

FORM APPROVED COUNTY COUNSEL  
 BY: GREGORY P. PRAMOS DATE: 6/2/16

Departmental Concurrence

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
 COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



815B

**FROM:** TLMA – Planning Department

**SUBMITTAL DATE:**  
 May 11, 2016

**SUBJECT: GENERAL PLAN AMENDMENT NO. 1164, SPECIFIC PLAN NO. 336 AMENDMENT NO. 1, CHANGE OF ZONE NO. 7899, AND ADDENDUM NO. 3 TO ENVIRONMENTAL IMPACT REPORT NO. 455 (FAST TRACK 2014-08)** – Applicant: VLP Capital, Inc. – Engineer/Representative: Hunsaker & Associates Irvine, Inc. – Fourth Supervisorial District – Pass & Desert Zoning District – Western Coachella Valley Area Plan: Open Space: Recreation and Community Development: Medium High Density Residential (CD:MHDR), Commercial Tourist (CD:CT) and Rural: Rural Desert (R:RD) as reflected on the Specific Plan Land Use Plan within the Western Coachella Valley Area Plan – Location: Northerly of Avenue 20, southerly of Avenue 18, westerly of Bubbling Wells Road, and easterly of Palm Drive – 649.66 Gross Acres – Zoning: Specific Plan (SP) – **REQUEST: The General Plan Amendment** proposes to amend the Riverside County General Plan Land Use Element as it applies to the Project site. The **Specific Plan Amendment** proposes several internal revisions to the SP, plus adds the existing golf course at the center of the Project site to the Specific Plan Area. **Change of Zone (CZ) No. 7899** proposes to change the zoning from Controlled Development Areas (W-2) of the Project site to Specific Plan (SP), create a new boundary for the Specific Plan, and create a new zoning ordinance for the Specific Plan area. (100% Deposit Based Funds)

*Steve Weiss*  
 Steve Weiss, AICP  
 Planning Director  
 SW:ms

(Continued on next page)

*Juan C. Perez*  
 Juan C. Perez  
 TLMA Director

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
<b>COST</b>	\$ N/A	\$ N/A	\$ N/A	\$ N/A	
<b>NET COUNTY COST</b>	\$ N/A	\$ N/A	\$ N/A	\$ N/A	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
<b>SOURCE OF FUNDS:</b> DBF				<b>Budget Adjustment:</b> N/A	
				<b>For Fiscal Year:</b> N/A	

**C.E.O. RECOMMENDATION:**

APPROVE

BY: *Tina Grande*  
 Tina Grande

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Benoit, seconded by Supervisor Washington and duly carried, IT WAS ORDERED that the above matter is tentatively approved as recommended, and staff is directed to prepare the necessary documents for final action.

Ayes: Jeffries, Washington and Benoit  
 Nays: None  
 Absent: Tavaglione and Ashley  
 Date: June 7, 2016  
 xc: Planning

Kecia Harper-Ihem  
 Clerk of the Board  
 By: *Kecia Harper-Ihem*  
 Deputy

Prev. Agn. Ref.: 3-15 5/7/13 | District:4 | Agenda Number:

16-1

- A-30
- Positions Added
- 4/5 Vote
- Change Order

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA  
FORM 11: GENERAL PLAN AMENDMENT NO. 1164, SPECIFIC PLAN NO. 336 AMENDMENT NO. 1,  
and CHANGE OF ZONE NO. 7899 (FAST TRACK 2014-08)**

**DATE:** June 7, 2016

**PAGE:** Page 2 of 3

**RECOMMENDED MOTION:** That the Board of Supervisors:

**CONSIDER ADDENDUM No. 3 to ENVIRONMENTAL IMPACT REPORT NO. 455**, based on the finding that all impacts were adequately analyzed pursuant to applicable legal standards, and while some changes and/or additions are necessary, none of the conditions described in State CEQA Guidelines Section 15162 exist; and,

**TENTATIVELY APPROVE GENERAL PLAN AMENDMENT NO. 1164** amending the Land Use Designation for the subject property to add the golf course portion of the project to the Specific Plan, changing its land use designation from Open Space: Recreation (OS:R) to Open Space: Recreation (OS:R) as reflected on the Specific Plan Land Use Plan (the only change being that it is now in a Specific Plan); based on the findings and conclusions incorporated in the staff report; and, pending final adoption of the General Plan Amendment Resolution by the Board of Supervisors; and,

**TENTATIVELY APPROVE SPECIFIC PLAN NO. 336 AMENDMENT NO. 1**, based on the findings and conclusions incorporated in the staff report; and, pending adoption of the Specific Plan Resolution by the Board of Supervisors; and,

**TENTATIVELY APPROVE CHANGE OF ZONE NO. 7899**, amending the zoning classification for a portion of the subject property from Controlled Development (W-2) to Specific Plan (SP) in accordance with the Zoning Exhibit; to adopt a project specific Zoning Ordinance amendment to the text of Ordinance No. 348; and change the boundary of the Specific Plan based upon the findings and conclusions incorporated in the staff report; and, pending Ordinance adoption by the Board of Supervisors.

**BACKGROUND:**

**Summary**

Specific Plan No. 336 (SP336) was adopted by the Riverside County Board of Supervisors (Board) on August 15, 2006. The project covered a total of 478 acres, and proposed the development of 2,250 dwelling units on 314.5 acres, 10.1 acres of recreation area, 76 acres for regional flood control, 25 acres for a sanitary sewer lift station, and approximately 52 acres of transportation improvements. The Board also adopted Change of Zone No. 6876 (CZ6876) to change the zoning classification on the Project site from Controlled Development Area (W-2) to SP (Specific Plan).

The potential significant environmental impacts associated with SP336 and CZ6876 were analyzed in Environmental Impact Report No. 455 (EIR 455). While the project was designed and conditioned to mitigate most of the environmental impacts to a level below significance, overriding considerations were required for traffic and circulation, biological resources, and air quality due to significant and unavoidable adverse impacts.

Specific Plan No. 336, Substantial Conformance No. 1 (SP336S1) and Change of Zone No. 7715 were adopted by the Board of Supervisors on May 7, 2013. This reconfigured maximum dwelling unit counts for the proposed Planning Areas consistent with the tentative maps and incorporated an alignment of an off-site sewer extension to the sewer lift station, but did not increase the total maximum dwelling units.

The project proposed in this Form 11 is an Amendment to the Specific Plan requested by the applicant to respond to market changes and make the unbuilt Specific Plan more marketable. Specifically the plan proposes to 1) Revert the maximum unit count in the Specific Plan back to the 2,250 unit count originally

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**PAGE:** Page 3 of 3

approved in the first version of the plan, 2) add the existing golf course to the Specific Plan increasing the acreage to a total of 649.66 acres, 3) remove the age restriction to the community, and 4) in addition to the residential neighborhoods, the Amendment proposes other resort residential uses to cover the balance of the project site including 900 resort residential units and a 50-room boutique hotel. Resort residential units will be individually owned, however the property owner has the ability to rent out the unit through a centrally managed rental program for short-term (less than 30 days) or long-term (30 plus day intervals) rentals. Rentals will be subject to applicable Transient Occupancy Tax.

The applicant has indicated that the Movida Desert Dunes resort component represents a movement towards resort-style ownership master plans in desirable locations. They explain that people want to own a second home in a resort destination, but also want to be able to rent their home when they are not there and have it professionally managed. This has led to an increase in the popularity of short-term "vacation" rentals of privately owned residences in popular resort locations.

The project proposes 900 resort condominiums that will be part of a residential resort rental program. Each individually owned unit is proposing an option to be part of a professionally managed, onsite rental program. Once part of the rental program, the unit will be managed, serviced and rented through a centrally managed service, allowing for rental income to be generated to the owner while not using the unit. These units will be part of an international portfolio of residential resort units offered for rent. The experience to the end customer will look and feel like renting a resort-style hotel unit, complete with room service, front-desk check-in, concierge, and associated resort amenities. The conditions, covenants and restrictions of the purchase of each of the 900 units will forbid any rental of any unit for any period less than 30 days unless the unit is a registered participant in the rental program. This will ensure a single point of contact for any visiting customer, as well as registered guest experience and associated collection of fees, deposits, etc., for each rental period.

This is the first project of its kind processed by the County that combines residential and commercial uses and responds to a high-level of interest in the market for this product type. The Specific Plan zoning ordinance would permit this use, the first of its kind in Riverside County.

**Impact on Citizens and Businesses**

All impacts have been analyzed in the EIR and subsequent addenda.

**ATTACHMENTS:**

- 1. STAFF REPORT**
- 2. RESOLUTION NO. 2016-113**
- 3. SPECIFIC PLAN ZONING ORDINANCE**

2  
3 **RESOLUTION NO. 2016-113**  
4 **ADOPTING**  
5 **AMENDMENT NO. 1 TO SPECIFIC PLAN NO. 336**  
6 **(MOVIDA DESERT DUNES)**

7 **WHEREAS**, pursuant to the provisions of Government Code Section 65450 et seq., a public  
8 hearing was held before the Riverside County Board of Supervisors in Riverside, California on June 7,  
9 2016 to consider Amendment No. 1 to Specific Plan No. 336 (Movida Desert Dunes); and,

10 **WHEREAS**, a public hearing before the Planning Commission was not required because  
11 Amendment No. 1 to Specific Plan No. 336 was granted Fast Track Status (FTA No. 2014-08) by the  
12 Economic Development Agency (EDA) on December 18, 2014 pursuant to Board Policy A-32 which  
13 allows the project to go directly to the Board of Supervisors; and,

14 **WHEREAS**, all the provisions of the California Environmental Quality Act ("CEQA") and the  
15 Riverside County CEQA implementing procedures have been satisfied and Addendum No. 3  
16 ("Addendum No. 3") to Environmental Impact Report No. 455 ("EIR No. 455"), which was prepared in  
17 connection with this Amendment No. 1 to Specific Plan No. 336 and related cases General Plan  
18 Amendment No. 1164, and Change of Zone No. 7899 (collectively referred to alternatively herein as "the  
19 project"), is sufficiently detailed so that all the potentially significant effects of the project on the  
20 environment and measures necessary to avoid or substantially lessen such effects have been evaluated in  
21 accordance with the above referenced Act and implementing procedures; and,

22 **WHEREAS**, the matter was discussed fully with testimony and documentation presented by the  
23 public and affected government agencies; now, therefore,

24 **BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Board of Supervisors  
25 of the County of Riverside, in regular session assembled on June 7, 2016, that:

- 26 A. Amendment No. 1 modifies Specific Plan No. 336 by:
- 27 1. Modifying the Specific Plan boundary to include the 175.4-acre existing Desert  
28 Dunes Golf Course (APN 657-490-002), making the total acreage of the project site

FORM APPROVED COUNTY COUNSEL

DATE  
BY: MELISSA R. CUSHMAN

1 649.6 acres. The difference in size between Specific Plan No. 336 and the  
2 proposed Amendment No. 1 is 175.4 acres, which is a result of including the  
3 existing Desert Dunes Golf Course. Thus, Amendment No. 1 updates the Specific  
4 Plan boundary to accurately reflect these changes.

- 5 2. Reconfiguring the Planning Areas to allow single-family homes on the northern  
6 portion of the site and resort residential uses and a small boutique hotel, containing  
7 up to 50 rooms, along the southern portion of the existing Desert Dunes Golf  
8 Course.
- 9 3. Reverting the approved density back to the EIR No. 455-analyzed 2,250 units and  
10 removing the active-adult (55+) age-restriction component. The residential land use  
11 component will allow up to 1,350 housing units on 281.8 acres in Planning Area 2.  
12 Residential units may include single-family homes, paired homes as well as alley  
13 loaded, zero-lot line, courtyard cluster, condominium and townhome residential  
14 products within the density range of 5 to 8 dwelling units per acre for the overall  
15 Planning Area.
- 16 4. Incorporating the existing Desert Dunes Golf Course into the Commercial Tourist  
17 area of the Specific Plan and allowing up to 900 resort residential units and a 50-  
18 room boutique hotel on 292.3 acres in Planning Area 1.
- 19 5. Creating a Commercial Tourist component that will provide up to 900 residential  
20 units available for rental, including for periods of 30 days or less.
- 21 6. Modifying design guidelines and development standards to be consistent with the  
22 County-wide Design Standards and Guidelines and with the changes to the Land  
23 Use Plan for Specific Plan No. 336.
- 24 7. Providing a range of amenities including the following: 281.8 acres of residential  
25 uses, 292.3 acres of resort residential units, a boutique hotel and existing Desert  
26 Dunes Golf Course, 50.6-acres circulation system, 25.0 acres of a flood  
27 control/channel outlet facility, other public facilities and open space, and offsite  
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1 infrastructure improvements including a reservoir site and sewer extension and  
2 regional lift station.

- 3 B. Specific Plan No. 336, Amendment No. 1 is associated with General Plan Amendment No.  
4 1164 and Change of Zone No. 7899, which were considered concurrently at the public  
5 hearing before the Board of Supervisors.
- 6 C. The environmental assessment prepared for the project concluded that some changes or  
7 additions are necessary but none sufficient to necessitate the preparation of a subsequent  
8 EIR, and none of the conditions described in State CEQA Guidelines section 15162 exist.  
9 Accordingly, Addendum No. 3 to EIR No. 455 was prepared.
- 10 D. No potentially significant environmental impacts are associated with the project other than  
11 those identified in EIR No. 455 as modified by Addendum No. 3 and those impacts would  
12 be avoided or lessened (reduced to a level of insignificance) by the mitigation measures  
13 listed in Resolution No. 2006-416 certifying EIR No. 455, as modified in relevant parts by  
14 Addendum No. 1 and Addendum No. 2, which are all incorporated herein by this reference  
15 in their entirety.

16 **BE IT FURTHER RESOLVED** by the Board of Supervisors that Amendment No. 1 to Specific  
17 Plan No. 336 is consistent with the intent, design, and mitigation approved for Specific Plan No. 336 as  
18 modified through Amendment No. 1 and is consistent with the Riverside County General Plan.

19 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it accepts the findings of  
20 Addendum No. 3, on the basis of which the Board of Supervisors finds that no further environmental  
21 documentation is required because only minor changes or additions are necessary but none of the  
22 conditions described in CEQA Guidelines Section 15162 calling for preparation of a subsequent EIR have  
23 occurred.

24 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it has reviewed and considered  
25 Addendum No. 3 with EIR No. 455 in evaluating Specific Plan No. 336, Amendment No. 1 and the  
26 related cases referenced above, that Addendum No. 3 is an accurate and objective statement that complies  
27 with CEQA and reflects the County's independent judgment, and that EIR No. 455, as modified in  
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1 relevant parts by Addendum No. 1 and Addendum No. 2 to EIR No. 455, and Addendum No. 3 are  
2 incorporated herein by this reference.

3 **BE IT FURTHER RESOLVED** by the Board of Supervisors that copies of Specific Plan No.  
4 336, Amendment No. 1, on file with the Clerk of the Board, including the final conditions of approval and  
5 exhibits, is hereby adopted as the Amended Specific Plan of Land Use for the real property described and  
6 shown in the plan, and said real property shall be developed substantially in accordance with the plan as  
7 amended, unless the plan is repealed or further amended by the Board.

8 **BE IT FURTHER RESOLVED** by the Board of Supervisors that copies of Specific Plan No.  
9 336, Amendment No. 1 shall be placed on file in the Office of the Clerk of the Board, in the Office of the  
10 Planning Director, and in the Office of the Building and Safety Director, and that no applications for  
11 subdivision maps, conditional use permits or other development proposals shall be accepted for the real  
12 property described and shown in the plan, as amended, unless such applications are substantially in  
13 accordance therewith.

14 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the custodians of the  
15 documents upon which this decision is based are the Clerk of the Board of Supervisors and the County of  
16 Riverside Planning Department and that such documents are located at 4080 Lemon Street, Riverside,  
17 California.

ORDINANCE NO. 348.4839  
AN ORDINANCE OF THE COUNTY OF RIVERSIDE  
AMENDING ORDINANCE NO. 348 RELATING TO ZONING

The Board of Supervisors of the County of Riverside Ordains as Follows:

Section 1.     Section 4.1 of Ordinance 348, and Pass and Desert District Zoning Plan Map No. 58, as amended, are further amended by placing in effect in the Pass and Desert Zoning District, the zone or zones as shown on the map entitled, “Change of Official Zoning Plan Amending Ordinance No. 348, Map No. 58.095, Change of Zone No. 7899,” which map is made a part of this ordinance.

Section 2.     Article XVIIa of Ordinance No. 348 is amended by adding thereto a new Section 17.106 to read as follows:

SECTION 17.106 S.P. ZONE REQUIREMENTS AND STANDARDS FOR SPECIFIC PLAN  
NO. 336

**a.     Planning Area 1**

(1)     The uses permitted in Planning Area 1 of Specific Plan No. 336 shall be the same as those uses permitted in Article IXa, Section 9.25 of Ordinance No. 348, except that the uses permitted pursuant to Section 9.25.a. (1) and (2) shall not be permitted. In addition, the uses permitted under Section 9.25 of Ordinance No. 348 shall also include the following:

- A.     Resort Residential dwelling units- multi-family dwelling units individually owned but may be rented through a centrally managed rental program, as prescribed by the community’s CC&Rs and Ordinance No. 927. Rentals maybe short-term (less than 30 days) or long-term (30+ day intervals).
- B.     18-hole golf course, club house and driving range facility
- C.     Active and passive athletic fields.
- D.     Trails and paths for walking, jogging, and bicycles.
- E.     Active and passive recreation including but not limited to dog parks.



1 (2) The use permitted under Article IXa. Section 9.25.C. shall be deleted and replaced  
2 with the following:

3 C. No building or structure shall exceed eighty (80') feet in height.

4 (3) The development standards for Planning Area 1 of Specific Plan No. 336 shall be  
5 the same as those standards identified in Article VII, Sections 7.2 through 7.10 and  
6 Section 9.25.c. of Ordinance No. 348, except that the development standards set  
7 forth in Article VII. Sections 7.2 through 7.10 and 9.25.c. shall be deleted and  
8 replaced by the following:

9 A. The minimum front and rear yard setbacks shall be 10 feet. No structural  
10 encroachments shall be permitted in front and rear yard setbacks except as  
11 follows:

12 1. Architectural projections which are exterior ornamentation that do  
13 not provide additional floor space within the building may extend  
14 into a required yard not to exceed two (2') feet. Eaves may extend  
15 into a required yard up to three (3') and the street side yard up to  
16 two (2') feet. The distance between any architectural projections and  
17 a property line shall not be less than three (7') feet. The aggregate  
18 length of all architectural projections shall exceed neither a total  
19 length of twenty (20') feet nor fifty (50%) percent of the wall in  
20 which they are located.

21 2. Ground mounted air conditioner, utility meters and pool or spa  
22 equipment; screen walls up to forty-eight (48") inches in height may  
23 encroach into a yard setback four (4') feet.

24 B. The minimum side yard setback shall be 10 feet. No structural  
25 encroachments shall be permitted in side yard setbacks except as follows:

26 1. Architectural projections which are exterior ornamentation that do  
27 not provide additional floor space within the building may extend  
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1 into a required yard not to exceed two (2') feet. Eaves may extend  
2 into a required yard up to three (3') and the street side yard up to  
3 two (2') feet. The distance between any architectural projections and  
4 a property line shall not be less than three (7') feet. The aggregate  
5 length of all architectural projections shall exceed neither a total  
6 length of twenty (20') feet nor fifty (50%) percent of the wall in  
7 which they are located.

8 2. Ground mounted air conditioner, utility meters and pool or spa  
9 equipment; screen walls up to forty-eight (48") inches in height may  
10 encroach into a yard setback four (4') feet.

11 C. No lot shall have more than 80 percent of its net area covered with  
12 buildings or structures.

13 D. All buildings and structures shall not exceed 80 feet in height.

14 E. Automobile storage shall be provided as required by Article XVIII. Section  
15 18.12 of Ordinance No. 348

16 (4) Except as provided above, all other zoning requirements shall be the same as those  
17 requirements identified in Article VII. of Ordinance No. 348.

18 **b. Planning Area 2**

19 (1) The uses permitted in Planning Area 2 of Specific Plan No. 336 shall be the same  
20 uses as those permitted in Article VIIIId, Section 8.91. of Ordinance No. 348,  
21 except that the uses permitted pursuant to Section 8.91.d., and f. shall not be  
22 permitted. In addition, the uses permitted under Section 8.91 shall also include the  
23 following:

24 A. Community service areas designed primarily for the use of the residents of  
25 the subdivision.

26 (2) The development standards for Planning Area 2 of Specific Plan No. 336 shall be  
27 the same as those standards identified in Article VIIIId, Section 8.93, Section 8.94,  
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1 and Section 8.96 of Ordinance No. 348, except that the development standards  
2 identified in Article VIII d, Section 8.93.a., 8.93.b. and d., 8.94, and 8.96.a.(1) shall  
3 be deleted and replaced with the following:

4 a. The minimum lot area for the individual lots used as a residential building  
5 site shall be 2,000 square feet.

6 b. Minimum Yard Requirements

7 The minimum yard and building setback requirements are as follows:

8 1. Residential lots shall provide a minimum yard setback of 15 feet for  
9 front yards, 5 feet for side yards and 10 feet for rear yards and street-  
10 side side yards.

11 2. Non-residential uses shall have no setback requirements.

12 c. No structural encroachments shall be permitted in side yard setbacks except  
13 as follows:

14 1. Architectural projections which are exterior ornamentation that do  
15 not provide additional floor space within the building may extend  
16 into a required yard not to exceed two (2') feet. Eaves may extend  
17 into a required yard up to three (3') and the street side yard up to  
18 two (2') feet. The distance between any architectural projections and  
19 a property line shall not be less than three (7') feet. The aggregate  
20 length of all architectural projections shall exceed neither a total  
21 length of twenty (20') feet nor fifty (50%) percent of the wall in  
22 which they are located.

23 2. Ground mounted air conditioner, utility meters and pool or spa  
24 equipment; screen walls up to forty-eight (48") inches in height may  
25 encroach into a yard setback four (4') feet.

26 d. Before any multi-family residential structure is erected or multi-family  
27 residential use is established, there shall be a subdivision map recorded and  
28

1 a development plan approved as set forth in Section 8.95 of Ordinance No.  
2 348.

3 (3) Except as provided above, all other zoning requirements shall be the same as those  
4 requirements identified in Article VIII d. of Ordinance No. 348.

5 **c. Planning Area 3**

6 (1) The uses permitted in Planning Area 3 of Specific Plan No. 336 shall be the same  
7 uses as those permitted in Article XVb, Section 15.200.a. of Ordinance No. 348 (N-  
8 A Zone – Natural Assets), except that the uses permitted pursuant to Section  
9 15.200.a. (1), (2), (3), (4); b. (3), (4), (5), (6), (7); c. (1), (3), (4), (5), (6), (7), (8),  
10 (9) (10), (11), (12), (13), (14), (15); d.; and e. shall not be permitted.

11 (2) The development standards for Planning Area 3 of Specific Plan No. 336 shall be  
12 the same as those standards identified in Article XVb, Section 15.201 of Ordinance  
13 No. 348 except that the development standards set forth in Article XVb, Sections  
14 15.201.a. and b. shall be deleted and replaced with the following:

15 No minimum lot size.

16 a. No minimum yard depths.

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(3) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article XVb of Ordinance No. 348.

Section 3 This ordinance shall take effect 30 days after its adoption.

BOARD OF SUPERVISORS OF THE COUNTY  
OF RIVERSIDE, STATE OF CALIFORNIA

By: \_\_\_\_\_  
Chairman, Board of Supervisors  
John Benoit

ATTEST:  
KECIA HARPER-IHEM  
Clerk of the Board

By: \_\_\_\_\_  
Deputy

*(Seal)*

APPROVED AS TO FORM AND CONTENT:  
June 1, 2016

By: *M.R.C.*  
MELISSA R. CUSHMAN  
Deputy County Counsel

SECTIONS 17, 18, 19, T.3S., R.5E., S.B.M.

18TH AVENUE 7 8

18 17

BLAIR ROAD

PALM DRIVE

E 1/2,

SP ZONE

W 1/2,

EL SERAPE TRAIL

ROAD

WELLS

BUBBLING

HATCHET CACTUS DRIVE

18 17

19 20

20TH AVENUE

CIRCLE B DRIVE

NE 1/4,  
NW 1/4,  
NE 1/4

S 1/2,  
NW 1/4,  
NE 1/4,  
NE 1/4

N 1/2,  
SE 1/4,  
NW 1/4,  
NE 1/4

N 1/2,  
SW 1/4,  
NE 1/4,  
NE 1/4

LEGEND

**SP ZONE**

SPECIFIC PLAN (SP 336)

MAP NO. 58.095

CHANGE OF OFFICIAL ZONING PLAN  
PASS AND DESERT  
DISTRICT

CHANGE OF ZONE CASE NO. 07899

AMENDING ORDINANCE NO. 348

ADOPTED BY ORDINANCE NO. 348.4839

DATE: \_\_\_\_\_

RIVERSIDE COUNTY BOARD OF SUPERVISORS



APN: 857-490-001  
APN: 857-490-002  
APN: 857-490-003  
APN: 857-490-004  
APN: 880-040-003

PLANNING AREA AND ZONE CHANGE EXHIBIT  
W.O.: 4032-1

SECTIONS 17, 18, 19, T.3S., R.5E., S.B.M.

18TH AVENUE 7 8

18 17

BLAIR ROAD

PALM DRIVE

E 1/2.

SP ZONE

W 1/2.

EL SERAPE TRAIL

ROAD

WELLS

BUBBLING

HATCHET CACTUS DRIVE

18 17

19 20

20TH AVENUE

CIRCLE B DRIVE

NE 1/4,  
NW 1/4,  
NE 1/4

S 1/2,  
NW 1/4,  
NE 1/4,  
NE 1/4

N 1/2,  
SE 1/4,  
NW 1/4,  
NE 1/4

N 1/2,  
SW 1/4,  
NE 1/4,  
NE 1/4

LEGEND

**SP ZONE** SPECIFIC PLAN (SP 336)

MAP NO. 58.095

CHANGE OF OFFICIAL ZONING PLAN  
PASS AND DESERT  
DISTRICT

CHANGE OF ZONE CASE NO. 07899

AMENDING ORDINANCE NO. 348

ADOPTED BY ORDINANCE NO. 348.4839

DATE: \_\_\_\_\_

RIVERSIDE COUNTY BOARD OF SUPERVISORS



APN: 657-490-001  
APN: 657-490-002  
APN: 657-490-003  
APN: 657-490-004  
APN: 660-040-003

W.O.: 4032-1 PLANNING AREA AND ZONE CHANGE EXHIBIT



# FAST TRACK AUTHORIZATION

<b>Supervisorial District:</b> 4	<b>Supervisor:</b> John Benoit	<b>FTA No.</b> 2014-08
----------------------------------	--------------------------------	------------------------

**Company/Developer:** VLP Capital **Contact Name:** Sean Runnels

**Address:** 36395 Cook Street, Suite 103, Palm Desert, CA 92211

**Office Phone:** 760-610-2094 **Mobile Phone:** 760-391-2290 **Email:** seanrunnels@earthlink.net

**Consulting Firm:** BCEGI-USA, Inc. **Contact Name:** Bret Pobanz

**Firm Address:** 3030 LBJ Freeway, Suite 700, Dallas, TX, 75234

**Office Phone:** N/A **Mobile Phone:** 909-265-6488 **Email:** bpobanz@bceiusa.com

**Project Type:**  Industrial  Commercial  Childcare  Workforce Housing  
 Renewable Energy  Other – Residential with commercial.

Specific Plan Amendment to plan for a 471-acre resort development with 900 condominium units, a boutique hotel resort, service retail and 1,350 single family residences.

\*\*Fast Track status granted by the Board of Supervisors on 12/2/14, Item 3.22\*\*

**Economic Impact (estimated) Capital Investment:** \$206,552,085 **Full-Time Jobs:** 1,518

**Taxable Sales:** \$274,552,300 **Full-Time Wages per Hour:** \$25.19 **Construction Jobs:** 1,518

**Land Use Application(s):**  Plot Plan  Conditional Use Permit  Change of Zone  
 Parcel Map  General Plan Amendment  Other: Specific Plan Amendment only

**Site Information Assessor's Parcel Number(s):** 656-380-015; 660-040-003; 657-490-001, 003, 004

**Cross Streets/Address:** 19-300 Palm Drive, Desert Hot Springs, CA **Site Acreage:** 471

**Land Use Designation:** MDR, RR, RD **Zoning:** Specific Plan **Building Size:** various

The Economic Development Agency acknowledges that the above referenced project merits special consideration of its land use and permit processing by the County of Riverside. County agencies are encouraged to immediately institute "Fast Track" procedures in accordance with Board Fast Track Policy A-32. This authorization contains preliminary project information and serves as a basis for determining "Fast Track" eligibility. During the County's development review process, the proposed project size and configuration may be altered. \*This Fast Track Authorization also applies to any other required or associated applications and/or Assessor's Parcel Numbers\*

Greg Folsom, Deputy Director of EDA 12/18/14 Rob Moran, EDA Development Manager 12/18/14  
**Greg Folsom, Deputy Director of EDA** **Date** **Rob Moran, EDA Development Manager** **Date**



**Agenda Item No.:**  
**Area Plan: Western Coachella Valley**  
**Zoning District: Pass and Desert**  
**Supervisory District: Fourth**  
**Project Planner: Russell Brady**  
**Board of Supervisors: June 7, 2016**

**FAST TRACK NO. 2014-08**  
**SPECIFIC PLAN NO. 336 AMENDMENT NO. 1**  
**GENERAL PLAN AMENDMENT NO. 1164**  
**CHANGE OF ZONE NO. 7899**  
**Applicant: VLP Capital, Inc.**  
**Engineer/Rep.: Hunsaker & Associates**

## **COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT**

### **PROJECT DESCRIPTION AND LOCATION:**

The Project consists of Specific Plan (SP) No. 336A1, an amendment to an existing SP; General Plan Amendment (GPA) No. 1164; and Change of Zone (CZ) No. 7899, which, together, will facilitate development of the approximately 649.6-acre site. The Project will reconfigure the land uses in the existing SP and add in an existing 18-hole golf course in the central portion of the site. As proposed, the Project consists of residential on approximately 281.8 acres in the northern portion of the site, resort residential on approximately 281.8 acres in the southern portion of the site, the 18-hole golf course on approximately 175.4 acres, and open space and public facilities in 25.0 acres to the south of 20<sup>th</sup> Avenue.

More specifically, **Specific Plan (SP) No. 336A1** proposes a split foundation Specific Plan Revision to add an existing golf course to the Specific Plan Area and reconfigure the planning areas to allow development of single-family homes on the northern portion of the site and resort residential uses and a small boutique hotel, containing up to 50 rooms, along the southern portion of the existing golf course. The Specific Plan Amendment will also revert the approved density back to the EIR/CEQA analyzed 2,250 units, an increase of 531 units<sup>1</sup>, and will remove the active-adult (55+) age-restriction component from the project. The resort residential component of Planning Area 1 will consist of up to 900 units and a 50-room boutique hotel. Planning Areas 1-2 will include 1,350 single-family lots on approximately 282 acres.

**General Plan Amendment (GPA) No. 1164** proposes to amend the Riverside County General Plan Land Use Element as it applies to the Project site to eliminate the Land Use Designations of Open Space – Recreation (OS-R) for the golf course and Community Development – Medium Density Residential (CD – MDR) as reflected on the existing Specific Plan Land Use Plan, and would establish the designations of Community Development – Commercial Tourist (CD :CT), Medium High Density Residential (CD: MHDR), Open Space: Recreation (OS:R), Open Space: Conservation (OS:C), and Rural: Rural Desert (R:RD) designations as reflected on the Specific Plan Land Use Plan.

**Change of Zone (CZ) No. 7899** proposes to change the zoning from Controlled Development Areas (W-2) on the golf course portion of the project site, to Specific Plan (SP). In addition the zone change proposes to create a new boundary for the Specific Plan, and revise the zoning ordinance for the Specific Plan.

The project is located in the Western Coachella Valley of Eastern Riverside County surrounding the Desert Dunes Golf Course. More specifically, the project is located north of 20<sup>th</sup> Avenue, south of 18<sup>th</sup> Avenue, east of Palm Drive, and west of Bubbling Wells Road. The project also includes 25 acres south of 20<sup>th</sup> Avenue for flood control and habitat areas.

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<sup>1</sup> Substantial Conformance No. 1 to the Specific Plan reduced the unit count, this will reinstate the original unit count.

**BACKGROUND:**

Specific Plan No. 336 (SP336) was adopted by the Riverside County Board of Supervisors (Board) on August 15, 2006. The project proposed the development of 2,250 dwelling units on 314.5 acres, 10.1 acres of recreation area, 76 acres for regional flood control, 25 acres for a sanitary sewer lift station, and approximately 52 acres of transportation improvements. The Board also adopted Change of Zone No. 6876 (CZ6876) to change the zoning classification on the Project site from Controlled Development Area (W-2) to SP (Specific Plan).

The potential significant environmental impacts associated with SP336 and CZ6876 were analyzed in Environmental Impact Report No. 455 (EIR 455). While the project was designed and conditioned to mitigate most of the environmental impacts to a level below significance, overriding considerations were required for traffic and circulation, biological resources, and air quality due to significant and unavoidable adverse impacts.

Specific Plan No. 336, Substantial Conformance No. 1 (SP336S1) and Change of Zone No. 7715 (CZ7715) were adopted by the Board of Supervisors on May 7<sup>th</sup>, 2013. The Substantial Conformance reallocated units between planning areas, changed acreages of planning areas, reduced the unit count, changed infrastructure locations of sewer and reservoirs, and changed street widths. Additionally, the Board adopted Change of Zone No. 7715 (CZ7715) to amend the Specific Plan Zoning Ordinance, revising the internal boundaries between the golf course and the Specific Plan, and formalizing the Planning Area Boundaries for all Planning Areas within the Specific Plan.

Regarding CEQA the project was adopted with an EIR. An addendum to the EIR was done for a couple of subdivisions, and a second was done for the Specific Plan Substantial Conformance described above. The third addendum is for this proposed project (attached). More detail on these are in the findings section.

**ISSUES OF POTENTIAL CONCERN:**

In addition to the residential neighborhoods, other resort residential uses will cover the balance of the project site including a golf course, a 900 resort residential units and a 50-room boutique hotel. Resort residential units will be individually owned, however the property owner has the ability to rent out the unit through a centrally managed rental program for short-term (less than 30 days) or long-term (30 plus day intervals) rentals. Rentals of 30 days or less will be subject to County Ordinance No. 495, relating to Transient Occupancy Tax, and No. 927, regulating short-term rentals, where applicable.

The applicant has indicated that the Movida Desert Dunes resort component represents a movement towards resort-style ownership master plans in desirable locations. The applicant explains that people want to own a second home in a resort destination, but also want to be able to rent their home when they are not there and have it professionally managed. This has led to an increase in the popularity of short-term "vacation" rentals of privately owned residences in popular resort locations. The greater Palm Springs area has adopted many programs like Airbnb and other VRBO (Vacation Rentals By Owner) creating an alternative market to traditional hotel and resort vacations.

The applicant has indicated that the independent nature of each transaction can be time consuming and risky for the owner, with a host of potential problems for the surrounding community and municipalities

shouldering the burden of the transient occupants. They are hoping that the proposed project can change that. The project proposes 900 resort condominiums that will be part of a residential resort rental program. Each individually owned unit is proposing an option to be part of a professionally managed rental program. Once part of the rental program, the unit will be managed, serviced and rented through a centrally managed service, allowing for rental income to be generated to the owner while not using the unit. These units will be part of an international portfolio of residential resort units offered for rent. The experience to the end customer will look and feel like renting a resort-style hotel unit, complete with room service, front-desk check-in, concierge, and associated resort amenities. The conditions, covenants and restrictions of the purchase of each of the 900 units will forbid any rental of any unit for any period less than 30 days unless the unit is a registered participant in the rental program. This will insure a single point of contact for any visiting customer, as well as registered guest experience and associated collection of fees, deposits, etc. for each rental period.

This has been a challenge from a planning perspective because the use blurs the lines between residential and commercial uses. Unlike a time share, the on-site management makes the use more similar to a commercial use. The zoning ordinance would permit this use, the first of its kind in Riverside County. Staff is fully in support of this new use as long as transit occupancy tax is charged in compliance with County Ordinance No. 927.

To clarify, the project is permitted for up to 2,250 total residential units. Because the 900 resort condominium units are considered both residential and commercial, its key to clarify that the 900 units are considered residential for purposes of the maximum unit count permitted in the SP. Having that said, the SP also allows for a 50-room boutique hotel. That is considered commercial and is not a part of the 2,250 maximum unit count.

Lastly, the conversion proposed by the Amendment to an all age community will create a need for a different kind of park with tot lots and open space. Conditions of approval have been added to the Amendment to require adequate family-style park space at the rate of 5 acres per thousand.

The actual lotting and plotting for the residential and resort components will be determined with submittal of the Tentative Tract Maps and Plot Plans for each phase or Planning Area of the project. The proposed Tentative Tract Maps and Plot Plans shall conform to the standards and guidelines outlined within the Specific Plan and Riverside County Ordinance Nos. 348 and 460.

**SUMMARY OF FINDINGS:**

1. Proposed General Plan Land Use (Ex. #5): Open Space: Recreation (OS:R), Community Development: Medium High Density Residential (CD:MHDR), Commercial Tourist (CD:CT) and Rural: Rural Desert (R:RD) as reflected on the Specific Plan Land Use Plan
2. Surrounding General Plan Land Use (Ex. #5): Community Development: Medium Density Residential (CD:MDR) to the east, Rural: Rural Desert (R:RD) to the south and Rural Residential (R:RR) to the north and west.
3. Proposed Zoning (Ex. #2): SP Zone
4. Surrounding Zoning (Ex. #2): Controlled Development Areas (W-2) and City of

- |                                   |   |
|-----------------------------------|---|
| 5. Existing Land Use (Ex. #1):    | Desert Hot Springs to the north, One-Family Dwellings (R-1) and W-2 to the east, W-2 to the south, City of Desert Hot Springs to the west                                 |
| 6. Surrounding Land Use (Ex. #1): | Golf course and vacant land   |
| 7. Project Data:                  | Single-family residential to the east, single-family homes and vacant land to the north, vacant land to the west, single-family residential and vacant land to the south. |
| 8. Environmental Concerns:        | Total Acreage: 649.66   |
|                                   | See attached environmental assessment   |

**RECOMMENDATIONS:**

**CONSIDER ADDENDUM No. 3 to ENVIRONMENTAL IMPACT REPORT NO. 455**, based on the finding that all impacts were adequately analyzed pursuant to applicable legal standards, and while some changes and/or additions are necessary, none of the conditions described in State CEQA Guidelines Section 15162 exist;

**TENTATIVELY APPROVE GENERAL PLAN AMENDMENT NO. 1164** amending the Land Use Designation for the subject property to add the golf course portion of the project to the Specific Plan, from Open Space: Recreation (OS:R) to Open Space: Recreation (OS:R) as reflected on the Specific Plan Land Use Plan (the only change being that it is now in a Specific Plan); based on the findings and conclusions incorporated in the staff report; and, pending final adoption of the General Plan Amendment Resolution by the Board of Supervisors; and,

**TENTATIVELY APPROVE SPECIFIC PLAN NO. 336 AMENDMENT NO. 1**, based on the findings and conclusions incorporated in the staff report; and, pending adoption of the Specific Plan Resolution by the Board of Supervisors; and,

**TENTATIVELY APPROVE CHANGE OF ZONE NO. 7899**, amending the zoning classification for a portion of the subject property from Controlled Development (W-2) to Specific Plan (SP) in accordance with the Zoning Exhibit; to adopt a project specific Zoning Ordinance amendment to the text of Ordinance 348; and change the boundary of the Specific Plan based upon the findings and conclusions incorporated in the staff report; and, pending Ordinance adoption by the Board of Supervisors; and,

**FINDINGS:** The following findings are in addition to those incorporated in the summary of findings, and in EIR No. 455, Addendum No. 1, Addendum No. 2, and Addendum No. 3, which are all incorporated herein by reference.

1. The project site is designated Open Space: Recreation and Community Development: Medium High Density Residential (CD:MHDR), Commercial Tourist (CD:CT) and Rural: Rural Desert (R:RD) as reflected on the Specific Plan Land Use Plan within the Western Coachella Valley Area Plan.

2. The project site is surrounded by properties which are designated Rural Residential to the north and west, Medium Density Residential and Rural Residential to the east and Rural Desert and Rural Residential to the south.
3. The following findings support General Plan Amendment No. 1164, which is only adding the golf course to the Specific Plan:
  - a. The golf course property is currently designated Open Space: Recreation.
  - b. The project site is proposing a change in the General Plan Land Use Designation amending the Land Use Designation for the subject property to add the golf course portion of the project to the Specific Plan, from Open Space: Recreation (OS:R) to Open Space: Recreation (OS:R) as reflected on the Specific Plan Land Use Plan.
  - c. While the designation will remain the same, the difference is that the property will now be in a Specific Plan. The General Plan explains that all Land Use Designations within Specific Plans (SP) are dictated by the SP and not the General Plan Land Use Diagram. Thus, the County adds the note "as reflected on the Specific Plan Land Use Plan" to the end of any General Plan Land Use description from an SP. Therefore, the actual name of the designation for the golf course property being added to the SP is remaining the same but adding the suffix "as reflected on the Specific Plan Land Use Plan" to the designation on the golf property.
  - d. The property was consistent with the General Plan in 2003 when the General Plan was adopted by the Board of Supervisors. The Amendment leaves the designation the same making it fully consistent with the Vision, principles and foundations applied to the site in 2003 and the General Plan as amended in 2015. General Plan Amendment No. 1164 does not involve a conflict in any foundation component designation.
  - e. It is beneficial to the applicant and the County to have the golf course included in the Specific Plan because:
    - i) The golf course is currently not a part of the SP. This often creates confusion regarding where the SP limits are, and what document governs. The golf course and the residential/resort project are highly intertwined, highly dependent on each other. The two are often viewed as a single project. Having the golf not be part of the SP has been problematic in the past. For example, a previous lot line adjustment and tract map create issues when the line between the golf and the residential had to shift (addressed in the previous substantial conformance).
    - ii) Including the golf use allows the applicant to blend the boundary between the golf course and the other uses without needing a Specific Plan Amendment to alter the SP boundary. The applicant can now have more flexibility to blend the use of the report and the golf, making the resort and golf uses more like a single use and offering an enhanced, seamless experience to the user of both the golf and the report.
    - iii) Zoning for the SP can now administer the resort, residential, and golf uses together as a cohesive project.
    - iv) This benefits the County further because blending the two uses helps the whole project be more successful, the resort, the residential and the golf. Without the ability to blend the uses, the resort use may not be viable. Thus, adding the golf course to the SP creates a more

cohesive, successful community. The more successful the report use, the higher the occupancy taxes for the County.

- f. No new information, changed circumstances, or more severe impacts would occur with the implementation of the proposed Amendment.
- g. Therefore, based on facts a-e General Plan Amendment No. 1164 does not involve a change in or conflict with the Riverside County Vision.
- h. Therefore, based on facts a-e General Plan Amendment No. 1164 does not involve a change in or conflict with any general planning principle set forth in the General Plan Appendix B.
- i. Therefore, based on facts a-e General Plan Amendment No. 1164 does not involve a change in or conflict with any foundation component designation in the General Plan.
- j. General Plan Amendment No. 1164 would contribute to the purposes of the General Plan in that it would maintain the same designation, continue to provide the recreational use that has been on the property operating for many years.
- k. The General Plan was recently revised by the Board in 2015. The General Plan requires that a finding be included explaining what new circumstances, now since 2008, are requiring or justifying the change to the General Plan.

The Specific Plan Amendment allows some new uses (resort related) and adds the golf course which was previously not in the boundaries of the SP. As outlined in e above, there are challenges with administering the SP and the golf course because they were separate entitlements. These challenges constitute a new circumstance. Adding the golf course property to the Specific Plan will allow the entire project to be administered by one plan and one zoning ordinance, resulting in a more cohesive community.

- 4. Single-family residential homes are located to the east, single-family homes and vacant land are located to the north, vacant land are located to the west, single-family residential and vacant land are located to the south.
- 5. The zoning for the golf course portion of the subject site is W-2 (Controlled Development with 20,000 square foot minimum lot size), the remainder of the project property is Specific Plan (SP Zone).
- 6. The proposed zoning for the entire Specific Plan project area is Specific Plan (SP).
- 7. Zoning surrounding the site includes Controlled Development Areas (W-2) and City of Desert Hot Springs to the north, One-Family Dwellings (R-1) and W-2 to the east, W-2 to the south, City of Desert Hot Springs to the west.
- 8. The project area is located within the City of Desert Hot Springs sphere of influence. They have no comments on the proposed project.

**FAST TRACK NO. 2014-08**  
**SPECIFIC PLAN NO. 336A1**  
**GENERAL PLAN AMENDMENT NO. 1164**  
**CHANGE OF ZONE NO. 7899**  
**Board of Supervisors Staff Report: June 7, 2016**  
**Page 7 of 9**

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9. In 2006, the County of Riverside certified Environmental Impact Report (EIR) No. 455 that included a residential component of 2,250 single-family units and an approximately 30,000 square-foot private recreational facility on approximately 400 acres. This included a 6-million-gallon reservoir to the east of the Specific Plan and a lift station along with a 9.5-mile sewer extension to the south.
10. In May 2007, the County of Riverside considered a Addendum No. 1 (2007 Addendum) to the Final EIR for the Desert Dunes Specific Plan that analyzed the environmental impacts associated with the approval of Tentative Tract map No. 31879, which provided for the subdivision of 98.8 acres into 386 residential lots and related common-area lots.
11. In December 2012, the County of Riverside considered a second Addendum (2012 Addendum) to the EIR No. 455 for the Desert Dunes Specific Plan that analyzed the environmental impacts associated with several remaining approvals required to implement the Specific Plan. These remaining approvals included (1) a Plot Plan Amendment to the Desert Dunes Golf Course, Plot Plan No. 9967 Revised No. 1, which accommodates the proposed residential development; (2) approval of Tentative Tract Map no. 34522, which provided for the subdivision 165.6 acres of the southern portion of the Specific Plan area into 437 single-family lots; (3) approval of Tentative Tract Map No. 34553, which provided for the subdivision of 207.6 acres of the northeastern portion of the Specific Plan area into 896 single-family lots; (4) a Change of Zone No. 7715, which reconfigured the Specific Plan zone designation from the existing record property lines to the ultimate proposed development boundary; and (5) approval of the Substantial Conformance Specific Plan, which reconfigured the maximum dwelling-unit counts for the proposed Planning Areas and incorporated the current alignment of the off-site sewer extension to the south and the current location of the sewer lift station.
12. A third Addendum (2015 Project) to EIR No. 455 for the Movida Desert Dunes (new name with this Amendment) Specific Plan fully addressed the environmental impacts associated with the addition of the existing golf course to the Specific Plan Area and the development of single-family homes on the northern portion of the site, as well as the development of resort residential uses and a small boutique hotel, containing up to 50 rooms, along the southern portion of the existing golf course. The amendment will also revert the approved density back to the EIR/CEQA-analyzed and will remove the active-adult (55+) age-restriction component from the project. Under Section 15164 of the State CEQA Guidelines, when an EIR has been prepared and certified, and new information becomes available, it is appropriate to prepare an Addendum to the EIR when only minor technical additions or changes to an EIR are required. The changes to the EIR are considered minor if the new information being addressed does not result in the identification of any new significant impacts or a substantial increase in the severity of significant impacts identified in the EIR.
13. Based on facts shown above, none of the conditions set described in Public Resources Code section 21166 or State CEQA Guidelines section 15162 exist.
  - i) No substantial changes are being proposed that will require major revisions of the previous EIR due to new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
  - ii) No substantial changes have occurred at the project site or elsewhere with respect to the circumstances under which the project is being undertaken which would require major

revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

- iii) No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, has been uncovered;
  - iv) The proposed project will not have one or more significant effects not discussed in the previous EIR;
  - v) The proposed project will not have any significant effects that were previously examined that will be substantially more severe than shown in the previous EIR;
  - vi) No mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project; and
  - vii) No mitigation measures or alternative which are considerably different from those analyzed in the previous EIR exist that would substantially reduce one or more significant effects on the environment.
14. The project was analyzed by the Biology division of Planning for consistency with the CVMSHCP and found to be fully consistent with all provisions of the plan.

#### **CONCLUSIONS:**

- 1. Specific Plan No. 336 Amendment No. 1 is in conformance with the Specific Plan Land Use Designations, and with all other elements of the Riverside County General Plan.
- 2. The proposed project is consistent with the Ordinance No. 348's Specific Plan zoning classification and with all other applicable provisions of.
- 3. The public's health, safety, and general welfare are protected through project design.
- 4. The proposed project is conditionally compatible with the present and future logical development of the area.
- 5. The proposed project will not preclude reserve design for the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP).
- 6. The proposed project will not have a significant effect on the environment.

#### **INFORMATIONAL ITEMS:**

- 1. No letters of support or opposition have been received at the time this staff report was composed.
- 2. The project site is not located within:
  - a. County Service Area;
  - b. High Fire Area;
  - c. Dam Inundation Area; or,
  - d. Not within a Coachella Valley Multiple Species Habitat Conservation Plan area boundary.

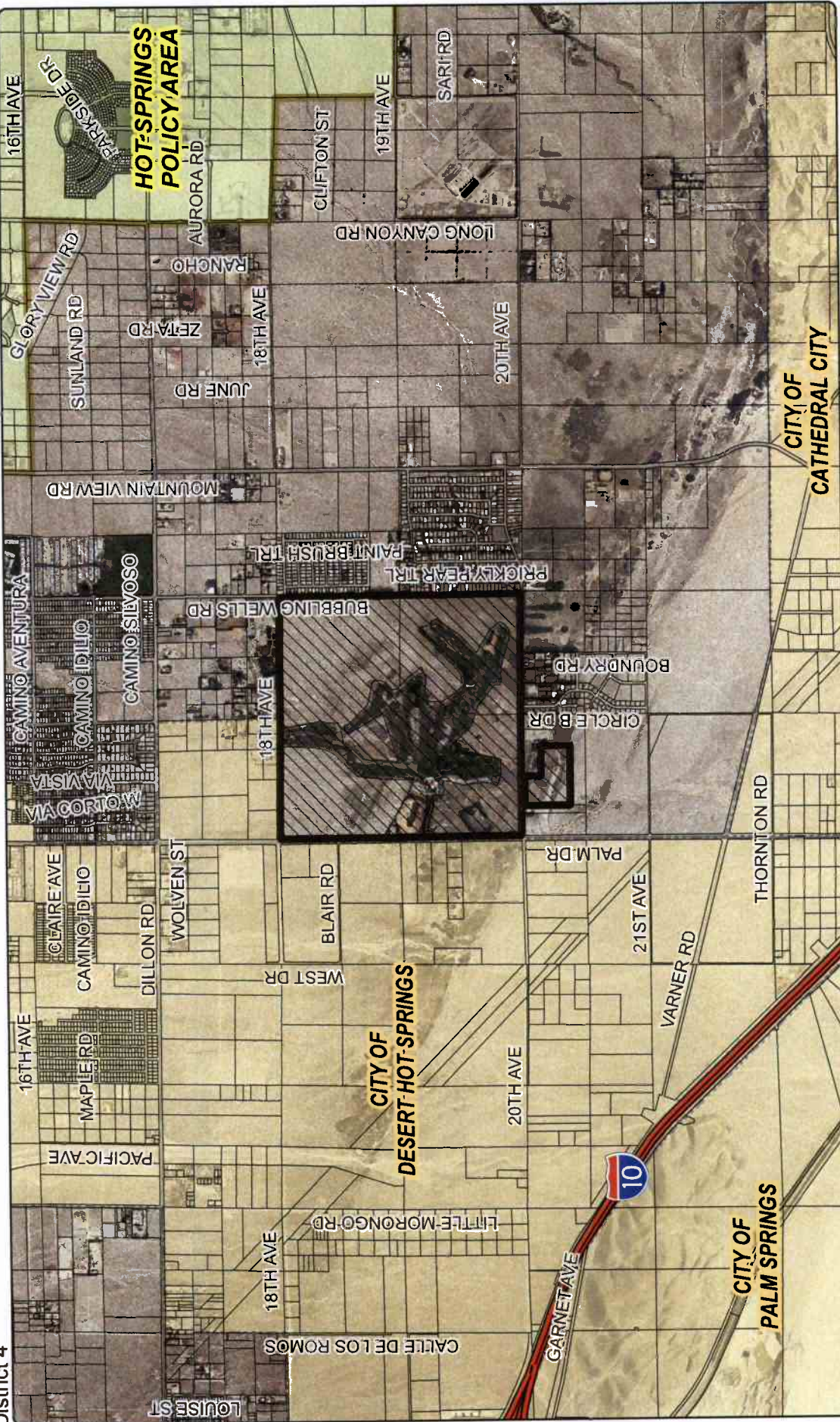


3. The project site is located within:
  - a. The City of Desert Hot Springs sphere of influence;
  - b. Western Coachella Valley Area Plan;
  - c. Coachella Valley Multiple Species Habitat Conservation Plan fee area;
  - d. The boundaries of the Palm Springs Unified School District;
  - e. The Riverside County Regional Parks and Open Space District;
  - f. A Liquefaction Area;
  - g. A 100-year Flood Plain;
  - h. A Little Morongo Wash watershed; and,
  - i. The Banning Fault Zone.
  
4. The subject site is currently designated as Assessor's Parcel Number 657-490-001, 657-490-002, 657-490-003, 657-490-004, 660-040-003

# RIVERSIDE COUNTY PLANNING DEPARTMENT CZ07899 GPA01164 SP00336A1 VICINITY/POLICY AREAS

Date Drawn: 02/10/2016  
Vicinity Map

Supervisor: Benoit  
District 4



Zoning Dist: Pass & Desert

Author: Vinnie Nguyen



DISCLAIMER: On October 7, 2013, this County of Riverside adopted a new General Plan providing for land use designations for unincorporated Riverside County parcels. The new General Plan boundaries are shown on this map. For more information, please contact the Riverside County Planning Department at (951) 955-3200 (Western County) or in Palm Desert at (760) 327-2777 (Eastern County) or Website: <http://planning.cofriverside.ca.gov>

RIVERSIDE COUNTY PLANNING DEPARTMENT

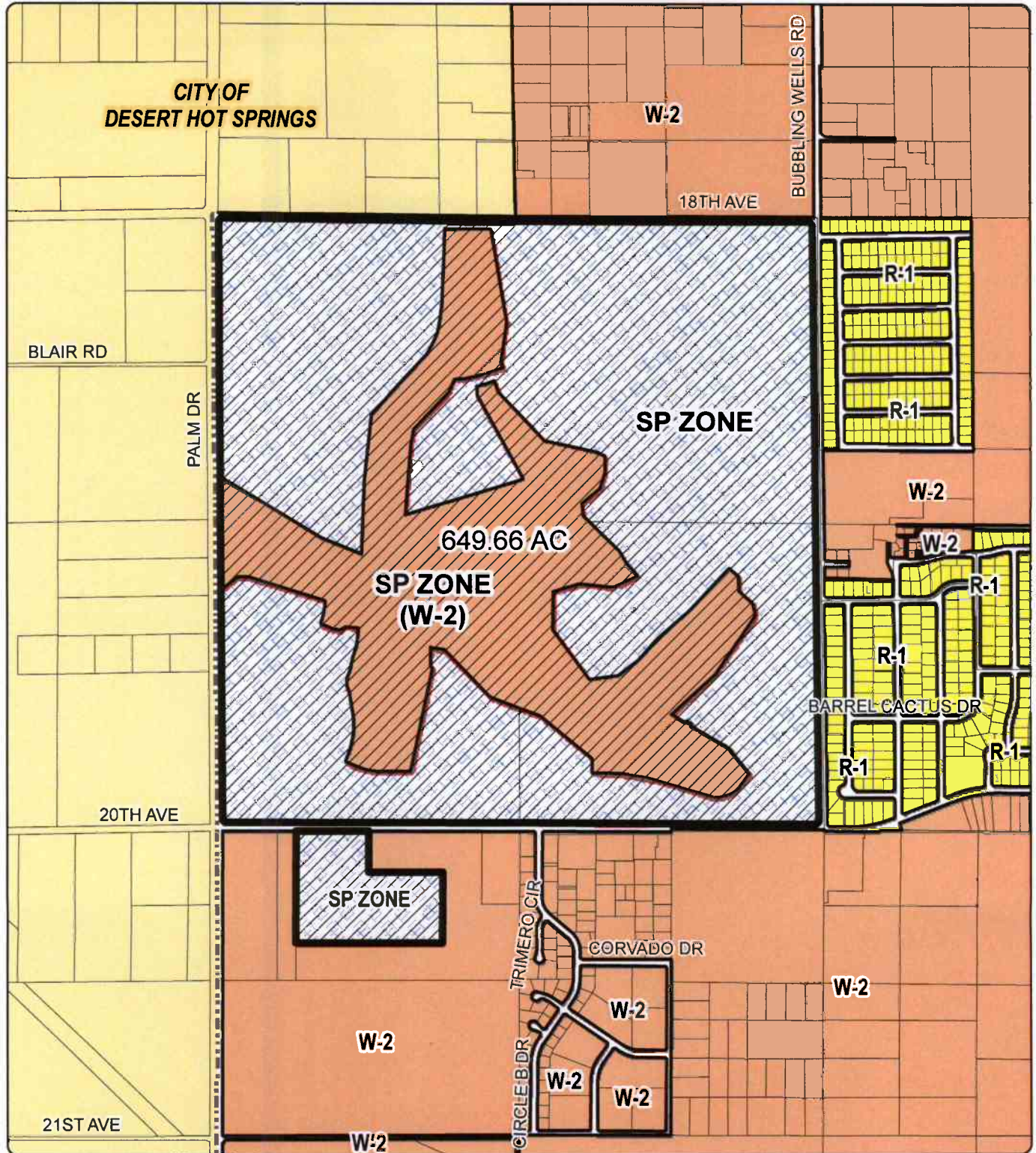
CZ07899 GPA01164 SP00336A1

PROPOSED ZONING

Supervisor: Benoit  
District 4

Date Drawn: 02/10/2016

Exhibit 3



Zoning Dist: Pass & Desert

Author: Vinnie Nguyen



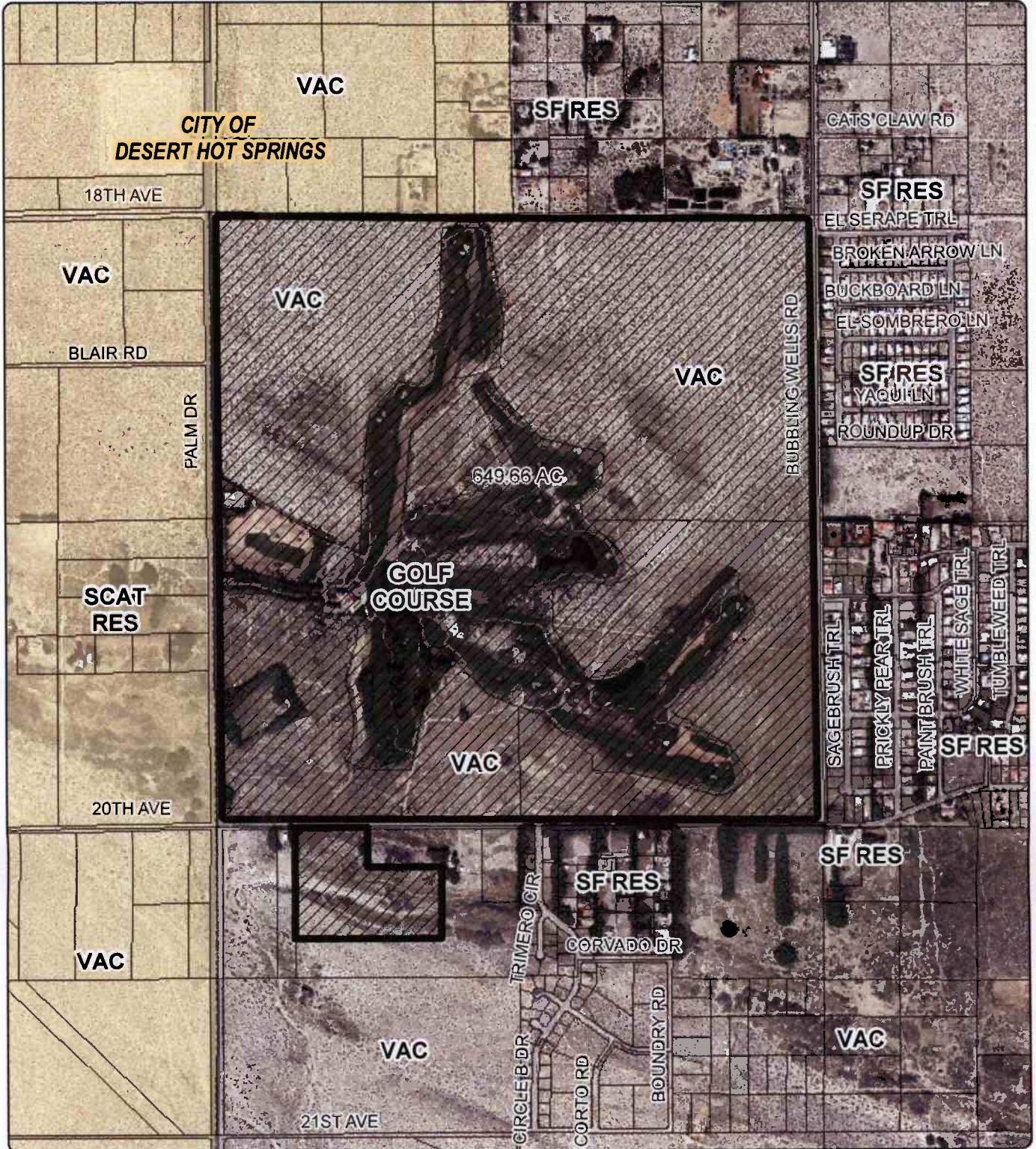
**DISCLAIMER:** On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-3200 (Western County) or in Palm Desert at (760)863-8277 (Eastern County) or Website <http://oleon.riv.planning.org>

RIVERSIDE COUNTY PLANNING DEPARTMENT  
**CZ07899 GPA01164 SP00336A1**

Supervisor: Benoit  
 District 4

**LAND USE**

Date Drawn: 02/10/2016  
 Exhibit 1



Zoning Dist: Pass & Desert

Author: Vinnie Nguyen



**DISCLAIMER:** On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-3200 (Western County) or in Palm Desert at (760)863-8277 (Eastern County) or Website <http://rdplanning.rcplma.org>

# *Movida* Desert Dunes

## **SPECIFIC PLAN**

**County of Riverside**

**1st Amendment  
SP00336A1**



**February 2016**

**Prepared For:**

**VLP CAPITAL, INC.**

36953 Cook Street, Suite 103  
Palm Desert, California USA 92211  
Phone: (760) 610-2094

**Prepared By:**

**HUNSAKER & ASSOCIATES, IRVINE, INC.**

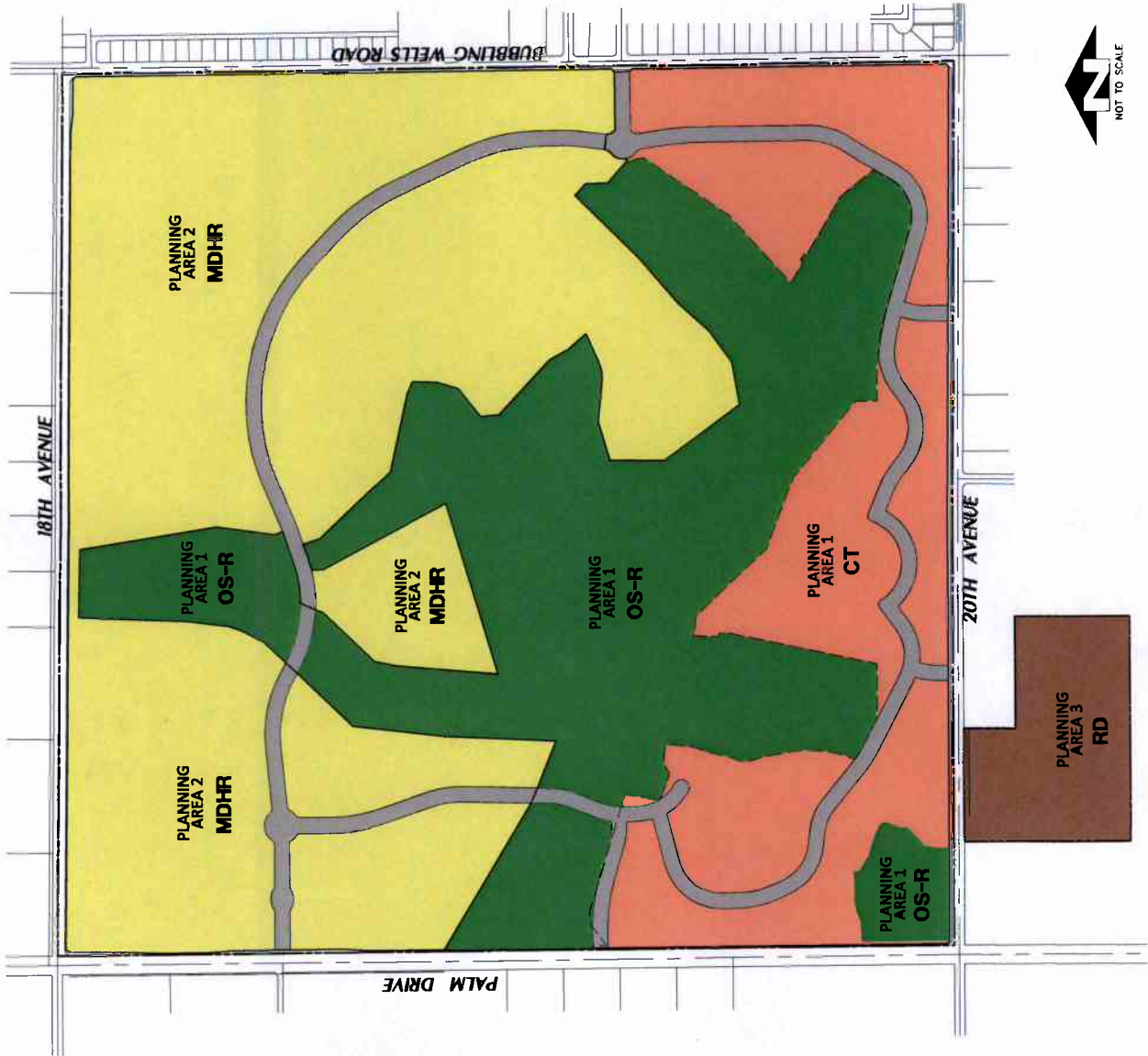
3 Hughes  
Irvine, California 92618  
Phone: (949) 583-1010

# EXHIBIT 15

- LEGEND**
- MEDIUM HIGH DENSITY RESIDENTIAL-5 TO 8 DWELLING UNITS PER ACRE (MDHR)
  - COMMERCIAL TOURIST (CT)
  - OPEN SPACE-RECREATIONAL (OS-R)
  - RURAL DESERT (RD)
  - BACKBONE STREETS
  - APPROXIMATE LIMITS OF GOLF COURSE
  - SPECIFIC PLAN BOUNDARY

PLANNING AREA SUMMARY		
PLANNING AREA	USE	ACREAGE
<b>PLANNING AREA 1*</b>		
PLANNING AREA 1	CT	109.63
PLANNING AREA 1	OS-R	182.66
SUBTOTAL		292.29
<b>PLANNING AREA 2*</b>		
PLANNING AREA 2	MDHR	281.80
SUBTOTAL		281.80
<b>PLANNING AREA 3</b>		
PLANNING AREA 3	RD	24.97
SUBTOTAL		24.97
<b>BACKBONE STREETS</b>		
PERIMETER STREETS	-	13.28
ENTRIES & LOOP ROAD PA1	-	21.91
ENTRIES & LOOP ROAD PA2	-	15.36
SUBTOTAL		50.55
<b>TOTAL</b>		<b>649.61</b>

\* ENTRIES & LOOP ROADS ARE EXCLUDED FROM AREAS.



## SECTION 1 INTRODUCTION

### **PURPOSE**

The purpose of this Specific Plan is to set forth the detailed development principles, guidelines, and programs to facilitate the development of an approximate 649.6-acre site generally located at the southeast corner of Palm Drive and 18<sup>th</sup> Avenue in Riverside County (Exhibit 1 – Vicinity Map). The project site is bound by Palm Drive on the west, 18<sup>th</sup> Avenue on the north, Bubbling Wells Road on the east and 20<sup>th</sup> Avenue on the south with a small portion of the site (25.0 acres) extending onto the south side of 20<sup>th</sup> Avenue. Of the approximate 649.6 gross acres, land uses will consist of residential on approximately 281.8 acres in the northern portion of the site, resort residential on approximately 116.9 acres in the southern portion of the site, an 18-hole golf course in the central portion of the site on approximately 175.4 acres and open space and public facilities in 25.0 acres south of 20<sup>th</sup> Avenue. The residential component will consist of up to 1,350 dwelling units and the resort residential component will consist of up to 900 units and a 50-room boutique hotel. Approximately 50.5 acres of backbone and perimeter roads will be provided to serve the community. In addition to the backbone road system, utilities, recreation amenities and flood control facilities will be provided throughout the development site to support and protect the community.

This Specific Plan is intended to meet the requirements for a Specific Plan as set forth by State law. The State authorizes cities and counties to adopt Specific Plans as an appropriate tool in implementing their General Plans. Such a plan is to include the detailed regulations, conditions, programs, and any proposed legislation that is necessary for the systematic implementation of the General Plan. The Specific Plan provides the linkage between the General Plan, the general goals and policies of the County, and the detailed implementation of that plan with tools such as zoning ordinances, subdivision ordinances, and the like. The Government Code (Section 65451) sets forth the minimum requirements of a Specific Plan and states:

"A Specific Plan shall include a text and diagram or diagrams which specify all of the following in detail:

- 1). The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.

- 2). The proposed distribution, location and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described by the plan.
- 3). Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.
- 4). A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out items (1), (2), and (3)."


The Specific Plan shall include a statement of the relationship of the specific plan to the General Plan. The establishment of specific performance, design, and development standards is set forth to guide the development of the subject property in such a way as to implement the General Plan while maintaining some flexibility to respond to changing conditions which may be a factor in any long-term development program.





NOT TO SCALE

# EXHIBIT 1

<p><b>PREPARED FOR:</b>  <b>VLP CAPITAL, INC.</b>          36953 COOK STREET, SUITE 103          PALM DESERT, CALIFORNIA USA 92211          PHONE: (760) 610-2094</p>	<p><b>PREPARED BY:</b>    <b>HUNSAKER &amp; ASSOCIATES</b>          I R V I N E , I N C .          PLANNING • ENGINEERING • SURVEYING          Three Hughes • Irvine, CA 92618 • PH: (949) 583-7070 • FX: (949) 583-0759</p>	<p><b>VICINITY MAP EXHIBIT</b>  <b>MOVIDA DESERT DUNES</b>  <b>SPECIFIC PLAN (SP00336A1)</b></p>
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**PROJECT SUMMARY**

Movida Desert Dunes is private mixed-use, master planned community encompassing approximately 471.9 +/- acres of undeveloped land oriented around the existing Desert Dunes Golf Course, an existing 177.7-acre championship golf course (Exhibit 2 – Aerial Photograph) for a total gross area of approximately 649.6 acres. Of the 649.6 acres, approximately 281.8 acres will be developed as residential with up to 1,350 dwelling units and approximately 116.9 acres will be developed as resort residential with 900 units and a 50-room boutique hotel. The project's residential and resort residential components will surround an 18-hole golf course located on 177.7 acres in the central portion of the site. Both the residential and resort residential components will integrate open space and park areas with recreational amenities and scenic landscapes to support a desert oasis theme and compliment the central golf course and surrounding desert landscape as well as providing flood control facilities to convey the development's drainage and provide flood protection. Approximately 50.6 acres will serve as the community's backbone circulation system providing the project entries, main internal connector loop road and surrounding perimeter streets. Particular attention will be paid to integrating the community with the surrounding environment and habitat conservation area located to the south of the project site.

The main project site (approximately 624.6 acres) is located east of Palm Drive, west of Bubbling Wells Road and between 18<sup>th</sup> Avenue on the north and 20<sup>th</sup> Avenue on the south within unincorporated Riverside County. The balance of the project site, approximately 25.0 acres (including 0.4 acres of ultimate right-of-way dedication area for 20<sup>th</sup> Avenue), is located on the south side of 20<sup>th</sup> Avenue and consists of a flood control/channel outlet facility, other public facilities and open space.

The project's residential component will not exceed 1,350 dwelling units. A residential planning area allocates the residential density within the range of 5.0 to 8.0 dwelling units per acre, excluding areas required for flood control facilities. Residential products will consist of a variety of single-family lot sizes, which may range from 4,000 to 7,700 square feet in size as well as condominium, townhome, courtyard cluster, alley-loaded, zero-lot line, and paired home neighborhoods. The residences will be located on private streets within a gated community. Building heights for the residential homes or structures will not exceed 40 feet or 3-stories.

Landscaped open space, neighbor parks, trails and flood control facilities will be integrated into the residential Planning Area.

The commercial tourist component will provide residential, commercial, and hospitality uses including up to 900 residential units available for rental (including periods of 30 days or less), a 50-room boutique hotel, restaurants, spas and associated infrastructure improvements and amenity areas for active and passive recreation. Building heights for the resort residential will not exceed 80 feet, allowing for larger structures as part of the hotel component with tower elements and other architectural vertical treatments to breakup building massing.

The existing Desert Dunes 18-hole golf course in the 177.7-acre central portion of the project site will remain and be a focal amenity for the residential and resort uses. Modifications and improvements to the golf course will occur for integration with the surrounding development including grading, flood control improvements, access roads, utility extensions, trail connections and water quality/drainage features.

Approximately 25.0 acres on the south side of 20<sup>th</sup> Avenue will consists of a flood control/channel outlet facility and other public facilities to support the project. A majority of the 25.0 acre site will remain as natural open space consistent with its Rural Desert land use designation.

Circulation is provided to the community by the perimeter roadways which border the site, Palm Drive, 20<sup>th</sup> Avenue, 18<sup>th</sup> Avenue and Bubbling Wells Road. The main entrances to the site are on Palm Drive. Secondary entrances are also located on Bubbling Wells Road and 20<sup>th</sup> Avenue (in two locations). On-site circulation consists of an internal loop road connecting the residential and resort Planning Areas and surrounding perimeter roads. Along with vehicular circulation, pedestrian connections, walkways and trails are a vital part of the development, linking residents and visitors to the community's amenities, golf course and open space areas.

In addition to the on-site mixed-use development and associated improvements, the following off-site components are part of the overall project's necessary infrastructure to serve the proposed community:

1. Reservoir Site - A 5 million gallon water reservoir located on a 5.0 acre site at the northeast corner of Dillon Road and Rancho Road will be constructed as part of the project to serve

the development. The reservoir will connect to the residential portion of the project through water lines located in the rights-of-way of 18th Avenue, Bubbling Wells and Dillon Road. The reservoir will be supplied by five wells – one well on the project site (will be upgraded and turned over to CVWD for ownership and maintenance) and four wells in an off-site well field located approximately 3,300 feet west of the intersection of 18<sup>th</sup> Avenue and Palm Drive owned and maintained by the Coachella Valley Water District (CVWD). The CVWD well site will connect to the project's planned water supply infrastructure at the intersection of 18<sup>th</sup> Avenue and Palm Drive via a 12-inch and 18-inch water line constructed in 18<sup>th</sup> Avenue.

2. Sewer Extension and Regional Sewer Lift Station - A 24-inch sewer main extension beginning at the intersection of Palm Drive and 20<sup>th</sup> Avenue and ultimately connecting to the existing 24-inch sewer in Varner Road near its intersection with Manufacturing Road (consisting of approximately 42,500 linear feet of off-site sewer improvements) to provide sewer service. Part of the off-site sewer system will include the construction of a regional sewer lift station and a 12-inch force main segment to allow for the sewer extension to run easterly to the proposed point of connection at Varner Road and Manufacturing Road. The regional sewer lift station will be located within a 0.28-acre parcel off of Varner Road in between Palm Drive and Mountain View Road within Cathedral City.

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10. GENERAL CONDITIONS

EVERY DEPARTMENT

10. EVERY. 1 SPA - Amendment Description RECOMMND

This Specific Plan Amendment would add the existing golf course to the Specific Plan Area, making the Specific Plan 649.66 acres, and reconfigure the planning areas to allow development of single-family homes on the northern portion of the site and resort residential uses and a small boutique hotel, containing up to 50 rooms, along the southern portion of the existing golf course. The SP-A will also revert the approved density back to the EIR/CEQA analyzed 2,250 units and will remove the active-adult (55+) age-restriction component from the project. Planning Area 2 will include 1,350 single-family lots.

10. EVERY. 2 SPA - Replace all previous RECOMMND

This Specific Plan Amendment is intended to replace the original SPECIFIC PLAN, and all amendments and substantial conformances to the SPECIFIC PLAN. All future developments within the SPECIFIC PLAN, whether or not they have a direct correlation to this Amendment, will inherit these conditions. The original SPECIFIC PLAN and all previous amendments and substantial conformances to the SPECIFIC PLAN will be electronically "locked" so that all future land development applications comply with the following conditions:

10. EVERY. 3 SP - SP Document RECOMMND

Specific Plan No.336A1 shall include the following:

a. Specific Plan Document, which shall include:

1. Board of Supervisors Specific Plan Resolution including the Mitigation Reporting/Monitoring Program
2. Conditions of Approval.
3. Specific Plan Zoning Ordinance.
4. Land Use Plan in both 8 1/2" x 11" black-and-white and 11" x 17" color formats.
5. Specific Plan text.
6. Descriptions of each Planning Area in both graphical and narrative formats.

b. Final Environmental Impact Report No. 455 and Addendum No. 1 Document, which must include, but not be limited to,

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10. GENERAL CONDITIONS

10. EVERY. 3                      SP - SP Document (cont.)                      RECOMMND

the following items:

1. Mitigation Monitoring/Reporting Program.
2. Draft EIR
3. Comments received on the Draft EIR either verbatim or in summary.
4. A list of person, organizations and public agencies commenting on the Draft EIR.
5. Responses of the County to significant environmental point raised in the review and consultation process.
6. Technical Appendices
7. All Addenda (3)

If any specific plan conditions of approval differ from the specific plan text or exhibits, the specific plan conditions of approval shall take precedence.

10. EVERY. 4                      SP - Definitions                      RECOMMND

The words identified in the following list that appear in all capitals in the attached conditions of Specific Plan No.336 shall be henceforth defined as follows:

SPECIFIC PLAN = Specific Plan No. 336, Amendment No. 1.

CHANGE OF ZONE = Change of Zone No. 7899.

EIR = Environmental Impact Report No. 455.

10. EVERY. 5                      SP - Ordinance Requirements                      RECOMMND

The development of the property shall be in accordance with the mandatory requirements of all Riverside County ordinances including Ordinance Nos. 348 and 460 and state laws; and shall conform substantially with the adopted SPECIFIC PLAN as filed in the office of the Riverside County Planning Department, unless otherwise amended.

10. EVERY. 6                      SP - Limits of SP DOCUMENT                      RECOMMND

No portion of the SPECIFIC PLAN which purports or proposes to change, waive or modify any ordinance or other legal requirement for the development shall be considered to be part of the adopted specific plan. Notwithstanding the above, the design guidelines and development standards of the SPECIFIC PLAN or hillside development and grading shall

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10. GENERAL CONDITIONS

10. EVERY. 6                    SP - Limits of SP DOCUMENT (cont.)                    RECOMMND  
apply in place of more general County guidelines and standards.

10. EVERY. 7                    SP - HOLD HARMLESS                    RECOMMND  
The applicant/permittee or any successor-in-interest shall defend, indemnify, and hold harmless the County of Riverside or its agents, officers, and employees (COUNTY) from the following:

(a) any claim, action, or proceeding against the COUNTY to attack, set aside, void, or annul an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning the SPECIFIC PLAN; and,

(b) any claim, action or proceeding against the COUNTY to attack, set aside, void or annul any other decision made by the COUNTY concerning the SPECIFIC PLAN, including, but not limited to, decisions made in response to California Public Records Act requests.

The COUNTY shall promptly notify the applicant/permittee of any such claim, action, or proceeding and shall cooperate fully in the defense. If the COUNTY fails to promptly notify the applicant/permittee of any such claim, action, or proceeding or fails to cooperate fully in the defense, the applicant/permittee shall not, thereafter, be responsible to defend, indemnify or hold harmless the COUNTY.

The obligations imposed by this condition include, but are not limited to, the following: the applicant/permittee shall pay all legal services expenses the COUNTY incurs in connection with any such claim, action or proceeding, whether it incurs such expenses directly, whether it is ordered by a court to pay such expenses, or whether it incurs such expenses by providing legal services through its Office of County Counsel.

E HEALTH DEPARTMENT

10.E HEALTH. 1                    SP - 336A1 COMMENTS                    RECOMMND  
The Department of Environmental Health (DEH) has received and reviewed the Specific Plan 336A1 and offers the following comments:

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10. GENERAL CONDITIONS

10.E HEALTH. 1

SP - 336A1 COMMENTS (cont.)

RECOMMND

1) Projects developed under SP336A1 will be required to have sanitary sewer and potable drinking water for all its inhabitable structures. The purveyor in the area is Coachella Valley Water District. DEH will require the water and sewer availability will serve letters at the time the applicants make a submittal to the Planning Department for the issuance of a SAN53. It is the responsibility of the developer to ensure that all requirements associated with obtaining water and sewer from the appropriate purveyor are met.

2) If any public food facility and/or public swimming pool are proposed, the developer shall contact the DEH District Environmental Services (DES) to obtain information regarding plan check permitting and requirements. Contact (760)320-1048 for additional details.

3) Prior to the approval of any project subject to SP336A1, the applicant shall submit to the Department of Environmental Health (DEH), Environmental Cleanup Program (ECP) for review and consideration an original copy of a Phase 1 Environmental Site Assessment (ESA). Please contact ECP for additional details at (951)955-8980. Note: Prior to Issuance of any Grading Permit, a Phase 2 ESA shall be submitted to ECP for review if the information provide in the Phase 1 ESA indicates the requirements.

\*\*Any future projects developed under this specific plan will require further evaluation from DEH.\*\*

FIRE DEPARTMENT

10.FIRE. 1

SP-ACCESS

RECOMMND

Fire Department emergency vehicle apparatus access road locations and design shall be in accordance with the California Fire Code, Riverside County Ordinance 460, Riverside County Ordinance 787, and Riverside County Fire Department Standards. Plans must be submitted to the Fire Department for review and approval prior to building permit issuance.

10.FIRE. 3

SP-#86-WATER

RECOMMND

Fire Department water system(s) for fire protection shall be in accordance with the California Fire Code, Riverside County Ordinance 787 and Riverside County Fire Department



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10. GENERAL CONDITIONS

10.FIRE. 3                      SP-#86-WATER (cont.)                      RECOMMND

Standards. Plans must be submitted to the Fire Department for review and approval prior to building permit issuance.

10.FIRE. 4                      SP-FIRE ADVERSE IMPACTS                      RECOMMND

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 as adopted by the Riverside County Board of Supervisors. The Riverside County Fire Department reserves the right to negotiate developer agreements associated with the development of land and / or construction of fire facilities to meet service demands through the regional integrated fire protection response system.

Mitigation measures, as defined by the County of Riverside, should be considered in order to help reduce these impacts to a level below significant. Examples of mitigation measures might include:

Developer participation in land acquisition and fire facility construction;

Equipment upgrade and/or purchase;

Participation in a fire mitigation fee program which would allow one time capital improvements such as land and equipment purchases, and construction development;

Riverside County Fire Department has set a drive time goal for the first due unit to be on-scene within 4:00 minutes and a full first alarm assignment within 8:00 minutes- all for a minimum of 90% of annual incidents.

The estimated drive times to the proposed project are listed below.

E37- 7:09

E36- 9:30

E56- 9:37

E35- 11:25

T33- 19:30

As shown above, the proposed project does not have an

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10. GENERAL CONDITIONS

10.FIRE. 4 SP-FIRE ADVERSE IMPACTS (cont.) RECOMMND

acceptable level of coverage with the current Riverside County Fire stations.

PLANNING DEPARTMENT

10.PLANNING. 1 SP - MAINTAIN AREAS & PHASES RECOMMND

All planning area and phase numbers shall be maintained throughout the life of the SPECIFIC PLAN, unless changed through the approval of a specific plan amendment or specific plan substantial conformance accompanied by a revision to the complete specific plan document.

10.PLANNING. 2 SP - NO P.A. DENSITY TRANSPER RECOMMND

Density transfers between Planning Areas within the SPECIFIC PLAN shall not be permitted, except through the Specific Plan Amendment process.

10.PLANNING. 3 SP - BUILDING CODE CLASS RECOMMND

All units within Planning Area 1 that are intended to be rented in any capacity shall be considered commercial for purposes of building permits requiring full ADA accessibility and all other commercial code requirements (similar to a hotel).

10.PLANNING. 4 SP - GEO01276 UPDATE INEFFECT

County Geologic Report (GEO) No. 1276 was prepared for this development (SP00336) and the following associated projects (EIR00455, PM31880 and TR31879) by Hilltop Geotechnical, Inc. and is entitled: "Report of Supplemental Fault Investigation, Proposed Desert Dunes Development, Desert Haven Area, /Riverside County, California", and dated May 14, 2004. In addition, Hilltop prepared and submitted the following reports for this project:

1."Updated Geotechnical Study, Proposed Single Family Residential Development, Quail Street Property, Northwest Quadrant of Palm Drive and 20th Avenue, Desert Haven Area, Riverside County, California", dated December 8, 2003.

2."Response to County of Riverside Review, County Geologic Report No. 1276 (Fault Hazard), Report of Supplemental Fault Investigation, Proposed Desert Dunes Development

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10. GENERAL CONDITIONS

10.PLANNING. 4 SP - GEO01276 UPDATE (cont.)

INEFFECT

Desert Haven Area, Riverside County California", dated September 30, 2004.

3."Report of Geotechnical Study, Proposed Single Family Residential Development, Phase 1, Tentative Tract Map No. 31879 of the Desert Dunes Project, south of Dillon Road and East of Palm Drive, Desert Haven Area, Riverside County, California", dated October 1, 2004.

4."Response to County of Riverside Geotechnical and Fault Hazard Report Review, Proposed Tentative Tract Map No. 31879, Desert Haven Area of Riverside County, California", dated December 21, 2004.

5."Geotechnical Update for Final Environmental Impact Report (EIR), Movida Desert Dunes Specific Plan, Addendum No. 3, Riverside County, California," dated April 7, 2016.

These documents are herein incorporated as a part of GEO No. 1276.

GEO No. 1276 concluded:

1.Seiching should not be considered a hazard in the area.

2.Tsunamis are not considered a hazard.

3.An active trace of the Banning Fault is located near the southwest corner of the site.

4.All faults investigated under GEO No. 1276, with the exception of the Banning Fault, were concluded to be not present and/or not represent a potential surface rupture hazard to the project.

5.All lineaments investigated under GEO No. 1276, with the exception of that which defines the Banning Fault, was found to be non-fault-related and do not represent a hazard to the project.

6.Liquefaction is not considered a hazard for most of the site. However, the area of the Specific Plan located adjacent to the Banning Fault is subject to the potential hazard of liquefaction due to susceptible sediments combined with the shallow groundwater backing up against the north side of the fault.

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10. GENERAL CONDITIONS

10.PLANNING. 4

SP - GEO01276 UPDATE (cont.) (cont.)

INEFFECT

7.Liquefaction was concluded to not represent a potential hazard to TR31879.

8.Settlement of dry alluvium was found to be possible within the limits of TR31879. An estimated settlement of 0.5 inch was calculated for the upper 50 feet of the site with a total estimated differential settlement of approximately 0.25 inches. However, this amount of settlement is considered acceptable for residential structures.

GEO No. 1276 recommended:

1.Additional project specific geotechnical investigations should be performed for the remaining implementing projects within the Specific Plan.

2.Structural setbacks from the Banning Fault are required. A minimum building setback of 50 feet shall be established for the northeast side of the Banning fault. Structures for human occupancy shall not be proposed for the southwest corner of the site within this building setback zone.

3.Requirements of the latest Uniform Building Code or Riverside County Ordinance, whichever has precedence, shall be satisfactory for light wood-frame structures. Heavier structures shall be provided with site-specific seismic parameters for design purposes.

4.Seismic induced settlement of soils shall be mitigated by site earthwork as recommended in GEO No. 1276 (or as amended under future investigations or reports that may be required for grading permits).

5.The potential for lurching shall be mitigated by restricting structures for habitable purposes within the zones of faulting and potential ground rupture.

6.The exploratory trench backfill will require recompaction to 90 percent relative compaction in areas proposed for structures and/or streets.

GEO No. 1276 satisfies the Planning/CEQA requirement for a geologic study for purposes of entitlement of SP00336, PM31880 and TR31879. Pertinent information contained

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10. GENERAL CONDITIONS

10.PLANNING. 4 SP - GEO01276 UPDATE (cont.) (cont.) (cont.) INEFFECT

within GEO No. 1276 should be referenced for CEQA documentation purposes under EIR00455. Additional studies will be required for all other implementing projects within this Specific Plan prior to scheduling them for public hearing. Engineering and other Uniform Building Code parameters where not included as a part of this review or approval and this approval is not intended, and should not be misconstrued as approval for grading permit. Engineering and other building code parameters will be reviewed and additional comments and/or conditions may be imposed by the Building and Safety Department upon application for grading and/or building permits.

An environmental constraints sheet (ECS) shall be prepared for all appropriate subdivision maps as defined elsewhere in this conditions set and as defined within the conditions enumerated for each individual map entitlement case (PM31880, TR31879 and future maps as appropriate).

The fault and fault hazard zone, as well as the areas subject to the potential for liquefaction, shall also be delineated on the Specific Plan maps. In addition, the following notes shall be place on the ECS:

a) "This property is affected by earthquake faulting. ~~Structures for human occupancy shall not be allowed in the~~ Fault Hazard Area."

b) "County Geologic Report No.'s 662 and 1276 were prepared for this property. These reports are on file at the County Administrative Center located in Riverside, California. Specific items of concern include earthquake faulting, liquefaction, seismically-induced settlement, lurching, seismic design for structures and uncompacted trench backfill."

A copy of all final maps and the ECS shall be submitted to the County Geologist for review and approval.

TRANS DEPARTMENT

10.TRANS. 1

SP - SP336A1/TS/CONDITIONS

RECOMMND

The Transportation Department has reviewed the traffic study submitted for the referenced project. The study has been prepared in accordance with County-approved

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10. GENERAL CONDITIONS

10.TRANS. 1 SP - SP336A1/TS/CONDITIONS (cont.)

RECOMMND

guidelines. We generally concur with the findings relative to traffic impacts.

The General Plan circulation policies require a minimum of Level of Service 'C', except that Level of Service 'D' may be allowed in community development areas at intersections of any combination of secondary highways, major highways, arterials, urban arterials, expressways or state highways and ramp intersections.

The study indicates that it is possible to achieve adequate levels of service for the following intersections based on the traffic study assumptions.

Palm Drive (NS) at:  
Pierson Blvd. (EW)  
Hacienda Avenue (EW)  
Two Bunch Palms Trail (EW)  
Dillon Road (EW)  
18th Avenue (EW)  
North Site Access (EW)  
Golf Course Access (EW)  
20th Avenue (EW)  
Varner Road (EW)  
I-10 Westbound Ramps (EW)

Gene Autry Trail (NS) at:  
I-10 Eastbound Ramps (EW)

West Site Access (NS) at:  
20th Avenue (EW)

East Site Access (EW) at:  
20th Avenue (EW)

Bubbling Wells Road (NS) at:  
18th Avenue (EW)  
Site Access/Hatchet Cactus (EW)

Mountain View Road (NS) at:  
20th Avenue (EW)

Mountain View Road (NS) at:  
Varner Road (EW)

Date Palm Drive (NS) at:

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10. GENERAL CONDITIONS

10.TRANS. 1                    SP - SP336A1/TS/CONDITIONS (cont.) (cont.)                    RECOMMND  
                                 Varner Road (EW)  
                                 I-10 Westbound Ramps (EW)  
                                 I-10 Eastbound Ramps (EW)

As such, the proposed project is consistent with this General Plan policy.

The associated conditions of approval incorporate mitigation measures identified in the traffic study, which are necessary to achieve or maintain the required level of service.

10.TRANS. 2                    SP - SP336A1/IMPROVEMENTS                    RECOMMND  
  
All roads shall be improved per the recommended General Plan designation, as approved by the County Board of Supervisors, or as approved by the Transportation Department.

10.TRANS. 3                    SP - SP336A1/TUMF                    RECOMMND  
  
The project proponent shall be required to pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of issuance of a building permit, pursuant to Ordinance No. 673.

10.TRANS. 4                    SP - SP336A1/REALIGN OF 20TH                    RECOMMND  
  
20th Avenue shall be realigned, off-site, between Mountain View Drive and Bubbling Wells Road aligning with 20th Avenue east of Mountain View road. The new alignment shall be along the section line between Sections 17 and 20 of T3S,R5E of the San Bernardino Base and Meridian.

10.TRANS. 5                    SP - DRAINAGE CONDITIONS                    RECOMMND  
  
REFER TO SP336 AND SP336S1 FOR FLOOD CONTROL DISTRICT CONDITIONS OF APPROVAL TO ADDRESS PROJECT DRAINAGE.

20. PRIOR TO A CERTAIN DATE

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20. PRIOR TO A CERTAIN DATE

PLANNING DEPARTMENT

20.PLANNING. 1            SP - 90 DAYS TO PROTEST

RECOMMND

The applicant has ninety (90) days from the date of the approval of these conditions to protest, in accordance with the procedures set forth in Government Code Section 66020, the imposition of any and all fees, dedications, reservations, and/or exactions imposed on this project as a result of the approval or conditional approval of this project.

30. PRIOR TO ANY PROJECT APPROVAL

PLANNING DEPARTMENT

30.PLANNING. 1            SP - M/M PROGRAM (GENERAL)

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"The EIR prepared for the SPECIFIC PLAN imposes specific mitigation measures and monitoring requirements on the project. Certain conditions of the SPECIFIC PLAN and this implementing project constitute reporting/monitoring requirements for certain mitigation measures."

30.PLANNING. 2            SP - NON-IMPLEMENTING MAPS

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"A land division filed for the purposes of phasing or financing shall not be considered an implementing development application for the purposes of the Planning Department's conditions of approval.

Should this project be an application for phasing or financing, all of the other conditions in this implementing project with a prefix of "SP" will be considered as NOT APPLICABLE, and this condition shall be considered as MET. Should this project not be an application for phasing or financing, this condition shall be considered as NOT APPLICABLE."



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30. PRIOR TO ANY PROJECT APPROVAL

30. PLANNING. 3                      SP - DURATION OF SP VALIDITY                      RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"The SPECIFIC PLAN that this project is a part of has a life span of twenty (20) years from the date of the adoption of the resolution adopting the SPECIFIC PLAN, at which time the Board may elect to begin revocation hearings ofr the SPECIFIC PLAN. Should the Board not begin revocation hearings the SPECIFIC PLAN shall remain valid. Should the SPECIFIC PLAN not be substantially built out in that period of time, the project proponent shall file a specific plan amendment to be processed concurrently with this implementing proposal. (For the purposes of this condition, substantial buildout shall be defined as [eighty percent (80%) of the maximum amount of dwelling units allowed by the SPECIFIC PLAN as most recently amended. The specific plan amendment will update the entire specific plan document to reflect current development requirements.

This condition shall be considered as NOT APPLICABLE if the implementing project has been filed within the above listed parameters, and shall be considered as MET if the specific plan amendment has been filed.

30. PLANNING. 4                      SP - SUBMIT FINAL DOCUMENTS                      RECOMMND

Prior to the approval of ny implementing project within the SPECIFIC PLAN (i.e.: ract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"Three (3) hard copies and one (10) CD of the final SPECIFIC PLAN and EIR documents (SP/EIR) documents shall be submitted to the Planning Department for distribution. The documents shall include all the items listed in the condition titled "SP - Documents". The final SP/EIR documents shall be distributed in the following fashion:

- Building and Safety Department                      1 copy
- County Planning Department in Riverside                      1 copy
- City of Desert Hot Springs                      1 cd
- Riverside County Planning Department in Indio                      1 cd

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 4                    SP - SUBMIT FINAL DOCUMENTS (cont.)                    RECOMMND

Any and all remaining documents shall be kept with the Planning Department in Riverside, or as otherwise determined by the Planning Director.

This condition cannot be DEFERRED or considered as NOT APPLICABLE."

30.PLANNING. 5                    SP - PROJECT LOCATION EXHIBIT                    RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"The applicant shall provide to the Planning Department an 8 1/2" x 11" exhibit showing where in the SPECIFIC PLAN this project is located. The exhibit shall also show all prior implementing projects within the SPECIFIC PLAN that have already been approved.

This condition shall be considered MET once the applicant provides the Planning Department with the required information. This condition may not be DEFERRED."

30.PLANNING. 10                    SP \*- ADDENDUM EIR                    RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"This implementing project has been reviewed in the context the EIR, which is associated with this SPECIFIC PLAN. The Planning Department has reviewed this project and its relationship to the EIR, and has found that no new environmental impacts have arisen since the certification of the EIR. Although the EIR adequately addressed the environmental impacts of the SPECIFIC PLAN as a whole, more detailed technical information (i.e. traffic studies, updated biological studies, etc.) have been required by the Planning Department and/or other COUNTY land development review departments in order to complete its environmental review. Therefore, an ADDENDUM to the previously certified EIR has been prepared in conjunction with this implementing application.

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 10 SP \*- ADDENDUM EIR (cont.)

RECOMMND

This condition shall be considered MET if an ADDENDUM to the EIR has been prepared. Alternatively, this condition shall be considered as NOT APPLICABLE if an ADDENDUM to the EIR is not required."

30.PLANNING. 11 SP \*- EA REQUIRED

RECOMMND

Prior to the approval of any implementation project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"If this implementing project is subject to the California Environmental Quality Act (CEQA), an environmental assessment shall be filed and processed concurrently with this implementing project. At a minimum, the environmental assessment shall utilize the evaluation of impacts addressed in the EIR prepared for the SPECIFIC PLAN.

This condition shall be considered as MET if an environmental assessment was conducted for this implementing project. This condition may be considered as NOT APPLICABLE if this implementing project is not subject to CEQA. This condition may not be DEFERRED."

30.PLANNING. 12 SP \*- SUPPLEMENT TO EIR

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"This implementing project has been reviewed in the context the EIR, which is associated with this SPECIFIC PLAN. The Planning Department has reviewed this project and its relationship to the EIR, and has found that although the EIR adequately addressed the environmental impacts of the SPECIFIC PLAN at the time, new environmental impacts have arisen since the certification of the original EIR. The Planning Department has determined that the new environmental impacts can be mitigated to below a level of significance. Therefore, a SUPPLEMENT to the previously certified EIR has been prepared in conjunction with this implementing application.

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 12            SP \*- SUPPLEMENT TO EIR (cont.)            RECOMMND

This condition shall be considered MET if a SUPPLEMENT to the EIR has been prepared. Alternatively, this condition shall be considered as NOT APPLICABLE if a SUPPLEMENT to the EIR is not required."

30.PLANNING. 13            SP \*- SUBSEQUENT EIR            RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"This implementing project has been reviewed in the context the EIR, which is associated with this SPECIFIC PLAN. The Planning Department has reviewed this project and its relationship to the EIR, and has found that although the EIR adequately addressed the environmental impacts of the SPECIFIC PLAN at the time, new environmental impacts have arisen since the certification of the original EIR. The Planning Department has determined that this implementing project may have a significant impact to the new environmental impacts that have arisen. Therefore, a SUBSEQUENT EIR has been prepared in conjunction with this implementing application.

This condition shall be considered MET if a SUBSEQUENT EIR has been prepared. Alternatively, this condition shall be considered as NOT APPLICABLE if a SUBSEQUENT to the EIR is not required."

30.PLANNING. 14            SP - COMPLETE CASE APPROVALS            RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"Prior to the approval of any implementing project (tract map, parcel map, use permit, plot plan, etc.) the SPECIFIC PLAN, the GPA, the CHANGE OF ZONE, and the EIR must have been approved, adopted, and certified by the Board of Supervisors, respectively.

This condition shall be considered as MET once the SPECIFIC PLAN, the GPA, the CHANGE OF ZONE, and the EIR have been approved, adopted, and certified by the Board of

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 14 SP - COMPLETE CASE APPROVALS (cont.) RECOMMND

Supervisors, repectively. This condition may not be DEFERRED."

30.PLANNING. 15 SP - AMENDMENT REQUIRED RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"If this implementing project meets any of the following criteria, an amendment to the SPECIFIC PLAN shall be required and processed concurrently with this implementing project:

1. The implementing project adds any area to, or deletes area from, the SPECIFIC PLAN;
2. The implementing project proposes a substantially different use than currently allowed in the SPECIFIC PLAN (i.e. proposing a residential use within a commercially designated area); or
3. as determined by the Planning Director.

Any amendment to the SPECIFIC PLAN, even though it may affect only one portion of the SPECIFIC PLAN, shall be accompanied by a complete specific plan document which includes the entire specific plan, including both changed and unchanged parts.

This condition shall be considered MET if the specific plan amendment has been filed, and NOT APPLICABLE if a specific plan amendment is determined to be unnecessary."

30.PLANNING. 18 SP - PA PROCEDURES RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map or parcel map), the following condition shall be placed on the implementing project PRIOR TO MAP RECORDATION in the case of land division applications (tentative parcel maps or tentative tract maps) or PRIOR TO BUILDING PERMITS in the case of use permit applications (plot plans, conditional use permits, or public use permits):

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 18 SP - PA PROCEDURES (cont.)

RECOMMND

"The planning area[s] for which this land division application is located must be legally defined. Any of the following procedures may be used in order to legally define this [these] planning area[s]:

1. The project proponent has processed a FINAL CHANGE OF ZONE MAP concurrent with the SPECIFIC PLAN which legally defined this [these] planning area[s].
2. The project proponent shall file a change of zone application along with a legal description defining the boundaries of the planning area affected by this land division application. The applicant will not be changing the allowed uses or standards within the existing zone but will merely be providing an accurate legal description of the affected planning area. The change of zone shall be approved and adopted by the Board of Supervisors."

30.PLANNING. 19 SP - COMMON AREA MAINTENANCE

RECOMMND

Prior to the approval of any implementing land division project within the SPECIFIC PLAN (i.e. tract map or parcel map), the following condition shall be placed on the implementing application:

~~men~~ PRIOR TO MAP RECORDATION, the following procedures for common area maintenance procedures shall be complied with:

a. A permanent master maintenance organization shall be established for the specific plan area, to assume ownership and maintenance responsibility for all common recreation, open space, circulation systems and landscaped areas. The organization may be public or private. Merger with an area-wide or regional organization shall satisfy this condition provided that such organization is legally and financially capable of assuming the responsibilities for ownership and maintenance. If the organization is a private association, then neighborhood associations shall be established for each residential development, where required, and such associations may assume ownership and maintenance responsibility for neighborhood common areas.

b. Unless otherwise provided for in these conditions of approval, common open areas shall be conveyed to the maintenance organization as implementing development is approved or any subdivision as recorded.

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30.PLANNING. 19            SP - COMMON AREA MAINTENANCE (cont.)            RECOMMND

c. The maintenance organization shall be established prior to or concurrent with the recordation of the first land division.

30.PLANNING. 21            SP - CC&R RES PRI COMMON AREA            RECOMMND

Prior to the approval of any implementing land division project within the SPECIFIC PLAN (tract map or parcel map), the following condition shall be placed on the implementing project PRIOR TO MAP RECORDATION if the permanent master maintenance organization referenced in the condition entitled "SP - Common Area Maintenance" is a private organization:

"The applicant shall notify the Planning Department that the following documents shall be submitted to the Office of County Counsel and submit said documents for review along with the current fee, which shall be subject to County Counsel approval:

1. A cover letter identifying the project for which approval is sought;

2. A signed and notarized declaration of covenants, conditions and restrictions; procedures for

3. A sample document, conveying title to the purchaser of an individual lot or unit, which provides that the declaration of covenants, conditions and restrictions is incorporated therein by reference; and,

4. A deposit equaling three (3) hours of the current hourly fee for Review if Covenants, Conditions and Restrictions established pursuant to County Ordinance No. 671 at the time the above referenced documents are submitted for County Counsel review.

The declaration of covenants, conditions and restrictions submitted for review shall a) provide for a minimum term of 60 years, b) provide for the establishment of a property owners' association comprised of the owners of each individual lot or unit as tenants in common, c) provide for ownership of the common area by either the property owners' association or the owners of each individual lot or unit as tenants in common, and (d) contain the following provisions

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30.PLANNING. 21

SP - CC&R RES PRI COMMON AREA (cont.)

RECOMMND

verbatim:

"Notwithstanding, any provision in this Declaration to the contrary, the following provisions shall apply:

The property owners' association established herein shall manage and continuously maintain the 'common area', more particularly described on Exhibit '\_\_\_', attached hereto, and shall not sell or transfer the 'common area' or any part thereof, absent the prior written consent of the Planning Director of the County of Riverside or the County's successor-in-interest.

The property owners' association shall have the right to assess the owners of each individual lot or unit for the reasonable cost of maintaining such 'common area' and shall have the right to lien the property of any such owner who defaults in the payment of a maintenance assessment. An assessment lien, once created, shall be prior to all other liens recorded subsequent to the notice of assessment or other document creating the assessment lien.

This Declaration shall not be terminated, 'substantially' amended, or property deannexed therefrom absent the prior written consent of the Planning Director of the County of Riverside or the County's successor-in-interest. A proposed amendment shall be considered 'substantial' if it affects the extent, usage or maintenance of the 'common area' established pursuant to this Declaration.

In the event of any conflict between this Declaration and the Articles of Incorporation, the Bylaws, or the property owners' association Rules and Regulations, if any, this Declaration shall control."

Once approved by the Office of County Counsel, the declaration of covenants, conditions and restrictions shall be recorded in the Planning Department with one copy retained for the case file, and one copy provided to the County Transportation Department - Survey Division."

30.PLANNING. 24

SP - GENERIC M/M PROGRAM

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit,



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30.PLANNING. 24 SP - GENERIC M/M PROGRAM (cont.)

RECOMMND

plot plan, etc.), the following condition shall be placed on the implementing project:

"PRIOR TO THE ISSUANCE OF GRADING PERMITS, the project applicant shall provide to the Planning Department a detailed proposal for complying with the preliminary mitigation and monitoring procedures described in the EIR during the process of grading. Grading permits will not be issued unless the preliminary mitigation and monitoring procedures as described in the EIR are substantially complied with."

30.PLANNING. 25 SP - F&G CLEARANCE

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e. tract map, parcel map, use permit, plot plan, etc.) which may propose grading or construction within or along the banks of any blue-lined stream, the following condition shall be placed on the implementing project:

"PRIOR TO THE ISSUANCE OF GRADING PERMITS, the applicant shall obtain written notification to the County Planning Department that the appropriate California Department of Fish and Game notification pursuant to Sections 1601/1603 of the California Fish and Game Code has taken place, or obtain an "Agreement Regarding Proposed Stream or Lake Alteration" (Sections 1601/1603 Permit) should any grading or construction be proposed within or along the banks of any natural watercourse or wetland, located either on-site or any required off-site improvement areas. Copies of any agreement shall be submitted with the notification."

30.PLANNING. 26 SP - ACOE CLEARANCE

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e. tract map, parcel map, use permit, plot plan, etc.) which may propose grading or construction within or along the banks of any blue-lined stream which is determined to be within the jurisdiction of the United States Army Corps of Engineers, the following condition shall be placed on the implementing project:

"PRIOR TO THE ISSUANCE OF GRADING PERMITS, the applicant shall obtain written notification to the County Planning Department that the alteration of any watercourse or

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30.PLANNING. 26 SP - ACOE CLEARANCE (cont.)

RECOMMND

wetland, located either on-site or on any required off-site improvement areas, complies with the U.S. Army Corps of Engineers Nationwide Permit Conditions, or obtain a permit under Section 404 of the Clean Water Act should any grading or construction be proposed within or along the banks of any natural watercourse or wetland. Copies of any agreement shall be submitted with the notification."

30.PLANNING. 28 SP \*- ENTRY MONUMENTATION

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"PRIOR TO THE ISSUANCE OF BUILDING PERMITS, the following language shall be added to the landscaping requirements of the implementing project:

1. An entry monument shall be shown on the Exhibit \_\_\_\_.
2. The entry monument shall be in substantial conformance to the design guidelines of Planning Area \_\_\_\_ of the SPECIFIC PLAN, as shown on pages \_\_\_\_ to \_\_\_\_."

30.PLANNING. 29 SP - POST GRADING REPORT

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"PRIOR TO THE ISSUANCE OF BUILDING PERMITS, the project applicant shall provide to the Planning Department a post grading report. The report shall describe how the mitigation and monitoring program as described in the EIR and pre-grading agreement[s] with the qualified [archaeologist/paleontologist/other] were complied with."

30.PLANNING. 30 SP - SCHOOL MITIGATION

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"PRIOR TO BUILDING PERMITS, impacts to the Palm Springs

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 30            SP - SCHOOL MITIGATION (cont.)            RECOMMND

School District shall be mitigated in accordance with state law."

30.PLANNING. 33            SP - IF HUMAN REMAINS FOUND            RECOMMND

Prior to the approval of any land division or development permit (use permit, plot plan, etc.), a condition of approval shall be applied to the land division or development permit, and shall read as follows:

If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resource Code section 5097.98. The County Coroner shall be notified of the find immediately. If the remains are determined to be prehistoric, the coroner shall notify the Native American Heritage Commission, which will determine and notify the appropriate NATIVE AMERICAN TRIBE who is the most likely descendent. The descendent shall inspect the site of the discovery and make a recommendation as to the appropriate mitigation. After the recommendations have been made, the land divider, a Native American Tribe representative, and a County representative shall meet to determine the appropriate mitigation measures and corrective actions to be implemented.

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30.PLANNING. 34            SP - ECS NOTE ARCAHEOLOGICAL            RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

Prior to Map Recordation, the following Environmental Constraints note shall be placed on the ECS: "County Archaeological Report No. PDA04423, dated August 12, 2008, was prepared for this property by CRM Tech, and PDA04699, prepared in 2011 by SRI Inc., to further examine the nature and significance of several archaeological sites and are on file at the County of Riverside Planning Department. The property is subject to surface alteration restrictions based on the results of the reports. Specifically, 5-acres in the southwest corner of the proposed Specific Plan shall not be developed so that the sensitive resources can be

RECOMMND

was prep...

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30.PLANNING. 34 SP - ECS NOTE ARCAHEOLOGICAL (cont.) RECOMMND

avoided and preserved. This area shall be reserved as a resource preserve area and no earth disturbances are permitted. The remaining proposed project area shall have full-time archaeological monitoring during all earth-disturbing activities (clearing, grubbing, mass/rough grading, utility trenching, tree removals, stockpiling, etc.)".

30.PLANNING. 35 SP - CULTURAL PRESERVE RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

Prior to Map recordation, the Developer/permit holder shall submit to the County for review and approval, a conservation agreement for the five acre resource preserve to be created at the southwest corner of the project. Cultural resource site CA-RIV-2642 shall be preserved in an open space lot to be created at the southwest corner of the proposed project, containing no less than five acres. The agreement shall include, but not be limited to, measures for preservation of the site in perpetuity, security and erosion, vandalism, etc. also ownership and financial responsibility. The developer/permit holder shall submit the agreement to the County for review and acceptance. The accepted agreement shall be recorded against the land as a conservation easement or deed of ownership. The preserve shall be protected by permanent perimeter fencing with a locked gate, a planting of thorny cactus and similar plants at the base of the fence to create a physical barrier that will deter trespassers and be maintained in a viable functioning condition. Access into the preserve shall be controlled by project security personnel managed by the entity approved by the County. Access by the Agua Caliente Band of Cahuilla Indians or the Morongo Band of Mission Indians shall be reasonably accomodated upon 48 hours notification to the managing entity and the County Archaeologist. The agreement shall provide for an annual inspection by the County Archaeologist, to inspect for compliance with the accepted agreement, and threats to the preservation within the preserve that need remediation. The responsible party identified in the accepted agreement shall be financially responsible for any necessary remediation, mitigation, or maintenance issues identified

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30.PLANNING. 35 SP - CULTURAL PRESERVE (cont.) RECOMMND

within the preserve during the annual inspection and shall meet all required performance standards in the accepted agreement. Annual inspections shall be paid for by the responsible party identified in the accepted agreement. the agreement shall be recorded with the County Clerk's office as part of this subdivision.

30.PLANNING. 36 SP - CALIFORNIA REGISTER NOM. RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

Because archaeological site CA-RIV-2642 was determined to be significant and eligible for listing on the California Register of Historic Places, the applicant/permit holder shall cause to have prepared, by professionally-qualified archaeologist listed on the County's Cultural Resources Consultants list, a complete California Register Nomination packet, meeting current requirements for such nomination packets, that will be signed by the applicant/permit holder. The completed nomination package shall be submitted to the State Historic Preservation office for consideration.

TRANS DEPARTMENT

30.TRANS. 1 SP - SP336A1/TS/INSTALL PH1 RECOMMND

Phase 1: 288 single family dwelling units and 500 recreational residential dwelling units

Implementing projects of SP336A1 shall be responsible for the design and construction of traffic signal(s) at the intersections of:

Signals not eligible for fee credit: -  
Palm Drive (NS) at North Site Access (EW)  
Palm Drive (NS) at Golf Course Access (EW)  
Palm Drive (NS) at 20th Avenue (EW)

or as approved by the Transportation Department.

For improvements eligible for fee credit, the project proponent shall contact the Transportation Department and

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30.TRANS. 1                    SP - SP336A1/TS/INSTALL PH1 (cont.)                    RECOMMND

enter into an agreement for signal mitigation fee credit or reimbursement prior to start of construction of the signal.

All work shall be pre-approved by and shall comply with the requirements of the Transportation Department and the public contract code in order to be eligible for fee credit or reimbursement.

30.TRANS. 2                    SP - SP336A1/TS/INSTALL PH2                    RECOMMND

Phase 2: 1,062 single family dwelling units and 400 recreational residential dwelling units.

Implementing projects of SP336A1 shall be responsible for the design of traffic signal(s) at the intersections of:

Signals not eligible for fee credit:

    Date Palm Drive (NS) at Varner Road (EW)

or as approved by the Transportation Department.

For improvements eligible for fee credit, the project proponent shall contact the Transportation Department and enter into an agreement for signal mitigation fee credit or reimbursement prior to start of construction of the signal.

All work shall be pre-approved by and shall comply with the requirements of the Transportation Department and the public contract code in order to be eligible for fee credit or reimbursement.

30.TRANS. 3                    SP - SP336A1/20TH REALIGN                    RECOMMND

Prior to Occupancy of the 1st unit in Phase I the project proponent shall design and bond for the realignment of 20th Avenue from the east project boundary to Mountain View Road (aligning with 20th Avenue east of Mountain View Road), in accordance with County Standard No. 93 (32'/60'), or as approved by the Transportation Department. Improvements shall include the design and installation of a traffic signal at the intersection of 20th Avenue and Mountain View Road.

The project proponent shall obtain the right-of-way for these improvements prior to the occupancy of the 251st unit within the project, and shall construct the improvements prior to the occupancy of the 501st unit within the project.

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30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 3 SP - SP336A1/20TH REALIGN (cont.)

RECOMMND

The requirements of Subdivision Map Act, Section 66462.5 et. al., which address the County's and project proponents responsibilities regarding land acquisitions for off-site improvements prior to the approval of a Final Map, are noted herein.

30.TRANS. 4 SP - SP336A1/TS/GEO PH1

RECOMMND

Phase 1: 288 single family dwelling units and 500 recreational residential dwelling units.

The intersection of Palm Drive (NS) at North Site Access (EW) shall be signalized and improved to provide the following geometrics:

- Northbound: one through lane, one shared through/right-turn lane
- Southbound: one left-turn lane, two through lanes
- Eastbound: N/A
- Westbound: one left-turn lane, one right-turn lane

The intersection of Palm Drive (NS) at Golf Course Access (EW) shall be signalized and improved to provide the following geometrics:

- Northbound: one through lane, one shared through/right-turn lane
- Southbound: one left-turn lane, two through lanes
- Eastbound: N/A
- Westbound: one left-turn lane, one right-turn lane

The intersection of Palm Drive (NS) at 20th Avenue (EW) shall be signalized and improved to provide the following geometrics:

- Northbound: one left-turn lane, one through lane, one shared through/right-turn lane
- Southbound: one left-turn lane, one through lane, one shared through/right-turn lane
- Eastbound: one shared left-turn/through/right-turn lane
- Westbound: one shared left-turn/through lane, one right-turn lane

The intersection of West Site Access (NS) at 20th Avenue (EW) shall be improved to provide the following geometrics:

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30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 4                      SP - SP336A1/TS/GEO PH1 (cont.)                      RECOMMND

Northbound: N/A  
Southbound: one shared left-turn/right-turn lane - stop  
                  controlled  
Eastbound: one shared left-turn/through lane  
Westbound: one shared left-turn/through lane

The intersection of Mountain View Road (NS) at Varner Road (EW) shall be signalized and improved to provide the following geometrics:

Northbound: N/A  
Southbound: one shared left-turn/right-turn lane  
Eastbound: one left-turn lane, one through lane  
Westbound: one through lane, one right-turn lane

or as approved by the Transportation Department.

All improvements listed are requirements for interim conditions only. Full right-of-way and roadway half sections adjacent to the property for the ultimate roadway cross-section per the County's Road Improvement Standards and Specifications must be provided.

Any off-site widening required to provide these geometrics shall be the responsibility of the landowner/developer.

30.TRANS. 5                      SP - SP336A1/TS/GEO PH2                      RECOMMND

Phase 2: 1,062 single family dwelling units and 400 recreational residential dwelling units.

The intersection of Palm Drive (NS) at 20th Avenue (EW) shall be signalized and improved to provide the following geometrics:

Northbound: one left-turn lane, one through lane, one shared through/right-turn lane  
Southbound: one left-turn lane, two through lanes, one shared through/right-turn lane  
Eastbound: one shared left-turn/through/right-turn lane  
Westbound: one shared left-turn/through lane, one right-turn lane

The intersection of Bubbling Wells Road (NS) at Site Access/Hatchet Cactus (EW) shall be improved to provide the



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30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 5                      SP - SP336A1/TS/GEO PH2 (cont.)                      RECOMMND

following geometrics:

Northbound: one shared left-turn/through/right-turn lane  
Southbound: one shared left-turn/through/right-turn lane  
Eastbound: one shared left-turn/through/right-turn lane  
                  - stop controlled  
Westbound: one shared left-turn/through/right-turn lane  
                  - stop controlled

The intersection of Date Palm Drive (NS) at Varner Road (EW) shall be signalized and improved to provide the following geometrics:

Northbound: one left-turn lane, one right-turn lane  
Southbound: N/A  
Eastbound: one through lane, one right-turn  
Westbound: one left-turn lane, one through lane

or as approved by the Transportation Department.

All improvements listed are requirements for interim conditions only. Full right-of-way and roadway half sections adjacent to the property for the ultimate roadway cross-section per the County's Road Improvement Standards and Specifications must be provided.

Any off-site widening required to provide these geometrics shall be the responsibility of the landowner/developer.

30.TRANS. 6                      SP - SP336A1/SIG MTN VIEW/20TH                      RECOMMND

Prior to the final building inspection of the first dwelling unit, the signal at the intersection of Mountain View Drive and 20th Avenue shall be installed and operational with fee credit eligibility or as approved by the Transportation Department.

60. PRIOR TO GRADING PRMT ISSUANCE

PLANNING DEPARTMENT

60.PLANNING. 1                      MAP - CULTURAL PROFESSIONAL                      RECOMMND

As a result of archaeological investigations (PDA04423 and PDA04699) a number of sites were identified and evaluated within the project boundaries. The potential exists for

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60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 1

MAP - CULTURAL PROFESSIONAL (cont.)

RECOMMND

additional subsurface resources and deposits within the project boundaries. Therefore, archaeological monitoring shall be required.

Prior to the issuance of grading permits, the developer/permit holder shall retain and enter into a monitoring and mitigation service contract with a qualified Archaeologist for services.

The Project Archaeologist (Cultural Resource Professional) shall develop a Cultural Resources Monitoring Plan which must be approved by the County Archaeologist prior to issuance of grading permits.

The Project Archaeologist shall manage and oversee monitoring for all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, grading, trenching, stockpiling of materials, rock crushing, structure demolition and etc.

The Project Monitor shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources in coordination with the special interest monitors.

The developer/permit holder shall submit a fully executed copy of the contract and a wet-signed copy of the Monitoring Plan to the Riverside County Planning Department to ensure compliance with this condition of approval.

The Project Archaeologist shall comply with and ensure the implementation of the special grading requirements for CA-RIV-8763 as stipulated in the conditions of approval.

NOTE:

1)The Project Archaeologist is responsible for implementing mitigation using standard professional practices for the cultural resources. The Professional shall consult with the County, developer/permit holder, and any required tribal monitor throughout the process.

2)This agreement shall not modify any approved conditions of approval or mitigation measures.

60.PLANNING. 2

MAP - NATIVE MONITORING

RECOMMND

As a result of consultation with the Agua Caliente Band of Cahuilla Indians, tribal monitoring during grading activities requiring archaeological monitoring shall be required.

Prior to the issuance of grading permits, the

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60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 2

MAP - NATIVE MONITORING (cont.)

RECOMMND

developer/permit applicant shall enter into a contract with the Agua Caliente Band of Cahuilla Indians for monitoring services. The contract shall address the treatment and ultimate disposition of cultural resources which may include repatriation and/or curation in a Riverside County approved curation facility.

The Native American Monitor shall be on-site during all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, grading, trenching, stockpiling of materials, rock crushing, structure demolition and etc. The Native American Monitor shall have the limited authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources in coordination with the appropriate Cultural Resources Professional such as an Archaeologist, Historic Archaeologist, Architectural Historian and/or Historian.

The developer/permit applicant shall submit a fully executed copy of the contract to the County Archaeologist to ensure compliance with this condition of approval. Upon verification, the Archaeologist shall clear this condition.

NOTE: This condition of approval is intended to ensure compliance with the Cultural Resources Act.

- 1) The Cultural Resources Professional is responsible for implementing mitigation and standard professional practices for cultural resources. The Professional shall coordinate with the County, developer/permit applicant and Native American Monitors throughout the process.
- 2) Native American monitoring does not replace any required Cultural Resources monitoring, but rather serves as a supplement for coordination and advisory purposes for all groups' interests only.
- 3) The developer/permit applicant shall not be required to further pursue any agreement for special interest monitoring of this project if after 60 days from the initial attempt to secure an agreement the developer/permit applicant, through demonstrable good faith effort, has been unable to secure said agreement from the Native American Monitors. A good faith effort shall consist of no less than 3 written attempts from the developer/permit applicant to the tribe to secure the required special interest monitoring agreement and appropriate e-mail and telephone contact attempts. Documentation of the effort made to

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60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 2            MAP - NATIVE MONITORING (cont.) (cont.)            RECOMMND

secure the agreement shall be submitted to the County Archaeologist for review and consideration.

4)Should repatriation be preferred, it shall not occur until after the Phase IV monitoring report has been submitted to the Riverside County Archaeologist. Should curation be preferred, the developer/permit applicant is responsible for all costs.

This agreement shall not modify any condition of approval or mitigation measure.

60.PLANNING. 3            MAP - DATA RECOVERY RIV-8672            RECOMMND

Prior to issuance of a grading permit, the applicant/permit holder shall submit to the County Archaeologist for review and acceptance, a Phase III Data Recovery Plan for mitigation of cultural resource CA-RIV-8762. CA-RIV-8762 was determined eligible for listing on the California Register of Historic Places and requires mitigation under CEQA due to proposed adverse impacts. This resource cannot be avoided. Data Recovery mitigation shall be completed prior to issuance of any grading permits for this project. The project archaeologist shall submit a Phase III Data Recovery Plan prior to data recovery for acceptance by the County Archaeologist. The project archaeologist shall submit a Phase III Data recovery report of the results and findings of the data recovery prior to issuance of grading final inspection.

60.PLANNING. 4            MAP - MITIGATION CA-RIV-8763            RECOMMND

Prior to issuance of a grading permit, the Project Archaeologist shall submit for review and acceptance a controlled grading plan to the County Archaeologist for site CA-RIV-8763 as part of the required mitigation [program for this resource. The controlled grading plan shall require the systematic removal of the ground surface to allow for the identification, documentation, and recovery of any subsurface cultural deposits by the project Archaeologist. Results of the controlled grading program shall be included in the Phase III Data Recovery report prepared by the Project Archeologist and submitted to the County Archaeologist for review and acceptance as mitigation compliance.

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70. PRIOR TO GRADING FINAL INSPECT

PLANNING DEPARTMENT

70.PLANNING. 1 MAP - PHASE IV CULTURAL

RECOMMND

PRIOR TO GRADING PERMIT FINAL: The developer/holder shall prompt the Project Cultural Resources Professional to submit one (1) wet-signed paper copy and (1) CD of a Phase IV Cultural Resources Monitoring Report that complies with the Riverside County Planning Department's requirements for such reports for all ground disturbing activities associated with this grading permit. The report shall follow the County of Riverside Planning Department Cultural Resources (Archaeological) Investigations Standard Scopes of Work posted on the TLMA website. The report shall also include evidence of the required cultural/historical sensitivity training for the construction staff held during the required pre-grade meeting.

The County Archaeologist shall review the report to determine adequate mitigation compliance was met. Upon determining the report and mitigation is adequate, the County Archaeologist shall clear this condition.

70.PLANNING. 2 MAP - ARTIFACT DISPOSITION

RECOMMND

The landowner(s) shall relinquish ownership of all cultural resources, (with the exception of sacred items, burial goods, and Human Remains) including all archaeological artifacts and non-human remains as part of the required mitigation for impacts to cultural resources. This shall include any and all artifacts collected during any previous archaeological investigations. The applicant shall relinquish the artifacts through one or more of the following methods and provide the Riverside County Archaeologist with evidence of same.

a. A fully executed reburial agreement with the appropriate culturally affiliated Native American tribe or band. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloguing, analysis and special studies have been completed on the cultural resources and approved by the Riverside County Archaeologist.

b. A curation agreement with an appropriate qualified repository within Riverside County that meets federal standards pursuant to 36 CFR Part 79 and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within

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70. PRIOR TO GRADING FINAL INSPECT

70.PLANNING. 2                    MAP - ARTIFACT DISPOSITION (cont.)                    RECOMMND

Riverside County, to be accompanied by payment of the fees necessary for permanent curation.

c. If more than one Native American Group is involved with the project and cannot come to an agreement between themselves as to the disposition of cultural resources, the landowner(s) shall contact the Riverside County Archaeologist regarding this matter and then proceed with the cultural resources being curated at the Western Science Center.

Note: Should reburial of collected cultural resources be preferred, it shall not occur until after the Phase IV monitoring report has been submitted to and approved by the Riverside County Archaeologist. The developer/permit applicant is responsible for all costs associated with reburial and all costs associated with curation should that disposition method be employed. All methods of disposition shall be described in the Phase IV monitoring report.

100. PRIOR TO ISSUE GIVEN BLDG PRMT

PLANNING DEPARTMENT

100.PLANNING. 1                    SP - REC PA 2 PLANS                    RECOMMND

~~PRIOR TO THE ISSUANCE OF THE 237th building permit within the SPECIFIC PLAN, detailed park plans shall be submitted to and approved by the Planning Department for the Main Amenity/Recreation Area within Planning Area 2. The detailed park plans shall conform with the SPECIFIC PLAN document. The park plans need not be working drawings, but shall include landscape and irrigation plans, descriptions and placement of recreational facilities and documentation evidencing a permanent maintenance mechanism for the Amenity and its facilities.~~

100.PLANNING. 2                    SP - Community Recreation Cent                    RECOMMND

~~PRIOR TO THE ISSUANCE OF THE 500th building permit within the SPECIFIC PLAN, the community recreation center as shown on the Adopted Land Use Plan for the SPECIFIC PLAN shall be constructed and fully operable.~~

100.PLANNING. 3                    SP - COUNT RES BUILD PERMITS                    RECOMMND

This condition is applied to assist the Planning Department with tracking the build-out of the SPECIFIC PLAN

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100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 3            SP - COUNT RES BUILD PERMITS (cont.)            RECOMMND

by automatically counting all the issuance of all new residential building permits on the County's Land Management System which are electronically associated with the Specific Plan.

100.PLANNING. 4            SP - PA2 PARK CONST (1)            RECOMMND

Prior to the issuance of the 337th occupancy permit within Planning Area 2, a minimum of 5.0 acres of the area designated as Main Amenity/Recreation Area in the SPECIFIC PLAN shall be constructed in accordance with approved park plans and fully operable.

100.PLANNING. 5            SP - PA2 PARK CONST (2)            RECOMMND

Prior to the issuance of the 674th occupancy permit within Planning Area 2, a minimum of 10.0 total acres (in conjunction with 100.PLANNING.4) acres of the area designated as Main Amenity/Recreation Area in the SPECIFIC PLAN shall be constructed in accordance with approved park plans and fully operable.

100.PLANNING. 6            SP - PA2 PARK CONST (3)            RECOMMND

Prior to the issuance of the 1,101st occupancy permit within Planning Area 2, a minimum of 15.0 total acres (in conjunction with 100.PLANNING.4, and 5) acres of the area designated as Main Amenity/Recreation Area in the SPECIFIC PLAN shall be constructed in accordance with approved park plans and fully operable.

100.PLANNING. 7            SP - PA2 PARK CONST (4)            RECOMMND

Prior to the issuance of the 1,248th occupancy permit within Planning Area 2, a minimum of 20.0 total acres (in conjunction with 100.PLANNING.4, 5, and 6) acres of the area designated as Main Amenity/Recreation Area in the SPECIFIC PLAN shall be constructed in accordance with approved park plans and fully operable.

**Addendum No. 3 to the  
Desert Dunes Specific Plan  
Final Environmental Impact Report  
SCH #2003121164**

**Prepared for:**

Riverside County Planning Department

4080 Lemon Street, 9th Floor

Riverside, California 92502

**Prepared by:**

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**April 2016**



## INTRODUCTION

On October 31, 2006, the County of Riverside certified an Environmental Impact Report (Final EIR) that included a residential component of 2,250 single-family units and an approximately 30,000-square-foot private recreational facility. The remaining components consisted of a 6-million-gallon reservoir to the east of the Specific Plan area and a lift station along with a 9.5-mile sewer extension to the south.

In May 2007, the County of Riverside considered an Addendum (2007 Addendum) to the Final EIR for the Desert Dunes Specific Plan that analyzed the environmental impacts associated with the approval of Tentative Tract Map No. 31879, which provided for the subdivision of 98.8 acres into 386 residential lots and related common-area lots.

In December 2012, the County of Riverside considered a second Addendum (2012 Addendum) to the Final EIR for the Desert Dunes Specific Plan that analyzed the environmental impacts associated with several remaining approvals required to implement the Specific Plan. These remaining approvals included (1) a Plot Plan Amendment to the Desert Dunes Golf Course (PP09967R1), which accommodates the proposed residential development; (2) approval of Tentative Tract Map No. 34522, which provided for the subdivision 165.6 acres of the southern portion of the Specific Plan area into 437 single-family lots; (3) approval of Tentative Tract Map No. 34553, which provided for the subdivision of 207.6 acres of the northeastern portion of the Specific Plan area into 896 single-family lots; (4) a change of zone (CZ07715), which reconfigured the Specific Plan zone designation from the existing record property lines to the ultimate proposed development boundary; and (5) approval of the Substantial Conformance Specific Plan (SP00336S1), which reconfigured the maximum dwelling-unit counts for the proposed Planning Areas and incorporated the current alignment of the off-site sewer extension to the south and the current location of the sewer lift station.

This document is a third Addendum (2015 Project) to the Final EIR for the Movidia Desert Dunes Specific Plan. This Addendum assesses the environmental impacts associated with the addition of the existing golf course to the Specific Plan Area and the development of single-family homes on the northern portion of the site, as well as the development of resort residential uses and a small boutique hotel, containing up to 50 rooms, along the southern portion of the existing golf course. The amendment will also revert the approved density back to the EIR/CEQA-analyzed 2,250 units and will remove the active-adult (55+) age-restriction component from the project.

Under Section 15164 of the State CEQA Guidelines, when an EIR has been prepared and certified, and new information becomes available, it is appropriate to prepare an Addendum to the EIR when only minor technical additions or changes to an EIR are required. The changes to the EIR are considered minor if the new information being addressed does not result in the identification of any new significant impacts or a substantial increase in the severity of significant impacts identified in the EIR.

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# COUNTY OF RIVERSIDE

## ENVIRONMENTAL ASSESSMENT FORM: INITIAL STUDY

**Environmental Assessment (E.A.) Number:** EA42744

**Project Case Type(s) and Number(s):** SP00336A1, CZ7899, GPA1164

**Lead Agency Name:** County of Riverside Planning Department

**Address:** 4080 Lemon Street, 9th Floor, Riverside, California, 92502

**Contact Person:** Matt Straite, Planner

**Telephone Number:** (951) 955-8631

**Applicant's Name:** VLP Capital, Inc.

**Applicant's Address:** 36953 Cook Street, Suite 103, Palm Desert, California, 92211

### I. PROJECT INFORMATION

#### **Project Description:**

The Movida Desert Dunes Specific Plan Project (Desert Dunes) is a planned residential resort community located at 19300 Palm Drive, Desert Hot Springs, California 92240. Desert Dunes is bounded by 18th Avenue on the north, 20th Avenue on the south, Bubbling Wells Road on the east and Palm Drive on the west, and also includes 25 acres located on the south side of 20th Avenue.

Desert Dunes contains an existing 18-hole golf course developed on approximately 174 acres in 1989. The County of Riverside adopted the Desert Dunes Specific Plan in 2006 to guide the development of a residential community on approximately 471.9 acres of land around the existing 177.7-acre championship golf course, for a total gross area of approximately 649.6 acres. The adopted Specific Plan allows development of up to 1,850 residential units on this portion of the Project site. The portion of the site containing the existing golf course is currently designated Open Space–Recreation by the Riverside County General Plan, and the approved residential development is designated by the Riverside County General Plan as Specific Plan for Medium Density Residential Development. Minor modifications and improvements to the golf course would occur to integrate grading, flood control improvements, access roads, utility extensions, trail connections, and water quality/drainage features into the site design.

The proposed Specific Plan (SP) Amendment would add the existing golf course to the Specific Plan Area and reconfigure the Planning Areas to allow development of single-family homes on the northern portion of the site; and resort residential uses and a small boutique hotel, containing up to 50 rooms, along the southern portion of the existing golf course. The SP Amendment would also revert the approved density back to the EIR/CEQA-analyzed 2,250 units and would remove the active-adult (55+) age-restriction component from the Project. Collectively, the SP Amendment would be referred to as the "2015 Project."

As shown **Figure 1, Land Use Plan**, Planning Area 2 would include 1,350 single-family lots on approximately 282 acres. These lots would range in size from 4,000 to 7,700 square feet. Planning Area 1 would include the existing Desert Dunes Golf Course, up to 900 resort residential units, and a boutique hotel containing up to 50 rooms. The resort residential units are a specialized residential use. These units would be individually owned but available for rental for periods of up to 30 consecutive days. Owners choosing to rent their units would be required by the covenants of the purchase and sale agreement to use the centrally managed resort rental program. All short-term rentals would pay Transient Occupancy Tax (TOT) to the County of Riverside. The resort residential area would contain a variety of amenities, including swimming pools, available for use by residents and guests in the resort residential units and boutique hotel, as well as by the residents of homes in Planning Area 2. In addition to the SP Amendment, a General Plan Amendment is also proposed to change the General Plan Land Use designation for the southern area of Planning Area 1 to Commercial Tourist (CT) to reflect the planned resort development. Uses allowed by this designation include tourist-oriented uses such as hotels and golf courses.

The 25-acre parcel south of 20th Avenue would be used for flood control purposes and public facilities to support development and transition to open space as part of the Willow Hole Conservation area. The sewer lift station and reservoir site will remain as approved in Addendum No. 2.

**A. Type of Project:** Site Specific ; Countywide ; Community ; Policy .

**B. Total Project Area:** 649.8 Gross Acres

<b>Residential Acres:</b>	281.7	<b>Lots:</b>	1,350	<b>Units:</b>	1,350	<b>Projected No. of Residents:</b>	4,050
<b>Commercial Acres:</b>	334.1	<b>Units:</b>	900	<b>Sq. Ft. of Bldg. Area:</b>		<b>Est. No. of Employees:</b>	
<b>Industrial Acres:</b>	N/A	<b>Lots:</b>		<b>Sq. Ft. of Bldg. Area:</b>		<b>Est. No. of Employees:</b>	
<b>Other:</b>	33.96	<b>Acres</b>					

**C. Assessor's Parcel No(s):** 657-490-001; 657-490-002; 657-490-003; 657-490-004

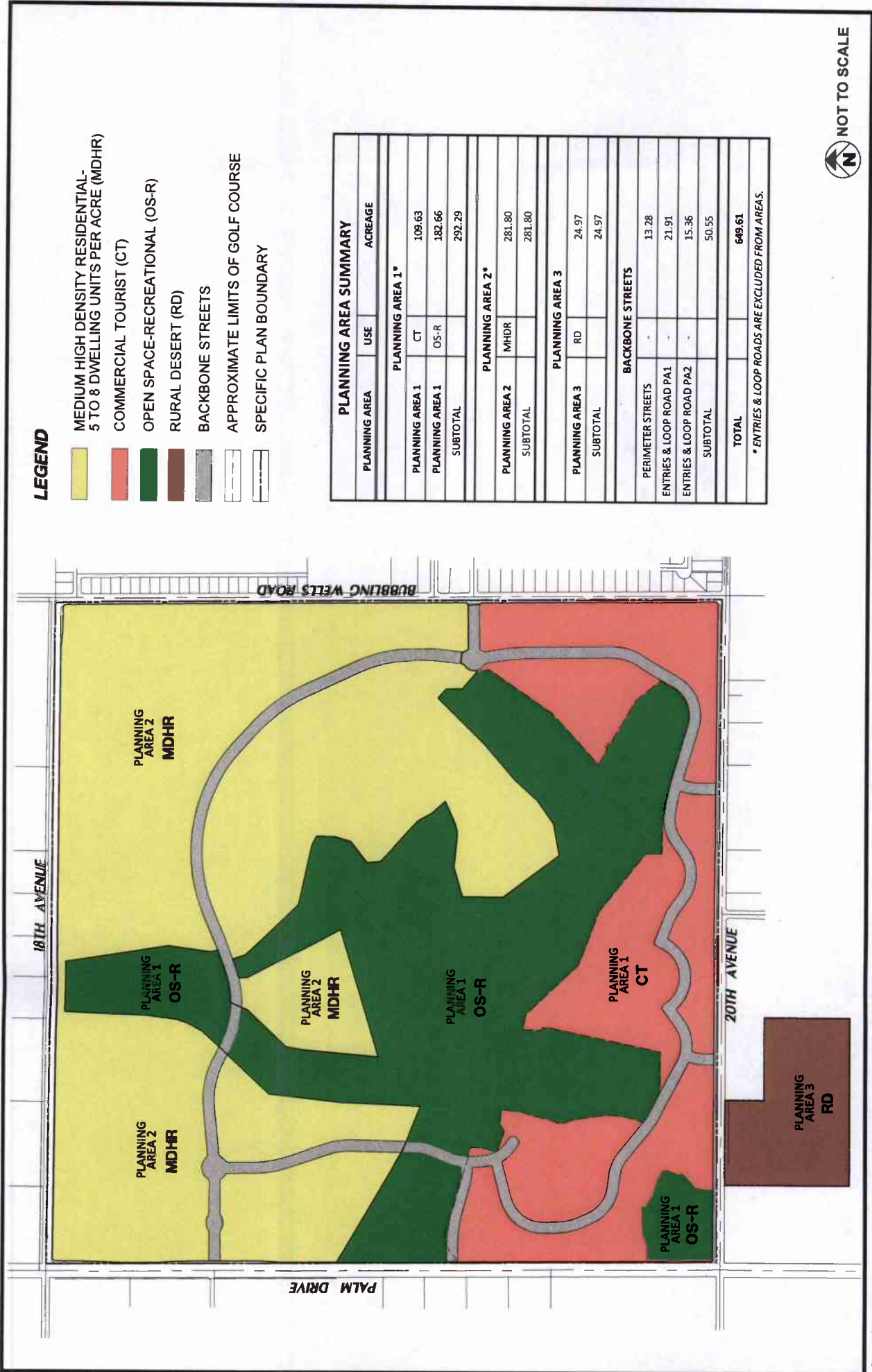


FIGURE 1

Land Use Plan

SOURCE: Hunsaker & Associates, Land Use Plan, Movida Desert Dunes, Specific Plan (SP00336A1) March 2016



- D. **Street References:** The Project site is located north of 20th Avenue; south of 18th Avenue; east of Palm Drive; and west of Bubbling Wells Road, with the 25-acre parcel south of 20th Avenue.
- E. **Section, Township & Range Description or Reference/Attach a Legal Description:** Township 3 South, Range 5 East, Sections 18 and 19, San Bernardino Baseline and Meridian.
- F. **Brief description of the existing environmental setting of the project site and its surroundings:**  
The 649.8-acre Project site consists of undeveloped vacant desert land with scattered vegetation. In addition, the Project site includes the 177.7-acre Desert Dunes Golf Course, which includes an 18-hole golf course, a clubhouse, parking lots, and a maintenance building. The residential development portion of the residential site has been fenced in since 1989, providing limited access and disturbance of the site.

The lands surrounding the Project site include largely vacant desert lands with scattered single-family residential development. Development within 0.5 miles to the north of the residential site includes approximately 17 single-family homes. Development immediately to the east includes the B-Bar-H Ranch subdivision of approximately 70 single-family homes, all located within 0.5 miles of the Planning Area. About 70 percent of the lots in the B-Bar-H ranch subdivision are vacant. Corporate limits of the City of Desert Hot Springs are located adjacent to the western and northern borders of the Project site, with more densely developed areas of the City about 2 miles north of the subject property. Development immediately to the south of the residential site, which includes the 25-acre channel outlet/open space conservation area, includes approximately 8 single-family dwellings, with the remainder being vacant desert lands. In addition, approximately 1 mile south of the residential site is the corporate limits of the City of Cathedral City, followed by the Highway Interstate I-10 and the Union Pacific Railroad about 2 miles to the south. Development to the west includes approximately 3 single-family homes and vacant desert land.

## II. APPLICABLE GENERAL PLAN AND ZONING REGULATIONS

### A. General Plan Elements/Policies

1. **Land Use:** The Project site would be consistent with the Medium High Density Residential (MHDR) land use designation, Commercial Tourist (CT), and Open Space-Recreation (OS-R). Development of the Project would require a land use change from OS-R to CT reflect the planned resort uses. The County of Riverside has jurisdiction for approving the General Plan Amendment, Specific Plan Amendment, the issuing of grading permits, tentative tract map approval, and architectural review. This approval process shall assure that potential land use incompatibilities are mitigated and reduced to levels of insignificance.

2. **Circulation:** Implementation of the Project would not conflict with Circulation Element policies because traffic generated by the 2015 Project would not contribute to nearby intersections exceeding County Level of Service standards. The County adopted all feasible mitigation measures to substantially reduce these impacts, and deemed the remaining unavoidable impacts to be acceptable by adopting a Statement of Overriding Considerations after certifying the Final EIR. However, the present application would not increase traffic or traffic impacts beyond what was analyzed in the previously certified Final EIR.
3. **Multipurpose Open Space:** The Project would be consistent with all other applicable Multipurpose Open Space Element policies. In addition, implementation of the 2015 Project would not conflict with Multipurpose Open Space Element policies governing floodplain management because the drainages passing through the Project site have been designed to reduce adverse environmental reflects to the maximum extent feasible.
4. **Safety:** The Project would allow for sufficient provision of emergency response services to the future residents of the Project site through the Project design features. The 2015 Project would be consistent with all other applicable Safety Element policies. In addition, a portion of the southwestern Project site is located within a fault zone and would be subject to strong ground shaking and seismically induced settlement during an earthquake. Furthermore, portions of the Project site may be susceptible to a liquefaction hazard. Implementation of the 2015 Project would not conflict with the Safety Element policies governing seismic hazards because no development would occur in the fault zone and all structures would be constructed in conformance with the most recent version of the California Building Code. Also, portions of the Project site are located within a 100-year flood plain. Implementation of the 2015 Project would not conflict with the Safety Element policies governing flood and inundation hazards as drainage facilities in the Project site would be designed to accommodate 100-year flood flows.
5. **Noise:** Sufficient mitigation against any foreseeable noise sources in the area have been provided for in the design of the 2015 Project. The 2015 Project would not generate noise levels in excess of standards established in the General Plan or County Noise Ordinance. The 2015 Project would be consistent all other applicable Noise Element policies.
6. **Housing:** Implementation of the 2015 Project would not result in the displacement of existing housing because all parcels associated within the Project site are currently vacant. In addition, the 2015 Project would not create a need for new housing but would instead meet an existing housing need. The 2015 Project would be consistent with all applicable Housing Element policies.
7. **Air Quality:** Development permitted by the SP Amendment would result in the generation and emission of air pollutants from site disturbance and construction activities, project-

generated vehicular traffic emissions, natural gas consumption and the use of electricity. The 2015 Project would comply with all applicable regulatory requirements to control emissions during construction and operation and thus would be consistent with applicable Air Quality Element policies.

- B. General Plan Area Plan(s):** Western Coachella Valley Area Plan
- C. Foundation Component(s):** Residential site is located within the Community Development Foundation Component while the open space conservation parcel and the existing golf course are located within the Open Space Foundation Component.
- D. Land Use Designation(s):** Residential site has a General Plan land use designation of Medium Density Residential; golf course and resort has a General Plan land use designation of Commercial Tourist; and open space south of 20th Avenue has a General Plan land use designation of Rural Desert.
- E. Overlay(s), if any:** The 2015 Project is not in a General Plan Policy Overlay or Zoning Overlay Area, including the Community Development Overlay.
- F. Policy Area(s), if any:** None
- G. Adjacent and Surrounding:**
  - 1. Area Plan(s):** Western Coachella Valley Area Plan
  - 2. Foundation Component(s):** Rural to the north and south, Community Development and Rural to the east; Open Space to the west.
  - 3. Land Use Designation(s):** Rural residential to the north, Rural Desert and Rural Residential to the south, Medium Density Residential and Rural Residential to the east; Rural Residential and Open Space–Water to the west.
  - 4. Overlay(s) and Policy Area(s), if any:** None
- H. Adopted Specific Plan Information**
  - 5. Name and Number of Specific Plan, if any:** The Desert Dunes Specific Plan No. 336
  - 6. Specific Plan Planning Area, and Policies, if any:** N/A
- I. Existing Zoning:** The site has a zoning designation of Specific Plan (SP) Zone and the existing golf course has a zoning designation of Controlled Development (W2).



**Proposed Zoning, if any:** The boundary of the Project site is being changed to include the existing golf course, and include the following zoning designations: Medium High Density Residential (MHDR), Commercial Tourist (CT), and Open Space–Recreation (OS-R).

**J. Adjacent and Surrounding Zoning:**

W-2 (Controlled Development) to the north, south, east, and west; R-1 (One Family Dwellings) to the east.

**III. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

The environmental factors checked in the following ( X ) would be potentially affected by this Project, involving at least one impact that is a “Potentially Significant Impact” or “Less Than Significant With Mitigation Incorporated” as indicated by the checklist on the following pages.

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

**IV. DETERMINATION**

On the basis of this initial evaluation:

<b>A PREVIOUS ENVIRONMENTAL IMPACT REPORT/NEGATIVE DECLARATION WAS NOT PREPARED</b>	
<input type="checkbox"/>	I find that the proposed project <b>COULD NOT</b> have a significant effect on the environment, and a <b>NEGATIVE DECLARATION</b> will be prepared.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project, described in this document, have been made or agreed to by the project proponent. <b>A MITIGATED NEGATIVE DECLARATION</b> will be prepared.
<input type="checkbox"/>	I find that the proposed project <b>MAY</b> have a significant effect on the environment, and an <b>ENVIRONMENTAL IMPACT REPORT</b> is required.

**A PREVIOUS ENVIRONMENTAL IMPACT REPORT/NEGATIVE DECLARATION WAS PREPARED**

I find that although the proposed project could have a significant effect on the environment, **NO NEW ENVIRONMENTAL DOCUMENTATION IS REQUIRED** because (a) all potentially significant effects of the proposed project have been adequately analyzed in an earlier environmental impact report (EIR) or Negative Declaration pursuant to applicable legal standards; (b) all potentially significant effects of the proposed project have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration; (c) the proposed project will not result in any new significant environmental effects not identified in the earlier EIR or Negative Declaration; (d) the proposed project will not substantially increase the severity of the environmental effects identified in the earlier EIR or Negative Declaration; (e) no considerably different mitigation measures have been identified; and (f) prior mitigation measures found infeasible have become feasible.

I find that although all potentially significant effects have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards, some changes or additions are necessary but none of the conditions described in California Code of Regulations, Section 15162, exist. An **ADDENDUM** to a previously certified EIR or Negative Declaration has been prepared and will be considered by the approving body or bodies.

I find that at least one of the conditions described in California Code of Regulations, Section 15162, exist, but I further find that only minor additions or changes are necessary to make the previous EIR adequately apply to the project in the changed situation; therefore, a **SUPPLEMENT TO THE ENVIRONMENTAL IMPACT REPORT** is required that need only contain the information necessary to make the previous EIR adequate for the project as revised.

I find that at least one of the following conditions described in California Code of Regulations, Section 15162, exist and a **SUBSEQUENT ENVIRONMENTAL IMPACT REPORT** is required: (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (2) Substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any the following: (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration; (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR or negative declaration; (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternatives; or (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR or negative declaration would substantially reduce one or more significant effects of the project on the environment, but the project proponents decline to adopt the mitigation measures or alternatives.

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Signature

Matt Straite, Planner

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Printed Name

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Date

For Steve Weiss, AICP, Planning  
Director

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**V. ENVIRONMENTAL ISSUES ASSESSMENT**

a) In accordance with the California Environmental Quality Act (CEQA) (Public Resources Code, Sections 21000–21178.1), this Initial Study has been prepared to analyze the proposed project to determine any potential significant impacts upon the environment that would result from construction and implementation of the project. In accordance with California Code of Regulations, Section 15063, this Initial Study is a preliminary analysis prepared by the Lead Agency, the County of Riverside, in consultation with other jurisdictional agencies, to determine whether a Negative Declaration, Mitigated Negative Declaration, or an Environmental Impact Report is required for the proposed project. The purpose of this Initial Study is to inform the decision makers, affected agencies, and the public of potential environmental impacts associated with the implementation of the proposed project.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	No New Significant or Substantially More Severe Impacts
<b>AESTHETICS</b>					
Would the project:					
<b>1. Scenic Resources</b>					
a) Have a substantial effect upon a scenic highway corridor within which it is located?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and unique or landmark features; obstruct any prominent scenic vista or view open to the public; or result in the creation of an aesthetically offensive site open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: (a) *Western Coachella Valley Area Plan*, Figure 9, "Scenic Highways"; Riverside County EIR 455.

Findings of Fact:

a) The purpose of the California Scenic Highways program, which was established in 1963, is to "Preserve and protect scenic highway corridors from change which would diminish the aesthetic value of lands adjacent to highways." A scenic highway provides the motorist with a view of distinctive natural characteristics that are not typical of other areas in Riverside County ("County").

The closest designated state scenic highway is Route 62, located approximately 5 miles west of the Project site. Due to the distance from the Project site, the Final EIR determined the scenic highway corridor would not be affected by the Specific Plan and no impacts would occur. The 2007 Addendum would result in fewer units;

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	No New Significant or Substantially More Severe Impacts
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therefore, it would not result in any new significant or substantially more severe impacts to the scenic highway corridor. The 2012 Addendum determined the residential and reservoir sites would remain the same as the Final EIR, and the distance of the sites to the nearest scenic highway corridor would remain the same. In addition, infrastructure to be constructed along the revised route of the proposed sewer main and the extension of the proposed water line to the Coachella Valley Water District (CVWD) well field would not adversely affect scenic highways because all improvements would be placed underground. The 2015 Project would reconfigure the Planning Areas to allow development of single-family homes on the northern portion of the site and resort residential uses on the southern portion of the site, and would not adversely affect the scenic highway corridor due to the distance from the Project site. In addition, the existing golf course would be incorporated into the Specific Plan Amendment, and a boutique hotel is proposed. The golf course is an existing use and would not result in any new impacts on a scenic corridor. The boutique hotel and associated residential towers could reach up to 80 feet in height along the southern portion of the Project site. Due to the distance from the nearest scenic highway and the minimal breakup of the Little San Bernardino Mountains to the north of the site, no new impacts would occur. Therefore, no new information, changed circumstances, or substantially increased significant effects would occur with implementation of the 2015 Project.

- b) The Project site is located in an unincorporated area of Riverside County. The existing character of the Project site is gently sloping, with views of the Little San Bernardino Mountains to the north, San Bernardino Mountains to the northwest, Santa Rosa Mountains to the south, Indio Hills to the east, and the San Jacinto Mountains to the southwest. The Project site does not contain any scenic resources such as trees, rock outcroppings, and unique or landmark features. Existing sensitive viewsheds are impacted by existing development, such as residential land uses and the windmill farms in the western portion of the Coachella Valley. The Final EIR determined the falling terrain, desert color, and landscaping of the site coupled with the remote location of the reservoir and lift station would result in less than significant viewshed impacts. The 2007 Addendum would result in fewer units; therefore, it would not result in any new significant or substantially more severe impacts to the scenic resources. The 2012 Addendum determined the site of the sewer lift station would not damage scenic resources including trees, rock outcroppings, and unique or landmark features; obstruct prominent scenic vistas or views open to the public; or result in the creation of an aesthetically offensive site open to public view. In addition, infrastructure to be constructed along the revised route of the proposed sewer main and the extension of the proposed water line to CVWD well field would not result in impacts to scenic resources because all improvements would be placed underground. Design standards set forth in the SP Amendment set maximum building heights for the single-family dwelling units to 3 stories, or approximately 40 feet in height, consistent with the zone development standards for R-1. The maximum building height permitted in the CT zone would be up to 80 feet to allow larger structures as part of the boutique hotel or other architectural vertical treatments. The design of the tower elements and other architectural vertical treatments would break up the building massing of the resort hotel and would not substantially alter the existing views of the Little San Bernardino Mountains to the north. The existing golf course is visually a part of the existing visual element of the Project site. Accordingly, the existing golf course would not impact scenic resources within or surrounding the Project site. All development would adhere to the same mitigation measures listed in the Final EIR to reduce impacts to visual resources. As discussed previously, the 2015 Project would not intrude into views of the mountains from the public right-of-way. Therefore, the aesthetic impacts of the 2015 would be consistent with the impacts identified in the past

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	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	No New Significant or Substantially More Severe Impacts
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Addendums and would be less than significant. No new information, changed circumstances, or more severe impacts would occur with implementation of the 2015 Project.

Mitigation: Compliance with previously certified Riverside County EIR 455 mitigation measures.

Monitoring: The previously certified Riverside County EIR 455 monitoring requirements will be required.

**2. Mt. Palomar Observatory**

a) Interfere with the nighttime use of the Mt. Palomar Observatory, as protected through Riverside County Ordinance No. 655?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Sources: GIS database; Riverside County Land Information System; Ord. No. 655 (Regulating Light Pollution); WCVAP, Figure 6, "Mt Palomar Nighttime Lighting Policy Area."

Findings of Fact:

a) The Project site is located in an unincorporated area of Riverside County and within the designated 45-mile (Zone B) Special Lighting Area that surrounds the Mt. Palomar Observatory. Ordinance 655 contains approved materials and methods of installation, definition, general requirements for lamp source and shielding, prohibition, and exceptions. Impacts related to the nighttime use of the Mt. Palomar Observatory were not specifically addressed in the Final EIR and 2007 Addendum. The 2012 Addendum determined that the project would conform to Zone B requirements of Ordinance 655 and would result in less than significant impacts with regard to nighttime operation of Mt. Palomar Observatory. The 2015 Project would be required to incorporate, through the standard plan check process, the lighting requirements for Zone B as set forth in Riverside County Ordinance No. 655 for the single-family residences and the resort hotel. The existing clubhouse at the Desert Dunes Golf Course contains minimal nighttime lighting for safety and security and does not generate a substantial amount of light to interfere with Mt. Palomar Observatory. Therefore, impacts would be less than significant, and no new or substantially increased significant effects would result from the 2015 Project with respect to the nighttime use of the observatory.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

**3. Other Lighting Issues**

a) Create a new source of substantial light or glare	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	No New Significant or Substantially More Severe Impacts
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which would adversely affect day or nighttime views in the area?

b) Expose residential property to unacceptable light levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Sources: Project Application Description; Riverside County EIR 455.

Findings of Fact:

a-b) Existing lighting sources in the vicinity of the Project site include rural development, the golf course, commercial and industrial uses, and lighting along local roadways. The Final EIR determined that the development of land uses allowed through the use of standard design features, in accordance with the County lighting ordinance, would result in less than significant impacts with regard to light and glare. The 2007 Addendum would not result in any new significant or substantially more severe impacts to other lighting issues due to the decrease in the number of units identified from the Final EIR. The 2012 Addendum determined the amount of lighting proposed on the residential and reservoir site would remain the same as the Final EIR. The sewer lift station would only require minimal lighting for security. In addition, infrastructure on the proposed sewer main and extension of the water line to the CVWD well field would not require lighting. The number of units proposed under the 2015 Project would be similar to the Final EIR, albeit with a different land use configuration. The existing golf course would not include any new light sources. The hotel and resort uses would also include accent lighting at primary entry monuments, secondary monuments, and recreation/trail monuments, as well as low-level lighting for pedestrian safety. Similar to the Final EIR, the 2015 Project would use standard design features in accordance with Ordinance No. 655, and the Project's on-site lighting would be directed downward or be shielded and hooded to avoid shining onto adjacent properties and streets. In addition, all development would adhere to the same mitigation measures listed in the Final EIR to reduce impacts related to light and glare, and would be less than significant. No new information, changed circumstances, or more severe impacts would occur with implementation of the 2015 Project.

Mitigation: Compliance with previously certified Riverside County EIR 455 mitigation measures.

Monitoring: The previously certified Riverside County EIR 455 monitoring requirements will be followed.

**AGRICULTURE & FOREST RESOURCES**

Would the project:

**4. Agriculture**

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	No New Significant or Substantially More Severe Impacts
Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?					
b) Conflict with existing agricultural use, or a Williamson Act (agricultural preserve) contract (Riv. Co. Agricultural Land Conversation Contract Maps)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Cause development of nonagricultural uses within 300 feet of agriculturally zoned property (Ordinance No. 625 "Right-to-Farm")?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Sources:</b> <i>Riverside County General Plan, Figure OS-2, "Agricultural Resources"; California Department of Conservation, Farmland Mapping and Monitoring Program (FMMP); Project Application Materials.</i></p> <p><b>Findings of Fact:</b></p> <p>a) The Riverside County General Plan Land Use Element includes the Agriculture Foundation Component, which contains the Agriculture Area Plan. The Agriculture land use designation has been established to help conserve productive agricultural lands within the County. The intent of the Agriculture Foundation Component and its associated policies is to identify and preserve areas where agricultural uses are the long-term desirable use, as stated in the General Plan principles: "Provide for the continued and even expanded production of agricultural products by conserving areas appropriate for agriculture and related infrastructure and supporting services." In addition, the intent of these policies is to minimize the conflicts between agricultural and urban or suburban uses. The Project site is located in an unincorporated area of Riverside County and is designated as Other Lands by the California Department of Conservation, Farmland Mapping and Monitoring Program. The Final EIR</p>					



	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	No New Significant or Substantially More Severe Impacts
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determined no agricultural land is located within the Specific Plan Area. The 2007 Addendum determined impacts associated with the Tentative Tract Map approval would not cause any new or more significant impacts to agricultural resources. The 2012 Addendum determined the proposed sewer lift station site would be located in a rural desert area and was not previously utilized for agricultural uses. Similar to the Final EIR, the 2015 Project would not be located in land designated for agricultural resources, or designated as Farmland within the Specific Plan Area. Therefore, similar to the Final EIR, no new or substantially increased impacts, or changed circumstances, would occur with implementation of the 2015 Project.

- b) The Project site is in the Specific Plan Zone and is designated as Non-Enrolled Land on the Williamson Act map. The Final EIR determined no impacts would occur on existing agricultural resources. The 2007 Addendum determined impacts associated with the Tentative Tract Map approval would not cause any new or more significant impacts to agricultural resources. The 2012 Addendum determined the proposed sewer lift station site would not be located on land with a Williamson Act contract. Similar to the Final EIR, the 2015 Project would not conflict with existing agricultural uses nor would it conflict with a Williamson Act contract. Therefore, similar to the Final EIR, no new or substantially greater impacts would occur with implementation of the 2015 Project.
- c) The Project site is located in a rural desert area in Riverside County and is not utilized for agricultural uses. A portion of the site would incorporate the existing Desert Dunes Golf Course. The Final EIR determined no direct or indirect impacts would occur with approval of the Specific Plan. The 2007 Addendum would result in fewer units; therefore, impacts associated with the Tentative Tract Map approval would not cause any new or more significant impacts. The 2012 Addendum determined that the proposed sewer lift station would not cause any impacts on agricultural operations, since the site is not located within 300 feet of agriculturally zoned property. No direct or indirect impact would occur because the Project site is not utilized as an agricultural use or located within 300 feet of an existing agricultural operation, similar to the Final EIR. Therefore, no new information, changed circumstances, or more severe impacts would occur with implementation of the 2015 Project.
- d) The Project site is located in a rural desert area of the Riverside County, has not been previously utilized for agricultural uses, and contains an existing golf course. The Final EIR determined the project would neither have a direct or indirect impact on Farmland. The 2007 Addendum determined impacts associated with the Tentative Tract Map approval would not cause any new or significant impacts to agricultural resources. The 2012 Addendum determined the proposed sewer lift station would not be located in an area previously utilized for agricultural uses. Similar to past analysis, the Project site is not located in area previously utilized for agricultural uses. Therefore, no new or more significant impacts related to agricultural uses would occur and the 2015 Project would be consistent with the analysis in the Final EIR.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

**5. Forest**

- a) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	No New Significant or Substantially More Severe Impacts
Public Resources Code, Section 12220(g)), timberland (as defined by Public Resources Code, Section 4526), or timberland zoned Timberland Production (as defined by Govt. Code, Section 51104(g))?					
b) Result in the loss of forest land or conversion of forest land to nonforest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of forest land to nonforest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: County of Riverside, *General Plan*, Figure OS-3a, "Forestry Resources Western Riverside County Parks, Forests, and Recreation Areas"; Project Application Materials.

Findings of Fact:

a-c) The County Land Use Map does not designate or zone the Project site as forest or timberland because the Project site consists of vacant desert land and the existing golf course. Impacts related to forest resources were not specifically addressed in the Final EIR and the 2007 Addendum. The 2012 Addendum determined the site for the sewer pump, the revised route of the proposed sewer main, and the extension of the proposed water line to the CVWD well field would not be located on forestland because these routes are developed as roadways. The Project site remains largely unchanged and is not designated as Forest lands. Therefore, the single-family and resort uses would not be located on forestland. Furthermore, the development of the 2015 Project would not conflict with existing zoning for, or cause rezoning of, forestland, timberland, or timberland-zone Timberland Production. Therefore, similar to the Final EIR, no new or substantially greater impacts would occur with implementation of the Project.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	No New Significant or Substantially More Severe Impacts
<b>AIR QUALITY</b>					
Would the project:					
<b>6. Air Quality Impacts</b>					
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors, which are located within 1 mile of the project site to project substantial point source emissions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve the construction of a sensitive receptor located within 1 mile of an existing substantial point source emitter?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	No New Significant or Substantially More Severe Impacts
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Sources: (a) South Coast Air Quality Management District (SCAQMD), *Final 2012 Air Quality Management Plan*; California Department of Finance, *E-5 City/County Population and Housing Estimates* (January 1, 2013); California Air Resources Board (CARB), *Air Quality and Land Use Handbook* (2005).

Findings of Fact:

- a) The 2012 Air Quality Management Plan (AQMP) was prepared by the South Coast Air Quality Management District (SCAQMD) to accommodate growth, to reduce the high levels of pollutants within the areas under the jurisdiction of SCAQMD, to return clean air to the region, and to minimize the impact on the economy. Projects that are considered consistent with the AQMP would not interfere with attainment because this growth is included in the projections utilized in the formulation of the AQMP. Therefore, projects, uses, and activities that are consistent with the applicable assumptions used in the development of the AQMP would not jeopardize attainment of the air quality levels identified in the AQMP, even if they exceed the SCAQMD’s recommended daily emissions thresholds.

Demographic growth forecasts for various socioeconomic categories (e.g., population, housing, employment), developed by the Southern California Association of Governments (SCAG) for their 2012 Regional Transportation Plan (RTP) were used to estimate future emissions within the 2012 AQMP (refer to the 2012 AQMP, Chapter 3). Projects that are consistent with the growth projections are considered consistent with the AQMP. Impacts related to the AQMP were not specifically addressed in the Final EIR and 2007 Addendum. The 2012 Addendum determined buildout would result in 2,635 persons, resulting in total population of Coachella Valley to be within the 2020 population estimate of 189,937. The 2015 Project would result in population growth for the region. According to the California Department of Finance estimates, the current (2014) population within the unincorporated areas of Riverside County is 370,124 residents. Based on SCAG data, the population projections used to estimate emissions in the 2012 AQMP for year 2020 anticipated a population of 471,500 within unincorporated areas of the County. Development under the 2015 Project would fall within the County’s density per acre for Medium High Density Residential uses and the County’s requirements for Commercial Tourist uses. As such, the 1,350 single-family residential units would generate approximately 4,050 new residents. The resort units would not generate population within the Project site because these units would be rental based and occupied on a seasonal basis, as is typical for resort communities in the Coachella Valley. This total is within the growth projections for the Coachella Valley as adopted by SCAG. Because SCAQMD has incorporated these same projections into the AQMP, the 2015 Project would be consistent with the projects in the 2012 AQMP. Therefore, impacts would be less than significant. No new information, changed circumstances, or more severe impacts would occur with the implementation of the 2015 Project.

- b) **Construction Emissions**

The Final EIR determined construction emissions associated with land uses allowed by the Specific Plan would exceed the SCAQMD’s threshold of significance for carbon monoxide (CO) and nitrogen oxide (NOx). Even with the implementation of mitigation measures identified in the Final EIR to reduce these emissions, the project would result in significant and unavoidable impacts. The 2007 Addendum would result in fewer units; therefore, impacts associated with the Tentative Tract Map approval would not cause any new or more significant impacts.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	No New Significant or Substantially More Severe Impacts
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The 2012 Addendum would result in fewer residential units (400 units) than the Final EIR; therefore, construction emissions would not cause any new or more significant impacts.

The 2015 Project would include the construction of 2,250 units similar to the Final EIR; however, they would consist of 1,350 single-family units and 900 resort units. The construction emissions for the 2015 Project were calculated according to the *SCAQMD CEQA Air Quality Handbook* and construction emission factors contained in the California Emissions Estimator Model (CalEEMod). The emission calculations assume the use of standard construction practices, such as compliance with SCAQMD Rule 402 and Rule 403 (Fugitive Dust), to minimize the generation of fugitive dust, which is mandatory for all construction projects.

The maximum daily emissions during Project construction are listed in **Table 1, Maximum Construction Emissions**, and compared with the emissions analyzed in the Final EIR. The analysis assumes that all construction equipment and activities would occur continuously over the day and that activities would overlap. In reality, this would not occur because most equipment would operate only a fraction of each workday and many of the activities would not overlap on a daily basis. Therefore, **Table 1** represents a conservative scenario for construction activities.

Based on the modeling, construction of the 2015 Project would result in a maximum mitigated daily emissions of 71.41 pounds/day of reactive organic gases (ROG), 32.31 pounds/day of NOx, 97.11 pounds/day of CO, 0.06 pounds/day of sulfur oxides (SOx), 11.67 pounds/day of particulate matter less than 10 microns (PM10), and 4.87 pounds/day of fine particulate matter less than 2.5 microns (PM 2.5), all of which do not exceed SCAQMD thresholds for criteria pollutants. Emissions related to NOx, CO, SOx, and PM10 would be significantly reduced when compared to the Final EIR. ROG emissions would increase; however, emissions would still fall below SCAQMD thresholds. The 2015 Project would avoid the significant and unavoidable ROG and NOx emissions during construction identified in the Final EIR. No new information, changed circumstances, or more severe impacts would occur with the implementation of the 2015 Project.

**Table 1  
Maximum Construction Emissions (pounds/day)**

Source	ROG	NOx	CO	SOx	PM10	PM2.5
Final EIR Emissions	44.60	584.7	510.7	65.1	49.7	-
SCAQMD threshold	75	100	75	150	150	55
<b>Threshold exceeded?</b>	<b>No</b>	<b>Yes</b>	<b>Yes</b>	<b>No</b>	<b>No</b>	<b>No</b>
2015 Project Maximum Emissions	71.41	32.31	97.11	0.06	11.67	4.87
SCAQMD threshold	75	100	550	150	150	55
<b>Threshold exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

*CO, carbon monoxide; NOx, nitrogen oxides; PM10, particulate matter less than 10 microns; PM2.5, particulate matter less than 2.5 microns; ROG, reactive organic gases; SOx, sulfur oxides.*

*Note: Refer to Technical Air Quality & Greenhouse Gas Emission Report for the Desert Dunes Specific Plan in **Appendix A**.*

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	No New Significant or Substantially More Severe Impacts
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**Operational Emissions**

The Final EIR determined operational emissions associated with land uses allowed by the Specific Plan would result in significant and unavoidable impacts for CO, NOx, and ROG emissions. The 2007 Addendum would result in fewer units; therefore, impacts associated with the Tentative Tract Map approval would not cause any new or more significant impacts. The 2012 Addendum would result in fewer residential units (400 units) than the Final EIR; therefore, operational emissions would not cause any new or more significant impacts. The analysis of daily operational emissions for the 2015 Project has been prepared using the data and methodologies identified in the SCAQMD CEQA Air Quality Handbook and current motor vehicle emission factors in the CalEEMod model. The existing golf course was not included in the analysis because it is an existing use. The results presented in **Table 2, Maximum Operational Emissions**, are compared with the emissions analyzed in the Final EIR and compared to the SCAQMD established operational significance thresholds.

Based on the modeling, operation of the 2015 Project would result in maximum mitigated daily emissions of 125.72 pounds/day of ROG, 96.67 pounds/day of NOx, 515.44 pounds/day of CO, 0.97 pounds/day of SOx, 54.96 pounds/day of PM10, and 17.72 pounds/day of PM 2.5. When compared to the Final EIR, operational emissions for NOx, CO, SOx would be significantly reduced and below the SCAQMD thresholds, thus avoiding identified significant and unavoidable operation emissions impacts. Similar to the Final EIR, ROG emissions would continue to exceed SCAQMD thresholds; however, trips assumed in the Final EIR were half the length analyzed under the 2015 Project resulting in an increase of ROG emissions. No new information, changed circumstances, or more severe impacts would occur with the implementation of the 2015 Project.

**Table 2  
Maximum Operational Emissions (pounds/day)**

Source	ROG	NOx	CO	SOx	PM10	PM2.5
Final EIR Emissions	75.9	208.3	666.4	4.3	4.3	-
SCAQMD threshold	75	100	550	150	150	55
<b>Threshold exceeded?</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>No</b>	<b>No</b>	<b>No</b>
2015 Project Maximum emissions	125.72	96.67	515.44	0.97	54.96	17.72
SCAQMD threshold	75	100	550	150	150	55
<b>Threshold exceeded?</b>	<b>Yes</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

*CO, carbon monoxide; NOx, nitrogen oxides; PM10, particulate matter less than 10 microns; PM2.5, particulate matter less than 2.5 microns; ROG, reactive organic gases; SOx, sulfur oxides.*

*Note: Refer to Technical Air Quality & Greenhouse Gas Emission Report for the Desert Dunes Specific Plan in **Appendix A**.*

- c) The Final EIR determined the Project would result in cumulatively considerable net increase in criteria pollutants associated with land uses allowed by the Specific Plan. The 2007 Addendum would result in fewer units; therefore, impacts associated with the Tentative Tract Map approval would not cause any new or more significant impacts. The 2012 Addendum would result in fewer residential units (400 units) than the Final EIR; therefore, there would not be a cumulative considerable net increase greater than the Final EIR. As shown in **Table 1**, the

					No New Significant or Substantially More Severe Impacts
	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	

2015 Project emissions associated with the Project would not exceed the SCAQMD recommended construction emissions thresholds. As shown in Table 2, operational emissions for the 2015 Project do not exceed the SCAQMD thresholds of significance, except for ROG. The 2015 Project would avoid the identified significant NOx and CO emissions during operation. Similar to the Final EIR, operational ROG emissions would exceed the SCAQMD thresholds and would result in a cumulatively considerable net increase of any criteria pollutant. No new or substantially greater impacts would occur with the implementation of the 2015 Project.

- d) Sensitive receptors are defined as schools, residential homes, hospitals, resident care facilities, daycare centers, or other facilities that may house individuals with health conditions that would be adversely impacted by changes in air quality. Sensitive receptors surrounding the Project vicinity include residential neighborhoods to the north, south, and west of the Project site. The Final EIR, 2007 Addendum, and 2012 Addendum did not address localized significance emissions. While the Project site is within a 1-mile radius of a sensitive receptor, findings indicate that emissions would be well below the SCAQMD localized significance thresholds (Table 3, LST Worst-Case Emissions [pounds/day]). Therefore, impacts would be less than significant.

**Table 3  
LST Worst-Case Emissions (pounds/day)**

Source	NOx	CO	PM10	PM2.5
<b>Construction</b>				
Total mitigated maximum emissions	29.78	37.94	6.60	4.06
LST threshold	340	3,237	44	11
<b>Threshold exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
<b>Operational</b>				
Area/energy emissions	30.39	131.46	2.88	2.88
LST threshold	340	3,237	11	3
<b>Threshold exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

*CO, carbon monoxide; LST, localized significance threshold; NOx, nitrogen oxides; PM10, particulate matter less than 10 microns; PM2.5, particulate matter less than 2.5 microns.*

*Note: Refer to Technical Air Quality & Greenhouse Gas Emission Report for the Desert Dunes Specific Plan in Appendix A.*

- e) The Final EIR, 2007 Addendum, and 2012 Addendum did not address localized significance emissions. As indicated in Table 3, the construction of the 2015 Project would result in emissions below the localized significance thresholds. As such, the 2015 Project would result in a less than significant impact on sensitive receptors located within 1 mile of the Project site.
- f) According to the SCAQMD, while almost any source may emit objectionable odors, some land uses will be more likely to produce odors because of their operation. Land uses that are more likely to produce odors include agriculture, chemical plants, composting operations, dairies, fiberglass molding, landfills, refineries, rendering plants, rail yards, and wastewater treatment plants. The Final EIR determined the project would not generate any objectionable odors. The 2007 Addendum would result in fewer units; therefore, impacts associated with the Tentative Map approval would not cause any new or more significant impacts regarding objectionable odors. The

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	No New Significant or Substantially More Severe Impacts
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2012 Addendum would result in the same type of land uses as the Final EIR regarding the residential and reservoir site and therefore would not result in impacts related to objectionable odors. The 2015 Project does not contain any active manufacturing activities. Therefore, objectionable odors would not be emitted by the residential uses, resort uses, or existing golf course. No new information, changed circumstances, or more severe impacts would occur with the implementation of the 2015 Project.

Mitigation: Compliance with previously certified Riverside County EIR 455 mitigation measures.

Monitoring: The previously certified Riverside County EIR 455 monitoring requirements will be followed.

**BIOLOGICAL RESOURCES**

Would the project:

**7. Wildlife & Vegetation**

a) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect, either directly or through habitat modifications, on any endangered, or threatened species, as listed in Title 14 of the California Code of Regulations (Sections 670.2 or 670.5) or in Title 50, Code of Federal Regulations (Sections 17.11 or 17.12)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations,	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	No New Significant or Substantially More Severe Impacts
or by the California Department of Fish and Game or U.S. Wildlife Service?					
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: Coachella Valley Multi-Species Habitat Conservation Plan; Riverside County EIR 455.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	No New Significant or Substantially More Severe Impacts
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**Findings of Fact:**

- a) The Project site is located within the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) Area. According to Figure 4-1, Conservation Areas of the CVMSHCP, the Project site does not lie within a Conservation Area. Because the Project site is located within the CVMSHCP Area, a per-acre mitigation fee shall be paid to the County for potential impacts to sensitive species found elsewhere in the CVMSHCP Area. The Final EIR determined the Specific Plan would be consistent with the CVMSHCP. Furthermore, the 25.0-acre parcel located south of 20th Avenue is located within the Willow Hole Conservation Area of the CVMSHCP. However, the parcel would remain natural open space for conservation and would remain undisturbed with the exception of temporary grading for the construction of a flood control channel outlet facility in the northwest corner. Also, a TAKE allocation has been approved for impacts in Willow Hole Conservation area from the construction of the project's channel outlet. Thus, with the approved additional TAKE authorization, development on the residential site under the Final EIR would be consistent with the CVMSHCP. The 2007 Addendum determined that because the number of units allowed by the Tentative Tract Map is less than the number of units in the Final EIR, approval of the Tentative Tract Map would not result in any or new significant or substantially more severe impacts to conservation plans. The 2012 Addendum determined the proposed sewer lift station is not located in a conservation area. In addition, infrastructure proposed to be constructed along the revised route of the proposed sewer main and the extension of the proposed water line to the CVWD well field would be consistent with the CVMSHCP because these improvements would be placed underground and within an existing road right-of-way through conservation area. The 2015 Project would not place the reconfigured Planning Areas in a conservation area, thus, would not conflict with the CVMSHCP. The incorporation of the existing golf course into the Project would not conflict with the CVMSHCP. Additionally, the revision to the Specific Plan allowing resort hotels is not proposing disturbance on any portion of the project that was not already identified for development in the previous version of the Plan. Therefore, the impacts from the proposed change are identical to those identified in the EIR. No new information, changed circumstances, or more severe impacts would occur with the implementation of the 2015 Project.
- b) The Final EIR determined that implementation of the Project would impact several special-status plant and animal species. Although mitigation measures would substantially reduce the level of impacts to these special-status species, impacts would result in significant and unavoidable impacts. The 2007 Addendum determined the Project would not result in any new or substantially more severe impact on any special status species due to the reduction of the number units allowed by the Tentative Tract Map when compared to the Final EIR. The 2012 Addendum determined the new sewer lift station would be similar to the habitat location in the previously sewer lift station site evaluated for the Final EIR. In addition, the revised route of the proposed sewer main and the extension of the water line to the CVWD well field would not adversely affect special status species because these routes are developed as roadways. The 2015 Project would reconfigure the Planning Areas and remain within the same development footprint as the site analyzed in the Final EIR. As such, the 2015 Project would impact several special-status plant and animal species as identified in the Final EIR. Similar mitigation measures would be implemented to reduce the level of impacts to these special-status species. Similar to the Final EIR, impacts would remain significant and unavoidable. The existing golf course would be incorporated into the Specific Plan Amendment. No new or more significant impacts, nor have circumstances changed on the site, to

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	No New Significant or Substantially More Severe Impacts
<p>any endangered, or threatened species, as listed in Title 14 of the California Code of Regulations (Sections 670.2 or 670.5) or in Title 50, Code of Federal Regulations (Sections 17.11 or 17.12) with implementation of the 2015 Project.</p>					
<p>c) See Response 7(b) above. The existing golf course would include minor modifications for 2015 Project site improvements. No new or more significant impacts to any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Wildlife Service would occur under the approved Specific Plan as the 2015 Project development footprint is consistent with the Final EIR.</p>					
<p>d) The site currently consists of vacant, desert land and an existing golf course. The Final EIR determined all migratory non-game native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act and could be adversely impacted during construction. With the implementation of mitigation measures, such as pre-construction surveys for migratory bird species, impacts would be reduced to less than significant. The 2007 Addendum determined the number of units allowed by the Tentative Tract Map is less than the number of units identified in the Final EIR and, therefore, would not result in any new significant or substantially more severe impacts to biological resources. The 2012 Addendum determined impacts regarding the proposed sewer lift station would be in the same habitat and affect the same bird species as stated in the Final EIR. In addition, the proposed sewer main and the extension of the proposed water line to the CVWD well field would not adversely affect migratory bird species because these routes are developed as roadways. The 2015 Project would reconfigure the Planning Areas within the same development footprint identified in the Final EIR and, as such, would affect the same habitat and bird species. The 2015 Project would implement the same mitigation measures identified in the Final EIR to reduce impacts to resident or migratory bird species to a less than significant level. No new or more significant impacts would result to any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites with implementation of the 2015 Project.</p>					
<p>e) The Final EIR identified two sensitive plant communities, the Desert Fan Palm Oasis and the Mesquite Bosque, that would be impacted by implementation of the Specific Plan. Mitigation measures would offset impacts to the Mesquite Bosque through conservation at a 3:1 ratio. The 2007 Addendum determined the number of units allowed by the Tentative Tract Map is less than the number of units identified in the Final EIR and, therefore, would not result in any new significant or substantially more severe impacts to biological resources. The County adopted the CVMSHCP in 2007, which fully mitigates impacts to sensitive plant communities, among other biological resources, resulting from planned and future development within the Coachella Valley. Impacts to the sensitive plant communities are fully mitigated by the payment of the applicable CVMSHCP fee. The 2012 Addendum determined the sensitive plant communities would not be present at the new sewer lift station site. The revised route and proposed sewer main and the extension of the proposed water line to the CVWD well field would not affect sensitive natural communities because these routes are developed as roadways. The 2015 Project would reconfigure the Planning Areas within the same development footprint identified in the Final EIR, would incorporate the existing golf course, and would be subject to payment of the applicable CVMSHCP fee, which fully mitigates impacts to sensitive plant communities. Therefore, no new or more severe impacts to sensitive natural communities would occur under the 2015 Project because development would not impact potential riparian habitats.</p>					

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	No New Significant or Substantially More Severe Impacts
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f) The Project site is neither in proximity to, nor does it contain, wetland habitat or a blue-line stream. The Final EIR determined the site did not contain any federal protected wetlands, marshes, or vernal pools. The 2007 Addendum determined that because the number of units allowed by the Tentative Tract Map is less than the number of units in the Final EIR, approval of the Tentative Tract Map would not result in any or new significant or substantially more severe impacts to federally protected wetlands. The 2012 Addendum determined the proposed sewer lift station would not be located in proximity of a wetland habitat or a blue line stream. In addition, the proposed sewer main and the extension of the proposed water line to the CVWD well field would not adversely affect federally protected wetlands because these routes are developed as roadways and do not contain federally protected wetlands. Similar to the site analyzed in the Final EIR, the 2015 Project would not be located in proximity to any wetland habitat or blue line stream. The existing golf course would include minor modifications and improvements to integrate into the proposed residential and resort uses with implementation of the Specific Plan Amendment. Furthermore, no new or substantially increased significant effects would result to federally protected wetlands, as defined by Section 404 of the Clean Water Act (CWA) through direct removal, filling, hydrological interruption, or other means, with implementation of the 2015 Project.

g) See response 7(a) above. No new or more significant impacts would occur under the 2015 Project.

Mitigation: Compliance with previously certified Riverside County EIR 455 mitigation measures.

Monitoring: The previously certified Riverside County EIR 455 monitoring requirements will be followed.

**CULTURAL RESOURCES**

Would the project:

**8. Historic Resources**

a) Alter or destroy an historic site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of a historical resource as defined in California Code of Regulations, Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: Project Application Materials; Riverside County EIR 455.

Findings of Fact: