

Exhibit No 1
Recommended Findings of Fact
Tuscan Hills Specific Plan

Case Nos. SP 02-16, GPA 03-16, ZMA/ZTA 03-16,
TTM's 36774, 37300, 37301, 37302, & 37303

GENERAL PLAN AMENDMENT FINDINGS

Under Section 17.100.050 of the Desert Hot Springs Municipal Code, an amendment to the General Plan may be adopted only if all of the following findings are made:

A. That the proposed amendment is internally consistent with the General Plan;

The present proposed plan is consistent with the current General Plan which designates the entire project site as the Desert Hot Springs Resort Cornerstone Specific Plan (DHSRCSP). The proposed changes include a name change to the Tuscan Hills Specific Plan, the removal of the golf course, a reduction in project density, a reduction in the number of rooms in the hotel, coming in to compliance with new regulations from Riverside County Flood Control, and other minor changes that serve to further reduce the impacts of the project as compared to the previous DHSRCSP. The proposed Tuscan Hills Specific Plan, including its proposed zoning map and text amendments, has been evaluated against the General Plan of the City of Desert Hot Springs to identify any potential inconsistencies (Specific Plan "Chapter 3 – General Plan Relationship"). The proposed Specific Plan introduces very low, low, and medium density residential planning areas, open space planning areas, and a commercial planning area with a 334-room resort hotel and spa to the site that was previously approved for the Desert Hot Springs Resort Cornerstone Specific Plan. The proposed Tuscan Hills Specific Plan reduces the density, increases open space, reduces the size of the hotel as well as making other certain minor changes to the project. The project will provide for adequate public and private improvements to avoid conflicts with the General Plan Land Use, Circulation, Housing and other Elements of the Community Development Chapter; as well as with Environmental Resources, Environmental Hazards, and Public Facilities and Facilities Chapters. Staff has identified no inconsistencies between the proposed Specific Plan and the General Plan. Staff recommends this finding.

B. That the proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City;

The proposed Tuscan Hills Specific Plan, including its proposed zoning map and zone text amendment, provides for development of a master planned residential community and resort hotel & spa, provisions for public and private improvements to address vehicular circulation, including emergency services, as well as drainage, air quality and other environmental factors. The proposed Specific Plan implements General Plan economic goals through the establishment of policies and regulations supporting master planned residential community and resort hotel & spa. The project will also be required

to make all necessary on-site and off-site improvements including, but not limited to, street widening, installation of curbs, gutters, sidewalks, streetlights, ADA ramps, etc. The project will also be evaluated for necessary improvements/additional resources required by the Riverside County Fire Department, Palm Springs Unified School District, Mission Springs Water District, and the City of Desert Hot Springs for future road network improvements to mitigate traffic produced by the additional housing and the hotel. Staff has concluded that the proposal, as conditioned would not be detrimental to the public interest, health, safety, convenience or welfare of the City. Staff recommends this finding.

C. That the proposed amendment would maintain the appropriate balance of land uses within the City; and

The proposed Tuscan Hills Specific Plan modifies the underlying Desert Hot Springs Resort Cornerstone Specific Plan by decreasing the number of residential units, decreasing the size and number of hotel rooms, increasing the open space, updating the water detention facilities, as well as other minor changes to the previously approved project. Staff believes that the Specific Plan will maintain the appropriate balance of land uses within the City. Staff recommends this finding.

D. That in the case of an amendment to the General Plan Land Use Map, the subject parcel(s) is physically suitable (including, but not limited to access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested land use designation(s) and the anticipated land use development(s).

The proposed Tuscan Hills Specific Plan would amend the General Plan Land Use Map for the vacant 554-acre site to establish multiple residential planning areas, multiple open space planning areas, and a commercial planning area to support development of a master planned residential community and resort hotel & spa. The site is generally flat and square-shaped to allow for development according to the Specific Plan's standards and guidelines. Five streets are being conditioned for improvements and right-of-way dedication including the main access off o Pierson Boulevard and a condition requiring the developer to work with the City of future improvement road widening, new traffic signals, etc.) to the local road network to help mintage the impacts of 1800+ homes and the 334-room hotel and spa. Staff has also added similar conditions that prior to recordation of the final map the developer provide master plans for water, sewer, emergency access, a hotel evacuation plan, etc. The Specific Plan's amendment to the Land Use Map provides for a mix of uses that are compatible with surrounding residential and, resort, and limited commercial uses. The project will also be required to make all necessary on-site and off-site improvements including, but not limited to, street widening, installation of curbs, gutters, sidewalks, streetlights, ADA ramps, etc. The project will also be evaluated for necessary improvements and/or the need for additional resources as required by the Riverside County Fire Department, Palm Springs Unified School District, Mission Springs Water District, and the City of Desert Hot Springs for future road network improvements to mitigate traffic produced by the additional housing and the hotel. Staff believes the subject parcel is physically suitable for the requested land use designation and anticipated development. Staff recommends this finding.

ZONING ORDINANCE AMENDMENT FINDINGS

Zoning Code Amendments – changes either to the map or the text - are regulated under Section 17.88 of the Desert Hot Springs Municipal Code. According to Section 17.88.050, an amendment to the Zoning Ordinance may be adopted only if the following findings are made:

A. The proposed amendment is consistent with the General Plan;

The present proposed plan is consistent with the current General Plan which designates the entire project site as the Desert Hot Springs Resort Cornerstone Specific Plan (DHSRCSP). The proposed changes include a name change to the Tuscan Hills Specific Plan, the removal of the golf course, a reduction in project density, a reduction in the number of rooms in the hotel, coming in to compliance with new regulations from Riverside County Flood Control, and other minor changes that serve to further reduce the impacts of the project as compared to the previous DHSRCSP. The proposed Tuscan Hills Specific Plan, including its proposed zoning map and text amendments, has been evaluated against the General Plan of the City of Desert Hot Springs to identify any potential inconsistencies (Specific Plan “Chapter 3 – General Plan Relationship”). The proposed Specific Plan introduces very low, low, and medium density residential planning areas, open space planning areas, and a commercial planning area with a 334-room resort hotel and spa to the site that was previously approved for the Desert Hot Springs Resort Cornerstone Specific Plan. The proposed Tuscan Hills Specific Plan reduces the density, increases open space, reduces the size of the hotel as well as making other certain minor changes to the project. The project will provide for adequate public and private improvements to avoid conflicts with the General Plan Land Use, Circulation, Housing and other Elements of the Community Development Chapter; as well as with Environmental Resources, Environmental Hazards, and Public Facilities and Facilities Chapters. Staff has identified no inconsistencies between the proposed Specific Plan and the General Plan. Staff recommends this finding.

B. The amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

The proposed Tuscan Hills Specific Plan, including its proposed zoning map and text amendments, provides for development of a master planned residential community and resort hotel & spa, provisions for public and private improvements to address vehicular circulation, including emergency services, as well as drainage, air quality and other environmental factors. The proposed Specific Plan implements General Plan economic goals through the establishment of policies and regulations supporting master planned residential community and resort hotel & spa. The project will also be required to make all necessary on-site and off-site improvements including, but not limited to, street widening, installation of curbs, gutters, sidewalks, streetlights, ADA ramps, etc. The project will also be evaluated for necessary improvements and/or the need for additional resources as required by the Riverside County Fire Department, Palm Springs Unified School District, Mission Springs Water District, and the City of Desert Hot Springs for future road network improvements to mitigate traffic produced by the additional housing and the hotel. Staff has concluded that the proposal would not be detrimental to the public interest, health, safety, convenience or welfare of the City. Staff recommends this finding.

SPECIFIC PLAN FINDINGS

A specific plan may be adopted only if all of the following findings are made:

A. The proposed plan is consistent with the General Plan;

The present proposed plan is consistent with the current General Plan which designates the entire project site as the Desert Hot Springs Resort Cornerstone Specific Plan (DHSRCSP). The proposed changes include a name change to the Tuscan Hills Specific Plan, the removal of the golf course, a reduction in project density, a reduction in the number of rooms in the hotel, coming in to compliance with new regulations from Riverside County Flood Control, and other minor changes that serve to further reduce the impacts of the project as compared to the previous DHSRCSP. The proposed Tuscan Hills Specific Plan, including its proposed zoning map and text amendments, has been evaluated against the General Plan of the City of Desert Hot Springs to identify any potential inconsistencies (Specific Plan "Chapter 3 – General Plan Relationship"). The proposed Specific Plan introduces very low, low, and medium density residential planning areas, open space planning areas, and a commercial planning area with a 334-room resort hotel and spa to the site that was previously approved for the Desert Hot Springs Resort Cornerstone Specific Plan. The proposed Tuscan Hills Specific Plan reduces the density, increases open space, reduces the size of the hotel as well as making other certain minor changes to the project. The project will also be required to make all necessary on-site and off-site improvements including, but not limited to, street widening, installation of curbs, gutters, sidewalks, streetlights, ADA ramps, etc. The project will also be evaluated for necessary improvements and/or the need for additional resources as required by the Riverside County Fire Department, Palm Springs Unified School District, Mission Springs Water District, and the City of Desert Hot Springs for future road network improvements to mitigate traffic produced by the additional housing and the hotel. The project will provide for adequate public and private improvements to avoid conflicts with the General Plan Land Use, Circulation, Housing and other Elements of the Community Development Chapter; as well as with Environmental Resources, Environmental Hazards, and Public Facilities and Facilities Chapters. Staff has identified no inconsistencies between the proposed Specific Plan and the General Plan. Staff recommends this finding.

B. The proposed plan would not be detrimental to the public interest, health, safety, convenience, or welfare of the City;

The proposed Tuscan Hills Specific Plan, including its proposed zoning map and text amendments, provides for development of a master planned residential community and resort hotel & spa, provisions for public and private improvements to address vehicular circulation, including emergency services, as well as drainage, air quality and other environmental factors. The proposed Specific Plan implements General Plan economic goals through the establishment of policies and regulations supporting master planned residential community and resort hotel & spa. The project will also be required to make all necessary on-site and off-site improvements including, but not limited to, street widening, installation of curbs, gutters, sidewalks, streetlights, ADA ramps, etc. The project will also be evaluated for necessary improvements and/or the need for additional resources as required by the Riverside County Fire Department, Palm Springs Unified

School District, Mission Springs Water District, and the City of Desert Hot Springs for future road network improvements to mitigate traffic produced by the additional housing and the hotel. Staff has concluded that the proposal would not be detrimental to the public interest, health, safety, convenience or welfare of the City. Staff recommends this finding.

- C. The subject property is physically suitable for the requested land use designation(s) and the anticipated land use development(s);*

The proposed Tuscan Hills Specific Plan would amend the General Plan Land Use Map for the vacant 554-acre site to establish multiple residential planning areas, multiple open space planning areas, and a commercial planning area to support development of a master planned residential community and resort hotel & spa. The site is generally flat and square-shaped to allow for development according to the Specific Plan's standards and guidelines. Five streets are being conditioned for improvements and right-of-way dedication including the main access off of Pierson Boulevard and a condition requiring the developer to work with the City of future improvement road widening, new traffic signals, etc.) to the local road network to help mitigate the impacts of 1800+ homes and the 334-room hotel and spa. Staff has also added similar conditions that prior to recordation of the final map the developer provide master plans for water, sewer, emergency access, a hotel evacuation plan, etc. The Specific Plan's amendment to the Land Use Map provides for a mix of uses that are compatible with surrounding residential and, resort, and limited commercial uses. Staff believes the subject parcel is physically suitable for the requested land use designation and anticipated development.

- D. The proposed plan shall ensure development of desirable character which will be compatible with existing and proposed development in the surrounding neighborhood; and*

The proposed Tuscan Hills Specific Plan modifies the underlying Desert Hot Springs Resort Cornerstone Specific Plan by decreasing the number of residential units, decreasing the size and number of hotel rooms, increasing the open space, updating the water detention facilities, as well as other minor changes to the previously approved project. The project is located on the north east side of town in an area surrounded by residential uses, small boutique resorts & motels and some limited commercial on Pierson Boulevard. Staff believes that the Specific Plan will maintain the appropriate balance of land uses within the City. The project will also be required to make all necessary on-site and off-site improvements including, but not limited to, street widening, installation of curbs, gutters, sidewalks, streetlights, ADA ramps, etc. The project will also be evaluated for necessary improvements and/or the need for additional resources as required by the Riverside County Fire Department, Palm Springs Unified School District, Mission Springs Water District, and the City of Desert Hot Springs for future road network improvements to mitigate traffic produced by the additional housing and the hotel. Staff recommends this finding.

- E. The proposed plan will contribute to a balance of land uses so that local residents may work and shop in the community in which they live.*

The proposed Tuscan Hills Specific Plan modifies the underlying Desert Hot Springs Resort Cornerstone Specific Plan by decreasing the number of residential units, decreasing the size and number of hotel rooms, increasing the open space, updating the water detention facilities, as well as other minor changes to the previously approved project. The project is located on the north east side of town in an area surrounded by residential uses, small boutique resorts & motels and some limited commercial on Pierson Boulevard. The proposed hotel will add to the stock in the city provide addition revenue for the city in the form of transit occupancy taxes and the spa will not only service hotel guests but will service residents and other visitors. There will also be a public park with a playground, pool and a large grass area for recreation. The hotel will also provide convention/banquet facilities to host local events, conventions, town hall events, etc. and the hotel will have restaurant for guests, residents, and visitors to the City. The project will also be evaluated for necessary improvements required by the Riverside County Fire Department, Palm Springs Unified School District, Mission Springs Water District, and the City of Desert Hot Springs for future road network improvements to mitigate traffic produced by the additional housing and the hotel. Staff has concluded that the proposal would not be detrimental to the public interest, health, safety, convenience or welfare of the City. Staff believes that the Specific Plan will maintain the appropriate balance of land uses within the City. Staff recommends this findings.

TENTATIVE TRACT MAP FINDINGS:

- I. The tentative map(s) may be approved or conditionally approved by the Council if it finds that the proposed subdivision, together with the provisions for its design and improvements, are consistent with the General Plan, and applicable specific plan, and all applicable provisions of the municipal code.
 - A. *The proposed subdivision, together with the provisions for its design and improvements, are consistent with the General Plan, and applicable specific plan, and all applicable provisions of the municipal code.*

The proposed tentative tract maps serve to subdivide 5 larger parcels into smaller lots to define the boundaries of the Planning Areas, the HOA lots, lettered lots, three water detention basins, various street rights-of-way, open space lots, and a public park lot. The present proposed plan in consistent with the current General Plan which designates the entire project site as the Desert Hot Springs Resort Cornerstone Specific Plan (DHSRCSP). The proposed changes include a name change to the Tuscan Hills Specific Plan, the removal of the golf course, a reduction in project density, a reduction in the number of rooms in the hotel, coming in to compliance with new regulations form Riverside County Flood Control, and other minor changes that sever to further reduce the impacts of the project as compared to the precious DHSRCSP. The project has been conditioned to be consistent with the Goals & Polices of the City's General Plan and mitigation measures will be implements to reduce the impacts of the project to levels that are "less than significant". The project will also be required to make all necessary on-site and off-site improvements including, but not limited to, street widening, installation of curbs, gutters, sidewalks, streetlights, ADA ramps, etc. The project will also be evaluated for necessary improvements required by the Riverside County Fire Department,

Palm Springs Unified School District, Mission Springs Water District, and the City of Desert Hot Springs for future road network improvements to mitigate traffic produced by the additional housing and the hotel. Therefore, staff has concluded that the proposed tentative tracts maps and their intended uses are consistent with City's General Plan and all applicable provisions of the Municipal Code. Staff recommends this finding

II. According to Municipal Code Section 16.24.150 (Commission recommendation) a tentative map may be denial by the Commission on any of the grounds contained in the Map Act, General Plan or the municipal code. The Commission shall recommend denial of the tentative map if it makes any of the following mandatory findings contained in Map Act Section 66474. Staff has developed a response to each finding, as follows:

1. *That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.*

As noted in the findings (above) for the associated Specific Plan, the proposed development of a master planned residential community and resort hotel & spa conforms to the General Plan and Tuscan Hills Specific Plan. The proposed tentative map subdivides one existing lot into smaller lots to define the boundaries of the Planning Areas, the HOA lots, three water detention basins, various street rights-of-way, an open space lot, and a public park lots to allow for this development. The conclusions related to the Specific Plan findings regarding General Plan and Specific Plan consistency may also apply to the proposed tentative map.

2. *That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans;*

The proposed tentative map subdivides one existing lot into smaller lots to define the boundaries of the Planning Areas, the HOA lots, three water detention basins, various street rights-of-way, an open space lot, and a public park lot. The lots proposed by the tentative map will all comply with the minimum lot area standard for the Tuscan Hills Specific Plan. Consequently, the proposed tentative map will fulfill the goals and policies of the General Plan and Tuscan Hills Specific Plan, as indicated in the Specific Plan findings (above).

3. *That the site is not physically suitable for the type of development.*

The lots proposed by the tentative map will each be of a size (lot area), width, depth and surface (generally flat) to allow development, including accessory activities and features, such as vehicular access, drainage and flood control. As proposed, the site appears physically suitable for the type of development

4. *That the site is not physically suitable for the proposed density of development.*

The proposed map will create multiple lots each having sufficient area and shape to allow for development of the master planner residential community

and the resort hotel & spa, while also conforming to applicable development standards such as setbacks, height and parking. As proposed, the site appears physically suitable for the proposed density of development.

5. *That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.*

The proposed map and related development proposal have been evaluated for potential impacts to the environment. While potential impacts were identified, adequate mitigation measures to reduce such impact to less-than-significant levels have been developed and incorporated into the project's design, development and implementation. With these mitigation measures, the design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

6. *That the design of the subdivision or type of improvements is likely to cause serious public health problems.*

The proposed map and related development proposal have been evaluated for potential impacts to public health, including geologic hazards, hazardous materials and emergency services. Standard conditions were determined to be sufficient so that no serious public health problems are anticipated to result from the project.

7. *That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.*

The proposed tentative map will include a dedication of right-of-way for a portion of Pierson Boulevard, Foxdale Drive, Bernardo Way, and Verbena Drive to provide vehicular access to the site and development. No other access easements have been identified as necessary for the site or surrounding area that would pass through or make use of the subject property.

Staff has concluded that the proposed map meets the tests of the above mandatory findings and may be approved.