

**RESOLUTION NO. 2021-42**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COACHELLA APPROVING AN ADDENDUM TO MITIGATED NEGATIVE DECLARATION PURSUANT TO CEQA GUIDELINES (ADDENDUM TO EIS 04-05) AND APPROVING TENTATIVE TRACT MAP NO. 38084 AND VARIANCE NO. 21-04 TO ALLOW THE SUBDIVISION OF 26.81 ACRES OF VACANT LAND INTO 107 SINGLE-FAMILY RESIDENTIAL LOTS (HAVING LESS THAN THE MINIMUM 7,200 SQUARE FEET OF LAND AREA RANGING IN SIZE FROM 6,017 SQUARE FEET TO 13,171 SQUARE FEET, WITH AN AVERAGE LOT SIZE OF APPROXIMATELY 7,500 square FEET, WITH PUBLIC STREETS AND COMMON-AREA LOTS, ON 26.81 ACRES OF VACANT LAND LOCATED ON THE NORTH SIDE OF AVENUE 51 BETWEEN VAN BUREN STREET AND CHIAPAS DRIVE (APN #768-050-002). PULTE HOMES COMPANY, LLC (APPLICANT).**

**WHEREAS**, Pulte Homes Company, LLC (“Applicant”) filed an application for Tentative Tract Map No. 38084 and Variance No. 21-04 and related entitlements for Architectural Review No. 21-03 to allow the subdivision and development of 26.81 acres of vacant land into a residential community with 107 new homes, on the north side of Avenue 51 between Van Buren Street and Chiapas Drive; (Riverside County Assessor Parcel Numbers 768-050-002) (the “Project”); and

**WHEREAS**, the City has processed said application pursuant to the Subdivision Map Act (commencing with Section 66400, Title 7 of the Government Code), Title 16 of the Coachella Municipal Code, and the California Environmental Quality Act of 1970 as amended; and

**WHEREAS**, on May 19, 2021, the Planning Commission of the City of Coachella held a duly noticed and published Public Hearing and considered the Tentative Tract Map, Variance, and Architectural Review as presented by the applicant, adopting the findings and conditions as recommended by staff; and

**WHEREAS**, at the Planning Commission Public Hearing of May 19, 2021 the applicant and the general public were given an opportunity to testify regarding Tentative Tract Map No. 38084 and the attendant Variance and Architectural Review, and the Planning Commission recommended to the City Council approval of Tentative Tract Map No. 38084, and Variance No. 21-04 with the findings and conditions recommended by staff; and

**WHEREAS**, on June 23, 2021, the City Council of the City of Coachella held a duly noticed and published Public Hearing and considered Tentative Tract Map No. 38084 and Variance No. 21-04 as presented by the applicant, adopting the findings and conditions as recommended by staff; and

**WHEREAS**, the City Council of the City of Coachella finds that Tentative Tract Map No. 38084 is in compliance with the Subdivision Map Act and the City’s Subdivision Ordinance.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Coachella, California does hereby approve the Addendum to Mitigated Negative Declaration pursuant to California Environmental Quality Act (CEQA) Guidelines (Addendum to EIS 04-05), and approves Tentative Tract Map No. 38084 (attached herein as “Exhibit A”) and Variance No. 21-04 with the findings and conditions listed below.

**FINDINGS FOR APPROVAL OF TENTATIVE TRACT MAP NO. 38084:**

1. The proposed subdivision map and design of improvements are consistent with the General Plan, the City of Coachella Official Zoning Map and any specific plan governing the site. The subject site is a 27-acre vacant parcel with adequate access and lot dimensions to allow for the intended single-family residential lot development in a manner consistent with the Low Density Residential land use designation of the General Plan. The project will substantially comply with the draft General Plan 2035 document which calls for a “General Neighborhood” encouraging a predominance of small-lot, single-family residential neighborhoods.
2. The site is physically suitable for the type of development and the proposed density. The proposed subdivision will provide adequate sized lots for new single-family residential lots. All proposed lots will have adequate dimensions, and ingress and egress to accommodate the proposed development.
3. The design of the subdivision and type of improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. There are no sensitive habitats or bodies of water in the immediate vicinity of the site. The initial environmental study prepared for this project did not identify any biological resources on the site or in the vicinity of the project.
4. The design of the subdivision and type of improvements are not likely to cause any serious public health problems. As proposed with the variance to the minimum lot size, the proposed subdivision would allow for single-family residential lots with a minimum lot size of 6,017 square feet. The adjoining uses are consistent with the proposed use of the property as a single-family detached subdivision.
5. The design of the subdivision and type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. The project is located on the north side of Avenue 51 between Van Buren Avenue and Chiapas Drive. Emergency access through the Prado project is accessible via an emergency access gate at Via Prado, and the proposed connections allow water and sewer to connect between Avenue 51 and Avenue 52.

6. The design of the subdivision will provide, to the extent feasible, for future passive or natural heating or cooling opportunities. The proposed subdivision will provide adequate sites for new homes with southern exposure, and all future construction will be designed to the latest Building Codes and energy efficient design and construction will be required by the City's Building Department.
7. The scope of development proposed as part of Tentative Tract Map 38084 is substantially similar to the prior approved Tentative Tract Map 32075 and Environmental Initial Study No. 04-05 which was prepared pursuant to the State of California Environmental Quality Act Guidelines. Additionally, staff prepared an Addendum to the Mitigated Negative Declaration showing substantial evidence that the proposed project will not create any new potentially adverse environmental effects that were not previously analyzed and mitigated. As such, the project is consistent with the Mitigated Negative Declaration as adopted by the City Council on June 9, 2004, and the project's environmental effects will not be significant subject to the project's compliance with the following mitigation measures, as are applicable to the subject site:

MITIGATION MEASURES:

Air Quality

AQ1 All off-road construction equipment shall use aqueous diesel fuel.

AQ2 During clearing, grading, earth moving, or excavation operations, excessive fugitive dust emissions shall be controlled by regular watering or other dust preventive measures using the following procedures, as specified in the South Coast Air Quality Management District's Rules and Regulations. Comply with AQMD Rule 403, particularly to minimize fugitive dust and noise to surrounding areas. SCAQMD Rule 403.1, as amended, should be adhered to, ensuring the cleanup of the construction-related dirt on approach routes to the site, and the application of water and/or chemical dust retardants that solidify loose soils, should be implemented for construction vehicle access, as directed by the City Engineer. This should include covering, watering or otherwise stabilizing all inactive soil piles (left more than 10 days) and inactive graded areas (left more than 10 days).

- On-site vehicle speed will be limited to 15 miles per hour.
- All material excavated or graded will be sufficiently watered to prevent excessive amounts of dust. Watering will occur at least twice daily with complete coverage, preferable in the late morning and after work is done for the day.
- Unpaved haul roads shall be watered at least twice daily.
- All material transported on-site or off-site will be either sufficiently watered or securely covered to prevent excessive amounts of dust.

- The area disturbed by clearing, grading, earth moving, or excavation operations will be minimized so as to prevent excessive amounts of dust.

These control techniques will be indicated in Project specifications. Compliance with this measure will be subject to periodic site inspections by the City.

AQ3 Project grading plans shall show the duration of construction. Ozone precursor emissions from construction equipment vehicles shall be controlled by maintaining equipment engines in good condition and in proper tune per manufacturer's specifications, to the satisfaction of the City Engineer. Compliance with this measure will be subject to periodic inspections of construction equipment vehicles by the City.

AQ4 All trucks that are to haul excavated or graded material on-site shall comply with State Vehicle Code Section 23114, with special attention to Sections 23114(b)(F), (e)(2) and (e) (4) as amended, regarding the prevention of such material spilling onto public streets and roads.

### Biological Resources

BIO1 Spring botanical surveys shall be conducted during Spring 2004 assuming appropriate weather conditions occur (i.e., appropriate rainfall) to determine if special status plant species are present or absent. If no special status plant species are identified within the study area, no further mitigation shall be required. If a sizeable population of special status plant species is located within the study area, mitigation shall be developed through either a conservation easement or mitigation plan. The mitigation plan shall include the following requirements:

A pre-construction survey conducted during the peak flowering period for each respective special status plant potentially occurring on the Project site shall be conducted by the Project biologist the spring prior to grading.

If a large population of special status plants (as determined by USFWS staff) is found during these surveys, the limits of each impacted location shall be clearly delineated with lath and brightly colored flagging.

The locations of special status plants shall be monitored every two weeks by the Project biologist to determine when the seeds are ready for collection.

A qualified seed collector shall collect all of the seeds from the plants to be impacted when the seeds are ripe. The seeds shall be cleaned and stored by a qualified nursery or institution with appropriate storage facilities.

Following the seed collection, the top 12 inches of topsoil from special status plant populations shall be scraped, stockpiled and used in the selected mitigation location agreed upon by the City and the Project biologist.

The mitigation plan shall include detailed descriptions of maintenance appropriate for the Project site, monitoring requirements and annual reports requirements and shall have the full authority to suspend any operation on the Project site which is, in the qualified biologist's opinion, not consistent with the mitigation plan.

The performance criteria developed in the mitigation plan shall include requirements for a minimum of 60 percent germination of the number of plants impacted. The performance criteria shall also include percent cover, density and seed production requirements. These criteria shall be developed by the Project biologist following habitat analysis of an existing habitat. This information shall be recorded by a qualified biologist.

If the germination goal of 60 percent is not achieved following the first season, remediation measures shall be implemented and additional seeding may be necessary. Remedial measures would include at a minimum: soils testing, control of invasive species, soil amendments and physical disturbance (to provide scarification of the seed) of the planted areas by raking or similar actions. Additional mitigation measures may be suggested as determined necessary by the Project biologist. Potential seed sources from additional donor sites shall also be identified in case it becomes necessary to collect additional seed for use on the Project site following performance of remedial measures.

BI02 In order to avoid impacts to an occupied burrowing owl burrow, focused surveys shall be conducted prior to commencement of clearing or grading operations on the Project site. Additionally, if clearing or grading operations are planned during the breeding season for any of these species, a breeding rapt or survey shall be conducted prior to any clearing or grading activities.

Surveys for burrowing owl shall be conducted according to a protocol prepared by the Burrowing Owl Consortium of the Santa Cruz Predatory Bird Research Group. Surveys shall be conducted by walking through suitable habitat over the entire Project site and in areas within approximately 500 feet of the Project impact zone. Any active burrows found during survey efforts shall be mapped on the construction plans. If no active burrowing owl burrows are found, no further mitigation is required. Results of the surveys shall be provided to the CDFG.

BI03 If burrowing owl nest sites are found, the following restrictions on construction are required between March 1 and August 31(or until nests are no longer active as determined by a qualified biologist):

Clearing limits shall be established with a minimum of 250 feet, or as otherwise determined by a qualified biologist, in any direction from any occupied burrow exhibiting nesting activity; and Access and surveying shall not be allowed within 100 feet of any burrow exhibiting nesting activity. Any encroachment into the 250/100-foot buffer area around the known nest is allowed only if it is determined by a qualified biologist that the proposed activity shall not disturb the nest occupants. If construction occurs outside of the breeding season, exclusion of burrowing owls from their burrow is a practice generally accepted by the CDFG. Exclusion of burrowing owls involves

placement of one-way doors at the opening of known occupied burrows to allow egress from and preventing ingress to the burrow. In this manner the burrowing owl is forced to look for another suitable roosting location. One-way doors should be left in place for 48 hours to ensure owls have left the burrow before excavation. Whenever possible, burrows shall be excavated using hand tools and refilled to prevent reoccupation. Sections of flexible plastic pipe or burlap bags shall be inserted into the tunnels during excavation to maintain an escape route for any animals inside the burrow.

BI04 Surveys for the Coachella Valley round-tailed ground squirrel shall be conducted according to guidelines provided by the USFWS and consist of the following:

A minimum of three surveys conducted between May 1 and July 31; Each survey must be conducted from one hour after sunrise to four hours after sunrise:

Temperatures in the shade must range from 80 degrees to 91.4 degrees Fahrenheit (27 degrees to 33 degrees Centigrade);  
Wind speeds must be low; and 100 percent of the study area must be covered, using walking transects spaced approximately 32 feet ( 10 meters) apart.

BI05 Adequate fees shall be paid according to the adopted Multiple Species Habitat Plan (MSHCP) and Natural Community Conservation Plan (NCCP) shall it become adopted prior to Project development.

### Cultural Resources

CUL 1 Prior to construction. the applicant shall hire a certified archaeologist to observe grading/ major trenching activities and salvage and catalogue archaeological resources as necessary. The archaeologist shall establish. In cooperation with the City. procedures for temporarily halting or redirecting work to permit sampling. identification and evaluation of the artifacts, as appropriate. If the archaeological resources are found to be significant, the archaeologist shall determine appropriate actions, in consultation with the City. for exploration and/or salvage.

### Geology and Soils

GEO1 All structures shall be designed as confirmed during the building design plan checking, to withstand anticipated groundshaking caused by future earthquakes within an acceptable level of risk (i.e., high risk zone). As designated by the City's latest adopted edition of the Uniform Building Code.

GEO2 Prior to the issuance of a grading permit, a site specific geologic and soils report shall be prepared by a registered geologist or soils engineer and submitted to the City Building and Safety Division for approval. The report shall specify design parameters necessary to remediate any soil and geologic hazards.

- GE03 All grading, landform modifications and construction shall be in conformance with state-of-the-practice design and construction parameters. Typical standard minimum guidelines regarding regulations to control excavations, grading, earthwork construction, including fills and embankments and provisions for approval of plans and inspection of grading construction are set from the latest version of the Uniform Building Code. Compliance with these standards shall be evident on grading and structural plans. This measure shall be monitored by the City Building and Safety Division through periodic site inspections.
- GE04 Type 5 cement shall be used for all foundations and slabs on grade.
- GEO5 Precise grading plans shall include an Erosion, Siltation and Dust Control Plan to be approved by the City Building Division. The Plan's provisions may include sedimentation basins, sand bagging, soil compaction, revegetation, temporary irrigation, scheduling and time limits on grading activities, and construction equipment restrictions on-site. This plan shall also demonstrate compliance with South Coast Air Quality Management District Rule 403, which regulates fugitive dust control.
- GE06 As soon as possible following the completion of grading activities, exposed soils shall be seeded or vegetated seed mix and/or native vegetation to ensure soil stabilization.

#### Hazards and Hazardous Materials

- HAZ1 Any hazardous waste that is generated on-site shall be transported to an appropriate disposal facility by a licensed hauler in accordance with the appropriate State and Federal laws.
- HAZ2 All miscellaneous vehicles, maintenance equipment and materials, construction/irrigation materials, miscellaneous stockpiled debris, 1 and 5-gallon containers, construction/irrigation materials, and former agricultural equipment, should be removed off-site and properly disposed of at an approved landfill facility. Once removed, a visual inspection of the areas beneath the removed materials should be performed. Any stained soils observed underneath the removed materials should be sampled. Results of the sampling (if necessary) would indicate the level of remediation efforts that may be required.
- HAZ3 Soil sampling should be performed within the maintenance yard to characterize the extent of contamination associated with the surficial soil staining. Soil should be removed and disposed of at an appropriate landfill facility in accordance with state and federal requirements.
- HAZ4 The majority of the Project site has been historically utilized for agricultural purposes for several decades and may contain pesticide residues in the soil. Soil sampling should occur throughout the Project site, including the maintenance and staging areas. The

sampling will determine if pesticide concentrations exceed established regulatory requirements and will identify proper handling procedures that may be required.

HAZ5 The terminus of all undocumented pipes should be defined. The primary concern with pipes that extend into the ground surface is the potential for the pipe(s) to act as a ventilation apparatus for a UST. Should USTs be present, the USTs should be removed and properly disposed of at an approved landfill facility. Once the UST is removed, a visual inspection of the areas beneath and around the removed UST should be performed. Any stained soils observed underneath the UST should be sampled. Results of the sampling (if necessary) would indicate the level of remediation efforts that may be required.

HAZ6 The location of the two former USTs should be defined since no closure/removal records were found during this Assessment. Once identified, soil sampling should be performed within the former UST areas to characterize the extent of contamination (if any) associated with the former USTs staining.

HAZ7 The on-site water well should be properly removed and abandoned pursuant to the latest procedures required by the local agency with closure responsibilities for the wells. Any associated equipment should be removed off-site properly disposed of at a permitted landfill. A visual inspection of the areas beneath the removed materials (if present) should be performed.

HAZ8 A visual inspection of the interior the on-site structure is recommended. In the event that hazardous materials are encountered, they should be properly tested and then properly disposed of pursuant to State and Federal regulations.

HAZ9 Any transformers to be removed/relocated should be conducted under the purview of the local utility purveyor to identify property handling procedures regarding potential PCBs.

HA10 Based upon the year the existing structure located on the Project site was built (prior to 1978), asbestos-containing materials and lead-based paint may be present within the existing on-site structures and would need to be handled properly prior to remodeling or demolition activities.

HAZ11 If unknown wastes or suspect materials are discovered during construction by the contractor which he/she believes may involve hazardous waste/materials, the contract shall:

Immediately stop work in the vicinity of the suspected contaminant, removing workers and the public from the area;

Notify the Project Engineer of the implementing Agency; Secure the area as directed by the Project Engineer; and



Notify the implementing agency's Hazardous Waste/Materials Coordinator

Hydrology and Water Quality

HYD1 The applicant shall obtain a Notice of Intent from the State of California Regional Water Quality Control Board, as the approximately 58-acre proposed Project would result in the disturbance of one or more acres. A copy of the Notice of Intent acknowledgement from the State of California Regional Water Quality Control Board must be submitted to the City of Coachella before issuance of grading permits.

HYD2 Prior to the issuance of grading permits, Best Management Practices (BMPs) shall be developed in compliance with the City of Coachella and the Coachella Valley Water District NPDES Permit. Specific measures shall include:

Siltation of drainage devices shall be handled through a maintenance program to remove silt/dirt from channels and parking areas;

Surplus or waste materials from construction shall not be placed in drainage ways or within the 100-year floodplain surface waters:

All loose piles of soil, silt, cloy, sand, debris or other earthen materials shall be protected in a reasonable manner to eliminate any discharge to waters of the State;

During construction, temporary gravel or sandbag dikes shall be used as necessary to prevent discharge of earthen materials from the site during periods of precipitation or runoff:

Stabilizing agents such as straw, wood chips and/or soil sealant/dust retardant shall be used during the interim period after grading in order to strengthen exposed soil until permanent solutions are implemented; and

Re-vegetated areas shall be continually maintained in order to assure adequate growth and root development.

HYD3 The applicant shall submit a Storm Water Pollution Prevention Plan (SWPPP), which identifies construction and post construction BMPs to the City for review and approval.

HYD4 Prior to the issuance of building permits, the applicant shall submit a Water Quality Management Plan (WQMP) pursuant to the Coachella Valley Water District and the City of Coachella local implementation plan, specifically identifying BMPs that shall be used on-site to control predictable pollutant runoff.

HYDS Prior to the issuance of building permits, the applicant shall obtain coverage under NPDES Statewide Industrial Stormwater Permit for General Construction Activities from the State Water Resources Control Board. Evidence that this has been obtained shall be submitted to the City.

## Land Use and Planning

LANI The City of Coachella has determined that there is a need for improvements that are caused by new development and for which a shared responsibility for constructing exists. The study prepared by the Community Development Department regarding Proposed New Development Impact Fees has been prepared and is available for review. Payment of a fair share amount would serve to mitigate the impacts of new development. One of these fees is the General Plan Fee to be paid at the time permits are issued. In 2009, the City adopted a General Government facility fee that includes a General Plan Update component. The fees shall be paid according to the City's current development impact fee schedule at the time the building permit is issued.

## Noise

- N1 During all Project site excavation and grading, the Project Contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.
- N2 The Construction Contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the Project site.
- N3 The Construction Contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest the Project site during all Project construction.

## Public Services

- PS1 The developer is subject to school assessment fees pursuant to California State law. The developer shall provide evidence of compliance to the City prior to issuance of building permits.
- PS2 The developer is subject to park assessment fees pursuant to California State law. The developer shall provide evidence of either the dedication of land or fees paid in lieu of, to the City prior to issuance of building permits.

## Traffic

- TR1 The Project applicant's payment to the Coachella Valley Association of Governments (CVAG) Transportation Uniform Mitigation Fund (TUMF) Fee Program and to the City of Coachella Environmental Fee Program for Traffic Signals shall pay for the Project's fair share contribution to the identified mitigation measures as follow:

Van Buren Street/ Avenue 50-Modify eastbound Avenue 50 approach from one left-turn lane and one shared through/right-turn lane to consist of one left-turn lane, one through lane and one shared through/right-turn lane.

Frederick Street/ Avenue 50- Modify westbound Avenue 50 approach from one left-turn lane, one through lane and one right-turn lane to consist of one left-turn lane, one through lane and one shared through/right-turn lane.

- TR2 The City of Coachella has determined that there is a need for improvements that are caused by new development and for which a shared responsibility for constructing exists. The study prepared by the Department of Community Development regarding Proposed New Development Impact Fees has been prepared and is available for review. Payment of a fair share amount would serve to mitigate the impact of new development, as follows:

The approved development impact fee for Traffic Signal shall be paid at the time permits are issued. A fee shall be paid at the time the permits are issued as a mitigated of the environmental impacts associated with this project. The fees shall be paid according to the City's current development impact fee schedule.

- TR3 The City of Coachella has determined that there is a need for improvements that are caused by new development and for which a shared responsibility for constructing exists. The study prepared by the Department of Community Development regarding Proposed New Development Impact Fees has been prepared and is available for review. Payment of a fair share amount would serve to mitigate the impact of new development as follows: The approved development impact fee for Bridge and Grade Separation be paid at that permits are issued. In 2009, the City adopted a Streets and Transportation facility that includes roads and bridges impacts. The fees shall be paid according to the City's current development impact fee schedule at the time the building permit is issued.

- TR4 The City of Coachella has determined that there is a need for improvements that are caused by new development and for which a shared responsibility for constructing exists. The study prepared by the Department of Community Development regarding Proposed New Development Impact Fees has been prepared and is available for review. Payment of a fair share amount would serve to mitigate the impact of new development. The approved development impact fee for Bus Shelter and Bus Stop Safety Zone shall be paid at the time permits are issued. A fee shall be paid at the time the permits are issued as mitigation for environmental impacts associated with the project. The fees shall be paid according to the City's current development impact fee schedule.

- TRS Prior to Project plan approval, the quantity, location, width and type of driveways shall be subject to the approval of the City Engineer. An effective sight distance for vehicular traffic shall be maintained at the driveway entrances on Avenue 50 and Calhoun Street. Adequate sight distance shall also be maintained within the development at all driveway intersections to the satisfaction of the City Engineer.

## Utilities and Services

- UTIL1 All required sewer improvements shall be designed and constructed to City Standards. All tentative tract maps, site plans and other plans within the Project area shall be accompanied by adequate plans for sewer improvements prepared by a registered professional engineer.
- UTIL2 Prior to the issuance of building permits, the applicant shall submit for approval of the City Engineering Department, a Water Quality Management Plan (WQMP) specifically identifying Best Management Practices (BMPs) that shall be used on-site to control predictable pollutant runoff.

### **CONDITIONS OF APPROVAL FOR TENTATIVE TRACT MAP NO. 38084:**

1. Approval of Tentative Tract Map 38084 is contingent upon Planning Commission approval of the attendant Variance 21-04 for reduced lot size and dimension requirements of the RS zone. The tentative map is approved for a 107-lot subdivision having frontage on public streets and leaving an emergency-access gate along Via Prado between the subject site and Prado Gated Community.
2. The final map shall provide a perimeter landscaped setback along the Avenue 51 frontage of 35 feet measured from the curb face to the perimeter wall.
3. Prior to recordation of the final map, the applicant shall submit revised landscaped plans subject to review by the Planning Commission showing the following:
  - a. A minimum six-foot high decorative masonry wall shall be erected at the southerly terminus of Ribera Street, to match the existing perimeter wall for the southern boundary of the Prado Gated Community.
  - b. A landscaping/irrigation plan shall be submitted for the 10-foot by 100-foot landscaped median island and planter at the entrance into the community along Via Prado.
  - c. Decorative metal signage identifying the community name shall be installed on the perimeter walls adjacent to the intersection of Via Prado and Avenue 51.
  - d. The use of ¾-inch or larger gravel in lieu of decomposed granite “fines” in all common area landscaped planter areas.
  - e. A landscape/irrigation plan showing a “desert wash” landscape palette of trees, shrubs and groundcovers, with a minimum 3-inch cobble at the floor of all retention basins.
4. The applicant shall submit a detailed landscaping and irrigation plan for review and approval by the City Engineer and Development Services Director prior to the recordation of the final map. The applicant shall improve Lot C of Tentative Tract Map 38084 (Retention Lot) with a perimeter paved ADA pathway with outdoor exercise stations and equipment accessible

from connecting sidewalks along Street A, subject to review by the Development Services Director and City Engineer.

5. The proposed subdivision shall be improved with a decorative masonry perimeter wall consisting of tan slumpstone, splitface block, or precision with stucco finish wall, and a decorative cap. A minimum of one 12-inch square masonry pilaster at every 50 feet shall be used along any masonry wall facing a public street.
6. Prior to final map recordation, staff will review all street names and addressing for consistency with the type of Street consistent with City policies.

#### Coachella Valley Water District

7. The City of Coachella may require mitigation measures to be incorporated into the development to prevent flooding of the site or downstream properties. These measures shall require on-site retention of the incremental increase of runoff from the 100-year storm.
8. The applicant shall meet and confer with the Coachella Valley Water District and provide verification that there are not interferences with the proposed subdivision and any United States Bureau of Reclamation facilities, or CVWD/private facilities not shown on the development plans, including but not limited to Avenue 51 West Drain Line.
9. The project lies within the East Whitewater River Sub basin Area of Benefit. Groundwater production within the area of benefit is subject to a replenishment assessment in accordance with the State Water Code.
10. All water wells owned or operated by an entity producing more than 25 acre-feet of water during any year must be equipped with a water-measuring device. A CVWD Water Production Metering Agreement is required to ensure CVWD staff regularly read and maintain this water-measuring device.
11. Prior to recordation of the final map, the subdivider shall meet and confer with the Coachella Valley Water District to incorporate into the design, construction, and operation of the subdivision to reduce its negative impact on the Indio Subbasin, pursuant to the approved Coachella Valley Water Management Plan Alternative to the Groundwater Sustainability Plan.

## **ENGINEERING DEPARTMENT**

### **Street Improvements:**

12. Street improvement plans prepared by a California Registered Civil Engineer shall be submitted for engineering plan check prior to issuance of encroachment permits. All street improvements including street lights shall be designed and constructed in conformance with

City Standards and Specifications. Street flow line grade shall have a minimum slope of 0.35 %.

13. Applicant shall construct all off-site and on-site improvements including street pavement, curb, gutter, sidewalk, street trees, perimeter walls, perimeter landscaping and irrigation, storm drain, street lights, and any other incidental works necessary to complete the improvements. Driveways shall conform to City of Coachella standards for residential driveways.
14. Avenue 51 shall be improved as shown in the Mobility Element of the General Plan, with a 35-foot half street paved roadway and a 10-foot parkway. Street improvements shall include 3 inches of A.C. pavement over 10 inches of class II base, 8 inch type "B" curb and gutter, 6-foot sidewalk, 15,000 lumen HPS street lights (150 watt bulb), connections to the existing public improvements with the appropriate transitions and tapers as required by the City Engineer and any other incidental works necessary to complete the improvements in accordance with the City Standards and Specifications.
15. Avenue 51 shall be a 90-foot right-of-way, except where underground utilities will be constructed within the parkway additional right of way is required for a total of 15 feet parkway. An additional 25 feet of common-area/perimeter landscaping shall be provided between the street right-of-way along Avenue 51 and perimeter subdivision wall.
16. The developer shall grant a landscaping easement to the City of Coachella over all common-area / retention basin lots for inclusion into the Landscape and Lighting Maintenance District.
17. The developer shall obtain an encroachment permit for any improvements constructed within public right-of-ways.
18. The applicant shall provide Speed Humps on all interior streets. Locations shall be approved by the City Engineer.

#### **Sewer and Water Improvements:**

19. Sewer & Water Improvement Plans prepared by a California Registered Civil Engineer shall be submitted for engineering plan check and City Engineer approval.
20. Applicant shall construct all off-site and on-site water and wastewater improvements and any other incidental works necessary to complete the improvements. Size and location of sewer and water improvements shall be approved by the City Engineer.
21. Applicant shall extend the 12" water main in Avenue 51 to the westerly boundary of this tract and connect the onsite water system to this main. System shall include all fire hydrants, valves, blow-offs, fittings and all incidental works necessary to complete the water system in accordance with the City Standards and Specifications.
22. Minimum depth of sewer manholes shall be 5.00 feet (top of pipe to top of rim). Size and slope of sewer mains shall be approved by the City Engineer. The minimum slope for sewer

main shall be as follows: (1) 8" - 0.33 percent, (2) 10" - 0.24 percent, (3) 12" - 0.19 percent, (4) 15", 18", 24", 27" & 33" 0.14 percent.

23. Applicant shall extend the 12" sewer main in Avenue 51 to the westerly boundary of this tract and connect the onsite sewer system to this main. System shall include all manholes, cleanouts, and laterals to serve each residential lot, and all incidental works necessary to complete the sewer system in accordance with the City Standards and Specifications.

**General:**

24. A composite utility plan showing all utilities shall be submitted for review and approval by the City Engineer. The applicant shall construct all other utilities such as gas, telephone, television cable, electrical, and any other incidental works necessary to complete the utility improvements. All utilities will be constructed underground and extended to the tract boundary. Existing overhead utilities within the limit of construction shall be relocated underground and behind sidewalk. Street improvement plans shall not be approved until this plan is submitted and deemed substantially complete and correct.
25. The developer shall submit a Fugitive Dust Control and Erosion Control plan in accordance with Guidelines set forth by CMC and SCAQMD to maintain wind and drainage erosion and dust control for all areas disturbed by grading. Exact method(s) of such control shall be subject to review and approval by the City Engineer. No sediment is to leave the site. Additional securities, in bond form, in amount of \$2,000.00 per acre of gross area, and a one time cash deposit of \$2,000.00 are required to insure compliance with this requirement. No work may be started on or off site unless the PM-10 plan has been approved, the original plans, and executed dust control agreement, are filed in the engineering department at the City of Coachella.
26. The owner shall agree to the formation of a Landscape and Lighting Maintenance District for the maintenance of the lighting, perimeter wall, landscaping and irrigation. The owner shall prepare the improvement plans, Engineer's Report, Estimated Costs, and submit to the City Engineer as required for the formation of the LLMD. The funds to be deposited shall be a minimum of \$1,000. Costs over \$1,000 shall be billed by the City to the owner for payment prior to the recordation of the Final Map.
27. The applicant shall pay all necessary plan check, permit and inspection fees at cost for the public off-site and on-site improvements. Fees will be determined when plans are submitted to the City Engineering Department for plan check.
28. Applicant shall comply with the valley wide NPDES permit requirements including but not limited to submittal of a Preliminary WQMP for plan review accompanied by a \$3,000 plan check deposit and a Final WQMP for final approval including executed maintenance agreement. All unused plan check fees will be refunded to the applicant upon approval of the Final WQMP.

**Completion:**

29. "As-built" plans shall be submitted to and approved by the City Engineer prior to acceptance of the improvements by the City. All off-site and on-site improvements shall be completed to the satisfaction of the City Engineer prior to acceptance of improvements for maintenance by the City.
30. Prior to issuance to of certificate of occupancy, all off-site improvements, including landscaping and lighting of the retention basins, and landscaped areas along the exterior streets, shall be completed to the satisfaction of the City Engineer.
31. The developer will establish, at a minimum, one (1) vertical control monument (benchmark) to be placed in a permanent location within the limits of the development and file a record of said monument with the County of Riverside. The monument will comply with Caltrans survey manual chapter 8 section 8.2-3 for benchmarks. The record elevation set will comply with third-order precision standards as defined in the Caltrans Surveys manual. Official City of Coachella Vertical Control Brass disks will be available from the City of Coachella. The monument location shall be approved by the City Engineer prior to establishment.
32. The owner/developer shall reimburse the City of Coachella for public improvements related to the existing Traffic Signal at Avenue 50 and Van Buren Street, and for the Landscaped Median at Avenue Owner/developer shall pay \$1,211.64 per dwelling unit for Landscaped Median and \$788.12 per dwelling unit for Traffic Signal at the time building permits are issued for each new dwelling unit.
33. The developer shall construct improvements including sidewalks, with a 6-inch raised curb and gutter connecting to pavement, fronting along all lots to be developed. The use of "wedge" curb, or "rolled" curb shall not be allowed. All Driveways shall conform to City of Coachella standards.
34. The developer shall work with the City of Coachella Engineering Department on a scope of work and any necessary repairs for completion of all on-site and off-site improvements. Prior to final inspections for each phase, the developer shall meet and confer with the City Engineer to schedule inspections for existing street improvements and to identify repairs to be made by the developer that resulted from the developer's construction activities. Developer shall make requested repairs prior to receiving a certificate of occupancy for the last home in the phase for which final inspections are being requested at that time.

**Street Lights:**

35. The developer shall pay applicable fees to energize street lights to the appropriate agency, and shall verify that all street lights are operational prior to issuance of the 1<sup>st</sup> Certificate of Occupancy of each phase.



## **FINDINGS OF FACT FOR VARIANCE NO. 21-04:**

1. The strict application of the provisions of this chapter would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of chapter 17 (Zoning Code). At the time that the approvals for the prior subdivision map, known as Tentative Tract Map No. 36555, there was a lot boundary discrepancy to be deeded to the westerly neighbor and measuring 16 foot x 620 foot (9,148 square feet) on the southwest corner of the proposed development. In order to keep the design similar to that of the prior proposed project with 107 lots, without having to re-write the environmental assessment for the prior-approved project, the variance to the lot size standard is needed in order to not reduce the allowable number of lots on this subdivision.
2. There are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity. The subject site has unique circumstances associated with the adjoining gated community that was originally supposed to be extended to Avenue 51. This has resulted in the need to modify street configurations and utility service designs that make the project infeasible without a reduced lot area pattern.
3. The variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity, but which, because of such special circumstances and practical difficulties or unnecessary hardships is denied to the property in question. The General Plan 2035 document allows for nearby properties within the same existing zone designation and vicinity to develop at a higher density, including developments with lots of 6,000 square foot minimums for single-family homes. Further, the development directly east of the proposed project is a PUD with lots that are 6,000 and an average lot size of less than 7,000 square feet.
4. The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located. Allowing slightly smaller lots than the zone designation allows will not be materially detrimental to the public welfare or injurious to the property or improvements of nearby developments. Adjacent developments have same-size or smaller lots, and the design of the development will have a layout of not having through streets that will act as a by-pass for the major intersections, thus slowing and mitigating fast moving traffic through the development.
5. The granting of the variance will not adversely affect any element of the general plan. The current General Plan designation for the property is General Neighborhood and has a desired population density of 7-20 dwelling units per acre with small-lot single family detached residential as the predominant development pattern. The proposed development proposes a density of 4 dwelling units per acre with smaller-lot single family lots as encouraged by the General Plan. Allowing the density helps to further achieve the desired population within this portion of the City.

**CONDITIONS OF APPROVAL FOR VARIANCE NO. 21-04:**

1. Approval of Variance No. 21-04 is to allow deviations in the minimum lot size and dimension requirements for lots in the R-S (Residential Single-Family) zoning district as shown on the submitted Tentative Tract Map 38084. All other development standards of the R-S zone and the City's Municipal Code shall be complied with and shown on the final map.
2. Variance No. 21-04 is hereby granted for a 24-month period, or until Tentative Tract Map 38084 is recorded, whichever occurs sooner, unless extended by the Planning Commission.

**PASSED, APPROVED and ADOPTED**, this 23<sup>rd</sup> day of June 2021.

---

Steven A Hernandez  
Mayor

**ATTEST:**

---

Angela M. Zepeda  
City Clerk

**APPROVED AS TO FORM:**

---

Carlos Capos  
City Attorney

STATE OF CALIFORNIA     )  
COUNTY OF RIVERSIDE   ) ss.  
CITY OF COACHELLA     )

**I HEREBY CERTIFY** that the foregoing Resolution No. 2021-42 was duly adopted by the City Council of the City of Coachella at a regular meeting thereof, held on this 23<sup>rd</sup> day of June 2021, by the following vote of Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Andrea J. Carranza, MMC  
Deputy City Clerk