure to adequately serve the lots and all subsequent houses on the lots will be required to meet City of Palm Springs standards, therefore the project will not cause public health problems to the area or the City as a whole.

- f. *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 or accesses across the subject property, therefore the design of the subdivision will not conflict with easements acquired or required by the public at large, for access through or use of the property.

#### ENVIRONMENTAL DETERMINATION:

A Peer review of the previously adopted Mitigated Negative Declaration (MND), was conducted according to the California Environmental Quality Act (CEQA) Guidelines. The review of the CEQA document concluded that "There is no substantial new information that would affect the analysis of the proposed project, or result in substantially greater impacts than previously studied. No mitigation measures are infeasible, and all mitigation measures applied to the 2007 project will apply to the proposed project. Therefore the proposed project does not require additional environmental review under the CEQA provision. (See Attachment 4)

#### NOTIFICATION:

A notice to all property owners within 500 feet radius of the property was sent on October 9, 14, 2014, and published in the Desert Sun on October 11, 2014, per City Ordinance. As of the writing of this report, staff has received some phone calls and comments regarding this proposal.



Edward Robertson  
 Principal City Planner



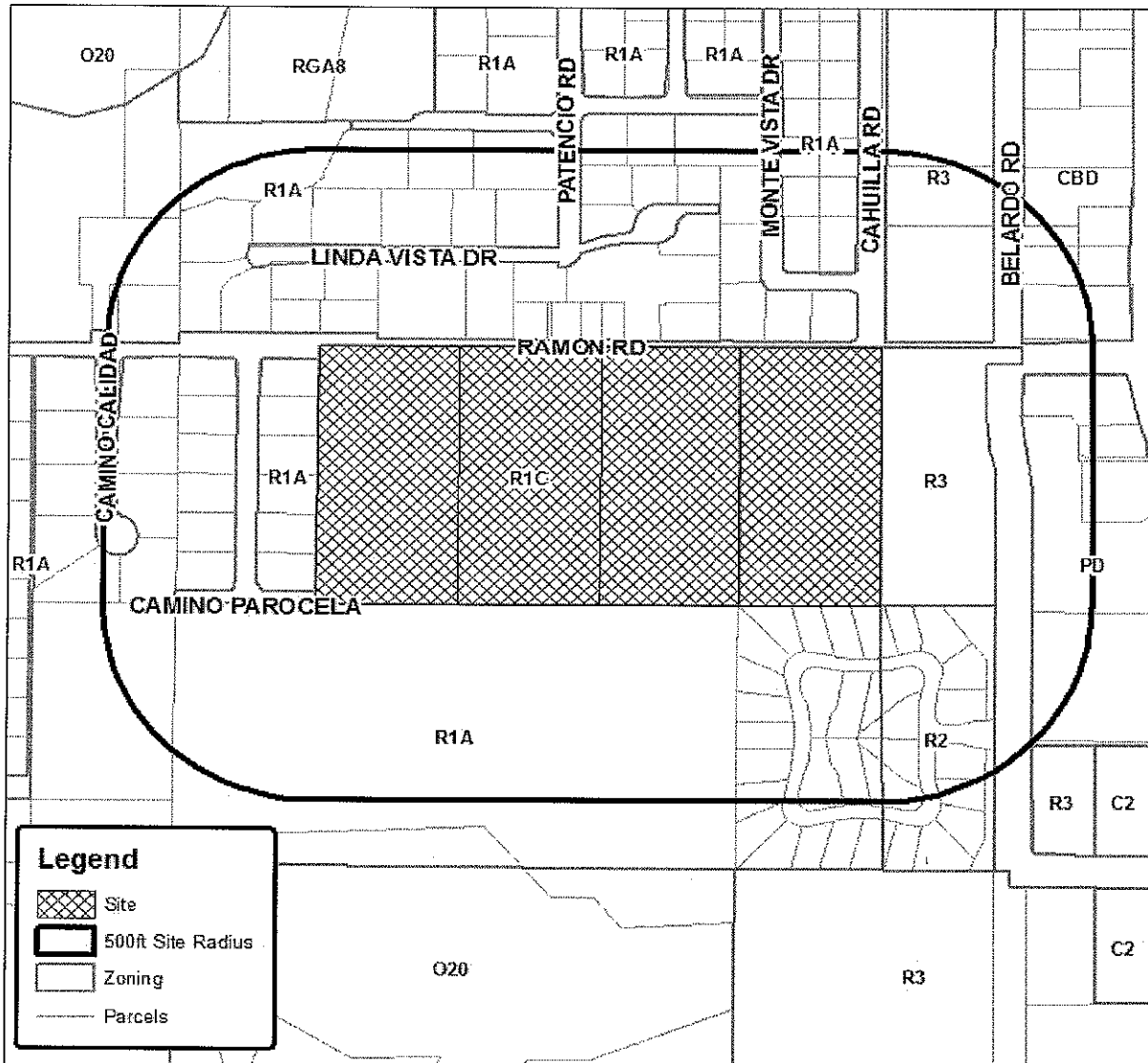
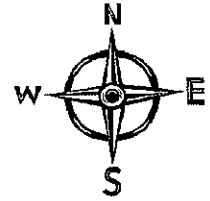
Flinn Fagg, AICP  
 Director of Planning Services

#### Attachments:





1. Vicinity Map
2. Draft Resolution with Conditions of Approval
3. Environmental Document Review Analysis
4. Letter from a property owner
5. Reduced Copies of TTM 36738 & Landscape plan



# Department of Planning Services Vicinity Map



**Legend**

-  Site
-  500ft Site Radius
-  Zoning
-  Parcels

## CITY OF PALM SPRINGS

**CASE NO:** TTM 36738

**APPLICANT:** Sierra Oaks Partners, LLC

**DESCRIPTION:** To consider an application by Sierra Oaks Partners, LLC, for the creation of a 40-lot single family residential subdivision and 10 lettered lots, ranging from 14,214 square feet to 19,031 square feet in size. The subject property is located along the south side of Ramon Road and about 275 feet west of Belardo Road.

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

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, RECOMMENDING THE RE-ADOPTION OF A MITIGATED NEGATIVE DECLARATION AND APPROVAL OF TENTATIVE TRACT MAP 36738 FOR THE CREATION OF A 40-LOT SUBDIVISION ON APPROXIMATELY 20-ACRE LAND LOCATED ALONG THE SOUTH SIDE OF RAMON ROAD AND ABOUT 275 FEET WEST OF BELARDO ROAD, ZONE R-1-C, SECTION 22.

WHEREAS, Sierra Oaks Partners, LLC ("Applicant") has filed an application with the City pursuant to Section 94.07.00 of the Zoning Ordinance for Tentative Tract Map (TTM 36738) to allow the creation of a 40-lot subdivision; and

WHEREAS, notice of the public hearing of the Planning Commission of the City of Palm Springs, California to consider TTM 36738 was given in accordance with applicable law; and

WHEREAS, on October 22, 2014, a public hearing on the application was held by the Planning Commission in accordance with applicable law; and

WHEREAS, the proposed project is considered a "project" pursuant to the terms of the California Environmental Quality Act ("CEQA"), and Mitigated Negative Declaration (MND) was prepared for this project and has been distributed for public review and comment in accordance with 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 presents.

THE PLANNING COMMISSION HEREBY FINDS AS FOLLOWS:

Section 1:

A Mitigated Negative Declaration (MND) has been completed in compliance with CEQA, the State CEQA Guidelines, and the City's CEQA Guidelines. The Planning Commission found that with the incorporation of proposed mitigation measures, potentially significant environmental impacts resulting from this project will be reduced to a level of insignificance. The Planning Commission independently reviewed and considered the information contained in the MND prior to its review of this Project and the MND reflects the Planning Commission's independent judgment and analysis.



Section 2:

Findings are required for the proposed subdivision pursuant to Section **66474** of the Subdivision Map Act. These findings and discussions of the project as it relate to these findings follows:

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

The General Plan designation of the project site is Estate Residential; single-family residential development in this designation is permitted. The proposed project will comply with the General Plan, there is no specific plan covering the site.

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

The project site is suitable for the development of single-family homes. The site slopes gently from the southwest to the northeast and can accommodate building pads, external and internal streets, drainage, and all utilities. Adequate access is proposed from Ramon Road.

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

The site slopes gently from the southwest to the northeast. Single-family residential development either exists or is planned for property to the north, west, and south. Property to the east is planned for multi-family residential development. Therefore, the entire area is planned for residential development and this project fits within that scheme.

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

A Mitigated Negative Declaration has been prepared for this project and that document found that with mitigation measures all potential environmental impacts can be reduced to a level less than significant.

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

Storm drainage, sanitary sewer, water, streets and all utilities are readily available to the site and all have capacity to accommodate the project. The subdivision has been designed so that each lot has necessary infrastructure to adequately serve the lots and all subsequent houses on the lots will be required

to meet City of Palm Springs standards, therefore the project will not cause public health problems to the area or the City as a whole.

- f. 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 or accesses across the subject property, therefore the design of the subdivision will not conflict with easements acquired or required by the public at large, for access through or use of the property.

Section 3:

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission recommends to the City Council re-adoption of the Mitigated Negative Declaration, approval of Tentative Tract Map 36738 subject to the conditions contained in Exhibit A, which is attached hereto and made a part of this resolution.

ADOPTED this 22<sup>nd</sup> day of October, 2014.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

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Flinn Fagg, AICP  
Director of Planning Services

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

**EXHIBIT A**

TENTATIVE TRACT MAP 36738 FOR A 40-LOT SINGLE-FAMILY RESIDENTIAL  
SUBDIVISION LOCATED SOUTH OF RAMON ROAD AND EAST OF BELARDO  
ROAD.

October 22, 2014

**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 TTM 36738; except as modified with the approved Mitigation Monitoring Program and the conditions below;
- ADM 2. 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 3. Tentative Map. This approval is for Tentative Tract Map 36738 located at Ramon Road date stamped 9.22.14. 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 4. 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 TTM 36738. 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 5. 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 6. Time Limit on Approval. Approval of the Tentative Tract Map (TTM36738) 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 7. 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 8. 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 9. 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 10. 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 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 Central Business District, Desert Museum and Desert Fashion Plaza. Said disclosure shall inform perspective buyers about traffic, noise and other activities which may occur in this area.

## ENVIRONMENTAL ASSESSMENT CONDITIONS

- ENV 1. Coachella Valley Multiple-Species Habitat Conservation Plan (CVMSHCP) Local Development Mitigation Fee (LDMF) required. All projects within the City of Palm Springs, not within the Agua Caliente Band of Cahuilla Indians reservation are subject to payment of the CVMSHCP LDMF prior to the issuance of certificate of occupancy.
- ENV 2. California Fish & Game Fees Required. The project is required to pay a fish and game impact fee as defined in Section 711.4 of the California Fish and Game Code. This CFG impact fee plus an administrative fee for filing the action with the County Recorder shall be submitted by the applicant to the City in the form of a money order or a cashier's check payable to the Riverside County Clerk prior to the final City action on the project (either Planning Commission or City Council determination). This fee shall be submitted by the City to the County Clerk with the Notice of Determination. Action on this application shall not be final until such fee is paid.
- 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 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.
- ENV 5. 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. Sign Applications Required. No signs are approved by this action. Separate approval and permits shall be required for all signs in accordance with Zoning Ordinance Section 93.20.00.
- PLN 4. 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.

## FIRE DEPARTMENT 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 **May 7, 2014**. Additional requirements may be required.
- FID 2        Fire Department Conditions are based on the *2013 California Fire Code*. Three 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        Fire department access roads/driveways shall be provided so that no portion of the exterior wall of the first floor of any building will be more than 150 feet from such roads.
- FID 4        **Security Gates (CFC 503.6):** 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. 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. Approved security gates shall be a minimum of 14 feet in unobstructed drive width on each side with gates in the open position.
- FID 5        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. The following text, developed in concert with Engineering, Planning, and Fire is proposed as alternative text for the Circulation Element, page 4-5:
- **Local.** Primarily provides access to individual parcels of land. Minimum right-of-way is 50 feet. In Estate, Very Low and Low Density Residential neighborhoods, street widths may be reduced to 28 feet (curb face to curb face) provided that 1) additional off street parking is provided as determined by



the City Engineer, the Fire Chief and Director of Planning, 2) rolled or wedge curb is provided such that vehicles may park partially out of the traveled way, and 3) pedestrian pathways or sidewalks, separated from the curb by a minimum five foot parkway, are provided.

- **Private Streets.** Private streets provide access to individual parcels of land in planned development communities approved with privately maintained access. Access may be restricted. Private street widths shall be established based on a hierarchy of primary and secondary streets and parking conditions such that uninterrupted traffic flow, pedestrian safety, and emergency access is assured.
- **Private Primary Streets** are typically the main access street in a private development or main 'ring road'. Private Primary Streets may provide access to individual parcels in a planned development as well as receive traffic from Secondary Private Streets or other parcels that do not front the street. Private Primary Streets shall be either a minimum of 32 feet wide (curb face to curb face) to accommodate on-street parking on one side and emergency access, or 36 feet wide (curb face to curb face) with on-street parking on two sides.
- **Private Secondary Streets** provide access to individual parcels in a planned development and do not receive traffic from other streets or other parcels that do not front that street. Private Secondary Streets may range in width from 28 to 32 feet (curb face to curb face) provided that 1) additional off-street (guest) parking is provided in the area of the Secondary Street as determined by the Planning Commission, 2) rolled or wedge curb is provided such that vehicles may park partially out of the traveled way, and 3) pedestrian pathways or sidewalks, separated from the curb by a minimum five foot parkway, are provided. If all three of these conditions are NOT provided, private secondary streets shall be a standard minimum 32 feet with parking on one side only.
- **Designated fire lanes** in private developments shall be not less than 24 feet wide (curb face to curb face) with no parking on either side.
- **Reduced Roadway Width:** Areas with reduced roadway width (such as entry and exit gates, entry and exit approach roads, traffic calming areas) that are under 36 feet wide require red painted curb to maintain minimum 24 foot clear width. Red curb shall be stenciled "NO PARKING" and "FIRE LANE" with white paint.

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.

- FID 6      **Surface (CFC 503.2.3):** Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus (73,000 lbs. GVW) and shall be surfaced so as to provide all-weather driving capabilities.
- FID 7      **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 8      **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 9      **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.
- FID 10     **Fire Severity Zone (CBC 701A):** Subject property is located in a "very high fire" severity zone and subject to applicable building code requirements in Chapter 7A.

## ENGINEERING DEPARTMENT

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

### STREETS

1. Any improvements within the public right-of-way require a City of Palm Springs Encroachment Permit.
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.
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.

#### RAMON ROAD

4. Dedicate abutters rights of access to Ramon Road along the entire frontage adjacent to Lots 1, 10, 11, 20, 21, 30, 31 and 40; vehicular access to Ramon Road shall be prohibited.
5. Remove the existing asphalt concrete berm located approximately 18 feet south of centerline and construct 6 inch curb and gutter located 18 feet south of centerline along the entire frontage, in accordance with City of Palm Springs Standard Drawing No. 200.
6. Construct new street intersections with 25 feet radius curb returns, spandrels, and a 6 feet wide cross-gutter, in accordance with City of Palm Springs Standard Drawing No. 200 and 206.
7. Construct a 5 feet wide sidewalk behind the curb along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 210.
8. Construct a Type A curb ramp meeting current California State Accessibility standards at the corners of the street intersections with Ramon Road in accordance with City of Palm Springs Standard Drawing No. 212.
9. Construct pavement with a minimum pavement section of 2½ inches asphalt concrete pavement over 4 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 in accordance with City of Palm Springs Standard Drawing No. 110. Additional pavement removal and replacement, or grind/overlay from the Ramon Road centerline may be required upon review of existing pavement cross-sections, and to ensure grade breaks of the pavement cross-section do not occur within a travel lane. 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.
10. Remove the existing neighborhood traffic calming "speed humps" and replace with new traffic calming "speed humps" in conjunction with the widening of Ramon Road. Final engineering and other details associated with the adjusted or

replaced traffic calming improvements shall be subject to the review and approval by the City Engineer.

11. Construct off-site street improvements between Cahuilla Road and Belardo Road as necessary to release off-site stormwater runoff conveyed through the property and released onto Ramon Road. Remove the existing asphalt concrete berm located approximately 18 feet south of centerline and construct 6 inch curb and gutter located 18 feet south of centerline along the entire frontage, including a 25 feet radius curb return and spandrel and the west half of a 6 feet wide cross-gutter at the southwest corner of Ramon Road and Belardo Road, in accordance with City of Palm Springs Standard Drawing No. 200. 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 in accordance with City of Palm Springs Standard Drawing No. 110. Additional pavement removal and replacement, or grind/overlay from the Ramon Road centerline may be required upon review of existing pavement cross-sections, and to ensure grade breaks of the pavement cross-section do not occur within a travel lane. 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.
12. Costs associated with design and construction of the off-site street improvements from Cahuilla Road to Belardo Road may be reimbursed pursuant to a Reimbursement Agreement approved by the City Council, in accordance with City policies. Following completion and acceptance of the off-site street improvements by the City Engineer, if reimbursement is requested in writing by the applicant, the applicant shall submit a formal request for preparation of a Reimbursement Agreement and a \$2,500 deposit for City staff time associated with the preparation of the Reimbursement Agreement, including City Attorney fees. The applicant shall be responsible for payment of all associated staff time and expenses necessary in the preparation and processing of the Reimbursement Agreement with the City Council, and shall submit additional deposits as necessary when requested by the City, which are included in the amount that may be reimbursed to the applicant through the Reimbursement Agreement. The Reimbursement Agreement is subject to the City Council's review and approval at a Public Hearing, and its approval is not guaranteed nor implied by this condition.

## PUBLIC STREETS

13. Construct 6 inch curb and gutter, 18 feet from centerline along both sides of the streets, with 25 feet radius curb returns and spandrels at all street intersections, in accordance with City of Palm Springs Standard Drawing No. 200 and 206.

14. Construct a 6 feet wide cross-gutter across the intersection of Lot J with Lot F – Lot I, with a flowline 18 feet south of and parallel with the centerline of Ramon Road; in accordance with City of Palm Springs Standard Drawing No. 200 and 206.
15. Construct full cul-de-sacs in accordance with City of Palm Springs Standard Drawing No. 101, curb portion only. A minimum curb radius of 43 feet shall be constructed throughout the cul-de-sac bulb.
16. Construct driveway approaches in accordance with City of Palm Springs Standard Drawing No. 201.
17. Construct a 5 feet wide sidewalk behind the curb along the frontage of all streets in accordance with City of Palm Springs Standard Drawing No. 210.
18. Construct a minimum pavement section of 2½ inches asphalt over 4 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, within all on-site private streets in accordance with City of Palm Springs Standard Drawing No. 110 and 300. 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.

#### SANITARY SEWER

19. All sanitary facilities shall be connected to the public sewer system. New laterals shall not be connected at manholes.
20. Submit sewer improvement plans prepared by a California registered civil engineer to the Engineering Division. The plans shall be approved by the City Engineer prior to issuance of any building permits.
21. Construct an 8 inch V.C.P. sewer main across the street frontages located 5 feet from centerline or as required by the City Engineer, and connect to the existing public sewer system in Ramon Road. All sewer mains constructed by the applicant and to become part of the public sewer system shall be digitally video recorded prior to acceptance of the sewer system for maintenance by the City. A computer disc of the video recording shall be provided to the City Engineer for review. Any defects of the sewer main shall be removed, replaced, or repaired to the satisfaction of the City Engineer prior to acceptance.
22. Pay a sewer assessment fee in accordance with the terms of the Sewer Reimbursement Agreement between the City of Palm Springs and Great Western Savings & Loan Association, Sewer Agreement No. 1465. The fee shall be paid prior to issuance of a building permit.

## GRADING

23. Submit a Grading Plan prepared by a California registered civil engineer to the Engineering Division for review and approval. A Fugitive Dust Control Plan shall be prepared by the applicant and/or its grading contractor and submitted to the Engineering Division for review and approval. The applicant and/or its grading contractor shall be required to comply with Chapter 8.50 of the City of Palm Springs Municipal Code, and shall be required to utilize one or more "Coachella Valley Best Available Control Measures" as identified in the Coachella Valley Fugitive Dust Control Handbook for each fugitive dust source such that the applicable performance standards are met. The applicant's or its contractor's Fugitive Dust Control Plan shall be prepared by staff that has completed the South Coast Air Quality Management District (AQMD) Coachella Valley Fugitive Dust Control Class. The applicant and/or its grading contractor shall provide the Engineering Division with current and valid Certificate(s) of Completion from AQMD for staff that have completed the required training. For information on attending a Fugitive Dust Control Class and information on the Coachella Valley Fugitive Dust Control Handbook and related "PM10" Dust Control issues, please contact AQMD at (909) 396-3752, or at [www.AQMD.gov](http://www.AQMD.gov). A Fugitive Dust Control Plan, in conformance with the Coachella Valley Fugitive Dust Control Handbook, shall be submitted to and approved by the Engineering Division prior to approval of the Grading plan. The Grading Plan shall be approved by the City Engineer prior to issuance of a grading permit.
  - a) 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; and a copy of the associated Hydrology Study/Report.
24. Prior to issuance of grading permit, the applicant shall provide verification to the City Engineer that the \$2,731.00 per acre fee has been paid in accordance with the Tribal Habitat Conservation Plan (THCP).
25. Prior to approval of a Grading Plan, 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, Richard Begay (760-883-1368), or the Tribal Archaeologist, Patty Tuck (760-883-1368), 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.

26. A National Pollutant Discharge Elimination System (NPDES) stormwater permit, issued from the California Regional Water Quality Control Board (Phone No. 760-346-7491) is required for the proposed development. A copy of the executed permit shall be provided to the City Engineer prior to issuance of a grading permit.
27. In accordance with City of Palm Springs Municipal Code, Section 8.50.025 (c), the applicant shall post with the City a cash bond of two thousand dollars (\$2,000.00) per disturbed acre for mitigation measures for erosion/blowsand relating to this property and development.
28. 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.
29. 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

30. 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 (if any).

31. 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 within the underground parking garage and the on-site private drive aisles. Direct release of nuisance water to adjacent public streets is prohibited. Construction of operational BMP's shall be incorporated into the Precise Grading and Paving Plan.
32. 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 Water Quality Management Plan (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&Rs); 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 issuance of any grading or building permits.
33. Prior to issuance of certificate of occupancy or final City approvals (OR of "final" approval by City), the applicant shall: (a) demonstrate that all structural BMP's have been constructed and installed in conformance with approved plans and specifications; (b) demonstrate that applicant is prepared to implement all non-structural BMP's included in the approved Final Project-Specific WQMP, conditions of approval, or grading/building permit conditions; and (c) demonstrate that an adequate number of copies of the approved Final Project-Specific WQMP are available for the future owners (where applicable).
34. Prior to issuance of certificate of occupancy or final City approvals (OR of "final" approval by City), the applicant shall:
  - a. Demonstrate that all structural BMPs have been constructed and installed in conformance with approved plans and specifications;
  - b. Demonstrate that applicant is prepared to implement all non-structural BMPs included in the approved Final Project-Specific Water Quality Management Plan (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

35. 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, on-site retention or other 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 and Hydraulic Report for Tentative Tract Map 34938 (Palm Ridge), prepared by Stantec Consulting, Inc. as revised in April, 2007. Final retention basin sizing, storm drain pipe sizing, drywell sizing, and other specifications for construction of required on-site storm drainage improvements shall be finalized in the final hydrology study and approved by the City Engineer.
36. Direct release of on-site nuisance water shall not be permitted to Ramon Road. Provisions for the interception of nuisance water from entering Ramon Road from Lot F – Lot I shall be provided through the use of a minor storm drain system that collects and conveys nuisance water to the on-site retention basins or landscaped areas within Lot A, and in only a stormwater runoff condition, pass runoff directly to Ramon Road through parkway or under sidewalk drains.
37. Submit storm drain improvement plans for all on-site storm drainage facilities for review and approval by the City Engineer.
38. Off-site stormwater runoff shall be accepted and conveyed along the southerly property line, in an open channel. An on-site private storm drain system shall intercept and convey off-site stormwater runoff within the open channel, and through the site into the on-site retention basin (Lot A), as described in the Preliminary Hydrology and Hydraulic Report for Tentative Tract Map 34938 (Palm Ridge), prepared by Stantec Consulting, Inc. as revised in April, 2007.
39. Reserve an easement over Lot A which shall be used for drainage purposes.
40. The on-site private storm drain system shall be privately maintained by a Homeowners Association (HOA). Provisions for maintenance of the on-site storm drain system acceptable to the City Engineer shall be included in Covenants, Conditions and Restrictions (CC&R's) required for this project.
41. This project may be required to install measures in accordance with applicable National Pollution Discharge Elimination System (NPDES) Best Management Practices (BMP's) included as part of the NPDES Permit issued for the Whitewater River Region from the Colorado River Basin Regional Water Quality Control Board (RWQCB). The applicant is advised that installation of BMP's, including mechanical or other means for pre-treating stormwater runoff, may be required by regulations imposed by the RWQCB. It shall be the applicant's responsibility to design and install appropriate BMP's, in accordance with the NPDES Permit, that effectively intercept and pre-treat stormwater runoff from the

project site, prior to release to the City's municipal separate storm sewer system ("MS4"), to the satisfaction of the City Engineer and the RWQCB. If required, 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.

42. 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 per Resolution No. 15189. Fees shall be paid prior to issuance of a building permit.

## GENERAL

43. 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, 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.
44. On phases or elements of construction following initial site grading (e.g., sewer, storm drain, or other utility work requiring trenching) associated with this project, the applicant shall be responsible for coordinating the scheduled construction with the Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist. Unless the project site has previously been waived from any requirements for Tribal monitoring, it is the applicant's responsibility to notify the Tribal Historic Preservation Officer, Richard Begay (760-883-1368), or the Tribal Archaeologist, Patty Tuck (760-883-1368) for any subsequent phases or elements of construction that might require Tribal monitoring. If required, it is the responsibility of the applicant to coordinate scheduling of Tribal monitors during construction, and to arrange payment of any required fees associated with Tribal monitoring. Tribal monitoring requirements may extend to off-site construction performed by utility companies on behalf of the applicant (e.g. utility line extensions in off-site streets), which shall be the responsibility of the applicant to coordinate and arrange payment of any required fees for the utility companies.

45. All proposed utility lines shall be installed underground.
46. All existing utilities shall be shown on the improvement plans required for the project. The existing and proposed service laterals shall be shown from the main line to the property line.
47. Upon approval of any improvement plan by the City Engineer, the improvement plan shall be provided to the City in digital format, consisting of a DWG (AutoCAD 2004 drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variation of the type and format of the digital data to be submitted to the City may be authorized, upon prior approval of the City Engineer.
48. 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.
49. 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.
50. 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

51. 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.
52. 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.
53. 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, 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

54. Install a street name sign, 36 inch stop sign, stop bar, and "STOP" legend at all street intersections (as necessary) in accordance with City of Palm Springs Standard Drawing No. 620 through 625.
55. 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 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 Ramon Road frontage of the subject property.
56. 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.
57. Construction signing, lighting and barricading shall be provided during all phases of construction as required by City Standards or as directed by the City Engineer. As a minimum, all construction signing, lighting and barricading shall be in accordance with Part 6 "Temporary Traffic Control" of the California Manual on Uniform Traffic Control Devices (MUTCD), dated January 13, 2012, or subsequent editions in force at the time of construction.
58. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

**END OF CONDITIONS**



## TERRA NOVA PLANNING & RESEARCH, INC.

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July 31, 2014

Mr. Edward Robertson  
Principal Planner  
City of Palm Springs  
3200 East Tahquitz Canyon Way  
Palm Springs, CA 92262

RE: Evaluation of "The Ridge" Environmental Review Requirements under CEQA

Dear Edward:

This letter is written to respond to your request for an evaluation of the environmental review requirements for Tentative Tract Map (TTM) 36738. The project is location on the south side of Ramon Road, west of Belardo Road. The site consists of 20± acres of currently vacant land, on which a residential subdivision is proposed. The Tentative Tract Map would result in 40 single family home lots, as well as lots for a retention basin and streets. The site is designated Low Density Residential (4 units per acre) on the General Plan Land Use Map, and Zoned R-1C (10,000 square foot minimum lot size).

The City has determined that the proposed TTM is a project under CEQA. However, the City has requested independent evaluation of whether additional CEQA review is necessary, or whether the previous environmental review for the project is sufficient in this case.

### **Project History**

In 2007, the City reviewed and ultimately approved Tentative Tract Map 34938. That Map was proposed for the same site as the currently proposed Map, and consisted of 34 single family residential lots, as well as lots for retention, common open space and streets. The City determined at the time that TTM 34938 was a project under the California Environmental Quality Act (CEQA), and caused an Initial Study to be prepared. The Initial Study found that the project could have a significant impact on the environment, but that those impacts could be reduced to less than significant levels with the imposition of mitigation measures. As a result, a Mitigated Negative Declaration was prepared. The City ultimately adopted the Mitigated Negative Declaration and approved TTM 34938. After approval, no activity occurred on the site.

### **Differences between the two Projects**

The 2007 TTM proposed 6 fewer lots than the currently proposed TTM. The currently proposed TTM therefore increases site density by 16%. The 2007 TTM proposed two access points onto Ramon Road – one on the western edge of the site, and one on the

eastern edge of the site, opposite Cahuilla Road. The currently proposed TTM proposes four cul-de-sacs onto Ramon Road, spaced evenly along the property frontage. Finally, the 2007 TTM proposed two common area lots on the southwest and southeast corners of the site, and a retention basin on the northeast corner of the site. The currently proposed TTM includes a widened parkway along Ramon Road, and a retention basin along the entire length of the eastern boundary of the site.

### **Current CEQA Considerations**

CEQA provides specific guidance on subsequent review of projects under CEQA Guidelines Section 15162. The following analysis considers the provisions of this Section on a categorical basis, to determine whether subsequent environmental review is required in this case.

Section 15162 prescribes that no subsequent review is necessary unless:

*“Substantial changes are proposed in the project which will require major revisions of the previous...negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.”*

The proposed project is consistent with the 2007 TTM. The proposed project will consist of the same type of land use as the previous project, and although the proposed project will increase density on the site, the increase is not considered significant, particularly since the project is consistent with both the General Plan and Zoning designations and standards applicable to the parcel.

The proposed project will result in the same level of site disturbance as the previously approved project. That is to say that the entire site will be graded, excavated and constructed upon. Therefore, the potential impacts associated with site disturbance for the currently proposed project will be equivalent to those of the previously approved project. The Initial Study considered impacts associated with site disturbance under all CEQA categories, and identified potentially significant impacts associated with air quality, biological resources, cultural resources, hydrology and water quality, land use and planning, noise, and public services. The Initial Study included mitigation measures in each of these categories that reduced impacts to less than significant levels. The currently proposed project will be required to implement these mitigation measures, and therefore will adequately mitigate impacts in these categories.

The proposed project will increase the total number of housing units from 34 to 40 on the site. The Initial Study included an analysis of the traffic impacts associated with 34 single family homes. The proposed project has the potential to add 60 average daily trips to the roadway system. The proposed project will, as with the previous project, improve its half width of Ramon Road to its ultimate right of way. Ramon Road at this location operates at an acceptable level of service, and is anticipated to continue to operate at an acceptable level of service in the long term. The project is consistent with the General Pan land use

designation assigned to the site, and therefore has been considered in traffic analyses prepared for the build out of the General Plan's land use plan.

As it relates to other impacts, including categories such as aesthetics and visual resources, geology and soils, hazards and hazardous materials, traffic, recreation and utilities and service systems, the proposed project will generate equivalent impacts to those previously analyzed. The addition of 6 lots will neither significantly increase nor change the impacts analyzed in the 2007 Initial Study. The character and intensity of the project, as well as its basic layout, will not substantially alter the environment, or be substantially different from that previously analyzed.

The proposed project will neither result in a new significant effect, nor will it result in a substantial increase in the severity of previously identified significant effects. Therefore, the proposed project does not require further environmental review under this CEQA provision.

*"Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous ...Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;"*

The proposed project occurs in a portion of the City that has seen little or no development since 2007. The economic downturn essentially stopped most development in the City. The status and condition of lands surrounding the proposed project is the same as occurred in 2007 –

- there has been no change in the character of the neighborhood;
- lands to the north remain developed with single family homes;
- lands to the west and southeast remain developed as single family homes; and
- lands to the south and southwest remain vacant.

There have been no major changes in the regulatory environment associated with development in the City, the neighborhood or the project site. The City may impose conditions of approval that vary somewhat from those previously applied to the project, but any of these changes will be consistent with current regulations, and do not represent a substantial change in circumstances. No revisions of the previous Initial Study are necessary to accommodate these standard requirements or conditions of approval. Therefore, the proposed project does not require additional environmental review under this CEQA provision.

*"New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous ...Negative Declaration was adopted, shows any of the following:*

- (A) *The project will have one or more significant effects not discussed in the previous ...negative declaration;*

- (B) Significant effects previously examined will be substantially more severe than shown in the previous (negative declaration);*
- (C) Mitigation measure or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative;*
- (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous (negative declaration) would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.*

As described above, the City has not implemented any significant new regulatory processes since the adoption of the 2007 Initial Study. That Study identified the potential for presence of Casey's June Beetle on the site. At the time of the analysis, the species was being considered for listing by the US Fish and Wildlife Service as an endangered species, but no action had been taken. Since approval of the 2007 project, the Service has listed the species, and has established critical habitat areas for the species, as well as determining study areas outside of the known critical habitat, where additional analysis is necessary. That process has resulted in specific determinations and mapping of the species' occurrence. The proposed project is located more than a mile northwesterly of either the critical habitat boundary or the study area boundary for the species. There is no evidence in the record that the species is believed to occur in the vicinity of the project. Therefore, the previously identified potential impact associated with biological resources no longer exists, and the impact has been eliminated.

At the time of the approval of the 2007 project, the Agua Caliente Band of Cahuilla Indians was beginning the implementation of its Tribal Habitat Conservation Plan. Since that time, the project has been completed, and mitigation has been confirmed. The project site will be subject to the mitigation fees required under the Plan, but is not within a conservation area. The previously adopted Initial Study included mitigation measures associated with the Plan, which will be implemented should the current project be approved. No new information associated with the Plan exists, and no new analysis is required.

Finally, since the approval of the 2007 Initial Study, certain standards relating to hydrology and drainage, particularly those associated with the National Pollution Discharge Elimination System (NPDES) have changed. The City will apply these new standard requirements and conditions of approval to the proposed project, as part of the approval process. These standards do not substantially change the analysis or mitigation measures addressed in the 2007 Initial Study, and therefore do not constitute substantial new information.

Consequently, there is no substantial new information that would affect the analysis of the proposed project, or result in substantially greater impacts than previously studied. No mitigation measures are infeasible, and all mitigation measures applied to the 2007



project will apply to the proposed project. Therefore, the proposed project does not require additional environmental review under this CEQA provision.

**Conclusion**

Based on the analysis provided above, the City can make a finding that the proposed project does not require any further environmental review, consistent with CEQA Guidelines 15162(b).

Thanks you for giving us the opportunity to be of service. Should you have any questions or require further information, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Nicole Sauviat Criste". The signature is fluid and cursive, with the first name "Nicole" being the most prominent.

Nicole Sauviat Criste  
Principal

K. Eugene Holly  
480 West Ramon Road  
Palm Springs, CA 92264  
760-325-6559  
October 13, 2014

RECEIVED  
CITY OF PALM SPR  
2014 OCT 15 AM 10:59  
JAMES THOMPSON  
CITY CLERK

James Thompson, City Clerk  
3200 East Tahquitz Canyon Way  
Palm Springs, CA 92262

Attention: Planning Commission

Gentlemen:

This letter is in reference to Case No. TTM 36738 (development south of West Ramon Road). Arguably, I am one of the most affected by this new planned development. I say new because it deviates from the plan of the original developer. It was made very clear at the city council meeting that approved the original developer's plan that if the property was sold the new developer would continue with the plan approved at that meeting.

What was to be a large lot upscale development (34 homes) has now been turned into a 50 lot group of tract homes with five different floor plans. West Ramon Road is to be widened (cost to the city?) to accommodate the increased traffic. The original plan did not include street widening since most of the traffic from the development would enter and exit at Cahuilla and West Ramon.

I urgently request that this new plan be disapproved.

Sincerely yours,

*K. Eugene Holly*  
K. Eugene Holly



PROFESSIONAL DESIGN ASSOCIATES

Landscape Architects

2722 W. ARDEN HIGHWAY  
SUNLAND, CALIFORNIA 91760-4427  
(714) 947-0377 FAX (714) 947-0349

PROJECT  
**Palm Springs - 40**  
HOA Maintained  
Ramon Road Landscape  
PALM SPRINGS, CA  
TR# 467238

DESIGNER  
**WOODBRIDGE PACIFIC GROUP**  
27285 LAS RAMBLAS SUITE 230  
MISSION VIEJO, CA 92691  
(949) 348-9100

SHEET TITLE  
**RAMON ROAD LANDSCAPE CONCEPT PLAN**

All designs and plans submitted shall remain the property of PDA. PDA reserves the copyright and other proprietary rights in these plans. These plans shall not be reproduced, changed, modified, or copied in any form, in whole or in part, without the written permission and consent of PDA. PDA shall retain PDA's responsibility for the project of all other parties involved.



DATE 10-1-2014  
SCALE 1" = 20'-0"  
DRAWN BY RY

REVISIONS table with columns for revision number and description.

SHEET NUMBER 1  
OF 1 SHEETS

**WATER BUDGET:**

Maximum Applied Water Allowance (MWA)

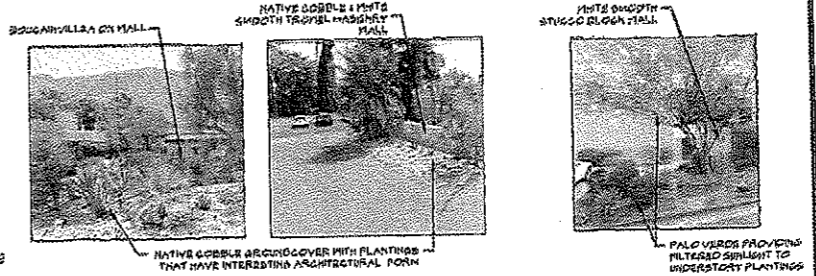
MWA - Ramon Road H.O.A. Streetscape  
Area Description: 11.00 LA 0.00 CA 0.00  
MWA (LA + CA) = 11.00 x 0.62 = 6.82 = 6.82  
Total MWA = 6.82 Gallons per year

Recommended Applied Water Allowance (RAW)

RAW - Ramon Road H.O.A. Streetscape  
Area Description: 11.00 LA 0.00 CA 0.00  
RAW (LA + CA) = 11.00 x 0.62 = 6.82 = 6.82  
Total RAW = 6.82 Gallons per year

**NOTES:**

- 1. The water budgets are preliminary & were created using the landscape design concept's shown in this plan along with the estimated irrigated surface area of the trees & shrubs. Areas & values may change by the time construction documents are submitted for city approval.
- 2. Irrigation is anticipated to be a key element to palm & shrub success for all plantings.

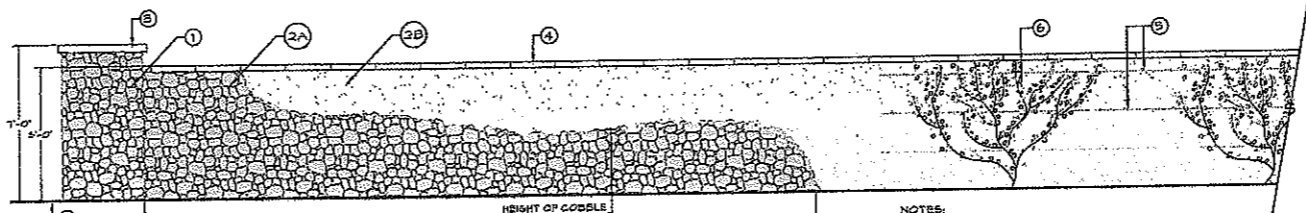


Neighborhood Landscape Inspiration Photos

**Planting Design Scheme:**

The overall planting scheme is to plant many different species to provide diversity of plant material that is adapted to growing in the low desert regions. The...

- Place plants that have great individual form or architectural character as individual plantings to highlight the plant.
- These are mainly placed within the beds of natural gray cobble.
- Smaller accent plants that have interesting color, flower, shape will be grouped in masses in the foreground.
- Ground cover forms of Lantana will be massed in the parkways under the palms and behind the walkways where the natural gray cobble ground cover does not occur.
- The larger shrubs like the Baja Fairy Duster, & Mexican Bird of Paradise along with spreading Bougainvillea will be planted towards the background near the perimeter wall.
- Vines will be placed against the walls towards the center of the runs between the interactions so that they can cover the wall to provide height & color.
- Ceiling Fan Palms will be planted in the parkways. Canopy trees suitable for the low desert climate will be placed throughout the landscape to provide filtered light shade for the under story plantings



RAMON RD. WALL ELEVATION  
SCALE 1/2" = 1'-0"

- KEY:**
- 1. 2" x 8" ENVELOPE PLASTER WITH STACKED NATIVE GRAY COBBLE ABOVE ALL 4 SIDES
  - 2. 6" TALL TAN PRECISION BLOCK WITH PRECAST CAP, EXTERIOR SIDE FACADE WITH SMOOTH TROVIEL MORTAR FINISH. PLANT VINES AS SHOWN ON THIS SHEET'S SUPPORT TRUSS. SEE ELEVATION
  - 3. 6" TALL TAN PRECISION BLOCK WITH PRECAST CAP, EXTERIOR SIDE FACADE WITH STACKED NATIVE GRAY COBBLE AT VARYING HEIGHTS. SEE ELEVATION
  - 4. 6" PIPE CONCRETE MAINTENANCE CURB ALONG P/L TO SEPARATE MAINTENANCE RESPONSIBILITY
  - 5. SUBSURFACE REINFORCED CRUSHED PEA GRAVEL DRIVE PATH WITH EDGING
  - 6. STORM WATER DETENTION BASIN MAINTENANCE ACCESS GATE

**NOTES:**

- 1. BORED PILES TO BE REPLACED IN P/L OF THE WALL WITH 6" DIA. CIP. THIS ELEVATION DOES NOT SHOW BORE PILES FOR CLARITY. PLEASE REFER TO THE P/L SHEET OF THE PLAN FOR THE FOLLOWING.
- 2. NAT. GRAY COBBLE IS TO BE COLLECTED FROM THE SITE. COBBLE SHOULD BE WASHED & CLEANED TO REMOVE ALL FINE PARTICLES.
- 3. REFER TO PHOTOS ON THIS SHEET OF SIMILAR WALL.

**Trees**

- Washingtonia filifera / California Fan Palm
- Olneya tesota / Desert Ironwood
- Parkinsonia aculeata / Mexican Palo Verde
- Brahea armata / Mexican Blue Palm

**Vine list**

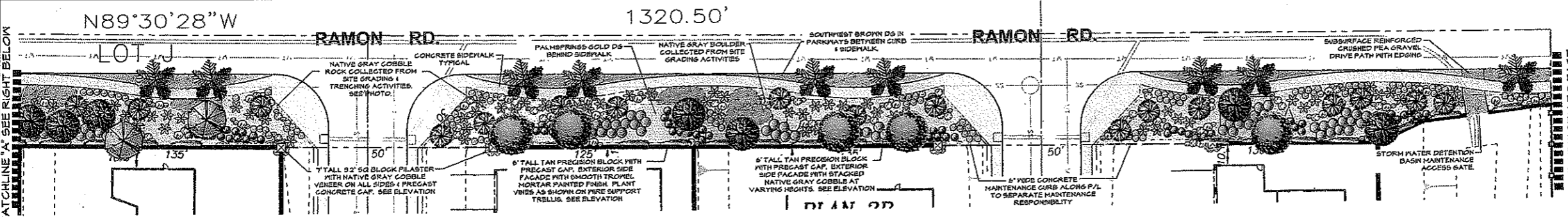
- Pyrostegia verusta / Flame Vine
- Bougainvillea 'Orange King' / Orange Flowering Bougainvillea

**Shrub list**

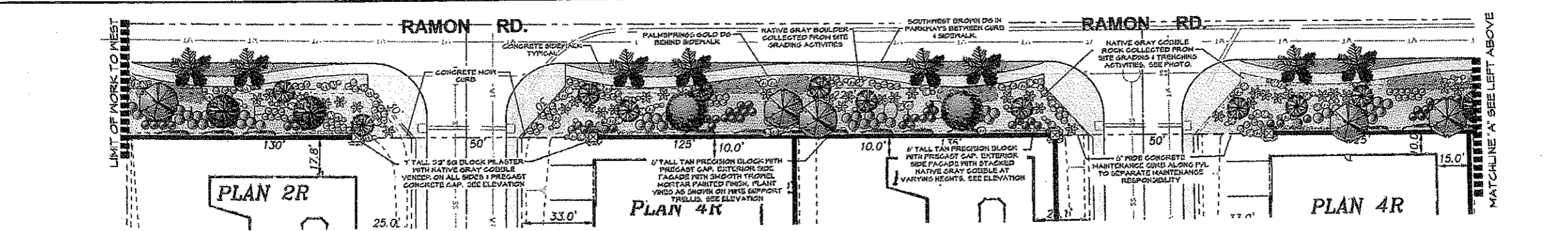
- Bougainvillea 'Raspberry Ice'
- Calliandra californica / Baja Fairy Duster
- Caesalpinia mexicana / Mexican Bird of Paradise
- Yucca rigida / Blue Yucca
- Dasyliirion longissima / Mexican Grass Tree
- Agave 'Blue Flame' / Blue Flame Agave
- Aloe barbadensis / Barbados Aloe

- Hesperaloe parviflora / Red Yucca
- Leucophyllum laevigatum / Chihuahuan Sage
- Optunia basilaris / Beaver Tail Cactus

- Lantana 'Spreading Sunset' / Sunset Lantana
- Lantana 'White' / White Lantana



PLAN VIEW RAMON RD. EASTERN HALF  
SCALE 1" = 20'-0"



PLAN VIEW RAMON RD. WESTERN HALF  
SCALE 1" = 20'-0"

