

**RESOLUTION NO. 2006-66**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM, GENERAL PLAN AMENDMENT NO. 03-05, ZONING MAP AMENDMENT NO. 06-05, ENVIRONMENTAL ASSESSMENT NO. 05-05, SPECIFIC PLAN NO. 01-05, TENTATIVE TRACT MAP NO. 33746, AND TENTATIVE PARCEL MAP NO. 33754 FOR THE DEVELOPMENT OF A MAXIMUM OF 499 SINGLE FAMILY RESIDENCES WITHIN A PRIVATE GATED COMMUNITY, COMPRISED OF FIVE SEPARATE RESIDENTIAL VILLAGES ON APPROXIMATELY 165.7 ACRES OF UNDEVELOPED LAND.**

**WHEREAS**, Silver Oaks, DHS, LLC (the "Applicant") has filed several applications with the City of Desert Hot Springs (the "City") for a General Plan Amendment No. 03-05, Zoning Map Amendment No. 06-05, Environmental Assessment No. 05-05, Specific Plan No. 01-05, Tentative Tract Map No. 33746, and Tentative Parcel Map No. 33754 for the development of up to 499 single family residences within a private gated community divided into five separate residential villages including a 31.9 acre private open space parcel (the "Project"), on property located south of Mission Lakes Blvd. bounded by Western Avenue to the east, Karen Avenue to the west and 11<sup>th</sup> Avenue to the South (APNs: 664-020-001, 008-100-719, 008-100-725, 008-100-726) within the City of Desert Hot Springs, California (the "Site"); and,

**WHEREAS**, notice of a public hearing of the Planning Commission of the City of Desert Hot Springs to consider Applicant's applications was given in accordance with applicable law; and

**WHEREAS**, on February 14, 2006 a public hearing on the requested applications was held by the Planning Commission; and

**WHEREAS**, the Planning Commission considered the staff report and all of the information, testimony, and evidence presented during the Planning Commission hearings and adopted Resolution No. PC 06-06 recommending that the City Council approve the Applicant's applications; and

**WHEREAS**, notice of a public hearing of the City Council of the City of Desert Hot Springs to consider Applicant's applications was given in accordance with applicable law; and

**WHEREAS**, on June 6, 2006, a public hearing on the requested applications was held by the City Council; and

**WHEREAS**, after careful consideration of the staff report and all of the

information, evidence, and testimony presented at its public hearing, the City Council finds as follows:

**General Plan Amendment Findings (GPA No. 03-05):**

1. The proposed General Plan Amendments are internally consistent with the General Plan. General Plan Amendment No. 03-05 will modify the land use designation of the proposed site only for the purpose of adding the Specific Plan identifying information to the project site. It does not otherwise propose to change the land uses permitted nor does it create inconsistencies with the existing designation.
2. The proposed amendments would not be detrimental to the public interest, health, safety, convenience, or welfare of the City as the proposed land use amendment supports a single family development that consistent with the existing density designation (5 dwelling units per acre) and is a logical extension of existing residential development within the vicinity. The proposed detached single-family neighborhood is also consistent with the stated purpose of the Residential Low (RL) land use designation, which provides for moderately low-density single-family subdivisions.
3. The proposed amendments would maintain the appropriate balance of land uses within the City, as they do not seek to change to existing land use type designated for the site by the General Plan.
4. The subject parcels are physically suitable for the requested land use designation and the anticipated land use development, which does not seek to change the land uses currently permitted on the subject site.

**Zoning Ordinance Amendment Findings (ZMA No. 06-05):**

5. The proposed Zoning Map Amendment (ZMA No. 06-05) is consistent with the General Plan as it seeks only to amend the land use designation of the proposed site for the purpose of adding the Specific Plan identifying information to the project site. It does not otherwise propose to change the land uses permitted nor does it create inconsistencies with the existing designation.
6. The proposed Zoning Map Amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City as it seeks only to amend the land use designation of the proposed site for the purpose of adding the Specific Plan identifying information to the project site in support of a project that is consistent with existing and planned residential land uses in the vicinity of the project site.
7. There are no applicable Master Plan or Specific Plan within the City of Desert Hot Springs that the proposed Zoning Map Amendment (ZMA No. 06-05) would impact.

**Specific Plan Findings (SP No. 01-05):**

8. The proposed Specific Plan (SP No. 01-05) is consistent with the General Plan as it proposes single family residential development at a density of 5 dwelling units per acres, as allowed by the site's Residential Low Density General Plan land use designation. The project contributes to the General Plan's stated residential goal of preserving and enhancing the predominantly low density, resort residential character of the City, and contributes to the goal of providing a variety of housing types.

9. The proposed Specific Plan would not be detrimental to the public interest, health, safety, convenience, or welfare of the City as development will transpire under the auspices of the Municipal Zoning Ordinance, the California Building Code, California Fire Code, and conditions of project approval, which will ensure the public's health and safety.
10. The subject property is physically suitable for the requested single-family land use proposed within the Specific Plan
11. The proposed Specific Plan shall ensure development of desirable character, which will be compatible with existing and proposed development in the surrounding neighborhood as it proposes single-family detached residences, which is consistent with the proposed development in the vicinity (Stoneridge Specific Plan).
12. The proposed Specific Plan will contribute to a balance of land uses by providing a range of housing types as envisioned by the General Plan.

**Tentative Tract Map Findings (TTM No. 33764 & TPM No. 33754):**

13. The proposed subdivision, together with the provisions for its design and improvements, are consistent with the General Plan, which designates the project site as Residential-Low density (R-L). The project, as proposed, is consistent with that designation in that the entire project is a subdivision developed for detached, single-family residences. The proposal is on property that has been planned for single-family residential development so this request is consistent with the overall goals for the area. Furthermore, the request complies with the overall density limitation of the General Plan and Zoning designations for the property.
14. The design or improvement of the proposed subdivision is consistent with the City's Municipal Zoning Ordinance, which allows the approval of Specific Plans, which may provide development standards for property within its boundaries. The proposed subdivision is within the overall density designated in the General Plan; the streets, both on and off site, are required to meet the minimum standards of the City; sewer and water will be provided to the property and meet the standards of the Mission Springs Water District; storm water facilities must meet the requirements of the City and Riverside County Flood Control; all utilities must meet the requirements of the applicable utility provider; and the project must meet the development parameters established in the General Plan and the Specific Plan, as provided for in the Zoning Ordinance.
15. That the rather limited conditions and/or requirements imposed upon the proposed subdivision would not render unfeasible the development of housing for all segments of the economic community on the site. In considering its actions, the City has given due consideration of the public service needs of its residents and the available fiscal and environmental resources.
16. The proposed Tentative Map design will permit to the extent feasible, passive or natural heating and cooling opportunities to each of the proposed parcels. Development of said parcels will transpire under the auspices of the Municipal

Zoning Ordinance, the Sunset Ridge Specific Plan, and other such documents that will include such elements (setbacks, clustering, etc.) to promote optimum spacing of structures and uniform building heights that will provide opportunities for the use of solar energy.

17. That unless otherwise waived by the City, as part of the development approval process the Tentative Tract Map has been conditioned to comply with the City's local requirements for park and recreation dedications (Quimby Act).
18. That the proposed design or improvements of the proposed Map comply with all applicable sections and requirements of the City's Subdivision Code.

**Environmental:**

19. The Project as mitigated will not have a significant effect on the environment. A Mitigated Negative Declaration and Mitigation Monitoring Program was prepared for the Project and publicly noticed, in accordance with applicable law.

**NOW, THEREFORE,** the City Council of the City of Desert Hot Springs resolves as follows:

1. That the aforementioned findings are hereby **APPROVED**.
2. That the City Council has independently reviewed and considered Environmental Assessment No. 05-05 and the Mitigated Negative Declaration, which reflects the independent judgment of the City and determines that the Initial Study adequately addresses the impacts of the Project and that the issuance of a Mitigated Negative Declaration is appropriate.
3. That the City Council **APPROVE** Environmental Assessment (No. 05-05) and **ADOPTS** the Mitigated Negative Declaration for General Plan Amendment (GPA No. 03-05), Zoning Map Amendment (ZMA No. 06-05), Specific Plan (SP No. 01-05), Tentative Tract Map (TTM No. 33764), and Tentative Parcel Map (TPM No. 33754), as shown in Exhibit "D", which Declaration is on file with the City of Desert Hot Springs Planning Department, and is incorporated herein by reference.
4. That the City Council **ADOPTS** a Mitigation Monitoring Program for the Project, as shown in Exhibit "E", hereto and by this reference incorporated herein.
5. That the City Council **ADOPTS** General Plan Amendment No. 03-05 and Zoning Map Amendment No. 06-05, to amend the project site's land use General Plan and Zoning Map designations from R-L/SP to R-L/SP Sunset Ridge Specific Plan, as shown in Exhibit "A", hereto and by this reference incorporated herein.
6. That the City Council **ADOPTS** Specific Plan No. 01-05, to provide development regulations and guidelines for a 499-lot single family community with private streets and recreational and landscaping/retention lots, subject to the conditions of approval, as shown in Exhibit "B" and Exhibit "G", hereto and by this reference incorporated herein.

7. That the City Council **APPROVE** Tentative Tract Map No. 33764 and Tentative Parcel Map No. 33754 for the development of up to 499 single family residences within a private gated community divided into five separate residential villages including a 31.9 acre private open space parcel, for property located south of Mission Lakes Blvd. bounded by Western Avenue to the east, Karen Avenue to the west and 11<sup>th</sup> Avenue to the South (APNs: 664-020-001, 008-100-719, 008-100-725, 008-100-726) within the City of Desert Hot Springs, California, subject to the conditions of approval, shown in Exhibits "B, C, F and G" , hereto and by this reference incorporated herein.
8. That the City Clerk shall certify to the adoption of this Resolution and shall mail by first class, prepaid, United States mail, a certified copy of this Resolution to Applicant.

**PASSED AND ADOPTED** by the City Council of the City of Desert Hot Springs at a regular meeting held on the sixth day of June 2006 by the following vote:

**AYES**, and in favor thereof, Council members: Bias, Hohenstein, Parks and Stephens.

**NAYS**, Council members: None.

**ABSENT**, Council members: Bosworth.

**ABSTAINING**, Council members: None.


ATTEST:


  
\_\_\_\_\_  
Rossie Stobbs, City Clerk

APPROVED:

  
\_\_\_\_\_  
Alex W. Bias, Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Toni Eggebraaten, Acting City Attorney

  
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Ann Marie Gallant, City Manager

## **Exhibit B**

### **Conditions of Approval For Specific Plan No. 01-05, Sunset Ridge**

1. Approval of Specific Plan No. 01-05 shall be based on the submitted Specific Plan for Sunset Ridge dated January 2006, including those modifications required by the following conditions.
2. Within 30 days of the date of approval, the applicant shall amend the Sunset Ridge Specific Plan to reflect all required conditions and shall submit 10 copies of the Specific Plan to the City including one (1) 8 1/2" by 11" unbound set for photocopying and a electronic version of the document (text and exhibits) in Microsoft Word format.
3. The Applicant/developer shall deliver to the Development Services Department a cashier's check, money order, or other acceptable form of payment made payable to the Riverside County Clerk in the amount of \$1,314.00 to enable the City of file a Notice of Determination with a Mitigated Negative Declaration required pursuant to Public Resources Code Section 21108(b) and California Code of Regulations Section 15075. Any additional fees that may be attributed to the required filing of environmental documents shall be paid by the Applicant/developer. If within said 48-hour period Applicant/developer has not delivered to the Development Services Department the check as required above, the approval for the project granted shall be void by reason of failure of condition (Fish and Game Code Section 711.4(c)).
4. The Applicant/developer shall indemnify, protect, hold harmless and defend the City and any agency or instrumentality thereof, an/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City to attack, set aside, void, annul, seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voter of the City, concerning the entitlement application. City shall promptly notify both the applicant and landowner of any claim, action, or proceeding to which this condition is applicable and shall further cooperate fully in the defense of the action. The City reserves its right to take any and all action the City deems to be in the best interest of the City and its citizens in regard to such defense.
5. The Specific Plan shall be amended to require that if optional guest/bonus room options within require garage areas (i.e., 3 car-garage) are provided, conversion of the garage area for the optional guest/bonus room shall required the removal of the driveway area associated with that portion of garage area and the installation of additional landscaping materials to match the existing landscape design of the property.
6. The Specific Plan shall be amended to require 24" x 24" pilasters with caps for public street frontage perimeter walls. Pilasters shall be provided at a minimum 50' or where a side yard property line wall intersects the street frontage perimeter wall as approved by the Planning Department. Where required, pilasters shall be applied to

the exterior of the walls [public street frontage] only and not on the interior of the walls.

7. The Specific Plan shall be amended to indicate that enhanced paving, at a minimum depth of 20', shall be provided at all entries. Enhanced paving shall consist of colored, stamped concrete or equivalent.
8. The Specific Plan shall be amended to require that all common and residential landscaping meet Mission Springs Water District water efficient landscaping guidelines.
9. The Specific Plan shall be amended to prohibit the use of vinyl fencing within the project; tan precision block shall be required for walls along interior lot lines; and slumpstone or similar decorative block, as approved by the Planning Department, shall be used for project boundary walls adjacent to Public roadways.
10. The Specific Plan shall be amended to require the installation of Water Fountains in all park areas.
11. The number of residential lots approved for the site shall not exceed 499.
12. The Specific Plan shall be amended to require the installation of rear yard landscaping within one year from the issuance of a "Building Final" in those yard areas open to public view (including areas visible from any Paseo).
13. The Specific Plan shall be amended to require the proposed pedestrian trails be compliant with the American Disability Act (ADA).
14. The Specific Plan be amended to require applicant/developer to provide the following minimum recreational amenities be provided within the Community Park unless otherwise modified by the Planning Commission:

Clubhouse with a small meeting area, restrooms and equipment storage area.

Pool and spa

Jogging/Walking Path

BBQ/Picnic Tables

Shade Structure(s)

Tot Lot with Equipment

Out door fireplace

Turf area to allow for active recreation.

Recreation Court area such as: Shuffle board court, sand volleyball court, half-court basketball.

Clubhouse and Community Park shall be completed by no later than the 50<sup>th</sup> certificate of occupancy (Building Final) issued in Phase 1.

15. The Specific Plan be amended to require each Merchant Builder to provide the following minimum recreational amenities be provided in each of the Village Parks (Lots C, D, E, F, G and H) unless otherwise modified by the Planning Commission:

BBQ/Picnic Tables

Shade Structure(s)

Tot Lot with Equipment

At least one (1) Recreation Court areas from the following: shuffleboard, tennis court, basketball court, san volleyball courts, or horseshoe pits.

16. The Village Park on Lot B in Village 1 shall be eliminated and the Village Parks on Lots C shall be doubled in size. Lot D in Village 2 shall be increased in size by a minimum of 5,500 square feet.
17. Condition deleted.
18. Village Parks on Lot F in Village 3 shall be eliminated and Lot TT in Village 3 shall be developed as a Village Park with recreational amenities similar to other Village Parks within the Sunset Ridge project.
19. The Specific Plan shall be amended to identify Lot W within Village 5 if not used as a well site by MSWD, the Developer shall configure a Village Park in the vicinity of Lot W and within Village 5.
20. The 31.9-acre natural open space area (Lot ZZ) located in the northeast corner of the site shall be conditioned as follows:
  - a) Lot ZZ shall be labeled as Natural Open Space on the Final Map and be deed restricted as undevelopable to be left as a natural open space area.
  - b) A Home Owners Association (HOA) shall be responsible for the care and ongoing maintenance of the Retention Basin including any landscaped areas, walls/fences, perimeter (parkway) landscaped areas, recreation and community facilities, storm drain facilities, as required to be installed by the City or built upon Lot ZZ.
  - c) Unless otherwise approved by the City Engineer a 6-foot high ornamental fence shall be constructed around the Retention Basin.
  - d) No wall or fence shall be constructed along the boundary fronting a perimeter street of Lot ZZ unless otherwise approved by the City Engineer and Planning Commission.
  - e) A maintenance access roadway shall be constricted, to the satisfaction of the City Engineer, to the Retention/Detention Basin on Lot ZZ.
  - f) If deemed necessary by the City Engineer and/or City Planner the berm of the Retention Basin including any area disturbed by grading operations for the construction of the Retention Basin shall be landscaped with native materials (including the installation of a temporary irrigation system) or provided with other naturalizing methods as deemed necessary to reduce the visual impact of the facility from public views.
  - g) The proposed Pedestrian pathway in Lot ZZ shall be extended along the southern boundary (adjacent) to Village 5 and 1 and around the Retention Basin.



- h) Lot ZZ shall be kept free and clear of any refuse at all times.
  - i) Any water wells installed in Lot ZZ shall be constructed in accordance with the requirements of MSWD, the City, and other applicable regulatory agencies.
- 21. The Specific Plan shall be amended to remove RV parking as a permitted use within the project.
  - 22. The Specific Plan shall be amended to remove vinyl fencing/walls as a permitted use.
  - 23. The Specific Plan shall be amended to delete garages, closets, and storage spaces as a permitted architectural projection into any required building setback area.
  - 24. The Specific Plan shall be amended to require the definition of Building Footprint Coverage to include garage areas.
  - 25. The Specific Plan shall be amended to require that no more than 60% of any single-family dwellings in a Village be two-story. Furthermore, no more than 3 two-story dwellings shall be grouped together (side by side) and that at least 2 single story dwellings be provided to separate groupings of two story dwellings.
  - 26. The Specific Plan shall be amended to require that all streets within the project shall be designed with standard, six-inch straight curbs (City of Desert Hot Springs Standard Plans and Specifications, Standard No. 21) as approved by the City Engineer. Wedge or rolled curbs are shall not be permitted within the project.
  - 27. The Specific Plan text shall be amended as follows:
    - Page 4 - remove reference to vinyl fences/walls.
    - Page 7 - remove RV parking as a permitted use.
    - Page 10 - remove "(as measured at setback line)" from Minimum Lot Frontage.
      - add text Minimum Rear Lot Width: 50'
      - add note to Maximum Number of Stories as stated in Condition No. 25 above.
      - add note to roof pitch 3:12: to be reviewed by the Planning Department on a case-by-case basis.
      - amend Architectural Projects as stated in Condition No. 23 above.
    - Page 11 - delete 5,000 SF heading and column from Village Lotting Percentages table
      - add note to Maximum Building Height of Private Open Space and Clubhouse Site: 2-story structure maximum.
    - Page 12 - remove reference to vinyl fences/walls.
      - under heading Mechanical Equipment; modify text to reflect that pool equipment is required to be 4-feet from any property line by the California Building Code.
    - Page 13 - remove references to RV parking.
      - under heading Garages; add note that minimum interior garage size shall be 20' by 20' clear of any obstructions and/or mechanical equipment, household appliances, etc.
      - under heading of Residential Walls; 1) remove reference to vinyl

fences/walls; 2) remove reference "approval of the Design Review Board" and replace with "approval of the Planning Commission"; 3) modify text to reflect spacing of pilasters as stated in Condition No. 6 above; and 4) remove text "In some areas the wall will be view fencing with low masonry wall and metal or iron above".

Page 14 - under heading of Signs, Signage table; delete reference to "100SF" in Maximum Sign Area for Project Entry - A. Community Identification and B. Secondary Entrance and replace with "50SF" and delete reference to "60SF" in Maximum Sign Area for Village Entry and replace with "40SF".

- under the heading of Common Area Walls; modify text to state that solid masonry block wall will not be allowed on rear yard lots facing the paseos but only view fencing or view fencing with low masonry wall and metal or iron above will be permitted. Note: view fencing may not be allowed on rear yard lots facing the wash/channel (Lot ZZ) unless approved by a Biologist.

Page 17 - 2<sup>nd</sup> paragraph from the top; remove text "by the Design Review Board (DRB)".

Page 18 - under heading Building Height and Roof; add note to roof pitch 3:12: to be reviewed by the Planning Department on a case-by-case basis; and that parapets shall have a minimum height of 18 inches.

Page 19 - under heading Materials; delete reference to vinyl fencing.

Page 20 - under heading Walls and Fences; delete reference to vinyl and vinyl walls/fencing.

- add note that grey precision block is not an approved material.

Page 21 - under heading Landscape Concepts; modify text to reflect requirements of Condition No. 12 above.

Page 22 - under heading Lighting Plan; add note to text that a photo-metric study shall be provide for review and approval of the Planning Department prior to the installation of any lighting fixtures in retention and park areas and that such lighting shall comply with the City's adopted Dark Sky Ordinance.

Exhibit 4: modify to reflect correct (current) names of adopted Specific Plans.

Exhibit 9: Correct Typo "Phase 1I" to "Phase II".

Exhibit 13: modify to reflect correct (current) names of adopted Specific Plans

Definitions, Page 9 – correct Typo "Yard, Site of Street" to "Yard, Side of Street".

General Plan Analysis Section:

Page 1, under heading Land Use Element, Goal 2: title "Goal 2" be changed to "Police2".

Page 2, under heading Open Space Conservation Goals, Polices and Programs, Goal 1 and Policy 1; modify text reflect 32 acres of private park open space.

Page3, under heading Housing Element Goals, Polices and Programs; program and policy presented are not from the current adopted Housing Element (see pages III-68 to III-70 of the General Plan). Modify text and cite correct General Plan Housing Element policies.

28. Master Developer will use good faith effort to salvage naturally occurring desert plant materials that are able to be salvaged and incorporate them into the project's landscape plans. Plans drawn up by a certified landscape designer/architect for the salvage of said plant materials will be reviewed and approved by the Planning Department prior to the issuance of any grading permits.

29. Any entry Guard House, if manned, shall be provided adequate employee parking.
30. Condition deleted.
31. The perimeter sidewalk shall be a minimum of 6-feet in width to accommodate pedestrians and bicyclists.

## **Exhibit C**

### **Conditions of Approval For Tentative Tract Map No. 33764 and Tentative Parcel Map No. 33754**

#### **General**

1. The final plat of any phase shall be in substantial compliance with the approved Tentative Tract Map dated January 5, 2006 and Tentative Parcel Map dated June 10, 2005 and shown in Exhibit F, and shall comply with all conditions of approval as provided herein.
2. This entitlement shall expire two (2) years from the date of approval, unless extended, pursuant to the City of Desert Hot Springs Subdivision regulations and the State Subdivision Map Act.
3. The Applicant/developer shall deliver to the Development Services Department a cashier's check, money order, or other acceptable form of payment made payable to the Riverside County Clerk in the amount of \$1,314.00 to enable the City to file a Notice of Determination with a Mitigated Negative Declaration required pursuant to Public Resources Code Section 21108(b) and California Code of Regulations Section 15075. Any additional fees that may be attributed to the required filing of environmental documents shall be paid by the Applicant/developer. If within said 48-hour period Applicant/developer has not delivered to the Development Services Department the check as required above, the approval for the project granted shall be void by reason of failure of condition (Fish and Game Code Section 711.4(c)).
4. Applicant/developer shall indemnify, protect, hold harmless and defend the City and any agency or instrumentality thereof, an/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City to attack, set aside, void, annul, seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voter of the City, concerning the entitlement application. City shall promptly notify both the applicant and landowner of any claim, action, or proceeding to which this condition is applicable and shall further cooperate fully in the defense of the action. The City reserves its right to take any and all action the City deems to be in the best interest of the City and its citizens in regard to such defense.
5. Within fifteen (15) days of final approval by the City Council, the applicant shall submit in writing, a statement indicating that he/she has read and agrees to the conditions imposed herein. This authorization shall become void, and any privilege, permit, or other authorization granted under these entitlements (i.e. TPM No. 32435) shall be deemed to have elapsed if compliance with this condition has not been undertaken within the specified time limits.
6. The Applicant/Developer shall maintain the subject property after the start of construction and until the project is completed, free of weeds, debris, trash or any other offensive, unhealthful and dangerous material. If after five (5) days' notice by certified mail, the Applicant/developer does not comply with the before mentioned

criterion, the City Council may either cancel building or grading permits and/or enter the subject property with City forces and remove all subject violations, bill the applicant and/or put a lien on the subject property.

7. All lots within Tract 33754 shall be designed so as to be in substantial compliance with the Pad Elevations (PE) as indicated on the approved the tentative tract map, as show in Exhibit E, unless otherwise approved by the City Engineer.
8. The Applicant/developer shall comply with all mitigation measures contained in the Mitigation Monitoring Program, as shown in Exhibit E.
9. Prior to final plat approval of any phase, all improvements must be either constructed or bonded for consistency with the requirements of the City and as approved by the City Engineer.
10. Prior to the final plat approval for any phase, digital plans and specifications and one set of reproducible documents satisfactory to the City Engineer shall be provided to the City. The submittals shall include the property plans, grading plans, improvement plans and all utility plans.
11. Final proposed street names must be submitted to the City Engineer's office, Building Department, Planning Department and the Fire Department for review and approval.
12. Developer shall provide all dedications and easements to the satisfaction of the City of Desert Hot Springs and the City Engineer.
13. The Developer shall pay all established service, permit, impact and other applicable fees required by the City of Desert Hot Springs.
14. The owner of the property shall participate in the provision of funding to maintain police and fire protection services by voting to approve a special tax for the parcels created by this subdivision approval. The tax shall be the per parcel annual amount (with appropriate future cost of living adjustment) as established at the time of voting by the City Council. The election to provide for the tax shall be completed prior to filing the final map, but the tax shall not be imposed until the issuance of Certificates of Occupancy or final building inspection. If any new development, including new residential units, is completed prior to the tax being effective for the first fiscal year, the owner of the property, as shown on the latest assessment role, shall pay the tax for the remainder of such fiscal year on a pro-rated basis to the City, no later than the receipt of Certificate of Occupancy or final building permit inspection. The property owner shall be responsible for paying the cost of holding the election, payable at the time the election is requested by the owner.
15. Within 30-days of approval the applicant shall remove any discarded green waste, tires, household debris, and/or construction rubble from the project site. If after five (5) days' notice by certified mail, the Applicant/developer does not comply with the before mentioned condition, the City Council may enter the subject property with City forces and remove all subject violations, bill the applicant and/or put a lien on the subject property.

16. If after five (5) days' notice by certified mail, the Applicant/developer does not comply with the before mentioned criterion, the City Council may either cancel building or grading permits and/or enter the subject property with City forces and remove all subject violations, bill the applicant and/or put a lien on the subject property.
17. All lots shall meet the minimum lot dimensions prescribed by the Specific Plan.
18. Prior to the recordation of the Final Map, the Applicant shall submit Conditions, Covenants, and Restrictions (C.C.& R's) to the City Attorney for review and approval. Said document shall include provisions for ongoing maintenance of all lots, common areas, landscaped areas, walls, perimeter landscaped areas, recreation and community facilities, streets, bridges, storm drain facilities, and security patrol(s) of the project site; and mutual rights of egress and ingress on private streets for the benefit of any and all.
  - That a time of one (1) year from completion of a residence (Building Final) be set for the owner and/or builder to install rear yard landscaping in those residential lots adjacent to open space areas visible from public view.
19. Master Developer will salvage naturally occurring desert plant materials and incorporate them into the project's landscape plans. Plans drawn up by a certified landscape designer/architect for the salvage of said plant materials will be reviewed and approved by the Planning Department prior to the issuance of any grading permits.
20. Any entry Guard House, if manned, shall be provided adequate employee parking.
21. The number of residential lots approved for the site shall not exceed 499.
22. RV parking shall not be a permitted use within the project.
23. The 31.9-acre natural open space area (Lot ZZ) located in the northeast corner of the site shall be conditioned as follows:
  - a. Lot ZZ shall be labeled as Natural Open Space on the Final Map and be deed restricted as undevelopable to be left as a natural open space area.
  - b. A Home Owners Association (HOA) shall be responsible for the care and ongoing maintenance of the Retention Basin including any landscaped areas, walls/fences, perimeter (parkway) landscaped areas, recreation and community facilities, storm drain facilities, as required to be installed by the City or built upon Lot ZZ.
  - c. Unless otherwise approved by the City Engineer a 6-foot high ornamental fence shall be constructed around the Retention Basin.
  - d. No wall or fence shall be constructed along the boundary (perimeter) of Lot ZZ unless otherwise approved by the City Engineer and Planning Commission.

- e. A maintenance access roadway shall be constricted, to the satisfaction of the City Engineer, to the Retention Basin on Lot ZZ.
  - f. If deemed necessary by the City Engineer and/or City Planner the berm of the Retention Basin including any area disturbed by grading operations for the construction of the Retention Basin shall be landscaped with native materials (including the installation of a temporary irrigation system) or provided with other naturalizing methods as deemed necessary to reduce the visual impact of the facility from public views.
24. Should the Coachella Valley Multi-Species Habitat Specific Conservation Plan (CVMHSCP) be adopted, the proposed project shall be subject to any requirements (e.g., development fees, etc.) required by the CVMHSCP.

**General Engineering Conditions, Streets, Storm, and Lighting**

- 25. Prior to the installation of any improvements in the public right-of-way (ROW), an encroachment permit must be obtained from the City Engineer.
- 26. Construction Sequencing and offsite improvements shall be submitted to the City Engineer for approval prior to construction beginning. All necessary offsite construction and improvements must be sequenced with the appropriate phases of the project.
- 27. Any required water and sewer facilities must be constructed and paid for by the developer/subdivider per the standards of the Mission Springs Water District (MSWD) and will require inspection by MSWD.
- 28. The developer/subdivider shall provide and install all required streets and related improvements, within and outside the subdivision, in compliance with the policies and procedures of the City Engineer, and the serving utility company. These improvement requirements shall be completed or bonded prior to recordation of the final map.
- 29. The developer will be required to recycle all construction materials possible during project construction. Developer will be required to deposit funds pertaining to the C & D Waste Recycling Program per City of Desert Hot Springs Ordinance 2005-14 Section 50.57. This deposit will be required upon permit issuance for the project site and will be refunded at the end of the project subject to the regulations of City Ordinance 2005-14, Section 50.58.
- 30. All grading plans and improvement plans shall be coordinated for consistency prior to the issuance of any permits.
- 31. Street improvements for the public streets shall conform to the typical sections as depicted on the Tentative Tract Map and to the satisfaction of the City Engineer. Improvement Plans shall be submitted for review and approval by the City Engineer.
- 32. All Private Streets must meet the minimum 36' requirement from curb face to curb face.

33. Applicant will need to provide a 10-foot wide 150-foot long accel and decel lane along 11<sup>th</sup> Avenue, Karen Avenue and Mission Lakes Blvd located at the project entrances to the satisfaction of the City Engineer.
34. The entrance and exit will be required to be a minimum of 20' near the turnabout and median.
35. The Developer will be required to have a minimum of a 4 car stacking area in the gated entrance lane(s)
36. The Developer will be required to contribute the sum of \$50,000 to the cost of a traffic signal at the intersection of Indian Avenue and Pierson Blvd. upon issuance of the 75<sup>th</sup> building permit.
37. The Developer will be required to construct a traffic signal at the intersection of Street A and Karen Avenue upon the issuance of the 50<sup>th</sup> building permit. This includes a fully signalized intersection with transitioning pavement sections from all directions to ensure safety. The developer will be responsible for 50% of the final cost of the construction and engineering for these improvements. The remainder expenditure for the construction of the signal and related improvements will be reimbursed to the developer within 5 years from completion of the improvements from the adjacent property owners/developers, or the City through related Impact Fees paid in accordance with a reimbursement agreement to be entered between Developer and City.
38. The Developer will be required to install curb, gutters, sidewalks along with street and storm drain improvements along 11<sup>th</sup> Avenue, Karen Avenue, Western Avenue and Mission Lakes Blvd. These improvements must be installed prior to the issuance of the 50<sup>th</sup> building permit, constructed as depicted on the Tentative Map, and subject to approval from the City Engineer.
39. The Developer will be required to construct the following half street improvements as follows:
  - Karen Avenue – ½ street improvement + 12' from Pierson Blvd. to Mission Lakes Blvd. – Please note other surrounding developments have similar requirements and coordination of this construction may depend on the timing of construction within certain developments.
  - Western Avenue – ½ street improvement + 12' from Pierson Blvd. to Mission Lakes Blvd. – Please note other surrounding developments have similar requirements and coordination of this construction may depend on the timing of construction within certain developments. Developer may only be required to construct the improvements from 11<sup>th</sup>.
  - Avenue to Mission Lakes Blvd. if secondary access is constructed and maintained from Mission Lakes Blvd. to the west of the project site connecting to Worsley Road.

Note: Construction of this road may be designed as an inverted section



with culverts and/or storm pipes to comply with conditions set forth on another adjacent development known as Tract 32929. All final design work is subject to approval from the City Engineer.

- Mission Lakes Blvd – ½ street improvement from Western Avenue to Karen Avenue.
- 11<sup>th</sup> Avenue – ½ street improvement + 12' from Western Avenue to Karen Avenue – Note: Construction of this road may be designed as an inverted section with culverts and/or storm pipes to comply with conditions set forth on another adjacent development known as Tract 32929. All final design work is subject to approval from the City Engineer.

As to those improvements that do not abut the Developer's property, the entire cost for construction and engineering for these improvements will be reimbursed to the Developer within 10 years from the completion of the improvements. Reimbursement shall be made by adjacent property owners/developers (and the City will so condition such owners and developers to make such reimbursement at the time of a discretionary permit being granted), or from the City through related impact fees paid in accordance with a reimbursement agreement to be entered between Developer and City.

40. The developer/subdivider shall install streetlights in all adjacent and interior streets to the satisfaction of the City Engineer. All street lighting shall conform to the City of Desert Hot Springs Night Sky Ordinance.
41. An Assessment District, Homeowner's Association (HOA), or other responsible entity shall be established to assure the perpetual maintenance of all on-site flood control facilities prior to the issuance of Conditions of Occupancy.
42. Prior to the issuance of permits, the developer/subdivider shall obtain permits or "will serve" clearances from all required utility agencies.
43. A preliminary title report and guarantee is required and such document shall show all fee interest holders; all interest holders whose interest could ripen into a fee; all trust deeds, together with the name of the trustee; and all easement holders. The account for this title report should remain open until the final map is filed with the County Recorder.
44. The developer's engineer or surveyor shall set durable monuments to the satisfaction of the City Engineer in conformance with Section 66495 of the Subdivision Map Act.
45. All easements existing at the time of the Tentative Tract Map approval must be accounted for on the approved Tentative Tract Map. This includes the location, owner, purpose, and recording reference for all existing easements.
46. Easements shall be provided on the Tentative Tract Map for drainage facilities and public utilities to the satisfaction of the City Engineer.
47. All residential pads shall drain to the street or drainage device acceptable to the City

Engineer.

48. All work within the public right-of-way shall be in accordance with applicable standards of the County of Riverside, Standard Specifications for Public Works Construction (Green Book, latest edition), City of Desert Hot Springs City Standards (as applicable), and the Work Area Traffic Control Handbook (WATCH), and further that construction equipment ingress and egress be controlled by a plan approved by the City Engineer.
49. All proposed public utility facilities shall be placed underground. The developer/subdivider is responsible for complying with the requirements of this Section, and shall make the necessary arrangements with the utility companies for the granting of easements and installation of such facilities. Exceptions to the underground requirements are as follows:
  - A. Transformers, pedestal-mounted terminal boxes, meter cabinets and concealed ducts may be placed above ground if within the subdivision and are used solely in connection with the underground transmission or distribution lines;
  - B. Poles supporting streetlights, and the electrical lines within the poles, may be situated above the surface of the ground;
  - C. The City Council may waive any requirement of this Section if topographical, soil or other similar physical conditions make such underground installation unreasonable or impractical;
  - D. Any Parcel Map with a maximum of 4 residential parcels, no parcel of which has previously been exempted from this Section; and where at least 50% of the surrounding area within a radius of 500 feet has been previously developed without undergrounding utilities;
  - F. The requirement to underground shall apply to all utility lines traversing a subdivision, or installed along either side of the streets and alleys adjoining the subdivision, except for electrical lines of 33 KVA or more. Where one line is exempt, all parallel lines on that same pole shall be exempt.
50. Developers/subdividers shall make the necessary arrangements with cable television operators to comply with the following requirements with respect to cable television installation in residential subdivisions:
  - A. Pre-wire all residential structures;
  - B. Connect laterals to each residential structure with a minimum of 2 outlets wired in each structure; and
  - C. Install flush mounts or pedestals as required by the cable television operator, which will service the subdivision.
51. The developer/subdivider, as a condition of approval of a tentative map, shall provide

and install adequate water supply facilities, either within and/or outside the subdivision, in compliance with the requirements of the applicable water district. Design and installation plans shall be subject to approval by the City Engineer and/or water district. Any water wells which are required to be abandoned by conditions of approval or state law shall be abandoned in a manner approved by the City Engineer and the State Department of Water Resources. The location of any well shall be delineated on the final map, and well logs, if available, shall be submitted to the City and/or water district.

52. Improvement plans and necessary letters of credit, cash and/or bonds to secure the construction of all streets, storm drain, water, sewer, and grading shall be submitted and approved by the City Engineer prior to the recordation of the Final Tract Map.
53. The developer/subdivider shall repair or replace, to the satisfaction of the City Engineer, any public improvements damaged during the construction of this development.
54. The developer/subdivider shall obtain written permission from the adjacent property owners allowing the proposed grading and/or construction of any temporary facilities within the abutting property prior to the issuance of permits. The maintenance mechanism for those improvements shall be identified. If prior to grading permits or written permission cannot be obtained, the grading shall be modified such that no off-site grading occurs.
55. The developer/subdivider shall obtain a drainage easement or easements from the adjacent property owner(s) to accommodate any proposed off-site drainage.
56. Lots within and/or outside of the subdivision that have had soil disturbed during construction shall be covered with protective landscaping materials, subject to the approval of the City Engineer and in accordance with the City's PM<sub>10</sub> control plan.
57. Prior to and during construction, streets and disturbed open areas within and/or outside of the subdivision shall be treated by watering or other approved method to prevent fugitive dust.
58. The developer/subdivider shall "offer" to the City of Desert Hot Springs, by a Certificate on the Final Tract Map, dedication of full street right-of-way for all public streets (If not a HOA) within the proposed development.
59. The developer/subdivider shall file security to guarantee completion of public improvements with the improvement agreement as follows:
  - A. A faithful performance security in an amount deemed sufficient by the City Engineer to cover up to 100% of the total estimated cost of all required improvements, including bonding requirements for grading as outlined in the Municipal Code;
  - B. A labor and material security to cover up to 50% of the total estimated cost of all required improvements;

- C. A grading security as required by the Municipal Code;
  - D. A monumentation security in an amount stipulated by the City Engineer to cover the cost of placing lot corners and other related monuments;
  - E. If the required subdivision improvements are financed and installed pursuant to special assessment proceedings, upon the furnishing by the contractor of the faithful performance and labor and material security required by the special assessment act being used, the City may reduce the improvement security of the subdivider by an amount corresponding to the amount of the security furnished by the contractor; and
  - F. Notwithstanding the above, the subdivider may satisfy the requirement for security of certain improvements by providing proof that same has been posted with another public agency subject to the approval of the City Engineer.
60. Security may be one of the following types subject to the approval of the City Engineer and City Attorney as to form:
- A. Bonds. All bonds shall be executed by a surety company authorized to transact business as a surety, and have an agent for service in California, together with an acceptable policy holder's rating. The bond(s) shall contain the nearest street address of the institution providing the bond(s).
  - B. Cash Deposits. In lieu of the faithful performance and labor and material bonds, the subdivider may submit cash deposits or negotiable bonds of a kind approved for securing deposits of public monies under the conditions hereinafter described.

Disbursements from cash deposits shall be made in compliance with a separate agreement between the subdivider and the City. A bookkeeping fee of 1% of the total amount deposited with the City for each cash deposit shall be submitted with each security. Disbursements from a cash deposit in any instance shall not be permitted unless and until authorized in writing by the Director.
  - C. Letter of Credit. In lieu of faithful performance and labor and material bonds or cash deposits, the subdivider may submit a letter of credit subject to the California Commercial Code and under the conditions hereinafter described. The letter of credit shall be issued by a financial institution organized and doing business in, and subject to regulation by, the State of California or federal government, in a form, content, and duration as approved by the City Attorney, and shall pledge that the funds necessary to meet the performance are on deposit and guaranteed for payment and agree that the funds designated by the instrument shall become secured trust funds for the purposes set forth in the instrument. The letter of credit shall contain the nearest street address of the institution providing the instrument.

### **Drainage and Flood Control**

61. All storm water systems to serve the project shall be in compliance with the requirements of the City of Desert Hot Springs, and the City Engineer.
62. Prior to construction of any phase, the storm water plans shall be reviewed and approved by the City Engineer, the City of Desert Hot Springs. The applicant/developer shall provide proof of review and approval by the Riverside County Flood Control District (if applicable) to the City Engineer prior to any work being done.
63. All storm water improvements shall be constructed or bonded prior to submittal of the final map and approved by the City Engineer.
64. The proposed development shall comply with the current S.W.P.P.P. requirements to the satisfaction of the City Engineer and the State of California Regional Water Quality Control Board to prevent and control entry of pollutants of storm runoff into the City's storm drain system. Applicant must obtain the necessary permits from the Regional Water Quality Board before construction can begin.
65. The Developer will be required to construct the necessary facilities for Flood Control throughout the project site. These facilities must be constructed along with the homes that are adjacent to them. At no time will the City allow homes in phases of the project to be constructed with out storm water or flood control protection.
66. The developer shall submit a final hydraulic report prepared by a licensed engineer to the City Engineer for review and approval. The 10-year peak flows and the 100-year storm shall at a minimum be analyzed regarding the on-site facilities and the affected off-site facilities. The developer shall be responsible for construction or mitigating the requirements of the hydraulic report to the satisfaction of the City Engineer prior to approval of a final plat.
67. A detailed drainage plan for the proposed development with hydrology and hydraulic calculations and demonstrating control and detention of 100-year frequency storm flows on-site shall be submitted to the City Engineer for review and approval prior to the issuance of permits.
68. The Tentative Map will be required to contain on site retention through retention basins, storm drain systems, or other method of detention.
69. All Retention/Detention Basins will be required to have fencing (as approved by the planning department) when slopes exceed 2:1 and where applicable to public access.
70. Adequate on-site flood control easements and storm water detention facilities shall be provided over the natural drainage courses and proposed drainage improvements. The easements and detention facilities shall be designed to contain a 100-year frequency storm flow and ensure that post development on-site runoff does not exceed pre-development on-site runoff.

## **Grading and Site Work**

71. All grading plans for the project shall be in compliance with the requirements of the City of Desert Hot Springs and the City Engineer. These requirements may include geotechnical, soils, dust control, erosion control, or other submittals to the satisfaction of the City Engineer. Dust Control Plans (PM-10) must be submitted to South Coast Air Quality Management District for approval and prior to issuance of a grading permit.
72. A Soils and Geologic report shall be submitted for review and approval by the City Engineer prior to the issuance of permits.
73. Prior to any grading activities, all plans and specifications shall be submitted by a professional engineer and approved by the City of Desert Hot Springs and the City Engineer.
74. All grading improvements and site work shall be constructed or bonded prior to submittal of the final map and approved by the City of Desert Hot Springs and the City Engineer.
75. Rough grading plans, and precise grading plans shall be submitted for review and approval by the City Engineer prior to the issuance of permits.
76. All Pad Elevations that exceed 6 feet from neighboring Pad Elevations will be required to show section views and height of the retention walls, slopes, and block wall offsets. The maximum wall height, for retaining or garden walls that are not visible from public view shall be 10 feet while the maximum wall height for any retaining or garden wall visible from public view shall be 6 feet. Any walls exceeding the maximum wall height as set forth herein must have a minimum of a 3-foot offset with a 3:1 slope from the wall to be constructed above the lower wall.
77. Any slopes exceeding 3' will need to have an in ground water system and be planted with plant material to be approved by the Planning Department prior to Certificates of Occupancy per the City of Desert Hot Springs Zoning Ordinance 159.28.100.

## **Fire**

78. For residential areas, approved standard fire hydrants (6X4½X2½) shall be provided, located at each intersection and spaced 500 feet apart with no portion of any lot frontage more than 250 feet from a hydrant. Minimum fire flow shall be 1000 GPM for a 2-hour duration at 20 PSI. Off -site fire hydrants are required every 1000 feet along the outside of the project with no frontage more than 500 feet from a fire hydrant.
79. Blue dot retro-reflectors shall be placed in the street 8 inches from centerline to the side that the fire hydrant is on, to identify fire hydrant locations.
80. Any turns or turn-around requires a minimum 38-foot turning radius.
81. All structures shall be accessible from an approved roadway to within 150 feet of all

portions of the exterior of the first floor.

82. The minimum dimension for access/egress roads and gates is 20 feet clear and unobstructed width and a minimum vertical clearance of 13 feet 6 inches in height.
83. Any gate providing access from a road to a driveway shall be located at least 35 feet setback from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Where a one-way road with a single traffic lane provides access to a gate entrance, a 38-foot turning radius shall be used.
84. Gates may be automatic or manual, and shall be equipped with a rapid entry system (KNOX). Plans shall be submitted to the Fire Department for approval prior to installation. Automatic gate pins shall be rated with a shear pin force, not to exceed 30 pounds. Gates activated by the rapid entry system shall remain open until closed by the rapid entry system.
85. The required water system, including fire hydrants, shall be installed and accepted by the appropriate water agency prior to any combustible building material being placed on an individual lot. Two sets of water plans are to be submitted to the Fire Department for approval.
86. The applicant shall submit to the Fire Department for approval, a site plan designating required fire lanes with appropriate lane painting and/or signs.
87. Sonora Drive shall be completed to at least a half-width back to Mission Lakes Blvd., including the portion between Galileo Place and Orion Terrace.
88. The applicant shall be responsible for any submissions to the Fire Department.

#### **Utilities**

89. All utilities (electricity, telephone, cable TV, natural gas) shall be extended to all lots within the subdivision.
90. Prior to commencement of construction for any phase, the various utilities and the City Engineer shall review and approve development plans. Plans and specifications shall be submitted to the Utility Companies and the City Engineer. The Developer shall provide proof of such review and approval to the City Engineer and the Community Development Director prior to any work being done.
91. Prior to the issuance of any Certificate of Occupancy, the Utility Companies shall approve installed facilities or the developer shall bond for those utilities in an amount and form satisfactory to the applicable utility company. Verification of the Utility Companies' approval shall be submitted to the City Engineer and the Community Development Director.
92. Developer at the request of the City and prior to final map approval shall dedicate electric utilities to the City of Desert Hot Springs.

**Note:** The City is not in the position to enforce conditions or requirements from outside agencies. Therefore, the following are requirements from other agencies that are provided here as a courtesy and a matter of information. The applicant/developer will be responsible to provide documentation to the City that the requirements from other agencies have been completed to the satisfaction of the respective agency.

### **Water**

93. Comply with all rules, laws, ordinances and regulations of MSWD at time of water service application.
94. Make application for water service with payment of all fees, charges and deposits. Example: Water Connection fee \$3,307.00 + ¾" meter installation fee of \$380.00.
95. Water transmission lines, production and storage facilities will be required to serve TTM No. 33746.
96. Construct 8" (minimum) Ductile Iron Pipe distribution system throughout tract.
97. All waterlines are to have two points of connection excepting short cul-de-sacs. The object is to eliminate dead-end waterlines within the tract. *A loop on the system will be required.*
98. The District prefers to have its facilities in public right-of-way and not on easements.
99. Submit hydraulic calculations indicating the availability of the required fire flow as determined by the appropriate authority.
100. A feasibility study should be submitted with the hydraulic calculations to determine water availability, production and storage required by proposed development.

### **Sewer**

101. Comply with all rules, laws, ordinances and regulations of MSWD at time of sewer service application.
102. Make application for sewer service with payment of all fees charges and deposits. Example: Single Family Dwelling-Sewer Connection Fee \$2,080.00.
103. Proposed Pierson Sewer Interceptor will be point of connection for TTM 33746.
104. Construct 8" (minimum) Vitrified Clay Pipe (VCP) collection system throughout the tract.
105. Provide permanent access to all sewer facilities.
106. All new residential and commercial development is required to comply with *Mission Springs Water District's Water Efficient Landscaping Guidelines*. This policy requires outdoor water conservation practices within MSWD's service area, specifically: (1)



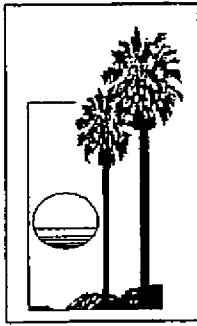
the creation of landscape plans featuring the use of California native desert friendly plants; and (2) the preparation of irrigation plans detailing water efficient irrigation technology systems (e.g., drip irrigation, evapotranspiration irrigation controllers, etc.) appropriate to an arid desert climate. For questions or additional information, please contact the Water District at 329-5169, Ext. 119.

### **Schools**

107. The developer shall be required to pay applicable school fees prior to issuance of any building permits.

# **Exhibit D**

**Negative Declaration  
And  
Environmental Assessment No. 05-05**



**City of Desert Hot Springs  
Development Department**

65950 Pierson Boulevard  
Desert Hot Springs, California 92240  
(760) 329-6411  
Fax (760) 3251-6857

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October 18, 2005

**RE: CEQA Mitigated Negative Declaration – Environmental Assessment No. 05-05**

Pursuant to the State of California Public Resources Code and the "Guidelines for Implementation of the California Environmental Quality Act of 1970", as amended to date, a Draft Mitigated Negative Declaration is hereby made on the project(s) listed below:

**Project Name and Description:** Sunset Ridge. The proposed project includes the development of up to 499 single family residences within a private gated community divided into five separate residential villages including a 31.9 acre nature park on approximately 165.7 acres of undeveloped land. Requested entitlements include: General Plan Amendment No. 03-05, Zoning Map Amendment No. 06-05, Environmental Assessment No. 05-05, Specific Plan No. 01-05, Tentative Tract Map No. 33746, and Tentative Parcel Map No. 33754.

**Project Location:** The subject project is located South of Mission Lakes Blvd. bounded by Western Avenue to the east, Karen Avenue to the west and 11<sup>th</sup> to the South. Legally, the subject property lies in the Northwest ¼ of Section 27, Township 2 South, Range 4 East, Bernardino Base and Meridian, in the City of Desert Hot Springs, Riverside County, California. The subject site is identified as Assessor Parcel Numbers: 664-020-001, 008-100-719, 008-100-725, 008-100-726.

**Applicant:** Silver Oaks, DHS, LLC, 29901 Hillside Terrace, San Juan Capistrano, California 92675, (949) 851-0993, Fax: (949) 955-0556

The reason for the determination that a Mitigated Negative Declaration is appropriate: **Based upon the information provided in the Initial Study (Environmental Assessment No. 05-50) the Development Department found that with the inclusion of appropriate mitigation measures there will be no significant adverse environmental impacts upon the environment as defined by State guidelines associated with this proposed Project.**

Attached is the Initial Study prepared for the Project. Documents used in the preparation of the Initial Study can be reviewed at:

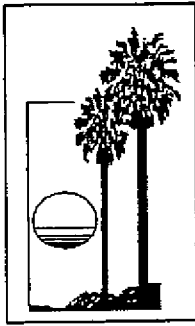
City of Desert Hot Springs  
Development Department  
65950 Pierson Blvd.  
Desert Hot Springs, California 92240

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Grafton", is written over a horizontal line.

Larry Grafton

Exhibit D



## City of Desert Hot Springs Development Department

65950 Pierson Boulevard  
Desert Hot Springs, California 92240  
(760) 329-6411  
Fax (760) 3251-6857

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### Environmental Initial Study

**Project Title:** Sunset Ridge

**Case No:** Environmental Assessment No. 05-05

**Lead Agency  
Name and Address:** City of Desert Hot Springs  
Development Department  
65950 Pierson Boulevard  
Desert Hot Springs, California 92240  
(760) 329-6411 Fax: (760) 251-6857

**Property Owner/  
Applicant:** Silver Oaks, DHS, LLC  
Attn: Sam Lindsay  
29901 Hillside Terrace  
San Juan Capistrano, California 92675  
(949) 851-0993  
Fax: (949) 955-0556

**Engineer:** Hunsaker & Associates Irvine, Inc.  
Three Hughes  
Irvine, California, 92618  
(949) 583-1010  
Fax: (949) 583-0759

**Contact Person  
and Phone Number:** Larry Grafton, Planner  
(760) 329-6411 Fax: (760) 251-6857

**Project Location:** The subject project is located South of Mission Lakes Blvd. bounded by Western Avenue to the east, Karen Avenue to the west and 11<sup>th</sup> to the South. Legally, the subject property lies in the Northwest ¼ of Section 27, Township 2 South, Range 4 East, Bernardino Base and Meridian, in the City of Desert Hot Springs, Riverside County, California. The subject site is identified as Assessor Parcel Numbers: 664-020-001, 008-100-719, 008-100-725, 008-100-726. A map depicting the location of the project area in a regional and vicinity context has been included as Exhibit "1" (Regional Location Map) and Exhibit "2" (Vicinity Location Map), respectively.

**Existing Zoning and General Plan Designations:**

Existing Zoning: Residential Low Density/Specific Plan (RL/SP) – 0 to 5.0 du/ac  
General Plan Designations: Residential Low Density/Specific Plan (RL/SP) – 0 to 5.0 du/ac

**Description of the Project:** The project applications include: a General Plan Amendment (GPA No. 03-05) and Zoning Map Amendment (ZMA No. 06-05) to amend the project site's land use General Plan and Zoning Map designations from R-L/SP to R-L/SP Sunset Ridge Specific Plan; a Specific Plan (SP No. 01-05) to provide development regulations and guidelines for a 499-lot single family community with private streets and landscaping/retention lots; and a Tentative Tract Map (TTM No. 33764) to subdivide approximately 165.7 gross acres into 499 single-family residential lots plus private streets and landscaping/retention lots with 31.9 acre nature park; a Tentative Parcel Map (TPM No. 33754) to subdivide the project area into 5 parcels for conveyance and financing purposes only. As proposed, residential lots will range from 5,500 sq. ft. to 18,773 sq. ft. in size; the residential areas will total  $\pm 81.8$  acres. Private streets (controlled by gated access) are proposed for internal circulation, and access points to the project are proposed on 11<sup>th</sup> Avenue, Karen Avenue, Western Avenue and Mission Lakes Blvd.

**Surrounding Land Uses and Setting:** The project area is rectangular in shape with boundaries adjoining open desert on the north, south, and east with scattered single family residences to the west and south. Vegetation in the area consists of primarily of plants of the creosote bush scrub plant community, such as creosote, brittlebrush, barrel cactus, prickly pear, chollas, and yucca, with small desert shrubs, grasses and wild flowers. Dirt roads are situated along the north, east and south boundaries of the project site. Minor amounts of debris are located along the east boundary of the site. The Mission Creek channel, levee, and service road were beyond the northeast corner of the site. Illegal dumping has occurred along this service road.

The zoning, land use designations, and current use for surrounding adjacent parcels is as follows:

**Zoning & General Plan Designations:**

North = Residential Low Density/Specific Plan (RL/SP)  
West = Residential Low Density/Specific Plan (R-L/SP)  
South = Residential Low Density/Specific Plan (RL/SP)  
East = Residential Low Density/Specific Plan (RL/SP)

**Current Land Use:**

Vacant  
Vacant/Scattered Single Family Res.  
Vacant/Scattered Single Family Res.  
Vacant

**Other Public agencies whose approval is required:**

- Desert Hot Springs Building Department (plan check, grading permits, building permits).
- Desert Hot Springs City Council (Tentative Tract Map, Final Map).
- Desert Hot Springs Planning Commission (Tentative Tract Map, architectural and landscape approvals).
- Mission Springs Water District (domestic water and sanitation).

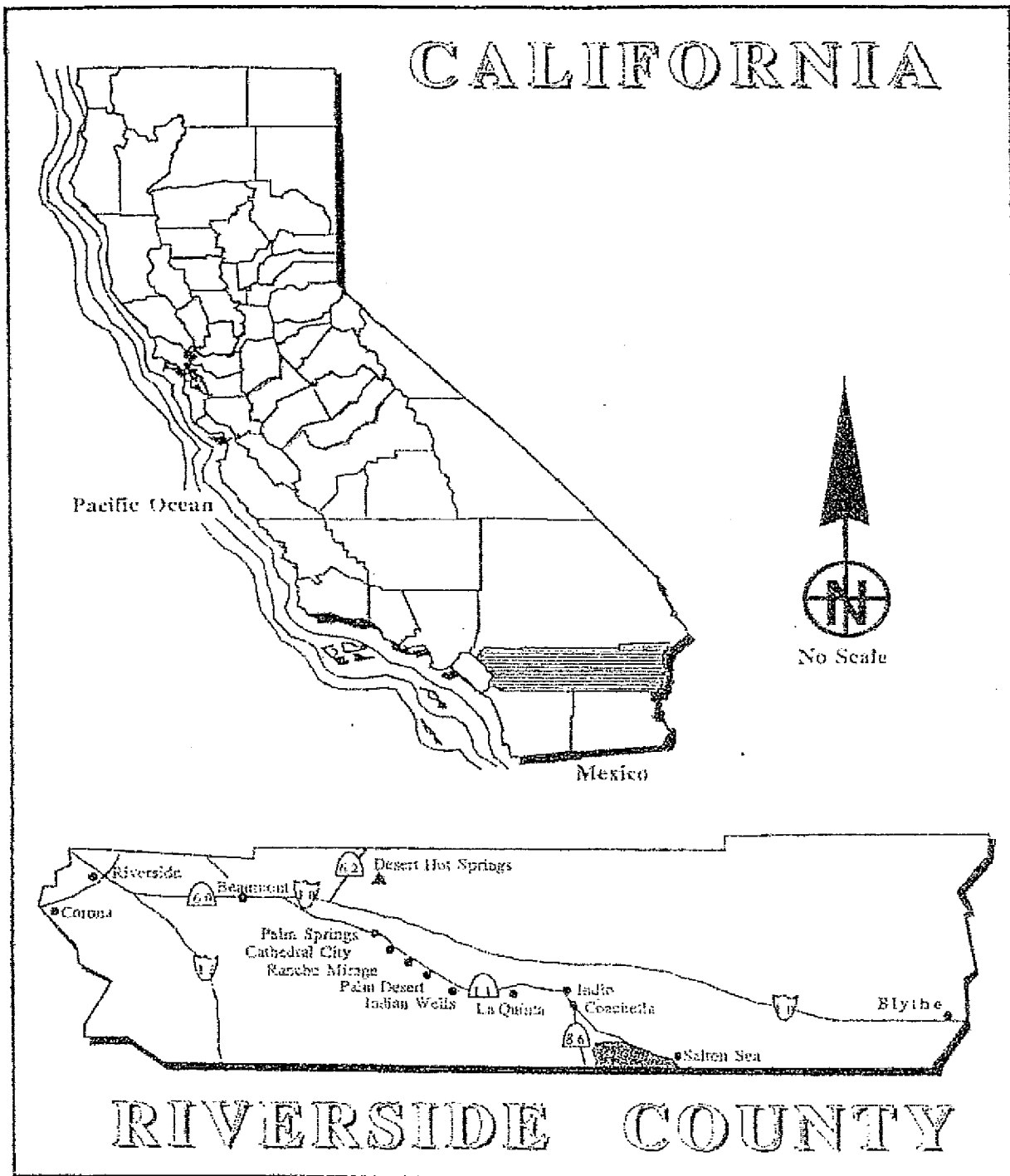


Exhibit 1, Regional Location Map

NW 1/4 SEC 27 T2S R4 , DESERT HOT SPRINGS CA 92240

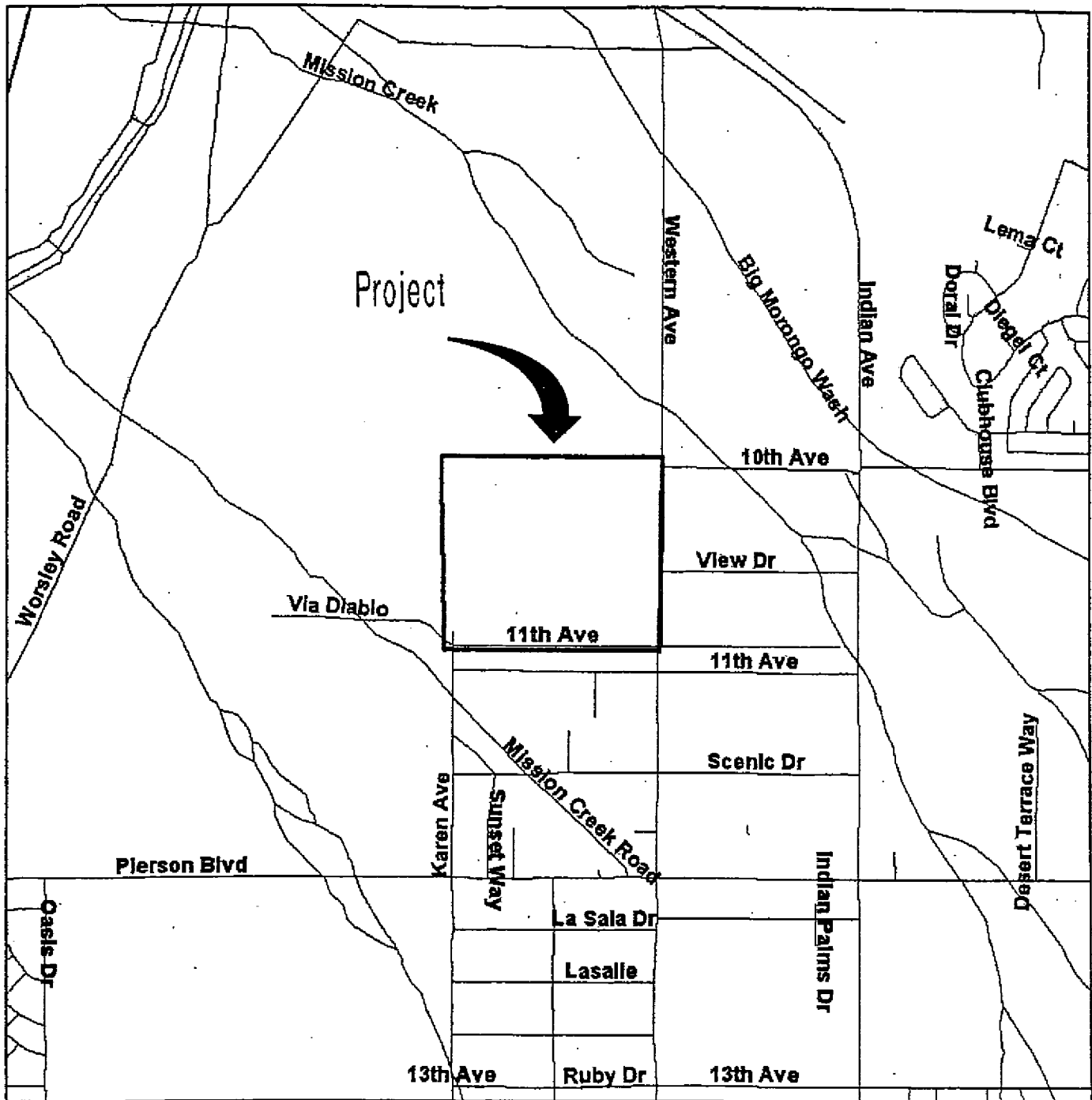
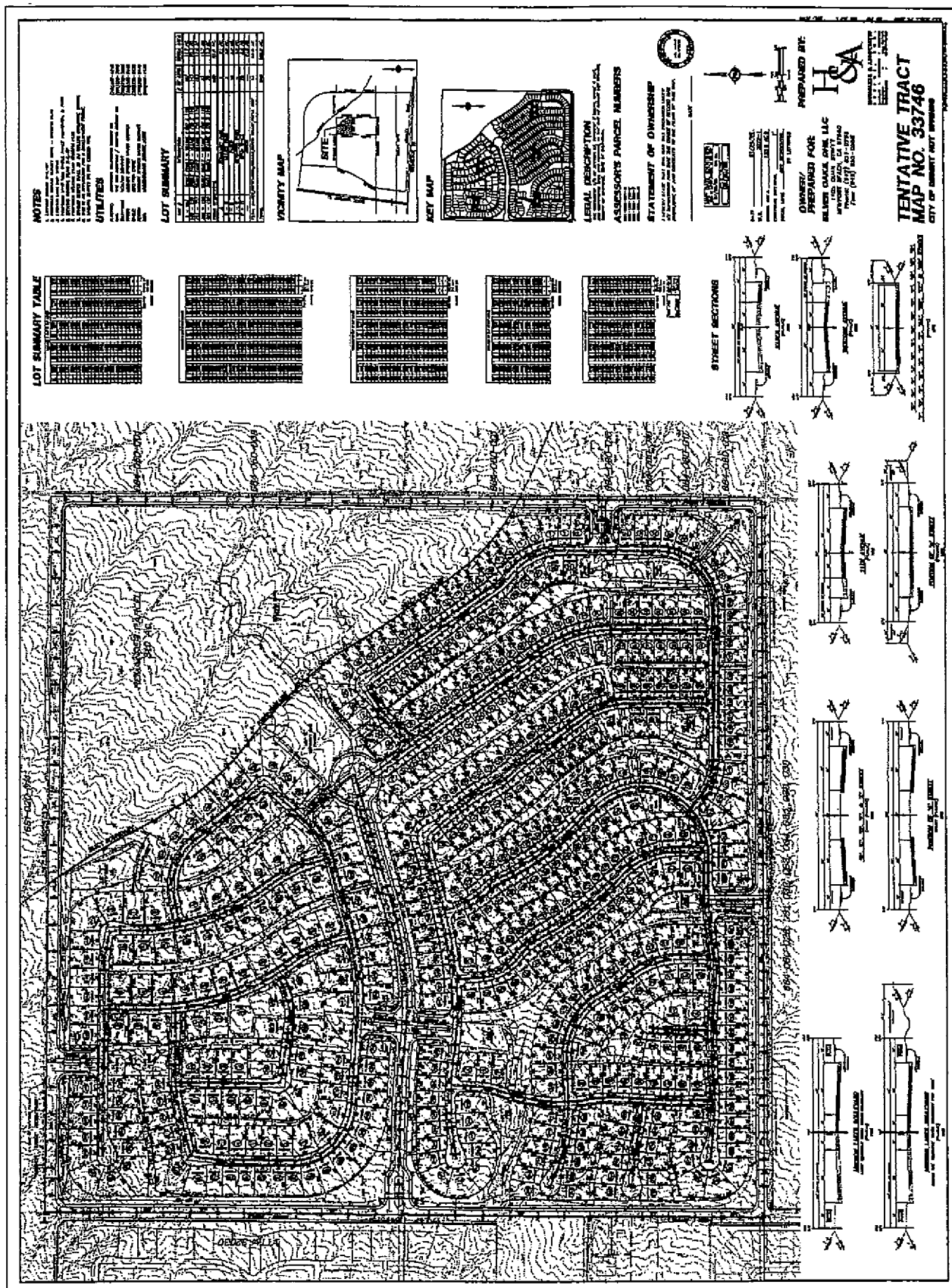


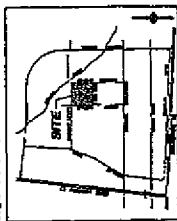
Exhibit 2, Vicinity Map



**Exhibit 3, Tentative Tract Map No. 33746 and Tentative Parcel Map No. 33754**



# VICINITY MAP



## NOTES

1. ALL DISTANCES ARE IN FEET.
2. ALL DISTANCES ARE TO THE CENTER OF THE ROAD.
3. ALL DISTANCES ARE TO THE CENTER OF THE ROAD.
4. ALL DISTANCES ARE TO THE CENTER OF THE ROAD.
5. ALL DISTANCES ARE TO THE CENTER OF THE ROAD.

## UTILITIES

UTILITIES	LOCATION	DEPTH
WATER	10' DEEP	10'
SEWER	10' DEEP	10'
ELECTRIC	10' DEEP	10'
TELEPHONE	10' DEEP	10'
CABLE	10' DEEP	10'

## PARCEL SUMMARY

PARCEL	AREA	PERCENT
1	1.00	100%
2	1.00	100%
3	1.00	100%
4	1.00	100%
5	1.00	100%
6	1.00	100%
7	1.00	100%
8	1.00	100%
9	1.00	100%
10	1.00	100%

## LEGEND

ALL DISTANCES ARE IN FEET.

## LEGAL DESCRIPTION

ALL DISTANCES ARE IN FEET.

## ASSESSORS PARCEL NUMBER

ALL DISTANCES ARE IN FEET.

## STATEMENT OF OWNERSHIP

ALL DISTANCES ARE IN FEET.



DATE	BY
11/10/2011	11/10/2011
11/10/2011	11/10/2011
11/10/2011	11/10/2011
11/10/2011	11/10/2011

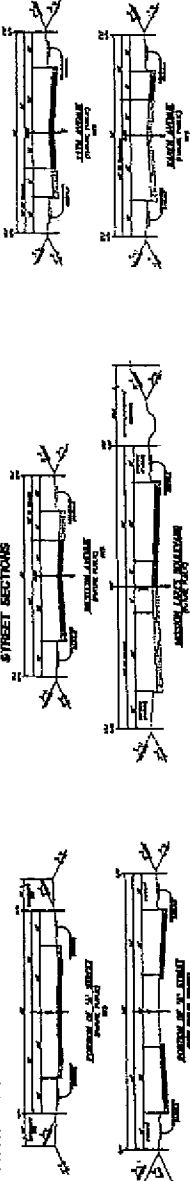
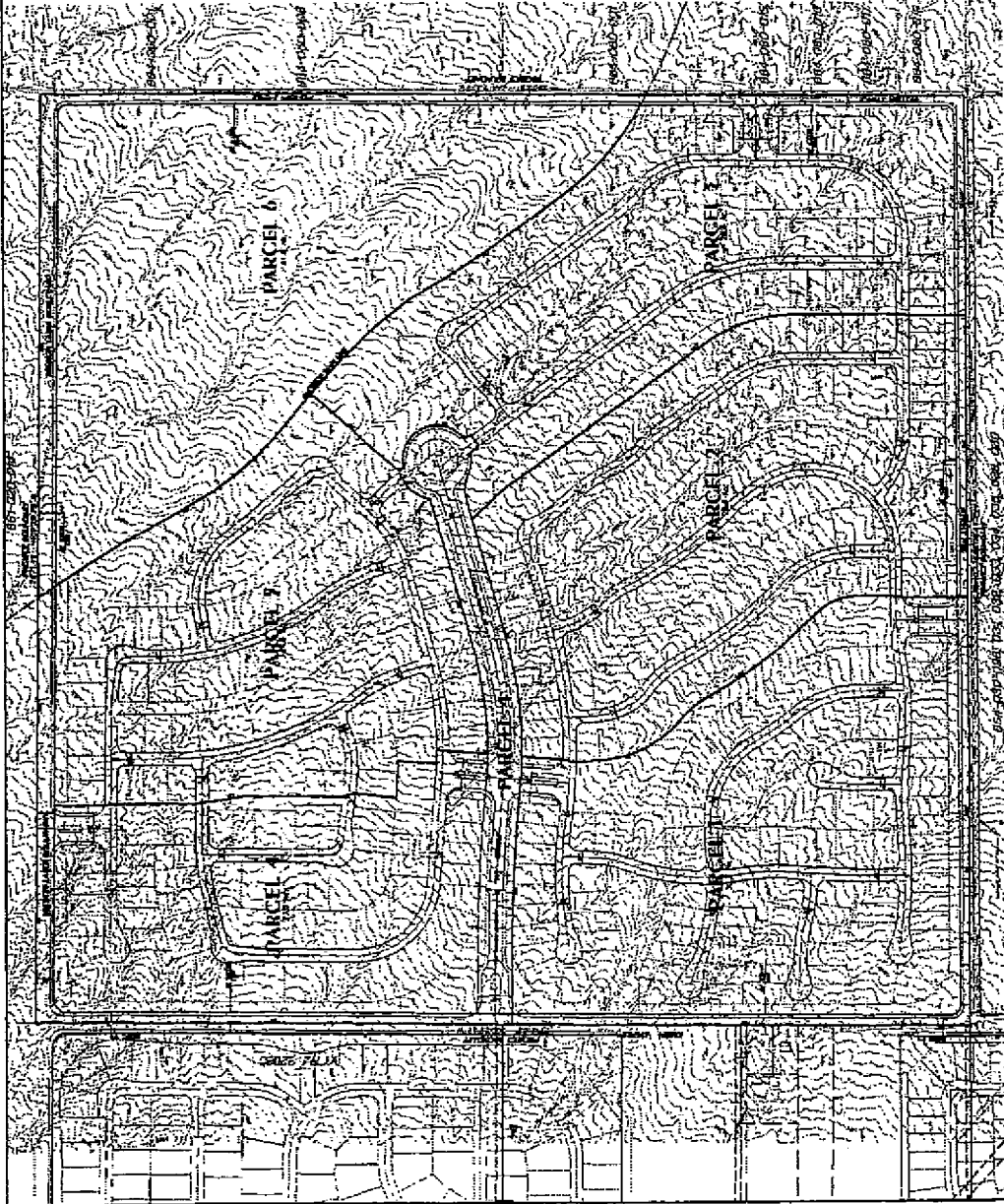
## OWNER/ PREPARED FOR

ALL DISTANCES ARE IN FEET.



## TENTATIVE PARCEL MAP NO. 33754

ALL DISTANCES ARE IN FEET.



**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

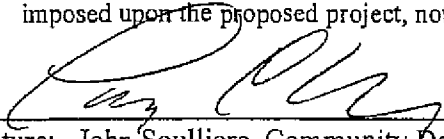
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                    | <input type="checkbox"/> Agriculture Resources              | <input type="checkbox"/> Air Quality            |
| <input type="checkbox"/> Biological Resources          | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology / Soils        |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality          | <input type="checkbox"/> Land Use / Planning    |
| <input type="checkbox"/> Mineral Resources             | <input type="checkbox"/> Noise                              | <input type="checkbox"/> Population / Housing   |
| <input type="checkbox"/> Public Services               | <input type="checkbox"/> Recreation                         | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities / Service Systems   | <input type="checkbox"/> Mandatory Findings of Significance |   |

**DETERMINATION:** (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

for   
Signature: John Soulliere, Community Development Director

10-18-05  
Date:

### Environmental Checklist and Discussion:

The following checklist evaluates the proposed project's potential adverse impacts. For those environmental topics for which a potential adverse impact may exist, a discussion of the existing site environment related to the topic is presented followed by an analysis of the project's potential adverse impacts. When the does not have any potential for adverse impacts for an environmental topic, the reasons why there are no potential adverse impacts are described.

### Issues:

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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#### 1. AESTHETICS -- Would the project:

##### Thresholds of Significance

A project may have a significant effect on Aesthetics if it adversely affects a scenic vista or scenic highway; it has a demonstrable negative aesthetic effect; or creates obtrusive light or glare.

a) Have a substantial adverse effect on a scenic vista? ☐ ☐ ☐ ☒

**No Impact:** The subject property is not located in close proximity to a designated scenic highway or adjacent to a significant visual backdrop. The subject property is ±165.7 acres of vacant desert land surrounded by other vacant parcels and scattered single family residences to the west and south of the project area. Scenic resources in the local distance that can be seen from the project area include the Little San Bernardino Mountains to the north, San Bernardino Mountains to the west, San Jacinto Mountains and Santa Rosa Mountains to the southwest, and Edom Hill, Flat Top Mountain and other features of the Indio Hills to the southeast. Currently, the majority of these views are uninterrupted except for low-level structures (under 20 feet) and trees in the vicinity.

The proposed project is designed to accommodate single family dwelling units, the elevations for which must be reviewed for their architectural quality and design compatibility with existing dwelling units in the surrounding area and the requirements of the project's proposed Specific Plan, Desert Hot Springs Municipal Code, Design Review and Site Plan Review, and the Community Design policies of the adopted General Plan. The Sunset Ridge Specific Plan, as proposed, limits the height of the projects residential structures (two stories) to 28-feet and the projects proposed Clubhouse to 45-feet, which is considered low profile building heights.

It is anticipated that any future development will be reviewed for its architectural quality and design compatibility with existing dwelling units in the surrounding area and the requirements of the Sunset Ridge Specific Plan, Desert Hot Springs Zoning Code, Design Review and Site Plan Review, and the Community Design policies of the adopted General Plan. These existing policies and standards will be applied to assure the minimal impact result from any future grading and landform alteration, site planning and infrastructure development, building construction, and landscaping. There is therefore no impact with regard to the aforementioned criterion.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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**Cumulative Impacts:** Cumulative impacts of potential development of the City must be considered in conjunction with other proposed development within the Cities of Palm Springs, Cathedral City, unincorporated Riverside County lands, and to some extent, development through out the entire Coachella Valley. The impact of development, when taken together with all of the other projects in the region, may have the potential to create a significant adverse impact. This results from the potential transformation of the upper Coachella Valley into urbanized uses. Since intense urban uses may be considered by some to be a significant cumulative impact. However, policies in the Desert Hot Springs Comprehensive General Pan are intended to both enhance the visual quality of the City and mitigate adverse impact of urban growth through implementation of policies for community design, historic and scenic preservation, and hillside preservation. If other jurisdictions in the sub region implement policies similar to those of Desert Hot Springs, impacts to visual quality can be reduced to a level less than significant. The adjacent jurisdictions of Indio, La Quinta and Coachella have adopted similar design policies.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

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**No Impact:** There are no known scenic resources on the subject property that would be affected by the proposed development. No impacts are anticipated.

**Cumulative Impacts:** None identified with respect to the proposed project.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

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**Less Than Significant with Mitigation Incorporation:** The visual environment of the subject property and surrounding environs is characterized by scattered residential homes (to the south and west) and vacant land. Grading activities, including removal of existing vegetation and landform alterations, represent short-term impacts that are limited to the construction term. In contrast, site intensification represents a long-term commitment of the site to an urbanized use and will change the existing aesthetic character of portions of the project area. These changes are, however, reflective of the general regional trend toward the conversion of undeveloped areas to urban land uses. However, because area residents enjoy the status quo in the project area, the applicant must dedicated considerable attention to mitigation in this area. Compliance with development standards of the Sunset Ridge Specific Plan and the Residential Low (R-L) zoning district and design review for the future dwelling unit plans shall be required to ensure a less than significant impact to aesthetic concerns.

**Cumulative Impacts:** See response in 1(a) above.

**Mitigation:** To reduce possible visual impacts to less than significant levels the following mitigation measures are recommended:

1. Prior to issuance of any building permits the applicant/developer shall submit residential and all common building elevations including residential landscaping plans for Design Review and approval by the Planning Commission.

- |   | Potentially<br>Significant<br>Impact | Less Than<br>Significant with<br>Mitigation<br>Incorporation | Less Than<br>Significant<br>Impact | No<br>Impact |
|---|--------------------------------------|--|------------------------------------|--------------|
| 2. Prior to the issuance of any building permits applicant/developer shall submit landscape plans and project boundary wall design for Design Review and approval by the Planning Commission. Said landscape plans shall include all common areas, parkways and retention basins proposed for the project area. |                                      |  |                                    |              |
| 3. Lot lines between adjacent lots within the subdivision shall be located at the tope of graded slope.   |                                      |  |                                    |              |

d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?

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**Less Than Significant with Mitigation Incorporation:** Implementation of the proposed project will introduce new light sources on the project site. New light sources are anticipated to occur from the illumination associated with on-site structures including landscape, interior and exterior lighting, and light from vehicles on the roadways/parking areas. General increases in light could be expected to significantly affect the ambient evening light level in and around the project site. Additionally, light and glare sources within the project site may have the potential to "spill over" into adjacent residential areas and public roads.

**Cumulative Impacts:** The City of Desert Hot Springs is outside of the Mt. Palomar Observatory Dark Sky Impact area; therefore the proposed project will not contribute to cumulative impact to this regional impact area. However, as the project area transitions from scattered home and structures with exterior lighting, to more densely developed residential units and supporting commercial and industrial land uses, there will be an increase in lighting and potential glare and light pollution, cumulative impacting the valley area. However, development standards (Section 159.20.030) in the Desert Hot Springs Municipal Zoning Code are intended to limit light spillage and mitigate adverse impact of urban growth through implementation of development standards for community design. If other jurisdictions in the sub region implement regulations similar to those of Desert Hot Springs, impacts to visual quality can be reduced to a level less than significant. The adjacent jurisdictions of La Quinta, Indian Wells, Palm Desert and Coachella have adopted similar policies.

**Mitigation:** To reduce possible light and glare impacts to less than significant levels the following mitigation measures are recommended:

4. Development within the project shall comply with the City's adopted outdoor lighting standards as specified in Section 159.20.030 of the Desert Hot Springs Municipal Zoning Code.
5. Lighting plans (architectural, landscape, parking lot, roadway or security) indicating proposed lighting levels and methods to minimize impact on adjacent properties shall be reviewed and approved by the City prior to installation. Modification, alteration, or addition to any approved lighting shall not be undertaken prior to approval by the City.
6. Exterior lighting shall be energy-efficient and shielded or recessed so that direct glare and reflections are contained within the boundaries of the parcel, and shall be directed downward and away from adjoining properties and public right-of-way.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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**2. AGRICULTURE RESOURCES** -- In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

Thresholds of Significance

A project may have significant impact on Agricultural Resources if it were to convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural uses, or conflict with existing zoning for agricultural use, or a Williamson Act contract.

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

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**No Impact:** The Desert Hot Springs Comprehensive General Plan indicates that there is no prime agricultural farmland, Farmland of Statewide Importance, or Unique Farmland, or Williamson Act contract in place within the City limits or the City's Sphere of Influence.

**Cumulative Impacts:** None identified with respect to the proposed project.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

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**No Impact:** See response in 2(a) above.

c) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

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**No Impact:** See response in 2(a) above.

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**3. AIR QUALITY** -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

**Thresholds of Significance**

The following criteria are identified as thresholds for determining the significance of air quality impacts if it were to:

- Result in an adverse effect on existing air quality (e.g., 500 or more dwelling units).
- Result in an adverse effect to a sensitive use (e.g., school) located near a major air pollutant emission source.

Presented in the SCAQMD CEQA Air Quality Handbook is both a methodology for the quantification of project related air quality impacts and recommended thresholds to evaluate the significance of these emissions. In Chapter 6 of the SCAQMD CEQA Air Quality, the SCAQMD has established two types of air pollution thresholds (i.e., emission thresholds and additional indicators) to assist local governmental agencies in determining whether the projected emissions from the operational phase of a project will be significant. As stated in the SCAQMD CEQA Air Quality Handbook, "if the lead agency finds that the operational phase of a project has the potential to exceed either of the air pollution thresholds, the project should be considered significant." Both types of threshold factors are discussed below.

Separate threshold standards have been recommended for assessing construction impact that are averaged over a 3-month period and include only actual working days. Specific criteria air pollutants have been identified by the SCAQMD as pollutants of special regional concern. Based on this categorization, Table 1 (Emission Significance Thresholds) lists the following significance thresholds for emissions from these pollutants.

**Table 1**  
**Emission Significance Thresholds**

<b>Pollutant</b>	<b>Construction Criteria (lb/day)</b>	<b>Construction Criteria (tons/qr)</b>	<b>Operational Criteria (lb/day)</b>
CO	550	24.75	550
NO <sub>x</sub>	100	2.5	55
ROG	75	2.5	55
SO <sub>x</sub>	150	6.75	150
PM <sub>10</sub>	150	6.75	150

Source: SCAQMD CEQA Air Quality Handbook, Chapter 6.

Note: The SCAQMD CEQA Air Quality Handbook does not list daily construction criteria for SO<sub>x</sub>. This value is extrapolated from the quarterly criterion.

As indicated in the SCAQMD CEQA Air Quality Handbook, "The District considers a project to be mitigated to a level of insignificance if its impact is mitigated below the thresholds defined in Chapter 6 of the SCAQMD CEQA Air Quality Handbook."

**Additional Indicators (Secondary Effects).** The SCAQMD recommends that "additional indicators" be used as screening criteria with respect to air quality. Relevant additional factors identified in the SCAQMD CEQA Air

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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Quality Handbook include the following significance criteria: 1) interference with the attainment of the Federal or State ambient air quality standards by either violating or contributing to an existing or projected air quality violation; 2) generation of vehicle trips that cause a CO "hot spot"; 3) creation of, or subject receptors to, an objectionable odor onsite that could result in an accidental release of air toxic emissions or acutely hazardous materials posing a threat to public health and safety; 5) emissions of an air toxic contaminant regulated by SCAQMD rules or included on a Federal or State air toxic list; 6) the burning of hazardous, medical, or municipal waste as in waste-to-energy facilities; and/or, 7) emissions of carcinogenic or toxic air contaminants that individually or cumulatively exceed the maximum individual cancer risk of 10 in 1 million.

a) Conflict with or obstruct implementation of the applicable air quality plan? ☐ ☐ ☐ ☒

**No Impact:** An Air Quality Impact Analysis, prepared by Urban Crossroads, was conducted on May 27, 2005 to evaluate the air quality impacts resulting from the development of the project site as proposed. The analysis determined that the "proposed project does not have conflict with or obstruct implementation of the applicable air quality management plan. The project is consistent with regionally adopted growth projections for the study area." Furthermore, the analysis found that the "project also does not expose sensitive receptors to substantial pollutant concentration, nor does it create objectionable odors affecting a substantial number of people. Lastly, the project generated traffic does not result in a local CO hotspot" (page 1-2).

**Cumulative Impacts:** None identified with respect to the proposed project.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? ☐ ☒ ☐ ☐

**Less Than Significant with Mitigation Incorporation:** The Coachella Valley is currently federally designated as a "sever-17" ozone nonattainment area and is required to reduce emission by 3% per year. This designation indicates that the attainment date for federal ozone standards in November 15, 2007 (17 years from the date of enactment of the federal Clean Air Act: CCA). The City in cooperation with the Coachella Valley Association of Governments is involved in the regional management of air quality through the implementation of the Coachella Valley PM10 plan. This Plan has been approved by the U.S. Environmental Protection Agency. The implementation programs, as well as applicable SCAQMD rules and regulations, commit the City to mitigation that will reduce construction-related and operational air quality impacts. Dust (PM-10) crated by grading and construction activities is specifically targeted for mitigation.

An Air Quality Impact Analysis, prepared by Urban Crossroads, was conducted on May 27, 2005 to evaluate the air quality impacts resulting from the development of the project site as proposed. The analysis found that the project has the potential to create an adverse air quality impact during short-term construction activity. According to the analysis the project has the potential to exceed VOCs, No<sub>x</sub>, CO and PM<sub>10</sub> criteria pollutant thresholds established by the SCAQMD (page 4-1, 4-11).



Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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To reduce impacts to a level of less than significant, the analysis recommends the following mitigation measure:

- During grading and construction activities, the applicant /builder shall comply with the requirements of SCAQMD Rule 403.

To reduce construction related emissions of VOCs, NO<sub>x</sub>, CO and PM<sub>10</sub> the analysis recommends the following mitigation measures:

- Replace ground cover in disturbed areas quickly.
- Use construction equipment with low emission factor and high energy efficiency where possible.
- Perform regularly scheduled engine maintenance to minimize equipment emissions.
- Tune engines and reduce equipment idle time.
- Use lean- NO<sub>x</sub> catalyst.
- Where applicable limit the application of exterior architectural coatings (i.e., paint, etc.) to average no more than 37.5 gallons per day and/or use "Zero-VOC" paint.

With the aforementioned mitigation, the analysis concluded that the development will not have a significant air quality impact during short-term construction activity as defined by the daily emissions thresholds set forth by the SCAQMD (page 5-2).

In addition, the analysis found that the daily operational and area source emissions did not exceed the SCAQMD significance and therefore, no further mitigation is required. (page 5-2) Furthermore, the project will not have a significant air quality impact during the long-term operational activity as defined by the daily emissions thresholds set forth by the SCAQMD. (page 5-2)

**Cumulative Impacts:** Although the City of Desert Hot Springs incorporated air quality measures established by the South Coast Air Quality Management District in its General Plan to mitigate impact on a local level, continued exceedance of state and federal air quality standards will occur on a regional level. Implementation of the General Plan would result in generation of additional pollutants from stationary sources (construction activities, electrical and natural gas usage) and mobile sources primarily from increased vehicular travel. Short-term impacts will result from construction activities due to site disturbance and emissions from construction equipment. Adherence to the SCAQMD Rule and Regulations and compliance with locally adopted Air Quality Management Plan (AQMP) and Coachella Valley PM<sub>10</sub> Plan control measures will help reduce the city wide air pollutant burden.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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**Mitigation:** To reduce any potentially significant air quality impact of this project to a level that is not cumulatively considerable the following mitigation measures are recommended:

7. During grading and construction activities, the applicant /builder shall comply with the requirements of SCAQMD Rule 403.
8. Replace ground cover in disturbed areas quickly.
9. Use construction equipment with low emission factor and high energy efficiency where possible.
10. Perform regularly scheduled engine maintenance to minimize equipment emissions.
11. Tune engines and reduce equipment idle time.
12. Use lean- No<sub>x</sub> catalyst.
13. Where applicable limit the application of exterior architectural coatings (i.e., paint, etc.) to average no more than 37.5 gallons per day and/or use "Zero-VOC" paint.

**PM 10:**

14. Prior to any demolition, grading, or construction activities the applicant and/or developer shall submit for Engineering Department review and approval a Fugitive Dust (PM10) Mitigation Plan.
15. Reduce traffic speeds on all unpaved road surfaces to 15 miles per hour or less.
16. Suspend all grading operations when wind speed (as instantaneous gusts) exceeds 25 miles per hour.
17. Trucks importing or exporting dirt, soil, or other loose material shall be covered and/or watered down prior to entering public streets to minimize potential fugitive dust.
18. SCAQMD Rule 403 shall be adhered to, insuring the clean up of construction-related dirt on approach routes to the site.
19. Spread soil binders on site, unpaved roads, and parking areas and/or apply AQMD approved chemical soil stabilizers according to manufacturer's specifications to all inactive construction areas (previously graded areas that remain inactive for 96 hours).
20. Prior to issuance of grading permits, a traffic plan to minimize traffic flow interference from construction activities shall be submitted for review and approved by the City Engineer.

**Energy Conservation:**

21. Incorporate energy conservation measures into the design in accordance with energy conservation requirements imposed by the California Energy Commission and Title 24 of the California Administrative Code.
22. Architectural and landscape design plans shall promote, to the maximum extent feasible, design features and strategies to maximize the opportunity for use of solar panels, shading and natural cooling.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?

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**Less Than Significant with Mitigation Incorporation:** See response in 3(b) above.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**No Impact:** Land uses considered by the South Coast Air Quality Management District (SCAQMD) to be sensitive receptors include the following: residences, schools, playgrounds, childcare centers, athletic fields, long-term health care facilities, rehabilitation centers, convalescent centers, and retirement homes.

There are existing residences in the vicinity of the proposed project site that would be classified as sensitive receptors. The project as proposed would create additional sensitive receptors with 499 new single-family dwelling units. An Air Quality Impact Analysis, prepared by Urban Crossroads, was conducted on May 27, 2005 to evaluate the air quality impacts resulting from the development of the project site as proposed. The analysis found that the project "does not expose sensitive receptors to substantial pollutant concentration" and that "the project generated traffic does not result in a local CO hotspot" (page 1-2). There is therefore no impact with regard to the aforementioned criterion.

**Cumulative Impacts:** None identified with respect to the local area.

e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**No Impact:** Urban Crossroads completed an Air Quality Impact Analysis for the project site (May 27, 2005). The report indicates (page 4-16) that the project does not contain land uses typically associated with emitting objectionable odors. Therefore, no adverse impacts have been identified.

**Cumulative Impacts:** None identified with respect to the local area.

#### 4. BIOLOGICAL RESOURCES -- Would the project:

##### Thresholds of Significance

A project has significant effect on Biological Resources if it will result in a loss of individuals, populations, or habitat of a federal or state designated threatened, endangered, or rare species; a loss of locally designated species, such as heritage trees; a loss of locally designated natural communities, such as vernal pools; a loss of wetland habitat; or an interference with wildlife dispersal or migration corridors.

Project actions are also evaluated in terms of impacts to species that do not fall into one of the above categories, but which nevertheless are protected by federal or state regulations. Most often such cases involve nests of birds such as red-tailed hawks that are not rare, but are still protected under the federal Migratory Bird Treaty Act and the California Department of Fish and Game Code.

The term "rare" species is usually interpreted to mean species that are on lists prepared by federal, state, or private organizations but are of lower sensitivity status than threatened or endangered species. Thus, the term "rare" refers to species listed by the California Native Plant Society, Federal /State Species of Special Concern, or species considered sensitive by a local jurisdiction.

Evaluation of significance is typically different between threatened/endangered species as compared to non-listed or rare species. Any loss of threatened or endangered species or their habitat is considered a significant impact in

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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relation to federal and state endangered species regulations. However, thresholds of significance for loss of rare species have not been codified in federal or state regulations. Generally, the term is interpreted in terms of whether the project action would jeopardize the continued persistence or viability of individuals or populations of the species in question.

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

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**Less Than Significant with Mitigation Incorporation:** A Biological Assessment and Impact Analysis, prepared by James W. Cornett on May 2, 2005 was undertaken to ascertain the impacts of constructing residential units on the plant and animal resources of the project site and immediate vicinity. According to the Biological Assessment, no officially listed plant or animal species were found at the project site (page 1). The assessment also reported that the site does not lie within the fee area of the Coachella Valley Fringe-toed Lizard Habitat Conservation Area. Therefore no payment of mandatory fees is required as mitigation for this species (pages 1, 16). The project site is also outside of a conservation area as designated by the Coachella Valley Multiple Species Habitat Conservation Plan. Therefore, there are no recommendations with regard to this project and the Plan (pages 1, 16).

The assessment did indicated that at least one active burrowing owl nest is located approximately 100 yards east of the project site. The assessment recommends that a temporary fence be located along the eastern boundary of the project site to insure that grading that other construction equipment do not stray beyond the eastern site boundary (page 16).

**Indirect Impacts:** The Assessment reports the project will have negative indirect impacts on the surrounding native biota. The project site will no longer serve as a source of emigration of native plant and animal species into the natural surrounding lands. This project can be expected to increase vehicular traffic in the area, noise levels, light pollution human and domestic animal use of surrounding lands, introduction and dispersal of exotic plant species and development in the region. All of these occurrences can be expected to decrease the diversity and density of native plants and animals in the region immediately surrounding the project.

To help minimize adverse impacts to the desert lands surrounding the project site, the Assessment recommended the following mitigation measures:

- Domestic animal should be kept indoors or on leashes at all times. This requirement should be part of land ownership with the development.
- The project site can be surrounded by a six-foot-high block wall as well as chain-link fence of equal height placed twelve inches away from the block wall. This series of fences will reduce the ability of domestic cats to escape the project site.
- The project proponent should make available to all employees, residents and visitors, an educational brochure that describes the sensitive nature of indigenous plants, animal and ecosystems.
- Every effort should be made to utilize native plant species in landscaping.
- Outdoor project lighting should be as minimal as possible and always directed at the ground

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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The Assessment concludes that project, following the completion of the recommended mitigation, is not anticipated to have significant impacts upon biological resources in the region (page 17).

**Mitigation:** To reduce any potentially significant biological impacts of this project to a level that is not significant the following mitigation measures are recommended:

23. Prior to the issuance of a grading permit or any land disturbance activity the applicant/developer shall erect a temporary fence along the eastern boundary of the project site to protect resident burrowing owls.
24. Domestic animal should be kept indoors or on leashes at all times. This requirement shall be part of land ownership with the development and incorporated within projects CC&R's, and HOA rules and regulations.
25. The project site can be surrounded by a series of fences reduce the ability of domestic cats to escape the project site. Such fencing may include a six-foot-high block wall as well as chain-link fence (or similar material) of equal height placed twelve inches away from the block wall. Alternative wall/fence designs maybe considered but must be reviewed and approved by the project Ecological Consultant prior to submittal to the City for building permit issuance.
26. The project proponent shall make available to all employees, residents and visitors, an educational brochure that describes the sensitive nature of indigenous plants, animal and ecosystems. A copy of said educational brochure shall be submitted to the City for approval prior to issuance of any building permits.
27. The landscape plan for the proposed development (including common areas, retention basins, street parkways and the residential landscape palette) shall to utilize native plant species. In those areas where nonnative landscaping is to be utilized (i.e., turf, etc.) said plans shall be reviewed and approved by the project Ecological Consultant to insure that invasive species are not used or methods to control such species are employed.
28. Outdoor project lighting shall be as minimal as possible and always directed at the ground.

**Cumulative Impacts:** The Environmental Impact Report of the Desert Hot Springs Comprehensive General Plan indicates (page VIII-4) that on a regional scale, the loss of vegetation from future development must be viewed an incremental contribution to the loss of habitat and associated wildlife. The encroachment of man into undeveloped desert reduces open space, the availability of foraging habitat for ranging species and the availability of large "home ranges" for predators. Continued disruption within the City and surrounding areas could result in cumulative negative impact with regard to: 1) reduction of foraging territory, 2) dislocating species' migration patterns, 3) creating isolated sub-populations, 4) restricting mate-finding behavior, and 5) reducing "gene flow" between existing sub-populations. But preserving washes, canyons and steep terrain within the City for use as potential movement and migration corridors with limit cumulative regional disruption and wildlife corridors into major development design and future area-wide planning. Potential cumulative impact to biological resources are also expected to be further reduced by the completion and implementation of the Coachella Valley Multiple Species Habitat Conservation Plan, which is expected to address a large portion of the planning area.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

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Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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**No Impact:** According to the Biological Assessment and Impact Analysis conducted by James W. Cornett on May 2, 2005, there is no naturally occurring springs or permanent aquatic habitats on or near the project site. No washes or blue-line streams exist onsite (page 6).

**Cumulative Impacts:** None identified with respect to the proposed project.

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**No Impact:** See response in 4(b) above.

**Cumulative Impacts:** None identified with respect to the proposed project.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**Less Than Significant with Mitigation Incorporation:** See response in 4(a) above.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**No Impact:** There are not local ordinances protecting biological resources. Consequently, project implementation would not have any impacts upon local policies or ordinances protecting biological resources.

**Cumulative Impacts:** None identified with respect to the proposed project.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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**No Impact:** According to the Biological Assessment and Impact Analysis conducted by James W. Cornett on May 2, 2005, the project site does not lie within the fee area of the Coachella Valley Fringe-toed Lizard Habitat Conservation Area. Therefore no payment of mandatory fees is required as mitigation for this species (pages 1, 16). The project site is also outside of a conservation area as designated by the Coachella Valley Multiple Species Habitat Conservation Plan. Therefore, there are no recommendations with regard to this project and the Plan (pages 1, 16).

**Cumulative Impacts:** None identified with respect to the proposed project.

## 5. CULTURAL RESOURCES -- Would the project:

### Thresholds of Significance

A project may significantly impact Cultural Resources if it disrupts or adversely affects a prehistoric or historic archaeological site or a property of historic significance to a community, ethnic or social group, or a paleontological site except as part of a scientific study.

a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?

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**Less Than Significant with Mitigation Incorporation:** A Historical/Archaeological Resources Survey Report for the project was conducted by CRM TECH (March 24, 2005). According to the report, no historical resources (as provided in the California Public Resources Code) exist within or adjacent to the project area, and thus the project as currently proposed will cause no substantial adverse change to any known historical resources (page 10). Furthermore, no further cultural resources investigation is necessary for the proposed project unless development plans undergo such changes as to include areas not covered by the study (page 10).

The report concluded that the City of Desert Hot Springs may reach a finding of No Impact regarding cultural resources, with the condition that any buried cultural materials unearthed during earth-moving activities be examined and evaluated by a qualified archaeologist prior to further disturbances (page 10).

The Agua Caliente Band of Cahuilla Indians Tribal Historic Preservation Office (THPO) however indicates that project area is on lands included within the Tribal Traditional Use Area and that there is always a possibility of encountering buried cultural resources during construction related excavations. The Agua Caliente THPO requests the following mitigation measure:

- That an approved Tribal Cultural Resource Monitor(s) be present during any survey and/or any ground disturbing activities. Should buried cultural deposits be encountered, the Monitor may request that destructive construction halt and the Monitor shall notify a Qualified (Secretary of the Interior's Standards and Guidelines) Archaeologist to investigate and, if necessary, prepare a mitigation plan for submission to the State Historic Preservation Officer and the Agua Caliente THPO.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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**Mitigation** To reduce this project's potential impact on unknown archeological resources to a level that is less than significant the following mitigation measures shall be incorporated:

29. That an approved Tribal Cultural Resource Monitor(s) be present during any survey and/or any ground disturbing activities. Should buried cultural deposits be encountered, the Monitor may request that destructive construction halt and the Monitor shall notify a Qualified (Secretary of the Interior's Standards and Guidelines) Archaeologist to investigate and, if necessary, prepare a mitigation plan for submission to the State Historic Preservation Officer and the Agua Caliente Band of Cahuilla Indians Tribal Historic Preservation Office (THPO) and the Morongo Band of Mission Indian (MBMI)<sup>1</sup>.

<sup>1</sup> = added at the request of the MBMI

**Cumulative Impacts:** None identified.

- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5? ☐ ☒ ☐ ☐

**Less Than Significant with Mitigation Incorporation:** See response in 5(a) above.

- c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? ☐ ☒ ☐ ☐

**Less Than Significant with Mitigation Incorporation:** CRM TECH completed a Paleontological Resources Assessment Report of the project site (March 24, 2005). The report indicates that based on the field survey and the literature research, the proposed project's potential impact on paleontological resources was found to be low in most of the project area. However, the Recent alluviums of undetermined thickness rest directly on sediments that are considered to have a moderate potential to contain significant paleontological resources. CRM TECH recommends periodic monitoring of earth-moving activities for paleontological resources if grading exceeds ten feet in depth or there grading has encountered older, Pleistocene-age alluvial sediments. If older, potentially fossiliferous alluvial sediments are encountered, then continuous monitoring for paleontological resources is recommended, along with a program to mitigate impacts to the resources that are unearthed. The program should be developed in accordance with the provisions of CEQA as well as with regulation currently implemented by the County of Riverside and the proposed guidelines of the Society of Vertebrate Paleontology.

**Cumulative Impacts:** None identified.

**Mitigation:** To reduce this project's potential impact on unknown paleontological resources to a level that is less than significant the following mitigation measures shall be incorporated:

30. Periodic monitoring of earth-moving activities for paleontological resources shall be required if grading exceeds ten feet in depth or grading has encountered older, Pleistocene-age alluvial sediments. If older, potentially fossiliferous alluvial sediments are encountered, then continuous monitoring for paleontological resources shall be required, along with a program to mitigate impacts to the resources that are unearthed. The program should be developed in accordance with the provisions of CEQA as well as with regulation currently implemented by the County of Riverside and the proposed guidelines of the



Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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Society of Vertebrate Paleontology, and should include but not be limited to the following:

- a. The excavation of areas identified as likely to contain paleontologic resources should be monitored by a qualified paleontological monitor. The monitor should be prepared to quickly salvage fossils as they are unearthed to avoid construction delays. The monitor should also remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The monitor must have the power to temporarily halt or divert grading equipment to allow for removal of abundant or large specimens.
- b. Collected samples of sediments should be washed to recover small invertebrate and vertebrate fossils. Recovered specimens should be prepared so that they can be identified and permanently preserved.
- c. Specimens should be identified, curated, and placed into a repository with permanent retrievable storage.
- d. A report of findings, including an itemized inventory of recovered specimens, shall be prepared upon completion for the steps outlined above. The report should include a discussion of the significance of all recovered specimens. The report and inventory, when submitted to the City of Desert Hot Springs, would signify completion of the program to mitigate impacts to paleontologic resources.

d) Disturb any human remains, including those interred outside of formal cemeteries?

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**Less Than Significant with Mitigation Incorporation:** It is not anticipated that project development would disturb any human, including those interred outside of a formal cemetery. However, The Agua Caliente Band of Cahuilla Indians Tribal Historic Preservation Office (THPO) indicates that project area is on lands included within the Tribal Traditional Use Area and that there is always a possibility of encountering buried cultural resources during construction related excavations.

**Mitigation:** To reduce any potentially significant impacts of this project to any human remains to a level that is not significant the following mitigation measure is recommended:

31. In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken:
  1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
    - i. The Riverside County Coroner must be contacted to determine that no investigation of the cause of death is required, and
    - ii. If the coroner determines the remains to be native American:
      1. The coroner shall contact the Native American Heritage Commission within 24 hours.
      2. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.
      3. The most likely descendent may made recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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2. Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave good with appropriate dignity on the property in a location not subject to further subsurface disturbance:
  - i. The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.
  - ii. The descendant identified fails to make a recommendation; or
  - iii. the landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

**Cumulative Impacts:** None identified with respect to the proposed project.

## 6. GEOLOGY AND SOILS -- Would the project:

### Thresholds of Significance

A project has significant effect in relation to Geology and Soils if it will expose people or occupied structures to geologic or soils hazards (including fault rupture, ground shaking, liquefaction, subsidence, landslides, erosion, expansive soils) or facilitate damage to, or the destruction of, unique geologic features.

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**Less Than Significant with Mitigation Incorporation:** See response in 6a(ii) below.

ii) Strong seismic ground shaking?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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**Less Than Significant with Mitigation Incorporation:** Earth Systems Southwest conducted a Geotechnical Engineering Report (April 12, 2005) for the subject site. The Geotechnical report indicates that the site does not lie within a currently delineated State of California, Alquist-Priolo Earthquake Fault Zones (page 5). However, the Mission Creek fault, which is the north branch of the San Andreas fault, is 1.2 miles from the project site. The San Andreas fault is considered capable of generating a maximum credible earthquake of 7.4 Richter Magnitude. The potential for severe ground shaking affecting the property during the development's lifetime is high. Residential units will be required to meet particular California Uniform Building Code design and construction standards for this seismic area (Zone 4) that should provide a reasonable measure of protection from structural failure (page 8). Secondary hazards related to ground shaking include soil liquefaction, ground deformation, areal subsidence, tsunamis, and seiches are unlikely to occur on the project site.

**Cumulative Impacts:** As development increases in the City and surrounding region, there is an increased potential of impacts from fault rupture hazards. In the event of a significant seismic event, a larger population could result in increased structural damage; disruption of service, and even injuries and deaths from seismic related impacts. An element of risk is living within proximity to the various seismic fault zones in the region must be accepted by each resident. Best management practices in the form of construction safety standards, and identifying location with too great a risk for habitation is anticipated to continue pursuant to city, county, and state policies.

**Mitigation:** To reduce any potentially significant seismic hazards of this project to a level that is not significant the following mitigation measure is recommended:

32. Construction of all residential units will be required to meet at a minimum the California Uniform Building Code design and construction standards for a Seismic Zone 4.

iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Less Than Significant Impact:** Earth Systems Southwest conducted a Geotechnical Engineering Report (April 12, 2005) for the subject site. The Geotechnical report indicates that: the site is far inland, so the hazard from tsunamis is non-existent; no water storage reservoirs are located in the immediate vicinity of the site therefore, hazards for seiches are considered negligible at this time; the potential for liquefaction to occur at this site is considered negligible because the depth of groundwater beneath the site exceeds 50 feet; and the potential for seismically induced ground subsidence is considered to be low at the site (page 6)

**Cumulative Impacts:** None identified with respect to the proposed project.

iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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**Less Than Significant Impact:** Earth Systems Southwest conducted a Geotechnical Engineering Report (April 12, 2005) for the subject site. The Geotechnical report indicates that the site is relatively flat. Therefore, potential hazards from slope instability, landslides, or debris flows are considered negligible (page 6).

**Cumulative Impacts:** None identified with respect to the proposed project.

b) Result in substantial soil erosion or the loss of topsoil? ☐ ☒ ☐ ☐

**Less Than Significant with Mitigation Incorporation:** Blowsand, or wind induced soil erosion, is prevalent in the Coachella Valley. The Geotechnical Element of the Desert Hot Springs Comprehensive General Plan reports that the project area soils are susceptible to wind and water erosion and that the site is within a recognized blow sand hazard area (Exhibit V-3). Implementation of regional mitigation measures for air quality and erosion concerns (Blowsand) should provide adequate mitigation for this issue. See mitigation under 3(b) above.

**Cumulative Impacts:** With increased development, there could potentially be an increase in erosion created by development activities. However, implementation of regional mitigation measures for air quality and erosion concerns (Blowsand) should provide adequate mitigation for this issue.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? ☐ ☐ ☐ ☒

**No Impact:** The Geotechnical Investigation by Earth Systems Southwest (dated April 12, 2005) indicates that the proposed residential subdivision is feasible from a soil mechanic's standpoint provided that the recommendations included in the report are considered in building foundation design and site preparation. The soil is not considered unstable and landsliding, subsidence, liquefaction, and collapse are not considered likely.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? ☐ ☐ ☒ ☐

**Less Than Significant Impact:** Earth Systems Southwest (dated April 12, 2005) Geotechnical Investigation indicates that the surface soil is non-expansive and falls within the "very low" expansion category in accordance with the Uniform Building Code classification system.

**Cumulative Impacts:** None identified with respect to the proposed project.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**No Impact:** Much of the City contains soils or groundwater conditions which are adequate for supporting the use of septic tanks or alternative wastewater disposal systems. The General Plan EIR reports (page III-74) that the planning area (City and sphere area) currently supports approximately 5,000 septic systems. The Mission Spring Water District requires all new development projects to be connected to the District's sewer system. Therefore, no adverse impacts have been identified.

**Cumulative Impacts:** None identified with respect to the proposed project.

## 7. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:

### Thresholds of Significance

A project may cause significant Hazards and Hazardous Material impacts if it will create a potential public health hazard or involve the use, production or disposal of materials which pose a hazard to people or animal or plant populations in the area affected; or, interfere with emergency response plans or emergency evacuation plans.

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Less Than Significant Impact:** The proposed project consists of the creation of residential lots for future unit construction. The single-family residential land use will not involve the production, storage, or distribution of hazardous substances except normally occurring household hazardous wastes (such as cleaning products and paints). This low level of use/storage of materials does not represent a significant risk of environmental damage, should an accidental spill or release occur. The range of land use activities that would be permitted on the project site would not allow for the use, storage, disposal or transport of large volumes of toxic, flammable, explosive or otherwise hazardous materials that could cause serious environmental damage in the event of an accident. Therefore, the proposed project is not anticipated to create a significant hazard to the public or the environment from hazardous substances. No mitigation has been identified as needed.

**Cumulative Impacts:** None identified with respect to the proposed project.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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**No Impact:** See response in 7(a) above.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**No Impact:** See response in 7(a) above.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**Less Than Significant with Mitigation Incorporation:** Earth Systems Southwest conducted a Phase One Environmental Site Assessment on February 18, 2005. This report indicated that minor amounts of yard waste, demolition debris, and household debris were located adjacent to the dirt road along the east boundary. This debris did not appear to contain hazardous materials and further investigation was not warranted. A Small quantity of asphalt roofing shingles was noted in the debris near the northeast corner of the site. Since these materials can contain asbestos, the report recommended that samples of the roofing material be collected and tested for asbestos. If the shingles are found to contain asbestos, the roofing debris should be remove and disposed of appropriately by a licensed asbestos-removal contractor. The report indicated that the project site was not identified in any agency list for hazardous materials. The report indicated that except for evaluation of the roofing shingles debris for asbestos, further investigations do not appear warranted (page 7).

**Cumulative Impacts:** None identified with respect to the proposed project.

**Mitigation:** To reduce any potentially significant impact due to hazardous materials to a level that is not significant the following mitigation measure is recommended:

33. Prior to any land disturbance activities samples of the roofing material shall be collected and tested for asbestos. If the shingles are found to contain asbestos, the roofing debris shall be remove and disposed of appropriately by a licensed asbestos-removal contractor.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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**No Impact:** The project area is not located within the boundaries of an airport land use plan or within two miles of a public or private airport or airstrip, and therefore is not expected to impact the safety of people working or residing in the area (Palm Springs Regional Airport Master Plan and F.A.R. 150 Noise Compatibility Study).

**Cumulative Impacts:** None identified with respect to the proposed project.

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**No Impact:** See response in 7(e) above.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**No Impact:** The proposed subdivision is not anticipated to have any adverse impacts upon emergency response or evacuation plans as adopted by the City of Desert Hot Springs or other agencies. Internal project circulation will connect with existing roadways (i.e. Western Avenue, Karen Avenue and Mission Lakes Boulevard) providing adequate emergency or secondary access for evacuation needs and emergency vehicle response needs. No mitigation has been identified as needed.

**Cumulative Impacts:** None identified with respect to the proposed project.

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**No Impact:** There are no wildlands near or adjacent to the projected project area. No mitigation has been identified as needed.

**Cumulative Impacts:** None identified with respect to the proposed project.

## 8. HYDROLOGY AND WATER QUALITY -- Would the project:

### Thresholds of Significance

A project may be deemed to have a significant effect on Hydrology and Water Quality if it will significantly affect absorption rates, drainage patterns, the rate and amount of surface runoff, the quality and/or quantity of surface or public water supply, the course or direction of surface and/or groundwater movements or would expose people or property to water-related hazards such as flooding.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**No Impact:** The proposed project is not expected to violate any water quality standards or waste water discharge requirements. Project build out will increase wastewater flows. However, anticipated flows will be accommodated through sewer mains owned and operated by Mission Springs Water District (MSWD) without significantly impacting wastewater treatment facilities. Stormwater and project generated urban runoff will be retained on-site within retention basin(s) occurring on the project site. This and related improvements will enable the project to comply with National Pollution Discharge Elimination Systems requirements. The project will be served by the Mission Springs Water District (MSWD) for water, which conforms to the accepted water quality standards. Based on the foregoing, no mitigation has been identified as needed.

**Cumulative Impacts:** None identified with respect to the proposed project.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**Less Than Significant with Mitigation Incorporation:** The main source of potable water in the Coachella Valley is groundwater, which is in an overdraft condition. The proposed 499-lot project will have cumulative impact upon quantity of groundwater; however it is not anticipated to substantially deplete ground water supply. To reduce the projects potentially significant adverse impact on raw water supplies, the Mission Springs Water District (MSWD) and the Coachella Valley Water District (CVWD) recommends (where possible) the use or reclaimed water for irrigation common area landscaping. Other techniques include use of water conserving appliances, fixtures, and irrigation and landscaping techniques to reduce project water demand.

**Cumulative Impacts:** The project could have a cumulative impact upon ground water supply, however with the City's participation and cooperation with other agencies in a regional groundwater replenishment program, it is anticipated that the proposed project will not have a significant impact.

**Mitigation:** The following mitigation measures are recommended to reduce potential impacts from project water demand to a level that is not significant:

34. If reclaimed water is available, prior to the issuance of grading plan approval the applicant shall work with MSWD to ensure that tertiary treated reclaimed water is used for irrigation on green belt common area. The lines using the reclaimed water shall be adequately marked and separated from potable water supplies. Signage shall be provided to warn the public of the use of reclaimed water for irrigation purposes.
35. Detailed water system improvement plans shall be reviewed and approved by MSWD prior to the



Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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issuance of any building permits and/or any phase of development approved by the City. Improvements identified in the plans shall be paid for by the applicant and shall be in place prior to building permit issuance unless approval has been obtained from the Fire Marshall, Planning Director, and MSWD.

36. Prior to occupancy permit issuance the project applicant shall install water conserving fixtures and appliances including showerheads, toilets, faucets, washing machines and dishwashers.
37. Prior to occupancy permit issuance the applicant shall install water conserving landscaping material and irrigation systems in all common landscape area for the applicable phase of construction. Irrigation systems shall utilize moisture and zone plants by water demand.
38. Any lakes/ponds on the site shall be designed with appropriate liners so that they retain water during normal operation but allow excess water from runoff during major storms to percolate into the ground.
39. Front and side yard building setback areas shall utilize arid landscaping reflective of the desert environment (e.g., low-water plants, rock or cactus gardens with no turf) and employ the use of water efficient irrigation systems.
40. The detailed landscape improvement plans for the project shall be reviewed and approved by MSWD prior to the issuance of any building permits and/or any phase of development approved by the City. The cost of the landscape plan review will be the responsibility of the project applicant.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?

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**Less Than Significant with Mitigation Incorporation:** The Mission Creek Channel, levee, and service road are beyond the northeast corner of the site. The Flood Insurance Rate Map for this area (Community-Panel Number #060245-0900D) that the majority of the project site is located within a Zone B. Zone B is defined as areas between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flood with average depths less than one foot or where the contributing drainage areas less than 1 square mile. The project will be required to direct any floodwaters into on-site retention basins and away from residential property. Basins are required to have enough capacity to prevent spillover and flooding according to design storm modeling. Appropriate project design, construction, and maintenance can minimize potential flooding impacts. The northeast corner of the project area is located within a Zone AO or area of 100-year shallow flooding where depths are between 1 and 3 feet; no development is being proposed within this area.

Project implementation will not result in the alteration of the course of a stream or river; as there is no surface water bodies located within the project area being considered for development. No development is being proposed for that portion of the project site located within the Zone AO as it is being retained as native open space. To reduce possible significant impacts as a result of any future development in this area it is recommended that it be designated as a natural "open space" on any final development map.

Development of the project however, will substantially alter the existing drainage pattern of the site and result in an increase in the rate and amount of surface runoff due to the construction of impervious surfaces, grading, and generation of nuisance water and sources of polluted runoff.

**Cumulative Impacts:** As development increases in the city and surrounding areas, changes in the general absorption rates, drainage patterns, and amount of runoff would be anticipated to change. Water that once was absorbed into the ground or flooded local areas would not continue as before. Careful planning and provision of

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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required drainage facilities and erosion control measures would serve to mitigate any serious impacts that may result.

**Mitigation:** To mitigate potential surface water runoff impacts to less than significant levels the following mitigation measures are recommended

41. Prior to issuance of any grading permit a hydrology study, drainage plan, and erosion control plan shall be completed for review and approval by the City Engineer. Recommendations based on the findings of this report shall become conditions of project approval.
42. A detailed drainage plan for the proposed development with hydrology and hydraulic calculations and demonstrating control and detention of 100-year frequency storm flows on-site shall be submitted to the City Engineer for review and approval prior to the issuance of permits.
  - Floodwaters shall be directed into on-site retention basins and away from residential property. Basins are required to have enough capacity to prevent spillover and flooding according to design storm modeling.
43. Because the site is greater than 5 acres in size, the project applicant is required to file for a National Pollutant Discharge Elimination System (NPDES) permit from the Colorado River Basin, Regional Water Quality Control Board (RWQCB) prior to development. A Notice of Intent (NOI), Storm Water Pollution Prevention Plan (SWPPP), and Monitoring Plan are requirements of the NPDES permit. The SWPPP shall include Best Management Practices (BMPs) in compliance with the NPDES program requirements.
44. Prior to issuance of any grading permits, the project applicant/developer shall submit evidence to the satisfaction of the City Engineer that all necessary permits, agreements, and approvals have been received from appropriate agencies (i.e., RWQCB, MSWD, CVWD, etc.) related to water quality and nuisance water impacts.
45. With the Final Map for Phase I of the development, that area located within the AO Zone, shall be deed restricted as natural open space area. No development shall be allowed within this area except for necessary flood control features or roadway improvements as deemed necessary by the City Engineer. An Assessment District, Homeowner's Association (HOA), or other responsible entity shall be established to assure the perpetual maintenance of this area prior to the issuance of the first Certificate of Occupancy (first Building Final) for a residential structure.

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**Less Than Significant with Mitigation Incorporation:** See response in 8(c) above and 8(g) below.

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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**Less Than Significant with Mitigation Incorporation:** See response in 8(c) above.

f) Otherwise substantially degrade water quality? ☐ ☐ ☐ ☒

**No Impact:** Groundwater has been reported to be in excess of 500 feet below the existing ground surface in the vicinity of the site. Due to the depth of groundwater, it is not likely to be impacted by any nuisance runoff occurring from the site. Furthermore, the project will be required to connect to the Mission Springs Water District's sanitation service, which will protect the groundwater supply from contamination by sewage. No mitigation has been identified as needed.

**Cumulative Impacts:** None identified with respect to the proposed project.

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? ☐ ☒ ☐ ☐

**Less Than Significant with Mitigation Incorporation:** See recommended discussion in response 8(c) above.

**Cumulative Impacts:** Build out of the City of Desert Hot Springs and of other jurisdictions in the Coachella Valley sub-region, will increase impermeable surfaces and thus increase runoff. This increase of runoff will increase the drainage flows, which currently exist in flood control facilities managed by the Riverside County Flood Control District (RCFCD) and City of Desert Hot Springs. Local flood control efforts require City of Desert Hot Springs and RCFCD review and approval, a mechanism for which is already in operation. As approval by agencies is required for local jurisdictions to construct flood control improvement, especially those improvements that affect RCFCD facilities, mitigation of potentially significant impacts occurs as part of the design and review process. No significant cumulative impact is expected on valley wide flood control facilities as long as the local jurisdictions continue to adhere to RCFCD requirements.

**Mitigation:** See recommended mitigation in response 8(c) above.

h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows? ☐ ☐ ☐ ☒

**No Impact:** See response in 8(g) above.

**Cumulative Impacts:** None identified with respect to the proposed project.

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? ☐ ☐ ☐ ☒

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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**No Impact:** At the present time, no water storage reservoirs are located in the immediate vicinity of the site. Therefore, flood hazards at the site from catastrophic reservoir failure are considered nil. No levees or dam are located in the immediate vicinity of the site. There is therefore no impact with regard to the aforementioned criterion. Also see response in 6a(ii) above.

**Cumulative Impacts:** None identified with respect to the proposed project.

j) Inundation by seiche, tsunami, or mudflow? ☐ ☐ ☐ ☒

**No Impact:** See response in 6(aii) above.

**Cumulative Impacts:** None identified with respect to the proposed project.

#### 9. LAND USE AND PLANNING - Would the project:

##### Thresholds of Significance

A project may be deemed to have a significant effect on Land Use and Planning if it will conflict with adopted general plans, policies, goals and/or zoning ordinances, be incompatible with surrounding land uses or physically divide or disrupt an existing community.

a) Physically divide an established community? ☐ ☐ ☐ ☒

**No Impact:** The proposed project site is vacant land and surrounding vicinity is characterized by vacant land and by other scattered residential parcels. The proposed subdivision will not result in significant conflicts with the established and existing arrangements of the community, as the design of the project utilizes existing roadways for access and proposes to construct new interior roadways that will connect to the existing circulation system without interrupting the existing physical roadway arrangement. No mitigation has been identified as needed.

**Cumulative Impacts:** None identified with respect to the proposed project.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? ☐ ☐ ☐ ☒

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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**No Impact:** Development of the project site is consistent with the Desert Hot Springs Comprehensive General Plan as adopted in September 5, 2000. For addition comments see response in 4(f) above.

**Cumulative Impacts:** None identified with respect to the proposed project.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

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**No Impact:** See response in 4(f) above.

**Cumulative Impacts:** None identified with respect to the proposed project.

#### 10. MINERAL RESOURCES -- Would the project:

##### Thresholds of Significance

A project may be deemed to have a significant effect on Mineral Resources if it will result in the loss of a known mineral resource of value to the state, region, or loss of a locally important mineral resource recovery site delineated on a local general plan.

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

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**No Impact:** The Desert Hot Springs Comprehensive General Plan (page IV-38) reports that within the City and vicinity there are relatively few mineral resources, as the majority of the area is made up of alluvial fans containing mostly sand and gravel. The Desert Hot Springs Comprehensive General Plan (page IV-49) identifies that project site as being within an MRZ-3 Mineral Resources Zone. An MRZ-3 contains mineral deposits, the significance of which cannot be evaluated from available data. As such, no mitigation has been identified as needed.

**Cumulative Impacts:** None identified with respect to the proposed project.

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

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**No Impact:** see response in 10(a) above.

**Cumulative Impacts:** None identified with respect to the proposed project.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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# 11. NOISE -- Would the project result in:

## Thresholds of Significance

A project may have a significant effect in relation to Noise if it will expose people to noise hazards or generation of noise levels in excess of standards established by the City of Desert Hot Springs General Plan (exterior CNEL 65, interior CNEL 45 for residential developments and transient lodging); generation of excessive ground borne vibration or ground born noise levels; substantial permanent or temporary increase in ambient noise levels; or projects located within an airport land use plan or within two miles of a airport or private airstrip that would expose people residing or working in the project area to excessive noise levels.

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

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**Less Than Significant with Mitigation Incorporation:** A Noise Impact Analysis conducted by Urban Crossroads May 27, 2005 indicates that future vehicle noise from Mission Lakes Boulevard is the principal source of community noise that will impact the site. The Analysis reports all lots in the project site will not require mitigation to meet the City of Desert Hot Springs exterior 65 dBNA CNEL noise standard. However, to meet the 45 dBA CNEL interior noise standards the study makes the following recommendations:

- o Provide a "windows closed" condition requiring a means of mechanical ventilation for all homes facing Mission Lakes Boulevard.
- o To minimize the potential interior noise impacts, homes facing Mission Lakes Boulevard should be provided with weather-stripped solid cored exterior door and 3 exterior all/roof assemblies should be free of cut outs and openings.

With the above recommendation the Analysis reports that no additional exterior or interior noise mitigation is required to meet the City's exterior or interior noise standards (page 1-2).

**Mitigation:** To mitigate potential noise impacts to the proposed single family homes to a level of less than significant, the following measures shall be incorporated into the project:

46. Residential construction plans shall provide a "windows closed" condition requiring a means of mechanical ventilation for all homes facing Mission Lakes Boulevard.
47. To minimize the potential interior noise impacts, residential construction plans for homes facing Mission Lakes Boulevard should be provided with weather-stripped solid cored exterior door and exterior all/roof assemblies should be free of cut outs and openings.

## Construction Noise Levels

Noise impacts from construction activities associated with the proposed project are a function of the noise generated by construction equipment, equipment location, sensitivity of nearby land uses, and the timing and duration of the noise generating activities. Construction noise activity for the proposed project is anticipated to take place in five distinct phases: ground clearing/grading; excavation; foundation construction; building construction; and construction finishing.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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The highest level of construction noise is expected to be generated during the excavation and construction finishing phases. The noise levels generated during the construction phase will primarily have the potential to affect the occupants of the residential uses to the southwest of the project site. The estimated "worst-case" construction-related noise levels will be temporary and noise generated by construction-related activities will be allowed for under Section 130.03 of the Desert Hot Springs Municipal Code during the allowable construction hours. Furthermore, construction activities are only during the daytime hours in accordance with the City noise ordinance.

To minimize potential future noise impact the Noise Impact Analysis recommended the following measures to be incorporated into the project:

- o During construction, all vehicles or equipment shall be equipped with properly operating and maintained mufflers.
- o To minimize noise impacts limit the construction hours to the hours of 6 AM to 6PM during the winter and from 7AM to 7PM during the summer.
- o Best efforts should be made to located stockpiling and/or vehicle staging areas as far as practical from any existing residential dwellings. The intent is to locate construction noise activity in areas that will impact the fewest homes.

The Analysis also recommends that a final noise study should be prepared prior to obtaining building permits for the project. This report would finalize the exterior and interior noise requirements based upon precise grading plans and actual building design specifications (page 1-3).

#### On-Site Traffic Noise and General Maintenance Levels

Vehicular traffic within the project area will generate long-term impacts. Residential areas off-site would experience a change in their existing noise environment due to the increased human activity on the project site as a result of daily operations. Point source noises typical of residential areas include people talking, lawn care equipment operation, domestic animals, etc. These noise sources contribute to the ambient noise levels that are experienced in most residential areas. Noise levels generated by these sources would typically not exceed the City's noise standards for residential land uses or the City's Municipal Code. Given the nature of the project (detached single family residential) and the distance from the existing residential areas to proposed development areas, it is unlikely that significant impacts will occur.

#### Off-Site Traffic Noise

Motor vehicles in the City are the major source of continuous noise. The project design proposed walls as required above will provide adequate mitigation for the roadway noise affecting residences. Perimeter walls and building setbacks and site landscaping will also reduce the levels of noise reaching adjacent developments. The construction of project site homes shall comply with the minimum sound proofing requirements applicable per the Uniform Building Code and the California Administrative Code. The landscape plan will require approval by the City prior to development.

**Cumulative Impacts:** Increased development within the community will increase noise levels in through construction activity and vehicular traffic on area roadways. The City Desert Hot Springs General Plan has identified several noise implementation measures and conditions for development within the planning area. Adherence to these measures and conditions should provide adequate mitigation for this issue.

**Mitigation:** To mitigate potential cumulative noise impacts to less than significant levels the following mitigation

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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measures are recommended:

48. All construction activity, including the repair and maintenance of construction equipment, on the project site shall comply with Section 130.03 of the City of Desert Hot Springs Municipal Code.
49. Noise-generating construction equipment operated on the project site shall be equipped with effective noise control devices, i.e., mufflers, lagging, and/or motor enclosures.
50. All equipment shall be properly maintained to assure that no unnecessary noise, due to worn or improperly maintained parts, will be generated.
51. Truck deliveries and haul-offs shall only be permitted between the hours of 7:00 A.M. and 5:00 P.M. weekdays and 8:00 A.M. and 5:00 P.M. Saturdays. The haul routes shall be approved by the City Engineer.
52. Construction equipment shall be stored on the project site to eliminate heavy-duty equipment truck trips.
53. Project site perimeter walls shall be constructed of materials of sufficient density (i.e. decorative block) and height to mitigate potential noise impacts associated with off-site traffic noise.
54. Project site homes shall comply with the minimum sound proofing requirements applicable per the Uniform Building Code and the California Administrative Code.
55. Best efforts should be made to located stockpiling and/or vehicle staging areas as far as practical from any existing residential dwellings. The intent is to locate construction noise activity in areas that will impact the fewest homes.
56. The Analysis also recommends that a final noise study should be prepared prior to obtaining building permits for the project. This report would finalize the exterior and interior noise requirements based upon precise grading plans and actual building design specifications (page 1-3).

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

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**Less Than Significant Impact:** The proposed residential development is not known to have significant groundborne vibration or groundborne noise levels. Temporary construction activities may result in temporary vibration or groundborne noise impacts to surrounding properties. These impacts are anticipated to take place during ground clearing/grading and excavation phases of construction. These construction activities would only take place during the daytime hours in accordance with the City's noise ordinance. Given the limited size and scale of the project, it is unlikely that significant impacts will occur. As such, no mitigation has been identified as needed.

**Cumulative Impacts:** None identified with respect to the proposed project.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

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Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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**Less Than Significant with Mitigation Incorporation:** see response in 11(a) above.

**Cumulative Impacts:** Increased development within the community will increase ambient noise levels in through construction activity and vehicular traffic on area roadways. The City of Desert Hot Springs General Plan has identified several noise implementation measures and conditions for development within the planning area. Adherence to these measures and conditions should provide adequate mitigation for this issue.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**Less Than Significant with Mitigation Incorporation:** see response in 11(a) above.

**Cumulative Impacts:** None identified with respect to the proposed project.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**No Impact:** See response in 7(e) and 7(f) above.

**Cumulative Impacts:** None identified with respect to the proposed project.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**No Impact:** See response in 7(e) and 7(f) above.

**Cumulative Impacts:** None identified with respect to the proposed project.

## 12. POPULATION AND HOUSING -- Would the project:

### Thresholds of Significance

A project may be deemed to have a significant effect on Population and Housing it will induce substantial growth or concentration of population, or displace a large number of people.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Less Than Significant Impact:** The proposed subdivision is a response to current and projected market pressures for residential growth in the City of Desert Hot Springs. The construction of housing units on the site is well within the numbers analyzed in the City's adopted Desert Hot Springs Comprehensive General Plan. The project serves as incremental residential growth; provision for this growth under the existing land use density designation has been considered and planned for in the City's General Plan and associated EIR. Given the limited size and in-fill nature of the project it is not anticipated that project implementation will induce substantial population growth, either directly or indirectly. As such, no mitigation has been identified as needed.

**Cumulative Impacts:** The proposed project and other similar projects in the vicinity may encourage additional types of development as a response to employment, shopping, and service needs of the residents of the new units and cumulatively contribute to growth inducement in the City. Provision for this growth under the existing land use density designation has been considered and planned for in the City's General Plan and associated EIR.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**No Impact:** The proposed project would not remove any existing residential units, as the subject property is vacant and uninhabited. As such, no mitigation has been identified as needed.

**Cumulative Impacts:** None identified with respect to the proposed project.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**No Impact:** The subject property is vacant and uninhabited; as such no persons would be displaced by the development. As such, no mitigation has been identified as needed.

**Cumulative Impacts:** None identified with respect to the proposed project.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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### 13. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

#### Thresholds of Significance

A project may be deemed to have a significant effect on Public Services if it requires an alteration or expansion of such facilities.

Fire protection?

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**Less Than Significant with Mitigation Incorporation:** Development of the proposed project will result in incremental increases in the demand for fire protection services. Additional operating and capital improvement funds to meet increased demands on fire protection service in the project area will be required. To assist in funding any additional fire facilities or equipment required to adequately service this project, it is recommended that new residential units in this project pay Fire Facilities impact fees as established by the City as part of building permit fees, thereby reducing any impact associated with this project to a level of less than significant.

**Cumulative Impact:** The impact of development, when taken together with all of the other projects in the community, may have the potential to create a significant adverse impact on the provision of fire protection services. New residential units in this project will pay Fire Facilities impact fees as established by the City as part of building permit fees. These fees will assist in funding any additional facilities or equipment required to adequately meet impacts created by development activities, thereby reducing any impacts to a level of less than significant.

**Mitigation:** To reduce potential fire protection service impacts to less than significant levels the following mitigation measure is recommended:

57. New residential units in this project will pay the Fire Facilities impact fees as established by the City per residential unit as part of building permit fees.

Police protection?

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**Less Than Significant with Mitigation Incorporation:** It is anticipated that the Desert Hot Springs Police Department can serve the needs of the proposed residential community. The project will likely result in

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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incremental increases in police service demands. The police station located at the northeast corner of West Drive and Pierson Boulevard serves the site. Additional operating and capital improvement funds to meet increased demands on police service in the project area will be required. To assist in funding any additional police facilities or equipment required to adequately service this project, it is recommended that new residential units in this project pay Police Facilities impact fees as established by the City as part of building permit fees, thereby reducing any impact associated with this project to a level of less than significant.

**Cumulative Impact:** The impact of development, when taken together with all of the other projects in the community, may have the potential to create a significant adverse impact on the provision of police protection services. New residential units in this project will pay Police Facilities impact fees as established by the City as part of building permit fees. These fees will assist in funding any additional facilities or equipment required to adequately meet impacts created by development activities, thereby reducing any impacts to a level of less than significant.

**Mitigation:** To reduce potential fire protection service impacts to less than significant levels the following mitigation measure is recommended:

58. New residential units in this project will pay the Police Facilities impact fee as established by the City per residential unit as part of building permit fees.

Schools?

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**Less Than Significant Impact:** The project will be required to pay school impact fees to the Palm Springs Unified School District at the time that building permits are issued. The project will likely result in an incremental increased demand for additional schools in the project area. In recognition of the impact residential development has upon public schools, the State legislature has authorized the School District to collect \$2.24 per square foot for all residential projects within the District. These fees will assist in funding any additional facilities or equipment required to adequately service this project. As such, project impacts on school facilities will be less than significant. As such, no additional mitigation has been identified as needed.

**Cumulative Impacts:** Development will increase the number of school age children in the region and therefore increase the demand on existing school facilities. The Palm Springs Unified School District serves the City of Desert Hot Springs and surrounding region. Existing school facilities in the City are currently operating at or above capacity. Facilities will have to be provided to accommodate the increased number of students, from both Desert Hot Springs and the region as a whole. In recognition of the impact residential development has upon public schools, the State legislature has authorized the School District to collect \$2.24 per square for all residential projects within the District. These impact fees are intended to mitigate adverse impact of residential development upon public schools. With the implementation of State mandated impact fees within the City and surrounding region, impacts upon public schools can be reduced to a level less than significant. Legislatively mandated impact fees are currently being implemented in all local jurisdictions within Riverside County.

Parks?

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Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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**Less Than Significant with Mitigation Incorporation:** Development of the proposed project will result in incremental increases in the demand for public parkland and recreational services. Additional operating and capital improvement funds to meet increased demands on park and recreational services in the project area will be required. To assist in funding any additional public recreational facilities or equipment required to adequately service this project, it is recommended that new residential units in this project pay Aquatic Center Facilities and Parkland impact fees as established by the City as part of building permit fees, thereby reducing any impact associated with this project to a level of less than significance.

**Cumulative Impacts:** Development will increase the residents within the region and therefore increase the demand on existing park and recreational facilities. The collection of Quimby fees and other park impact fees will assist in funding any additional facilities required to adequately meet impacts created by additional development within the City, thereby reducing any impacts to a level of less than significant.

**Mitigation:** To reduce potential impacts on public park and recreational facilities to less than significant levels the following mitigation measure is recommended:

59. Prior to the recordation of the final map, the applicant/developer shall pay the "in lieu" Quimby Park fees of \$1,541.00 as part of building permit fees.
60. New residential units in this project will pay the Aquatic Center impact fee as established by the City per residential unit as part of building permit fees.

Other public facilities?

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**Less Than Significant with Mitigation Incorporation:** Development of the project will result in the increased use of public facilities. Additional operating and capital improvement funds to meet increased demands on public facilities will be required. To assist in funding any additional facilities or equipment required to adequately service this project, it is recommended that new residential units in this project pay General Facilities, Community Center and Storm Drain impact fees as part of building permit fees, thereby reducing any impact associated with this project to a level of less than significance.

**Cumulative Impacts:** Development will increase the residents within the region and therefore increase the demand on existing public services and facilities. The collection of impact fees will assist in funding any additional services and facilities required to adequately meet impacts created by additional development within the City, thereby reducing any impacts to a level of less than significant.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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**Mitigation:** To reduce potential impacts on public facilities to less than significant levels the following mitigation measure is recommended:

61. New residential units in this project will pay the General Facilities impact fee as established by the City per residential unit as part of building permit fees.
62. New residential units in this project will pay the Community Center impact fee as established by the City per residential unit as part of building permit fees.
63. New residential units in this project will pay the Storm Drain impact fee as established by the City per residential unit as part of building permit fees.

#### 14. RECREATION --

##### Thresholds of Significance

A project may be deemed to have a significant effect on Recreation if it increases demand for neighborhood parks, regional parks, open space, or other recreational facilities; or affects existing recreational opportunities.

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

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**Less Than Significant with Mitigation Incorporation:** See response in 13(a) Parks above.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

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**Less Than Significant with Mitigation Incorporation:** See response in 13(a) Parks above. The project does not include the construction on-site public recreation facilities.

#### 15. TRANSPORTATION/TRAFFIC -- Would the project:

##### Thresholds of Significance

A project may be deemed to have a significant effect on Transportation/Traffic if it causes an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system; exceed, either individually or cumulatively, a level of service standard; change in air traffic patterns; hazards due to a design feature or incompatible uses; inadequate emergency access or parking capacity; conflict with adopted policies, plans, or programs supporting alternative transportation.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Less Than Significant with Mitigation Incorporation:** The proposed project will increase traffic on area streets. A traffic impact report and subsequent addendum by Urban Crossroads (May 27, 2005) was conducted for the proposed development. That report indicates that 4,775 daily trip-ends (374 vehicles per hour during the AM peak hour and 504 vehicles per hour during the PM peak hour) will result from the development of 499 single family homes, creating potentially significant impacts in the form of decreased levels of service at various intersections within the City. The study recommends the following conditions to minimize potential impacts associated with the project:

64. The Developer will be required to construct a traffic signal at the intersection of Western Avenue at Pierson Boulevard.
65. The Developer will be required to construct a 150 foot minimum west bound right turn lane (pocket) at Karen Avenue at Pierson Boulevard.
66. The Developer will be required to construct Mission Lakes Boulevard at its ultimate half section width as a major collector from Karen Avenue to the easterly edge of the project in conjunction with the development.
67. The Developer will be required to construct Karen Avenue at its ultimate half-section width as collector (34 foot part width) from Mission Lakes Boulevard to Pierson Boulevard in conjunction with the development.
68. The Developer will be required to construct Western Avenue at its ultimate half-section width as collector (34 foot part width) from the northerly project boundary to Pierson Boulevard in conjunction with the development.
69. The Developer will be required to construct 11<sup>th</sup> Avenue at its ultimate half-section width as a collector (34 foot part width) from Karen Avenue to Western Avenue in conjunction with the development.
70. On-site traffic signing and striping shall be implemented in conjunction with detailed construction plans for the project site.
71. Stop controls shall be provided at the project access points where they intersect with the public roadway system, and do not meet traffic signal warrants.
72. A 150 foot (minimum) southbound left turn pocket shall be provided along Karen Avenue at the intersection of 11<sup>th</sup> Avenue.
73. A 150 foot (minimum) northbound left turn pocket shall be provided along Western Avenue at the intersection of 11<sup>th</sup> Avenue.

**Mitigation:** To reduce potential impacts to the local and regional circulation system to less than significant levels the following mitigation measures are recommended:

**MITIGATION MEASURES:**

74. Prior to issuance of any building permits, the applicant/developer shall pay those fees as required by the Transportation Uniform Mitigation Fee program (TUMF) for the project as applicable to mitigate project impacts at the regional level.
75. Streets proposed on-site shall be fully improved and maintained as private streets and developed in accordance with development standards set forth in the City's Zoning Ordinance and other applicable

- |   | Potentially<br>Significant<br>Impact | Less Than<br>Significant with<br>Mitigation<br>Incorporation | Less Than<br>Significant<br>Impact | No<br>Impact |
|---|--------------------------------------|--|------------------------------------|--------------|
| documents.  |                                      |  |                                    |              |
| 76. Site access locations on Indian Avenue and Pierson Boulevard shall include a single-lane left-turn bay on the abutting arterial street at each access for entering vehicles as well as acceleration and deceleration lanes at both Pierson Boulevard and Indian Avenue. |                                      |  |                                    |              |
| 77. The project design shall provide safe and convenient pathways to facilitate pedestrian and bicycle access to Indian Avenue and Pierson Boulevard.   |                                      |  |                                    |              |
| 78. The developer shall coordinate with SunLine Transit Agency regarding the provision of public transit facilities adjacent to the project site.   |                                      |  |                                    |              |
| 79. New residential units in this project will pay the current adopted Streets Impact Fee per residential unit as part of building permit fees.   |                                      |  |                                    |              |

**Cumulative Impacts:** The impact of development, when taken together with all of the other projects in the region, may have the potential to create a significant adverse impact. The City of Desert Hot Springs has identified several circulation related implementation measures and conditions for development within the planning area. Adherence to these measures and conditions should provide adequate mitigation for this issue.

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**Less Than Significant with Mitigation Incorporation:** See response in 15(a) above.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**No Impact:** See response in 7(e-f) above.

**Cumulative Impacts:** None identified with respect to the proposed project.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**Less Than Significant with Mitigation Incorporation:** See response in 15(a) above.

e) Result in inadequate emergency access?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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**No Impact:** The project will feature fully directional access to Karen Avenue, Western Avenue, Mission Lakes Boulevard, and 11<sup>th</sup> Avenue. It is anticipated that these access points will provide adequate emergency access, and no mitigation has been identified as needed.

**Cumulative Impacts:** None identified with respect to the proposed project.

f) Result in inadequate parking capacity? ☐ ☐ ☐ ☒

**No Impact:** The proposed subdivision is designed to include on-site parking with enclosed garages and driveway on each residential lot, sufficient for single-family dwellings. Therefore, no impact is anticipated relative to insufficient parking capacities. As such, no mitigation has been identified as needed.

**Cumulative Impacts:** None identified with respect to the proposed project.

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? ☐ ☐ ☐ ☒

**No Impact:** The project is designed to have adequate access to major streets that can provide for future alternative modes of transportation (i.e., bike lanes, bus turnouts, etc.). As such, no mitigation has been identified as needed.

**Cumulative Impacts:** None identified with respect to the proposed project.

## 16. UTILITIES AND SERVICE SYSTEMS--

Would the project:

### Thresholds of Significance

A project may be deemed to have a significant effect on Utilities and Service Systems if the project results in a violation of solid waste standards, encourages activities which will utilize large amounts of resources, or expands the capacity and network of service systems to serve new development.

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? ☐ ☐ ☐ ☒

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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**No Impact:** The Mission Springs Water District (MSWD) provides wastewater collection, treatment, and disposal service for the City of Desert Hot Springs and will provide domestic water to the site. MSWD extends service base upon approved designs and improvements constructed by the private developer. The nearest water main is an 8" main located on the north side of Pierson, immediately east of Karen Road. The main, however, is not available as a feed to the project. According to MSWD, one or more wells to produce a min. of 2,000 gpm will be required from the development and a 24" water main to be installed along 10th Avenue will serve the property. Water facilities shall be designed and installed in accordance with the requirements of Mission Springs Water District and the Riverside County Fire Marshall. It is anticipated that the project would have negligible impacts on existing domestic water and wastewater treatment facilities as the existing purveyor can adequately serve the project with exist infrastructure. As such, no mitigation has been identified as needed.

**Cumulative Impacts:** Regional growth in the Coachella Valley will add to the need for infrastructure to provide sewer service. Developers are generally required to contribute toward the cost of this infrastructure, which mitigates this potentially significant impact. As long as all jurisdictions and service purveyors continue to follow standard procedures linking development approvals to the provision of fees for infrastructure, impacts to wastewater systems can be reduced to levels of insignificance. As such, no mitigation has been identified as needed.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

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☐

**Less Than Significant with Mitigation Incorporation:** It is anticipated that the project will not require the construction of any new off-site drainage facilities or the expansion of any off-site facilities. The proposed project will be required to retain 100% of the on-site runoff in a 100-year, 24-hour storm. Upon completion of the project, on-site uses could provide opportunities for urban contaminants and debris to be introduced into surface water runoff during period of heavy rainfall or from irrigation overflow. Pollutant-laden runoff has the potential to significantly impact the water quality downstream from the project site. To mitigate potential water runoff impacts to less than significant levels mitigation measures as provided in Response 8(c) are recommended.

**Cumulative Impacts:** The impact of development, when taken together with all of the other projects in the Coachella Valley, may have the potential to create a significant adverse impact to water quality as a result of urban contaminants. As long as all jurisdictions continue to follow the requirements National Pollutant Discharge Elimination System (NPDES) permit from the Colorado River Basin, Regional Water Quality Control Board (RWQCB) prior to development, impacts to water quality can be reduced to levels of insignificance. As such, no additional mitigation has been identified as needed. See Response in 8(c) above.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

☐
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☐

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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**Less Than Significant with Mitigation Incorporation:** Project implementation will require extending existing water lines to and along the perimeter of the project. Given the limited nature of such improvements it is anticipated that any potential impact would be less than significant. The project will be served by the Mission Springs Water District (MSWD), which has adequate water supply for the region. The main source of potable water in the Coachella Valley is ground water, which is in an overdraft condition. The proposed 499-lot project will have cumulative impact upon quantity of ground water; however it is not anticipated to substantially deplete ground water supply. See Response in 8(b) above.

**Cumulative Impacts:** See Response in 8(b) above.

e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the projects projected demand in addition to the provides existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**No Impact:** See Response in 16(b) above.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**Less Than Significant with Mitigation Incorporation:** Solid waste that is generated in the city that is not otherwise diverted is disposed of in Riverside County landfills. The City of Desert Hot Springs has a franchise agreement with Desert Valley Disposal to provide solid waste disposal services for the city which directs waste to the Edom Hill Recycling and Transfer Station located at 70-100 Varner Road in Cathedral City. The proposed project consists of 499 single-family residential lots for which solid waste collection and recycling services will be required. Impacts would be considered significant if, at buildout of the city, adequate solid waste facilities could not be provided to serve projected city (and regional) development.

During grading and construction of the proposed project, construction and building activities will generate solid waste including construction waste such as wood, metal, concrete, and other building materials. This has the potential to result in a significant short-term impact related to solid waste disposal during construction. To reduce this potential significant impact to a less than significant level the following mitigation measures are recommended:

79. During site preparation and construction, contractors/developers shall comply with the City's adopted "Construction and Demolition Waste Diversion Program" as adopted in Chapter 50 of the Desert Hot Springs Municipal Code.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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**Cumulative Impacts:** Development and a growing population will increase the amount of trash generated within the region. In addition, this will shorten the lifespan of existing landfill facilities and necessitate their expansion, development of alternative waste disposal facilities, or the reduction in the amount of waste generated. The California Integrated Waste Management Act of 1989 (formerly AB939) requires local governments to reduce the amount of solid wastes generated in their jurisdictions and disposed of in a landfill or other means. If all jurisdictions in southern California implement policies and programs to reduce the generation of solid waste, diversion goals can be met and impact to landfill can be reduced. No additional mitigation has been identified as needed.

g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**No Impact:** The City of Desert Hot Springs has a franchise agreement with Desert Valley Disposal to serve the solid waste disposal needs of the City. All solid waste disposal activities are carried out in compliance with all State, Federal and local statutes regulating solid waste.

**Cumulative Impacts:** None identified with respect to the proposed project.

#### 17. MANDATORY FINDINGS OF SIGNIFICANCE --

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**Less Than Significant Impact with Mitigation Incorporation:** Based upon the information provided in this Initial Study, approval and implementation of the proposed project would not be likely to substantially degrade biological, historical, or cultural resources. Recommended mitigation measures are anticipated to reduce any potential impacts due to project implementation to levels below significant (see discussions in 4(a, d) and 5(a-d) above, incorporated by reference herein).

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Potentially  
Significant  
Impact

Less Than  
Significant with  
Mitigation  
Incorporation

Less Than  
Significant  
Impact

No  
Impact

**Less Than Significant Impact with Mitigation Incorporation:** Based upon the information provided within this Initial Study, the proposed project could result in cumulative impacts on aesthetics, light pollution, air quality, seismic event, biological resources, groundwater supplies, storm water drainage, noise, public service, and solid waste disposal. However, recommended mitigation measures would reduce the potential impacts to levels below significant (see discussions in 1(c, d), 3(b, c), 4(a, d), 8(b-e, g), 11(a), 13, 14(a, b), 15 (a, b, d), 16(c, d, f) above, incorporated by reference herein).

c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

☐☒☐☐

**Less Than Significant Impact with Mitigation Incorporation:** Based upon the information provided within this Initial Study, approval and implementation of the proposed project could contribute to environmental effect that could cause adverse effects on humans. However, recommended mitigation measures would reduce the potential impacts to levels below significant (see discussions in 6(ai, aii), 7(a, d), 8(b-e, g), 11(a), 13, 15(a, b, d), 16(c, d, f) above, incorporated by reference herein).

## EXHIBIT A

### Summary of Mitigation Measures for Environmental Assessment No. 05-05

1. Prior to issuance of any building permits the applicant/developer shall submit residential and all common building elevations including residential landscaping plans for Design Review and approval by the Planning Commission.
2. Prior to the issuance of any building permits applicant/developer shall submit landscape plans and project boundary wall design for Design Review and approval by the Planning Commission. Said landscape plans shall include all common areas, parkways and retention basins proposed for the project area.
3. Lot lines between adjacent lots within the subdivision shall be located at the top of graded slope.
4. Development within the project shall comply with the City's adopted outdoor lighting standards as specified in Section 159.20.030 of the Desert Hot Springs Municipal Zoning Code.
5. Lighting plans (architectural, landscape, parking lot, roadway or security) indicating proposed lighting levels and methods to minimize impact on adjacent properties shall be reviewed and approved by the City prior to installation. Modification, alteration, or addition to any approved lighting shall not be undertaken prior to approval by the City.
6. Exterior lighting shall be energy-efficient and shielded or recessed so that direct glare and reflections are contained within the boundaries of the parcel, and shall be directed downward and away from adjoining properties and public right-of-way.
7. During grading and construction activities, the applicant /builder shall comply with the requirements of SCAQMD Rule 403.
8. Replace ground cover in disturbed areas quickly.
9. Use construction equipment with low emission factor and high energy efficiency where possible.
10. Perform regularly scheduled engine maintenance to minimize equipment emissions.
11. Tune engines and reduce equipment idle time.
12. Use lean- No<sub>x</sub> catalyst.
13. Where applicable limit the application of exterior architectural coatings (i.e., paint, etc.) to average no more than 37.5 gallons per day and/or use "Zero-VOC" paint.

#### PM 10:

14. Prior to any demolition, grading, or construction activities the applicant and/or developer shall submit for Engineering Department review and approval a Fugitive Dust (PM10) Mitigation Plan.
15. Reduce traffic speeds on all unpaved road surfaces to 15 miles per hour or less.
16. Suspend all grading operations when wind speed (as instantaneous gusts) exceeds 25 miles per hour.
17. Trucks importing or exporting dirt, soil, or other loose material shall be covered and/or watered down prior to entering public streets to minimize potential fugitive dust.
18. SCAQMD Rule 403 shall be adhered to, insuring the clean up of construction-related dirt on approach routes to the site.
19. Spread soil binders on site, unpaved roads, and parking areas and/or apply AQMD approved chemical soil stabilizers according to manufacturer's specifications to all inactive construction areas (previously graded areas that remain inactive for 96 hours).
20. Prior to issuance of grading permits, a traffic plan to minimize traffic flow interference from construction activities shall be submitted for review and approved by the City Engineer.

#### Energy Conservation:

21. Incorporate energy conservation measures into the design in accordance with energy conservation requirements imposed by the California Energy Commission and Title 24 of the California Administrative Code.
22. Architectural and landscape design plans shall promote, to the maximum extent feasible, design features and strategies to maximize the opportunity for use of solar panels, shading and natural cooling.
23. Prior to the issuance of a grading permit or any land disturbance activity the applicant/developer shall erect a temporary fence along the eastern boundary of the project site to protect resident burrowing owls.
24. Domestic animal should be kept indoors or on leashes at all times. This requirement shall be part of land ownership with the development and incorporated within projects CC&R's, and HOA rules and regulations.

25. The project site can be surrounded by a series of fences reduce the ability of domestic cats to escape the project site. Such fencing may include a six-foot-high block wall as well as chain-link fence (or similar material) of equal height placed twelve inches away from the block wall. Alternative wall/fence designs maybe considered but must be reviewed and approved by the project Ecological Consultant prior to submittal to the City for building permit issuance.
26. The project proponent shall make available to all employees, residents and visitors, an educational brochure that describes the sensitive nature of indigenous plants, animal and ecosystems. A copy of said educational brochure shall be submitted to the City for approval prior to issuance of any building permits.
27. The landscape plan for the proposed development (including common areas, retention basins, street parkways and the residential landscape palette) shall to utilize native plant species. In those areas where nonnative landscaping is to be utilized (i.e., turf, etc.) said plans shall be reviewed and approved by the project Ecological Consultant to insure that invasive species are not used or methods to control such species are employed.
28. Outdoor project lighting shall be as minimal as possible and always directed at the ground.
29. That an approved Tribal Cultural Resource Monitor(s) be present during any survey and/or any ground disturbing activities. Should buried cultural deposits be encountered, the Monitor may request that destructive construction halt and the Monitor shall notify a Qualified (Secretary of the Interior's Standards and Guidelines) Archaeologist to investigate and, if necessary, prepare a mitigation plan for submission to the State Historic Preservation Officer and the Agua Caliente Band of Cahuilla Indians Tribal Historic Preservation Office (THPO) and the Morongo Band of Mission Indian (MBMI)<sup>1</sup>.  
<sup>1</sup>= added at the request of the MBMI
30. Periodic monitoring of earth-moving activities for paleontological resources shall be required if grading exceeds ten feed in depth or grading has encountered older, Pleistocene-age alluvial sediments. If older, potentially fossiliferous alluvial sediments are encountered, then continuous monitoring for paleontological resources shall be required, along with a program to mitigate impacts top the resources that are unearthed. The program should be developed in accordance with the provisions of CEQA as well as with regulation currently implemented by the County of Riverside and the proposed guidelines of the Society of Vertebrate Paleontology, and should include but not be limited to the following:
  - a. The excavation of areas identified as likely to contain paleontologic resources should be monitored by a qualified paleontological monitor. The monitor should be prepared to quickly salvage fossils as they are unearthed to avoid construction delays. The monitor should also remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The monitor must have the power to temporarily halt or divert grading equipment to allow for removal of abundant or large specimens.
  - b. Collected samples of sediments should be washed to recover small invertebrate and vertebrate fossils. Recovered specimens should be prepared so that they can be identified and permanently preserved.
  - c. Specimens should be identified, curated, and placed into a repository with permanent retrievable storage.
  - d. A report of findings, including an itemized inventory of recovered specimens, shall be prepared upon completion for the steps outlined above. The report should include a discussion of the significance of all recovered specimens. The report and inventory, when submitted to the City of Desert Hot Springs, would signify completion of the program to mitigate impacts to paleontologic resources.
31. In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken:
  1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
    - i. The Riverside County Coroner must be contacted to determine that no investigation of the cause of death is required, and
    - ii. If the coroner determines the remains to be native American:
      1. The coroner shall contact the Native American Heritage Commission within 24 hours.
      2. The Native American Heritage Commission shall identify the person or

persons it believes to be the most likely descended from the deceased Native American.

3. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or
2. Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave good with appropriate dignity on the property in a location not subject to further subsurface disturbance:
  - i. The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.
  - ii. The descendant identified fails to make a recommendation; or
  - iii. the landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.
32. Construction of all residential units will be required to meet at a minimum the California Uniform Building Code design and construction standards for a Seismic Zone 4.
33. Prior to any land disturbance activities samples of the roofing material shall be collected and tested for asbestos. If the shingles are found to contain asbestos, the roofing debris shall be removed and disposed of appropriately by a licensed asbestos-removal contractor.
34. If reclaimed water is available, prior to the issuance of grading plan approval the applicant shall work with MSWD to ensure that tertiary treated reclaimed water is used for irrigation on green belt common area. The lines using the reclaimed water shall be adequately marked and separated from potable water supplies. Signage shall be provided to warn the public of the use of reclaimed water for irrigation purposes.
35. Detailed water system improvement plans shall be reviewed and approved by MSWD prior to the issuance of any building permits and/or any phase of development approved by the City. Improvements identified in the plans shall be paid for by the applicant and shall be in place prior to building permit issuance unless approval has been obtained from the Fire Marshall, Planning Director, and MSWD.
36. Prior to occupancy permit issuance the project applicant shall install water conserving fixtures and appliances including showerheads, toilets, faucets, washing machines and dishwashers.
37. Prior to occupancy permit issuance the applicant shall install water conserving landscaping material and irrigation systems in all common landscape area for the applicable phase of construction. Irrigation systems shall utilize moisture and zone plants by water demand.
38. Any lakes/ponds on the site shall be designed with appropriate liners so that they retain water during normal operation but allow excess water from runoff during major storms to percolate into the ground.
39. Front and side yard building setback areas shall utilize arid landscaping reflective of the desert environment (e.g., low-water plants, rock or cactus gardens with no turf) and employ the use of water efficient irrigation systems.
40. The detailed landscape improvement plans for the project shall be reviewed and approved by MSWD prior to the issuance of any building permits and/or any phase of development approved by the City. The cost of the landscape plan review will be the responsibility of the project applicant.
41. Prior to issuance of any grading permit a hydrology study, drainage plan, and erosion control plan shall be completed for review and approval by the City Engineer. Recommendations based on the findings of this report shall become conditions of project approval.
42. A detailed drainage plan for the proposed development with hydrology and hydraulic calculations and demonstrating control and detention of 100-year frequency storm flows on-site shall be submitted to the City Engineer for review and approval prior to the issuance of permits.
  - Floodwaters shall be directed into on-site retention basins and away from residential property. Basins are required to have enough capacity to prevent spillover and flooding according to design storm modeling.
43. Because the site is greater than 5 acres in size, the project applicant is required to file for a National Pollutant Discharge Elimination System (NPDES) permit from the Colorado River Basin, Regional Water Quality Control Board (RWQCB) prior to development. A Notice of Intent (NOI), Storm Water Pollution Prevention Plan (SWPPP), and Monitoring Plan are requirements of the NPDES permit. The



SWPPP shall include Best Management Practices (BMPs) in compliance with the NPDES program requirements.

44. Prior to issuance of any grading permits, the project applicant/developer shall submit evidence to the satisfaction of the City Engineer that all necessary permits, agreements, and approvals have been received from appropriate agencies (i.e., RWQCB, MSWD, CVWD, etc.) related to water quality and nuisance water impacts.
45. With the Final Map for Phase I of the development, that area located within the AO Zone, shall be deed restricted as natural open space area. No development shall be allowed within this area except for necessary flood control features or roadway improvements as deemed necessary by the City Engineer. An Assessment District, Homeowner's Association (HOA), or other responsible entity shall be established to assure the perpetual maintenance of this area prior to the issuance of the first Certificate of Occupancy (first Building Final) for a residential structure.
46. Residential construction plans shall provide a "windows closed" condition requiring a means of mechanical ventilation for all homes facing Mission Lakes Boulevard.
47. To minimize the potential interior noise impacts, residential construction plans for homes facing Mission Lakes Boulevard should be provided with weather-stripped solid cored exterior door and exterior all/roof assemblies should be free of cut outs and openings.
48. All construction activity, including the repair and maintenance of construction equipment, on the project site shall comply with Section 130.03 of the City of Desert Hot Springs Municipal Code.
49. Noise-generating construction equipment operated on the project site shall be equipped with effective noise control devices, i.e., mufflers, lagging, and/or motor enclosures.
50. All equipment shall be properly maintained to assure that no unnecessary noise, due to worn or improperly maintained parts, will be generated.
51. Truck deliveries and haul-offs shall only be permitted between the hours of 7:00 A.M. and 5:00 P.M. weekdays and 8:00 A.M. and 5:00 P.M. Saturdays. The haul routes shall be approved by the City Engineer.
52. Construction equipment shall be stored on the project site to eliminate heavy-duty equipment truck trips.
53. Project site perimeter walls shall be constructed of materials of sufficient density (i.e. decorative block) and height to mitigate potential noise impacts associated with off-site traffic noise.
54. Project site homes shall comply with the minimum sound proofing requirements applicable per the Uniform Building Code and the California Administrative Code.
55. Best efforts should be made to located stockpiling and/or vehicle staging areas as far as practical from any existing residential dwellings. The intent is to locate construction noise activity in areas that will impact the fewest homes.
56. The Analysis also recommends that a final noise study should be prepared prior to obtaining building permits for the project. This report would finalize the exterior and interior noise requirements based upon precise grading plans and actual building design specifications (page 1-3).
57. New residential units in this project will pay the Fire Facilities impact fees as established by the City per residential unit as part of building permit fees.
58. New residential units in this project will pay the Police Facilities impact fee as established by the City per residential unit as part of building permit fees.
59. Prior to the recordation of the final map, the applicant/developer shall pay the "in lieu" Quimby Park fees of \$1,541.00 as part of building permit fees.
60. New residential units in this project will pay the Aquatic Center impact fee as established by the City per residential unit as part of building permit fees.
61. New residential units in this project will pay the General Facilities impact fee as established by the City per residential unit as part of building permit fees.
62. New residential units in this project will pay the Community Center impact fee as established by the City per residential unit as part of building permit fees.
63. New residential units in this project will pay the Storm Drain impact fee as established by the City per residential unit as part of building permit fees.
64. The Developer will be required to construct a traffic signal at the intersection of Western Avenue at Pierson Boulevard.

65. The Developer will be required to construct a 150 foot minimum west bound right turn lane (pocket) at Karen Avenue at Pierson Boulevard.
66. The Developer will be required to construct Mission Lades Boulevard at its ultimate half section width as a major collector from Karen Avenue to the easterly edge of the project in conjunction with the development.
67. The Developer will be required to construct Karen Avenue at its ultimate half-section width as collector (34 foot part width) from Mission Lakes Boulevard to Pierson Boulevard in conjunction with the development.
68. The Developer will be required to construct Western Avenue at its ultimate half-section width as collector (34 foot part width) from the northerly project boundary to Pierson Boulevard in conjunction with the development.
69. The Developer will be required to construct 11<sup>th</sup> Avenue at its ultimate half-section width as a collector (34 foot part width) from Karen Avenue to Western Avenue in conjunction with the development.
70. On-site traffic signing and striping shall be implemented in conjunction with detailed construction plans for the project site.
71. Stop controls shall be provided at the project access points where they intersect with the public roadway system, and do not meet traffic signal warrants.
72. A 150 foot (minimum) southbound left turn pocket shall be provided along Karen Avenue at the intersection of 11<sup>th</sup> Avenue.
73. A 150 foot (minimum) northbound left turn pocket shall be provided along Western Avenue at the intersection of 11<sup>th</sup> Avenue.
74. Prior to issuance of any building permits, the applicant/developer shall pay those fees as required by the Transportation Uniform Mitigation Fee program (TUMF) for the project as applicable to mitigate project impacts at the regional level.
75. Streets proposed on-site shall be fully improved and maintained as private streets and developed in accordance with development standards set forth in the City's Zoning Ordinance and other applicable documents.
76. Site access locations on Indian Avenue and Pierson Boulevard shall include a single-lane left-turn bay on the abutting arterial street at each access for entering vehicles as well as acceleration and deceleration lanes at both Pierson Boulevard and Indian Avenue.
77. The project design shall provide safe and convenient pathways to facilitate pedestrian and bicycle access to Indian Avenue and Pierson Boulevard.
78. The developer shall coordinate with SunLine Transit Agency regarding the provision of public transit facilities adjacent to the project site.
79. New residential units in this project will pay the current adopted Streets Impact Fee per residential unit as part of building permit fees.
80. During site preparation and construction, contractors/developers shall comply with the City's adopted "Construction and Demolition Waste Diversion Program" as adopted in Chapter 50 of the Desert Hot Springs Municipal Code.

## **Exhibit E**

**Mitigation Monitoring Program  
For  
TTM No. 33746 and TPM No. 33754**

# **Exhibit E**

**Mitigation Monitoring Program  
For  
TTM No. 33746 and TPM No. 33754**

# Mitigation Monitoring Checklist

**Project: Sunset Ridge Specific Plan  
TTM No. 33764 & TPM No. 33754**

**Date: February 14, 2006**

The following Abbreviation are used in this document:

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:
	A-Prior to Final Map	A- Insure Plans Reflect Mitigation Measure	1-With hold Final Map issuance
	B- Prior to issuance of Grading permits	B- Other Agency Permit/Approval	2-With hold Grading or Building Permit
BO- Building Official	C-Prior to Issuance of Building Permit	C-Separate Submittal (Reports/Studies/Plans)	3-With hold Certificate of Occupancy
CA-City Attorney	D-Throughout Construction	D-Payment of Fees	4-Stop Work Order
CE-City Engineer	E-Prior to approval of Landscape Plans	E-Contractor Compliance	5-
GM-City Manager	F-On-going	F-Improvement Completion	
FD-Fire Department	G Prior to Occupancy	G-Site Inspection	
PD-Planning Director or Designee			

1. Prior to issuance of any building permits the applicant/developer shall submit residential and all common building elevations including residential landscaping plans for Design Review and approval by the Planning Commission.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
PD	C	A	2	

2. Prior to the issuance of any building permits applicant/developer shall submit landscape plans and project boundary wall design for Design Review and approval by the Planning Commission. Said landscape plans shall include all common areas, parkways and retention basins proposed for the project area.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
PD	C	A	2	

3. Lot lines between adjacent lots within the subdivision shall be located at the top of graded slope.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
PD	A	A	1	

4. Development within the project shall comply with the City's adopted outdoor lighting standards as specified in Section 159.20.030 of the Desert Hot Springs Municipal Zoning Code.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
PD	C	A	1, 4	

5. Lighting plans (architectural, landscape, parking lot, roadway or security) indicating proposed lighting levels and methods to minimize impact on adjacent properties shall be reviewed and approved by the City prior to installation. Modification, alteration, or addition to any approved lighting shall not be undertaken prior to approval by the City.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
PD	C	A	2	

6. Exterior lighting shall be energy-efficient and shielded or recessed so that direct glare and reflections are contained within the boundaries of the parcel, and shall be directed downward and away from adjoining properties and public right-of-way.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
PD	C	A	2,	

7. During grading and construction activities, the applicant /builder shall comply with the requirements of SCAQMD Rule 403.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE	D	A	4	

8. Replace ground cover in disturbed areas quickly.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE, PD	D	A, G	4	

9. Use construction equipment with low emission factor and high energy efficiency where possible.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE	D	C	4	

10. Perform regularly scheduled engine maintenance to minimize equipment emissions.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE	D	C	4	

## 11. Tune engines and reduce equipment idle time.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE	D	C	4	

12. Use lean- No<sub>x</sub> catalyst.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE	D	C	4	

## 13. Where applicable limit the application of exterior architectural coatings (i.e., paint, etc.) to average no more than 37.5 gallons per day and/or use "Zero-VOC" paint.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE, BO	D	A	2, 4	

## PM 10:

## 14. Prior to any demolition, grading, or construction activities the applicant and/or developer shall submit for Engineering Department review and approval a Fugitive Dust (PM10) Mitigation Plan.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE		A, G	2, 4	

## 15. Reduce traffic speeds on all unpaved road surfaces to 15 miles per hour or less.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE	D	A, G	2, 4	

## 16. Suspend all grading operations when wind speed (as instantaneous gusts) exceeds 25 miles per hour.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE			2, 4	

## 17. Trucks importing or exporting dirt, soil, or other loose material shall be covered and/or watered down prior to entering public streets to minimize potential fugitive dust.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE	D	A, G	2, 4	

## 18. SCAQMD Rule 403 shall be adhered to, insuring the clean up of construction-related dirt on approach routes to the site.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE	D	A, G	2, 4	

## 19. Spread soil binders on site, unpaved roads, and parking areas and/or apply AQMD approved chemical soil stabilizers according to manufacturer's specifications to all inactive construction areas (previously graded areas that remain inactive for 96 hours).

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE	B	A, G	2, 4	

## 20. Prior to issuance of grading permits, a traffic plan to minimize traffic flow interference from construction activities shall be submitted for review and approved by the City Engineer.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE	B	A	2	

## Energy Conservation:

21. Incorporate energy conservation measures into the design in accordance with energy conservation requirements imposed by the California Energy Commission and Title 24 of the California Administrative Code.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
BO	C	A	2	

22. Architectural and landscape design plans shall promote, to the maximum extent feasible, design features and strategies to maximize the opportunity for use of solar panels, shading and natural cooling.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
PD	C	A	2	

23. Prior to the issuance of a grading permit or any land disturbance activity the applicant/developer shall erect a temporary fence along the eastern boundary of the project site to protect resident burrowing owls.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE, PD	B	A	2, 4	

24. Domestic animal should be kept indoors or on leashes at all times. This requirement shall be part of land ownership with the development and incorporated within projects CC&R's, and HOA rules and regulations.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
PD	F, C	A, C	2, 5	

25. The project site can be surrounded by a series of fences reduce the ability of domestic cats to escape the project site. Such fencing may include a six-foot-high block wall as well as chain-link fence (or similar material) of equal height placed twelve inches away from the block wall. Alternative wall/fence designs maybe considered but must be reviewed and approved by the project Ecological Consultant prior to submittal to the City for building permit issuance.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
PD	B	A, C	2, 4	

26. The project proponent shall make available to all employees, residents and visitors, an educational brochure that describes the sensitive nature of indigenous plants, animal and ecosystems. A copy of said educational brochure shall be submitted to the City for approval prior to issuance of any building permits.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
PD	C	A, C	2	

27. The landscape plan for the proposed development (including common areas, retention basins, street parkways and the residential landscape palette) shall to utilize native plant species. In those areas where nonnative landscaping is to be utilized (i.e., turf, etc.) said plans shall be reviewed and approved by the project Ecological Consultant to insure that invasive species are not used or methods to control such species are employed.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
PD	E	A	2, 3	

28. Outdoor project lighting shall be as minimal as possible and always directed at the ground.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
PD	C	A	2, 4	



29. That an approved Tribal Cultural Resource Monitor(s) be present during any survey and/or any ground disturbing activities. Should buried cultural deposits be encountered, the Monitor may request that destructive construction halt and the Monitor shall notify a Qualified (Secretary of the Interior's Standards and Guidelines) Archaeologist to investigate and, if necessary, prepare a mitigation plan for submission to the State Historic Preservation Officer and the Agua Caliente Band of Cahuilla Indians Tribal Historic Preservation Office (THPO) and the Morongo Band of Mission Indian (MBMI)<sup>1</sup>.

<sup>1</sup>= added at the request of the MBMI

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
PD	B	C	2, 4	

30. Periodic monitoring of earth-moving activities for paleontological resources shall be required if grading exceeds ten feet in depth or grading has encountered older, Pleistocene-age alluvial sediments. If older, potentially fossiliferous alluvial sediments are encountered, then continuous monitoring for paleontological resources shall be required, along with a program to mitigate impacts to the resources that are unearthed. The program should be developed in accordance with the provisions of CEQA as well as with regulation currently implemented by the County of Riverside and the proposed guidelines of the Society of Vertebrate Paleontology, and should include but not be limited to the following:

- a. The excavation of areas identified as likely to contain paleontologic resources should be monitored by a qualified paleontological monitor. The monitor should be prepared to quickly salvage fossils as they are unearthed to avoid construction delays. The monitor should also remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The monitor must have the power to temporarily halt or divert grading equipment to allow for removal of abundant or large specimens.
- b. Collected samples of sediments should be washed to recover small invertebrate and vertebrate fossils. Recovered specimens should be prepared so that they can be identified and permanently preserved.
- c. Specimens should be identified, curated, and placed into a repository with permanent retrievable storage.
- d. A report of findings, including an itemized inventory of recovered specimens, shall be prepared upon completion for the steps outlined above. The report should include a discussion of the significance of all recovered specimens. The report and inventory, when submitted to the City of Desert Hot Springs, would signify completion of the program to mitigate impacts to paleontologic resources.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
PD	D	C	3, 4	

31. In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken:
1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
    - i. The Riverside County Coroner must be contacted to determine that no investigation of the cause of death is required, and
    - ii. If the coroner determines the remains to be native American:
      1. The coroner shall contact the Native American Heritage Commission within 24 hours.
      2. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.
      3. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or
  2. Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave good with appropriate

dignity on the property in a location not subject to further subsurface disturbance:

- i. The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.
- ii. The descendant identified fails to make a recommendation; or
- iii. the landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
PD	D	C	4, 5	

32. Construction of all residential units will be required to meet at a minimum the California Uniform Building Code design and construction standards for a Seismic Zone 4.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
BO	C	A	2	

33. Prior to any land disturbance activities samples of the roofing material shall be collected and tested for asbestos. If the shingles are found to contain asbestos, the roofing debris shall be remove and disposed of appropriately by a licensed asbestos-removal contractor.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
BO, PD	C	A, C	2, 4, 5	

34. If reclaimed water is available, prior to the issuance of grading plan approval the applicant shall work with MSWD to ensure that tertiary treated reclaimed water is used for irrigation on green belt common area. The lines using the reclaimed water shall be adequately marked and separated from potable water supplies. Signage shall be provided to warn the public of the use of reclaimed water for irrigation purposes.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
PD	B	A	2	

35. Detailed water system improvement plans shall be reviewed and approved by MSWD prior to the issuance of any building permits and/or any phase of development approved by the City. Improvements identified in the plans shall be paid for by the applicant and shall be in place prior to building permit issuance unless approval has been obtained from the Fire Marshall, Planning Director, and MSWD.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE	C	A, B	2	

36. Prior to occupancy permit issuance the project applicant shall install water conserving fixtures and appliances including showerheads, toilets, faucets, washing machines and dishwashers.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
BO	C	A, B	2, 3	

37. Prior to occupancy permit issuance the applicant shall install water conserving landscaping material and irrigation systems in all common landscape area for the applicable phase of construction. Irrigation systems shall utilize moisture and zone plants by water demand.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE, PD	C	A, B	2, 3	

38. Any lakes/ponds on the site shall be designed with appropriate liners so that they retain water during normal operation but allow excess water from runoff during major storms to percolate into the ground.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
PD, BO	C	A	2	

39. Front and side yard building setback areas shall utilize arid landscaping reflective of the desert environment (e.g., low-water plants, rock or cactus gardens with no turf) and employ the use of water efficient irrigation systems.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
PD	C	A, B	2	

40. The detailed landscape improvement plans for the project shall be reviewed and approved by MSWD prior to the issuance of any building permits and/or any phase of development approved by the City. The cost of the landscape plan review will be the responsibility of the project applicant.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
PD	C	A	2	

41. Prior to issuance of any grading permit a hydrology study, drainage plan, and erosion control plan shall be completed for review and approval by the City Engineer. Recommendations based on the findings of this report shall become conditions of project approval.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE	B	A	2	

42. A detailed drainage plan for the proposed development with hydrology and hydraulic calculations and demonstrating control and detention of 100-year frequency storm flows on-site shall be submitted to the City Engineer for review and approval prior to the issuance of permits.

- Floodwaters shall be directed into on-site retention basins and away from residential property. Basins are required to have enough capacity to prevent spillover and flooding according to design storm modeling.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE	B	A	2	

43. Because the site is greater than 5 acres in size, the project applicant is required to file for a National Pollutant Discharge Elimination System (NPDES) permit from the Colorado River Basin, Regional Water Quality Control Board (RWQCB) prior to development. A Notice of Intent (NOI), Storm Water Pollution Prevention Plan (SWPPP), and Monitoring Plan are requirements of the NPDES permit. The SWPPP shall include Best Management Practices (BMPs) in compliance with the NPDES program requirements.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE	B	A	2	

44. Prior to issuance of any grading permits, the project applicant/developer shall submit evidence to the satisfaction of the City Engineer that all necessary permits, agreements, and approvals have been received from appropriate agencies (i.e., RWQCB, MSWD, CVWD, etc.) related to water quality and nuisance water impacts.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE	B	A	2	

45. With the Final Map for Phase I of the development, that area located within the AO Zone, shall be deed restricted as natural open space area. No development shall be allowed within this area except for necessary flood control features or roadway improvements as deemed necessary by the City Engineer. An Assessment District, Homeowner's Association (HOA), or other responsible entity shall be established to assure the perpetual maintenance of this area prior to the issuance of the first Certificate of Occupancy (first Building Final) for a residential structure.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE, PD	A	A, C	1	

46. Residential construction plans shall provide a "windows closed" condition requiring a means of mechanical ventilation for all homes facing Mission Lakes Boulevard.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
BO	C	A, C	2	

47. To minimize the potential interior noise impacts, residential construction plans for homes facing Mission Lakes Boulevard should be provided with weather-stripped solid cored exterior door and exterior all/roof assembles should be free of cut outs and openings.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
BO	C	A, C	2	

48. All construction activity, including the repair and maintenance of construction equipment, on the project site shall comply with Section 130.03 of the City of Desert Hot Springs Municipal Code.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE	B, D	A, G	2, 4, 5	

49. Noise-generating construction equipment operated on the project site shall be equipped with effective noise control devices, i.e., mufflers, lagging, and/or motor enclosures.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE	B, D	A, G	2, 4, 5	

50. All equipment shall be properly maintained to assure that no unnecessary noise, due to worn or improperly maintained parts, will be generated.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE	B, D	A, G	2, 4, 5	

51. Truck deliveries and haul-offs shall only be permitted between the hours of 7:00 A.M. and 5:00 P.M. weekdays and 8:00 A.M. and 5:00 P.M. Saturdays. The haul routes shall be approved by the City Engineer.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
PD	F	A, G	2, 4, 5	

52. Construction equipment shall be stored on the project site to eliminate heavy-duty equipment truck trips.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE	D	A, G	2, 4, 5	

53. Project site perimeter walls shall be constructed of materials of sufficient density (i.e. decorative block) and height to mitigate potential noise impacts associated with off-site traffic noise.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
PD	C	A, C	2	

54. Project site homes shall comply with the minimum sound proofing requirements applicable per the Uniform Building Code and the California Administrative Code.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
BO	C	A, C	2	

55. Best efforts should be made to located stockpiling and/or vehicle staging areas as far as practical from any existing residential dwellings. The intent is to locate construction noise activity in areas that will impact the fewest homes.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE	B	A	2	

56. The Analysis also recommends that a final noise study should be prepared prior to obtaining building permits for the project. This report would finalize the exterior and interior noise requirements based upon precise grading plans and actual building design specifications (page 1-3).

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
PD	C	C, A	2	

57. New residential units in this project will pay the Fire Facilities impact fees as established by the City per residential unit as part of building permit fees.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
BO	C	D	2	

58. New residential units in this project will pay the Police Facilities impact fee as established by the City per residential unit as part of building permit fees.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
BO	C	D	2	

59. Prior to the recordation of the final map, the applicant/developer shall pay the "in lieu" Quimby Park fees of \$1,541.00 as part of building permit fees.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
BO	C	D	2	

60. New residential units in this project will pay the Aquatic Center impact fee as established by the City per residential unit as part of building permit fees.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
BO	C	D	2	

61. New residential units in this project will pay the General Facilities impact fee as established by the City per residential unit as part of building permit fees.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
BO	C	D	2	

62. New residential units in this project will pay the Community Center impact fee as established by the City per residential unit as part of building permit fees.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
BO	C	D	2	

63. New residential units in this project will pay the Storm Drain impact fee as established by the City per residential unit as part of building permit fees.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
BO	C	D	2	

64. The Developer will be required to construct a traffic signal at the intersection of Western Avenue at Pierson Boulevard.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE	A	A	1	

65. The Developer will be required to construct a 150 foot minimum west bound right turn lane (pocket) at Karen Avenue at Pierson Boulevard.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE	A	A	1	

66. The Developer will be required to construct Mission Lades Boulevard at its ultimate half section width as a major collector from Karen Avenue to the easterly edge of the project in conjunction with the development.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE	A	A	1	

67. The Developer will be required to construct Karen Avenue at its ultimate half-section width as collector (34 foot part width) from Mission Lakes Boulevard to Pierson Boulevard in conjunction with the development.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE	A	A	1	

68. The Developer will be required to construct Western Avenue at its ultimate half-section width as collector (34 foot part width) from the northerly project boundary to Pierson Boulevard in conjunction with the development.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE	A	A	1	

69. The Developer will be required to construct 11<sup>th</sup> Avenue at its ultimate half-section width as a collector (34 foot part width) from Karen Avenue to Western Avenue in conjunction with the development.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE	A	A	1	

70. On-site traffic signing and striping shall be implemented in conjunction with detailed construction plans for the project site.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE	A	A	1	

71. Stop controls shall be provided at the project access points where they intersect with the public roadway system, and do not meet traffic signal warrants.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE	A	A	1	

72. A 150 foot (minimum) southbound left turn pocket shall be provided along Karen Avenue at the intersection of 11<sup>th</sup> Avenue.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE	A	A	1	

73. A 150 foot (minimum) northbound left turn pocket shall be provided along Western Avenue at the intersection of 11<sup>th</sup> Avenue.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE	A	A	1	

74. Prior to issuance of any building permits, the applicant/developer shall pay those fees as required by the Transportation Uniform Mitigation Fee program (TUMF) for the project as applicable to mitigate

project impacts at the regional level.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
BO	C	A	2	

75. Streets proposed on-site shall be fully improved and maintained as private streets and developed in accordance with development standards set forth in the City's Zoning Ordinance and other applicable documents.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE	A	A	1	

76. Site access locations on Indian Avenue and Pierson Boulevard shall include a single-lane left-turn bay on the abutting arterial street at each access for entering vehicles as well as acceleration and deceleration lanes at both Pierson Boulevard and Indian Avenue.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE	A	A	1	

77. The project design shall provide safe and convenient pathways to facilitate pedestrian and bicycle access to Indian Avenue and Pierson Boulevard.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
PD, CE	A	A	1	

78. The developer shall coordinate with SunLine Transit Agency regarding the provision of public transit facilities adjacent to the project site.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE	A	A	1	

79. New residential units in this project will pay the current adopted Streets Impact Fee per residential unit as part of building permit fees.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
BO	C	A	2	

80. During site preparation and construction, contractors/developers shall comply with the City's adopted "Construction and Demolition Waste Diversion Program" as adopted in Chapter 50 of the Desert Hot Springs Municipal Code.

Responsible Person:	Timing of Verification:	Method of Verification:	Sanctions:	Verified Date/Initials:
CE	B	D	2	

## **Exhibit F**

**TTM No. 33746 and TPM No. 33754**



## **Exhibit F**

**TTM No. 33746 and TPM No. 33754**

[illegible]

711-601000	117V EXHAUST OVERHEAD	147
711-601001	117V EXHAUST UNDER	148
711-601002	117V EXHAUST UNDER	149
711-601003	117V EXHAUST UNDER	150
711-601004	117V EXHAUST UNDER	151
711-601005	117V EXHAUST UNDER	152
711-601006	117V EXHAUST UNDER	153
711-601007	117V EXHAUST UNDER	154
711-601008	117V EXHAUST UNDER	155
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711-601015	117V EXHAUST UNDER	162
711-601016	117V EXHAUST UNDER	163
711-601017	117V EXHAUST UNDER	164
711-601018	117V EXHAUST UNDER	165
711-601019	117V EXHAUST UNDER	166
711-601020	117V EXHAUST UNDER	167
711-601021	117V EXHAUST UNDER	168
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711-601087	117V EXHAUST UNDER	234
711-601088	117V EXHAUST UNDER	235

TEST #	SECTION/ITEM	ALL CORRECT	PERCENT CORRECT
1	1. $2 \times 10^3$	100	100.00
2	2. $3 \times 10^4$	100	100.00
3	3. $4 \times 10^5$	100	100.00
4	4. $5 \times 10^6$	100	100.00
5	5. $6 \times 10^7$	100	100.00
6	6. $7 \times 10^8$	100	100.00
7	7. $8 \times 10^9$	100	100.00
8	8. $9 \times 10^{10}$	100	100.00
9	9. $1 \times 10^{11}$	100	100.00
10	10. $2 \times 10^{12}$	100	100.00
11	11. $3 \times 10^{13}$	100	100.00
12	12. $4 \times 10^{14}$	100	100.00
13	13. $5 \times 10^{15}$	100	100.00
14	14. $6 \times 10^{16}$	100	100.00
15	15. $7 \times 10^{17}$	100	100.00
16	16. $8 \times 10^{18}$	100	100.00
17	17. $9 \times 10^{19}$	100	100.00
18	18. $1 \times 10^{20}$	100	100.00
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20	20. $3 \times 10^{22}$	100	100.00
21	21. $4 \times 10^{23}$	100	100.00
22	22. $5 \times 10^{24}$	100	100.00
23	23. $6 \times 10^{25}$	100	100.00
24	24. $7 \times 10^{26}$	100	100.00
25	25. $8 \times 10^{27}$	100	100.00
26	26. $9 \times 10^{28}$	100	100.00
27	27. $1 \times 10^{29}$	100	100.00
28	28. $2 \times 10^{30}$	100	100.00
29	29. $3 \times 10^{31}$	100	100.00
30	30. $4 \times 10^{32}$	100	100.00
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32	32. $6 \times 10^{34}$	100	100.00
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54	54. $1 \times 10^{56}$	100	100.00
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56	56. $3 \times 10^{58}$	100	100.00
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58	58. $5 \times 10^{60}$	100	100.00
59	59. $6 \times 10^{61}$	100	100.00
60	60. $7 \times 10^{62}$	100	100.00
61	61. $8 \times 10^{63}$	100	100.00
62	62. $9 \times 10^{64}$	100	100.00
63	63. $1 \times 10^{65}$	100	100.00
64	64. $2 \times 10^{66}$	100	100.00
65	65. $3 \times 10^{67}$	100	100.00
66	66. $4 \times 10^{68}$	100	100.00
67	67. $5 \times 10^{69}$	100	100.00
68	68. $6 \times 10^{70}$	100	100.00
69	69. $7 \times 10^{71}$	100	100.0

The map shows a rectangular plot of land labeled 'SITE'. To the right of the site is a 'PARKWAY' and below it is a 'STREET'. A north arrow is located in the upper right corner, and a scale bar indicating 0 to 100 feet is positioned below the north arrow.

ASSESSOR'S PARCEL NUMBER

Went back to meeting and in discussion many of the good members mentioned that they had been thinking of going to the 1964 World Youth Conference in London. I said that I would be glad to go with them and that I would be glad to go with them. I said that I would be glad to go with them and that I would be glad to go with them.

12/23/2008 10:11 AM

DATE	2072-1	THURSDAY 10/1
P. H.	143.2 45.8	ELDT 74/2
WINDS	AREA	INTERNAL
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**PREPARED FOR**  
SILVER OAKS, DHS, LLC  
2901 HILLSIDE TERRACE  
SAN JUAN CAPISTRANO, CA 92675  
Phone: (949) 883-0030  
Fax: (949) 863-0032

**CITY OF DORSET HOT SPRINGS**

17

This image shows a page from a handwritten manuscript in the Sogdian script. The text is written in a cursive, stylized script, characteristic of the Sogdian language. The page contains several lines of text, arranged in horizontal rows. The manuscript is on aged, slightly discolored paper, and the text is written in dark ink. The overall appearance is that of an ancient or medieval document.

A sample of a handwritten document on lined paper, showing several lines of text written in cursive script. The text is somewhat illegible due to the handwriting and the quality of the scan.

[illegible]

**THE UNIVERSITY OF CHICAGO**

Priority  
P02

THE EIGHT JUNE OF LAST YEAR, BEING THE  
FIFTY-THIRD ANNIVERSARY OF THE DEATH OF  
MR. JOHN RUSSELL, A MEMBER OF THE HOUSE OF COMMONS,  
AND A DISTINGUISHED STATESMAN AND WRITER.

[illegible]

Year	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100
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ENTERTAINMENT WEEKLY  
/PUBLISHING JOURNAL AND ARCHIVES/ EDITION

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*S. H. K. Summary* \_\_\_\_\_ *on*  $(-1) = 0.6$

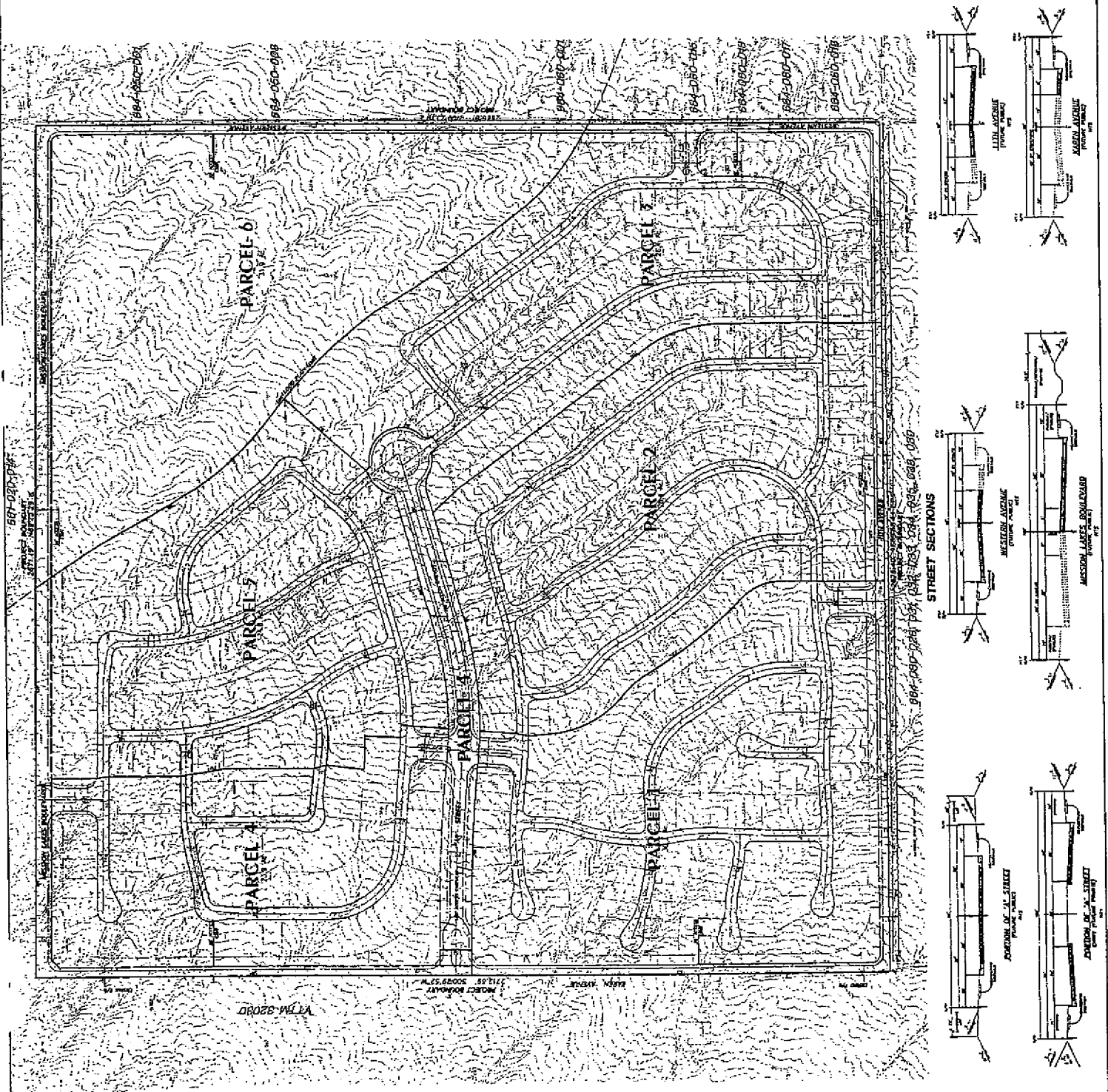
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DATE 11/27/09  
 W.D. 3072-1  
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 COMMENTS INITIAL

**SILVER OAKS, DMS, LLC**  
23801 HILLSIDE TERRACE  
SAN JUAN CAPISTRANO, CA 92675  
Phone: (949) 813-0030  
Fax: (949) 813-0033

**MUNSHIR & ASSOCIATES**  
1101 N. 1st St., 1st Fl.  
Phoenix, AZ 85004  
Tel: 602/254-1101  
Fax: 602/254-1102

**TENTATIVE PARCEL  
MAP NO. 33754  
CITY OF DESERT HOT SPRINGS  
FOR CONVEYANCE PURPOSES**





Item No. 9.4

## REPORT TO THE CITY COUNCIL

**DATE:** JUNE 1, 2006  
**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL  
**FROM:** CITY MANAGER, ANN MARIE GALLANT  
**RE:** SUNSET RIDGE SPECIFIC PLAN

---

### RECOMMENDATION

Public Hearing:

1. Open the Public Hearing
2. Hear Testimony
3. Close the Public Hearing
4. Approve Resolution No. 2006-66, Adopting a Mitigated Negative Declaration and Mitigation Monitoring Program, General Plan Amendment No. 03-05, Zoning Map Amendment No. 06-05, Environmental Assessment No. 05-05, Specific Plan No. 01-05, Tentative Tract Map No. 33746, and Tentative Parcel Map No. 33754 for the development of a maximum of 499 single family residences within a private gated community, comprised of five separate residential villages on approximately 133.8 acres of undeveloped land.

### EXECUTIVE SUMMARY

Silver Oaks DHS LLC, the applicant, has filed applications for a General Plan and a Zoning Map Amendment, a Specific Plan, and a Tentative Tract Map and Tentative Parcel Map, all in support of a proposed 499 lot single family residential community with private streets located north of Mission Lakes Blvd. bounded by Western Avenue to the east, Karen Avenue to the west and 11<sup>th</sup> Avenue to the South. The project, Sunset Ridge, is a community of five (5) single-family villages with four gated entrances located on the four (4) perimeter streets: (Karen Avenue; 11<sup>th</sup> Avenue; Western Avenue and Mission Lakes Boulevard). The project is proposed to be developed in phases as economic/market conditions permit, within a five (5) to ten (10) year period. The Project will consist of approximately 499 single-family homes on 165.7 acres which maintains a density of 3.01 dwelling units per acre with one and two story homes on lots ranging in size from 5,000 square feet to 16,000 square feet.

As proposed, the Project will include more than 55 acres of open space with such amenities as a two (2) acre community park, containing a swimming pool; spa; sand volleyball court; basketball court; shuffleboard; barbeque areas; restrooms and lawn areas; approximately 5 acres of private neighborhood parks; 5.6 acres of paseos with 4.5 miles of pedestrian trails traversing the project; and, 31.9 acres of natural open space area located in the northeast corner of the site.

## **BACKGROUND**

The Planning Commission held public hearings on the Sunset Ridge project on January 10 and on February 14, 2006. At these meetings, the Commission discussed such project related issues as use of paseos in place of sidewalks; setbacks; park areas (location and features); and the number of smaller lots and two (2) story homes within the project.

After much deliberation, the Planning Commission voted (4-1-0) to recommend that the City Council approve the Sunset Ridge project with the following modifications:

1. That the installation of rear yard landscaping areas open to public view (including areas visible from any Paseo be installed within one year upon building final.
2. That the installation of sidewalks on both sides of the project's interior streets is not necessary due to the provision of Paseos in the project and that the proposed pedestrian trails be compliant with the American Disability Act (ADA).
3. That the Specific Plan be amended to require applicant/developer to provide a minimum of recreational amenities in the Community Park (Lot A) unless otherwise modified by the Planning Commission. Clubhouse and Community Park to be completed by no later than the 50<sup>th</sup> Building Final.
4. That the Specific Plan be amended to require each Merchant Builder to provide minimum recreational amenities in each of the communities Village Park (Lots C, D, E, F, G and H) unless otherwise modified by the Planning Commission;
5. That RV parking be removed as a permitted use within the project, in order to be consistent with the newly adopted RV parking provisions for the City.
6. That vinyl fencing/wall as a permitted use within the project, in order to be consistent with current Commission/Council policies.
7. That garages, closets, and storage spaces be removed as a permitted architectural projection into any required building setback area.
8. That the definition of Building Footprint Coverage be amended to include garage areas.
9. That no more than 30% of any single-family dwellings in a Village be two-story. Furthermore, no more than 3 two-story dwellings be grouped together (side by side) and that at least two single story dwellings be provided to separate groupings of two story dwellings.
10. That water fountains shall be provided in all parks.
11. That the perimeter sidewalks be a minimum of 6-feet in width to accommodate pedestrians and bicyclists.
12. That all streets within the project be designed with standard, six-inch straight curbs (City of Desert Hot Springs Standard Plans and Specifications, Standard No. 21) as approved by the City Engineer (Wedge or rolled curbs are not be permitted within the project).
13. That within Village 1 and 2, the applicant shall increase the 50-foot wide lots to 55-feet within the eight (8) rows of lots within Village 1 and 2, thereby deleting 9-lots. The total amount of residential lots within the project shall not to exceed 490 residential lots.

The applicant, in discussions with staff, has expressed a desire to appeal the Planning Commission's recommendation to delete nine (9) lots as specified in Item No. 13. The approved Planning Commission minutes for February 14<sup>th</sup> indicate that the applicant agreed to the modification at the time of the Planning Commission decision. The attached Draft Resolution contains the initial staff recommendation for a maximum of 499 single family residences.

#### **ENVIRONMENTAL ANALYSIS**

In accordance with the California Environmental Quality Act ("CEQA"), the City has undertaken and completed an Initial Study of the subject project. The purpose of this study was to ascertain whether or not the proposed project would have a significant effect on the environment, and to determine whether any appropriate mitigation measures should be applied to lessen or avoid any potential significant impacts. The preliminary conclusions of the study indicate the proposal will **NOT** have a significant impact upon the environment as defined by State guidelines because the mitigation measures would be incorporated as part of the project. Therefore a **PROPOSED MITIGATED NEGATIVE DECLARATION** has been prepared (Exhibit D of Attachment 1). The public review period for the draft Mitigated Negative Declaration was between September 22 through October 11, 2005.

#### **FISCAL IMPACT**

There is no impact to the City's General Fund as various development fees related to the processing the subdivision would be collected. Once completed, the property would be subject to certain annual assessments and taxes, as presently approved.

#### **EXHIBIT(S)**

1. Draft Resolution No. 2006- 66
  - Exhibit A - GPA No. 03-05
  - Exhibit B - Conditions of Approval for Specific Plan No. 01-05
  - Exhibit C - TTM No. 33764 and TPM No. 33754 Conditions of Approval
  - Exhibit D - Negative Declaration and Environmental Assessment No. 05-05
  - Exhibit E - Mitigation Monitoring Program for TTM No. 33764 and TPM No. 33754
  - Exhibit F - TTM No. 33764 and TPM No. 33754
  - Exhibit G - Sunset Ridge Specific Plan No. 01-05 (under separate cover)

Prepared by:

\_\_\_\_\_  
PLANNER, LARRY GRAFTON

Approved by:

\_\_\_\_\_  
ASSISTANT CITY MANAGER, STEVEN MENDOZA