

**RESOLUTION NO. 03-55**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, APPROVING A TENTATIVE TRACT MAP AND NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT AS IT RELATES TO A PROPOSAL TO SUBDIVIDE 15.44 ACRES INTO SEVEN (7) RESIDENTIAL HILLSIDE LOTS LOCATED WEST OF THE STORM CHANNEL NORTH OF SOUTHCLIFF ROAD, APN'S 628-120-004, 007 AND 010.  
CASE NO. TT 31135**

**WHEREAS, the City Council of the City of Palm Desert, California, did on the 24th day of April, 2003, hold a duly noticed public hearing to consider the request of DORI CREE for approval of the above noted tentative tract map; and**

**WHEREAS, the Planning Commission by its Resolution No. 2192 has recommended approval of the proposed map; and**

**WHEREAS, said application has complied with the requirements of the "City of Palm Desert Procedure for Implementation of the California Environmental Quality Act, Resolution No. 02-60," in that the Director of Community Development has determined that the project will not have a significant impact on the environment and a Negative Declaration of Environmental Impact is recommended for certification; and**

**WHEREAS, at said public hearing, upon hearing and considering all testimony and arguments, if any, of all interested persons desiring to be heard, said City Council did find the following facts and reasons to exist to justify approval of the tentative tract map:**

- 1. The proposal is consistent with the adopted Palm Desert General Plan and West Hills Specific Plan.**
- 2. The proposal is consistent with the Hillside Ordinance.**
- 3. The proposal will not be detrimental to the public health, safety or general welfare, or be materially injurious to properties or improvements in the vicinity.**

**NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Palm Desert, California, as follows:**

- 1. That the above recitations are true and correct and constitute the findings of the City Council in this case.**

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2. That the City Council does hereby approve Tentative Tract Map No. 31135, subject to the attached conditions.
3. That a Negative Declaration of Environmental, attached hereto as Exhibit A, is hereby certified.

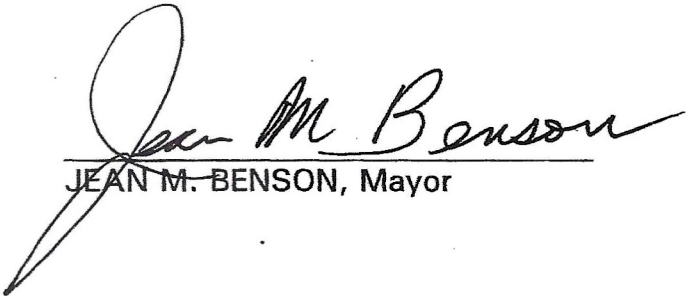
PASSED, APPROVED and ADOPTED at a regular meeting of the Palm Desert City Council, held on this 24th day of April, 2003, by the following vote, to wit:

AYES: FERGUSON, KELLY


NOES: BENSON

ABSENT: CRITES, SPIEGEL

ABSTAIN: NONE

  
JEAN M. BENSON, Mayor

ATTEST:

  
RACHELLE D. KLASSEN, City Clerk  
City of Palm Desert, California

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**CONDITIONS OF APPROVAL  
CASE NO. TT 31135**

**Department of Community Development:**

1. The development of the property described herein shall conform to approved exhibits on file in the Department of Community Development and shall be subject to the restrictions and limitations set forth herein which are in addition to all the requirements, limitations and restrictions of all municipal ordinances and State and Federal statutes now in force, or which hereafter may be in force.
2. That prior to commencing any grading or construction activity on the property included in this map, the owner shall first obtain approval from the City consistent with the provisions of Chapter 25.15 Hillside Planned Residential District.
3. All utilities serving the property shall be installed underground.
4. That the map be amended to place a conservation easement over Lot 7 (the 7.62 acre hillside lot).
5. Applicant shall employ all available technologies to reconstruct and renaturalize all disturbed areas.

**Department of Public Works:**

1. Drainage fees, in accordance with Section 26.49 of the Palm Desert Municipal Code and Palm Desert Ordinance Number 653, shall be paid prior to recordation of the final map or issuance of grading permits.
2. Drainage facilities shall be provided to the specifications of the Director of Public Works. In addition, proposed drainage facilities/improvements that impact the Palm Valley Channel shall be subject to review and approval by the Coachella Valley Water District.
3. Any storm/detention area design and construction shall be contingent upon a drainage study prepared by a registered civil engineer that is reviewed and approved by the Department of Public Works. Said study will include, but not be limited to, the investigation of both upstream and downstream impacts with respect to existing and proposed conditions.

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4. Signalization fees, in accordance with City of Palm Desert Resolution Nos. 79-17 and 79-55, shall be paid prior to recordation of the final map or issuance of grading permits.
5. Improvement plans for water and sewer systems shall be approved by the respective service districts with "as-built" plans submitted to the Department of Public Works prior to project final.
6. Improvement plans for all improvements, public and private, shall be reviewed and approved by the Public Works Department. The installation of such improvements shall be inspected by the Public Works Department and a standard inspection fee shall be paid prior to issuance of grading permits.
7. In accordance with Palm Desert Municipal Code Section 26.44, complete grading plans and specifications shall be submitted to the Director of Public Works for checking and approval prior to issuance of any permits. Preliminary landscape plans shall be submitted concurrently with grading plans.
8. As required under Section 12.16 and 26.44 of the Palm Desert Municipal Code, any existing overhead utilities shall be placed underground per each respective utility districts recommendation. If such undergrounding is determined to be unfeasible by the City and the respective utility districts, applicant shall agree to participate in any future utility undergrounding district.
9. Full improvements of interior street based on residential street standards in accordance with Section 26.40 of the Palm Desert Municipal Code shall be provided. Proposed interior street sections shall be subject to review and approval in conjunction with tentative tract map applications. The street shall be designed to the satisfaction of the Fire Marshal.
10. Complete tract map shall be submitted as required by ordinance to the Director of Public Works for checking and approval prior to the issuance of any permits associated with this project.
11. Any and all offsite improvements shall be preceded by the approval of plans and the issuance of valid encroachment permits by the Department of Public Works and Coachella Valley Water District, as applicable.
12. A complete preliminary soils investigation, conducted by a registered soils engineer, shall be submitted to, and approved by, the Department of Public Works prior to the issuance of any permits associated with this project.

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13. Proposed building pad elevations are subject to review and modification in accordance with Chapter 27 of the Palm Desert Municipal Code. Site grading design shall include consideration of existing topography.
14. Provision for the continuation of any existing access rights which may be affected by this project shall be included as a part of the final map process.
15. Applicant shall comply with the provisions of Palm Desert Municipal Code Section 12.12, Fugitive Dust Control.
16. The project shall be subject to Transportation Uniform Mitigation Fees (TUMF). Payment of said fees shall be at the time of building permit issuance.
17. Prior to start of construction, the applicant shall submit satisfactory evidence to the Director of Public Works of intended compliance with current and subsequent National Pollutant Discharge Elimination System General Permits (Permit # CAS000002) for storm water discharges associated with construction activity.
18. Prior to the issuance of any permits associated with this project, applicant shall provide evidence of legal access rights.
19. Further conditions may be applied when plans are submitted and reviewed for the individual homes.

**Riverside County Fire Department:**

1. With respect to the conditions of approval regarding the above referenced plan check, the Fire Department recommends the following fire protection measures be provided in accordance with City Municipal Code, NFPA, CFC, and CBC or any recognized Fire Protection Standards:

The Fire Department is required to set a minimum fire flow for the remodel or construction of all buildings per UFC article 87.

2. A fire flow of 1500 gpm for a 1 hour duration at 20 psi residual operating pressure must be available before any combustible material is placed on the job site.
3. Provide, or show there exists a water system capable of providing a potential gallon per minute flow of 1500 gpm for single family dwellings.

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4. The required fire flow shall be available from a wet barrel Super Hydrant(s) (4" x 2-1/2" x 2-1/2"), located not less than 25' nor more than 200' from any portion of a single family dwelling measured via vehicular travelways.
5. Water plans must be approved by the Fire Marshal and include verification that the water system will produce the required fire flow.
6. (13 D ok due to no secondary access.) Install a complete NFPA 13 fire sprinkler system. This applies to all buildings with a 3,000 square foot total cumulative floor area. The Fire Marshal shall approve the locations of all post indicator valves and fire department connections. All valves and connections shall not be less than 25' from the building and within 50' of an approved hydrant. Exempted are one and two family dwellings.
7. All valves controlling the water supply for automatic sprinkler systems and water-flow switches shall be monitored and alarmed per CBC Chapter 9.
8. Install a fire alarm system as required by the UBC Chapter 3.
9. All buildings shall be accessible by an all-weather roadway extending to within 150' of all portions of the exterior walls of the first story. The roadway shall not be less than 24' of unobstructed width and 13'6" of vertical clearance. Where parallel parking is allowed, the roadway shall be 36' wide with parking on both sides, 32' wide with parking on one side. Dead-end roads in excess of 150' shall be provided with a minimum 45' radius turn-around (55' in industrial developments).
10. Whenever access into private property is controlled through use of gates, barriers or other means, provisions shall be made to install a "Knox Box" key over-ride system to allow for emergency vehicle access. Minimum gate width shall be 16" with a minimum vertical clearance of 13'6".
11. A dead end single access over 500 feet will require a secondary access, sprinklers or other mitigative measure approved by the Fire Marshal. Under no circumstances shall a single dead end access over 1,300 feet be accepted. (OK fire sprinkler 13D on Lot A only.)
12. A second access is required. This can be accomplished by two main access points from main roadway or an emergency gated access into an adjoining development. (Have mitigated with fire sprinklers.)

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13. All buildings shall have illuminated addresses of a size approved by the City.
14. Conditions subject to change with adoption of new codes, ordinances, laws, or when building permits are not obtained within ~~12~~ months.

24  
PDD  
3/26/03  
Per state map Act.

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**EXHIBIT A**

**NEGATIVE DECLARATION**


**CASE NO:** TT 31135

**APPLICANT/PROJECT SPONSOR:** Dori Cree  
P.O. Box 25  
Rancho Mirage, CA 92270

**PROJECT DESCRIPTION/LOCATION:**

A tentative tract to subdivide 15.44 acres into seven (7) residential hillside lots located west of the storm channel and north of Southcliff Road, APN's 628-120-004, 007 and 010.

The Director of the Department of Community Development, City of Palm Desert, California, has found that the described project will not have a significant effect on the environment. A copy of the Initial Study has been attached to document the reasons in support of this finding. Mitigation measures, if any, included in the project to avoid potentially significant effects, may also be found attached.

 4/24/03  
PHILIP DRELL                      DATE  
DIRECTOR OF COMMUNITY DEVELOPMENT



RSK Am I the only one not working, or is everybody not working?

RDK No. I can't...

RAS Those in favor.

JMB Yes

RAS Yes

JF Yes

RSK No

RAS Motion carried 3-1.

PD And just to confirm with the City Attorney, I believe the motion was explicit enough that we can come back with this as a second reading.

DJE No.

PD No. Okay.

DJE No, we'll come back with an ordinance for first reading.

PD Okay.

**For purposes of clarification:**

Councilman Ferguson moved to, by Minute Motion, direct staff to incorporate the following into new legislative documents for Case Nos. GPA 03-04 and ZOA 02-06 that will specify development criteria for everything west of the Storm Channel west of Highway 74 be a maximum of 10,000 square foot of grading, 4,000 maximum home square footage with a garage, plus an appropriate additional amount for driveway, with exceptions to both so that they can be considered on a case-by-case basis going larger where it's appropriate -- amended Resolution No. 04-43 and Ordinance No. 1046A to be brought back to the City Council for reintroduction. Motion was seconded by Councilmember Benson and carried by a 3-1 vote, with Councilman Kelly voting NO, and Mayor Pro Tem Crites ABSENT.