



Item No.

REPORT TO THE CITY COUNCIL

DATE: AUGUST 7, 2007

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: CITY MANAGER, ANN MARIE GALLANT

RE: TENTATIVE TRACT MAPS 35009 & 35448: LOCATED WEST OF STATE ROUTE 62 WITHIN THE RANCHO ROYALE SPECIFIC PLAN

RECOMMENDATION

1. Open the Public Hearing;
2. Hear Testimony;
3. Close the Public Hearing;
4. Approve Resolution No. 2007-71, A Resolution of the City Council of the City of Desert Hot Springs, California, approving Addendum #3 to Certified Final Environmental Impact Report for the Rancho Royale Specific Plan # 1-92 (SCH # 92042024); Tentative Tract Map No. 35448 to subdivide a 481-acre site (with 73 residential and commercial lots, 35 lettered lots for street connections, a main spine road system, and open space areas) for financial and conveyance purposes; and Tentative Tract Map No. 35009 to further subdivide the 481-acre project site (with 1,126 single-family lots, 8 multiple-family residential/recreational commercial lots [923 residential units]), and 32 acres divided into three (3) lots for commercial and residential uses (171 residential units) located west of State Route 62 within the *Rancho Royale Specific Plan*.

EXECUTIVE SUMMARY

SunCal Mission Lakes Trails, LLC (SunCal), the Applicant, has filed applications for two (2) Tentative Tract Maps (TTMs) to allow construction of 1,126 single-family residential lots, eight (8) multiple-family residential/recreational commercial lots, which will allow a maximum of 923 residential units, and a 32-acre lot for commercial and residential lots (with 171 residential units). Tentative Tract Map No. 35448 is for financial and conveyance purposes only to create the master-planned community (***Mission Creek Trails***) including the establishment of the major spine roads, channels, a reservoir site, and a sewer lift-station site. Tentative Tract Map No. 35009 creates the specific lots for the residential and commercial uses proposed for the project, which will be accessed from both private and public streets. Mission Creek Road is proposed as a public street that will provide main access from the north. The Applicant will also construct a road from the south of the project connecting the project to Pierson Boulevard.

The project is located within the approved 2,206-acre *Rancho Royale Specific Plan* (SP 92-1 [incorporated into the 2002 General Plan Update]), which as adopted includes a total of approximately 8,360 single-family and multi-family residential units, commercial land uses, golf courses, and resort commercial uses. On April 6, 1993, the City Council certified the Final Environmental Impact Report (FEIR) for *Rancho Royale Specific Plan* (SCH #92042024).

On July 10, 2007, the Planning Commission reviewed and unanimously approved P.C. Resolution No. 23-07 recommending that the City Council approve the proposed TTM Nos. 35009 and 35448 and Addendum #3 to Certified FEIR, subject to conditions of approval, as amended. In response to the Public Hearing Notice, a letter was received from Roger Snellenberger Development/Roger Snellenberger Development Corporation (RSDC) requesting modification to the draft Conditions of Approval related to Applicant's "fair share" payment for infrastructure improvements; and the allowance and partial payment of the emergency access from RSDC's project (Specific Plan Amendment [2002]/VTM 30616) into the project site. A detailed discussion is included within this staff report.

The proposed project is planned to be developed in four (4) major phases. The phasing plan includes the construction and provision of utilities to be accessed from south of the project site to the north. The phases are proposed to be undertaken in a clockwise direction, culminating with the 32-acre commercial/residential commercial Planning Area located on the northeast side of Mission Creek Road and adjacent to State Route (SR) SR-62 to the east.

As proposed, the project will have an overall density of 4.62 (2,220 du ÷ 481 acres) dwelling units per acre, which is less than the density of 5.16 permitted by the adopted Specific Plan. The single-family residential lots range in size from a minimum of 4,000 to 7,000 square foot lots, while the minimum lot size allowed by the Specific Plan is 3,500 square feet. As proposed, the smallest single-family lot is 4,041 square feet and the largest single-family residential lot is 20,704 square feet.

The project landscaping, lighting, wall details, entrances/entry features, as well as architectural and site design for both residential and commercial products will require subsequent Development and Design Review Permits. Addendum #3 to the certified *Rancho Royale Specific Plan* FEIR has been prepared to address minor technical changes proposed by the project proponent to the approved *Rancho Royale Specific Plan*. The Addendum determined that the project will result in significant effects on the environment which haven't already been examined and addressed through appropriate mitigation measures in the previously certified *Rancho Royale Specific Plan* Certified FEIR. In addition, the project density and the number of dwelling units have been reduced. Pursuant to Public Resources Code Section 21166 no new information which was not known at the time and could not have been known at the time the FEIR was certified has become available; therefore, no subsequent or supplemental EIR is required.

BACKGROUND

Chronology of Approvals:

- 4-6-93 City Council approved the *Rancho Royale Specific Plan* consisting of 2,206 acres, subject to Conditions of Approval (*SP No. 1-92, City Council Ordinance No. 92-9*).
- 4-6-93 City Council Certified the *Rancho Royale Specific Plan* FEIR, (*City Council Resolution No. 92-55*).
- 8-13-02 City Council approved Addendum No. 1 to *Rancho Royale* Certified EIR relative to the development of a mixed-use project consisting of single-family, multiple-family, golf courses, hotel, timeshare, resort commercial development, and neighborhood commercial development located on 970 acres of land within the *Rancho Royale Specific Plan* (pursuant to RSDC Vesting Tentative Tract Map No. 30616). (*City Council Resolution No. 2002-36*).
- 8-13-02 City Council approved a General Plan Text and Map Amendment for the RSDC a 970-Acre mixed-use development (*City Council Resolution No. 2002-37*).
- 8-13-02 City Council approved an Amendment to the 1993 *Rancho Royale Specific Plan* No. SPA 01-02 for the 970-acre RSDC parcel located within the Royale Heights Village (*City Council Resolution No. 2002-38*).

- 8-13-02 City Council approved Vesting Tentative Tract Map No. 30616, subject to Conditions of Approval, for the 970-acre RSDC mixed-use development known as Highland Falls (*City Council Resolution No. 2002-39*).
- 8-13-02 City Council approved a Development Agreement No. DA 01-02 between the City and RSDC for the 970-acre project within the *Rancho Royale Specific Plan* (*City Council Resolution No. 2002-12*).
- 9-3-02 City Council approved Zoning Text and Map Amendment No. ZMA 02-02 for the southwestern 970-acres of the *Rancho Royale Specific Plan* from Mixed-Use to SPA 1-02 (*Rancho Royale Specific Plan Amendment*) and amending Chapter 159 of the Desert Hot Springs Municipal Code, Zoning Ordinance and the City's Zoning Map (*City Council Ordinance No. 2002-11*).

Site Description: The project site is located within the Royale Oasis and partially within the Royale Center Villages of the *Rancho Royale Specific Plan*. It is irregular in shape and is comprised of undeveloped land. Properties to the north, west and south of the project site are currently vacant. The site is dominated by the Sonoran Creosote Bush Scrub community, with Desert Microphyll Woodland communities near natural drainage areas. Soils on the eastern portion of the site are deep course sands, while the western area consists of coarse sands, gravel, and boulders. Two (2) blue-line desert washes transverse the property, from the northwest to southeast direction.

Existing Topography: The project site slopes gently from the northwest to the southeast in a less than one-mile distance. The highest point is located on the northwest corner of the subject site and is approximately 1,871 feet above mean sea level (AMSL). The central portion of the project is approximately 1,695 feet AMSL. The lowest point is located at the extreme southeast corner of the site and is approximately 1,610 feet in existing elevation. The existing slope percentage for this diagonal cross-section of the project is approximately 4.5%.

Project Conformance with Specific Plan: In February of 2007, City staff reviewed the project for conformance with the approved *Rancho Royale Specific Plan* as amended in 2002. The determination was that the proposed circulation system, land plan, and removal of the golf course facilities are in substantial conformance with the *Rancho Royale Specific Plan*. The original conceived golf course within Royale Oasis was replaced with extensive trail systems, which meander throughout the project and along two (2) preserved major channels. It was determined that this modification was consistent with the intent of the *Rancho Royale Specific Plan* with its extensive network of open space/recreation areas. The total amount of golf course acres planned in the original Specific Plan has been incorporated into the RSDC Vesting Tentative Tract Map No. 30616, which includes two (2) 18-hole golf courses. An additional golf course would exceed the water usage and golf course acreage as originally planned for the *Rancho Royale Specific Plan*. The residential densities also conform to requirements of the *Rancho Royale Specific Plan*. As part of the attached City Council resolution, state law requires that the City Council also determines that the proposed subdivision remains in conformance with the *Rancho Royale Specific Plan* as amended in 2002.

Local Flood Designation: According to the latest Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), the project site is located in Zone C, indicating that it is not within either the 100-year or the 500-year floodplain. The project includes detention basins along the proposed drainage channels for any incremental increases in stormwater flow. The drainage channels have been designed to protect the project from the 100-year storm flows, and are proposed to be preserved in a natural state. A Jurisdictional Delineation was prepared and determined that drainage courses are subject to the jurisdiction of the U.S. Army Corps of Engineers and the California Department of Fish and Game.

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

| Direction | Zoning Designation | General Plan Designation | Current Land Use |
|------------------|--|--|-------------------------|
| Site | Rancho Royale Specific Plan | Rancho Royale Specific Plan | Vacant |
| North | Riverside Co. (Desert Rural) | Riverside Co. (Desert Rural) | Vacant |
| West | OS/MR Mountain Reserve/Rancho Royale Specific Plan | OS/MR Mountain Reserve/Rancho Royale Specific Plan | Vacant |
| South | Residential Low Density (RL/SP) | R-L/SP | Vacant |
| East | Rancho Royal Specific Plan | Rancho Royale Specific Plan | Residential |

The Mission Creek Subdivision (Tentative Tract Map No. 34588) was recently approved by the City Council to subdivide approximately 55.48 acres of vacant land into 107 single-family lots. This project is located on portions of the north boundary of the subject site. The Mission Creek Subdivision is in process of seeking annexation to the City through the Riverside County Local Agency Formation Commission (LAFCO).

Rancho Royale Specific Plan Requirements

There are two (2) residential land uses proposed within the scope of the project. These include Medium High and Very High residential land use designations. The Medium High allows a range of 5-8 du/ac. The Very High residential land use designation allows between 8-14 du/ac. The *Rancho Royale Specific Plan* allows up to 2,592 residential units or 5.39 du/ac.

The residential densities and minimum lot size requirements have been met as shown in the following two tables:

| Land Use | Original SP Acres | Original SP DU | DU/AC | Proposed Acres | Proposed DU | DU/AC | Compliance |
|--|--------------------------|-----------------------|--------------|-----------------------|--------------------|--------------|-------------------|
| Medium High | 173 | 1372 | 7.93 | 256 | 1,126 | 4.40 | Yes |
| Very High | 90 | 1049 | 11.65 | 74 | 923 | 12.47 | Yes |
| Medium High/ General Commercial | 42 | 171 | 4.07 | 32 | 171 | 5.34 | Yes |
| Totals | 305 | 2,592 | 8.50 | 362 | 2,220 | 6.13 | Yes |

All the development standards related to the proposed Tentative Tract Maps have been met. The residential unit setbacks will be reviewed during the Development and Design Review process to be submitted at a later date. The originally planned acres increased because of the removal of the golf course by the amendment for RSDC plan in 2002. The removal of the golf course increased the developable area, however, the Applicant's plan includes a reduced number of dwelling units (372 dwelling units less than originally planned) and a reduced density from 5.39 to 4.62 du/ac.

| Development Standard | Rancho Royale | Mission Creek Trails |
|--------------------------|---|--|
| Minimum Lot Size | 3,500 sq. ft. | 4000 to 7000 sq. ft. lots |
| Average Lot Size | N/A | 5,721.61 |
| Min. Lot Width - Average | 35 ft. | 60 ft. average |
| Min. Lot Depth– Average | 100 ft. | 100 ft. average |
| Max. Bldg. Height | Two Story w/ no feet restriction – follow design standards in Specific Plan | To conform with Rancho Royale Specific Plan requirements - Two Story w/ no feet restriction – follow design standards in Specific Plan |
| Min. Bldg. Setbacks | | |
| Front | 20 ft ¹ | To conform with Rancho Royale Specific Plan at Development and Design Review Permit applications |
| Side | 5 ft. | |
| Street Side | 10 ft. for corner | |
| Rear | 10 ft. | |
| Lot Coverage | None specified | To be provided at Development and Design Review Permit applications |
| Min. Dwelling Size | None | To be provided with Development and Design Review Permits |

1. Side-loaded garages may be 10-feet from front property line (maximum 20% of Planning Area are to utilize side-loaded lots)

The multi-family residential lots must comply with development standards identified in Article II, Section 21-15 (Multiple Family Residential zone) of the Zoning Chapter 21, except for specific requirements for Community Recreational Facility as outlined in the *Rancho Royale Specific Plan*. The development standards from the previous City ordinance will apply and are attached for the City Council's review. A copy of the Article II, Section 21-15 is attached to the Resolution as Exhibit "E" and is incorporated herein by this reference.

The proposed project is for subdivision only. The Applicant will be required to submit for the Planning Commission's review and approval, the Development and Design Review Permit addressing the final architectural, landscape, site design, lighting, and wall details for the proposal project.

Circulation: The proposed project will have access from Mission Creek Road on the north and Pierson Boulevard on the south. Mission Creek Road may connect to Mission Lakes Boulevard traveling to the east and, in the future, may connect to Indian Canyon to the north. Pierson Boulevard will be connected to Highland Falls Boulevard, as approved pursuant to Vesting Tentative Tract Map No. 31606, and then to a 1,440 lineal foot street that will be constructed to provide access on the south side to the project, as depicted in Exhibit 5, attached to the Resolution and incorporated herein by this reference.

The Riverside County Fire Department (Fire Department) is requiring that two (2) points of access to a major circulatory roadway be provided. The project complies with this requirement for the gated residential community portion of the project. However, General Commercial/Medium High land use designations located along the northeast corner of the project has only one (1) major access point to a major circulatory roadway.

To meet Fire Department requirements, the Applicant has several alternatives to consider as the project nears construction for the General Commercial/Medium High Planning Area (planned to be a 10-year horizon). Each of the following alternatives will require further exploration by the Applicant. First alternative is the completion of Mission Creek Road to the north and connecting to Indian Canyon sometime in the future. Second alternative is to create an on-ramp directly from the 32-acre site to SR 62, which will require approval from the California Department of Transportation (CalTrans). There may be other alternatives, which still need to be explored and discussed with the Fire Department and CalTrans.

The Applicant will need to construct the right-of-way improvements for the intersection of SR-62 and Mission Creek Road. The Applicant has been working with CalTrans for the construction of the said intersection and design plans are in process of obtaining approval. The Applicant will be required to construct a traffic signal and full intersection improvements, including left turn lanes on SR-62 in the first phase of the project. The City Engineering is requiring that the Applicant enter into a "reimbursement agreement" to obtain a fair-share reimbursement from approved Tentative Tract Map No. 34588, located to the project's north.

Design Guidelines: The *Rancho Royale Specific Plan*, Design Guidelines are based on the transition area of the Sonoran and Mohave Deserts. This desert theme is intended to be reflected in the projects' neighborhood design, through street patterns, plant materials and existing site conditions. These Design Guidelines are organized into six (6) major sections. Of direct application to this project are: Streetscapes, Site Design Guidelines, Landscape Transitions and Product Spotlights.

Streetscapes/Street Cross-Sections: The *Rancho Royale Specific Plan* provides streetscape guidelines that are intended to create a varied experience that reflects the project's character, while providing for individual identity to the Planning Areas. Pursuant to the *Rancho Royale Specific Plan*, changes to the street cross-sections may be considered by the City Council during the Tentative Tract Map review. The Planning Commission recommended approval of the proposed street cross sections.

The *Rancho Royale Specific Plan* notes that the Planning Areas depicted within the plan are conceptual only, and although development should reflect the elements and constraints the actual site design and approval is to be determined during the Tentative Map and Final Tract Map approval. The Applicant is requesting modifications to the following: Arterial Highway, Collector Highway, Local Street, and Minor Collector Road cross-sections:

Arterial Highway/Collector Highway: The *Rancho Royale Specific Plan's* Land Use Element identifies Mission Lakes Boulevard and Mission Creek Road as the major roadways for access to the east and north portions of the regions. The proposed project has Mission Creek Road filter directly into Mission Lakes Boulevard traveling to the eastern portions of the City. The Applicant's first request is to change the cross-section for Mission Creek Road, which is presently designated as a Collector Highway. Mission Creek Road will serve as a major roadway connecting the project to the north and east regions of the City.

The *Rancho Royale Specific Plan* shows an Arterial Highway to include a 110-foot right-of-way and a Collector Highway with a 66-foot right-of-way. The proposed project includes a 107-foot right-of-way with sidewalks and parkways on each side of the street. The City Engineer and the Planning Department have reviewed the proposed cross-section for Mission Creek Road (Arterial Highway) and find it appropriate with a 107-foot right-of-way consisting of a two (2) lane divided street by a 12-foot landscaped median, including bike lanes within the paved area and parkways and a sidewalk on each side of the street measuring 10 and 25-feet in width. The streetscape proposed is consistent with the *Rancho Royale Specific Plan*.

Collector Highway: The Applicant's second request is to change the interior private collector roads. The existing street cross-section for a collector highway includes a 66-foot right of way with a two (2) lane divided road, bike paths, and sidewalks. The proposed project changes this cross-section to an 88-foot right-of-way that is one (1) lane divided road with a 12-foot landscaped median, bike path, parkway and meandering sidewalks. No parking is provided on the street. The parking lanes have been omitted because no residential lots face the collector highway street side, thus, there is no need for on-street parking. The collector road is used by pedestrians, bicyclists and automobiles to travel through the residential subdivision. The City Engineer and the Planning Department have reviewed the proposed cross-section for a main collector and find it appropriate for the interior private collector system as proposed by the Applicant. The proposed streetscape is consistent with the *Rancho Royale Specific Plan*.

Local Street: The third and final request is to change the street cross-section for the local street. The *Rancho Royale Specific Plan* includes a 60-foot right-of-way consisting of a one (1) lane divided-road, L-curbs, parking on both sides of the street, a parkway, and a separated sidewalk. The local street cross-section is consistent with the hierarchy of roadways with the provision of separated sidewalks and street trees to enhance the streetscape and provide adequate shade for pedestrians.

The Applicant is proposing to remove the separated sidewalk by locating it along the side of the roadway with a *wedge curb* and allow for a five-foot Public Utility Easement (PUE) area adjacent to the sidewalk along the fronts of each of the single-family residential lots. **Simultaneously, the City Council will be hearing a separate agenda item related to the prohibition of wedge and rolled curbs. Staff has included a Condition of Approval for the Applicant/Developer to replace the existing wedge curb design in the cross-section for a private residential road with a straight-curb, gutter and sidewalk design.**

The Applicant's request is to narrow the local street, allow for one (1) lane divided road with parking on both sides of the street and provide street tree planting along the edge of the PUE to provide sidewalk shade. The five-foot PUE will be limited with low landscaping and small boulders to allow for the inclusion of cable, telephone and electrical transformers.

The Applicant is proposing to maintain at least one (1) tree per lot adjacent to the PUE to create shade for the side of the sidewalk. The Applicant indicates that a tree root-deflector will be required in order that the tree roots grow below any substructures within the PUE. Thus, the tree may be planted as close to the PUE as possible to create shaded areas along the sidewalk, and create a softer appearance from the street. Staff is recommending a Condition of Approval for the Applicant to provide one (1) to two (2) trees on each lot facing a local street measured five and one half (5.5) feet to eight (8) feet maximum measured from back of sidewalk with incorporation of a tree root-deflector(s), subject to the following: a) the trees and tree root-deflector details shall be shown within the landscaping plans, subject landscape plans review and approval of Development and Design Review Permit; and b) language shall be incorporated within the CC&R's for the maintenance of all trees within the first eight (8) feet from the back of sidewalk of a local street shall be kept and maintained by the HOA, subject to review and approval by the Community Development Director or his designee.

The City Engineer and the Planning Department have reviewed the proposed cross-section for local streets and find this cross-section appropriate, as conditioned. The proposed streetscape is consistent with the *Rancho Royale Specific Plan*.

Minor Collector/Southern Access Roads: Engineering conditions of approval indicate that the applicant shall construct full street improvements along the southern access road from the tract boundary to Highland Falls Boulevard, designed to a Modified Minor Collector Street Standard. The proposed modified street standard includes a 74-foot right-of-way and a 50-foot paved area. This modified street standard will include all curbs, gutter and sidewalk.

The road connection to the south, includes development of a 24-foot wide street from the intersection of the southern access roadway, to Pierson Boulevard along the right-of-way of Highland Falls Boulevard. The Applicant shall obtain permit from the Metropolitan Water District (MWD) to cross the right-of-way for the Colorado River Aqueduct and construct necessary facilities to protect the facility.

The condition of approval requires that these improvements be completed prior to occupancy of the first phase of the project (whether the south or north end of the proposed project site develops first).

Site Design Guidelines - Street/Block/Lot Design: The overall site design is in conformance with the objectives and criteria as provided in the *Rancho Royale Specific Plan*. The project includes a curvilinear street pattern, functional pedestrian pathways to recreational areas, creation of view corridors and provision of open spaces throughout the site linking neighborhoods and creating neighborhood identities. One objective of the *Rancho Royale Specific Plan* is to avoid long runs of straight local streets. The proposed project design includes a few long streets within the southern portion of the project. In order to improve the long streetscape areas and assist further in calming traffic within a street that may be approximately 2,000 feet in length, staff recommends a condition of approval requiring incorporation of appropriate traffic calming measures (i.e., landscaped medians and other street landscaping) or other acceptable street design within long lineal streets in excess of 600 feet in length, subject to approval by the City Engineer and the Fire Department.

In addition, some lots located near intersections appear to allow little room to maneuver into a driveway. There is a 13 to 23-foot minimum landscaped parkway with sidewalks along the entries that should provide adequate space. Staff recommends a condition of approval requiring the City Engineer of the final map design for corner lots adjacent to collector streets pertaining to potential traffic conflicts/safety from the street intersection.

Trail Systems/Channels: The proposed project includes a variety of trails that connect the entire subdivision and provide linkages with the surrounding area. There are approximately 5.82 miles of trails within the proposed project, including 2.31 miles of trails along the natural channel edges and another 3.51 miles that loop within the residential subdivision. The site design of the project includes the strategic placement of open spaces and the location of single- and multiple-family lots adjacent to two (2) major channels (Mission Creek and other unnamed creeks) within the project.

The project design includes properties that back onto the natural channels in order to take advantage of local views. Both single-family and multiple-family lots have been designed with this orientation. The specific details of the walls/fencing in relationship to location and function will be reviewed through the Development and Design Review Permit process. The project also includes a drainage channel along the perimeter of the site. For maintenance purposes, the perimeter drainage channels will be accessed by trails that run parallel to the sides of the two main channels of the project. However, the perimeter drainage channels will not be accessed to pedestrians because this drainage area has been designed to move water around the site and is not safe to design pedestrian trails along the perimeter drainage areas.

The proposed site design includes various bridges and crossings which will also be built across specific channels throughout the project. The design and aesthetics of these features have not been completed. Hence, only the approximate locations of these features are before the City Council for consideration at this time. Staff recommends a Condition of Approval requiring plans for all proposed bridges and crossings to be subject to review and approval of Development and Design Review Permit.

Grading: A number of lots with sloping rear yards are proposed for the project. Their disturbance and introduction of large retaining walls by future property owners is a potential concern. Staff recommends two (2) conditions to address such situations. The first is that all grading activities within the sloped areas of all lots minimize the disturbance and maximize the conservation and preservation of native plant materials. Graded areas shall receive a naturalized treatment (if necessary) including the re-establishment of native vegetation as required to create a natural appearing terrain. The second condition of approval is that language be included within the Covenants, Conditions and Restrictions (CC&R's) requiring homeowners to obtain approval from the Home Owners Association (HOA) and the City for any future retaining walls or development into any sloped areas within rear yard of single-family lots. Associated site plans, wall elevations and engineering calculations shall be provided for review by the HOA and City of Desert Hot Springs.

According to the project engineer-of-record, the project site shall be graded in such a fashion to minimize the need for retaining walls between lots. Staff recommends a condition of approval for all pads. Any future retaining walls over two-feet in height between lots shall be reviewed with the project walls of the masterplan during the Development and Design Review Permit process.

Water Tank: The project incorporates a proposed water tank that will be constructed at the northwest corner of the project site. According to the Mission Springs Water District (MSWD), the water tank elevations are set specifically per the North West Master Plan. The proposed water tank is partially submerged. The reason for partially submerging the tank is due to the required pressure. Staff recommends a condition of approval for the water tank to be partially submerged, as allowed by the MSWD. An additional condition of approval is recommended for the Applicant to submit plans for installation of the future water tank and its associated landscaping/walls shall be subject to a Development and Design Review Permit.

Landscape Transitions: The *Rancho Royale Specific Plan* provides guidelines for providing landscaped transitions for residential uses next to commercial, channel, freeway and any other awkward interfacing with adjacent land uses. Transitions have been incorporated through out the two (2) main channel areas and along the perimeter of the project. In addition, the residential Planning Areas are designed to be approximately 140- to 300-feet from SR-62 roadway. The properties closest to the SR-62 will be developed with multi-family residential projects. The specific additional landscape buffering requirements will be reviewed upon submittal of Development and Design Review Permit plans. The residential subdivision proposed for Mission Creek Trails subdivision includes adequate landscape transitions that comply with the intent of the Specific Plan.

Product Spotlights: The Product Spotlights Section is part of the architectural criteria. It is intended to give the reader of the *Rancho Royale Specific Plan* an image of what Rancho Royale may look like. Typical site plans and other elevations for the Medium High and Very High density uses are depicted within the Specific Plan. Final architectural, landscape, site design, lighting, and wall details will need to be provided pursuant to a Development and Design Review Permits, at a later date.

Maintenance: The maintenance of parks, landscaped open space areas, drainage channels, front yard street trees, signage and pedestrian paths, shall be administered by the Home Owners Association (HOA) as described in the CC & R's for the project. The commercial areas and public roads are separate, and will be maintained by a different entity.

Senior and Affordable Housing Provision: The *Rancho Royale Specific Plan* requires that the project provide a minimum 20% (444 residential units) of the residential units for senior housing and that 7% (156 residential units) be set aside for affordable housing. The *Rancho Royale Specific Plan* did not state whether or not the provision of the housing could be both senior and affordable. The Applicant would like to provide senior housing that is affordable and allow this to apply to both the affordable and senior housing requirement.

Because the City is in the process of providing other affordable housing projects within other parts of the City, the provision of 156 senior affordable housing units within the proposed project may help achieve the City's affordable housing goals. Staff recommends approval of this approach.

Schools: The project is located within the boundaries of the Palm Springs Unified School District (PSUSD). The PSUSD has reviewed the proposed project in context of the *Rancho Royale Specific Plan*, which identifies no school site within the Rancho Oasis portion of the Specific Plan. Originally, two school sites were identified within Royale Heights (RSDC) portion and one school within the eastern third of the *Rancho Royale Specific Plan* area. Nonetheless, PSUSD is requesting the designation of a parcel of approximately 15 acres within the project for a school site. The PSUSD's analysis did include the potential provision of age-restricted residential units. The determination of the PSUSD is that even if a portion of the project were designated as age-restricted units, the PSUSD believes there would be sufficient students generated to warrant a school site within the project.

SunCal has located three within the proposed subdivision (TTM No. 35009) to provide for a 15-acre school site. Staff recommends a Condition of Approval requiring the Applicant to provide a 15-acre site for provision of a school and to coordinate with the Palm Springs Unified School District as to the location of the future school to ensure full access, prior to Final Map approval. If the project is to be changed to a full age-restricted project, the provision of a future school site within the project should be considered for possible removal of this requirement.

Fire Services: The Riverside County Fire Department has reviewed the project for service need and has determined that project would be adequately served from the Skyborne Fire Station located on Karen Avenue north of Pierson Boulevard. No further fire services will be needed for the proposed project.

Emergency Vehicle Access Requirement for Snellenberger Site: The Snellenberger site consists of approximately 970 acres located just west and south of the project site. Mr. Snellenberger has requested that the Applicant make provision for a future emergency access from his site through the SunCal's project based upon a condition of approval of Vesting Tentative Tract Map No. 31606. The condition reads as follows:

"71. Emergency Vehicle Access – Initially, Pierson Boulevard should be utilized for emergency vehicle and general public access. At such time approximately one-third of the entire project, or one-half of the single-family residences are built, a second emergency access point should be provided near the Highland Falls Drive traffic circle. Provision for emergency access should be the responsibility of the Developer. Ultimately, a third emergency vehicle access point should be provided at the northerly corner of the project site."

Staff has informed the Applicant of this condition. Because the RSDC may require a third emergency vehicle access at the northerly corner of the project, the proposed project site may be impacted. The provision of the third emergency vehicle access point may impact one of the lots numbered from 584 through 578 of the proposed project. It is difficult to identify which area of the project may be impacted without additional information from the RSDC project. Any future emergency access will also need to be constructed over the stormwater drainage area located along the perimeter of the proposed project. Staff recommends a condition of approval for the Applicant to meet with the Applicant of the RSDC subdivision to negotiate, in good faith, for a provision of an emergency access easement area along the location of the westerly project boundary prior to final map approval. The construction of the emergency access shall be the responsibility of the developer of the RSDC project, subject to review and approval by the City Engineer and the Fire Department. If the emergency access easement is determined not to be required by the Fire Department, then no further action is needed by the project.

Hydrology of the Site: The FEIR for the *Rancho Royale Specific Plan* indicates that the project site is largely characterized as an alluvial fan, subject to shifting water courses. (DEIR, p. III-16) The project site is impacted by several watersheds. According to the latest Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), the project site is located in Zone C, indicating that it is not within a 100-year or 500-year floodplain.

Mitigation measures include the requirement that all incremental increases in stormwater flow be detained on-site and that the project be protected from 100-year floods. Mitigation measures also include the need for additional hydrology and drainage analysis on a project specific basis. The project proponent has submitted a Preliminary Hydrology Report (RCE 2007) and a Flood Hazard Assessment (Exponent 2006) as required. The City Engineer has received and reviewed the hydrology studies provided by the Applicant. No outstanding issues of concern have been pointed out by the City Engineer and final Conditions of Approval are attached as related to drainage and flood control.

The project includes detention basins along the proposed drainage channels for incremental increases in storm water flow. The drainage channels have been designed to protect the project from 100-year storm flows and are proposed to be left in a natural state. A Jurisdictional Delineation was prepared (Glen 2006) and determined that drainage courses are subject to the jurisdiction of the Army Corps of Engineers and the California Department of Fish and Game. Appropriate permits shall be filed as required.

Public Comments: On July 9, 2007, Mark E. Edelstein, Vice President/General Counsel, Roger Snellenberger Companies/Roger Snellenberger Development Corporation (RSDC), submitted a letter in response to the Public Hearing Notice for the project, requesting changes to the draft conditions of approval for Tentative Tract Map Nos. 35009 and 35448. Mr. Edelstein also spoke at the July 10, 2007 Planning Commission hearing, requesting that SunCal pay its “fair share” of infrastructure costs and provide an opportunity for an emergency access at the north corner of the RSDC site.

Mr. Edelstein’s letter included five (5) points which were addressed at the Public Hearing:

1. **Highland Falls Boulevard Cost of Improvements.** This is not an issue, as each project will be required to construct all associated half- and full-road improvements. In addition, all associated traffic signal improvements for the master-planned community will need to be completed as related to each. Mission Creek Trails has been conditioned to construct all appropriate streets, and pay its fair share of costs for construction of the street.
2. **Water Supply Transmission Line for the Gateway Reservoir Site & 3. Connection to the Pierson Boulevard Sewer Line.** Both points are related to the Mission Springs Water District (MSWD) regarding the provision of water and sewer services. The City cannot address issues related to another agency.
4. **Fair-Share Cost of Roadway from Pierson Boulevard.** As indicated above, each project will construct its half-street and full-street improvements. Mission Creek Trails has been conditioned to address the RSDC concerns. The only issue requiring coordination is the completion of the street improvement plans in such a manner that both projects comply with a single set of improvement plans. The City Engineer will coordinate this effort.
5. **Emergency Vehicle Access.** This last item relates to a future emergency access requirement along the northeast corner of the RSDC site (ref. Condition of Approval (CoA) #72 for RSDC Specific Plan Amendment/Vesting Tentative Tract Map #30616). This CoA for RSDC (attached) states, “...At such time approximately one-third of the entire project, or one-half of the single-family residences are built, a second emergency vehicle access point shall be provided near the Highland Falls Drive traffic circle. Provisions for emergency access shall be the responsibility of the Applicant. Ultimately, a third emergency vehicle access should be provided at the northeastern corner of the project site.” RSDC is requesting that Mission Creek Trails be required to pay for a portion of this emergency access point. As the Mission Creek Trails project does not require an emergency access point at this location, there is no nexus (justification) for approving payment of fair share.

The Planning Commission indicated that all of the issues raised by RSDC were addressed adequately by City staff; no issues raised at the Public Hearing remain outstanding.

Addendum to Final Certified EIR: An addendum to the Certified *Rancho Royale Specific Plan* Final EIR has been prepared to address minor technical changes proposed by the project. Changes include a reduction in residential density, reconfiguration of roadways, provision for adequate water/sewer facilities and elimination of a golf course. The proposed changes are minor technical changes and do not rise to the level of preparing a subsequent EIR. The Addendum determined that the project will result in significant effects on the environment which haven’t already been examined and addressed through appropriate mitigation measures in the previously certified Rancho Royale Specific Plan Certified FEIR. In addition, the project density and the number of dwelling units have been reduced. Pursuant to Public Resources Code Section 21166 no new information which was not known at the time and could not have been known at the time the FEIR was certified has become available; therefore, no subsequent or supplemental EIR is required. A more detailed explanation of the Addendum #3, pursuant to Section 15162 of the CEQA Guidelines, has been prepared for review by the City Council. Exhibit “D” to the Resolution includes a copy of this Addendum and recommended mitigation measures.

Exhibits:

1. City Council Resolution No. 2007-71
 - Exhibit A – Conditions of Approval of TTM 35009 and 35448
 - Exhibit B – Conditions of Approval from Mission Springs Water District
 - Exhibit C – Conditions of Approval from Palm Springs Unified School District
 - Exhibit D – Addendum #3 to Final Certified EIR
 - Exhibit E – Article II, Section 21-15 (Multiple-Family Res. zone) of the Zoning Chapter 21
2. Letter from Riverside County Fire Department – Strategic Planning dated June 21, 2007
3. Letter from SunLine Transit Agency dated March 21, 2007
4. Letter from Riverside County Flood Control and Water Conservation District dated April 3, 2007
5. Circulation Pattern and Planning Notebook
6. Tentative Tract Map Nos. 35009 and 35448 (Reduced Copy 8/12 x 11)
7. Large format plans – Tentative Tract Map Nos. 35009 and 35448

Prepared by: _____
PLANNING CONSULTANT, MARIO SUAREZ, AICP

Approved by: _____
CITY MANAGER, ANN MARIE GALLANT

RESOLUTION NO. 2007-71

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS, CALIFORNIA, APPROVING ADDENDUM #3 TO CERTIFIED FINAL ENVIRONMENTAL IMPACT REPORT FOR THE RANCHO ROYALE SPECIFIC PLAN # 1-92 (SCH # 92042024), AND TENTATIVE TRACT MAP NO. 35448 TO SUBDIVIDE A 481-ACRE SITE (WITH 73 RESIDENTIAL AND COMMERCIAL LOTS, 35 LETTERED LOTS FOR STREET CONNECTIONS, A MAIN SPINE ROAD SYSTEM, AND OPEN SPACE AREAS) FOR FINANCIAL AND CONVEYANCE PURPOSES, AND TENTATIVE TRACT MAP NO. 35009 TO FURTHER SUBDIVIDE THE 481-ACRE PROJECT SITE (WITH 1,126 SINGLE-FAMILY LOTS, 8 MULTIPLE-FAMILY RESIDENTIAL/RECREATIONAL COMMERCIAL LOTS [923 RESIDENTIAL UNITS]), AND 32 ACRES DIVIDED INTO THREE (3) LOTS FOR COMMERCIAL AND RESIDENTIAL USES (171 RESIDENTIAL UNITS) LOCATED WEST OF STATE ROUTE 62 WITHIN THE RANCHO ROYALE SPECIFIC PLAN.

WHEREAS, Mission Creek Trails, LLC, the Applicant/Developer/Subdivider, has filed an application with the City of Desert Hot Springs for Tentative Tract Maps Nos. 35009 and 35448 to subdivide approximately 481 acres project site into 1,126 single-family lots, 8 multi-family residential/recreational commercial lots (923 residential units), and 32 acres divided into 3 lots for commercial and residential (171 residential units) uses with private and public streets located approximately west of State Route (SR) 62 within the approved *Rancho Royale Specific Plan (SP 1-92)* (APNs 667-040-001 and 667-050-001) within the City of Desert Hot Springs, California; 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 July 10, 2007, a public hearing on the requested application 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's public hearing and adopted Resolution No. 23-07 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 August 7, 2007 a public hearing on the requested applications was held by the City Council; and

WHEREAS, the City staff has reviewed the proposed subdivision and has determined that it remains in conformance with the Rancho Royale Specific Plan as amended in 2002. Further, pursuant to Government Code Section 66473.5, the City Council, as the legislative body of the City, hereby agrees with staff's determination and determines that the proposed subdivision is consistent with the Rancho Royale Specific Plan.

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, based upon substantial evidence, as follows:

TENTATIVE TRACT MAP FINDINGS:

1. The proposed Tentative Tract Maps Nos. 35448 and 35009 are consistent with the City of Desert Hot Springs Comprehensive General Plan ("General Plan") and the *Rancho Royale Specific Plan*. The proposed single-family and multi-family residential densities of 4.4 du/ac and 12.47 du/ac are below the maximum density 8 and 14 du/ac respectively as allowed by *Rancho Royale Specific Plan's* residential land use designations. Additionally, the proposed project is consistent with the General Plan goal stating that "a variety of all housing types and densities that will accommodate existing and future residents of the community."

2. The design and improvement of the subdivision proposed in Tentative Tract Maps Nos. 35448 and 35009 is consistent with applicable General Plan and Specific Plans in that proposed residential and commercial subdivision is consistent with the *Rancho Royale Specific Plan* and General Plan policies. The proposed subdivision curvilinear street pattern, lot sizes, street landscapes, circulation patterns, open space and residential densities are consistent with the standards and requirements of the *Rancho Royale Specific Plan*. The proposed 2,220 residential units are less than the 2,592 allowed by the *Rancho Royale Specific Plan* for the project area. The location of each of the land uses and the proposed road system is consistent with the Master Land Use Plan of the *Rancho Royale Specific Plan*.
3. The site is physically suitable for the type of development proposed in Tentative Tract Maps Nos. 35448 and 35009 in that, cut- and fill-grading will be required to establish the proposed roads and pad elevations. The overall project grading includes a maximum 2:1 steepness of cut and fill-slopes. Other areas of the subdivision include 3:1 and 4:1 steepness of cut and fill slopes at the rear of residential lots. The overall site project site includes a pad elevation of 1,858 feet above mean sea level at the top northwest corner to an elevation of 1,619 at the southeast corner of the site. The horizontal distance is approximately 5,250 feet for this elevation change which is less than a 5% slope overall slope percentage. There are adequate roads and infrastructure to provide services to the area.
4. The site is physically suitable for the proposed density of development, in that the proposed density for the lots within the Medium High (5-8 du/ac) and Very High (8-14 du/ac) Residential land use designations are below the maximum permitted densities. The proposed Tentative Tract Map No. 35009 shows the proposed densities to be 4.4 du/ac for lots within the Medium High residential areas and 12.47 du/ac for lots within the Very High residential areas. The overall project density is 4.62 du/ac which is suitable for the project area.
5. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat in that the proposed project includes an approved Final Environmental Impact Report (FEIR) and Addendum #3 addressing issues addressed in the FEIR showing minor impacts and compliance with Mitigation Measures of the adopted FEIR.
6. The design of the subdivision in Tentative Tract Maps Nos. 35448 and 35009 and the type of improvements is not likely to cause serious public health problems in that the proposed residential and commercial land use designation are consistent with the adopted General Plan and development pattern for the area. Adequate circulation, infrastructure, fire, utility and building review of the project will be conducted prior to final occupancy.
7. The design of the subdivision in Tentative Tract Maps Nos. 35448 and 35009 and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision in that all subdivision map requirements will be met and no conflicts of easements acquired by the public at large exists for the proposed project.

ENVIRONMENTAL FINDINGS:

The City has undertaken and completed an Addendum #3 to the certified Final Environmental Impact Report for the *Rancho Royale Specific Plan* (SCH # 92042024) in accordance with the California Environmental Quality Act (CEQA). The design of the subdivision and the proposed improvements will not cause significant effects on the environment or injure fish or wildlife, or their habitat, in that the proposed project has been thoroughly reviewed as part of the certified FEIR and subsequent addendums and the appropriate mitigation measures have been required. In addition, project density has been reduced. The Addendum shows that the project will result in no significant effects on the environment which haven't already been examined and addressed in the previously certified Rancho Royale Specific Plan FEIR. Moreover, pursuant to Public Resources Code section 21166, no new information which was not known and could not have been known at the time the FEIR was certified has become available, therefore no subsequent or supplemental EIR is required.

A more detailed explanation of not to prepare a subsequent EIR pursuant to Section 15162 of the CEQA Guidelines has been prepared as Addendum #3 of the Certified Final EIR of the *Rancho Royale Specific Plan* No. SP 1-92 as shown in Exhibit "D" hereto and by this reference incorporated herein.

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

1. That the aforementioned findings are hereby approved; and
2. That the City Council has independently reviewed and considered Addendum #3 of the certified Final Environmental Impact Report, which reflects the independent judgment of the City and determines that the Addendum adequately addresses the impacts of the Project. Addendum #3 provides substantial evidence the project will not rise to the level of preparing a subsequent EIR as described in Section 15162 of the CEQA Guidelines; and
3. That the City Council adopts Addendum #3 with recommended Mitigated Measures for Tentative Tract Map Nos. 35009 and 35448, as shown in Exhibit "D", attached hereto, and on file with the City of Desert Hot Springs Planning Division and is incorporated herein by reference; and
4. That the City Council approves Tentative Tract Map No. 35448 to subdivide 481-acre site with 73 residential and commercial lots, 35 lettered lots for street connections, main spine road system and open space areas for financial and conveyance purposes in conjunction with Tentative Tract Map No. 35009 to subdivide the 481-acre project site with 1,126 single-family lots, 8 multi-family residential/recreational commercial lots (923 residential units), and 32 acres divided into 3 lots for commercial and residential (171 residential units) uses with private and public streets, located on the west side of SR-62 within the *Rancho Royale Specific Plan #1-92* within the City of Desert Hot Springs, California (APNs 667-040-001 and 667-050-001), subject to Conditions of Approval, as shown in Exhibits "A", "B", and "C" thereto and by this reference incorporated herein; and
5. That the City Clerk shall certify to the adoption of this Resolution and shall mail by first class, postage prepaid, United States mail, a certified copy of this Resolution to the Applicant.

PASSED AND ADOPTED by the City Council of the City of Desert Hot Springs at a regular meeting held on the 7th day of August 2007 by the following vote:

AYES, and in favor thereof, Council members:

NAYS, Council members:

ABSENT, Council members:

ABSTAINING, Council members:

ATTEST:

APPROVED:

Rossie Stobbs, City Clerk

Alex W. Bias, Mayor

APPROVED AS TO FORM:

Ruben Duran, City Attorney

Ann Marie Gallant, City Manager

Exhibit A
Conditions of Approval
Tentative Tract Map No. 35009 and Tentative Tract Map No. 35448

General

- 1) The final plat of any phase shall be in substantial compliance with the approved Tentative Tract Maps Nos. 35009 and 35448, as shown in Exhibit 2 and shall comply with all Conditions of Approval as provided herein and shown in Exhibits "A", "B", and "C", attached to the City Council Resolution No. 2007-71.
- 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 indemnify, protect, hold harmless and defend the City and any agency or instrumentally thereof, an/or any of its officers, employees and agents from any and all claims, actions or proceedings against the City to attack, set 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. The 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.
- 4) All development on the properties shall be in compliance with all applicable provisions of the City's Municipal Code, including the Zoning Ordinance/Subdivision Ordinance, as well as all applicable provisions of the adopted Building Codes. All new construction shall obtain a building permit and comply with all requirements of the Building Department.
- 5) Adequate measures to control PM10, as a result of the development of the site shall be taken at all times during construction, in order to limit the dust and debris affecting any adjacent development. A PM10 Mitigation Plan must be filed with the Planning Department prior to issuance of any building permit.
- 6) That development within the project area, including all building elevations and floor plans, landscaping (common and private), street/project lighting, entry ways, walls, signage, and open space area improvements, shall be subject to Development and Design Review Permits approved by the Planning Commission prior to issuance of any permits.

Final Map/Plat

- 7) 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 approved by the City Engineer.
- 8) Prior to the final plat approved 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.
- 9) Final proposed street names must be submitted to the City Engineer's office and the Fire Department for review and approval.
- 10) Developer shall provide all dedications and easements to the satisfaction of the City of Desert Hot Springs and the City Engineer.

Acceptance of Conditions

- 11) Within 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., TTM Nos. 35009 and 35448) shall be deemed to have elapsed if compliance with this condition has not been undertaken within the specified time limits.

Site Maintenance

- 12) 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 5-days' notice by certified mail, the Applicant/Developer does not comply with the aforementioned 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.
- 13) 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.

Fees

- 14) The Applicant/Developer shall pay all established service, permit, impact and other applicable fees required by the City of Desert Hot Springs.
- 15) 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.

Site Development

- 16) All lots within Tentative Tract Map No. 35009 shall be designed so as to be in substantial compliance with the Pad Elevations (PE) as indicated on the approved tentative tract map as shown in Exhibit 4 unless otherwise approved by the City Engineer.
- 17) Any future retaining walls over two-feet in height between lots shall be reviewed with the project walls of the masterplan during the Development and Design Review Permit process.
- 18) All construction activity shall conform to the City's established hours for said activities.
- 19) Applicant shall meet with the Applicant/Developer of the RSDC project to negotiate in good faith for a provision of an emergency access easement area along the location of the westerly project boundary prior to final map approval. The full costs and construction of the emergency access shall be the responsibility of the developer from RSDC project, subject to review and approval by the City Engineer and Riverside County Fire Department. If the emergency access easement is determined not to be needed by the Riverside County Fire Department, then no further action is required.

- 20) The Applicant/Developer shall submit plans for all proposed bridges for the project for review and approval of Development and Design Review Permit.
- 21) Applicant/Developer shall ensure that grading activities within the sloped areas of the rear portions of all lots shall minimize the disturbance and maximize the conservation and preservation of native plant materials. Graded areas shall receive a naturalized treatment (if necessary) including the re-establishment of native vegetation where necessary to create a natural appearing terrain. Details shall be provided with the review of the single-family residential designs proposed in conjunction with the Development and Design Review Permit.
- 22) Visible drainage channels, brow ditches, swales and similar structures shall receive a naturalized treatment including native rock, colored concrete, and landscaping so that the structures appears an integral part of the environment.
- 23) Applicant/Developer shall include language within the Conditions, Covenants and Restrictions ("CC&R's") requiring homeowners to obtain approval from the Home Owners Association ("HOA") and City of any future retaining walls or development into any rear yard sloped areas of the single-family lots. Appropriate site plans, wall elevations and engineering calculations shall be provided for review by the HOA and City of Desert Hot Springs.
- 24) Applicant/Developer shall submit plans for installation of the future water tank and surrounding landscaping/walls of the water tank site via Development and Design Review Permit.
- 25) The water tank shall be partially submerged as allowed by the Mission Springs Water District.
- 26) Landscape for the property shall utilize drought-tolerant landscaping or other planting reflective of the desert environment and employ water efficient irrigation systems subject to the requirements of the Mission Springs Water District (MSWD) Water Efficient Landscaping Ordinance.

Mitigation Measures/Conditions of Approval

- 27) The Applicant/Developer shall comply with all mitigation measures contained in Addendum #3 to the FEIR, as shown in Exhibit "E", attached to the City Council Resolution No. 2007-71 and incorporated hereto by this reference.
- 28) All mitigation measures of Final Certified Environmental Impact Report (SCH # 92042024) for *Rancho Royale Specific Plan*, as well as any addenda and conditions thereto which apply to the Applicant's project, shall be met.
- 29) All conditions of approval of the *Rancho Royale Specific Plan* SP 1-92 shall be met.

Site Walls

- 30) Site walls (between lots): any on-site property line wall or combination of fence, screen or retaining walls shall not be over six (6) feet in height located on the rear and side property lines as measured from the lowest side of the wall where it is constructed, consistent with the requirements of the zoning ordinance, unless a higher wall is required for noise attenuation along SR-62.
 - a. Fence/wall less than thirty (30) inches apart (measured between adjoining fences) shall be considered one structure and fence height shall be measured from the base of the lower fence to the top of the higher wall fence. Fences thirty inches or more apart shall be measured independently. Areas between such fences shall be provided with permanent landscaping and irrigation, including erosion control measures and shall be reviewed and approved by the Planning Division prior to installation and/or permit issuance.

- 31) Wall plans for the retention area(s) must be submitted and reviewed by the Planning and Engineering Divisions prior to issuance of permit. Unless otherwise approved by the City Engineer Retention areas shall be secured with iron fencing and masonry pilasters (consistent with materials and colors of project's perimeter wall).
- 32) Site walls (perimeter): Unless otherwise approved by the Planning Commission a 6-foot solid masonry wall with masonry pilasters and a 6-inch concrete cap is required for the site's perimeter wall.
 - a. In lieu of the above listed perimeter wall materials, the Applicant/Developer shall be allowed to utilize the below listed materials:
 - i. 6-foot iron view fence with decorative block pilasters with a 6-inch concrete cap; or
 - ii. 6-foot combination retaining/screen wall with iron view fencing with decorative block pilasters with a 6-inch concrete cap.
 - iii. Pilaster spacing for the above requirements shall be reviewed and approved by the Planning Department.
 - b. Perimeter walls and decorative block pilasters shall be treated with a graffiti resistant coating. Preventative measures utilizing growing vines or other softer/green material may be considered, subject to approval by the Planning Department.

Lighting

- 33) 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.
- 34) A photometric plan shall be required for all commercial properties subject to review during the Development and Design Review process.

RV Parking

- 35) Recreational vehicle parking shall be prohibited anywhere on the project site.

CC&R's

- 36) The Applicant or successor in interest shall submit CC&R's in a form acceptable to the City Attorney, for the proposed subdivision. The CC&R's must include provisions for:
 - i. The creation of a property owner's association;
 - ii. Architectural, landscaping, lighting, and signage guidelines;
 - iii. That the installation of rear yard landscaping in each of the dwelling units within one year of the initial sale of a unit.
 - iv. That no RV parking will be allowed [anywhere] on the project site.
 - v. That each individual single-family unit (individual residence) will be responsible for their own trash disposal and that common area trash disposal (i.e., enclosures) shall not be permitted.
 - vi. Maintenance of all common area improvements on the site, including private roadways, perimeter fencing, lighting, retention areas, landscaping and irrigation shall be provided for.
 - vii. The perpetual maintenance of all on-site flood control facilities, streets, walls, bridges and structures, as well as common landscape and retention areas, as set forth in City Engineers Conditions of Approval.
- 37) The Applicant/Developer shall be required to develop a master association after first Development and Design Permits are obtained for the commercial properties to address maintenance of common areas, architectural guidelines, trash disposal, lighting, and other physical improvements similar too those areas described in Condition #36 contained herein.

- 38) The Applicant/Developer, prior to recordation of final map Tentative Tract Map No. 35009 shall submit CC&R's for review. The Applicant or successor in interest shall submit a deposit to cover legal costs incurred by the City in its review of CC&R's and related documents prior to their recordation.

Street Design

- 39) Project entrance(s) with guarded entry ways shall provide adequate turnabout and median to exit the subject site, subject to review and approval by the City Engineer and Planning Division.
- 40) The Applicant/Developer will be required to have a minimum of a three-car stacking area in the gated entrance lane(s).
- 41) The proposed Arterial Highway (107' R.O.W.), Collector Highway (88' R.O.W.), Local Street (60' R.O.W.), and Minor Collect Road (74' R.O.W.) cross-sections are approved as conditioned herein.
- 42) The Applicant/Developer shall provide one to two trees on each lot facing a local street measured five and one half (5.5) feet to eight (8) feet maximum from back of sidewalk with incorporation of a tree root deflector(s), subject to the following: a) The trees and tree root deflector details shall be shown within the landscaping plans, subject landscape plans review and approval of Development and Design Review Permit. b) Language shall be incorporated within the CC&R's for enforcement by the HOA of maintenance of all trees within the first eight (8) feet from the back of sidewalk of a local street, subject to review and approval by the Community Development Director or his designee.
- 43) The Applicant/Developer will be required to install the median and median landscape and lighting along Mission Creek Road adjacent to the property frontage to the satisfaction of the City Engineer. These improvements must be installed prior to the issuance of the first residential building final, as depicted on the Tentative Tract Map No. 35448, and subject to approval from the City Engineer.
- 44) Applicant/Developer will be required to design Mission Creek Road to be compatible with planned circulation to the north, to the satisfaction of and approval by the City Engineer.
- 45) Applicant/Developer shall incorporate appropriate traffic calming measures (i.e., landscaped medians and other street landscaping) or other acceptable street design within long lineal streets in excess of 600 feet in length, subject to approval by the City of Desert Hot Springs City Engineer and Riverside County Fire Department.
- 46) Applicant/Developer shall review the all corner lots adjacent to collector streets pertaining to potential traffic conflicts/safety from the street intersections before final map approval, subject to the City of Desert Hot Springs City Engineer.

School

- 47) The Developer/builder shall be required to pay applicable school fees prior to issuance of any building permits.
- 48) Developer/builder shall provide approximately 15-acre site for provision of a school and to work with the Palm Springs Unified School District (PSUSD) as to the location of the future school to ensure full access, prior to final map approval. In the event PSUSD determines, for whatever reason, that school site is not needed within the project, Developer/Builder shall be allowed to develop the site in a manner consistent with the Tentative Tract Map.

Utilities

- 49) All Utilities (electricity, telephone, cable TV, and natural gas) shall be extended to all lots within the subdivision.

- 50) 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 or designee prior to any work being completed.
- 51) Prior to 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 company's approval shall be submitted to the City Engineer and the Community Development Director.
- 52) Developer at the request of the City and prior to final map approval shall dedicate public utility easement(s) to the City of Desert Hot Springs. The easements(s) may be dedicated on the final map itself

City Engineer

- 53) Prior to the installation of any improvements in the public right-of-way (ROW), an encroachment permit must be obtained from the City Engineer or designee. Other encroachment permits may be required for offsite work that is not directly associated to the project site or by other outside sources such as the Mission Springs Water District (MSWD), and Riverside County Flood Control and Water Conservation District (RCFCWCD) and Metropolitan Water District (MWD).
- 54) Any required water and sewer facilities must be constructed and paid for by the Developer/Subdivider in conformance with the standards of the MSWD and will require inspection by MSWD and the City of Desert Hot Springs for any applicable ROW and street repair requirements. This includes all Well sites, Reservoir Sites, etc.
- 55) The Developer/Subdivider, as a condition of approval of a tract map, shall provide and install adequate water supply facilities, either within and outside the subdivision, in compliance with the requirements of the MSWD. Design and installation plans shall be subject to approval by the City Engineer and/or MSWD. 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.
- 56) The Developer/Subdivider shall provide and install all required streets and related improvements according to the City of Desert Hot Springs Standard Specifications and as approved by the City Engineer or his designee.(e.g., sidewalks, curbs, streets, storm drains, etc.), within and outside the project site. These infrastructure improvement requirements shall be bonded prior to the recordation of any final tract map associated with the project for all off site street improvements, storm drain improvements, an miscellaneous infrastructure improvements in the City's public ROW.
- 57) The Developer/Subdivider will be required to recycle all applicable construction materials during project construction. The Developer/Subdivider 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.
- 58) All improvement plans shall be coordinated for consistency with the building, planning and engineering departments prior to the issuance of any encroachment, building, or other related permits on the project site.

- 59) Street improvements for the public streets shall conform to the typical sections in the City of Desert Hot Springs Standard Specification Manual, Tentative Tract Map/Specific Plan and to the satisfaction of the City Engineer or designee. All Improvement Plans shall be submitted for review and approval by the City Engineer. Typical sections for private streets shall conform to the tentative maps. **(TTM No. 35448)**
- 60) The final tract map must substantially conform to the tentative tract maps to be approved and recorded by the Office of the County Assessor.
- 61) The Developer/Subdivider will be required to construct Mission Creek Road from State Highway 62 to the northern boundary. All Street and Storm design plans for this configuration must show all easements and dedications for the MSWD, MWD, and California Department of Transportation. These plans will be subject to approval by the City Engineer or designee.
- 62) The Developer/Subdivider shall construct the three northerly onsite bridges/culverts as all weather facilities for a 100 years flood and the two southerly crossings may be low water crossings designed for a ten year flood. **(TTM No. 35448)**
- 63) The developer/subdivider shall construct a traffic signal at the intersection of Mission Creek Road and Spine Road (Lot AB) in conjunction with development, when warranted. **(TTM No. 35009)**
- 64) The Developer/Subdivider will be required to construct full street improvements along southern access road from the Tract Map boundary to Highland Falls Blvd to the modified Minor Collector Street Standard (74 feet ROW and 50 feet street cross-section) which shall include all curb, gutter, and sidewalk. The Developer/Subdivider shall also construct a 24 foot wide roadway from the intersection of the southern access roadway to Pierson Blvd. along the ROW of Highland Falls Blvd. The Developer/Subdivider shall obtain a permit from MWD to cross the ROW for the Colorado River Aqueduct and construct necessary facilities to protect the aqueduct. These improvements will be required to be constructed before occupancy occurs in the first phase of residential construction of the project (whether the south or north end of the proposed project site develops first). **(TTM No. 35448)**
- 65) The Developer/Subdivider will be required to construct a traffic signal at Mission Creek Road and State Highway 62 and full intersection improvements including left turn lanes on State Highway 62 during the first phase of residential construction of the project and to the approval of the City Engineer or designee. These improvements will be required to be constructed in the first phase of residential construction of the project. The City will enter into a reimbursement agreement to obtain a fare share reimbursement from Tract Map No. 34588. **(TTM No. 35448)**
- 66) All easements that are shown on the Tentative Tract Map that are to be abandoned must be shown on the tentative and final maps as such.
- 67) All MWD, Southern California Edison (SCE), and other easements that are to be protected in place must be shown on the tentative and final maps.
- 68) All future private interior streets must meet the minimum street width and turning radii for fire trucks and emergency vehicles.
- 69) The Developer/Subdivider shall install streetlights in all adjacent and interior streets, as well as, all major intersections of the project site to the satisfaction of the City Engineer and in accordance of the City of Desert Hot Spring Standard Specifications. All street lighting within the interior of the project shall conform to the City of Desert Hot Springs Night Sky Ordinance and the *Rancho Royale Specific Plan*, as required by the Planning Department and the conditions of approval as approved by the City Council.

- 70) An Assessment District, Homeowner's Association (HOA), or other responsible entity shall be established to assure and Conditions, Covenants and Restrictions (CC&Rs) shall be recorded to ensure the perpetual maintenance of all on-site flood control facilities, streets, walls, bridges and structures as well as common landscape and retention areas prior to the issuance of Conditions of Occupancy. Prior to recordation, the CC&Rs shall be submitted for review and approval by the City and as to form by the City Attorney.
- 71) Prior to the issuance of any permits associated with the project site and project off site requirements, the Developer/Subdivider shall obtain permits or "will serve" clearances from all required utility agencies (MSWD, SCE, Verizon, and The Gas Company).
- 72) 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 Office of the County Recorder.
- 73) The Developer/Subdivider's engineer or surveyor shall set durable monuments to the satisfaction of the City Engineer or designee, in conformance with Section 66495 of the Subdivision Map Act.
- 74) All work within the public ROW 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, and the Work Area Traffic Control Handbook (WATCH). Additionally, the construction equipment ingress and egress be controlled by a plan approved by the City Engineer or designee.
- 75) All proposed public utility facilities shall be placed underground. The Developer/Subdivider is responsible for complying with the requirements of conditions set forth in 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 project site and are used solely in connection with the underground transmission or distribution lines;
 - B. Poles supporting street lights, 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 under grounding utilities;
 - E. 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 1 line is exempt, all parallel lines on that same pole shall be exempt.
- 76) Developer/Subdivider 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.
- 77) The Developer/Subdivider shall repair or replace, to the satisfaction of the City Engineer, any public improvements damaged during the construction of this development.
 - 78) 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.
 - 79) The Developer/Subdivider shall obtain a drainage easement or easements from the adjacent property owner(s) to accommodate any proposed off-site drainage during all phases of construction of the project site and offsite improvements.
 - 80) Lots within and/or outside of the project site 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 PM₁₀ control plan.
 - 81) Prior to and during construction, streets and disturbed open areas within and/or outside of the project site shall be treated by watering or other approved method to prevent fugitive dust.
 - 82) The Developer/Subdivider shall "offer" to the City of Desert Hot Springs, by a Certificate on the Final Tract Map, dedication of full street ROW for all public streets within the proposed development.
 - 83) 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.
 - 84) 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 City of Desert Hot Springs 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 City of Desert Hot Springs 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 Developer/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.
- 85) 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 Developer/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

- 86) All storm water systems to serve the project shall be in compliance with the requirements of the City of Desert Hot Springs, and the approval of the City Engineer.
- 87) The proposed project site shall comply with the current Storm Water Pollution Prevention Plan (SWPPP) 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.
- 88) Prior to construction of any phase, the storm water plans, and erosion control plans shall be reviewed and approved by the City Engineer.
- 89) All storm water and flood control improvements shall be bonded or constructed prior to approval of the final map with the approval of the City Engineer. These improvements along with a phased erosion control plan must be submitted to show that Phase 1 or 2 of the development is not flooded without the entire site being constructed. All storm lines will be constructed and phased appropriately to the satisfaction of the City Engineer.
- 90) The Developer/Subdivider 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/Subdivider 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.

- 91) 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.
- 92) All building pads shall drain to the private streets within the project site or drainage device acceptable to the City Engineer.
- 93) The Tentative Tract Map will be required to contain on site retention through retention basins, storm drain systems, or other method of detention.
- 94) 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. The berms/dikes along the natural drainage courses and tract boundary shall be designed and built to protect the tract from a 100 years flood with a three freeboard on all berms/dikes.
- 95) Retention Area Basins will be required to have perimeter fencing (except for those retention basins within the natural wash areas) for safety as approved by the Planning and Engineering Departments.
- 96) The Developer/Subdivider must obtain a permit from the Regional Water Quality Board before site work may begin.

Grading and Site Work

- 97) 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.
- 98) A Soils and Geologic report shall be submitted for review and approval by the City Engineer prior to the issuance of permits.
- 99) 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.
- 100) All grading improvements and site work shall be constructed or bonded prior to submittal of the final parcel map and approved by the City of Desert Hot Springs and the City Engineer.
- 101) Rough grading plans, and precise grading plans shall be submitted for review and approval by the City Engineer prior to the issuance of permits.
- 102) 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. This includes all adjacent property owners.
- 103) 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.
- 104) All wall heights, wall types, and wall set backs must be approved by the Planning Department.

- 105) The Developer/Subdivider will be required to complete and sign the City of Desert Hot Springs Fugitive Dust Control Plan. This all acknowledge the receipt of ownership of all items to be adhered to in the plan for the project site.
- 106) The Developer/Subdivider will be required to show all adjacent future pad elevations or existing site elevations adjacent to the project site.

Fire Department

- 107) For residential areas, approved standard fire hydrants, located at each intersection and spaced 330 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.
- 108) For any buildings with public access i.e. recreational halls, clubhouses, etc. or buildings with a commercial use i.e. gatehouses, maintenance sheds, etc. Super fire hydrants are to be placed no closer than 25 feet and not more than 165 feet from any portion of the first floor of said building following approved travel ways around the exterior of the building. Minimum fire flow for these areas would be 1500 GPM for a 2-hour duration at 20 PSI.
- 109) The water mains shall be designed to provide for a potential fire flow of 2500 GPM and an actual fire flow available from any one hydrant connected to any given main of 1500 GPM for a 2-hour duration at 20 PSI residual operating pressure.
- 110) 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.
- 111) Any turn-around requires a minimum 38-foot turning radius.
- 112) All structures shall be accessible from an approved roadway to within 150 feet of all portions of the exterior of the first floor.
- 113) The minimum dimension for access roads and gates is 20 feet clear and unobstructed width and a minimum vertical clearance of 13 feet 6 inches in height.
- 114) Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with approved provision for the turn around capabilities of fire apparatus
- 115) Any gate providing access from a road 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.
- 116) 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. Automatic gates shall be provided with backup power.
- 117) Roadways may not exceed 1320 feet without secondary access. This access may be restricted to emergency vehicles only however, public egress must be unrestricted.
- 118) 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.
- 119) The applicant or developer shall prepare and submit to the Fire Department for approval, a site plan designating required fire lanes with appropriate lane painting and/or signs.
- 120) Flag lots are not permitted due to public safety issues.

- 121) Secondary access is required. Provide a circulation map indicating a secondary access point to a major circulatory road way.
- 122) The Proposed project will have a cumulative adverse impact on the Fire Department's ability to provide an acceptable level of service. These impacts include an increase in the number of emergency and public service calls due to the increased presence of structures, traffic and population. The project proponents/developers will be expected to provide for a proportional mitigation to these impacts via capital improvements and/or impact fees