

PLANNING COMMISSION STAFF REPORT

DATE:

November 12, 2014

CONSENT AGENDA

SUBJECT:

A MAJOR ARCHITECTURAL APPLICATION (MAJ) AND AN ADMINISTRATIVE MINOR MODIFICATION (AMM) APPLICATION BY 3 SQUARE, LLC, OWNER, FOR DEVELOPMENT OF A NEW HILLSIDE SINGLE FAMILY RESIDENCE ON A ROUGHLY 21,780 SQUARE FOOT LOT LOCATED AT 525 CAMINO CALIDAD; ZONE R-1-A. (CASE 3.3771

MAJ / 7.1438 AMM). (KL)

FROM:

Flinn Fagg, Director of Planning Services

SUMMARY

This Major Architectural application is for development of a roughly 5,028 square foot single family residence with garage on a hillside lot. The proposed building height is roughly 16 feet, however because the building pad elevation is roughly 4'-5" above the average top of curb, the proposed home technically exceeds the 18 foot maximum allowable building height for the zone. The Zoning Code allows such circumstances to be resolved with the approval of an AMM.

RECOMMENDATION:

Adopt a Class 3 Categorical Exemption under CEQA and approve Case 3.3771 MAJ / 7.1438 AMM subject to conditions of approval as shown in Exhibit "A".

ISSUES:

Building Height.

BACKGROUND:

The Zoning Code defines Building Height as follows:

"Building height" means the vertical distance plus eighteen (18) inches measured from the average grade at the curb adjacent to the property or from the top of the crown of the roadway if there is no curb, exclusive of exceptions permitted in Section 93.03.00. In the event of hillside lots, lots in excess of twenty thousand (20,000) square feet or lots where the approved pad height is greater than eighteen (18) inches above or below the curb level, the planning director or planning commission may establish

the point of measurement at a level higher or lower than the curb or crown of street.

In this case, the pad elevation on this hillside lot is more than 18 inches above the average top of curb and the lot is greater than 20,000 net square feet.

The site is a vacant, undeveloped lot in a neighborhood of estate-sized parcels and single family homes, located to the southwest of the central business district.

Most Recent Ownership
April 2014 Purchase by applicant.

Neighborhood Notification

N/A

Field Check
September, 2014 Staff visited site to observe existing conditions

Notification
September 4, 2014 | Notice of hillside project sent to adjacent property owners



	Details of Application Request
	Site Area
Net Area	21,780-squre feet

ANALYSIS:

Hillside development is regulated by Zoning Code section 93.13.00.

Surrounding Property	Existing General Plan Designations	Existing Land Use	Existing Zoning Designations
Subject Property	Estate Residential	Vacant	R-1-A Single-Family Residential
North	Estate Residential	Single-Family Residential	R-1-A Single-Family Residential
South	Estate Residential	Vacant	R-1-A Single-Family Residential
East	Estate Residential	Single-Family Residential	R-1-A Single-Family Residential
West	Estate Residential	Vacant	R-1-A Single-Family Residential

PROJECT DESCRIPTION:

The applicant proposes to construct a roughly 5,028 square foot single family residence including an attached garage. The home is proposed in a contemporary style.

94.04.00.D. Planning Commission Architectural Advisory Committee Review Guidelines.

The planning commission architectural advisory committee shall examine the material submitted with the architectural approval application and specific aspects of design shall be examined to determine whether the proposed development will provide desirable environment for its occupants as well as being compatible with the character of adjacent and surrounding developments, and whether aesthetically it is of good composition, materials, textures and colors. Conformance will be evaluated, based on consideration of the following:

1	Does the proposed development provide a desirable environment for its occupants?	Yes	The project proposes an ample sized home and landscaping.
2	Is the proposed development compatible with the character of adjacent and surrounding developments?	Yes	The surrounding neighborhood includes similar single-family hillside residences in a variety of architectural styles.
3	Is the proposed development of good composition, materials, textures, and colors?	Yes	The home is proposed in sand finish stucco and neutral colors.
4	Site layout, orientation, location of structures and relationship to one another and to open spaces and topography. Definition of pedestrian and vehicular areas; i.e., sidewalks as distinct from parking lot areas	Yes	The proposed home is sited to minimize the amount of cut and fill and grading on the lot and to take advantage of the views.

5	Harmonious relationship with existing and proposed adjoining developments and in the context of the immediate neighborhood/community, avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted	Yes	The proposed home is harmonious with the eclectic styles that already exist in this neighborhood.
6	Maximum height, area, setbacks and overall mass, as well as parts of any structure (buildings, walls, screens, towers or signs) and effective concealment of all mechanical equipment	Yes	The proposed home is roughly 16 feet in height, however because the pad elevation is substantially above the adjacent curb, technically it exceeds the height limit of the zone and thus the AMM is justified.
7	Building design, materials and colors to be sympathetic with desert surroundings	Yes	The building is proposed in neutral colors, harmonious materials and is sited appropriately for this hillside location.
8	Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures which are visible simultaneously	Yes	The proposed materials, colors and other components of the building are adequate.
9	Consistency of composition and treatment	Yes	There is consistency in the composition and treatment of the building as proposed.
10	Location and type of planting, with regard for desert climate conditions. Preservation of specimen and landmark trees upon a site, with proper irrigation to insure maintenance of all plant materials	Yes	The proposed landscape plan to includes desert appropriate plants.

In addition to the guidelines of PSZC Section 94.04.00 (*Architectural Review*) above, the Planning Commission shall consider the following guidelines from PSZC Section 93.13.00.B.4. (*Hillside Development*)

In approving final plans, the planning commission may require conditions which in their opinion are necessary to protect the public health, safety and general welfare, and may include the following:

- a. Architectural approval as governed by Section 94.04.00 of the Zoning Code. Such architectural approval shall consider, but shall not be limited to, the following:
 - Rock and soil exposure,

The site is generally very rocky with large boulders throughout. The proposed project minimally disturbs the existing site conditions by equalizing the amount of cut and fill. Boulders needing relocation will be remain on site and used for retainage of filled areas.

ii. Size of building pads,

Building pad is minimal in area in order to accommodate the home and modest back yard pool terrace, with a balance of cut and fill. The filled area will be retained using boulders relocated from elsewhere on the site.

iii. Design considerations, such as supporting stilts, colors and building arrangement,

The building is generally a U-shaped plan designed to minimally impact the natural conditions on the site and surrounding properties.

iv. Screening of parking areas,

The garages have been carefully sited such that the garage doors do not open onto the street, but rather face a side motor court, thereby effectively screening them from the road.

v. Landscaping plans,

Minimal amounts of turf are proposed adjacent to the pool terrace, otherwise the landscape proposed indigenous plantings and minimal disturbance to natural site conditions.

vi. Continuity with surrounding development,

The neighborhood in which the proposed home is located has an eclectic variety of architectural styles, many of which are contemporary. The proposed structure is harmonious with existing residential development in the vicinity.

vii. Sensitivity to existing view corridors;

The pad height was carefully determined to minimize retaining walls and keep the home's profile as low as possible. The homesites to the west of the site are considerably higher in elevation and the proposed home will not impact views from adjacent homesites.

Findings for the Administrative Minor Modification

In addition to the Major Architectural approval, the applicant is seeking approval of an Administrative Minor Modification (AMM) pursuant to Zoning Code Section 94.06.01.A.8, seeking an increase in building height as defined in Chapter 91 of the zoning code.

94.06.01.A.8. Slope and Hillside Areas.

For areas with a grade of ten (10) percent or more, modification of building height to a maximum of thirty (30) feet and modification of front yard to a minimum of ten (10) feet, upon approval of a site plan, elevations and a grading map showing existing and finished contours. Approval shall be based on the finding that such minor modification will not have detrimental effect upon adjacent properties;

The project has been reviewed for conformance with the development standards of the zoning code, the General Plan and good planning practice. The project conforms to the development standards of the zone with the exception of the height, which, as measured from the average top of curb / crown-of-road at the site is slightly greater than that permitted by the underlying zone. The developer has designed the project to equalize cut and fill to minimize disturbance to the site and in doing so requires a pad elevation higher than is typical. Staff believes the project as proposed will not have detrimental effects upon adjacent properties.

Before an administrative minor modification may be approved, pursuant to the provisions of PSZC 94.06.01(A)(4) through (A)(8) of this section, all of the following findings shall be affirmatively made based on evidence presented:

a. The requested minor modification is consistent with the general plan, applicable specific plan(s) and overall objectives of the zoning ordinance;

The General Plan land use designation for this parcel is Estate Residential (up to 2 du/ac). The subject lot is roughly 21,780 square feet and the project therefore is consistent with the General Plan in terms of density.

b. The neighboring properties will not be adversely affected as a result of the approval or conditional approval of the minor modification;

The project is located in a hillside area and is surrounded by other similar custom homes. The project is a single story residence with a low overall roof profile that is sited to equalize the amount of cut and fill and to minimize disruption to the site and the natural features thereon. Staff believes no adverse effect will occur to neighboring properties as a result of the proposed project.

c. The approval or conditional approval of the minor modification will not be detrimental to the health, safety, or general welfare of persons residing or working on the site or in the vicinity; and

The project is conditioned to conform to all applicable regulatory codes and development standards and thus will not be detrimental to persons residing or working on site or in the vicinity.

d. The approval of the minor modification is justified by environmental features, site conditions, location of existing improvements, or historic development patterns of the property or neighborhood.

The project is proposed on a hillside lot with significant topography, boulders and other natural features. The proposed pad elevation, established slightly higher than is typical is justified because of the site conditions and thus conforms to this finding.

NOTIFICATION:

Pursuant to Zoning Code Section 93.13.00.B.1.b and c: written notice was mailed to all adjacent property owners informing them of the City's receipt of the application and informing them of this public meeting.

ENVIRONMENTAL DETERMINATION:

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the project is Categorically Exempt per Section 15303 (New Construction – Conversion of Small Structures). Class 3 consists of projects characterized as new or small structures as described below:

a. One single-family residence, or a second dwelling unit in a residential zone.

Ken Lyon, RA Associate Planner Flinn Fagg, AICP Director of Planning Services

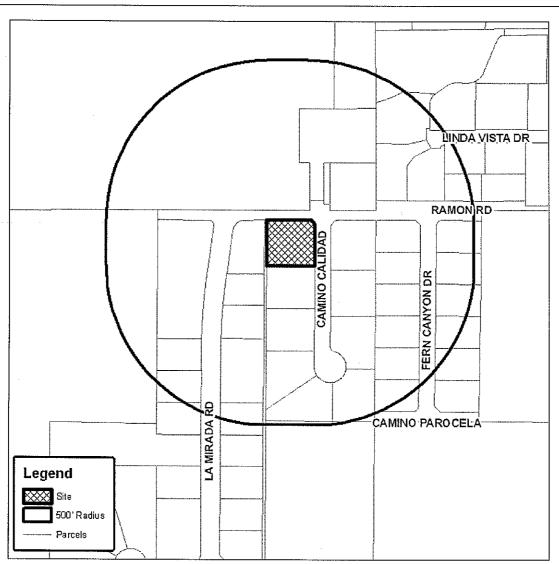
Attachments:

- Vicinity Map
- 2. Draft Resolution and Conditions of Approval as noted in Exhibit "A".
- 3. Plans and Elevations
- 4. Site Photos



Department of Planning Services Vicinity Map

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CITY OF PALM SPRINGS

CASE NO:

3.771 (MAJ)/ 7.1438

(AMM)

APPLICANT: 3 Square LLC

<u>DESCRIPTION</u>: A Major Architectural application and an Administrative Minor Modification for development of a single family residence on a hillside lot located at 525 Camino Calidad (Zone R-1-A)

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING CASE 3.3771 MAJ / 7.1438 AMM, A MAJOR ARCHITECTURAL AND ADMINISTRATIVE MINOR MODIFICATION FOR THE CONSTRUCTION OF A ROUGHLY 5,028-SQUARE FOOT SINGLE FAMILY RESIDENCE ON A ROUGHLY 21,780 SQUARE FOOT HILLSIDE LOT LOCATED AT 525 CAMINO CALIDAD, ZONE R-1-A.

WHEREAS, 3 Square, LLC, ("Applicant") has filed an application with the City pursuant to Section 94.04.00 (*Architectural Review*) and Section 94.06.01 (*Minor Modification*) of the Palm Springs Zoning Code for construction of a single family residence on a hillside lot; and

WHEREAS, on October 8, 2014, the Architectural Advisory Committee met and voted to recommend approval of the project to the Planning Commission; and

WHEREAS, on November 12, 2014, a public meeting to consider Case 3.3771 MAJ / 7.1438 AMM 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 has been determined to be Categorically Exempt as a Class 3 exemption (New structures) pursuant to Section 15303 of the CEQA Guidelines; 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:

<u>Section 1:</u> Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the proposed project is Categorically Exempt under Section 15303 (New structures).

<u>Section 2:</u> Pursuant to Section 94.04.00 of the Palm Springs Zoning Code, the Planning Commission finds:

The planning commission architectural advisory committee shall examine the material submitted with the architectural approval application and specific aspects of design shall be examined to determine whether the proposed development will provide desirable environment for its occupants as well as being compatible with the character of adjacent and surrounding developments, and whether aesthetically it is of good composition, materials, textures and colors. Conformance will be evaluated, based on consideration of the following:

1	Does the proposed development provide a	Yes	The project proposes an ample sized
	desirable environment for its occupants?	<u> </u>	home and landscaping.

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. 2	2	is the proposed development compatible with	Yes	The surrounding neighborhood includes
·		the character of adjacent and surrounding		similar single-family hillside residences in a
L		developments?		variety of architectural styles.
;	3	Is the proposed development of good	Yes	The home is proposed in sand finish
L		composition, materials, textures, and colors?		stucco and neutral colors.
	4	Site layout, orientation, location of structures	Yes	The proposed home is sited to minimize
1		and relationship to one another and to open		the amount of cut and fill and grading on
1		spaces and topography. Definition of pedestrian		the lot and to take advantage of the views.
	i	and vehicular areas; i.e., sidewalks as distinct		
		from parking lot areas		
1	5	Harmonious relationship with existing and	Yes	The proposed home is harmonious with
		proposed adjoining developments and in the		the eclectic styles that already exist in this
		context of the immediate		neighborhood.
		neighborhood/community, avoiding both		
		excessive variety and monotonous repetition,		
		but allowing similarity of style, if warranted		
1	3	Maximum height, area, setbacks and overall	Yes	The proposed home is roughly 16 feet in
		mass, as well as parts of any structure		height, however because the pad elevation
		(buildings, walls, screens, towers or signs) and		is substantially above the adjacent curb,
		effective concealment of all mechanical		technically it exceeds the height limit of the
	- 1	equipment		zone and thus the AMM is justified.
. 17	7	Building design, materials and colors to be	Yes	The building is proposed in neutral colors,
		sympathetic with desert surroundings	. 55	harmonious materials and is sited
				appropriately for this hillside location.
1	₹ 1	Harmony of materials, colors and composition	Yes	The proposed materials, colors and other
1		of those elements of a structure, including	100	components of the building are adequate.
		overhangs, roofs, and substructures which are		components of the building are adequate.
		visible simultaneously		
9	,	Consistency of composition and treatment	Yes	There is consistency in the composition
`	´	conditionary or composition and treatment	163	and treatment of the building as proposed.
1	0	Location and type of planting, with regard-for-	Yes	The proposed landscape plan to includes
1 '	` [desert climate conditions. Preservation of	. I 69	desert appropriate plants.
1	-	specimen and landmark trees upon a site, with		desert appropriate plants.
		proper irrigation to insure maintenance of all		
		plant materials		
L	<u>1</u>	piant materials	***************************************	

Section 3 Guidelines for Hillside Development (PSZC 93.13.00)

In addition to the guidelines of PSZC Section 94.04.00 (*Architectural Review*) above, the Planning Commission shall consider the following guidelines from PSZC Section 93.13.00.B.4. (*Hillside Development*)

In approving final plans, the planning commission may require conditions which in their opinion are necessary to protect the public health, safety and general welfare, and may include the following:

- a. Architectural approval as governed by Section 94.04.00 of the Zoning Code. Such architectural approval shall consider, but shall not be limited to, the following:
 - i. Rock and soil exposure,

The site is generally very rocky with large boulders throughout. The proposed project minimally disturbs the existing site conditions by equalizing the amount of cut and fill. Boulders needing relocation will be remain on site and used for retainage of filled areas.

ii. Size of building pads,

Building pad is minimal in area in order to accommodate the home and modest back yard pool terrace, with a balance of cut and fill. The filled area will be retained using boulders relocated from elsewhere on the site.

iii. Design considerations, such as supporting stilts, colors and building arrangement,

The building is generally a U-shaped plan designed to minimally impact the natural conditions on the site and surrounding properties.

iv. Screening of parking areas,

The garages have been carefully sited such that the garage doors do not open onto the street, but rather face a side motor court, thereby effectively screening them from the road.

v. Landscaping plans,

Minimal amounts of turf are proposed adjacent to the pool terrace, otherwise the landscape proposed indigenous plantings and minimal disturbance to natural site conditions.

vi. Continuity with surrounding development,

The neighborhood in which the proposed home is located has an eclectic variety of architectural styles, many of which are contemporary. The proposed structure is harmonious with existing residential development in the vicinity.

vii. Sensitivity to existing view corridors;

The pad height was carefully determined to minimize retaining walls and keep the home's profile as low as possible. The homesites to the west of the site are considerably higher in elevation and the proposed home will not impact views from adjacent homesites.

Section 4: Findings for the Administrative Minor Modification

In addition to the Major Architectural approval, the applicant is seeking approval of an Administrative Minor Modification (AMM) pursuant to Zoning Code Section 94.06.01.A.8, seeking an increase in building height as defined in Chapter 91 of the zoning code.

94.06.01.A.8. Slope and Hillside Areas.

For areas with a grade of ten (10) percent or more, modification of building height to a maximum of thirty (30) feet and modification of front yard to a minimum of ten (10) feet, upon approval of a site plan, elevations and a grading map showing existing and finished contours. Approval shall be based on the finding that such minor modification will not have detrimental effect upon adjacent properties;

The project has been reviewed for conformance with the development standards of the zoning code, the General Plan and good planning practice. The project conforms to the development standards of the zone with the exception of the height, which, as measured from the average top of curb / crown-of-road at the site is slightly greater than that permitted by the underlying zone. The developer has designed the project to equalize cut and fill to minimize disturbance to the site and in doing so requires a pad elevation higher than is typical. The project as proposed will not have detrimental effects upon adjacent properties.

Before an administrative minor modification may be approved, pursuant to the provisions of PSZC 94.06.01(A)(4) through (A)(8) of this section, all of the following findings shall be affirmatively made based on evidence presented:

a. The requested minor modification is consistent with the general plan, applicable specific plan(s) and overall objectives of the zoning ordinance;

The General Plan land use designation for this parcel is Estate Residential (up to 2 du/ac). The subject lot is roughly 21,780 square feet and the project therefore is consistent with the General Plan in terms of density.

b. The neighboring properties will not be adversely affected as a result of the approval or conditional approval of the minor modification;

The project is located in a hillside area and is surrounded by other similar custom homes. The project is a single story residence with a low overall roof profile that is sited to equalize the amount of cut and fill and to minimize disruption to the site and the natural features thereon. No adverse effect will occur to neighboring properties as a result of the proposed project.

c. The approval or conditional approval of the minor modification will not be detrimental to the health, safety, or general welfare of persons residing or working on the site or in the vicinity; and

The project is conditioned to conform to all applicable regulatory codes and development standards and thus will not be detrimental to persons residing or working on site or in the vicinity.

d. The approval of the minor modification is justified by environmental features, site conditions, location of existing improvements, or historic development patterns of the property or neighborhood.

The project is proposed on a hillside lot with significant topography, boulders and other natural features. The proposed pad elevation, established slightly higher than is typical is justified because of the site conditions and thus conforms to this finding.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby approves Case 3.3771 (MAJ) / 7.1438 (AMM), for construction of a roughly 5,028 square foot single family residence on a roughly 21,780 square foot lot subject to the conditions of approval attached herein as Exhibit A.

ADOPTED this 12th day of November, 2014.

AYES: NOES: ABSENT:

ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

Flinn Fagg, AICP Director of Planning Services

RESOLUTION NO.

EXHIBIT A

Case 3.3771 MAJ / 7.1438 AMM

A Single Family Residence on a Hillside Lot located at 525 Camino Calidad

November 14, 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. <u>Project Description</u>. This approval is for the project described per Case 3.3771 MAJ / 7.1438 AMM; 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 August 13, 2014, 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. <u>Minor Deviations</u>. The Director of Planning or designee may approve minor deviations to the project description and approved plans in accordance with the provisions of the Palm Springs Zoning Code.
- ADM 5. Indemnification. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative officers concerning Case 3.3771 MAJ / 7.1438 AMM The City of Palm Springs

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

- ADM 6. Maintenance and Repair. The property owner(s) and successors and assignees in interest shall maintain and repair the improvements including and without limitation all structures, sidewalks, 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 7. <u>Time Limit on Approval</u>. Approval of the Major Architectural Application (MAJ) 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.
- ADM 8. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05.00. Permits will not be issued until the appeal period has concluded.
- ADM 9. Public Art Fees. This project shall be subject to Chapters 2.24 and 3.37 of the Municipal Code regarding public art. The project shall either provide public art or payment of an in lieu fee. In the case of the in-lieu fee, the fee shall be based upon the total building permit valuation as calculated pursuant to the valuation table in the Uniform Building Code, the fee being 1/2% for commercial projects or 1/4% for residential projects with first \$100,000 of total building permit valuation for individual single-family units exempt. Should the public art be located on the project site, said location shall be reviewed and approved by the Director of Planning and Zoning and the Public Arts Commission, and the property owner shall enter into a recorded agreement to maintain the art work and protect the public rights of access and viewing.

ADM 10. Park Development Fees. The developer shall dedicate land or pay a fee in lieu of a dedication, at the option of the City, The in-lieu fee shall be computed pursuant to Ordinance No. 1632, Section IV, by multiplying the area of park to be dedicated by the fair market value of the land being developed plus the cost to acquire and improve the property plus the fair share contribution, less any credit given by the City, as may be reasonably determined by the City based upon the formula contained in Ordinance No. 1632. In accordance with the Ordinance, the following areas or features shall not be eligible for private park credit: golf courses, yards, court areas, setbacks, development edges, slopes in hillside areas (unless the area includes a public trail) landscaped development entries, 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).

ENVIRONMENTAL ASSESSMENT CONDITIONS

- ENV 1. Coachella Valley Multiple-Species Habitat Conservation Plan (CVMSHCP)
 Local Development Mitigation Fee (LDMF) required. All projects within the
 City of Palm Springs, not within the Agua Caliente Band of Cahuilla Indians
 reservation are subject to payment of the CVMSHCP LDMF prior to the
 issuance of certificate of occupancy.
- ENV 2. California Fish & Game Fees Required. The project is required to pay a fish and game impact fee as defined in Section 711.4 of the California Fish and Game Code. This CFG impact fee plus an administrative fee for filing the action with the County Recorder shall be submitted by the applicant to the City in the form of a money order or a cashier's check payable to the Riverside County Clerk prior to the final City action on the project (either Planning Commission or City Council determination). This fee shall be submitted by the City to the County Clerk with the Notice of Determination. Action on this application shall not be final until such fee is paid. The project may be eligible for exemption or refund of this fee by the California Department of Fish & Game. Applicants may apply for a refund by the CFG at www.dfg.ca.gov for more information.
- ENV 3. 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 4. <u>Cultural Resource Site Monitoring</u>. There is a possibility of buried cultural or Native American tribal resources on the site. A Native American Monitor shall be present during all ground-disturbing activities. (check for duplication in engineering conditions)
 - a. A Native American Monitor(s) shall be present during all ground disturbing activities including clearing and grubbing, excavation, burial of utilities, planting of rooted plants, etc. Contact the Agua Caliente Band of Cahuilla Indian Cultural Office for additional information on the use and availability of Cultural Resource Monitors. Should buried cultural deposits be encountered, the Monitor shall contact the Director of Planning. After consultation the Director shall have the authority to halt destructive construction and shall notify a Qualified Archaeologist to further investigate the site. If necessary, the Qualified Archaeologist shall prepare a treatment plan for submission to the State Historic Preservation Officer and Agua Caliente Cultural Resource Coordinator for approval.
 - b. Two copies of any cultural resource documentation generated in connection with this project, including reports of investigations, record search results and site records/updates shall be forwarded to the Tribal Planning, Building, and Engineering Department and one copy to the City Planning Department prior to final inspection.

PLANNING DEPARTMENT CONDITIONS

- PLN 1. Outdoor Lighting Conformance. Exterior lighting plans, including a photometric site plan showing the project's conformance with Section 93.21.00 Outdoor Lighting Standards of the Palm Springs Zoning ordinance, shall be submitted for approval by the Department of Planning prior to issuance of a building permit. Manufacturer's cut sheets of all exterior lighting on the building and in the landscaping shall be included. If lights are proposed to be mounted on buildings, down-lights shall be utilized. No lighting of hillsides is permitted.
- PLN 2. 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. 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 4. <u>Maintenance of Awnings & Projections</u>. All awnings shall be maintained and periodically cleaned.
- PLN 5. <u>Screen Roof-mounted Equipment</u>. All roof mounted mechanical equipment shall be screened per the requirements of Section 93.03.00 of the Zoning Ordinance.
- PLN 6. <u>Surface Mounted Downspouts Prohibited</u>. 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 7. <u>Pool Enclosure Approval Required</u>. 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 8. <u>Exterior Alarms & Audio Systems</u>. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.
- PLN 9. <u>Outside Storage Prohibited</u>. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.
- PLN 10. 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 11. <u>"Smart Controllers" for landscape irrigation.</u> Single Family Residential units are to be provided with "smart controllers" for managing efficient use of water for landscape irrigation.
- PLN 12. Pre-wiring for Installation of Photo-voltaic systems. If the project does not include photo-voltaic system(s) for electrical production, "pre-wiring" and appropriate configuration of electrical panels and conduit must be provided to accommodate the future installation of such equipment on rooftops of structures within the proposed development.
- PLN 13. (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.

CAMINO CALIDAD

- ENG 2. Dedicate an easement 2 feet wide along the back of the driveway approach for sidewalk purposes.
- ENG 3. Remove street improvements as necessary to construct a driveway approach in accordance with City of Palm Springs Standard Drawing No. 201. No colored concrete may be constructed within the public right-of-way without first obtaining an Encroachment Agreement for the Engineering Division.
- ENG 4. All broken or off grade street improvements shall be repaired or replaced.

ON-SITE

ENG 5. The existing 7.5 feet wide equestrian easement along the west property line shall be cleared of all debris and blockages (including wrought iron fence and vegetation) in conjunction with this project so that the equestrian trail can be utilized by horseback riders. The equestrian easement shall not be blocked at any time in the future (unless otherwise approved by City of Palm Springs).

SANITARY SEWER

ENG 6. All sanitary facilities shall be connected to the public sewer system. The existing sewer service to the property shall be used for new sanitary facilities. New laterals shall not be connected at manholes.

GRADING

- ENG 7. Submit cut and fill quantities to City Engineer to determine if a Grading Plan is required. If required, the Grading Plan shall be submitted to the Engineering Division for review and approval by the City Engineer prior to issuance of grading permit. If the earthwork quantity is less than 50 cubic yards, a formal grading plan is not required. To qualify for the exemption, a signed original written statement of design earthwork quantities from the owner (or design professional, prepared on company letterhead) shall be provided to the Engineering Division. Exemption of a formal Grading Plan reviewed and approved by the City Engineer does not exempt the applicant from a site grading plan that may be required from the Building Department, or any other requirement that may be necessary to satisfy the California Building Code.
 - a) Fugitive Dust Control Plan shall be prepared by the applicant and/or its grading contractor and submitted to the Engineering Division for review 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 Site Plan; a copy of current Title Report; and a copy of Soils Report.
- ENG 8. Prior to approval of a Grading Plan (or issuance of a Grading Permit), the applicant shall obtain written approval to proceed with construction from the Agua

Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist. The applicant shall contact the Tribal Historic Preservation Officer or the Tribal Archaeologist at (760) 699-6800, to determine their requirements, if any, associated with grading or other construction. The applicant is advised to contact the Tribal Historic Preservation Officer or Tribal Archaeologist as early as possible. If required, it is the responsibility of the applicant to coordinate scheduling of Tribal monitors during grading or other construction, and to arrange payment of any required fees associated with Tribal monitoring.

- ENG 9. In accordance with an approved PM-10 Dust Control Plan, perimeter fencing shall be installed. Fencing shall have screening that is tan in color; green screening will not be allowed. Perimeter fencing shall be installed after issuance of Grading Permit, and immediately prior to commencement of grading operations.
- ENG 10. 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 11. 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 onsite 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 12. 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 13. Drainage swales shall be provided adjacent to all curbs and sidewalks to keep nuisance water from entering the public streets, roadways, or gutters.
- ENG 14. 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 15. The applicant shall provide all necessary geotechnical/soils inspections and testing in accordance with the Geotechnical/Soils Report prepared for the project. All backfill, compaction, and other earthwork shown on the approved grading plan shall be certified by a California registered geotechnical or civil engineer, certifying that all grading was performed in accordance with the Geotechnical/Soils Report prepared for the project. Documentation of all compaction and other soils testing are to be provided. No certificate of

occupancy will be issued until the required certification is provided to the City Engineer.

ENG 16. 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 (if required). The California Department of Food and Agriculture office is located at 73-710 Fred Waring Drive, Palm Desert (Phone: 760-776-8208).

DRAINAGE

- ENG 17. All stormwater runoff across the property shall be accepted and conveyed in a manner acceptable to the City Engineer and released to an approved drainage system. Stormwater runoff may not be released directly to the adjacent streets without first intercepting and treating with approved Best Management Practices (BMP's).
- ENG 18. 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

- ENG 19. Any utility trenches or other excavations within existing asphalt concrete pavement of off-site streets required by the proposed development shall be backfilled and repaired in accordance with City of Palm Springs Standard Drawing No. 115.
- ENG 20. All proposed utility lines shall be installed underground.
- ENG 21. All existing utilities shall be shown on the improvement plans required for the project. The existing and proposed service laterals shall be shown from the main line to the property line.
- ENG 22. Upon approval of any improvement plan by the City Engineer, the improvement plan shall be provided to the City in digital format, consisting of a DWG (AutoCAD 2004 drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variation of the type and format of the digital data to be submitted to the City may be authorized, upon prior approval of the City Engineer.

- ENG 23. The original improvement plans prepared for the proposed development and approved by the City Engineer (if required) shall be documented with record drawing "as-built" information and returned to the Engineering Division prior to issuance of a final certificate of occupancy. Any modifications or changes to approved improvement plans shall be submitted to the City Engineer for approval prior to construction.
- ENG 24. Nothing shall be constructed or planted in the corner cut-off area of any 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 25. 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.

TRAFFIC

- ENG 26. A minimum of 48 inches of clearance for handicap accessibility shall be provided on public sidewalks or pedestrian paths of travel within the development.
- ENG 27. 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.
- ENG 28. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

FIRE DEPARTMENT CONDITIONS

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

- These conditions are subject to final plan check and review. Initial fire department conditions have been determined on the site plan received and dated August 13, 2014. Additional requirements may be required at that time based on revisions to site plans.
- FID2 Fire Department Conditions were based on the 2013 California Fire Code as adopted by City of Palm Springs, Palm Springs Municipal Code and latest adopted NFPA Standards. 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.

FID3 PLANS AND 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 one set.

Plans shall be submitted to:

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

Counter Hours: 8:00 AM - 6:00 PM, Monday - Thursday

A deposit for Plan Check and Inspection Fees is required at the time of Plan Submittal. Inspection fees are charged at the fully burdened hourly rate of the fire inspector. 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.

Buildings and Facilities (CFC 503.1.1): Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Fire Personnel Access Requirements: Provide fire personnel 4 ft. access gates and minimum 4 ft. clearance around entire house.

FID5 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, 2013 Edition, as modified by local ordinance.

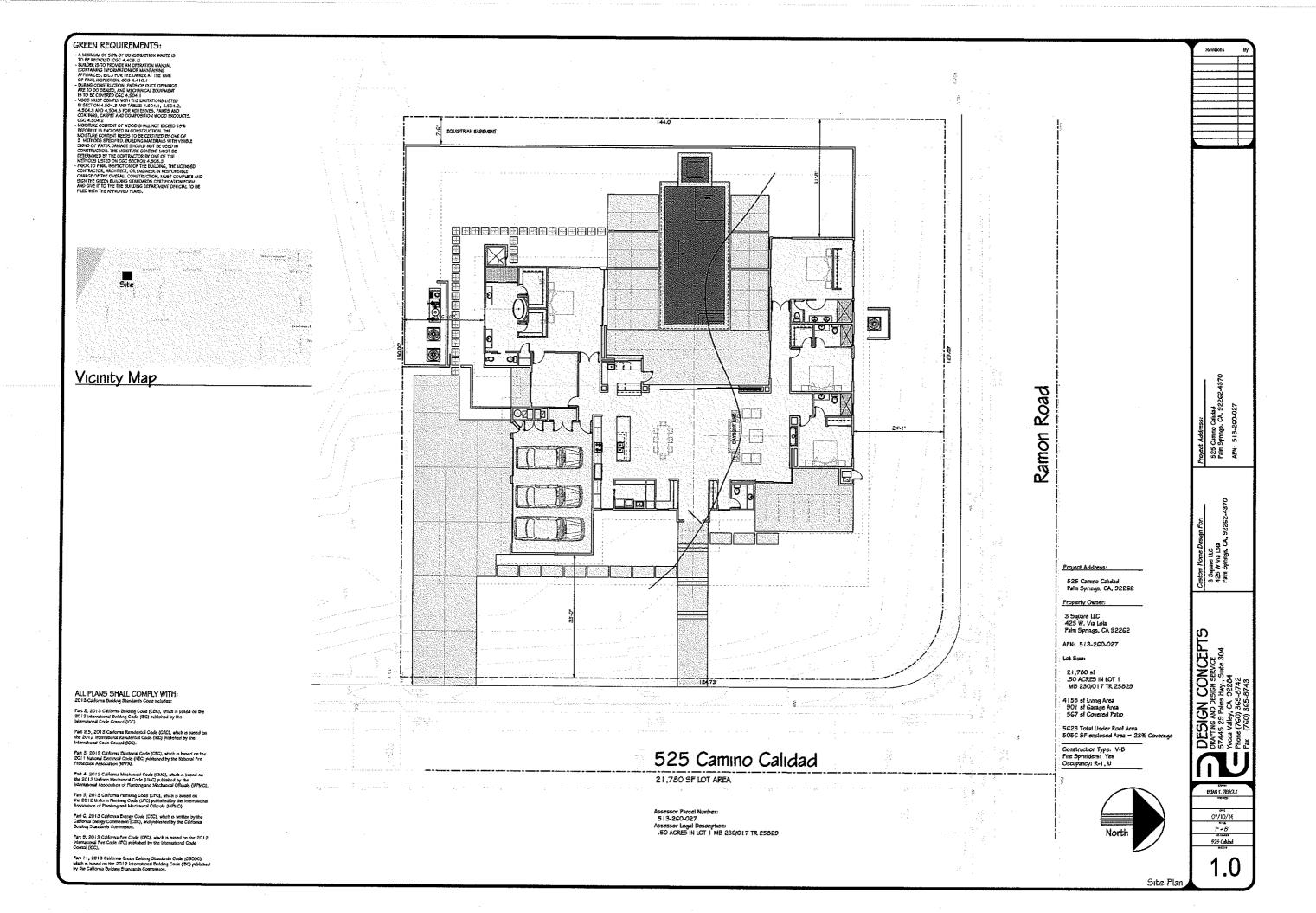
- FID6
- Residential Smoke and Carbon Monoxide Alarms Installation with Fire Sprinklers R-3 & Household Fire Alarm System (CFC 907.2.11.2, CRC R314 & R315 and California Health & Safety Code 17926): Provide and Install Residential Smoke and Carbon Monoxide Alarms. Alarms shall receive their primary power from the building wiring, and shall be equipped with a battery backup. In new construction, alterations, repairs and additions, smoke and carbon monoxide alarms shall be interconnected. The operation of any smoke alarm or the fire sprinkler flow switch will cause all smoke alarms within the dwelling to sound and activate the exterior horn/strobe. The operation of any carbon monoxide alarm will cause all carbon monoxide alarms within the dwelling to sound.
- FID 7

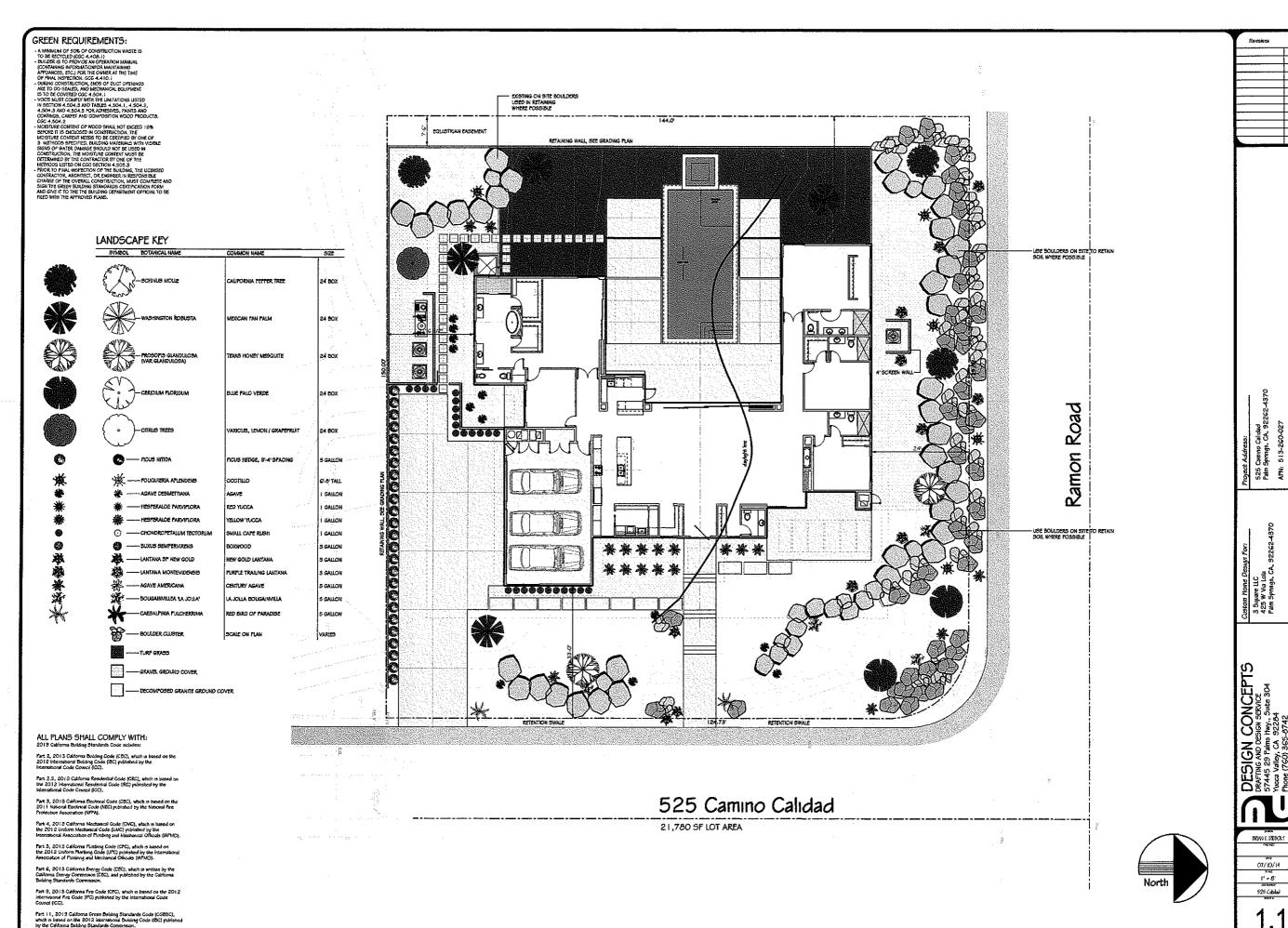
 Audible Residential Water Flow Alarms NFPA 13D Fire Sprinklers & Household Fire Alarm System (CFC 903.4.2): An approved audible sprinkler flow alarm (Wheelock horn/strobe with WBB back box or equal) shall be provided on the exterior of the building in an approved location. It shall be powered by the household fire alarm system. The horn/strobe shall be outdoor rated.
- FIRE HAZARD SEVERITY ZONES (CFC 4901): Geographical areas designated pursuant to California Public Resources Codes, Sections 4201 through 4204 and classified as Very High, High, or Moderate in State Responsibility Areas or as Local Agency Very High Fire Hazard Severity Zones designated pursuant to California Government Code, Sections 51175 through 51189. The California Code of Regulations, Title 14, Section 1280 entitles the maps of these geographical areas as "Maps of the Fire Hazard Severity Zones in the State Responsibility Area of California."

LOCAL AGENCY VERY HIGH FIRE HAZARD SEVERITY ZONE. An area designated by a local agency upon the recommendation of the CDF Director pursuant to Government Code, Sections 51177(c), 51178 and 5118, that is not a state responsibility area and where a local agency, city, county, city and county, or district is responsible for fire protection.

- Construction methods and requirements within established limits (CFC 4905.2): Within the limits established by law, construction methods intended to mitigate wildfire exposure shall comply with the wildfire protection building construction requirements contained in the California Building Standards Code, including the following:
 - 1. California Building Code, Chapter 7A,
 - 2. California Residential Code, Section R327,
 - 3. California Referenced Standards Code, Chapter 12-7A and this chapter.

END OF CONDITIONS





Landscape Plan

I" - 6"

