



Thursday, April 24, 2025, 2:00 PM City Council Chamber 69-825 Highway 111 Rancho Mirage, CA 92270

#### REGULAR PLANNING COMMISSION MEETING

## **AGENDA**

#### 1. GENERAL

- 1A. Call to Order
- 1B. Flag Salute
- 1C. Roll Call: Bryant, Curran, Grey, Vice Chair Chanter, Chair Agostini

#### 2. COMMISSIONER COMMENTS

## 3. NON-AGENDA PUBLIC COMMENTS

An opportunity for the public to speak on issues not on the agenda for a maximum of three (3) minutes per speaker.

#### 4. APPROVAL OF MINUTES

## 4A. March 13, 2025, Regular Planning Commission Meeting Minutes

 RECOMMENDED ACTION: Approve the March 13, 2025, Regular Planning Commission Meeting Minutes as presented.

#### 5. ACTION ITEMS

#### 5A. General Plan Annual Progress Report for 2024

— RECOMMENDED ACTION: Approve the 2024 General Plan Annual Progress Report and forward it to the City Council to receive and file.

#### 6. PUBLIC HEARINGS

- 6A. Extension of Time Case No. ET25-0001 for a One-Year Time Extension for Tentative Tract Map Case No. TTM22-0003 (TTM 38224) Applicant: Phillip Fomotor of Fomotor Engineering on Behalf of La Paloma Homes, Inc. Consideration of the First One-Year Time Extension for Tentative Tract Map 38224 (Tentative Tract Map Case No. TTM22-0003), a 9-Lot Residential Subdivision on 4.77 Acres, Located in Section 30 at the Northeast Corner of Via Josefina and Ginger Rogers Road (APN: 685-080-014)
  - RECOMMENDED ACTION: Recommend to the City Council 1) Approval of the filing of a Notice of Exemption pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15162 (Subsequent EIRs and Negative Declarations); and, 2) Approval of a one-year Extension of Time (ET25-0001) for Tentative Tract Map Case No. TTM22-0003 (TTM 38224), subject to the Conditions of Approval, and based on the content and Findings in the attached staff report.

6B. Environmental Assessment Case No. EA24-0011 and General Plan Text Amendment Case No. GPTA24-0001 – Assembly Bill 2140 Safety Element Update. Applicant: City of Rancho Mirage. Location: City-Wide

— RECOMMENDED ACTION: Adopt Resolution No. 2025-PC-(Next-in-Order), recommending that the City Council take the following action: 1) Adopt Resolution No. 2025-(Next-in-Order) for the following actions: A) Find that the adoption of the updated General Plan Safety Element is not subject to the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15061(b)(3) (General Rule "Common Sense" Exemption); and, B) Approve General Plan Text Amendment Case No. GPTA24-0001, incorporating by reference the 2023 Local Hazard Mitigation Plan into the Safety Element in the City's General Plan in accordance with Assembly Bill 2140.

6C. Zoning Text Amendment Case No. ZTA25-0001 Applicant: City of Rancho Mirage. Consideration of an Ordinance Amending Section 17.20.040 (Development/Design Considerations) of Chapter 17.20 (General Property and Use Standards), Repealing and Replacing Chapter 17.32 (Wireless Communication Facilities), Amending Section 17.34.010 (Introduction) of Chapter 17.34 (Introduction) of Division IV (Permits and Review), and Amending Section 17.48.045 (Minor Conditional Use Permits) of Chapter 17.48 (Conditional Use Permits) of Title 17 ("Zoning") of the Rancho Mirage Municipal Code. Location: City-Wide

— RECOMMENDED ACTION: Adopt Resolution No. 2025-PC-(Next-in-Order), recommending that the City Council take the following actions: 1) Find that the adoption of the Ordinance has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA) and CEQA Guidelines, and that adoption of the Ordinance is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15378 because it is not a "project", and 15061(b)(3) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment because the amendments involve general policy and procedure making; and 2) Introduce and adopt Ordinance No. (Next-in-Order), Amending Section 17.20.040 (Development/Design Considerations) of Chapter 17.20 (General Property and Use Standards), Repealing and Replacing Chapter 17.32 (Wireless Communication Facilities), Amending Section 17.48.045 (Minor Conditional Use Permits) of Division IV (Permits and Review), and Amending Section 17.48.045 (Minor Conditional Use Permits) of Chapter 17.48 (Conditional Use Permits) of Title 17 ("Zoning") of the Rancho Mirage Municipal Code subject to addition of further amendments to the Municipal Code as may be recommended by staff, which are outside the purview of the Planning Commission, and therefore go directly to City Council.

#### 7. ADJOURNMENT

**Agenda Materials:** Any staff reports for agenda items, as well as agenda materials provided to a majority of the legislative body following distribution of the agenda, are available for public inspection in the Planning Department at Rancho Mirage City Hall, located at 69-825 Highway 111, Rancho Mirage, CA 92270, during normal business hours.

Americans with Disabilities Act (ADA): If you are an individual with a disability and need a reasonable modification or accommodation pursuant to the ADA, please contact the City Clerk's Office at (760) 324-4511, Ext. 488, prior to the meeting. Providing notice at least 48 hours in advance of the meeting is suggested, so a determination may be made as to whether the request is feasible.

Livestream: This meeting may be viewed via Livestream on the City's website at www.RanchoMirageCA.gov.

**Public Comments:** Written public comments may be submitted to the City Clerk via email to CityClerk@RanchoMirageCA.gov or mail/delivery to ATTN: City Clerk, City of Rancho Mirage, 69-825 Highway 111, Rancho Mirage, CA 92270. Please submit written public comments at least three (3) hours in advance of the meeting to ensure they may be fully considered. Written public comments received during the meeting will be distributed to the legislative body and made available to the public following the meeting.

Oral public comments/testimony may be provided in person at the meeting during the non-agenda public comment period and during the public comment/testimony period for each agenda item. Public comments are limited to three (3) minutes per speaker. Please fill out a Request to Speak slip prior to the start of the meeting and submit it to the City Clerk. You will be called upon to speak at the appropriate time. Please submit a separate slip for each item on which you wish to speak.

**Declaration of Posting:** I, Kristie Ramos, City Clerk of the City of Rancho Mirage, do hereby declare that the foregoing meeting agenda was posted on the City of Rancho Mirage website at www.RanchoMirageCA.gov, on the Rancho Mirage City Hall bulletin board at 69-825 Highway 111, Rancho Mirage, CA 92270, and at the Rancho Mirage Library & Observatory at 71-100 Highway 111, Rancho Mirage, CA 92270, at least 72 hours in advance of the meeting.

Dustie Ramos

Date Posted: April 18, 2025



## **Planning Commission Staff Report**

## March 13, 2025, Regular Planning Commission Meeting Minutes

DATE	ITEM #
April 24, 2025	APPROVAL OF MINUTES - 4A.
Presented To	Presented By
Planning Commission	Deanna Mendoza, Development Services Technician

## **RECOMMENDED ACTION**

Approve the March 13, 2025, Regular Planning Commission Meeting Minutes as presented.

## **Attachments**

Attachment 1 - Draft 03/13/2025 Planning Commission Minutes

## PLANNING COMMISSION MEETING THURSDAY, MARCH 13, 2025 - 2:00 P.M.

## **DRAFT MINUTES**

Meeting Location:
City of Rancho Mirage
City Hall - Council Chamber
69-825 Highway 111
Rancho Mirage, CA 92270

## CALL TO ORDER - 2:00 P.M.

a) Flag Salute: Led by Commissioner Bryant.

b) Roll Call: Bryant, Curran, Vice Chair Chanter, Chair Agostini - Present.

Absent: Commissioner Grey.

MOVED/SECONDED BY BRYANT/CHANTER TO EXCUSE COMMISSIONER GREY'S ABSENCE. MOTION CARRIED 4/0.

#### **COMMISSIONER COMMENTS**

Commissioner Bryant praised Eisenhower Health's progress with new development and emphasized the value of healthcare professionals. He discussed the next General Plan and Highway 111 Specific Plan updates

NON-AGENDA PUBLIC COMMENTS - None.

**APPROVAL OF MINUTES** – February 27, 2025, Regular Meeting.

MOVED/SECONDED BY CURRAN/AGOSTINI TO APPROVE THE FEBRUARY 27, 2025, REGULAR MEETING MINUTES AS PRESENTED. MOTION CARRIED 3/1 WITH VICE CHAIR CHANTER ABSTAINED.

## **PUBLIC HEARING**

- 1. Section 31 Town Center (Cotino) Environmental Assessment Case No. EA24-0012 and Tentative Tract Map Case No. TTM24-0004 (TTM No. 38990) Applicant: MSA Consulting, Inc. on behalf of EC Rancho Mirage Holdings LP. Consideration of Tentative Tract Map 38990, a finance and conveyance map that is solely to facilitate the creation of legal parcels (13 for ownership transfer and financing without authorizing any new development). Located approximately 650 feet south from the intersection of Monterey Avenue and Gerald Ford Drive, on the west side of Monterey Avenue. APNs: 685-220-047; 685-220-048; 685-540-035; and 685-540-036.
  - A. Consider recommending that the City Council approve the filing of a Notice of Exemption based on Environmental Assessment Case No. EA24-0012 and pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15162 (Subsequent EIRs and Negative Declarations); and

B. Consider recommending that the City Council approve Tentative Tract Map Case No. TTM24-0004 (TTM38990), subject to the Conditions of Approval and based on the content and Findings in the staff report.

Pilar Fløtterud, Senior Planner, presented the staff report.

No public testimony was provided.

A discussion ensued.

MOVED/SECONDED BY BRYANT/CHANTER TO RECOMMEND THAT THE CITY COUNCIL TAKE THE FOLLOWING ACTIONS:

- A. APPROVE THE FILING OF A NOTICE OF EXEMPTION BASED ON ENVIRONMENTAL ASSESSMENT CASE NO. EA24-0012 AND PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES SECTION 15162 (SUBSEQUENT EIRS AND NEGATIVE DECLARATIONS); AND
- B. APPROVE TENTATIVE TRACT MAP CASE NO. TTM24-0004 (TTM38990), SUBJECT TO THE CONDITIONS OF APPROVAL AND BASED ON THE CONTENT AND FINDINGS IN THE STAFF REPORT.

**MOTION CARRIED 4/0.** 

- 2. Extension of Time Case No. ET25-0002 For Tentative Tract Map Case No. TTM22-0002 (TTM 38222). Applicant: Bravo Holdings, LLC. Consideration of a first one-year Extension of Time for Tentative Tract Map Case No. TTM22-0002 (TTM No. 38222). The previously approved project proposes to subdivide a 10.12-acre parcel into eight (8) residential lots and three (3) lettered lots, including a private street. Located on the East side of Vista Del Sol, just east of the Betty Ford Center and west of Vista Dunes Road. APNs: 685-280-002; -003.
  - A. Consider recommending that the City Council approve a one-year Extension of Time (ET25-0002) for Tentative Tract Map Case No. TTM22-0002 (TTM 38222), subject to the Conditions of Approval and based on the content and Findings in the attached staff report.

Pilar Fløtterud, Senior Planner, presented the staff report.

No public testimony was provided.

A discussion ensued.

MOVED/SECONDED BY CHANTER/CURRAN TO RECOMMEND THAT THE CITY COUNCIL APPROVE A ONE-YEAR EXTENSION OF TIME (ET25-0002) FOR TENTATIVE TRACT MAP CASE NO. TTM22-0002 (TTM 38222), SUBJECT TO THE CONDITIONS OF APPROVAL AND BASED ON THE CONTENT AND FINDINGS IN THE ATTACHED STAFF REPORT.

**MOTION CARRIED 4/0.** 

## **ADJOURNMENT**

With no further business to consider, the Planning Commission meeting was adjourned at 2:26 P.M.

**Prepared by:** Deanna Mendoza, Development Services Technician

**Date Approved by Planning Commission:** 



## **Planning Commission Staff Report**

#### **General Plan Annual Progress Report for 2024**

DATE	ITEM #
April 24, 2025	ACTION ITEMS - 5A.
Presented To	Presented By

#### **RECOMMENDED ACTION**

Approve the 2024 General Plan Annual Progress Report and forward it to the City Council to receive and file.

#### DISCUSSION

#### **Background**

The State of California requires each jurisdiction to prepare and adopt a comprehensive, long-term General Plan to guide the jurisdiction's physical development and long-term vision for the future. The General Plan is a policy document comprised of goals and policies for implementation. The City of Rancho Mirage has periodically updated the General Plan as needed since its adoption in 1975. The City last updated the General Plan in 2017, and in 2005 before that. The 2017 General Plan Update was adopted by the City Council on November 16, 2017 through Resolution No. 2017-44 and reflects the City's vision for development through the year 2035. On March 3, 2022, the City Council adopted Resolution No. 2022-06 adopting the Safety Element update and the 6th Cycle Housing Element, which covers the planning period years 2021 to 2029. The Amended Housing Element was adopted by the City Council on July 21, 2022 by Resolution No. 2022-39 and certified by the California Department of Housing and Community Development (HCD) on August 17, 2022. The City is currently in the process of amending the Safety Element to incorporate by reference the adopted 2023 Local Hazard Mitigation Plan in accordance with Assembly Bill 2140. This amendment would make the City eligible for additional recovery or part or all of its local-share costs on eligible public assistance funding provided by the state through the California Disaster Assistance Act (CDAA).

In accordance with California Government Code Sections 65400 and 65700, the City is required to submit an annual General Plan status report to the local legislative body (City Council), the State Governor's Office of Land Use and Climate Innovation (LCI), and HCD on the status of the General Plan, its implementation progress, and how the City is meeting the region's housing needs. The 2024 Housing Element APR was previously presented to the Planning Commission at the February 27, 2025 regular meeting and was submitted to LCI and HCD on March 5, 2025. Attachment 1 lists the City's progress toward the implementation of the updated General Plan for the period of January 1, 2024, to December 31, 2024. Attachment 2 summarizes the Planning Commission's activities and accomplishments for the period of January 1, 2024, to December 31, 2024.

#### **Environmental Determination**

This document is for reporting and informational purposes only; therefore, nothing in this report alters or creates policy. As an informational document, this report is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15306 (Class 6, Information Collection).

## **Attachments**

<u>Attachment 1 – 2024 General Plan Annual Progress Report</u>

<u>Attachment 2 – Planning Commission Annual Report</u>



# 2024 GENERAL PLAN ANNUAL REPORT

City of Rancho Mirage

## City of Rancho Mirage General Plan Status Report 2024

January 1, 2024 - December 31, 2024

#### **OVERVIEW**

The Rancho Mirage City Council adopted the 2017 Rancho Mirage General Plan Update on November 16, 2017 via Resolution No. 2017-44. All cities are required by the California Government Code to prepare a comprehensive, long-term general plan that will direct development in the community. The General Plan provides the goals, policies, programs, and implementation strategies to guide the development of Rancho Mirage and to protect and enhance its valued assets and resources. In addition to goals and policies, the General Plan includes background information and discussion, diagrams, maps, tables, and charts that provide direction for the prudent and conscientious management of future development.

The City of Rancho Mirage General Plan is comprised of the following elements:

- Land Use
- Circulation
- Housing
- Conservation and Open Space
- Air Quality
- Noise
- Safety
- Public Services and Facilities
- Community Design
- Economic and Fiscal
- Arts and Culture

The purpose of this report is to summarize the status of the goals, policies, and programs that the City has implemented and/or made progress toward in calendar year 2024. The Housing Element demands a separate annual report pursuant to State law, which was submitted earlier this year; therefore, it is not included in this report.

## **LAND USE**

The purpose of the Land Use Element is to provide a comprehensive plan of the general allocation and distribution of land uses throughout Rancho Mirage. The element also serves as a statement of the standards and targets for population density and building intensity. The Land Use Element identifies areas planned for residential, commercial, and public uses. It is the broadest of the elements and is the basis for coherent land use policy development.

POLICY #	GOAL, POLICY, PROGRAM	STATUS	DEPARTMENT
POLICY LU 2.1	Specific plans shall be required, where appropriate, to ensure new development achieves high-quality building, design, and development standards and provides amenities above those expected in conventional development.	The City processed the Catana Specific Plan, which proposes a mixed-use neighborhood on ±36 acres located at the northwest corner of Ramon Road and Rattler Road. Three Planning Areas are proposed to guide the project site's development. Planning Area 1 proposes 210 market rate homes with amenities, Planning Area 2 proposes 94 affordable apartments and a central recreation area, and Planning Area 3 proposes up to 75,000 square feet of commercial uses. The Specific Plan was approved by the City Council on April 18, 2024.	Planning
POLICY LU 2.2	Specific plans shall be utilized, where appropriate, to assure the phased, logical and cost-effective extension of infrastructure and buildout of new development.		Planning
POLICY LU 2.3	Specific plans shall be updated periodically to reflect existing land use conditions, to modernize land use trends, to review boundaries, and to ensure that the long-term goals of the General Plan are being met through implementation of said specific plans.	The City processed a General Plan Zoning Map Amendment and Specific Plan Amendment to the Monterey Specific Plan to reconfigure the existing land use which was split with approximately 25.21 acres of High Density Residential (R-H) on the south end and approximately 28.55 of Public Park (OS-PP) on the north end of the project site. The land use designations were reconfigured so that the High Density Residential (R-H) is on the eastern side of the project site and the Public Park (OS-PP) on the western side.	Planning
PROGRAM LU 2.7B	Provide the development community with maps and other information showing the locations of all available and planned infrastructure.	In 2024, the City launched the Development Activity GIS Web Application which highlights current and pending projects within the City. In July of 2024 the City Council authorized an agreement with 'CelPlan technologies' to develop a Wireless Master Plan using strategic solutions and emerging technologies to improve the City's wireless connectivity. An interactive cell phone coverage Web Application went live in Spring 2025. The GIS Web Applications are available for the general public on the City's website.	Information Services/Planning
POLICY LU 3.4	Lower income housing shall be dispersed where feasible, appropriate, and compatible with surrounding land uses.	The City processed 3 development projects with affordable housing components dispersed throughout the City and in accordance with the Housing Element: Via Vail Apartments, Catana Specific Plan, and the Crossings at Peterson Road. Project details are in the Planning Commission Annual Report for 2024.	Housing/Planning

POLICY LU 4.2	The City shall pursue high-quality retail uses along Highway 111, in the Specific Plan for Section 19, and in other areas of Rancho Mirage.	The City is currently in the process of updating the Highway 111 Specific Plans.	Planning	
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## **CIRCULATION**

To preserve Rancho Mirage's unique character while providing the safest and most efficient roadway system possible, the Circulation Element documents the current status of Rancho Mirage's road system, identifies problems, and proposes solutions. The Circulation Element also analyzes future traffic impacts on Rancho Mirage caused by growth in the city and region. The purpose of the Circulation Element is to develop an efficient, cost-effective, and comprehensive transportation management strategy consistent with regional plans and local needs to maintain and improve mobility.

POLICY#	GOAL, POLICY, PROGRAM	STATUS	DEPARTMENT
	The City shall actively participate in a wide range of regional	The City routinely coordinates with adjacent jurisdictions on signal timing and other	_
POLICY CIR 1.6	transportation planning programs to improve the capacity, efficiency,	traffic related improvements, as well as with the Coachella Valley Association of	Planning/Public Works
	and safety of the shared circulation system.	Governments (CVAG).	

## **CONSERVATION + OPEN SPACE**

The Conservation and Open Space Element defines and establishes goals, policies, and programs toward preserving and effectively managing the valuable natural resources in Rancho Mirage.

POLICY#	GOAL, POLICY, PROGRAM	STATUS	DEPARTMENT
POLICY COS 5.4	The City shall proactively support the affordable and reliable production and delivery of electrical power to the community.	Since commencing operations on May 1, 2018, the Rancho Mirage Energy Authority (RMEA) has provided affordable and reliable power as a locally operated, non-profit program. To date, RMEA has delivered over \$3 million in direct customer savings and allocated \$1 million in rebates, furthering the City's commitment to affordable and sustainable energy solutions for the community.	
POLICY COS 5.5	The City shall support public and private efforts to develop and operate alternative systems of solar and electrical production that take advantage of local renewable resources.	In November 2024, the Rancho Mirage Energy Authority (RMEA) launched 3 new rebate programs to promote renewable energy and energy efficiency: a battery storage rebate to enhance solar energy use and resilience, an EV charger rebate to support clean transportation, and a home energy efficiency rebate to encourage energy-saving upgrades. These initiatives align with the City's commitment to advancing alternative energy systems and leveraging local renewable resources.	Administration & Legal

PROGRAM COS 5.5A	Support and facilitate the integration of cogeneration and other energy management systems into commercial operations in the City to enhance operational efficiencies and provide additional opportunities for local power production.	The City has begun exploring advanced technologies and initiated an energy efficiency study at major city facilities as a starting point to enhance resilience and improve energy efficiency. These efforts align with the City's commitment to supporting the integration of cogeneration and energy management systems to optimize operational efficiencies and expand local power production opportunities.	Administration & Legal
POLICY COS 5.6	The City shall encourage the reduction and recycling of household and business waste.	The City actively promotes waste reduction and recycling for households and businesses through mailed newsletters, e-blasts, events, and educational videos highlighted on its website. In addition to hosting e-waste and shredding events, the City conducted compost giveaways, launched a community garden support program, and organized hands-on activities at the local farmers market, including a "Plant Your Own Pepper" station to encourage sustainable practices and community engagement.	Administration & Legal
PROGRAM COS 5.6A	Educate city residents and business operators on the benefits of reducing, reusing, and recycling household and business waste.	See response to POLICY COS 5.6	Administration & Legal
PROGRAM COS 5.6B	Coordinate with the city's solid waste disposal contractor and other contractors to continue and enhance the City's recycling program.	The City hosted 4 annual e-waste collection and shredding events in 2024. The program provides no-charge residential pickup of e-waste and household hazardous waste through Burrtec, and offers free drop-off for non-controlled medications and batteries at City Hall.	Administration & Legal
PROGRAM COS 5.6C	Encourage all restaurants, hotels, and businesses to participate in the collection of commercial recyclables. Commercial recyclables include, but are not limited to food waste, cardboard, metals, plastics, paper products, glass, or any other recyclable product for which a viable market can be found.	The City continues to support and encourage all restaurants, hotels, and businesses to participate in the collection of commercial recyclables, including food waste, cardboard, metals, plastics, paper, glass, and other recyclable materials. Through the Edible Food Recovery Program, launched in partnership with FIND Food Bank, the City maximizes edible food recovery from local businesses. Burrtec supports this initiative and broader recycling efforts with educational materials and in-person outreach to ensure continued community engagement and participation.	Administration & Legal
PROGRAM COS 5.6D	Ensure that any planned construction, demolition, addition, alteration, repair, remodel, landscaping, or grading projects divert all reusable, salvageable, and recyclable debris from landfill disposal.	The City requires that recycling weight tickets be provided throughout each applicable stage of construction to maximize the recovery of materials and enhance contractor education. The City offers an educational guide and mandates that all eligible projects submit a debris plan prior to permit issuance. To further support compliance, the City updated its brochure to include the most commonly found debris types and locations within the valley that accept those materials. All eligible projects must demonstrate that their recycling efforts meet or exceed the CalGreen-required 65% diversion rate.	Administration & Legal

POLICY COS 7.5	Require new developments to establish and confirm the ability to meet current and future water resource demands.	City staff requests comments from the Coachella Valley Water District (CVWD) on all new projects. CVWD reviews and comments as necessary. Projects are required to obtain a will serve letter from CVWD prior to permit issuance.	Planning/Public Works
POLICY COS 8.1	The City shall exercise its responsibility to preserve archaeological, historical, and cultural sites.	The Historic Preservation Commission held 4 meetings in 2024. Based on the Commission's recommendation, the City Council designated the properties for placement on the City's Register of Historic Resources: 1) 40941 Thunderbird Road, 2) 37152 Marber Drive, and 3) 71331 Country Club Drive. The City also initiated a comprehensive update to the 2003 Historic Resources Survey in 2024.	Planning
PROGRAM COS 8.1A	Establish and maintain an archaeological and historical resources database.	See response to POLICY COS 8.1	Planning
PROGRAM COS 8.1B	Maintain a preservation ordinance to provide for the designation and protection of historic resources.	The City Council has designated 77 structures for placement on the City's Register of Historic Resources. In addition, there are 2 designated Historic Districts in the city – Tamarisk Ranchos I and Cody Court.	Planning
POLICY COS 8.2	Development or land use proposals that have the potential to disturb or destroy sensitive cultural resources shall be evaluated by a qualified professional and appropriate mitigation measures shall be incorporated into project approvals, if necessary.	A total of 11 projects required implementation of Senate Bill 18 and/or Assembly Bill 52 in 2024. Planning staff contacted the Native American Heritage Commission (NAHC) for an updated list for each project that required tribal consultation.	Planning
PROGRAM COS 8.2C	Continue to adhere to the requirements of SB 18 of 2004 and AB 52 of 2014, as applicable, by consulting with local Native American tribes on potential disturbance, recovery, and preservation of tribal cultural resources.	See response to POLICY COS 8.2	Planning

## **AIR QUALITY**

The Air Quality Element coordinates the planning of land use, circulation, housing, and other City policies with their potential effects on air quality. The intent of this section is to assist the City and the region to meet ambient air standards set by the U.S. Environmental Protection Agency and the California Air Resources Board.

POLICY#	GOAL, POLICY, PROGRAM	STATUS	DEPARTMENT
POLICY AQ 1.4	The City shall encourage the use of clean alternative energy sources for transportation, heating, and cooling whenever practical.	See response to Policy COS 5.4 and Policy COS 5.5. RMEA offers a 100% Green Energy option, allowing residents and businesses to obtain energy entirely from green sources, supporting the City's commitment to sustainability.	

## **SAFETY**

The Safety Element addresses natural and manmade environmental hazards that might occur in Rancho Mirage and surrounding areas. It provides information, goals, policies, and programs to protect the general health, safety, and welfare of the community from seismic, geological, flood, hydrology, and hazardous and toxic materials events. On March 3, 2022, the City Council adopted Resolution No. 2022-06 adopting the Safety Element update. The City is currently in the process of amending the Safety Element in accordance with Assembly Bill 2140.

POLICY#	GOAL, POLICY, PROGRAM	STATUS	DEPARTMENT
POLICY SAFE 1.5	The City shall play an active role in the development or distribution of earthquake preparedness information and materials to residents and local businesses.	The City actively collects, develops, and distributes public information for distribution at City Hall and the Rancho Mirage Library and Observatory. The Community Emergency Preparedness Commission actively engages the community in public education efforts through endeavors such as: the Rancho Mirage Farmer's Market, an annual Disaster Preparedness Expo, an annual Readiness Seminar, at community/HOA meetings, coordination with the Rancho Mirage Chamber of Commerce, coordination with the Coachella Valley Disaster Preparedness Network, and through mass email subscriber lists.	Administrative Services
PROGRAM SAFE 1.5A	Confer and cooperate with local utility companies, the CVWD, the Palm Springs Unified School District, police and fire departments, and others to coordinate public education regarding appropriate action before, during, and after earthquakes and other disasters.	The City regularly meets with agency reps from the various public safety and major community stakeholders to review and discuss plans of action and preparedness efforts.	Administrative Services
PROGRAM SAFE 1.5B	· · · · · · · · · · · · · · · · · · ·	The City operates the domain www.RMReady.org as a central repository of public awareness programs and information regarding disaster and emergency preparedness. Additional information is shared via mass email subscriber lists.	Administrative Services
POLICY SAFE 2.3	The City shall provide direction and guidelines for the development of onsite stormwater retention/detention facilities consistent with local and regional drainage plans and community design standards.	New projects, including single-family residential projects, are required to address onsite stormwater retention and drainage. This includes preparation and submittal of a grading plan and other requirements deemed necessary by the City Engineer.	Planning/Public Works
GOAL SAFE 4	Emergency preparedness and response programs that provide for fast and effective response to daily emergencies and major catastrophes.	The City contracts with Riverside County Fire and Sheriff for the day-to-day emergencies. The City also coordinates with the first-responder agencies to ensure the City is capable of supporting the response and recovery efforts during a major disaster.	Administrative Services

PROGRAM SAFE 4.2C	Maintain the City's emergency plan, including an inventory and evaluation of all local and regional emergency resources.	The City completed and adopted a 5-year update of its Local Hazard Mitigation Plan (LHMP) as part of the Countywide Multi-Jurisdictional Local Hazard Mitigation Plan (MJLHMP). The LHMP was accepted by FEMA and the City initiated a General Plan Text Amendment to further adopt the LHMP as part of the Safety Element of the City's General Plan in 2025 to remain eligible for additional disaster recovery funds from the State pursuant to Assembly Bill 2140. City staff meets on a monthly basis with Coachella Valley area Emergency Managers to discuss, share ideas, and coordinate emergency planning and preparedness efforts. The City is engaged in a comprehensive update of its Emergency Operations Plan (EOP) with a draft EOP update anticipated in 2025.	
PROGRAM SAFE 4.2D	The City shall consider the development and identification of citywide evacuation routes.	A review of the citywide evacuation routes will be considered as part of the City's pending comprehensive update of it's Emergency Operations Plan (EOP). A draft EOP update is anticipated in 2025.	Administrative Services
POLICY SAFE 4.3	The City shall support area-wide mutual aid agreements and communication links with Riverside County authorities and other participating jurisdictions.	The City continues to maintain an inventory of radios with access to the Countywide Public Safety Emergency Communications (PSEC) system. These radios are programmed with several channels and zones that support the objective of interoperable communication between the various public safety stakeholders, including but not limited to, Riverside County Sheriff, Riverside County Fire, Riverside County Emergency Management Department, and all Coachella Valley Emergency Managers and law enforcement dispatch centers. Of the various radios in the City's posession, the radios are assigned to the following internal Divisions or Personnel: Emergency Manager, Code Compliance, Citizens on Patrol Services.	Services/Code
PROGRAM SAFE 4.3A	The City shall adhere to the guidelines set forth in the County of Riverside Multi-Jurisdictional Hazard Mitigation Plan.	The City's annexation to the County of Riverside Multi-Jurisdiction Local Hazard Mitigation Plan has been adopted and the City is following the guidelines prescribed therein.	Administrative Services
POLICY SAFE 4.4	The City shall ensure adequate provision of publicinformation to residents and businesses on actions to minimize damage and facilitate recovery from anatural disaster. Prioritize at-risk populations such as those within or near fire hazard zones.	See response to PROGRAM SAFE 1.5 and 1.5B	Administrative Services
PROGRAM SAFE 4.4A	Coordinate with public agencies and non-profit organizations to promote emergency preparedness and response training such as the Riverside County Community Emergency Response Team (CERT) program and the Coachella Valley Disaster Preparedness Network (CVDPN) training and resources.	The City continues to coordinate 2 CERT courses per year at the Roy Wilson Training Center in Thousand Palms. The City routinely assists and coordinates with the Coachella Valley Disaster Preparedness Network to promote trainings and educational events in the Coachella Valley.	Administrative Services

	The City shall coordinate with Burrtec and other appropriate public and quasi-public agencies to sponsor and develop drop off locations for hazardous or toxic household products for all Rancho Mirage residents.		Administration & Legal
POLICY SAFE 5.4	The City shall coordinate with the Regional Water Quality Control Board and the CVWD to monitor and regulate the use and phased removal of subsurface sewage disposal systems.	Three (3) septic tanks were abandoned in 2024 in order to connect to sewer.	Building & Safety

## **PUBLIC SERVICES + FACILITIES**

This chapter of the General Plan addresses the public services and facilities needed to support development in Rancho Mirage. Subcategories found in this element discuss services and facilities such as water, sewer, and utilities, fire and police protection, schools and libraries, health services, emergency preparedness, and public buildings and facilities.

POLICY #	GOAL, POLICY, PROGRAM	STATUS	DEPARTMENT
GOAL PS&F 4	Lower electricity rates.	See response to Policy COS 5.4	Administration & Legal
POLICY PS&F 4.1	Take a leading role in forming a cooperative program with adjacent cities to acquire ownership of the electrical distribution system.	See response to Policy COS 5.4	Administration & Legal
PROGRAM PS&F 4.1A	The City shall investigate the feasibility of establishing a municipal electricity district, which may include acquiring ownership of electrical transmission or distribution lines and purchasing power directly from producers.	See response to Policy COS 5.4	Administration & Legal
POLICY PS&F 8.2	Encourage the development of medical and health care facilities that address the changing demographics and the City's desire to expand the economic base of the community.	The City approved several medically related projects in 2024. This includes the the construction of a single-story 42,526 sq. ft. skilled nursing facility with 46 beds. The proposed Advanced Health Care (AHC) facility is located at the northeast corner of Bob Hope Drive and Gerald Ford Drive, approximately two miles away from Eisenhower Medical Center.	Planning
POLICY PS&F 9.4	Work with Riverside County to update the Local Hazard Mitigation Plan as necessary.	See response to PROGRAM SAFE 4.3A	Adminstrative Services

## **ECONOMIC + FISCAL**

The Economic and Fiscal Element provides an understanding of Rancho Mirage's position in the regional economy, the relationship between land use and economic policies and their effects upon the financial well-being of the city.

POLICY #	GOAL, POLICY, PROGRAM	STATUS	DEPARTMENT
GOAL E&F 1	A growing and balanced economic base that serves the needs of Rancho Mirage residents, businesses, and visitors while maintaining the City's high standards of development and environmental protection.	The City is set to conduct an Economic Development Study. This study will build on the recently completed studies conducted by the County of Riverside and Visit Greater Palm Springs for the Coachella Valley region.	Marketing
GOAL E&F 2	A prudent and progressive financial management program to maintain and enhance the City's strong fiscal position.	Annually, the City Council and staff review its policies, programs, and procedures to ensure responsible fiscal practices are up to date with current industry standards.	Administrative Services
POLICY E&F 2.3	The City shall take a proactive and aggressive role in the retention of existing businesses and the recruitment of new businesses in Rancho Mirage.	The City of Rancho Mirage staff have actively participated in the discovery and advisory phases of both County and Regional Economic Development studies. In Q2 or Q3, the City will leverage these studies to develop a tailored economic development strategy for Rancho Mirage.	Marketing
PROGRAM E&F 2.3A	The City shall continue to use the Economic Development and Marketing departments to develop and administer economic development programs.	The City partnered with Yiftee to launch the Shop Local Rancho Mirage digital gift card program. This year-round initiative encourages local spending by offering purchase bonuses, with funds directly benefiting locally owned businesses. In just 8 weeks, the program has generated over \$150,000 in digital gift card sales, supporting more than 50 participating businesses. The Rancho Mirage Chamber of Commerce played a vital role in promoting the program and onboarding local businesses, reflecting the City's strong collaboration with its Chamber to foster economic growth.	Marketing
PROGRAM E&F 2.5A	The City shall periodically review the Highway 111 East and West Specific Plans to ensure that land uses and development standards promote a thriving commercial corridor.	See response to POLICY LU 4.2	Planning
POLICY E&F 2.6	Promote the development of medically related uses in the vicinity of the Eisenhower Medical Center.	See response to POLICY PS&F 8.2	Planning
POLICY E&F 2.7	The City shall maintain a prudent reserve of general funds equivalent to one year's operating expenses.	As of June 30, 2024, the City had \$61.7 in general fund committed and unassigned reserves, which exceeds the equivalent of one year's operating expenses. This ensures the City can endure unforeseen economic challenges or emergencies.	Administrative Services

## **ARTS AND CULTURE**

The purpose of the Arts and Culture Element is to communicate the history of the arts and culture development in Rancho Mirage and identify Rancho Mirage's comparative strengths in this important metric of civic achievement. This element also guides the development of partnerships in the arts and culture sector and sets forth creative strategies to achieve associated economic, social, environmental and community goals.

goals. POLICY #	GOAL, POLICY, PROGRAM	STATUS	DEPARTMENT
GOAL A&C 1	An enriching arts and culture environment in Rancho Mirage.	The City plays a vital role as the cultural hub of the Coachella Valley, showcasing its commitment to community enrichment through key landmarks such as the public library, the region's only observatory, and a state-of-the-art amphitheater. These facilities host hundreds of free performances spanning diverse art and culture genres, fostering accessibility and engagement for the local community.	Library/Marketing
PROGRAM A&C 2.1A	The City shall continue to sponsor and encourage cultural events and programs such as the Art Affaire, Writers Festival, Speakers Series, and others that involve a variety of citizen groups and promote arts and culture awareness as they build community identity.	The City demonstrated its commitment to fostering a vibrant and engaging cultural environment by hosting, sponsoring, and producing events, such as the Rancho Mirage Writers Festival and The Writers Series. The Lunar Festival celebrated diverse cultural traditions, while WellFest promoted wellness and healthy living. Desert X showcased contemporary art installations in unique desert settings, and Modernism Week celebrated mid-century modern design and architecture. Broadway Under the Stars brought performances to the community, and the Coachella Valley Symphony highlighted exceptional musical talent. Together, these events underscored its dedication to exceeding community expectations for cultural enrichment.	Library/Marketing
PROGRAM A&C 2.1B	The City shall continue to actively identify, encourage and sponsor new cultural events and programs which promote artistic and cultural awareness and build community identity.	The City Cultural Commission enriches the city's cultural landscape through diverse events and programs. Highlights for the 2024–2025 season include the Día de los Muertos Celebration, the Children's Discovery Museum's Jingle Bell Rock, and an array of concerts at the Rancho Mirage Library and Observatory, featuring artists like Stephanie Trick, Paolo Alderighi, and Chase Huna. The 12th Annual Artists Studio Tour and Pop-Up Gallery fosters connections between residents and local artists, while the Spring Music Series supports the Fenixia Foundation with live performances.	Library/Marketing
POLICY A&C 2.3	The City shall encourage citizen involvement in the planning, development and provision of arts programs, facilities, and services.	The City Cultural Commission is dedicated to enhancing the city's cultural vitality by promoting arts, music, and community engagement. Its mission is to provide accessible and diverse cultural programs, celebrate creativity, and foster connections among residents through events that highlight local talent and cultural traditions. By curating enriching experiences, the Commission aims to inspire a deeper appreciation for the arts and strengthen community bonds.	Library/Marketing

PROGRAM A&C 2.3A	The City shall develop a comprehensive plan to utilize and develop various avenues of communication, including the development of an arts and culture webpage on the City's website, liaisons with corporate and business partnerships, and existing events and facilities. This effort will focus on building community awareness, recruiting involvement in existing arts and culture events and programs, and on building support and involvement for the development of new events and programs.	The City uses social media platforms like Facebook, Instagram, and Twitter to promote cultural events, including author talks, art exhibits, and workshops. Their website and e-newsletters provide detailed information and registration links. Local media partnerships, targeted ads, and outreach further boost visibility, highlighting the city's commitment to cultural enrichment.	Library/Marketing
POLICY A&C 2.4	The City shall encourage public events that allow people to gather for the purposes of entertainment, education, and camaraderie, such as art and music festivals, art walks, farmers markets, film screenings, lectures, music, and other performance events.	The City offers a diverse range of events for the public, including the Desi Strong 5K, a Farmers Market, and Stargazing nights. Other offerings include art and music festivals, film screenings, lectures, author talks, art walks, workshops, and live performances. These events promote community engagement, education, and entertainment, appealing to residents and visitors of all ages.	Library/Marketing
POLICY A&C 2.6	The City shall use destination marketing techniques, which utilize locally recognizable arts landmarks to further establish Rancho Mirage as a community rich in arts and culture.	The City leverages recognizable landmarks like Sunnylands, a historic estate and cultural destination, to market tourism. By highlighting its rich history, art, and gardens, along with other attractions like world-class golf courses, luxury resorts, and scenic desert landscapes, the city positions itself as a premier destination for relaxation, culture, and outdoor recreation. These landmarks are featured in promotional campaigns, social media, and partnerships with tourism organizations to attract visitors worldwide.	Marketing
POLICY A&C 2.8	· · · · · · · · · · · · · · · · · · ·	The City offers arts-in-education programs for youth, including Desert Theatricals Youth Theater. These initiatives provide hands-on opportunities in performing arts, astronomy, and creative expression, fostering learning and inspiration. Through workshops, performances, and interactive experiences, the programs encourage youth engagement and skill development in the arts and sciences.	Library/Marketing



## STAFF REPORT

TO: Mayor and City Council **DATE:** March 20, 2025

Jassen Agostini, Planning Commission Chair FROM:

Ben Torres, Planning Manager

**SUBJECT:** Annual Planning Commission Report

## SPECIFIC REQUEST OR RECOMMENDATION

That the City Council receive and file the 2024 Planning Commission Report.

#### JUSTIFICATION OR INFORMATION

In April 2003, the Municipal Code was amended requiring City Commissions and Boards to provide a brief annual report to the City Council. The following is a summary report of the Planning Commission's activities and accomplishments for the calendar year 2024.

The Planning Commissioners have reviewed this report and recommend that the City Council receive and file the report.

## **Planning Commission**

In 2024, the Planning Commission reviewed and evaluated the following projects:

Five	(5)	Preliminary Development Plans
Five	(5)	Conditional Use Permits
One	(1)	Development Agreement
Eleven	(11)	Environmental Assessments
Two	(2)	Zoning Text Amendments
Three	(3)	Zoning Map Amendments
One	(1)	Sign Program
Five	(5)	Tentative Parcel Maps
Two	(2)	Tentative Tract Maps
Three	(3)	General Plan Zoning Map Amendments
Two	(2)	Specific Plans/Amendments

In summary, the Planning Commission convened 10 meetings (including one special meeting). The Planning Commission considered and acted upon a total of 17 planning projects in 2024. JUSTIFICATION OR INFORMATION CONTINUED:

The Planning Commission also reviewed and recommended to the City Council the Housing Element Annual Report on February 22, 2024 and the General Plan Annual Progress Report on March 28, 2024.

Some highlights of the projects reviewed by the Planning Commission in 2024 include the following:

## Conditional Use Permit:

Environmental Assessment Case No. EA23-0012 and Conditional Use Permit Case No. CUP23-0005 - Applicant: Dish Wireless. Consideration to install an unmanned 36'-4" high rooftop cupola wireless telecommunication facility within a 283 square-foot enclosure that matches the two existing 35' high cupolas and a 35 square-foot enclosure to screen rooftop-mounted mechanical equipment. The subject property is located at 71680 Highway 111 (APNs: 684-240-023 & 684-240-024).

## Preliminary Development Plan:

- Preliminary Development Plan Case No. PDP24-0002 and Environmental Assessment Case No. EA24-0005 Via Vail Apartments. Applicant: Pacific West Companies, Inc. Consideration of an affordable housing development, Via Vail Apartments, consisting of 236 units comprised of fifteen (15) two-story buildings with residential amenities such as a pool, community room, fitness room, leasing room, laundry facilities, and a tot lot. The units will be 100% affordable except for the three manager units that will remain unrestricted. The proposed project will have a density capacity of approximately 24 dwelling units/acre. The 10±-acre subject site is located on the southern side of Via Vail, between Monterey Avenue and Key Largo Avenue, adjacent to the Rancho Mirage Dog Park. (APN: 685-090-017).
- Environmental Assessment Case No. EA23-0006; General Plan Zoning Map Amendment Case No. GPZMA23-0002; Specific Plan Case No. SP23-0002; Development Agreement Case No. DA23-0002; Tentative Parcel Map Case No. TPM23-0004 (Tentative Parcel Map 38834); and Preliminary Development Permit Case Nos. PDP23-0006 and PDP23-0007 Catana Specific Plan. Applicant: McKellar McGowan Holdings, LLC. Consideration of a specific plan with three (3) planning areas for the development of a mixed-use neighborhood on 36± acres located at the northwest corner of Ramon Road and Rattler Road. General Plan Zoning Map Amendment Case No. GPZMA23-0002 proposes to change the High Density Residential (R-H) land use designation to General Commercial (C-G) for 8.3± acres (Planning Area 3) fronting Ramon Road, and apply the Affordable Housing Overlay to 3.3± acres (Planning Area 2) in the west-central portion of the site while preserving the R-H designation on 24.5± acres (Planning Area 1). Planning Area 1 (PDP23-0007) proposes 210 single-family rental homes with amenities, Planning Area 2 (PDP23-0006) proposes 94 affordable apartments and a central recreation area, and Planning Area 3 proposes up to 75,000 square feet of commercial uses. Additional Development Plan(s) will be submitted for

JUSTIFICATION OR INFORMATION CONTINUED:

Planning Area 3 in the future. Located on the northwest corner of Ramon Road and Rattler Road (APN: 670-230-021)

 Crossings at Peterson Road – Environmental Assessment Case No. EA24-0008 and Preliminary Development Plan Case No. PDP24-0003

 Applicant: Blieu Companies, LLC.
 Consideration of an affordable housing development consisting of up to 120 units. The land use and zoning designation for the project site is currently Residential High Density (R-H) with an Affordable Housing Overlay (AHO). The AHO designation allows 28 dwelling units per acre and the applicant is proposing an approximate density of 10 dwelling units per acre. The subject property is located at 39360 Peterson Road (APN: 689-180-012).

## Sign Program:

• Sign Program Case No. SIPR24-0001 – Applicant: DMB Development LLC on behalf of ECRM Residential. Consideration of a sign program to establish sign criteria for the Cotino Clubhouse, Lagoon Promenade, and Public Beach areas. The project site is the Section 31 Specific Plan area and is comprised of approximately 618 acres bounded by Gerald Ford Drive to the north, Monterey Avenue to the east, Frank Sinatra Drive to the south, and Bob Hope Drive to the west.

## Specific Plan Amendment:

• Environmental Assessment Case No. EA24-0003, General Plan Zoning Map Amendment Case No. GPZMA24-0002, and Specific Plan Amendment Case No. SP24-0001 – Rancho Mirage Dog Park Property Land Use Shift. Applicant: City of Rancho Mirage. Consideration of a general plan zoning map amendment to reconfigure the existing land use which is currently split with approximately 25.21 acres of High Density Residential (R-H) on the south end and approximately 28.55 of Public Park (OS-PP) on the north end of the project site. The land use designations will be reconfigured so that the High Density Residential (R-H) is on the eastern side of the project site and the Public Park (OS-PP) on the western side. An amendment to the Monterey Specific Plan is also proposed to reflect these changes on the land use map. No new land uses or increases/decreases of present land uses or density are proposed, the project consists of shifting the existing land use categories. The project site is located at the southeast corner of Key Largo Avenue and Via Vail. (APNs: 685-090-009, -012, -014, -015, -016, & -017).

#### Tentative Tract Map:

• Environmental Assessment Case No. EA23-0010, General Plan Zoning Map Amendment Case No. GPZMA23-0004, and Tentative Tract Map Case No. TTM23-0003 (Tentative Tract Map No. 38041) – Applicant: Mark Howard, La Paloma Homes, Inc. Consideration to subdivide the 8.42-acre project site into a 17 residential lot gated community with lots ranging in size from approximately 12,511 square feet to 22,323 square feet. Private streets are proposed in addition to a retention basin and perimeter landscaping within the common areas of the development. Access to the site will be via a gated entry along Via Josefina, with an emergency access gate along Key Largo Avenue. A General Plan Zoning

JUSTIFICATION OR INFORMATION CONTINUED:

Map Amendment is also proposed to modify the land use designation of APN: 685-080-031 for a 1.5 acres portion of this parcel from Very Low Density Residential (R-L-2) to Medium Density Residential (R-M). No single-family residence architectural plans are proposed as part of this project. The subject property is located on the east side of Via Josefina at the terminus of Victory Drive (APNs: 685-080-031, 685-080-010, & 685-030-006).

The following table compares Planning Commission activity in 2024 to previous years:

Year	Total # Meetings Held	Total # Projects Considered	Total # Single-Family Homes Considered
2024	10	17	7*
2023	18	27	22*
2022	13	18	45*
2021	18	64	35
2020	13	47	23
2019	13	59	14
2018	16	49	18
2017	15	39	20
2016	8	29	12
2015	10	30	15
2014	15	54	14
2013	14	36	17
2012	14	18	12
2011	12	26	10
2010	13	29	10
2009	11	23	3
2008	11	35	12
2007	15	54	22
2006	25	107	50

<sup>\*</sup>Starting on January 1, 2022 single family homes were approved at the staff level. The single-family homes that are listed were approved at the staff level and are included for reference purposes. Prior to 2022, the total number of projects considered is inclusive of the single family home count.



## **Planning Commission Staff Report**

Extension of Time Case No. ET25-0001 for a One-Year Time Extension for Tentative Tract Map Case No. TTM22-0003 (TTM 38224) – Applicant: Phillip Fomotor of Fomotor Engineering on Behalf of La Paloma Homes, Inc. Consideration of the First One-Year Time Extension for Tentative Tract Map 38224 (Tentative Tract Map Case No. TTM22-0003), a 9-Lot Residential Subdivision on 4.77 Acres, Located in Section 30 at the Northeast Corner of Via Josefina and Ginger Rogers Road (APN: 685-080-014)

DATE	ITEM #	
April 24, 2025	PUBLIC HEARINGS - 6A.	
Presented To	Presented By	
Planning Commission	Joy Tsai, Senior Planner	

#### RECOMMENDED ACTION

Recommend to the City Council:

- 1. Approval of the filing of a Notice of Exemption pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15162 (Subsequent EIRs and Negative Declarations); and,
- 2. Approval of a one-year Extension of Time (ET25-0001) for Tentative Tract Map Case No. TTM22-0003 (TTM 38224), subject to the Conditions of Approval, and based on the content and Findings in the attached staff report.

## **DISCUSSION**

#### **Facts**

1. Applicant: Phillip Fomotor of Fomotor Engineering on behalf of La Paloma

Homes, Inc.

2. Request: Consideration of a one-year Extension of Time for Tentative Tract

Map No. 38224. The previously approved project proposes to subdivide a 4.77-acre parcel into nine (9) single-family residential lots and other common lots for a private cul-de-sac street and

landscaped retention basins.

3. Location: The project site is located in Section 30, east of Via Josefina at the

terminus of Ginger Rogers Road. APN: 685-080-014

4. Project Size: 207,281 square feet (4.77 acres)

5. Existing Land Use and General Plan/Zoning:

Vacant land; Very Low Density Residential (R-L-2)

6. Date Application Deemed Complete: March 26, 2025

## **Background and Request**

Tentative Tract Map No. 38224 was originally approved by City Council on February 16, 2023 with an approval expiration date of February 16, 2025. The subject property is zoned Very Low Density Residential (R-L-2) and is located in Section 30 at the northeast corner of Via Josefina and Ginger Rogers Road. The subject map proposes to subdivide an existing parcel totaling 207,281 square feet (4.77 acres) into nine single-family residential lots and lettered lots for common areas that include the private cul-de-sac street, and two landscaped retention basins fronting Via Josefina. The residential subdivision will be gated, similarly to other residential developments in the vicinity. Access to the proposed parcels will be provided by the private cul-de-sac street off Via Josefina.

The applicants, Phillip Fomotor of Fomotor Engineering, and owner, Mark Howard of La Paloma Homes, Inc., are requesting approval of the first one-year extension of time for Tentative Tract Map No. 38224. The project team has been working on Final Map submittals, and grading and improvement plans were approved on December 20, 2024. The time extension will allow the project team additional time to coordinate with the Imperial Irrigation District (IID) to work on solutions regarding the electric capacity issues in the District's service territory and to work on fulfilling remaining requirements for the Final Map through the City's Public Works Department.

#### <u>Analysis</u>

## Review Authority (Rancho Mirage Municipal Code Section 16.12.065)

A tentative map is a map approving the division of land for the purpose of sale, lease, or financing, and is governed by the Subdivision Map Act. A tentative map prescribes how the land is to be subdivided. The City's Subdivision Ordinance (Rancho Mirage Municipal Code Title 16 *Subdivisions*) establishes the minimum standards for the design of the lots, and the public improvements which serve them.

Once a tentative map is approved, the refined final map is approved by the City Council if deemed by the City Engineer to be in substantial conformance with the tentative map. The final map is then recorded with the Riverside County Recorder's Office, after which the newly created parcels may be individually sold and developed pursuant to the underlying General Plan and zoning regulations.

Pursuant to the Rancho Mirage Municipal Code (RMMC) Section 16.12.080, "The approval or conditional approval of a tentative map shall expire twenty-four months following approval." Pursuant to RMMC Section 16.12.090, an extension of the initial approval may be granted by the original determining body for a period not exceeding a total of three years.

This is the first extension of time request for this tentative map. If the time extension request is approved, the new expiration date for the Project will be February 16, 2026.

#### **Subdivision Design**

The proposed subdivision complies with the City's Development Code standards pertaining to lot size and dimensions. The proposed residential parcels range in size from 18,000 square feet to 19,482 square feet for an overall project density of 1.89 units per acre. The Applicant is not proposing to make modifications to the tentative tract map design. The following table compares the proposed subdivision with the City's Development Code standards:

Development Feature	Development Standards	Existing	Proposed	Meets Requirements
Parcel Width	Minimum 90 ft.	332.72 ft.	Proposed parcels range from 117.05 ft. to 166 ft.	Yes
Parcel Depth	Minimum 100 ft.	630.14 ft.	Proposed parcels range from 122.51 ft. to 158.47 ft.	Yes
Lot Size	Minimum 18,000 sq. ft.	207,281 sq. ft.	Proposed parcels range from 18,000 sq. ft. to 19,482 sq. ft.	Yes

Maximum Density	2 dwelling units per acre maximum	N/A	1.89 units per acre	Yes
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As set forth in the above analysis, the subdivision is in conformance with the Rancho Mirage General Plan, the Section 30 Master Circulation Plan and Design Guidelines, and all applicable requirements of the Subdivision Map

#### Entry, Landscaping, and Walls

There are existing overhead electrical lines along the proposed Via Josefina right-of-way. The subdivider is required to underground those lines and poles as part of the subdivision improvements, in addition to installing the half-width street improvements for Via Josefina.

The proposed project's entry off Via Josefina features "charcoal grey" interlocking stone pavers, black ornate metal vehicular gates, and a metal pedestrian gate. The residential subdivision will be enclosed by six-foot-tall Tuscany variegated blend split face perimeter walls and six-foot-tall black wrought iron transparency fencing in compliance with the Section 30 Design Guidelines.

The landscaped parkway along Via Josefina ranges from 70 to 89 feet wide, which exceeds the minimum 19 feet width requirement for parkways in Section 30. Two retention basins (Proposed Lots B and C) flank the tract by the existing public street, which further enhances the sense of openness and meets the Section 30 Design Guidelines goal to create "view windows" into subdivisions and thoughtful aesthetic placement of perimeter landscaping. In addition, the parkway features a desert-appropriate landscape palette and a typical six-foot wide "Yosemite Brown" colored concrete meandering sidewalk in accordance with the Design Guidelines. Common area landscaping includes trees such as Sonoran Palo Verde and Mulga trees, along with various accent shrubs with additional ground cover for color. The only minor modification to the landscape plan since the original approval is the addition of eight 14' BTH *Phoenix dactylifera* 'Medjool Date' palm trees located between canopy trees along the Via Josefina frontage. The palm trees were incorporated into the landscape plan to better match the landscape parkways along newer subdivisions in proximity to the project site. Aside from the minor landscape changes, the applicant is not proposing any changes to the project and simply wishes to extend the entitlement as it was approved.

The project has been designed to comply with the City's landscape standards and the Section 30 Design Guidelines for landscaping and parkway improvements.

#### **Conditions of Approval**

The time extension request was forwarded to the affected responsible agencies for the opportunity to provide comments as circumstances warrant since the project was originally approved. As a part of this extension request, staff is recommending the following changes to the Conditions of Approval:

- 1. The revision of Condition of Approval #3 to reflect the new expiration date of February 16, 2026.
- 2. The addition of Condition of Approval #11, stating that grading permits shall not be issued prior to vertical development entitlements unless approved by the Public Works or Development Services Director.

Attachment 2 lists the revised Condition of Approval. Additions to the condition text are shown as **bold and underlined**. Deletions are shown in **strikethrough**.

#### **Environmental Determination**

The previously approved project (Tentative Tract Map No. 36621) for a nine-lot residential subdivision on the subject property was reviewed for compliance with the California Environmental Quality Act (CEQA). Based on Environmental Assessment Case No. EA130007, the City prepared and filed an Initial Study and a Notice of Intent to Adopt a Mitigated Negative Declaration for the Project. A Notice of Availability was filed and posted with the Riverside County Clerk on May 6, 2014. On July 31, 2014, the Mitigated Negative Declaration was adopted, and the tentative map application was approved. A Notice of Determination was filed with the Riverside County Clerk on August 5, 2014.

CEQA Guidelines Section 15162 (Subsequent EIRs and Negative Declarations) provides that when an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, that there are no new significant environmental effects due to a change in the project or circumstances, and there is no new information of substantial importance as identified in CEQA Guidelines Section 15162(a)(3). The proposed project is a Time Extension request for a one year extension to TTM 38224 which proposes to subdivide one 4.77-acre parcel into nine residential lots with common area lots for landscaped parkways with retention basins that flank Via Josefina. A minor landscape modification to add eight (8) palm trees is the only change to the original approval that does not result in any new significant environmental effects. The current Time Extension request does not propose to amend the project boundaries, uses, or development intensities of the original approval. Pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162, the City analyzed whether the revisions would result in new significant impacts or substantial increase in severity of previously identified impacts. Based on Environmental Assessment Case No. EA22-0005 and the City's analysis, no subsequent environmental review is required. The project is consistent with the previously approved Mitigated Negative Declaration for the project, and no further environmental review is required.

## **Noticing Requirement**

RMMC Section 17.74.020, *Hearing and notice*, requires that all property owners, as shown on the county's latest equalized assessment roll, within a 500-foot radius of the boundaries of the subject parcel(s) be notified of matters requiring a public hearing. If the number of property owners to whom the notice would be mailed is less than 25, then the mailing radius is required to be increased to 1,000 feet as measured from the exterior boundaries of the subject parcel.

On April 8, 2025, public hearing notices were mailed to property owners within a **1,000-foot** radius of the parcel boundary and posted at the City's designated community posting sites pursuant to the requirements of RMMC Chapter 17.74. Notification of the public hearing was published in The Desert Sun on April 13, 2025. Any information addressed to the Planning Commission, but received after completion of this final report, will be distributed at the public hearing. No comments have been received as of the publication date of this report.

#### **FINDINGS**

Pursuant to RMMC Section 16.12.065 Action on tentative tract maps, a tentative tract map may be approved only if the following findings are made:

- 1. The proposed Tentative Tract Map is consistent with the City's General Plan as specified in Section 65451 of the California Government Subdivision Map Act. The current General Plan and zoning designation for the Project Site is Very Low Density Residential (R-L-2). The R-L-2 zoning district identifies areas appropriate for large lot single-family uses. The allowable maximum density is two dwelling units per gross acre. The overall project density is 1.89 dwelling units per acre, which complies with the maximum density under the R-L-2 zoning district. The proposed parcels comply with the City's Development Code standards pertaining to minimum lot size and dimension requirements for the R-L-2 zoning district. As conditioned, the proposed tentative map is consistent with the City's General Plan, Section 30 Guidelines, and Subdivision Map Act.
- 2. The design or improvement of the proposed subdivision is consistent with the City's General Plan, Zoning Ordinance requirements, as conditioned. As set forth in the above analysis, the proposed subdivision is in conformance with the City's General Plan, zoning, Section 30 Design Guidelines, and all applicable requirements of the Subdivision Map Act. No variances or exceptions are requested. The development of the proposed parcels will be subject to the development standards of the underlying zoning district in effect at the time of application submittal. No changes to the subdivision design are being requested under the proposed one-year Time Extension request. The only minor change to the original entitlement is the addition of eight 14' BTH Phoenix dactylifera 'Medjool Date' palm trees located between canopy trees along the Via Josefina street frontage. The palm trees were incorporated into the landscape plan to better match the landscape parkways along newer subdivisions in proximity to the project site.
- 3. The site is physically suitable for the type of development, as conditioned. The proposed parcels comply with the City's Development Code standards pertaining to minimum lot size and dimension requirements for the underlying zoning designation, Very Low Density Residential (R-L-2). The project site is physically suitable for the type of low density residential development with proposed lots that are 18,000 square feet or larger and no irregular shaped parcels. The overall project density is 1.89 dwelling units per acre, which complies with the maximum density under the R-L-2 zoning

district. No changes to the proposed parcels and project density have been requested with this Time Extension request.

- 4. The site is physically suitable for the proposed density of development, as conditioned. The proposed subdivision has an overall density of 1.89 dwelling units per acre, which does not exceed the maximum permitted density under the R-L-2 zoning district. In addition, the applicant shall comply with the recommendations of the adopted Mitigated Negative Declaration, Geotechnical Report, and Hydrology Study. No variances or exceptions are requested. No development is being proposed in conjunction with the proposed subdivision. Detailed site planning, building footprints, floor plan, exterior design, landscaping, and grading will be submitted for review during the development review application process for the future development of the proposed parcels. The development of the proposed parcels will be subject to the development standards of the underlying zoning district in effect at the time of application submittal. The Time Extension request does not alter the proposed subdivision's physical suitability for development.
- 5. The design of the subdivision and proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The project site is surrounded by existing developments to the south and west. The project site has been partially disturbed, and any site development will have to comply with the mitigation measures and requirements of the adopted Mitigated Negative Declaration. The proposed project has less than a significant impact with the incorporation of mitigation measures provided in the adopted Mitigated Negative Declaration.
- 6. The design of the subdivision or the type of improvements is not likely to cause serious public health problems, as conditioned. The Time Extension request is not likely to cause serious public health problems, as conditioned. As part of the initial subdivision review, staff sent notices to the Public Works Department, Riverside County Fire Marshal's Office, and all public utility companies and service agencies regarding the proposed subdivision and Time Extension request on January 27, 2025. Agencies will be expected to provide service to the proposed parcels, including providers of gas, water, sewer, and cable telecommunication services.

The Imperial Irrigation District (IID) service territory in recent years has experienced capacity issues, with new projects/customers and being required to implement new capacity in the form of a substation to obtain electrical service. Individual projects are being conditioned to implement these substations. The Time Extension request will allow the developer to coordinate with IID to work on solutions regarding these capacity issues.

Noise and fugitive dust associated with grading and construction of this project shall be mitigated through compliance with the adopted Mitigated Negative Declaration and the City's Municipal Code provisions regarding dust control and construction hours. Lastly, permits are required to be obtained to construct the new site improvements.

- 7. The design of the subdivision or the 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, as conditioned. The Time Extension request does not impact existing or proposed easements for public access or utilities. The subdivision's design complies with the Section 30 Master Circulation Plan. As part of the subdivision review, staff sent notices to the Public Works Department, Riverside County Fire Marshal's Office, and all public utility companies and service agencies regarding the proposed subdivision. Any comments received have been incorporated into the staff report and the Conditions of Approval. The Tentative Map has been conditioned to record any necessary easements and abandon existing easements that are deemed unnecessary by the City Engineer. The incremental impact of the project on service system capacities is mitigated by the dedications and public improvements required within the Conditions of Approval requiring all necessary dedications and public improvements to be in accordance with the City's adopted General Plan.
- 8. The proposed project has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA). The previously approved project (Tentative Tract Map No. 36621) for a nine-lot residential subdivision on the subject property was reviewed for compliance with the California Environmental Quality Act (CEQA). Based on Environmental Assessment Case No. EA130007, the City prepared and filed an Initial Study and a Notice of Intent to Adopt a Mitigated Negative Declaration for the Project. A Notice of Availability was filed and posted with the Riverside County Clerk on May 6, 2014. On July 31, 2014, the Mitigated Negative Declaration was adopted, and the tentative map application was approved. To maintain continuity in the residential land use pattern of the area, the City Council conditioned the removal of one such lot and ultimately approved a nine-lot

residential subdivision instead of the ten-lot residential subdivision originally proposed. A Notice of Determination was filed with the Riverside County Clerk on August 5, 2014.

CEQA Guidelines Section 15162 (Subsequent EIRs and Negative Declarations) provides that when an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, that there are no new significant environmental effects due to a change in the project or circumstances, and there is no new information of substantial importance as identified in CEQA Guidelines Section 15162(a)(3). The proposed project is a Time Extension request for a one year extension for TTM 38224, which proposes to subdivide one 4.77-acre parcel into nine residential lots with common area lots for landscaped parkways with retention basins that flank Via Josefina. A minor landscape modification to add eight (8) palm trees is only the only change to the original approval that does not result in any new significant environmental effects. The current Time Extension request does not propose to amend the project boundaries, uses, or development intensities of the original approval. Pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162, the City analyzed whether the revisions would result in new significant impacts or substantial increase in severity of previously identified impacts. Based on Environmental Assessment Case No. EA22-0005 and the City's analysis, no subsequent environmental review is required.

#### **Attachments**

Attachment 1 - Aerial Photo

Attachment 2 - Revised Conditions of Approval

<u>Attachment 3 - Public Hearing Notice</u>

<u>Attachment 4 – Draft Notice of Exemption</u>

<u>Attachment 5 – Planning Commission Staff Report dated January 26, 2023</u>

<u>Attachment 6 – City Council Staff Report dated February 16, 2023</u>

<u>Attachment 7 – Planning Commission Meeting Minutes January 26, 2023</u>

<u>Attachment 8 – City Council Meeting Minutes February 16, 2023</u>

Attachment 9 - Exhibits

## Extension of Time Case No. ET25-0001 One-Year Time Extension for Tentative Tract Map Case No. TTM22-0003 (TTM 38224)



Tentative Tract Map Case No. TTM22-0003 (Tentative Tract Map No. 38224), Environmental Assessment Case No. EA22-0005, Extension of Time Case No. ET25-0001

Special conditions (or portions thereof) are designated in **bold.** Additions to the condition text are shown as **bold and underlined**. Deletions are shown in strikethrough.

## I. <u>GENERAL</u>

- 1. All improvements shall conform to the provisions of the Rancho Mirage Municipal Code (RMMC), Title 16, (Subdivisions), unless specifically modified by any of the following conditions.
- 2. Development of the Subject Property shall require the appropriate entitlement process as determined by the Planning Division.
- 3. This tentative map approval shall be effective <u>until February 16, 2026</u> for two (2) years from the date of City Council approval. A Final Map must be approved by the City within this specified time period, or the tentative map approval shall become null and void unless the expiration date for the tentative map is extended as provided by RMMC Section 16.12.090.
- 4. The applicant shall execute a written acknowledgment to the Planning Division stating acceptance of and compliance with all of the Conditions of Approval for this Tentative Tract Map and all associated cases, and that the plans submitted are in compliance with the Conditions of Approval. No modifications shall be made to said plans without written approval from the appropriate decision-making body.
- 5. The Conditions of Approval set forth herein may include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. You are hereby further notified that the 90-day approval period in which you may protest these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), has begun.
- 6. The development of the subject property shall conform substantially with the approved exhibits contained in **Case No. EA22-0005 and TTM22-0003** and all associated cases on file in the Planning Division. This includes all dimensional and size specifications, landscaping, hardscape, design treatments (including color and materials), and the locations of perimeter walls and plant materials as shown in the landscape exhibits.
- 7. Prior to issuance of any permits, the applicant shall acknowledge that the approved project and any or all proposed modifications to the approved project shall be completed in accordance with applicable City Ordinances, Guidelines, and other requirements in effect at the time of building permit issuance.
- 8. The mitigation measures contained in the adopted Mitigated Negative Declaration based on Environmental Case No. EA130007 are hereby incorporated as Conditions of Approval. The property owner shall be responsible for implementing

the mitigation measures contained within the adopted Mitigated Negative Declaration, as necessary.

- 9. All green waste shall be disposed of at a permitted composting facility. The applicant shall undertake or cause to be undertaken such action or actions as are necessary to permit and/or otherwise accommodate the implementation of recycling services. Such action or actions may include, but are not limited to: designating and providing adequate area at convenient locations with appropriate access for the placement of dumpsters and/or bin sets; constructing permanent enclosures that meet all requirements of the Code of the City of Rancho Mirage for each dumpster and/or bin set; providing for the security of each dumpster to discourage scavenging, and; providing adequate indoor area at convenient locations for the collection and short-term storage of recyclables. The applicant shall submit a "Recycling Program" that has been reviewed by an agent of the City, which, at a minimum, explains, states or otherwise defines: (1) recyclables generated by type; (2) estimate by pounds for each recyclable generated; (3) number of dumpsters and/or plastic bin sets (one set equals three "baskets") needed to accommodate estimated recyclables; (4) location of each dumpster (may be identified on a map attached as an exhibit); (5) method of collection such as curbside at each residential unit or at rear of property by dumpster, etc.; and (6) pick-up schedule for recyclables. The applicant shall provide other such information as may be necessitated by the development proposal.
- 10. Pursuant to Ordinance No. 1170, all gated communities of two or more residential units shall install a Knox entry system, consistent with any emergency access policy, for use by the Sheriff's Department. The City Manager or their designee shall implement the requirement and enforcement of this Condition of Approval.
- 11. <u>Grading permits shall not be issued prior to vertical development entitlements unless approved by the Public Works or Development Services Director.</u>

#### II. PLANNING

Prior to City Council approval of the Final Map, the following Conditions shall be satisfied:

- 12. Street names and addresses for the subdivision shall be submitted to the Development Services Director or their designee and shall be subject to the approval of the City of Rancho Mirage pursuant to Chapters 12.06 and 17.58 of the Rancho Mirage Municipal Code. The approved street name(s) shall be shown on the Final Map.
- 13. A detail of the entry area, including landscape, architectural, and dimensional information, shall be submitted for review and approval by the Development Services Director or their designee. The Planning Division reserves the right to request additional landscaping upon final inspection if it is determined that areas are devoid of plant or ground cover material, or the execution of the landscaping plan does not comply with the purpose and intent of the Section 30 Design Guidelines.
  - A. The approved landscape plan may be modified only with City approval in a manner pursuant to Section 17.42.120 (Modification of a Development Plan Permit). Minor modifications to an approved plan may be considered by the Development

Services Director.

- B. The project shall be completed in accordance with the Ordinances, requirements, guidelines, and other criteria in effect at the time of construction.
- C. Landscaping, Wall, and Grading Plans shall demonstrate that all electrical transformers, utility pads, cable TV and phone boxes, and similar utility fixtures will be screened, pursuant to RMMC Chapter 17.20 and/or installed underground if required.
- D. <u>Landscaping.</u> The plans shall be submitted as a Landscape Documentation Package in accordance with Ordinance No. 990, and as amended by Ordinance 1101. Such Plan(s) shall be consistent with the Preliminary Landscape Plan, and the applicant shall provide evidence that the landscape plan has been reviewed and approved by the Riverside County Office of the Agricultural Commissioner and the Coachella Valley Water District (CVWD) prior to requesting a final inspection. The final landscaping and irrigation plans shall incorporate the use of Evapotranspiration (ET) irrigation "smart" controllers which shall include automatic water scheduling, rain, and temperature sensors. Prior to a final inspection, the landscape contractor shall verify in writing with Planning staff that controllers have been installed, are correctly programmed, and operate with these features. More information on smart controllers can be found at www.irrigation.com. Landscaping shall be designed to endure blowsand conditions. The project landscape architect shall submit written verification that the landscaping and irrigation has been installed per the approved plans. Parkway and retention basin landscaping shall be installed prior to Final Map bonds being released.
  - i. Vegetation with spikes that may be harmful to pedestrians shall be a minimum of three (3) feet away from walkways.
- E. <u>Walls.</u> Where perimeter walls are shown on the development plan they shall be designed with aesthetic relief and be of high-quality architectural design to compliment adjacent developments. In accordance with the Community Design Elements, the landscaped parkway and perimeter wall along all property lines shall be aesthetically enriched and subject to approval of Planning staff, with Architectural Review Board review as deemed necessary. All top of wall elevations and adjacent finish grade elevations for the project perimeter and entry walls shall be subject to review and approval by the Planning Division and City Engineer. The applicant shall contact the adjacent property owners if grading outside the subdivision boundaries is required for construction of the perimeter walls. This shall be accomplished prior to issuance of any permit.
- 14. Future neighborhood signage shall be subject to approval and issuance of a separate sign permit or sign program.

## III. PUBLIC WORKS

# Prior to City Council Approval of the Final Map, the following Conditions shall be satisfied:

## 15. FORMATION AND/OR ANNEXATION TO CFD

Pursuant to Ordinance No. 485 the applicant shall provide evidence that formation of, or annexation to a Communities Facilities District (CFD) No. 1 – Police and Fire services – to pay the City annually for public service costs associated with this project has been initiated. This requires the submittal of an application fee, the preparation of a boundary map, and 6-8 weeks processing time. The applicant is advised to begin the application process as soon as possible, because the CFD annexation must occur prior to issuance of Grading Permits, or prior to Final Map approval if there is one.

## 16. STUDIES AND CALCULATIONS REQUIRED

The applicant shall submit a soils report, geological and hydrology studies, and hydraulic calculations, as required by the City Engineer, prior to approval of the Grading Plan.

## 17. SECTION 30 COLORED SIDEWALK

Plans for the required Section 30 colored sidewalk, in accordance with City standards, shall be submitted to the Planning Division and City Engineer and shall be shown on the plan. The sidewalk shall have a medium broom finish on 4" thick P.C.C (Portland Cement Concrete). The color shall be Davis Co. "Yosemite Brown" or approved equal. Where the sidewalk or street improvement and landscape is located on private property, a public access easement shall be provided and recorded, subject to the approval of the City Engineer. The approved sidewalk shall be constructed along the project frontage and shall be maintained in perpetuity in a safe condition by the applicant.

## 18. GRADING & DRAINAGE PLAN

The applicant shall be required to submit a grading and drainage plan prepared by a licensed civil engineer to the City Engineer for plan check and approval. The grading and drainage plan shall be consistent with any and all conditions of approval associated with any applicable subdivision map and any Development Permit entitlements issued for the subject project by the City or any other responsible public agency. The grading and drainage plan shall conform to all city policies, standards, and regulations applicable to the project. In addition, if the project involves grading and drainage issues related to Coachella Valley Water District (CVWD) facilities, written evidence of the District's approval shall be included with the submittal required by the City of Rancho Mirage. The existing undeveloped area between the Equestrian Center oleander hedge and the southerly property line of this tract, approximately 45 feet wide, contains an existing CVWD 4" PVC water main, and overhead power & telephone lines. This tract developer should work with the Equestrian Center to modify the landscaping in this area to make it a mutually beneficial utility and landscaping area.

## 19. STORMWATER RETENTION

The grading of the project shall be designed such that all storm water to the level of a 100-year frequency storm; worst case of the 1, 3, 6, or 24-hour duration, shall be retained on site. Per Municipal Code Section 15.64.140.B, if the project is less than 1 acre or if it is south of the Whitewater Flood Channel, the grading of the project may be designed for the drainage to be conveyed to an "acceptable disposal site as determined by the City

Engineer". Surface streets are not considered "an acceptable disposal site" for common "nuisance water" from sprinklers and cleaning. Therefore, at a minimum, all projects shall make provisions to absorb such "nuisance water" to the satisfaction of the City Engineer. A Hydrology/Hydraulic Report, in accordance with the Riverside County Hydrology Manual, shall be submitted from a Registered Civil Engineer, showing how this stormwater is handled. The "half-street frontage" area drainage may be taken care of with a catch basin (Public Works Standard Detail 300) with a pipe to the retention basin, or by using a combination drywell / catch basin per Public Works Standard Detail 311 (5' upper chamber, 15' lower chamber).

## 20. STANDARD AGREEMENT FOR CONSTRUCTION OF PUBLIC IMPROVEMENTS

The applicant shall execute and submit the City of Rancho Mirage's Standard Agreement for Construction of Public Improvements for review and approval by the City Engineer and City Attorney.

## 21. STREET IMPROVEMENTS

Street improvements shall be required as specified below. Paved access in accordance with the City Master Plan of Streets and City Standards shall be provided to the subdivision. Plans for the construction of the required street improvements shall be designed by a California Registered Engineer and approved by the City Engineer prior to Final Map approval. All street construction shall be in conformance with these plans and the City's General Plan and Standard Details. Plans shall be approved prior to or concurrent with Final Development Plan approval and construction shall occur prior to occupancy. The developer shall furnish proof that any Sewer and Water Improvement Plans have been reviewed and approved by CVWD. The developer shall furnish proof that the Fire Marshal has approved the Water Plans and Street layout for the project.

#### A. Public Streets - Via Josefina

- i. The right-of-way along Via Josefina at a width of 30 feet from centerline shall be dedicated to the City of Rancho Mirage if not already done. An easement for the Section 30 Colored Meandering Sidewalk shall also be dedicated as part of the 7-foot-wide Landscape Lot east of the Via Josefina right-of-way.
- ii. Curb and gutter shall be installed along the project frontage with the curb face at **18 feet from centerline**. Asphalt paving shall be installed along the project frontage per City Standards.
- iii. Plans for the required **6-foot-wide "Yosemite Brown" colored meandering bike path** per Standard drawing 500, shall be submitted to the City Engineer,
  and shall be shown on the landscape, street, and grading plans and shall be
  constructed along the frontage. A sidewalk or alternative handicap accessible
  route shall be constructed from the bike path or sidewalk into the project.
  Where any meandering bike path is located on private property, a public access
  easement shall be provided and recorded subject to approval of the City
  Engineer.
- iv. The design of the entry way shall be subject to the approval of the City Engineer.
- v. Until such time as an alternative public storm drain system or street surface drainage system can be completed, this project must accept the responsibility for absorbing the water from the 100 year storm street drainage along the

- project frontage and the tributary area upstream.
- vi. Landscape and irrigation plans for all public street parkways and median islands shall conform to City standards and be submitted for review and approval by the City Engineer and Planning Division. Boulders shall not exceed 15 inches in height within 3 feet of a public street curb. Canopy trees shall be placed a minimum of 10 feet from public street curb and a minimum of 3 from sidewalks. Palm trees shall be placed a minimum of 3 feet from public street curb with a minimum trunk height of 10 feet. Right of way lines shall be shown on the final landscape plan.

# B. Private Streets/Parking Lots

- i. Private street and/or parking lot paving shall consist of a minimum of 3" A.C. paving over 4" of compacted Class II aggregate base material. On private streets and parking lots, and as may be required by a condition of approval, decorative concrete or other surfacing materials shall be reviewed by Public Works for conformance to Public Works standards.
- ii. On private streets and parking lots, non-standard curb and gutter may be acceptable if the City's standard drainage criteria is satisfied, and the specific non-standard curb and gutter is approved by the Department of Public Works.
- iii. Private streets within the project shall be constructed with a minimum two-way travel way of 36 feet, with 37 feet minimum back-of-curb to back-of-curb. Any median islands shall have a minimum of 24 feet travel way clearance on either side of them, or as otherwise approved by the Fire Department. Private street paving shall consist of a minimum of 3" A.C. paving over 4" of compacted Class II aggregate base material, or equivalent paving acceptable to the City Engineer.

# 22. <u>DEDICATION OF PUBLIC UTILITY EASEMENTS</u>

A ten (10) foot public utility easement adjacent to the curb and gutter and edge of pavement shall be provided by the property owner for all public and private streets, and for public streets where the public right-of-way is less than the required 10 feet. All necessary utilities: sewer, water, electric, phone, fiber optic communications, natural gas, and television cable shall be provided to the lots and along the property frontage, unless otherwise approved.

#### 23. <u>DEDICATION OF DRAINAGE EASEMENTS</u>

All easements for drainage facilities necessary to accommodate the final approved Grading and Drainage Plan shall be offered for dedication to the appropriate serving agency. Such offer shall be incorporated on the Final Map or as required by the City Engineer.

#### 24. UNDERGROUND UTILITIES REQUIRED

All existing or proposed Imperial Irrigation District, General Telephone, CATV, or other overhead service facilities, shall be installed underground in accordance with the provisions of Section 12.16 of the Rancho Mirage Municipal Code. The undergrounding installation of all existing or proposed overhead distribution utility lines shall be completed and/or appropriate guarantee arrangements shall be entered into for any structure constructed pursuant to this approval as required by the City Engineer. Such guarantee

arrangement shall be approved by the City administrative staff and the City Attorney and shall include the posting of improvement security adequate to secure the periphery of the subject property; and as identified above and as required in Section 12.16 of the Rancho Mirage Municipal Code.

# 25. SANITARY SEWER SYSTEM

A sanitary sewer system shall be required and shall be installed in accordance with the provisions established and set forth by the regulations of the Coachella Valley Water District, the Riverside County Department of Public Health, and/or the regional Water Quality Control Board. All necessary easements shall be provided. In accordance with the Section 30 Lift Station Agreement approved in 2003, the subdivider shall pay the \$3,344 Lift Station Reimbursement Fee if they choose to go south with the sewer and utilize the lift station, as other 5-acre parcels in that situation were required to do. The Section 30 Lift Station Reimbursement Fee shall be paid prior to issuance of permits.

#### 26. DOMESTIC WATER SYSTEM

A domestic water system shall be required and shall be installed in accordance with the provisions established and set forth by the regulations of the Coachella Valley Water District, the Riverside County Department of Public Health, and/or the regional Water Quality Control Board. All necessary easements shall be provided.

# 27. LOCAL AIR QUALITY MANAGEMENT PLAN (LAQMP)

The applicant shall prepare a Local Air Quality Management Plan (LAQMP) pursuant to Ordinance No. 855, Municipal Code Chapter 7.01. Said LAQMP shall detail the project's potential impacts upon the air quality of the area and any necessary mitigation measures and shall be submitted to the Public Works Department for review and approval prior to the issuance of the Grading Permit. For ease of preparing a LAQMP, the applicant may contact the Public Works Department regarding use of the LAQMP worksheet. Projects over 10 acres shall also submit the 8.5"x11" format Dust Control Plan required by the South Coast Air Quality Management District for review by the City. At the time of payment of the permit fees the developer shall submit a "dust control deposit" to be determined from the acreage and the current fee schedule.

# 28. SWPPP/NOI

Prior to issuance of Grading Permits, the Property Owner shall submit the completed Notice of Intent (NOI) form and site plan with the appropriate fee, to the State Water Quality Control Board for the General Construction Activity Storm Water Permit. The WDID number issued shall be placed on the cover sheet of the Grading Plans as Proof of Submittal. The SWPPP promised by the NOI is required to be kept on the project site and may be requested for viewing by City or Water Quality Control Board personnel.

#### 29. BLOWSAND MITIGATION PLAN

(For Section 30 and North of Ramon Only) Since this project is located in an area that is subject to occasional high winds and migrating sand, the subdivider shall be required to submit a blowsand mitigation plan prepared by a licensed civil engineer to the City Engineer for plan check and approval. The blowsand mitigation plan shall identify the

specific measures and describe the specific procedures that will be implemented to adequately mitigate blowsand impacts on all of the project's on-site and off-site improvements. All improvements for blowsand protection shall be depicted on the project's grading and drainage plan. In addition, all marketing materials and CC&Rs shall identify that the project is located within a blowsand area.

#### 30. CONSTRUCTION IMPROVEMENT AGREEMENT

The construction of all required public and private improvements, including but not limited to landscaping, sewer, water, curb and gutters, paving, drainage facilities, and other required improvements shall be completed prior to occupancy of any structure and/or the subdivider shall enter into an agreement, acceptable to the City, ensuring the construction of such improvements within eighteen (18) months of City Council approval of the Final Map.

#### 31. WRITTEN VERIFICATION

Prior to release of bonds or financial guarantees, the applicant or his successor shall provide written verification that the improvements have been installed in accordance with the approved plans.

#### 32. AS-BUILT PLANS

A complete set of "As-Built" Grading, Sewer, Water, Landscaping, Street, Storm Drain, and all other required improvement plans shall be submitted by the engineer of record for review and approval, prior to any occupancy or release of Subdivision Bonds.

#### 33. SUBDIVISION MAP

A subdivision map shall be processed and recorded prior to any release of permits.

#### 34. SECURITY

In accordance with the request of the Rancho Mirage Police Chief, the site shall be fenced and gated for security purposes. Screening material shall be placed on the fence to help block blowsand and to block views through the fence. If necessary, the applicant shall provide a state licensed private security officer during the time construction workers are not onsite.

#### 35. PAD CERTIFICATION

Prior to release of Building Permits, a Pad Certification submitted from a Licensed Land Surveyor or Civil Engineer, attesting to the elevation matching the rough grade pad elevation shall be submitted to validate the rough grading completion.

#### 36. COMPACTION REPORT

Prior to the release of Building Permits, the lot(s) for the building(s) shall have a compaction report submitted from a Geotechnical Engineer attesting to the buildable pad being compacted at least 90% of maximum relative density. If any over-excavation, or slopes steeper than 2:1, are needed for the building pad, a Geotechnical Engineer shall submit a document attesting to the acceptability of this non-standard earthwork in accordance with the recommendations of the preliminary soil report.

#### 37. ASSESSMENT DISTRICT REAPPORTIONMENT

If the property to be subdivided is located within the boundaries of an Assessment District, assessments shall be reapportioned over the property to account for the newly created lots.

# 38. PARK FEES

Applicant shall pay all applicable parkland fees for the acquisition and/or development of community parks and recreational facilities in those amounts in effect at the time the grading permit is issued.

#### 39. IMPROVEMENTS COMPLETED PRIOR TO OCCUPANCY

Prior to occupancy, the construction of all required public improvements, including but not limited to sewer, water, curb and gutters, paving to join, stormwater drainage facilities, and other required utility improvements shall be completed.

# 40. CVWD LETTER

Prior to occupancy, if applicable, a letter from Coachella Valley Water District (CVWD) shall be submitted stating that all the district fees have been paid and all requirements have been met for development.

#### IV. <u>CITY ATTORNEY</u>

Prior to City Council approval of the Final Map, the following Conditions shall be satisfied:

#### 41. INDEMNITY AGREEMENT

The permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this permit approval. The City shall notify the permittee of any claim, action, or proceeding and the City shall cooperate in the defense. If the City fails to notify the permittee of any claim, action or proceeding of which the City has written notice, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

#### 42. REIMBURSEMENTS

The permittee shall reimburse the City for any court and attorney's fees which the City may be required to pay as a result of any claim or action brought against the City because of this grant. Although the permittee is the real party in interest in an action, the City may, at its sole discretion, participate in the defense of the action, but such participation shall not relieve the permittee of any obligation under this Condition.

# 43. IMPROVEMENT SURETY

Pursuant to Chapter 15.64.280 of the Rancho Mirage Municipal Code, all public improvements proposed with the Development Plan submittal, or required by the adopted approval Conditions, shall be guaranteed by cash bonds, letters of credit, or other legal instruments acceptable to the City Attorney and City Council.

#### 44. RELEASE OF PLANS

Written authorization must be obtained from any certified, licensed, or registered professional who signed the original building plans authorizing the plans to be made available by the City to all subsequent owners upon request (if on file with the City at the

time of the request) for use by any subsequent owners solely for the construction, maintenance, operation, and use of the subject building(s) at the Project Site.

# 45. NOTICE TO CITY UPON DEFAULT, FORECLOSURE OR BANKRUPTCY

In the event that the applicant receives a notice of default from any lender in connection with funds loaned to the applicant for the proposed development, or that any security instrument given by the applicant to any lender is foreclosed upon whether through a trustee's sale or otherwise, or that the applicant files a petition for bankruptcy, the applicant shall immediately notify the City of such notice of default, foreclosure sale, and/or filing of the bankruptcy petition, as the case may be.

# 46. DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS (CC&RS)

The subdivider shall submit to the City a Declaration of Covenants, Conditions and Restrictions (CC&Rs) which shall demonstrate, to the satisfaction of the City Attorney that the entire project will be developed and maintained in accordance with the intent and purpose of the approval. The approved documents shall be recorded concurrently.

- 47. The applicant shall submit documents for recordation which clearly prohibit installation of improvements in the common area by individual homeowner or documents which allow and govern installation of such improvements within the identified common areas. The documents shall be subject to approval of the City Engineer and City Attorney.
- 48. The CC&Rs shall be submitted to the City for review and shall contain provisions for a Homeowners' Association, with the unqualified right to assess owners of individual units for reasonable maintenance costs to common areas and improvements. The Homeowners' Association shall have the right to lien units of the owners who default in the payment of any assessment so provided. Any deed of trust recorded prior to said CC&Rs shall be subordinated to the CC&Rs. Any lien imposed shall not be superior to any lien for property taxes or government assessments. The CC&Rs will be clearly marked to identify those sections addressing the Conditions of Approval.
- 49. The CC&Rs and tract marketing materials shall identify that the project site is located in an area of high winds and blowing dust.
- 50. The CC&Rs shall require the Homeowners' Association and property owners to comply with the Section 30 Design Guidelines.

#### 51. DISCLOSURE OF ADJACENT LAND USE

Pursuant to Chapter 9.60 of the Municipal Code, the applicant shall disclose to any prospective purchaser of any buildable residential lot within the project, in a manner and form deemed acceptable by the City, the existence of the High Density Residential (R-H) zoned property to the east of the subject property.

#### V. <u>CONTRACT SPECIALIST</u>

Prior to City Council Approval of the Final Map, the following condition shall be satisfied:

52. MAINTENANCE OBLIGATIONS

The current and future property owner(s) shall be responsible for maintaining in compliance with all City standards for the same, the on-site and off-site landscaping and integrated architectural features required by this entitlement; all perimeter landscaping shall be maintained in a first-class condition. Landscape maintenance shall consist of regular watering mowing, pruning, fertilizing, clearing of debris and weeds, and the removal and replacement of irrigation systems, in compliance with all relevant and applicable provisions of the Rancho Mirage Municipal Code. Integrated architectural features must be kept in a manner which maintains the desirability of the immediate area and neighboring areas and respects the harmonious relationship with existing and adjoining developments. Due regard for preservation of each feature and its intended irrigation with surrounding landscaping, buildings, structures, screening, and signs is All features must be maintained in a manner commonly accepted by professionals who are experts in the care and preservation of each particular type of feature. A covenant to assure continued maintenance of on-site and off-site required landscaping and integrated architectural features by the current and future property owners or other liable entity, consistent with the terms and provisions of this condition of approval, shall be prepared in a format approved by the City Attorney and recorded in the Office of the Riverside County Recorder against all parcels created with this subdivision and any subsequent amendments thereto.

# VI. FIRE MARSHAL

- 53. The proposed project <u>may</u> have a cumulative adverse impact of the Fire Department's ability to provide an acceptable level of service. These impacts include an increased 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.
- 54. Fire Department emergency vehicle apparatus access road locations and design shall be in accordance with the California Fire Code, City of Rancho Mirage Municipal Code, and Riverside County Fire Department Standards. Plans must be submitted to the Fire Department for review and approval prior to building permit issuance.
- 55. Fire Department water system(s) for fire protection shall be in accordance with the California Fire Code, City of Rancho Mirage Municipal and Riverside County Fire Department Standards. Plans must be submitted to the Fire Department for review and approval prior to building permit issuance.
- 56. Prior to Building Permit issuance, the required water system, including all fire hydrant(s), shall be installed, and accepted by the appropriate water agency and the County Fire Department prior to any combustible building material placed on an individual lot. Contact the Fire Department to inspect the required fire flow, street signs, all weather surfaces, and all access and/or secondary access. Approved water plans must be at the job site.

Planning Division 69-825 Highway 111 Rancho Mirage, CA 92270 Planning@RanchoMirageCA.gov (760) 328-2266

# **PUBLIC HEARING NOTICE**

# PLANNING COMMISSION MEETING Thursday, April 24, 2025 – 2:00 p.m.

Extension of Time Case No. ET25-0001 for Tentative Tract Map Case No. TTM22-0003 (TTM No. 38224) ("Project")

**Applicant:** Phillip Fomotor of Fomotor Engineering on behalf of La Paloma Homes, Inc.

**Request:** Consideration of the first one-year time extension for the previously

approved tentative tract map ("TTM 38224"). TTM 38224 proposes the subdivision of  $\pm$  4.77 gross acres within Section 30 into 9 single-family residential lots and common lots for a private cul-de-sac street and landscaped retention basins. The time extension would allow additional

time to complete the remaining requirements for the Final Map.

**Location:** Section 30, northeast corner of Via Josefina and Ginger Rogers Road.

APN: 685-080-014

**NOTICE IS HEREBY GIVEN** that a Public Hearing will be held before the City of Rancho Mirage Planning Commission regarding consideration of the above referenced extension of time application pursuant to Rancho Mirage Municipal Code Titles 16 and 17. An initial study with supporting documents and a Mitigated Negative Declaration were prepared and adopted for the original approval of the Tentative Tract Map pursuant to the California Environmental Quality Act (CEQA). A Notice of Determination was filed and posted on August 5, 2014. Pursuant to the provisions of CEQA, Section 15162, the previously adopted Mitigated Negative Declaration for this Project is still valid and no new information is known that would significantly change any impacts. No further environmental review is required.

The Public Hearing will be held on Thursday, April 24, 2025, at 2:00 p.m., in the Council Chamber, 69-825 Highway 111, Rancho Mirage, California, at which time and place pertinent testimony will be heard. The file, including all environmental information, is available for public inspection at City Hall, Monday through Friday, between 8 a.m. and 5:00 p.m., and will be posted on the City's website with the publication of the Planning Commission Agenda, to be posted at least 72 hours prior to the meeting.

Written testimony may be submitted to the City Clerk via email to <a href="mailto:CityClerk@RanchoMirageCA.gov">CityClerk@RanchoMirageCA.gov</a>, or mailed to City of Rancho Mirage, ATTN: City Clerk,

ET25-0001 (TTM38224) April 24, 2025

69-825 Highway 111, Rancho Mirage, CA 92270. Written testimony must be received no later than 11:00 a.m. on the day of the meeting to be considered by the Planning Commission.

**GOVERNMENT CODE** § **65009 NOTICE:** If you challenge this proposed activity in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission sufficiently prior to the Public Hearing to enable its consideration by them.

INTERSTATE DINAH SHORE DR DR VIA VAIL HOPE VICTORY LN JOSEFINA AVE BOB MONTEREY **GINGER** ROGERS RD <u>∀</u> PROJECT SITE VIA MARTA GERALD FORD DR

Vicinity Map - Not to Scale



# **CITY OF RANCHO MIRAGE**

69-825 Highway 111, Rancho Mirage, CA 92270-2898 (760) 324-4511/328-2266

# **NOTICE OF EXEMPTION**

То: 🛚	State Clearinghouse 1400 10th Street Sacramento, CA 95814	Riverside County 0 P.O. Box 751 Riverside, CA 9250	
•	<b>se No.:</b> Extension of Time Case No. ET25-0001 2-0003 (TTM 38224)	for a One-Year Time E	extension for Tentative Tract Map
Project Applica	nt: Phillip Fomotor of Fomotor Engineering on Bo	ehalf of La Paloma Hom	es, Inc.
Project Location	n: Section 30 at the Northeast Corner of Via Jose	efina and Ginger Rogers	Rd (APN: 685-080-014)
("TTM 38224"). lots and commo	<b>Pition:</b> Consideration of the first one-year time e TTM 38224 proposes the subdivision of ± 4.77 gr In lots for a private cul-de-sac street and landso to complete the remaining requirements for the File	oss acres within Section caped retention basins.	30 into 9 single-family residential
Name of Person	y Approving Project: City of Rancho Mirage n or Agency Carrying Out Project: Joy Tsai, Se ontact Person: Joy Tsai, Senior Planner	enior Planner	<b>Telephone No.</b> : (760) 328-2266
<ul><li>☐ Emergency P</li><li>☐ Categorical E</li></ul>	ec. 21080(b)(1); 15268);	ared Emergency [Sec. 2 utory Exemption; Code No. 15162 - Subsequent E	lo.:
residential subdir (CEQA). Based Notice of Intent to the Riverside Co tentative map ap 2014. As a Final	he project is exempt: The previously approved vision on the subject property was reviewed for on Environmental Assessment Case No. EA13 to Adopt a Mitigated Negative Declaration for the bunty Clerk on May 6, 2014. On July 31, 2014, application was approved. A Notice of Determination of Map was not approved and recorded, TTM 36 to residential subdivision, was originally approved	compliance with the Cal 30007, the City prepared project. A Notice of Ava the Mitigated Negative I on was filed with the Riv 3621 expired on July 31	ifornia Environmental Quality Act d and filed an Initial Study and a hilability was filed and posted with Declaration was adopted, and the rerside County Clerk on August 5, , 2019. Tentative Tract Map No.
certified or a neglead agency dete environmental et importance as id trees is the only current Time Ext original approval analyzed whether	es Section 15162 (Subsequent EIRs and Negargative declaration adopted for a project, no subsermines, on the basis of substantial evidence in Iffects due to a change in the project or circum lentified in CEQA Guidelines Section 15162(a)(3 change to the original approval that does not ension request does not propose to amend the pl. Pursuant to Public Resources Code Section or the revisions would result in new significant set. Based on the City's analysis, no subsequent of	sequent EIR shall be preight of the whole record stances, and there is not an area of the preight. A minor landscape result in any new signification to an area of the countries, uses, an 21166 and CEQA Guimpacts or substantial is	epared for that project unless the that there are no new significant o new information of substantial nodification to add eight (8) palm cant environmental effects. The or development intensities of the idelines Section 15162, the City ncrease in severity of previously
Date:		y Tsai, Senior Planner	



# **Approved by the City Council on February 16, 2023**

TO: Planning Commission DATE: January 26, 2023

**FROM:** Joy Tsai, Senior Planner

SUBJECT: Environmental Assessment Case No. EA22-0005 and Tentative Tract Map Case

No. TTM22-0003 (TTM 38224)

#### SPECIFIC REQUEST OR RECOMMENDATION

Staff recommends that the Planning Commission:

- A. Consider the recommendation for the City Council to find Tentative Tract Map Case No. TTM22-0003 exempt from the California Environmental Quality Act and determine that the previously adopted Mitigated Negative Declaration based on Environmental Assessment Case No. EA130007 is still valid for the proposed project; and
- B. Consider the recommendation for the City Council to approve Tentative Tract Map Case No. TTM22-0003 (TTM 38224), subject to the conditions of approval and based on the content and findings in the staff report.

#### **ATTACHMENTS**

Aerial Photo
 Adopted Mitigated Negative Declaration

Public Hearing Notice
 Notice of Determination dated July 31, 2014

3. Draft Notice of Exemption 6. Tentative Tract Map No. 38224

7. Landscape Plans

# **FACTS**

1. Applicant: Phillip Fomotor of Fomotor Engineering on behalf of

La Paloma Homes, Inc.

2. Purpose of Request: Subdivide a 4.77-acre parcel into nine (9) single-

family residential lots and other common lots for a private cul-de-sac street and landscaped retention

basins.

3. Location: The project site is located in Section 30, east of Via

Josefina at the terminus of Ginger Rogers Road.

APN: 685-080-014

4. Parcel Size: 207,281 square feet (4.77 acres)

5. Existing Streets: Via Josefina to the west

6. Existing Land Use: Vacant land

10. Environmental Information:

7. Existing General Plan/Zoning: Very Low Density Residential (2 d.u./acre max. [R-

L-2])

8. Surrounding Land Use: N: Unimproved residential tract (TR 33329); E:

Vacant; S: Former equestrian facility; & W: Single-

family residences

9. Surrounding General Plan/Zoning: N, S, W: Very Low Density Residential (R-L-2); E:

High Density Residential (9 d.u./acre max. [R-H])

This Project is exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15162. A previously adopted Mitigated Negative Declaration based on Environmental Assessment Case No. EA130007 is still valid for this project. No substantial changes are proposed to the project

and no potential new impacts have been identified that would require further environmental review.

11. Application Deemed Complete November 30, 2022

# **SUMMARY**

The applicant, Phillip Fomotor of Fomotor Engineering, and owner, Mark Howard of La Paloma Homes, Inc., are requesting approval of Tentative Tract Map No. 38224 to create a nine-lot single-family residential subdivision. The subject property is zoned Very Low Density Residential (R-L-2) and consists of a 4.77-acre parcel in Section 30 at the northeast corner of Via Josefina and Ginger Rogers Road.

# **BACKGROUND**

The subject property is located in Section 30, which is bounded on the north by Dinah Shore Drive, on the south by Gerald Ford Drive, on the east by Monterey Avenue, and on the west by Bob Hope Drive. The west half of Section 30 was annexed from the County of Riverside to the City in 1994. A Master Circulation Plan for Section 30 was approved in 1999 with the intent to address drainage constraints and traffic issues, and last amended on December 18, 2014 for the realignment of Via Florencia. The subject property is also subject to the Section 30 Design Guidelines, which contain provisions for enhanced landscaped parkways, walls, vehicular access gates, and subdivision entrances. The City Council last amended the Design Guidelines in 2009.

On July 31, 2014, the City Council approved a tentative tract map application (Tentative Tract Map No. 36621) and adopted a Mitigated Negative Declaration pursuant to Environmental Assessment Case No. EA130007 for a ten-lot residential subdivision on the subject property. To maintain continuity in the residential land use pattern of the area, the City Council conditioned the removal of one such lot and ultimately approved the subdivision of the 4.77-acre parcel into nine residential lots. Tentative Tract Map No. 36621 received one-year time extensions in 2016, 2017, and 2018 in accordance with Rancho Mirage Municipal Code Section 16.12.090 for tentative map time extensions. As a Final Map was not approved and recorded, the approved tentative map expired on July 31, 2019 as it did not qualify for any additional time extensions.

# Site and Surrounding General Plan, Zoning and Land Uses

The subject parcel is rectangular-shaped, elongated in the east-west direction, and measures approximately 332 feet wide by 630 feet long. The subject property is bounded by Via Josefina to the west, a former equestrian facility to the south, an unimproved residential subdivision to the north, and vacant property owned by the City of Rancho Mirage to the east. Above ground utility lines run within the property on the west side, along Via Josefina. The southern portion of the project site has been graded and is served by on- and off-site water lines. A former equestrian facility is located to the south of the subject property and is separated by oleander hedges, an access road, and overhead power & telephone lines. The subject property is currently vacant with scattered desert vegetation and weeds.

The General Plan and zoning of the project site is R-L-2 (Very Low Density Residential with a maximum of two dwelling units per acre). All adjacent properties have the General Plan Land Use and Zoning designation of R-L-2 with the exception of the property to the east, which has a General Plan and Zoning Designation of High Density Residential (nine dwelling units per acre maximum [R-H]). The following table describes the surrounding land uses located adjacent to the subject property:

	General Plan and Zoning Designation	Land Use
Project Site	Very Low Density Residential (R-L-2)	Vacant
North	Very Low Density Residential (R-L-2)	Vacant, unimproved (Tract No. 33329 "Nova Lane")
East	High Density Residential (R-H)	Vacant
South	Very Low Density Residential (R-L-2)	Former equestrian facility
West	Very Low Density Residential (R-L-2)	Single-family residential

#### PROJECT DESCRIPTION

The proposed project will subdivide an existing parcel totaling 207,281 square feet (4.77 acres) into nine single-family residential lots and lettered lots for common areas that include the private cul-de-sac street, and two landscaped retention basins fronting Via Josefina. The residential subdivision will be gated, similarly to other residential subdivisions in the vicinity. Access to the proposed parcels will be provided by the private cul-de-sac street off Via Josefina.

The proposed land use and gross lot size of each parcel is provided in the table below:

	•	<del>-</del>
	Lot Size	Land Use
Existing Lot	207,281 sq. ft. (4.77 ac)	Vacant
Proposed Lot 1	18,206 sq. ft. (0.42 ac)	Single-family residential
Proposed Lot 2	18,000 sq. ft. (0.41 ac)	Single-family residential
Proposed Lot 3	18,001 sq. ft. (0.41 ac)	Single-family residential
Proposed Lot 4	18,000 sq. ft. (0.41 ac)	Single-family residential
Proposed Lot 5	18,733 sq. ft. (0.43 ac)	Single-family residential
Proposed Lot 6	19,482 sq. ft. (0.44 ac)	Single-family residential

Proposed Lot 7	18,000 sq. ft. (0.41 ac)	Single-family residential
Proposed Lot 8	18,001 sq. ft. (0.41 ac)	Single-family residential
Proposed Lot 9	18,154 sq. ft. (0.42 ac)	Single-family residential
Proposed Lot A	25,874 sq. ft. (0.59 ac)	Private street
Proposed Lot B	7,000 sq. ft. (0.16 ac)	Landscaped parkway and retention basin
Proposed Lot C	9,888 sq. ft. (0.23 ac)	Landscaped parkway and retention basin

Detailed site planning, building footprints, floor plan, exterior design, landscaping, and grading will be submitted for review during the development review application process for the future development of the proposed parcels. The development of the proposed parcels will be subject to the development standards of the underlying zoning district in effect at the time of application submittal.

# **ANALYSIS**

# Review Authority (Rancho Mirage Municipal Code Section 16.12.065)

A tentative map is a map approving the division of land for the purpose of sale, lease, or financing, and is governed by the Subdivision Map Act. A tentative map prescribes how the land is to be subdivided. The City's Subdivision Ordinance (Rancho Mirage Municipal Code Title 16 *Subdivisions*) establishes the minimum standards for the design of the lots, and the public improvements which serve them.

Once a tentative map is approved, the refined final map is approved by the City Council if deemed by the City Engineer to be in substantial conformance with the tentative map. The final map is then recorded with the Riverside County Recorder's Office, after which the newly created parcels may be individually sold and developed pursuant to the underlying General Plan and zoning regulations.

#### **Tentative Tract Map No. 38224**

The proposed subdivision complies with the City's Development Code standards pertaining to lot size and dimensions. The proposed residential parcels range in size from 18,000 square feet to 19,482 square feet for an overall project density of 1.89 units per acre. The following table compares the proposed subdivision with the City's Development Code standards:

Development Feature	Development Standards	Existing	Proposed	Meets Requirements
Parcel Width	Minimum 90 ft.	332.72 ft.	Proposed parcels range from 117.05 ft. to 166 ft.	Yes
Parcel Depth	Minimum 100 ft.	630.14 ft.	Proposed parcels range from 122.51 ft. to 158.47 ft.	Yes
Lot Size	Minimum 18,000 sq. ft.	207,281 sq. ft.	Proposed parcels range from 18,000 sq. ft. to 19,482 sq. ft.	Yes
Maximum Density	2 dwelling units per acre maximum	N/A	1.89 units per acre	Yes

As set forth in the above analysis, the proposed subdivision is in conformance with the Rancho Mirage General Plan, the Section 30 Master Circulation Plan and Design Guidelines, and all applicable requirements of the Subdivision Map Act.

#### **Access and Circulation**

Under the Section 30 Master Circulation Plan, Ginger Rogers Road terminates at Via Josefina, which is where the subject property is located. The proposed subdivision will be gated, similarly to other residential developments in the vicinity. Access to the proposed parcels will be provided by the 37-foot-wide, 519-foot-long private cul-de-sac street (Common Lot A) off Via Josefina, a public street. Typical public streets in Section 30 are classified under the City's General Plan as local streets. Local streets consist of two lanes with a typical right-of-way width of 60 feet. The private street will be maintained by the future Homeowners' Association. As proposed, the subdivision's design complies with the Section 30 Master Circulation Plan.

# **Grading & Drainage**

The project site is rectangular shaped (elongated in the east-west direction) and is relatively flatlying. The topography is near the elevation of the adjacent properties and roadways and is situated at an approximate average elevation of 324 to 319 feet above mean sea level. The west portion of the site slopes north to south from approximately 325 to 320 feet. The east side of the site slopes from the northeast to southwest at 323 to 319 feet.

As designed, the proposed residential lot pads range from 324.7 to 325.2 feet. The proposed pad elevations for the nine proposed lots have been determined by the site topography and reviewed by the City Engineer. The table below shows the grading differences between the proposed subdivision with the tract to the north (Tract Map No. 33329), which was originally approved on May 4, 2006 and recorded on December 9, 2021:

Tentative Tract Map No. 38224 and Tract Map No. 33329

	Lot 1	Lot 2	Lot 3	Lot 4	Lot 5
TTM 38224	325.00 ft.	325.00 ft.	324.7 ft.	325.20 ft.	325.20 ft.
Tract No. 33329	327.33 ft.	326.83 ft.	324.93 ft.	322.50 ft.	322.00 ft.

As shown above, the project site is raised on the east side of the proposed tract so that lots drain toward the retention basins along Via Josefina. All proposed single-family lots will drain into the on-site street, then flow west to collect in the combination inlets, and directed to the retention basin system.

Common Lots B and C abut Via Josefina and will be utilized for storm water retention and open space. Lot B, north of the new private street (Lot A), is 7,000 sq. ft. with a basin depth of 5 feet. Lot C is a similar basin located on the south side of the private street with a lot size of 9,888 sq. ft. and basin depth of 5 feet. When combined, the retention basin system will have a total of 34,113 cubic feet of storage capacity, which is more than adequate to handle the required post-development runoff. The hydrology report for the proposed subdivision is on file with the Planning Division. As conditioned, the applicant is responsible for submitting the final hydrology report and grading plan to the Engineering Division for review and approval.

# **Entry, Landscaping, and Walls**

There are existing overhead electrical lines along the proposed Via Josefina right-of-way. The subdivider is required to underground those lines and poles as part of the subdivision improvements, in addition to installing the half-width street improvements for Via Josefina.

The proposed project's entry off Via Josefina features "charcoal grey" interlocking stone pavers, black ornate metal vehicular gates, and a metal pedestrian gate. The residential subdivision will be enclosed by six-foot-tall Tuscany variegated blend split face perimeter walls and six-foot-tall black wrought iron transparency fencing in compliance with the Section 30 Design Guidelines.

The landscaped parkway along Via Josefina ranges from 70 to 89 feet wide, which exceeds the minimum 19 feet width requirement for parkways in Section 30. Two retention basins (Proposed Lots B and C) flank the tract by the existing public street, which further enhances the sense of openness and meets the Section 30 Design Guidelines goal to create "view windows" into subdivisions and thoughtful aesthetic placement of perimeter landscaping. In addition, the parkway features a desert-appropriate landscape palette and a typical six-foot wide "Yosemite Brown" colored concrete meandering sidewalk in accordance with the Design Guidelines. Common area landscaping includes trees such as Sonoran Palo Verde and Mulga trees, along with various accent shrubs with additional ground cover for color. The project has been designed to comply with the City's landscape standards and the Section 30 Design Guidelines for landscaping and parkway improvements.

# ADDITIONAL CORRESPONDENCE

As part of the subdivision review, staff sent notices to the Public Works Department, Riverside County Fire Marshal's Office, and all public utility companies and service agencies regarding the proposed subdivision on March 9, 2022. All agencies are expected to provide service to the proposed parcels, including providers of gas, electrical, water, sewer, and cable telecommunication services. The Coachella Valley Water District (CVWD) started the Mission Hills Pressure Zone (MHPZ) Improvement Project in 2013 to construct a new 6.5-million-gallon domestic water storage reservoir and 21,000 feet of 36-inch transmission main to serve CVWD's existing and future customers. The improvement project was completed in 2018 and has been in service since then. Any received comments have been incorporated into this report and the Conditions of Approval. Any correspondence received after the distribution of this report will be presented to the Planning Commissioners during the public hearing.

#### **ENVIRONMENTAL DETERMINATION**

The previously approved project (Tentative Tract Map No. 36621) for a ten-lot residential subdivision on the subject property was reviewed for compliance with the California Environmental Quality Act (CEQA). Based on Environmental Assessment Case No. EA130007, the City prepared and filed an Initial Study and a Notice of Intent to Adopt a Mitigated Negative Declaration for the Project. A Notice of Availability was filed and posted with the Riverside County Clerk on May 6, 2014. On July 31, 2014, the Mitigated Negative Declaration was adopted, and the tentative map application was approved. To maintain continuity in the residential land use pattern of the area, the City Council conditioned the removal of one such lot and ultimately approved a nine-lot residential subdivision. A Notice of Determination was filed

with the Riverside County Clerk on August 5, 2014.

CEQA Guidelines Section 15162 (Subsequent EIRs and Negative Declarations) provides that when an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, that there are no new significant environmental effects due to a change in the project or circumstances, and there is no new information of substantial importance as identified in CEQA Guidelines Section 15162(a)(3). The proposed project is a request to subdivide one 4.77-acre parcel into nine residential lots with common area lots for landscaped parkways with retention basins that flank Via Josefina. With respect to the proposed project, the revisions from the previously approved tentative map are only minor technical changes that do not result in any new significant environmental effect(s). Such minor changes include the landscape planting palette, project entry design, and minor lot line adjustments. The current request does not propose to amend the project boundaries, uses, or development intensities of the original approval. Pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162, the City analyzed whether the revisions would result in new significant impacts or substantial increase in severity of previously identified impacts. Based on Environmental Assessment Case No. EA22-0005 and the City's analysis, no subsequent EIR, supplemental EIR, or subsequent mitigation negative declaration is required. No further environmental review is required.

#### **NOTICING REQUIREMENT**

Rancho Mirage Municipal Code Section 17.74.020, *Hearing and notice*, requires that all property owners, as shown on the county's latest equalized assessment roll, within a 500-foot radius of the boundaries of the subject parcel(s) be notified of matters requiring a public hearing. If the number of property owners to whom the notice would be mailed to is less than 25, then the mailing radius is required to be increased to 1,000 feet as measured from the exterior boundaries of the subject parcel.

On January 11, 2023, public hearing notices were mailed to property owners within a **1,000**-foot radius of the parcel boundary and posted at the City's designated community posting sites pursuant to the requirements of Chapter 17.74 of the Municipal Code. Notification of the public hearing was published in *The Desert Sun* on January 15, 2023. Any information addressed to the Planning Commission, but received after completion of this final report, will be distributed at the public hearing. No comments have been received as of the publication date of this report.

#### **CONDITIONS OF APPROVAL**

Tentative Tract Map Case No. TTM22-0003 (Tentative Tract Map No. 38224)

#### I. <u>GENERAL</u>

- 1. All improvements shall conform to the provisions of the Rancho Mirage Municipal Code (RMMC), Title 16, (Subdivisions), unless specifically modified by any of the following conditions.
- 2. Development of the Subject Property shall require the appropriate entitlement process as determined by the Planning Division.
- 3. This tentative map approval shall be effective for two (2) years from the date of City Council approval. A Final Map must be approved by the City within this specified time period, or the tentative map approval shall become null and void unless the expiration date for the tentative map is extended as provided by RMMC Section 16.12.090.
- 4. The applicant shall execute a written acknowledgment to the Planning Division stating acceptance of and compliance with all of the Conditions of Approval for this Tentative Tract Map and all associated cases, and that the plans submitted are in compliance with the Conditions of Approval. No modifications shall be made to said plans without written approval from the appropriate decision-making body.
- 5. The Conditions of Approval set forth herein may include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. You are hereby further notified that the 90-day approval period in which you may protest these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), has begun.
- 6. The development of the subject property shall conform substantially with the approved exhibits contained in Case No. EA22-0005 and TTM22-0003 and all associated cases on file in the Planning Division. This includes all dimensional and size specifications, landscaping, hardscape, design treatments (including color and materials), and the locations of perimeter walls and plant materials as shown in the landscape exhibits.
- 7. Prior to issuance of any permits, the applicant shall acknowledge that the approved project and any or all proposed modifications to the approved project shall be completed in accordance with applicable City Ordinances, Guidelines, and other requirements in effect at the time of building permit issuance.
- 8. The mitigation measures contained in the adopted Mitigated Negative Declaration based on Environmental Case No. EA130007 are hereby incorporated as Conditions of Approval. The property owner shall be responsible for implementing the mitigation measures contained within the adopted Mitigated Negative Declaration, as necessary.

- 9. All green waste shall be disposed of at a permitted composting facility. The applicant shall undertake or cause to be undertaken such action or actions as are necessary to permit and/or otherwise accommodate the implementation of recycling services. Such action or actions may include, but are not limited to: designating and providing adequate area at convenient locations with appropriate access for the placement of dumpsters and/or bin sets; constructing permanent enclosures that meet all requirements of the Code of the City of Rancho Mirage for each dumpster and/or bin set; providing for the security of each dumpster to discourage scavenging, and; providing adequate indoor area at convenient locations for the collection and short-term storage of recyclables. The applicant shall submit a "Recycling Program" that has been reviewed by an agent of the City, which, at a minimum, explains, states or otherwise defines: (1) recyclables generated by type; (2) estimate by pounds for each recyclable generated; (3) number of dumpsters and/or plastic bin sets (one set equals three "baskets") needed to accommodate estimated recyclables; (4) location of each dumpster (may be identified on a map attached as an exhibit); (5) method of collection such as curbside at each residential unit or at rear of property by dumpster, etc.; and (6) pick-up schedule for recyclables. The applicant shall provide other such information as may be necessitated by the development proposal.
- 10. Pursuant to Ordinance No. 1170, all gated communities of two or more residential units shall install a Knox entry system, consistent with any emergency access policy, for use by the Sheriff's Department. The City Manager or their designee shall implement the requirement and enforcement of this Condition of Approval.

#### II. PLANNING

Prior to City Council approval of the Final Map, the following Conditions shall be satisfied:

- 11. Street names and addresses for the subdivision shall be submitted to the Development Services Director or their designee and shall be subject to the approval of the City of Rancho Mirage pursuant to Chapters 12.06 and 17.58 of the Rancho Mirage Municipal Code. The approved street name(s) shall be shown on the Final Map.
- 12. A detail of the entry area, including landscape, architectural, and dimensional information, shall be submitted for review and approval by the Development Services Director or their designee. The Planning Division reserves the right to request additional landscaping upon final inspection if it is determined that areas are devoid of plant or ground cover material, or the execution of the landscaping plan does not comply with the purpose and intent of the Section 30 Design Guidelines.
  - A. The approved landscape plan may be modified only with City approval in a manner pursuant to Section 17.42.120 (Modification of a Development Plan Permit). Minor modifications to an approved plan may be considered by the Development Services Director.
  - B. The project shall be completed in accordance with the Ordinances, requirements, guidelines, and other criteria in effect at the time of construction.

- C. Landscaping, Wall, and Grading Plans shall demonstrate that all electrical transformers, utility pads, cable TV and phone boxes, and similar utility fixtures will be screened, pursuant to RMMC Chapter 17.20 and/or installed underground if required.
- D. Landscaping. The plans shall be submitted as a Landscape Documentation Package in accordance with Ordinance No. 990, and as amended by Ordinance 1101. Such Plan(s) shall be consistent with the Preliminary Landscape Plan, and the applicant shall provide evidence that the landscape plan has been reviewed and approved by the Riverside County Office of the Agricultural Commissioner and the Coachella Valley Water District (CVWD) prior to requesting a final inspection. The final landscaping and irrigation plans shall incorporate the use of Evapotranspiration (ET) irrigation "smart" controllers which shall include automatic water scheduling, rain, and temperature sensors. Prior to a final inspection, the landscape contractor shall verify in writing with Planning staff that controllers have been installed, are correctly programmed, and operate with these features. More information on smart controllers can be found at www.irrigation.com. Landscaping shall be designed to endure blowsand conditions. The project landscape architect shall submit written verification that the landscaping and irrigation has been installed per the approved plans. Parkway and retention basin landscaping shall be installed prior to Final Map bonds being released.
  - i. Vegetation with spikes that may be harmful to pedestrians shall be a minimum of three (3) feet away from walkways.
- E. <u>Walls.</u> Where perimeter walls are shown on the development plan they shall be designed with aesthetic relief and be of high-quality architectural design to compliment adjacent developments. In accordance with the Community Design Elements, the landscaped parkway and perimeter wall along all property lines shall be aesthetically enriched and subject to approval of Planning staff, with Architectural Review Board review as deemed necessary. All top of wall elevations and adjacent finish grade elevations for the project perimeter and entry walls shall be subject to review and approval by the Planning Division and City Engineer. The applicant shall contact the adjacent property owners if grading outside the subdivision boundaries is required for construction of the perimeter walls. This shall be accomplished prior to issuance of any permit.
- 13. Future neighborhood signage shall be subject to approval and issuance of a separate sign permit or sign program.

#### III. PUBLIC WORKS

Prior to City Council Approval of the Final Map, the following Conditions shall be satisfied:

14. FORMATION AND/OR ANNEXATION TO CFD

Pursuant to Ordinance No. 485 the applicant shall provide evidence that formation of, or annexation to a Communities Facilities District (CFD) No. 1 – Police and Fire services – to pay the City annually for public service costs associated with this project has been initiated. This requires the submittal of an application fee, the preparation of a boundary map, and 6-8 weeks processing time. The applicant is advised to begin the application process as soon as possible, because the CFD annexation must occur prior to issuance of Grading Permits, or prior to Final Map approval if there is one.

#### 15. STUDIES AND CALCULATIONS REQUIRED

The applicant shall submit a soils report, geological and hydrology studies, and hydraulic calculations, as required by the City Engineer, prior to approval of the Grading Plan.

#### 16. SECTION 30 COLORED SIDEWALK

Plans for the required Section 30 colored sidewalk, in accordance with City standards, shall be submitted to the Planning Division and City Engineer and shall be shown on the plan. The sidewalk shall have a medium broom finish on 4" thick P.C.C (Portland Cement Concrete). The color shall be Davis Co. "Yosemite Brown" or approved equal. Where the sidewalk or street improvement and landscape is located on private property, a public access easement shall be provided and recorded, subject to the approval of the City Engineer. The approved sidewalk shall be constructed along the project frontage and shall be maintained in perpetuity in a safe condition by the applicant.

#### 17. GRADING & DRAINAGE PLAN

The applicant shall be required to submit a grading and drainage plan prepared by a licensed civil engineer to the City Engineer for plan check and approval. The grading and drainage plan shall be consistent with any and all conditions of approval associated with any applicable subdivision map and any Development Permit entitlements issued for the subject project by the City or any other responsible public agency. The grading and drainage plan shall conform to all city policies, standards, and regulations applicable to the project. In addition, if the project involves grading and drainage issues related to Coachella Valley Water District (CVWD) facilities, written evidence of the District's approval shall be included with the submittal required by the City of Rancho Mirage. The existing undeveloped area between the Equestrian Center oleander hedge and the southerly property line of this tract, approximately 45 feet wide, contains an existing CVWD 4" PVC water main, and overhead power & telephone lines. This tract developer should work with the Equestrian Center to modify the landscaping in this area to make it a mutually beneficial utility and landscaping area.

#### 18. STORMWATER RETENTION

The grading of the project shall be designed such that all storm water to the level of a 100-year frequency storm; worst case of the 1, 3, 6, or 24-hour duration, shall be retained on site. Per Municipal Code Section 15.64.140.B, if the project is less than 1 acre or if it is south of the Whitewater Flood Channel, the grading of the project may be designed for the drainage to be conveyed to an "acceptable disposal site as determined by the City Engineer". Surface streets are not considered "an acceptable disposal site" for common "nuisance water" from sprinklers and cleaning. Therefore, at a minimum, all projects shall make provisions to absorb such "nuisance water" to the satisfaction of the City Engineer.

A Hydrology/Hydraulic Report, in accordance with the Riverside County Hydrology Manual, shall be submitted from a Registered Civil Engineer, showing how this stormwater is handled. The "half-street frontage" area drainage may be taken care of with a catch basin (Public Works Standard Detail 300) with a pipe to the retention basin, or by using a combination drywell / catch basin per Public Works Standard Detail 311 (5' upper chamber, 15' lower chamber).

#### 19. STANDARD AGREEMENT FOR CONSTRUCTION OF PUBLIC IMPROVEMENTS

The applicant shall execute and submit the City of Rancho Mirage's Standard Agreement for Construction of Public Improvements for review and approval by the City Engineer and City Attorney.

#### 20. STREET IMPROVEMENTS

Street improvements shall be required as specified below. Paved access in accordance with the City Master Plan of Streets and City Standards shall be provided to the subdivision. Plans for the construction of the required street improvements shall be designed by a California Registered Engineer and approved by the City Engineer prior to Final Map approval. All street construction shall be in conformance with these plans and the City's General Plan and Standard Details. Plans shall be approved prior to or concurrent with Final Development Plan approval and construction shall occur prior to occupancy. The developer shall furnish proof that any Sewer and Water Improvement Plans have been reviewed and approved by CVWD. The developer shall furnish proof that the Fire Marshal has approved the Water Plans and Street layout for the project.

#### A. Public Streets - Via Josefina

- i. The right-of-way along Via Josefina at a width of 30 feet from centerline shall be dedicated to the City of Rancho Mirage if not already done. An easement for the Section 30 Colored Meandering Sidewalk shall also be dedicated as part of the 7-foot-wide Landscape Lot east of the Via Josefina right-of-way.
- ii. Curb and gutter shall be installed along the project frontage with the curb face at **18 feet from centerline**. Asphalt paving shall be installed along the project frontage per City Standards.
- bike path per Standard drawing 500, shall be submitted to the City Engineer, and shall be shown on the landscape, street, and grading plans and shall be constructed along the frontage. A sidewalk or alternative handicap accessible route shall be constructed from the bike path or sidewalk into the project. Where any meandering bike path is located on private property, a public access easement shall be provided and recorded subject to approval of the City Engineer.
- iv. The design of the entry way shall be subject to the approval of the City Engineer.
- v. Until such time as an alternative public storm drain system or street surface drainage system can be completed, this project must accept the responsibility for absorbing the water from the 100 year storm street drainage along the project frontage and the tributary area upstream.

vi. Landscape and irrigation plans for all public street parkways and median islands shall conform to City standards and be submitted for review and approval by the City Engineer and Planning Division. Boulders shall not exceed 15 inches in height within 3 feet of a public street curb. Canopy trees shall be placed a minimum of 10 feet from public street curb and a minimum of 3 from sidewalks. Palm trees shall be placed a minimum of 3 feet from public street curb with a minimum trunk height of 10 feet. Right of way lines shall be shown on the final landscape plan.

# B. Private Streets/Parking Lots

- i. Private street and/or parking lot paving shall consist of a minimum of 3" A.C. paving over 4" of compacted Class II aggregate base material. On private streets and parking lots, and as may be required by a condition of approval, decorative concrete or other surfacing materials shall be reviewed by Public Works for conformance to Public Works standards.
- ii. On private streets and parking lots, non-standard curb and gutter may be acceptable if the City's standard drainage criteria is satisfied, and the specific non-standard curb and gutter is approved by the Department of Public Works.
- iii. Private streets within the project shall be constructed with a minimum two-way travel way of 36 feet, with 37 feet minimum back-of-curb to back-of-curb. Any median islands shall have a minimum of 24 feet travel way clearance on either side of them, or as otherwise approved by the Fire Department. Private street paving shall consist of a minimum of 3" A.C. paving over 4" of compacted Class II aggregate base material, or equivalent paving acceptable to the City Engineer.

# 21. DEDICATION OF PUBLIC UTILITY EASEMENTS

A ten (10) foot public utility easement adjacent to the curb and gutter and edge of pavement shall be provided by the property owner for all public and private streets, and for public streets where the public right-of-way is less than the required 10 feet. All necessary utilities: sewer, water, electric, phone, fiber optic communications, natural gas, and television cable shall be provided to the lots and along the property frontage, unless otherwise approved.

#### 22. DEDICATION OF DRAINAGE EASEMENTS

All easements for drainage facilities necessary to accommodate the final approved Grading and Drainage Plan shall be offered for dedication to the appropriate serving agency. Such offer shall be incorporated on the Final Map or as required by the City Engineer.

# 23. <u>UNDERGROUND UTILITIES REQUIRED</u>

All existing or proposed Imperial Irrigation District, General Telephone, CATV, or other overhead service facilities, shall be installed underground in accordance with the provisions of Section 12.16 of the Rancho Mirage Municipal Code. The undergrounding installation of all existing or proposed overhead distribution utility lines shall be completed and/or appropriate guarantee arrangements shall be entered into for any structure constructed pursuant to this approval as required by the City Engineer. Such guarantee

arrangement shall be approved by the City administrative staff and the City Attorney and shall include the posting of improvement security adequate to secure the periphery of the subject property; and as identified above and as required in Section 12.16 of the Rancho Mirage Municipal Code.

#### 24. SANITARY SEWER SYSTEM

A sanitary sewer system shall be required and shall be installed in accordance with the provisions established and set forth by the regulations of the Coachella Valley Water District, the Riverside County Department of Public Health, and/or the regional Water Quality Control Board. All necessary easements shall be provided. In accordance with the Section 30 Lift Station Agreement approved in 2003, the subdivider shall pay the \$3,344 Lift Station Reimbursement Fee if they choose to go south with the sewer and utilize the lift station, as other 5-acre parcels in that situation were required to do. The Section 30 Lift Station Reimbursement Fee shall be paid prior to issuance of permits.

# 25. DOMESTIC WATER SYSTEM

A domestic water system shall be required and shall be installed in accordance with the provisions established and set forth by the regulations of the Coachella Valley Water District, the Riverside County Department of Public Health, and/or the regional Water Quality Control Board. All necessary easements shall be provided.

# 26. LOCAL AIR QUALITY MANAGEMENT PLAN (LAQMP)

The applicant shall prepare a Local Air Quality Management Plan (LAQMP) pursuant to Ordinance No. 855, Municipal Code Chapter 7.01. Said LAQMP shall detail the project's potential impacts upon the air quality of the area and any necessary mitigation measures and shall be submitted to the Public Works Department for review and approval prior to the issuance of the Grading Permit. For ease of preparing a LAQMP, the applicant may contact the Public Works Department regarding use of the LAQMP worksheet. Projects over 10 acres shall also submit the 8.5"x11" format Dust Control Plan required by the South Coast Air Quality Management District for review by the City. At the time of payment of the permit fees the developer shall submit a "dust control deposit" to be determined from the acreage and the current fee schedule.

# 27. SWPPP/NOI

Prior to issuance of Grading Permits, the Property Owner shall submit the completed Notice of Intent (NOI) form and site plan with the appropriate fee, to the State Water Quality Control Board for the General Construction Activity Storm Water Permit. The WDID number issued shall be placed on the cover sheet of the Grading Plans as Proof of Submittal. The SWPPP promised by the NOI is required to be kept on the project site and may be requested for viewing by City or Water Quality Control Board personnel.

#### 28. BLOWSAND MITIGATION PLAN

(For Section 30 and North of Ramon Only) Since this project is located in an area that is subject to occasional high winds and migrating sand, the subdivider shall be required to submit a blowsand mitigation plan prepared by a licensed civil engineer to the City

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JUSTIFICATION OR INFORMATION CONTINUED:

Engineer for plan check and approval. The blowsand mitigation plan shall identify the specific measures and describe the specific procedures that will be implemented to adequately mitigate blowsand impacts on all of the project's on-site and off-site improvements. All improvements for blowsand protection shall be depicted on the project's grading and drainage plan. In addition, all marketing materials and CC&Rs shall identify that the project is located within a blowsand area.

#### 29. CONSTRUCTION IMPROVEMENT AGREEMENT

The construction of all required public and private improvements, including but not limited to landscaping, sewer, water, curb and gutters, paving, drainage facilities, and other required improvements shall be completed prior to occupancy of any structure and/or the subdivider shall enter into an agreement, acceptable to the City, ensuring the construction of such improvements within eighteen (18) months of City Council approval of the Final Map.

#### 30. WRITTEN VERIFICATION

Prior to release of bonds or financial guarantees, the applicant or his successor shall provide written verification that the improvements have been installed in accordance with the approved plans.

#### 31. AS-BUILT PLANS

A complete set of "As-Built" Grading, Sewer, Water, Landscaping, Street, Storm Drain, and all other required improvement plans shall be submitted by the engineer of record for review and approval, prior to any occupancy or release of Subdivision Bonds.

#### 32. SUBDIVISION MAP

A subdivision map shall be processed and recorded prior to any release of permits.

#### 33. SECURITY

In accordance with the request of the Rancho Mirage Police Chief, the site shall be fenced and gated for security purposes. Screening material shall be placed on the fence to help block blowsand and to block views through the fence. If necessary, the applicant shall provide a state licensed private security officer during the time construction workers are not onsite.

# 34. PAD CERTIFICATION

Prior to release of Building Permits, a Pad Certification submitted from a Licensed Land Surveyor or Civil Engineer, attesting to the elevation matching the rough grade pad elevation shall be submitted to validate the rough grading completion.

#### 35. COMPACTION REPORT

Prior to the release of Building Permits, the lot(s) for the building(s) shall have a compaction report submitted from a Geotechnical Engineer attesting to the buildable pad being compacted at least 90% of maximum relative density. If any over-excavation, or slopes steeper than 2:1, are needed for the building pad, a Geotechnical Engineer shall submit a document attesting to the acceptability of this non-standard earthwork in accordance with the recommendations of the preliminary soil report.

#### 36. ASSESSMENT DISTRICT REAPPORTIONMENT

If the property to be subdivided is located within the boundaries of an Assessment District, assessments shall be reapportioned over the property to account for the newly created lots.

#### 37. PARK FEES

Applicant shall pay all applicable parkland fees for the acquisition and/or development of community parks and recreational facilities in those amounts in effect at the time the grading permit is issued.

#### 38. IMPROVEMENTS COMPLETED PRIOR TO OCCUPANCY

Prior to occupancy, the construction of all required public improvements, including but not limited to sewer, water, curb and gutters, paving to join, stormwater drainage facilities, and other required utility improvements shall be completed.

#### 39. CVWD LETTER

Prior to occupancy, if applicable, a letter from Coachella Valley Water District (CVWD) shall be submitted stating that all the district fees have been paid and all requirements have been met for development.

# IV. <u>CITY ATTORNEY</u>

Prior to City Council approval of the Final Map, the following Conditions shall be satisfied:

# **40. INDEMNITY AGREEMENT**

The permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this permit approval. The City shall notify the permittee of any claim, action, or proceeding and the City shall cooperate in the defense. If the City fails to notify the permittee of any claim, action or proceeding of which the City has written notice, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

# 41. REIMBURSEMENTS

The permittee shall reimburse the City for any court and attorney's fees which the City may be required to pay as a result of any claim or action brought against the City because of this grant. Although the permittee is the real party in interest in an action, the City may, at its sole discretion, participate in the defense of the action, but such participation shall not relieve the permittee of any obligation under this Condition.

#### 42. IMPROVEMENT SURETY

Pursuant to Chapter 15.64.280 of the Rancho Mirage Municipal Code, all public improvements proposed with the Development Plan submittal, or required by the adopted approval Conditions, shall be guaranteed by cash bonds, letters of credit, or other legal instruments acceptable to the City Attorney and City Council.

#### 43. RELEASE OF PLANS

Written authorization must be obtained from any certified, licensed, or registered

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professional who signed the original building plans authorizing the plans to be made available by the City to all subsequent owners upon request (if on file with the City at the time of the request) for use by any subsequent owners solely for the construction, maintenance, operation, and use of the subject building(s) at the Project Site.

#### 44. NOTICE TO CITY UPON DEFAULT, FORECLOSURE OR BANKRUPTCY

In the event that the applicant receives a notice of default from any lender in connection with funds loaned to the applicant for the proposed development, or that any security instrument given by the applicant to any lender is foreclosed upon whether through a trustee's sale or otherwise, or that the applicant files a petition for bankruptcy, the applicant shall immediately notify the City of such notice of default, foreclosure sale, and/or filing of the bankruptcy petition, as the case may be.

# 45. DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS (CC&RS)

The subdivider shall submit to the City a Declaration of Covenants, Conditions and Restrictions (CC&Rs) which shall demonstrate, to the satisfaction of the City Attorney that the entire project will be developed and maintained in accordance with the intent and purpose of the approval. The approved documents shall be recorded concurrently.

- 46. The applicant shall submit documents for recordation which clearly prohibit installation of improvements in the common area by individual homeowner or documents which allow and govern installation of such improvements within the identified common areas. The documents shall be subject to approval of the City Engineer and City Attorney.
- 47. The CC&Rs shall be submitted to the City for review and shall contain provisions for a Homeowners' Association, with the unqualified right to assess owners of individual units for reasonable maintenance costs to common areas and improvements. The Homeowners' Association shall have the right to lien units of the owners who default in the payment of any assessment so provided. Any deed of trust recorded prior to said CC&Rs shall be subordinated to the CC&Rs. Any lien imposed shall not be superior to any lien for property taxes or government assessments. The CC&Rs will be clearly marked to identify those sections addressing the Conditions of Approval.
- 48. The CC&Rs and tract marketing materials shall identify that the project site is located in an area of high winds and blowing dust.
- 49. The CC&Rs shall require the Homeowners' Association and property owners to comply with the Section 30 Design Guidelines.

#### 50. DISCLOSURE OF ADJACENT LAND USE

Pursuant to Chapter 9.60 of the Municipal Code, the applicant shall disclose to any prospective purchaser of any buildable residential lot within the project, in a manner and form deemed acceptable by the City, the existence of the High Density Residential (R-H) zoned property to the east of the subject property.

#### V. CONTRACT SPECIALIST

Prior to City Council Approval of the Final Map, the following condition shall be

#### satisfied:

#### 51. MAINTENANCE OBLIGATIONS

The current and future property owner(s) shall be responsible for maintaining in compliance with all City standards for the same, the on-site and off-site landscaping and integrated architectural features required by this entitlement; all perimeter landscaping shall be maintained in a first-class condition. Landscape maintenance shall consist of regular watering mowing, pruning, fertilizing, clearing of debris and weeds, and the removal and replacement of irrigation systems, in compliance with all relevant and applicable provisions of the Rancho Mirage Municipal Code. Integrated architectural features must be kept in a manner which maintains the desirability of the immediate area and neighboring areas and respects the harmonious relationship with existing and adjoining developments. Due regard for preservation of each feature and its intended irrigation with surrounding landscaping, buildings, structures, screening, and signs is All features must be maintained in a manner commonly accepted by professionals who are experts in the care and preservation of each particular type of feature. A covenant to assure continued maintenance of on-site and off-site required landscaping and integrated architectural features by the current and future property owners or other liable entity, consistent with the terms and provisions of this condition of approval, shall be prepared in a format approved by the City Attorney and recorded in the Office of the Riverside County Recorder against all parcels created with this subdivision and any subsequent amendments thereto.

# VI. FIRE MARSHAL

- 52. The proposed project <u>may</u> have a cumulative adverse impact of the Fire Department's ability to provide an acceptable level of service. These impacts include an increased 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.
- 53. Fire Department emergency vehicle apparatus access road locations and design shall be in accordance with the California Fire Code, City of Rancho Mirage Municipal Code, and Riverside County Fire Department Standards. Plans must be submitted to the Fire Department for review and approval prior to building permit issuance.
- 54. Fire Department water system(s) for fire protection shall be in accordance with the California Fire Code, City of Rancho Mirage Municipal and Riverside County Fire Department Standards. Plans must be submitted to the Fire Department for review and approval prior to building permit issuance.
- 55. Prior to Building Permit issuance, the required water system, including all fire hydrant(s), shall be installed, and accepted by the appropriate water agency and the County Fire Department prior to any combustible building material placed on an individual lot. Contact the Fire Department to inspect the required fire flow, street signs, all weather surfaces, and all access and/or secondary access. Approved water plans must be at the job site.

#### **FINDINGS**

Tentative Tract Map Case No. TTM22-0003 (Tentative Tract Map No. 38224)

Pursuant to RMMC Section 16.12.065 *Action on tentative tract maps*, a tentative tract map may be approved only if the following findings are made:

- 1. The proposed Tentative Tract Map is consistent with the City's General Plan as specified in Section 65451 of the California Government Subdivision Map Act. The current General Plan and zoning designation for the Project Site is Very Low Density Residential (R-L-2). The R-L-2 zoning district identifies areas appropriate for large lot single-family uses. The allowable maximum density is two dwelling units per gross acre. The overall project density is 1.89 dwelling units per acre, which complies with the maximum density under the R-L-2 zoning district. The proposed parcels comply with the City's Development Code standards pertaining to minimum lot size and dimension requirements for the R-L-2 zoning district. As conditioned, the proposed tentative map is consistent with the City's General Plan, Section 30 Guidelines, and Subdivision Map Act.
- 2. The design or improvement of the proposed subdivision is consistent with the City's General Plan, Zoning Ordinance requirements, as conditioned. As set forth in the above analysis, the proposed subdivision is in conformance with the City's General Plan, zoning, Section 30 Design Guidelines, and all applicable requirements of the Subdivision Map Act. No variances or exceptions are requested. The development of the proposed parcels will be subject to the development standards of the underlying zoning district in effect at the time of application submittal.
- 3. The site is physically suitable for the type of development, as conditioned. The proposed parcels comply with the City's Development Code standards pertaining to minimum lot size and dimension requirements for the underlying zoning designation, Very Low Density Residential (R-L-2). The project site is physically suitable for the type of low density residential development with proposed lots that are 18,000 square feet or larger and no irregular shaped parcels. The overall project density is 1.89 dwelling units per acre, which complies with the maximum density under the R-L-2 zoning district.
- 4. The site is physically suitable for the proposed density of development, as conditioned. The proposed subdivision has an overall density of 1.89 dwelling units per acre, which does not exceed the maximum permitted density under the R-L-2 zoning district. In addition, the applicant shall comply with the recommendations of the adopted Mitigated Negative Declaration, Geotechnical Report, and Hydrology Study. No variances or exceptions are requested. No development is being proposed in conjunction with the proposed subdivision. Detailed site planning, building footprints, floor plan, exterior design, landscaping, and grading will be submitted for review during the development review application process for the future development of the proposed parcels. The development of the proposed parcels will be subject to the development standards of the underlying zoning district in effect at the time of application submittal.

- 5. The design of the subdivision and proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The project site is surrounded by existing developments to the south and west. The project site has been partially disturbed and any site development will have to comply with the mitigation measures and requirements of the adopted Mitigated Negative Declaration. The proposed project has less than a significant impact with the incorporation of mitigation measures provided in the adopted Mitigated Negative Declaration.
- The design of the subdivision or the type of improvements is not likely to cause serious 6. public health problems, as conditioned. As part of the subdivision review, staff sent notices to the Public Works Department, Riverside County Fire Marshal's Office, and all public utility companies and service agencies regarding the proposed subdivision on March 9, 2022. All agencies will be expected to provide service to the proposed parcels, including providers of gas, electrical, water, sewer, and cable telecommunication services. The Coachella Valley Water District (CVWD) started the Mission Hills Pressure Zone (MHPZ) Improvement Project in 2013 in order to construct a new 6.5-million-gallon domestic water storage reservoir and 21,000 feet of 36-inch transmission main to serve CVWD's existing and future customers. The improvement project was completed in 2018 and have been in service since then to support future development in the Mission Hills Pressure Zone area. Noise and fugitive dust associated with grading and construction of this project shall be mitigated through compliance with the adopted Mitigated Negative Declaration and the City's Municipal Code provisions regarding dust control and construction hours. Lastly, permits are required to be obtained to construct the new site improvements. No public health impacts are expected, as conditioned.
- 7. The design of the subdivision or the 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, as conditioned. The subdivision's design complies with the Section 30 Master Circulation Plan. As part of the subdivision review, staff sent notices to the Public Works Department, Riverside County Fire Marshal's Office, and all public utility companies and service agencies regarding the proposed subdivision on March 9, 2022. Any received comments have been incorporated into the staff report and the Conditions of Approval. The Tentative Map has been conditioned to record any necessary easements and abandon existing easements that are deemed unnecessary by the City Engineer. The incremental impacts of the project on service system capacities are mitigated by the dedications and public improvements required within the Conditions of Approval requiring all necessary dedications and public improvements to be in accordance with the City's adopted General Plan.
- 8. The proposed project has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA). The previously approved project (Tentative Tract Map No. 36621) for a ten-lot residential subdivision on the subject property was reviewed for compliance with the California Environmental Quality Act (CEQA). Based on Environmental Assessment Case No. EA130007, the City prepared and

filed an Initial Study and a Notice of Intent to Adopt a Mitigated Negative Declaration for the Project. A Notice of Availability was filed and posted with the Riverside County Clerk on May 6, 2014. On July 31, 2014, the Mitigated Negative Declaration was adopted, and the tentative map application was approved. continuity in the residential land use pattern of the area, the City Council conditioned the removal of one such lot and ultimately approved a nine-lot residential subdivision. A Notice of Determination was filed with the Riverside County Clerk on August 5, 2014. No CEQA challenge was filed. CEQA Guidelines Section 15162 (Subsequent EIRs and Negative Declarations) provides that when an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, that there are no new significant environmental effects due to a change in the project or circumstances, and there is no new information of substantial importance as identified in CEQA Guidelines Section 15162(a)(3). The proposed project is a request to subdivide one 4.77-acre parcel into nine residential lots with common area lots for landscaped parkways with retention basins that flank Via Josefina. With respect to the proposed project, the revisions from the previously approve tentative map are only minor technical changes that do not result in any new significant environmental effect(s). Such minor changes include the landscape planting palette, project entry design, and minor lot line adjustments. The current request does not propose to amend the project boundaries, uses, or development intensities of the original approval. Pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162, the City analyzed whether the revisions would result in new significant impacts or substantial increase in severity of previously identified impacts. Based on Environmental Assessment Case No. EA22-0005 and the City's analysis, no subsequent EIR, supplemental EIR, or subsequent mitigation negative declaration is required. No further environmental review is required.



# Approved by the City Council on February 16, 2023

TO: Mayor and City Council DATE: February 16, 2023

**FROM:** Joy Tsai, Senior Planner

SUBJECT: Environmental Assessment Case No. EA22-0005 and Tentative Tract Map Case

No. TTM22-0003 (TTM 38224)

#### SPECIFIC REQUEST OR RECOMMENDATION

That the City Council:

- A. Find Tentative Tract Map Case No. TTM22-0003 to be exempt from the California Environmental Quality Act and determine that the previously adopted Mitigated Negative Declaration based on Environmental Assessment Case No. EA130007 is still valid for the proposed project; and
- B. Approve Tentative Tract Map Case No. TTM22-0003 (TTM 38224), subject to the conditions of approval and based on the content and findings in the staff report.

#### JUSTIFICATION OR INFORMATION

#### **PROJECT SUMMARY**

The applicant, Phillip Fomotor of Fomotor Engineering, and owner, Mark Howard of La Paloma Homes, Inc., are requesting approval of Tentative Tract Map No. 38224 ("Project") to create a nine-lot single-family residential subdivision. The subject property is zoned Very Low Density Residential (R-L-2) and consists of a 4.77-acre parcel in Section 30 at the northeast corner of Via Josefina and Ginger Rogers Road.

The entitlement package includes the following applications: Environmental Assessment (EA) and Tentative Tract Map (TTM) to subdivide the subject property into nine single-family residential lots and lettered lots for common areas that include the private cul-de-sac street and two landscaped parkways with retention basins flanking the tract. The residential subdivision will be gated, similarly to other residential subdivisions in the vicinity. Access to the proposed parcels will be provided by the private cul-de-sac street off Via Josefina. All agencies are expected to provide service to the proposed parcels, including providers of gas, electrical, water, sewer, and cable telecommunication services. No residential development is being proposed in conjunction with the subject request. Detailed site planning, building footprints, floor plan, exterior design, landscaping, and grading will be submitted for review during the development review application process for the future development of the proposed parcels. The

development of the proposed parcels will be subject to the development standards of the underlying zoning district in effect at the time of application submittal.

#### PLANNING COMMISSION MEETING

On January 26, 2023, the Planning Commission conducted a duly noticed public hearing to consider the Project. No public comments were received during the public hearing. As summarized in the minutes attached to this report, the Commissioners' asked questions to which staff answered. The Planning Commission staff report, and draft minutes are included as Attachments 4 and 5.

After due consideration of the staff report, presentation, and public testimony, the Planning Commission made the following motion:

#### MOVED/SECONDED BY GREY/CHANTER TO RECOMMEND THAT THE CITY COUNCIL:

- A. FIND TENTATIVE TRACT MAP CASE NO. TTM22-0003 TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND DETERMINE THAT THE PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION BASED ON ENVIRONMENTAL ASSESSMENT CASE NO. EA130007 IS STILL VALID FOR THE PROPOSED PROJECT; AND
- B. APPROVE TENTATIVE TRACT MAP CASE NO. TTM22-0003 (TTM 38224), SUBJECT TO THE CONDITIONS OF APPROVAL AND BASED ON THE CONTENT AND FINDINGS IN THE STAFF REPORT.

#### **MOTION CARRIED 5/0.**

#### **ENVIRONMENTAL ASSESSMENT**

The previously approved project (Tentative Tract Map No. 36621) for a ten-lot residential subdivision on the subject property was reviewed for compliance with the California Environmental Quality Act (CEQA). Based on Environmental Assessment Case No. EA130007, the City prepared and filed an Initial Study and a Notice of Intent to Adopt a Mitigated Negative Declaration for the Project. A Notice of Availability was filed and posted with the Riverside County Clerk on May 6, 2014. On July 31, 2014, the Mitigated Negative Declaration was adopted, and the tentative map application was approved. To maintain continuity in the residential land use pattern of the area, the City Council conditioned the removal of one such lot and ultimately approved a nine-lot residential subdivision. A Notice of Determination was filed with the Riverside County Clerk on August 5, 2014.

CEQA Guidelines Section 15162 (Subsequent EIRs and Negative Declarations) provides that when an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of

substantial evidence in light of the whole record, that there are no new significant environmental effects due to a change in the project or circumstances, and there is no new information of substantial importance as identified in CEQA Guidelines Section 15162(a)(3). The proposed project is a request to subdivide one 4.77-acre parcel into nine residential lots with common area lots for landscaped parkways with retention basins that flank Via Josefina. With respect to the proposed project, the revisions from the previously approved tentative map are only minor technical changes that do not result in any new significant environmental effect(s). Such minor changes include the landscape planting palette, project entry design, and minor lot line adjustments. The current request does not propose to amend the project boundaries, uses, or development intensities of the original approval. Pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162, the City analyzed whether the revisions would result in new significant impacts or substantial increase in severity of previously identified impacts. Based on Environmental Assessment Case No. EA22-0005 and the City's analysis, no subsequent EIR, supplemental EIR, or subsequent mitigation negative declaration is required. No further environmental review is required.

# **NOTICE OF PUBLIC HEARING**

On February 1, 2023, public hearing notices were mailed to property owners within a **1,000**-foot radius of the parcel boundary and posted at the City's designated community posting sites pursuant to the requirements of Chapter 17.74 of the Municipal Code. Notification of the public hearing was published in *The Desert Sun* on February 5, 2023. Any information addressed to the City Council, but received after completion of this final report, will be distributed at the public hearing. No comments have been received as of the publication date of this report.

#### ATTACHMENT(S):

- Aerial Photo
- 2. Public Hearing Notice
- 3. Draft Notice of Exemption
- 4. Planning Commission Staff Report dated January 26, 2023 (Without Attachments)
- 5. Draft Planning Commission Meeting Minutes January 26, 2023
- 6. Adopted Mitigated Negative Declaration
- 7. Notice of Determination dated July 31, 2014
- 8. Tentative Tract Map No. 38224
- 9. Landscape Plans

# PLANNING COMMISSION MEETING THURSDAY, JANUARY 26, 2023 - 2:00 P.M.

# **MINUTES**

# **Meeting Location**

City of Rancho Mirage City Hall - Council Chamber 69-825 Highway 111 Rancho Mirage, CA 92270

# Remote Access Information iii

Zoom Link:

https://us02web.zoom.us/j/81033665619?pwd=c21PRjl YL3ZWR0VTcjcwd2JwUUNHZz09

Passcode: 513497

Webinar ID: 810 3366 5619 Call-In Nos.:1 669 900 9128

1 888 475 4499 (Toll Free)

#### CALL TO ORDER - 2:00 P.M.

a) Flag Salute: Led by Commissioner Chanter.

b) Roll Call: Present: **Agostini, Chanter, Grey, Maxwell – (Agostini and Grey via telecommunication)** 

\*Commissioner Bryant joined the meeting at 2:15pm (via telecommunication)

# **COMMISSIONER COMMENTS**

Commissioners commented that it was nice to see everyone again.

#### NON-AGENDA PUBLIC COMMENTS - None.

**APPROVAL OF MINUTES** – December 8, 2022, Special Meeting.

MOVED/SECONDED BY CHANTER/BRYANT TO APPROVE THE DECEMBER 8, 2022, SPECIAL PLANNING COMMISSION MEETING MINUTES AS PRESENTED. MOTION CARRIED 4/0.

# **PUBLIC HEARINGS**

- 1. Sign Program Case No. SIPR22-0002 Applicant: Stacey Nelson. Consideration of a sign program to establish tenant wall and monument signage criteria for a multi-tenant building. 69550 Highway 111 (APN: 674-490-023).
  - a. Consider the filing of a Notice of Exemption pursuant to the California Environmental Quality Act Section 15311 (Class 11 Accessory Structures); and
  - b. Consider approval of Sign Program Case No. SIPR22-0002, subject to the listed conditions of approval and pursuant to the content and findings in this staff report.

Pilar Lopez, Senior Planner, presented the staff report.

COMMISSIONER COMMENTS - None.

PUBLIC COMMENTS – None.

#### **MOVED/SECONDED BY GREY/CHANTER TO APPROVE:**

- 1. THE FILING OF A NOTICE OF EXEMPTION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT SECTION 15311 (CLASS 11 ACCESSORY STRUCUTRES) AND
- 2. SIGN PROGRAM CASE NO. SIPR22-0002, SUBJECT TO THE CONDITIONS OF APPROVAL AND BASED ON THE CONTENT AND FINDINGS IN THE STAFF REPORT.

#### **MOTION CARRIED 4/0.**

- \*\* Commissioner Bryant is now present via Zoom.
  - 2. Sign Program Case No. SIPR22-0004 Applicant: Peter Skaaning. Consideration of a sign program to establish tenant wall and monument signage criteria for a multi-tenant building. 72027 Highway 111 (APNs: 682-351-007 & 684-423-011).
    - Consider the filing of a Notice of Exemption pursuant to the California Environmental Quality Act Section 15311 (Class 11 – Accessory Structures); and
    - b. Consider approval of Sign Program Case No. SIPR22-0004, subject to the listed conditions of approval and pursuant to the content and findings in the staff report.

Ben Torres, Planning Manager, presented the staff report.

<u>PUBLIC COMMENTS</u> – None.

COMMISSIONER COMMENTS – None.

#### MOVED/SECONDED BY AGOSTINI/ BRYANT TO APPROVE:

- 1. THE FILING OF A NOTICE OF EXEMPTION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT SECTION 15311 (CLASS 11 ACCESSORY STRUCUTRES) AND
- 2. SIGN PROGRAM CASE NO. SIPR22-0004, SUBJECT TO THE CONDITIONS OF APPROVAL AND BASED ON THE CONTENT AND FINDINGS IN THE STAFF REPORT.

#### **MOTION CARRIED 5/0.**

3. Minor Conditional Use Permit Case No. CUP22-0007 – Applicant: Taylor Homec. Consideration to approve a use determination for a 2,250-square-foot veterinary clinic located

in the Country Club Village Shopping Center. 40101 Monterey Avenue, Suites B3 & B4 (APN: 682-180-043).

- a. Consider the filing of a Notice of Exemption pursuant to the California Environmental Quality Act Section 15301 (Class 1 Existing Facilities); and
- b. Consider approval of Minor Conditional Use Permit Case No. CUP22-0007, subject to the Conditions of Approval and based on the content and Findings in the staff report.

Lezlee Vasquez, Assistant Planner, presented the staff report.

#### PUBLIC COMMENTS - None.

#### COMMISSIONER COMMENTS -

Commissioner Chanter commented that she is glad to see this project and stated that the city needs more veterinarian clinics.

Vice Chair Grey concurred with Commissioner Chanter's comment and added that the City is in desperate need of additional veterinarian services. Vice Chair Grey welcomed Ms. Vasquez and thanked her for an excellent presentation.

Commissioner Bryant inquired if the owner had any other location in the Coachella Valley.

Ms. Vasquez confirmed that this is the applicant's first location in the valley.

Commissioner Bryant responded that pet owners appreciate high-quality veterinary care and welcomed the applicant to the community.

Commissioner Agostini also welcomed Ms. Vasquez and agreed that there is a strong need for veterinary care in Rancho Mirage.

Chair Maxwell commented that he is a pet owner and welcomed the applicant to Rancho Mirage.

#### MOVED/SECONDED BY AGOSTINI/BRYANT TO APPROVE:

- 1. CONSIDER THE FILING OF A NOTICE OF EXEMPTION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT SECTION 15301 (CLASS 1 EXISTING FACILITIES); AND
- 2. CONSIDER APPROVAL OF MINOR CONDITIONAL USE PERMIT CASE NO. CUP22-0007, SUBJECT TO THE CONDITIONS OF APPROVAL AND BASED ON THE CONTENT AND FINDINGS IN THE STAFF REPORT.

# **MOTION CARRIED 5/0.**

4. Environmental Assessment Case No. EA22-0013 and Tentative Parcel Map Case No. TPM22-0005 (Tentative Parcel Map No. 38380) – Applicant: James McEachern on behalf of Coda Construction LLC. Consideration to subdivide a 2.5-acre parcel into 4 single-family residential lots and other common lots for a private cul-de-sac street and landscaped open space areas. The subject property is located in Section 30, south of Ginger Rogers Road and

approximately 1,064 feet east of Bob Hope Drive (APN: 685-100-002).

- a. Consider the filing of a Notice of Exemption based on Environmental Assessment Case No. EA22-0013 and pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15315 (Minor Land Divisions); and,
- Consider approval of Tentative Parcel Map Case No. TPM22-0005 (TPM 38380), subject to the conditions of approval and based on the content and findings in the staff report.

Joy Tsai, Senior Planner, presented the staff report.

PUBLIC COMMENTS – None.

## **COMMISSIONER COMMENTS -**

Chair Maxwell inquired whether there was any written correspondence for this project.

Ms. Tsai confirmed that staff did not receive any outside correspondence or comments for this request.

Commissioner Bryant suggested that the developer may want to reconsider one of the plant choice as its sap is a chemical skin irritant that can be an issue for gardeners or animals.

Commissioner Agostini inquired about the access road width for Lot 4.

Mr. Torres stated that the road is 32 feet wide.

#### MOVED/SECONDED BY CHANTER/MAXWELL TO APPROVE:

- 1. THE FILING OF A NOTICE OF EXEMPTION BASED ON ENVIRONMENTAL ASSESSMENT CASE NO. EA22-0013 AND PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES SECTION 15315 (MINOR LAND DIVISIONS); AND
- 2. TENTATIVE PARCEL MAP CASE NO. TPM22-0005 (TPM 38380), SUBJECT TO THE CONDITIONS OF APPROVAL AND BASED ON THE CONTENT AND FINDINGS IN THE STAFF REPORT.

## **MOTION CARRIED 5/0.**

- 5. Environmental Assessment Case No. EA22-0005 and Tentative Tract Map Case No. TTM22-0003 (Tentative Tract Map No. 38224) Applicant: Phillip Fomotor of Fomotor Engineering on behalf of La Paloma Homes, Inc. Consideration to subdivide a 4.77-acre parcel into 9 single-family residential lots and other common lots for a private cul-de-sac street and landscaped retention basins. The subject property is located in Section 30 at the northeast corner of Via Josefina and Ginger Rogers Road (APN: 685-080-014).
  - a. Consider the recommendation for the City Council to find Tentative Tract Map Case No. TTM22-0003 exempt from the California Environmental Quality Act and determine

that the previously adopted Mitigated Negative Declaration based on Environmental Assessment Case No. EA130007 is still valid for the proposed project; and,

b. Consider the recommendation for the City Council to approve Tentative Tract Map Case No. TTM22-0003 (TTM 38224), subject to the conditions of approval and based on the content and findings in the staff report.

Joy Tsai, Senior Planner, presented the staff report.

Colin Kirkpatrick, Assistant City Attorney, requested Commissioner Agostini to confirm for the record whether or not he was able to hear the entire presentation and to notify staff if he experiences any technical difficulties.

Commissioner Agostini confirmed that he heard the entire presentation.

<u>PUBLIC COMMENTS</u> – None.

## **COMMISSIONER COMMENTS** -

Chair Maxwell inquired whether there was any written correspondence for this project.

Ms. Tsai confirmed that staff did not receive any outside correspondence or comments for this request.

Vice Chair Grey commented that the project looks like it is well situated location-wise and well planned. He inquired as to whether any of the Commissioners or staff had any comments about how approval of projects such as this and other similar projects are impacted by Senate Bill 9 (SB 9).

Majna Dukic, Director of Development Services, explained that SB 9 enables property owners to build up to two new dwelling units on the single-family lot. She emphasized that this application is for land subdivision, and that in order to build on the lot as proposed, the lot has to be subdivided first.

Vice Chair Grey further inquired about the total number of dwelling units that the property owner can potentially build per lot if the subdivision is approved. He asked if theoretically, the property owner can build up to three to four units on the lot if they utilize SB 9.

Ms. Dukic confirmed that SB 9 allows up to 4 total units including ADUs.

Vice Chair Grey asked if the Planning Commission taken into account the additional burden on the utilities and services that could be impacted if SB 9 is utilized after a subdivision has been approved. Vice Chair Grey expressed concern about the impact that the additional demand will have on the utilities and questioned if this impact was considered at all.

Ben Torres, Planning Manager, commented that the project has been routed to all responsible utility agencies and that they did not provide any negative comments on this subdivision.

Vice Chair Grey expressed concern that SB 9 has a significant impact and that he would like to understand the impact that SB 9 has on the cities as we go forward.

Colin Kirkpatrick, Assistant City Attorney, commented that the application that is before us is a subdivision map application as proposed. He emphasized that the Planning Commission cannot consider future potential subdivisions or development of additional dwelling units pursuant to SB 9. He further explained that the State legislators have prioritized housing and have limited what the city can look at when it comes to SB 9 applications.

Ms. Tsai added that to her knowledge the applicant has not expressed interest in building more than one dwelling unit on each proposed lot and that developers must obtain will serve letters from utility agencies to ensure that additional service can be provided. She clarified that development of the proposed parcels will be subject to the development standards of the underlying zoning district in effect at the time of application submittal.

Commissioner Bryant commented that he understands that the proposed subdivision is the only proposal under consideration at this time and expressed his concern about the impacts of SB 9. He thanked Vice Chair Grey for his comments.

Commissioner Agostini commented that he is looking forward to the development in the area as he lives close to that area.

#### MOVED/SECONDED BY GREY/CHANTER TO RECOMMEND THAT THE CITY COUNCIL:

- 1. FIND TENTATIVE TRACT MAP CASE NO. TTM22-0003 EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND DETERMINE THAT THE PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION BASED ON ENVIRONMENTAL ASSESSMENT CASE NO. EA130007 IS STILL VALID FOR THE PROPOSED PROJECT; AND
- 2. APPROVE TENTATIVE TRACT MAP CASE NO. TTM22-0003 (TTM 38224), SUBJECT TO THE CONDITIONS OF APPROVAL AND BASED ON THE CONTENT AND FINDINGS IN THE STAFF REPORT.

#### **MOTION CARRIED 5/0.**

## <u>ADJOURNMENT</u>

With no further business to consider, the Planning Commission meeting was adjourned at 2:56 P.M.

Prepared by: Deanna Mendoza

**Development Services Technician** 

**Date Approved by Planning Commission:** 2/23/2023.



# CITY OF RANCHO MIRAGE

CITY COUNCIL,

LIBRARY AND OBSERVATORY BOARD,
HOUSING AUTHORITY BOARD,
AND THE CITY COUNCIL REPRESENTING

THE REDEVELOPMENT SUCCESSOR AGENCY

REGULAR MEETING
THURSDAY, FEBRUARY 16, 2023

1:00 P.M.

## **MINUTES**

Pursuant to Assembly Bill No. 361 (Effective September 16, 2021), there will be the ability to teleconference into the meeting and the public may observe the meeting and offer public comment as follows:

## **At Meeting Location**

City of Rancho Mirage City Hall - Council Chamber 69-825 Highway 111 Rancho Mirage, CA 92270

## Access Remotely iii

Zoom Link:

https://us02web.zoom.us/j/82951062090?pwd=SUdZbGRzT3

hVWjlkVXltYVVGd09Odz09

Passcode: 665552

Webinar ID: 829 5106 2090

Zoom Call-In Nos.: 1 (669) 444-9171 (Carrier charges may apply)

1 (888) 475-4499 (Toll Free)

## SOCIAL DISTANCING REQUIRED FOR THE PUBLIC IF ATTENDING IN PERSON

## CALL TO ORDER - 1:00 P.M.

a) Flag Salute - Led by Council Member Marker.

b) Roll Call: Mallotto, Marker, Weill, Downs, Kite - All Present.

Mayor Pro Tem Downs noted he would preside over the meeting as Mayor Kite was still recovering from a minor medical procedure.

## **PRESENTATIONS**

Waste Disposal and Recycling Services Update by Burrtec.

Clara Vera, Municipal Marketing Manager at Burrtec, congratulated newly elected Council Members. She provided an update on the new recycling program recently implemented in accordance with Senate Bill 1838. She also expressed appreciation to the community and City for their support, which led to a great outcome.

## **NON-AGENDA PUBLIC COMMENTS**

Wally Melendez, member of the public, spoke of a need for a hydrogen fuel cell station.

## COUNCIL/BOARD MEMBER COMMENTS/REPORTS

Council Member Weill noted he attended the recent Lunar Festival at The River and presented a video highlighting the event. He commented it was a terrific success and congratulated both the Cultural Commission and The River for sponsoring the event.

Council Member Mallotto shared her participation at the Rancho Mirage Writers Festival and encouraged the community to attend the 2024 festival. She also announced upcoming programs and exhibits at the Rancho Mirage Library and Observatory.

Council Member Downs provided an overview of Rancho Mirage's signal synchronization program and noted how the City would be supportive of and cooperative with the Coachella Valley Association of Governments (CVAG) CV Sync program.

## <u>CITY MANAGER COMMENTS</u> – None.

**Note:** Due to an interruption in internet connection, the meeting was recessed for a break at 1:21 P.M. and reconvened at 1:30 P.M.

## **CONSENT CALENDAR**

Isaiah Hagerman, City Manager, presented the below-listed Consent Calendar items:

- 1. Approve December 15, 2022, Regular Meeting Minutes.
- 2. Approve January 19, 2023, Regular Meeting Minutes.
- 3. <u>Approve Fourth Extension of Completion Date for Tract Map No. 36809-2 Del Webb Rancho Mirage.</u>
- 4. <u>Approve Third Extension of Completion Date for Tract Map No. 36809-3 Del Webb Rancho Mirage.</u>
- 5. Adopt Resolution No. 2023-(Next-in-Order), Adopting Investment Policies Pertaining to the Investment of City Funds.
- Receive and File the December 31, 2022 Quarterly Treasurer's Report.
- 7. Approve Special Assistance Fund (SAF) Awards.

- 8. Approve Contracts.
- 9. <u>Approve Demands.</u>

Public Comments - None.

Council Member Mallotto recused herself from consideration of Item Nos. 3 and No. 4 due to her primary residence being located at Del Webb Rancho Mirage.

MOVED/SECONDED BY WEILL/MALLOTTO TO APPROVE CONSENT CALENDAR ITEM NOS. 1, 2, 5, 6, 7, 8, AND 9, AS PRESENTED. MOTION CARRIED 5/0.

MOVED/SECONDED BY WEILL/MARKER TO APPROVE CONSENT CALENDAR ITEM NOS. 3 AND 4 AS PRESENTED. MOTION CARRIED 4/0 (MALLOTTO RECUSED).

## **PUBLIC HEARINGS**

- 10. Environmental Assessment Case No. EA22-0005 and Tentative Tract Map Case No. TTM22-0003 (Tentative Tract Map No. 38224) Applicant: Phillip Fomotor of Fomotor Engineering on behalf of La Paloma Homes, Inc. Consideration to Subdivide a 4.77-Acre Parcel into 9 Single-Family Residential Lots and Other Common Lots for a Private Culde-sac Street and Landscaped Retention Basins. The Subject Property is Located in Section 30 at the Northeast Corner of Via Josefina and Ginger Rogers Road (APN: 685-080-014).
  - A. Consider Finding Tentative Tract Map Case No. TTM22-0003 to be Exempt from the California Environmental Quality Act and Determining that the Previously Adopted Mitigated Negative Declaration Based on Environmental Assessment Case No. EA130007 is Still Valid for the Proposed Project; and
  - B. Consider the Recommendation for the City Council to Approve Tentative Tract Map Case No. TTM22-0003 (TTM 38224), Subject to the Conditions of Approval and Based on the Content and Findings in the Staff Report.

Joy Tsai, Senior Planner, presented the staff report.

Public Comments - None.

Council Member Weill commented the site was left unimproved for a long time and expressed enthusiasm for the development of this high-end, low-density project. He noted that no negative comments were received from the surrounding property owners.

Mayor Pro Tem Downs noted this project was a great fit for the City of Rancho Mirage.

## MOVED/SECONDED BY MARKER/MALLOTTO TO:

A. FIND TENTATIVE TRACT MAP CASE NO. TTM22-0003 TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND DETERMINE THAT THE PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION BASED ON ENVIRONMENTAL ASSESSMENT CASE NO. EA130007 IS STILL VALID FOR THE PROPOSED PROJECT; AND

B. APPROVE TENTATIVE TRACT MAP CASE NO. TTM22-0003 (TTM 38224), SUBJECT TO THE CONDITIONS OF APPROVAL AND BASED ON THE CONTENT AND FINDINGS IN THE STAFF REPORT.

**MOTION CARRIED 5/0.** 

## **ACTION CALENDAR**

11. Resolution No. 2023-(Next-in-Order), Declaring the City's Intention to Annex Territory to Community Facilities District No. 1 and to Levy a Special Tax Therein for Additional Police and Fire Services, Preliminarily Approve a Map of the Area Proposed to be Annexed, and Schedule a Public Hearing to Consider the Annexation and the Levy of Special Tax for Annexation No. 190. (In Connection with Tentative Parcel Map No. TPM38315)

Kofi Antobam, Director of Administrative Services, presented the report.

Public Comments - None.

MOVED/SECONDED BY WEILL/MALLOTTO TO ADOPT RESOLUTION NO. 2023-04, DECLARING THE CITY'S INTENTION TO ANNEX TERRITORY TO COMMUNITY FACILITIES DISTRICT NO. 1 AND TO LEVY A SPECIAL TAX THEREIN FOR ADDITIONAL POLICE AND FIRE SERVICES, PRELIMINARILY APPROVE A MAP OF THE AREA PROPOSED TO BE ANNEXED, AND SCHEDULE A PUBLIC HEARING TO CONSIDER THE ANNEXATION AND THE LEVY OF THE SPECIAL TAX FOR ANNEXATION NO. 190. MOTION CARRIED 5/0.

- 12. Fiscal Year 2022-2023 Mid-Year Budget Adjustments:
  - A. Resolution No. 2023-(Next-in-Order), Amending the Fiscal Year 2022-2023
    General Fund Budget.
  - B. Resolution No. 2023-HA-(Next-in-Order) Amending the Fiscal Year 2022-2023 Housing Authority Budget.
  - C. Resolution No. 2023-LB-(Next-in-Order) Amending the Fiscal Year 2022-2023 Library & Observatory Budget.

Joseph Carpenter, Senior Manager Finance & Human Resources, presented the report.

Public Comments - None.

Council Member Weill thanked Joseph Carpenter and Kofi Antobam for their work on an outstanding fiscal report. He noted that even after the City invested approximately \$3 million in a turf conversion program estimated to save 75 million gallons per year in evaporation, it still had a reserve balance of close to \$70 million. He emphasized the importance of the City maintaining healthy reserves allocated to various categories, explaining it was the reason the City was able to provide necessary assistance during the COVID-19 pandemic.

Isaiah Hagerman, City Manager, also thanked Mr. Carpenter and Mr. Antobam on their efforts on the City budget throughout the year. He noted that a significant expenditure the City Council was able to make was adding police officers into the community and spoke of the importance of being fiscally sound. He also mentioned the successful turf rebate program, which had now been implemented by other cities. Mr. Hagerman thanked the City Council for their stewardship and dedication to the community.

Mayor Pro Tem Down noted that roughly 80 million gallons of water would be saved annually due to the turf rebate program. He reported that the Cotino project's Crystal Lagoon would use approximately 24 to 25 million gallons per year in replacement water; therefore, the turf rebate program alone would result in an annual savings of more than three times that which would be lost to evaporation at the lagoon. He also pointed out that the City was doing so well that it found ways to incorporate programs that help all residents, but also remain remarkably financially secure.

## MOVED/SECONDED BY WEILL/MALLOTTO TO:

- A. ADOPT RESOLUTION NO. 2023-05, AMENDING THE FISCAL YEAR 2022-2023 BUDGET;
- B. ADOPT RESOLUTION NO. 2023-HA-02, AMENDING THE FISCAL YEAR 2022-2023 BUDGET; AND
- C. ADOPT RESOLUTION NO. 2023-LB-02, AMENDING THE FISCAL YEAR 2022-2023 BUDGET.

**MOTION CARRIED 5/0.** 

## **CLOSED SESSION AGENDA**

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1).

Case Name: Vacation Rental Owners and Neighbors of Rancho Mirage et al. v. City of Rancho Mirage et al.

Case No.: CVRI2100368

2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1).

Case Name: Vacation Rental Owners and Neighbors of Rancho Mirage v. City of Rancho Mirage.

Case No.: CVPS2200167

3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1).

Case Name: Wendy Hope Heckman v. City of Rancho Mirage

Case No.: 5:22-cv-2031 (Central District of California)

- CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION
   Pursuant to Government Code Section 54956.9(d)(1).
   Case Name: Unspecified since disclosure would jeopardize pending settlement negotiations.
- 5. CONFERENCE WITH LEGAL COUNSEL POTENTIAL INITIATION OF LITIGATION Pursuant to Government Code Section 54956.9(d)(4). (1 Potential Case).

Steven Quintanilla, City Attorney, reported that the City Council would recess into closed session to confer with legal counsel regarding Vacation Rental Owners and Neighbors of Rancho Mirage et al. v. City of Rancho Mirage et al, Vacation Rental Owners and Neighbors of Rancho Mirage v. City of Rancho Mirage, Wendy Hope Heckman v. City of Rancho Mirage, an unspecified existing litigation item, and one potential initiation of litigation item.

## RECESS TO CLOSED SESSION

The City Council, Library and Observatory Board, Housing Authority Board, and the City Council representing the Redevelopment Successor Agency recessed into Closed Session at 2:04 P.M.

## RECONVENE OPEN SESSION

Mayor Pro Tem Downs reconvened the meeting at 3:19 P.M.

## **CLOSED SESSION ANNOUNCEMENTS**

Steven Quintanilla, City Attorney, announced there was no reportable action taken during closed session.

## **ADJOURNMENT**

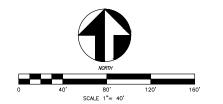
With no further business to consider, the meeting of the City Council, Library and Observatory Board, Housing Authority Board, and the City Council representing the Redevelopment Successor Agency was adjourned at 3:20 P.M.

Date Approved by City Council: 3/2/2023

Kristie Ramos, City Clerk

## TENTATIVE TRACT MAP NO. 38224

#### **ATTACHMENT 9**





EXISTING HEDGE

#### LEGAL DESCRIPTION

PER FIRST AMERICAN TITLE INSURANCE COMPANY, FILE NO.: 0SA-6254658, DATED 12/02/2020

THE LAND REFERRED TO IN THIS POLICY IS DESCRIBED AS FOLLOWS:

REAL PROPERTY IN THE CITY OF RANCHO MIRAGE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL 1: (APN: 685-080-014)

THE SOUTH ONE—HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 4 SOUTH, RANGE 6 EAST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPT THE WESTERLY 30 FEET.

ALSO EXCEPT OIL, GAS AND OTHER MINERAL DEPOSITS TOGETHER WITH THE RIGHT TO PROSPECT FOR, MINE AND REMOVE THE SAME AS WERE REQUIRED TO BE RESERVED TO THE UNITED STATES BY THE ACT OF JUNE 1, 1938 (52 STS. 609) AS AMENDED, AND AS RESERVED IN THE PATENT FROM THE UNITED STATES RECORDED MARCH 12, 2004 AS INSTRUMENT NO. 04-174800, OFFICIAL

APN: 685-080-014

#### EASEMENT NOTES:

3. AN EASEMENT SHOWN OR DEDICATED ON THE MAP FILED OR RECORDED IN BOOK 17, PAGE 60 OF RECORDS OF SURVEY FOR ROADS AND INCIDENTAL PURPOSES.

5. AN EASEMENT GRANTED TO THE RANCHO RAMON WATER COMPANY, A CORPORATION, FOR THE CONSTRUCTION, MAINTENANCE, OPERATION, REPAIR, INSPECTION, REPLACEMENT AND REMOVAL OF WATER MAINS, VALVES, PIPES AND FACILITIES AND INCIDENTAL PURPOSES, IN A DOCUMENT RECORDED JULY 16, 1956 IN BOOK 1943, PAGE 382 OF OFFICIAL RECORDS. (THE LOCATION OF THE EASEMENT CANNOT BE DETERMINED FROM RECORD INFORMATION.)

6. RIGHTS, RIGHTS OF WAY, RESERVATIONS AND EXCEPTIONS IN THE PATENT RECORDED, APRIL 24, 2958 IN BOOK 2260, PAGE 54, JANUARY 8, 1960 AS INSTRUMENT NO. 1792, JANUARY 15, 1960 AS INSTRUMENT NO. 3696, APRIL 16, 1962 AS INSTRUMENT NO. 3687, MARCH 22, 1965 IN BOOK 3954, PAGE 98, FEBRUARY 14, 1990 AS INSTRUMENT NO. 90-56018, DECEMBER 4, 2002 AS INSTRUMENT NO. 02-722722, MARCH 12, 2004 AS INSTRUMENT NO. 04-174800, ALL OF OFFICIAL RECORDS.

8. RIGHTS OF THE PUBLIC IN AND TO THAT PORTION OF THE LAND LYING WITHIN ANY ROAD, STREET, ALLEY OR HIGHWAY.

9. WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS.

#### **EARTHWORK QUANTITY ESTIMATE:**

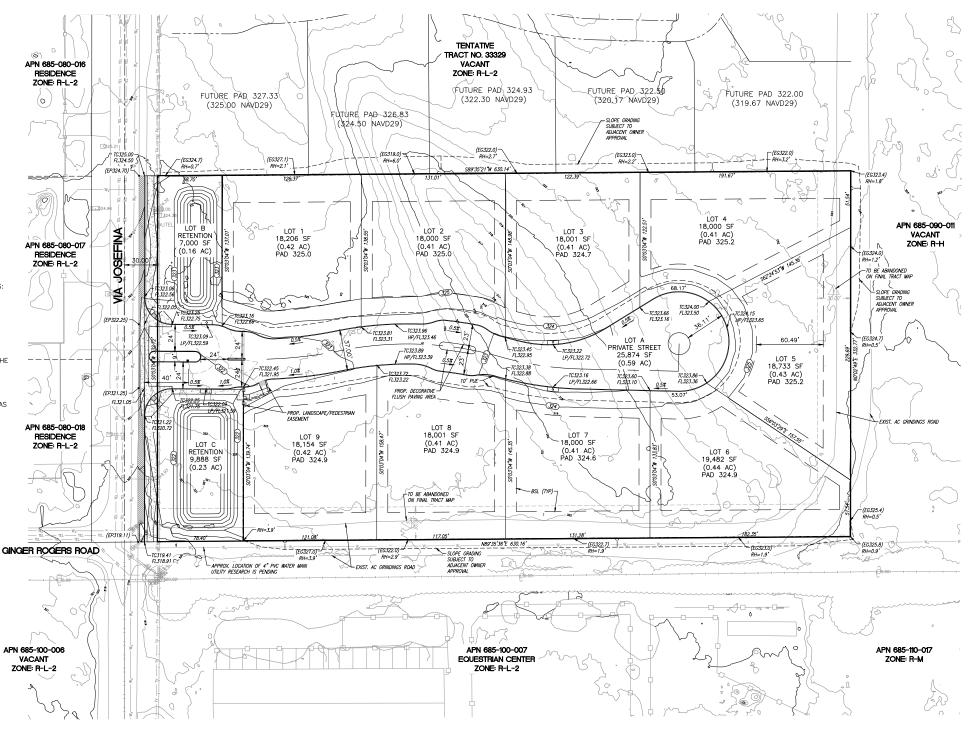
(FOR PERMIT PURPOSES ONLY)

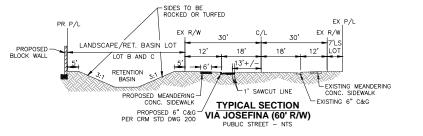
\*CONTRACTOR TO CALCULATE HIS OWN QUANTITIES FOR BIDDING\*

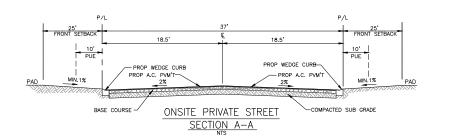
RAW CUT: 3,380 CY RAW FILL: 17,010 CY

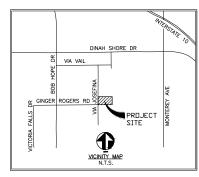
#### EXISTING UTILITIES NOTE:

A FIELD SURVEY OF VISIBLE SURFACE UTILITIES WAS PERFORMED IN JUNE OF 2021. RESEARCH OF UTILITY RECORDS IS STILL PENDING. SUBSURFACE UTILITIES MAY EXIST, BUT ARE NOT DENOTED HEREON.









#### UTILITY PURVEYORS:

ELECTRIC:	IMPERIAL IRRIGATION DISTRICT	(760)335-3640
GAS:	THE GAS COMPANY/SEMPRA ENERGY CO.	(760)327-3343
TELEPHONE:	FRONTIER	(760)778-3601
WATER:	COACHELLA VALLEY WATER DISTRICT	(760)398-2651
CABLE:	SPECTRUM	(866)874-2389
SEWER:	COACHELLA VALLEY WATER DISTRICT	(760)398-2651

#### BASIS OF BEARINGS:

THE BEARINGS SHOWN HEREON ARE BASED ON THE EASTERLY LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 30, ALSO KNOWN AS THE CENTERLINE OF KEY LARGO DRIVE, BEING NOO'O3'11"E PER RS 147/6.

#### BENCHMARK: RM57

ELEVATION: 348.13 NAVD88 (345.80 NAVD29)
DESCRIPTION: 2-1/2" BRASS DISK IN TC, FLUSH
LOCATION: IN THE EASTERLY CURB, 300 FT SOUTH
OF DINAH SHORE DRIVE ON BOB HOPE DRIVE

## OWNER/DEVELOPER: PREPARED BY:

LA PALOMA HOMES, INC. MARK HOWARD P.O. BOX 10179 PALM DESERT, CA 92255 PHONE: (760) 272–4691

FOMOTOR ENGINEERING 225 S. CIVIC DRIVE, SUITE 1–5 PALM SPRINGS, CA 92262 PHONE: (760)–323–1842 FAX: (760)–323–1742

## ASSESSOR'S PARCEL NO.: 685-080-014

ACREAGE: AREA: 4.77 ACRES

#### AREA: 4.// ACRES

ZONING DATA:

EXISTING ZONING: R-L-2

PROPOSED ZONING: R-L-2

#### LAND LICE

EXISTING LAND USE: VACANT
PROPOSED LAND USE: SINGLE FAMILY RESIDENTIAL

#### FLOOD ZONE:

ZONE X - FIRM MAP 06065C1595G, (EFFECTIVE DATE AUGUST 28, 2008)

#### SCHOOL DISTRICT:

PALM SPRINGS UNIFIED

#### NUMBER OF LOTS:

LETTERED LOTS = 3
LOT A - PRIVATE STREET
LOTS B,C - RETENTION AREAS
NUMBERED LOTS = 9

#### ABBREVIATIONS:

TP	TOP OF PAVEMENT
Ģ.	CENTERLINE
SF	SQUARE FEET
CY	CUBIC YARD
PL	PROPERTY LINE
EXIST	EXISTING
PROP	PROPOSED
APN	ASSESSOR'S PARCEL NUMBE
RW	RIGHT OF WAY
GB	GRADE BREAK
AC	ACREAGE
FF	FINISH FLOOR
мв	MAP BOOK
TYP	TYPICAL
PUE	PUBLIC UTILITY EASEMENT
HP	HIGH POINT
()	EXISTING
C&G	CURB AND GUTTER
ELEV	ELEVATION
FL	FLOW LINE
EP	EDGE OF PAVEMENT

## **PRELIMINARY**

## FOMOTOR ENGINEERING

225 S. CIVIC DRIVE, SUITE 1-5 PALM SPRINGS, CA. 92262 (760) 323-1842 FAX (760) 323-1742

FOR REVIEW PURPOSES

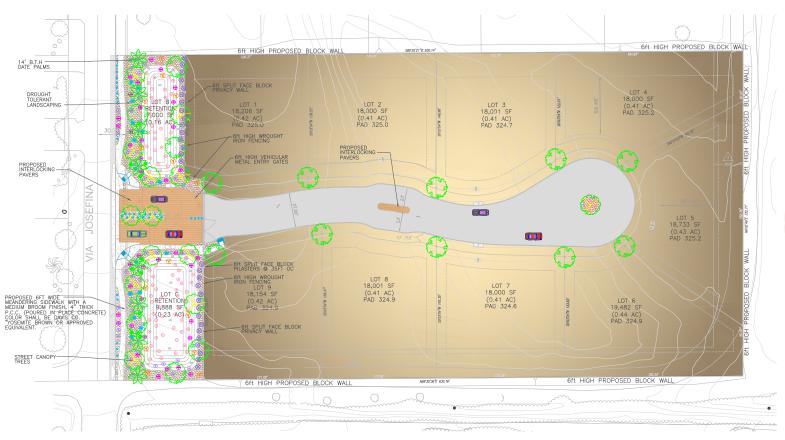
PHILLIP K. FOMOTOR, RCE 47284

OF

DATE: 10/10/2022

SHEET

SHEET



IRRIGATION NOTE: ALL PLANT MATERIAL WILL BE DRIP IRRIGATED AND LAWN WILL BE SPRAY IRRIGATED WITH LOW TRAJECTORY ANGLE SPRAYS FOR HIGHER EFFICIENCY.

FINAL LANDSCAPE PLANS SHALL BE IN COMPLIANCE WITH THE CITY OF RANCHO MIRAGE WATER EFFICIENCY ORDINANCE AND THE COACHELA VALLEY WATER DISTRICT'S LANDSCAPING AND IRRIGATION SYSTEM DESIGN ORDINANCE

#### PRELIMINARY LANDSCAPE

IN THE CITY OF RANCHO MIRAGE, CALIFORNIA
TENTATIVE TRACT MAP NO. 38224

	SYM.	NAME	WATER NEEDS	SIZE		COMMENTS	PLANT FACTO
<b>)</b>		Acacla aneura Mulga	LOW	24"-Box	16	Low Branchin	g .20
	CP	Cercidium praecox Sonoran Palo Verde	LOW	36*-Box	13	Low Branchir	.20

N	SYM.	NAME	WATE	ER IS	SIZE	QTY.	COMMENTS	PLANT
**	PD SHRUE	Phoenix Dactylifera 'Medjo Medjool Date Palm Tree 'S	ol Date' MO		14"	8	B.T.H. shovel	cut.50

SYM.	NAME	WATER NEEDS	SIZE		COMMENTS	PLAN' FACTO
**	Agave americana Century Plant	LOW	15 gal	15		.2
B0	Bougainvillea "Oh-la-la" Bougainvillea	MOD	5 gal.	38		
T) CAP	Caeselpinia pulcherinma Red Bird of Paradise	MOD	5 gal.	14		.6
FS FS	Fouquieria splendens Ocotilo	LOW	8'-10' tall	10	12 canes	min.
⊕ HP	Hesperalo parviflora Red Yucca	LOW	5 gal	37		
⊗ III:	Leucophyllum laevigatum Chihuahuan Rain Sage	LOW	5 gal	3	0 Purple	
+ LMP	Lantana montevidensis Purple Trailing Lantana	MOD	5 gal.	41	Purple	.4
(+)MC	Muhlenbergia capillaris Pink Mulhy	MOD	1 gal.	10	0	

3/8" - 'Chamoise Beige' DG, 3 inches thick on planters

NS NATURAL SOIL

NOTE: ALL QUANTITIES ARE FOR ESTIMATE PURPOSE ONLY.
CONTRACTOR TO VERIFY QUANTITIES. PLANS TAKE PRECEDENCE OVER PLANT LEGEND \* DENOTED TREES WITHIN 10 FEET OF HARDSCAPE, WALLS OR BUILDINGS TO RECEIVE 'DEEP ROOT' ROOT BARRIERS PER MANUFACTURER'S SPECIFICATIONS

OWNER/APPLICANT: LA PALOMA HOMES, INC. C/O MARK HOWARD P.O. BOX 10179 PALM DESERT, CA. 92255 760-272-4691

ENGINEER: FOMOTOR ENGINEERING, 225 S. CIVIC DR. SUITE 1-5 PALM SPRINGS, CA. 92260 760-346-8015

APN: 685-080-014



VICINITY MAP NTS



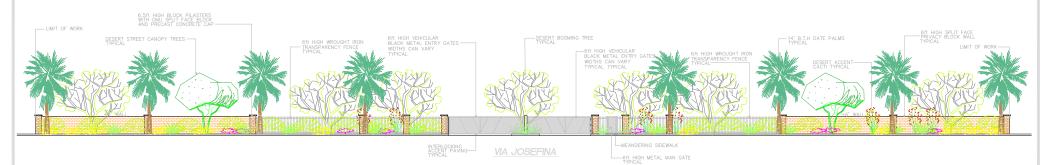


## GM Future Designs



DESIGNS











6FT TALL BLACK WROUGHT IRON TRANSPARENCY FENCE





IN THE CITY OF RANCHO MIRAGE, CALIFORNIA
TENTATIVE TRACT MAP NO. 38224



GM Future Designs

email: Gustavo@GMFutureDesigns.com



DESIGNSINC



## **Planning Commission Staff Report**

Environmental Assessment Case No. EA24-0011 and General Plan Text Amendment Case No. GPTA24-0001 – Assembly Bill 2140 Safety Element Update. Applicant: City of Rancho Mirage. Location: City-Wide

DATE	ITEM #		
April 24, 2025	PUBLIC HEARINGS - 6B.		
Presented To	Presented By		
	_		

#### **RECOMMENDED ACTION**

Adopt Resolution No. 2025-PC-(Next-in-Order), recommending that the City Council take the following action:

1. Adopt Resolution No. 2025-(Next-in-Order) for the following actions: A. Find that the adoption of the updated General Plan Safety Element is not subject to the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15061(b)(3) (General Rule "Common Sense" Exemption); and, B. Approve General Plan Text Amendment Case No. GPTA24-0001, incorporating by reference the 2023 Local Hazard Mitigation Plan into the Safety Element in the City's General Plan in accordance with Assembly Bill 2140.

#### **DISCUSSION**

#### **Summary**

The city-initiated General Plan Text Amendment is a request to amend the Safety Element of the Rancho Mirage General Plan by incorporating the adopted 2023 Local Hazard Mitigation Plan by reference in accordance with Assembly Bill (AB) 2140. AB 2140 is not a requirement, but an optional state incentive to help counties and cities become more resilient to natural hazards. This adoption would make the City eligible for additional recovery or part or all of its local-share costs on eligible public assistance funding provided by the state through the California Disaster Assistance Act (CDAA).

#### **Background and Request**

The State of California requires each jurisdiction to prepare and adopt a comprehensive, long-term General Plan to guide the jurisdiction's physical development and long-term vision for the future. The General Plan is a policy document comprised of goals and policies for implementation. The City of Rancho Mirage has periodically updated the General Plan as needed since its adoption in 1975. The City last updated the General Plan in 2017, and in 2005 before that. The 2017 General Plan Update was adopted by the City Council on November 16, 2017 through Resolution No. 2017-44 and reflects the City's vision for development through the year 2035.

The Safety Element is one of seven state-mandated chapters of the City's General Plan. The Safety Element addresses natural and manmade environmental hazards that might occur in Rancho Mirage and surrounding areas. It provides information, goals, policies, and programs to protect the general health, safety, and welfare of the community from seismic, geological, flood, hydrology, and hazardous and toxic materials events.

Safety Elements are governed by California Government Code Section 65302(g), which dictates the how, when, and what is included in a Safety Element, and identifies the triggers for future updates. The City's Safety Element was last updated on March 3, 2022 concurrently with the 6<sup>th</sup> Cycle Housing Element to address climate adaptation and resiliency strategies in compliance with state law. The City Council adopted Resolution No. 2022-06 adopting the Safety Element update and the 6th Cycle Housing Element, which covers the planning period years 2021 to 2029. The Amended Housing Element was adopted by the City Council on July 21, 2022 by Resolution No. 2022-39 and certified by the California Department of Housing and Community Development (HCD) on August 17, 2022.

Staff is bringing forward the current Safety Element update to ensure that the City is eligible for potential disaster funding as provided by State law pursuant to AB 2140.

#### <u>Analysis</u>

Review Authority (Rancho Mirage Municipal Code Chapter 17.73)

Chapter 17.73 of the Rancho Mirage Municipal Code (RMMC) specifies procedures for initiating and processing amendments to the City's General Plan. The process requires review by the Planning Commission and final review and approval by the City Council. Therefore, the Planning Commission's role in this matter is to forward a recommendation to the City Council for the General Plan Text Amendment (GPTA) described in this staff report.

**Legislative Requirements** 

Under the requirements of AB 2140, local jurisdictions are required to amend the Safety Element of their General Plans by adding a Local Hazard Mitigation Plan (LHMP) in order to qualify for funding under the California Disaster Assistance Act. The LHMP identifies and assesses hazards to which the City is most vulnerable and provides strategies to be implemented to mitigate risk and damage. The Safety Element works in tandem with the City's Local Hazard Mitigation Plan (LHMP) to evaluate the risk of hazards and demonstrate how the City will lower its risk and exposure to potential disasters.

The Rancho Mirage City Council adopted the current LHMP on September 19, 2024 through Resolution No. 2024-55. The City's LHMP is integrated into the Riverside County Multi-Jurisdictional Local Hazard Mitigation Plan (MJLHMP) as an annex to ensure a unified and coordinated effort by all cities within the County in the event of a disaster. The 2023 LHMP has received approval from the Federal Emergency Management Agency (FEMA) and the California Governor's Office of Emergency Services (Cal OES).

In order to remain eligible for disaster assistance funding, the City must amend its General Plan to include specific language in the Safety Element Chapter that references and provides an electronic link to the most current LHMP. Attachment 5 includes the amended text in yellow highlight. The proposed text amendment is as follows:

The Local Hazard Mitigation Plan (LHMP) for the City of Rancho Mirage was prepared pursuant to the requirements of the Disaster Mitigation Act (DMA) of 2000 to achieve eligibility for various federally funded grants and post-disaster assistance. The LHMP must be updated every five years in compliance with the DMA. The LHMP was designed to identify potential natural and man-made hazards; 2) identify and assess local risks; 3) determine local capabilities to mitigate risks; and 4) set goals, objectives, and mitigation measures to address identified potential disasters.

Assembly Bill (AB) 2140 is a state incentive to help cities become more resilient to natural hazards and requires adopting the LHMP into the Safety Element of the General Plan. This adoption makes the City eligible to be considered for part or all its local-share costs on eligible Public Assistance funding to be provided by the state through the California Disaster Assistance Act (CDAA). As the General Plan is an overarching long-term plan for community growth and development, incorporating the LHMP into it creates a stronger mechanism for implementing the LHMP.

<u>Clicking this link</u> allows you to access the City of Rancho Mirage LHMP, which has been incorporated into this element by reference.

County of Riverside Multi-Jurisdictional Local Hazard Mitigation Plan

The City's LHMP is integrated into the <u>Riverside County Multi-Jurisdictional Local Hazard Mitigation Plan</u> (MJLHMP) as an annex to ensure a unified and coordinated effort by all cities within the County in the event of a disaster.

**General Plan Consistency** 

State law requires internal consistency of the General Plan, including consistency of policy within an element and consistency of policy with other elements. The proposed Safety Element amendment does not add new policy to the element and consists of minor text amendments. Therefore, no internal element or other policy conflicts will be created thereby.

**Agency Review** 

Government Code Sections 65302 and 65302.5 specify Safety Element review procedures which require cities to submit the draft Safety Element to the following agencies: Cal OES, California Geological Survey (CGS) of the Department of Conservation, State Board of Forestry and Fire Protection (BOF), and every local agency that provides fire protection for the City.

Prior to submitting a formal review request to the BOF, local jurisdictions are encouraged to submit their draft Safety Element to the Office of the State Fire Marshal, Land Use Planning Program for pre-review comments. The City's draft Safety Element was submitted to the aforementioned agencies on February 5, 2025. A copy of the draft Safety Element was submitted to the BOF on February 6, 2025, after completion of CAL FIRE Land Use Planning Program's review. On March 26, 2025, the CAL FIRE Land Use Planning Program notified the City that the City's Safety Element amendment no longer needs to be formally reviewed by the BOF. The other agencies did not have any recommended edits/additions pursuant with AB 2140.

#### Senate Bill (SB) 18 Tribal Consultation

State law requires that an opportunity for consultation to be made available to California Native American tribes when considering a general plan amendment, pursuant to Senate Bill (SB) 18. All potentially interested tribes identified by the Native American Heritage Commission (NAHC) were contacted pursuant to SB 18 on December 19, 2024. Tribes had 90 days from the date of receipt of the notice to request consultation.

Two tribes (Agua Caliente Band of Cahuilla Indians and Quechan Tribe of the Fort Yuma Reservation) provided a response. The Quechan Tribe of the Fort Yuma Reservation had no comment and deferred to the local tribe. The Agua Caliente Band of Cahuilla Indians was the only tribe to request a formal consultation in their letter dated January 16, 2025. They formally concluded their consultation on January 27, 2025, stating that their concerns have been addressed. No additional correspondence or requests for formal consultation were received, and the SB 18 noticing period concluded on March 20, 2025.

#### **Environmental Determination**

Pursuant to RMMC Section 17.73.030(D) *Procedure,* all proposed text amendments initiated pursuant to RMMC Chapter 17.73 shall be reviewed for compliance with the California Environmental Quality Act (CEQA). Staff has determined that the proposed GPTA is exempt from CEQA pursuant to Section 15061(b)(3) (General Rule "Common Sense" Exemption), "which states "The activity is covered by the common-sense exemption that CEQA applies only to projects which have the potential for causing significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." In that, the proposed update would amend the Safety Element to reflect State law, the proposed update will not have a significant effect on the environment; and, therefore, the GPTA is not subject to CEQA. No further environmental analysis is required pursuant to CEQA Guidelines Section 15061(b)(3).

#### **Noticing Requirement**

Notification of the public hearing was provided pursuant to the requirements of Rancho Mirage Municipal Code Section 17.74.020, *Hearing and notice*. On April 8, 2025, public hearing notices were posted at the City's designated community posting sites. Notification of the public hearing was published in *The Desert Sun* on April 13, 2025. Any information addressed to the Planning Commission, but received after completion of this final report, will be distributed at the public hearing. No comments have been received as of the publication date of this report.

#### **Attachments**

Attachment 1 - Public Hearing Notice

Attachment 2 - Draft Notice of Exemption

Attachment 3 – Planning Commission Resolution

<u>Attachment 4 - Draft City Council Resolution</u>

Attachment 5 - Draft Safety Element Update

Attachment 6 - Adopted 2023 Local Hazard Mitigation Plan

Planning Division 69-825 Highway 111 Rancho Mirage, CA 92270 Planning@RanchoMirageCA.gov (760) 328-2266

## **PUBLIC HEARING NOTICE**

## PLANNING COMMISSION MEETING Thursday, April 24, 2025 – 2:00 p.m.

Environmental Assessment Case No. EA24-0011 and General Plan Text Amendment Case No. GPTA24-0001 – Assembly Bill 2140 Safety Element Update

**Applicant:** City of Rancho Mirage

**Request:** Consideration of a city-initiated General Plan Text Amendment to amend the

Safety Element of the Rancho Mirage General Plan by incorporating by reference the 2023 Local Hazard Mitigation Plan in accordance with Assembly Bill (AB) 2140. This adoption would make the City eligible for potential disaster funding as provided by State law pursuant to AB 2140.

**Location:** City-Wide

**NOTICE IS HEREBY GIVEN** that a Public Hearing will be held before the City of Rancho Mirage Planning Commission regarding consideration of the above referenced General Plan Text Amendment application pursuant to Rancho Mirage Municipal Code Title 17. The proposed General Plan Text Amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) (General Rule "Common Sense" Exemption). No further environmental review is required.

The Public Hearing will be held on Thursday, April 24, 2025, at 2:00 p.m., in the Council Chamber, 69-825 Highway 111, Rancho Mirage, California, at which time and place pertinent testimony will be heard. The file, including all environmental information, is available for public inspection at City Hall, Monday through Friday, between 8 a.m. and 5:00 p.m., and will be posted on the City's website with the publication of the Planning Commission Agenda, to be posted at least 72 hours prior to the meeting.

Written testimony may be submitted to the City Clerk via email to CityClerk@RanchoMirageCA.gov, or mailed to City of Rancho Mirage, ATTN: City Clerk, 69-825 Highway 111, Rancho Mirage, CA 92270. Written testimony must be received no later than 11:00 a.m. on the day of the meeting to be considered by the Planning Commission.

**GOVERNMENT CODE** § **65009 NOTICE:** If you challenge this proposed activity in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission sufficiently prior to the Public Hearing to enable its consideration by them.

## **ATTACHMENT 2**



## **CITY OF RANCHO MIRAGE**

69-825 Highway 111, Rancho Mirage, CA 92270-2898 (760) 324-4511/328-2266

## **NOTICE OF EXEMPTION**

To: State Clearinghouse

1400 10th Street Sacramento, CA 95814	P.O. Box 751 Riverside, CA 92501
<b>Project Title/Case No.:</b> Environmental Assessment Case No GPTA24-0001 – AB 2140 Safety Element Update	b. EA24-0011 and General Plan Text Amendment Case No.
Project Applicant: City of Rancho Mirage	
Project Location: City-Wide	
<b>Project Description:</b> Consideration of a city-initiated General Rancho Mirage General Plan by incorporating by reference Assembly Bill (AB) 2140. This adoption would make the City e pursuant to AB 2140.	the 2023 Local Hazard Mitigation Plan in accordance with
Name of Agency Approving Project: City of Rancho Mirage Name of Person or Agency Carrying Out Project: Joy Tsai, Lead Agency Contact Person: Joy Tsai, Senior Planner	
Exempt Status: (check one)  Ministerial (Sec. 21080(b)(1); 15268); Emergency Project [Sec. 21080(b)(4); 15269(b)(c)]; Categorical Exemption (State type and Section number): Other (State type and Section number): CEQA Guidelines	eclared Emergency [Sec. 21080(b)(3); 15269(a)] tatutory Exemption; Code No.:  Sec. 15061(b)(3) "Common Sense" Exemption
Reasons why project is exempt:  The proposed General Plan Text Amendment is exempt fro "Common Sense" Exemption), "which states "The activity is conly to projects which have the potential for causing significant of that there is no possibility that the activity in question may has subject to CEQA." In that, the proposed update would amend will not have a significant effect on the environment; and, environmental analysis is required pursuant to CEQA Guidelin	overed by the common-sense exemption that CEQA applies effect on the environment. Where it can be seen with certainty we a significant effect on the environment, the activity is not the Safety Element to reflect State law, the proposed update therefore, the GPTA is not subject to CEQA. No further
Date:	Joy Tsai, Senior Planner
⊠ Signed by Lead Agency	

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RANCHO MIRAGE, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2025-(NEXT-IN-ORDER), FINDING THAT THE ADOPTION OF THE SAFETY ELEMENT OF THE CITY'S GENERAL PLAN IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15061(B)(3) AND APPROVING GENERAL PLAN TEXT AMENDMENT CASE NO. GPTA24-0001, INCORPORATING BY REFERENCE THE 2023 LOCAL HAZARD MITIGATION PLAN INTO THE SAFETY ELEMENT IN THE CITY'S GENERAL PLAN IN ACCORDANCE WITH ASSEMBLY BILL 2140

**WHEREAS**, the City of Rancho Mirage ("City") is a charter city and recognized as a political subdivision of the State of California for certain purposes; and

**WHEREAS**, the City adopted its current General Plan on November 16, 2017, through Resolution No. 2017-44; and

**WHEREAS**, the General Plan must include a Safety Element that addresses risk associated with seismic, geological, flood, and wildfire hazards. In accordance with state law, the City's General Plan includes a Safety Element; and

**WHEREAS**, the City may adopt a Local Hazard Mitigation Plan ("LHMP") into its Safety Element of the City's General Plan to provide supplemental information and/or fulfill requirements pursuant to Government Code Sections 65302 and 65302.6; and

**WHEREAS**, pursuant to Assembly Bill 2140 ("AB 2140"), California cities that adopt a LHMP, as well as incorporate the LHMP into the Safety Element of the City's General Plan, are eligible to be considered for part or all its local-share costs on eligible Public Assistance funding to be provided by the state through the California Disaster Assistance Act ("CDAA"); and

**WHEREAS**, on October 4, 2018, the City Council adopted Resolution No. 2018-41, adopting the 2017 LHMP and amending the Safety Element to incorporate the City's LHMP by reference; and

**WHEREAS**, on March 3, 2022, the City Council adopted Resolution No. 2022-06, adopting the Safety Element update; and

**WHEREAS**, on September 19, 2024, the City Council adopted Resolution No. 2024-55, adopting the City's current LHMP; and

**WHEREAS**, in order for the City's Safety Element to be compliant with the specifications of AB 2140, the City must incorporate the current LHMP into the Safety Element of the City's General Plan by reference; and

**WHEREAS**, pursuant to Rancho Mirage Municipal Code Chapter 17.73, a proposal to amend the City's General Plan may be initiated by a department director, but may only be approved and adopted by the City Council; and

**WHEREAS**, the following case identification was assigned to the General Plan Text Amendment, Case No. GPTA24-0001 ("GPTA"), and is further referenced as Exhibit "A," attached hereto and incorporated herein by this reference; and

**WHEREAS**, pursuant to the requirements of Senate Bill 18, the City notified local tribes of the GPTA to amend the Safety Element, provided a 90-day period for consultation requests, and all requests for consultation have been completed; and

**WHEREAS**, the City has complied with all statutory requirements relating to the amendment of the Safety Element of the City's General Plan; and

**WHEREAS**, the LHMP represents a critical part of emergency preparedness and planning for the City, and this amendment to the Safety Element will increase the City's eligibility for disaster assistance and ongoing resiliency to disasters.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF RANCHO MIRAGE, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

## Section 1. RECITALS AND EXHIBITS

That the foregoing Recitals and attached exhibits are true and correct and are hereby incorporated by this reference.

## Section 2. ENVIRONMENTAL REVIEW

That pursuant to and in compliance with CEQA and the applicable CEQA Guidelines, the Planning Commission finds, determines and concludes that the approval of a GPTA to incorporate the 2023 LHMP in the Safety Element of the General Plan by reference will not result in a significant impact on the environment and is exempt from environmental review pursuant to CEQA Guidelines Section 15061(b)(3). This exemption is based on the fact that the proposed project is a General Plan Amendment that will not result in changes to the existing physical environment, and any modifications to the physical environment will not occur as a result of its adoption which is exempt from CEQA for the reasons outlined in the CEQA Guideline section citied above. The GPTA simply amends the Safety Element to clarify that the LHMP is part of the Safety Element (which it already speaks to) and directs readers to the website address whereon the LHMP may be accessed. Upon the City Council's adoption of a finding of a common-sense exemption, staff has prepared and will file a Notice of Exemption.

## Section 3. GENERAL PLAN TEXT AMENDMENT

That the Planning Commission has considered all of the evidence submitted into the administrative record for the project, and hereby finds, determines and declares, and recommends the City Council find, determine and declare, that the GPTA will not be detrimental to the health, safety, or general welfare of the community. The Planning Commission further finds that the adoption of the GPTA is consistent with the City's General Plan and State law and recommends City Council make the same finding.

Based on the foregoing, the Planning Commission hereby recommends that the City Council adopt Resolution No. 2025-(Next-in-Order), approving the GPTA attached hereto as Exhibit "A", and incorporated herein by reference, and directs the filing of a Notice of Exemption.

## Section 4. CITY ATTORNEY REVIEW

That the City Attorney has reviewed the proposed GPTA and determined the City has the authority to adopt the proposed amendment, the proposed amendment is constitutionally valid under the state and federal constitutions, and the proposed amendment is consistent with the general powers and purposes of the City, the City's Charter, ordinances approved by the voters, and all applicable federal and/or state laws.

## Section 5. SEVERABILITY

That if any provision, section, paragraph, sentence or word of Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words as hereby adopted shall remain in full force and effect.

## Section 6. REPEAL OF CONFLICTING PROVISIONS

That all provisions of any resolution in effect prior to the effective date of this Resolution as adopted by the Planning Commission that are in conflict with the provisions of this Resolution, are hereby repealed.

#### Section 7. EFFECTIVE DATE

That this Resolution shall take effect immediately upon its adoption.

## Section 8. CERTIFICATION

That the Secretary to the Planning Commission shall certify as to the adoption of this Resolution and shall cause the same to be processed in the manner required by law.

PASSED, APPROVED, and ADOPTE	<b>D</b> on this _	day of	, 2025.
	CITY	OF RANCHO MIRAGE	
	Jasser	n Agostini, Chair	
ATTEST:			
Kristie Ramos, City Clerk			
APPROVED AS TO FORM:			
Colin D. Kirkpatrick, City Attorney			

## **EXHIBIT "A"**

# GENERAL PLAN TEXT AMENDMENT CASE NO. GPTA24-0001 SAFETY ELEMENT

[TO BE ATTACHED]

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO MIRAGE, CALIFORNIA, FINDING THAT THE ADOPTION OF THE SAFETY ELEMENT OF THE CITY'S GENERAL PLAN IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15061(B)(3) AND APPROVING GENERAL PLAN TEXT AMENDMENT CASE NO. GPTA24-0001, INCORPORATING BY REFERENCE THE 2023 LOCAL HAZARD MITIGATION PLAN INTO THE SAFETY ELEMENT IN THE CITY'S GENERAL PLAN IN ACCORDANCE WITH ASSEMBLY BILL 2140

**WHEREAS**, the City of Rancho Mirage ("City") is a charter city and recognized as a political subdivision of the State of California for certain purposes; and

**WHEREAS**, the City adopted its current General Plan on November 16, 2017, through Resolution No. 2017-44; and

**WHEREAS**, the General Plan must include a Safety Element that addresses risk associated with seismic, geological, flood, and wildfire hazards. In accordance with state law, the City's General Plan includes a Safety Element; and

**WHEREAS**, the City may adopt a Local Hazard Mitigation Plan ("LHMP") into its Safety Element of the City's General Plan to provide supplemental information and/or fulfill requirements pursuant to Government Code Sections 65302 and 65302.6; and

**WHEREAS**, pursuant to Assembly Bill 2140 ("AB 2140"), California cities that adopt a LHMP, as well as incorporate the LHMP into the Safety Element of the city's General Plan, are eligible to be considered for part or all its local-share costs on eligible Public Assistance funding to be provided by the state through the California Disaster Assistance Act ("CDAA"); and

**WHEREAS**, on October 4, 2018, the City Council adopted Resolution No. 2018-41, adopting the 2017 LHMP and amending the Safety Element to incorporate the City's LHMP by reference; and

**WHEREAS**, on March 3, 2022, the City Council adopted Resolution No. 2022-06, adopting the Safety Element update; and

**WHEREAS**, on September 19, 2024, the City Council adopted Resolution No. 2024-55, adopting the City's current LHMP; and

**WHEREAS**, in order for the City's Safety Element to be compliant with the specifications of AB 2140, the City must incorporate the current LHMP into the Safety Element of the City's General Plan by reference; and

- **WHEREAS**, pursuant to Rancho Mirage Municipal Code Chapter 17.73, a proposal to amend the City's General Plan may be initiated by a department director, but may only be approved and adopted by the City Council; and
- **WHEREAS**, the following case identification was assigned to the General Plan Text Amendment, Case No. GPTA24-0001 ("GPTA"), and is further referenced as Exhibit "A," attached hereto and incorporated herein by this reference; and
- **WHEREAS**, pursuant to the requirements of Senate Bill 18, the City notified local tribes of the GPTA to amend the Safety Element, provided a 90-day period for consultation requests, and all requests for consultation have been completed; and
- **WHEREAS**, the City has complied with all statutory requirements relating to the amendment of the Safety Element of the City's General Plan; and
- **WHEREAS**, the City's Planning Commission conducted a duly noticed public hearing on April 25, 2025, on the proposed GPTA and considered all written and oral testimony; and
- WHEREAS, the Planning Commission found that the proposed GPTA is in the public's interest and recommended that the City Council find that the adoption of the amended Safety Element of the City's General Plan is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) and approve the GPTA to amend the Safety Element of the General Plan; and
- WHEREAS, the City Council conducted a duly noticed public hearing on [INSERT DATE], to consider the Planning Commission's recommendation on the proposed GPTA; and
- **WHEREAS**, the City Council, after due consideration of the Planning Commission's recommendation, all relevant staff reports, and all written and oral comments submitted at or prior to the City Council's public hearing, found that the proposed GPTA is in the public interest; and
- **WHEREAS**, the City Council adopted Resolution No. [TO BE INSERTED], finding that the adoption of the Safety Element of the City's General Plan is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) and approving the GPTA.
- NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO MIRAGE, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

## <u>Section 1</u>. RECITALS AND EXHIBITS

That the foregoing Recitals and attached exhibits are true and correct and are hereby incorporated by this reference.

## Section 2. ENVIRONMENTAL REVIEW

That pursuant to and in compliance with CEQA and the applicable CEQA Guidelines, the City Council finds, determines and concludes that the approval of a GPTA to incorporate the 2023 LHMP in the Safety Element of the General Plan by reference will not result in a significant impact on the environment and is exempt from environmental review pursuant to CEQA Guidelines Section 15061(b)(3). This exemption is based on the fact that the proposed project is a General Plan Amendment that will not result in changes to the existing physical environment, and any modifications to the physical environment will not occur as a result of its adoption which is exempt from CEQA for the reasons outlined in the CEQA Guideline section citied above. The GPTA simply amends the Safety Element to clarify that the LHMP is part of the Safety Element (which it already speaks to) and directs readers to the website address whereon the LHMP may be accessed. Upon the City Council's adoption of a finding of a common-sense exemption, staff has prepared and will file a Notice of Exemption.

## Section 3. GENERAL PLAN TEXT AMENDMENT

That the City Council has considered all of the evidence submitted into the administrative record for the project, and hereby finds, determines and declares that the GPTA will not be detrimental to the health, safety, or general welfare of the community. The City Council further finds that the adoption of the GPTA is consistent with the City's General Plan and State law.

Based on the foregoing, the City Council hereby approves the GPTA attached hereto as Exhibit "A", and incorporated herein by reference, and directs the filing of a Notice of Exemption.

## Section 4. CITY ATTORNEY REVIEW

That the City Attorney has reviewed the proposed GPTA and determined the City has the authority to adopt the proposed amendment, the proposed amendment is constitutionally valid under the state and federal constitutions, and the proposed amendment is consistent with the general powers and purposes of the City, the City's Charter, ordinances approved by the voters, and all applicable federal and/or state laws.

## Section 5. FURTHER ACTIONS

That the City Council hereby directs the Development Services Director, or designee, to take all further actions to effectuate this Resolution.

## Section 6. SEVERABILITY

That if any provision, section, paragraph, sentence or word of Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction

or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words as hereby adopted shall remain in full force and effect.

## <u>Section 7.</u> REPEAL OF CONFLICTING PROVISIONS

That all provisions of any resolution in effect prior to the effective date of this Resolution as adopted by the City Council that are in conflict with the provisions of this Resolution, are hereby repealed.

## Section 8. EFFECTIVE DATE

That this Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED, and ADOPTED on this day of

## Section 9. CERTIFICATION

That the City Clerk shall certify as to the adoption of this Resolution and shall cause the same to be processed in the manner required by law.

, 2025.

,	<u> </u>
	CITY OF RANCHO MIRAGE
	Ted Weill, Mayor
ATTEST:	
Kristie Ramos, City Clerk	
APPROVED AS TO FORM:	
Colin D. Kirkpatrick, City Attorney	

## **EXHIBIT "A"**

# GENERAL PLAN TEXT AMENDMENT CASE NO. GPTA24-0001 SAFETY ELEMENT

[TO BE ATTACHED]

# 8 Safety

**ATTACHMENT 5** 

## Introduction

The Safety Element addresses natural and manmade environmental hazards that might occur in Rancho Mirage and surrounding areas. It provides information, goals, policies, and programs to protect the general health, safety, and welfare of the community from seismic, geological, flood, hydrology, and hazardous and toxic materials events. The assessment of and planning for these hazards and the constraints that manage them is the primary purpose of the Safety Element. The policies and programs of this element should also be coordinated with the Public Services and Facilities Element, which includes a discussion of emergency services and facilities and the City's Emergency Preparedness Plan.

## Geotechnical Hazards

## Purpose

Rancho Mirage and the SOI are located in an area subject to substantial seismic and geological hazards such as strong ground shaking, seismic-induced settlement, seismic-induced landslides, collapsible and expansive soils, ground subsidence, and wind-blown sand hazards. These seismic and geological hazards can affect the structural integrity of buildings and utilities and, in turn, cause severe property damage and potential loss of life.

The purpose of the Geotechnical Hazards section, in the following pages, is to provide information, goals, policies, and programs to protect the general health, safety, and welfare of the residents of Rancho Mirage relative to seismic and other geotechnical hazards, It also serves to educate the community about seismic and related geologic hazards.

## Background

## Major Fault Hazards in the Rancho Mirage Area

Rancho Mirage is located in an area with numerous active faults. At least two active faults lie close to Rancho Mirage's northern edge and SOI, but are north of I-10 and outside of the City's jurisdictional boundaries. These are the Banning fault and the Garnet Hill fault. Both fault zones are capable of causing damage to Rancho Mirage. Other faults in the region, such as the San Andreas, San Jacinto, and San Gorgonio Pass faults, also have the potential to produce strong seismic shaking in Rancho Mirage. Ground shaking during an earthquake is the most significant seismic hazard that will impact Rancho Mirage. Exhibit 21 shows the faults sur-rounding the city.

The most important piece of legislation related to seismic hazards is the Alquist-Priolo Earthquake Fault Zoning Act, which prohibits locating structures for human occupancy across active fault lines until geotechnical investigations determine that a prospective site is safe for habitation. The Act also requires cities to disclose to the general public areas that are subject to seismic hazards, by means of maps and other appropriate materials.

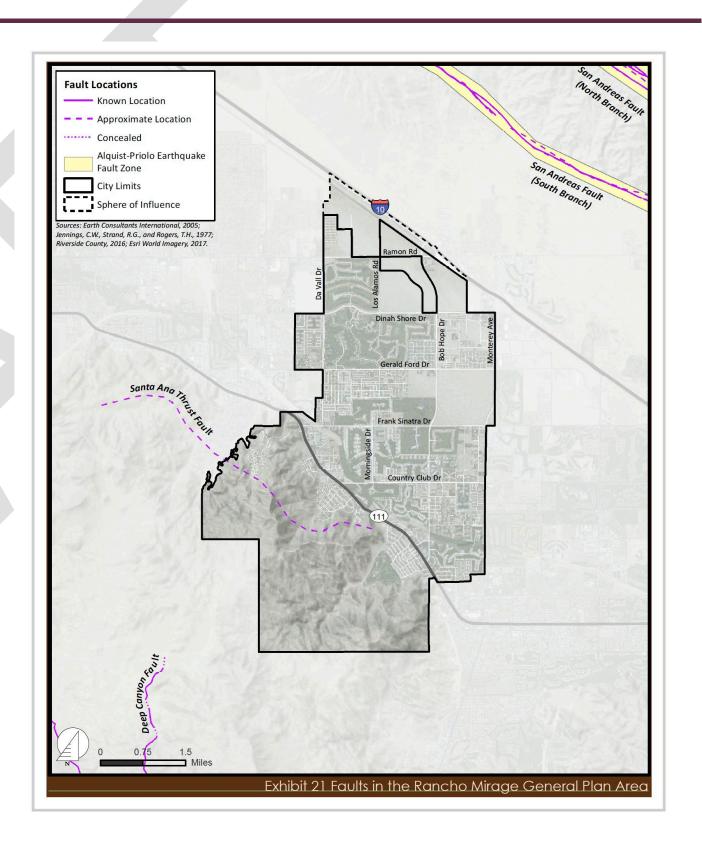
An effective seismic hazard reduction program should include the identification and mapping of geologic and seismic hazards, the enforcement of building and fire codes, and the expedient retrofitting and rehabilitation of weak structures. Programs should also be developed to help residents provide for themselves and their families in the aftermath of an earthquake.

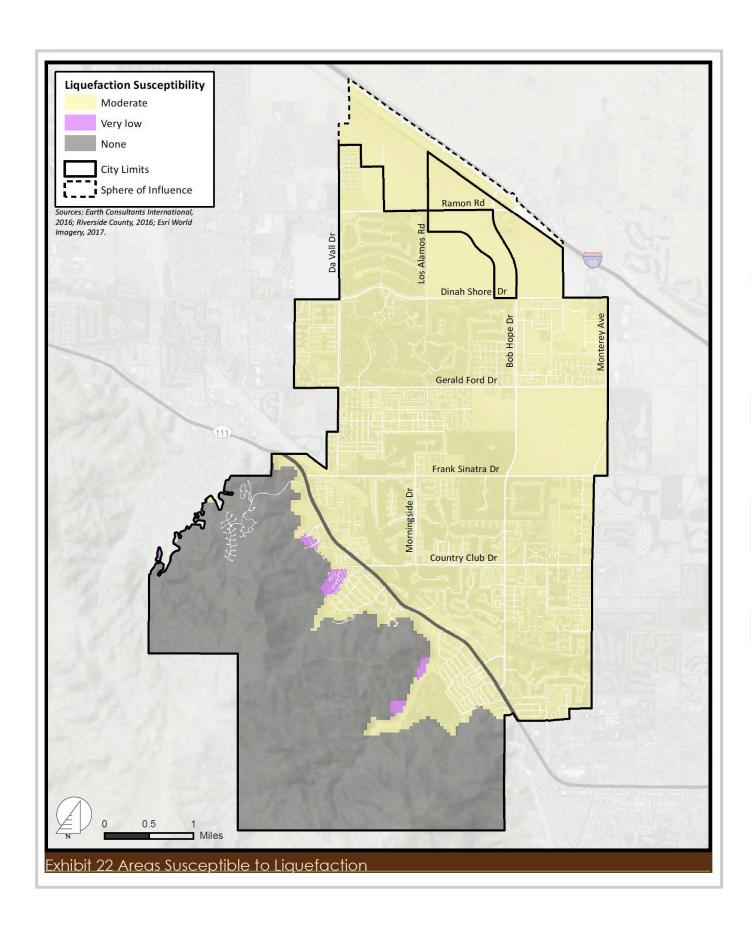
## Other Seismically Induced Hazards

In addition to direct effects such as ground rupture and ground acceleration, other seismically induced and geological hazards can injure people and damage structures. These hazards include liquefaction, dynamic settlement, landslides, and inundation.

#### Liquefaction

Liquefaction may occur when loose, unconsolidated, saturated, sandy soils are subjected to ground vibrations during a seismic event. This occurs in areas where the groundwater table is within 50 feet of the ground surface and when seismic events occur that generate a Modified Mercalli Intensity value of seven or greater.





Significant ground shaking can suddenly increase water pressure in the pores between soil particles and cause soils to lose cohesion and to "liquefy." Effects include a loss of bearing strength, ground oscillations, and lateral spreading and slumping. This hazard is considered low in the Rancho Mirage area, principally because the approximate depth to groundwater is greater than 50 feet.

Liquefaction may occur in or adjacent to the Whitewater River if the near-surface alluvial sediments become saturated as a result of precipitation or the recent input of surface water from the adjacent mountains. However, water percolates rapidly through alluvial materials, so the likelihood of an earthquake occurring while these sediments are saturated in the upper 50 feet is very low. Areas of liquefaction susceptibility are shown in Exhibit 22.

## Dynamic Settlement

Under some circumstances, strong ground shaking can cause densification or compaction of soils resulting in local or regional settlement of the ground surface. This can result in local differential settlement and damage to foundations and structures, as well as damage to water and sewer lines. This potential is affected by the intensity and duration of ground shaking and the relative density of the subsurface soils

Windblown sands and other recently deposited sediments are typically loose and, therefore, potentially subject to seismically induced settlement. In the planning area, development on the valley floor or on wind or stream deposited sediment should include site-specific subsurface geotechnical investigations that address this potential seismic hazard. Proper excavation, compaction, and foundation design can address some of the seismic settlement potential. Seismically induced settlement susceptibility is shown in Exhibit 23.

#### Landslides

Exhibit 24 shows how seismically induced landslides and rock falls can be expected to occur in the southern portion of Rancho Mirage in and adjacent to the slopes of the Santa Rosa Mountains. With several faults in the area, there is a high potential for seismically induced rock falls and landslides to occur in Rancho Mirage. Fractures and landslides are likely to occur in the Indio Hills area, in the ocotillo conglomerate. Intense ground shaking can be expected at the top of Edom Hill as a result of the local topographical features, thereby intensifying the seismic shaking.

Scattered rock falls could occur in the Santa Rosa Mountains, in areas where the bedrock is intensely fractured or jointed. Sections of Highway 111 adjacent to the Santa Rosa Mountains could be blocked by fallen rock debris immediately following an earthquake, which would hinder rescue and evacuation operations. Rock falls could also impact developments adjacent to mountain slopes, especially those at the mouth of Magnesia Springs and Bradley Canyons. Throughout Rancho Mirage, manufactured slopes of significant height could also be susceptible to failure if not engineered to resist seismically induced failure.

## Inundation

Seismic events can cause failure of water tanks, reservoirs, retention basins, recharge basins, and other water storage structures, especially in areas susceptible to ground failure. There are several storage tanks in Rancho Mirage that could be subject to damage in an earthquake. Damage to these tanks could hinder efforts to suppress fires and could greatly limit supply and availability of potable water after a major earthquake. Only limited opportunities for seismically induced inundation downgrade of stormwater retention basins currently exist in Rancho Mirage. As there are few stormwater retention basins in Rancho Mirage and its vicinity, this hazard is substantially reduced, if not eliminated. The design engineering of future major detention/retention facilities will need to focus on the seismic hazards of the area when planning for and constructing these facilities.

## Geologic Hazards

The physiographic and geologic histories of the Rancho Mirage area are important in that to a great extent they control the geologic hazards, as well as the natural resources, in Rancho Mirage. These hazards include collapsible soils, ground subsidence, wind erosion, and wind-blown sand. For example, wind-blown sand erosion poses a significant hazard across the Coachella Valley due to funneling of fierce winds by the steep mountain barriers. Locations at the base of the mountains are more sheltered from this hazard, but areas in and adjacent to the mountains are more likely to be impacted by rock falls and unstable slopes. Regional tectonic subsidence along the valley floor, concurrent with uplift of the adjacent mountains, is responsible to a great extent for the rapid deposition of poorly consolidated alluvium that is susceptible to consolidation and/or collapse. On the other hand, the deep alluvium-filled basin, which is bounded by relatively impermeable rock and faults, provides a natural underground reservoir (aquifer) for groundwater, one of Rancho Mirage's primary sources of domestic water. The extraction of water from these aguifers may cause the ground to settle or sink.



## Collapsible Soils

The composition of soils in the area is an important factor of the geological conditions in Rancho Mirage. The potential for soils to collapse or expand can cause damage to structures. Soil collapse typically occurs in recently (Holocene) de-posited sediments laid down by wind or water. When saturated, collapsible soils undergo a rearrangement of their grains and a loss of cohesion or cementation, resulting in a substantial and rapid settlement even under relatively low loads. The alluvial and aeolian sediments in the planning area are prone to collapse, and this propensity should be evaluated on a site-specific basis as part of geotechnical studies for development. Mitigation can be accomplished through a variety of design and construction methods.

#### Ground Subsidence

Ground subsidence is the gradual settling or sinking of the ground surface with little or no horizontal movement. Several regions of subsidence have been documented in Riverside County – all of them in deep, alluvium-filled valleys. In most cases, subsidence was at-tributed to declining groundwater levels. Regional subsidence from groundwater withdrawal is a potential hazard that the City can proactively mitigate by supporting the proper management of the groundwater supplies, creating water conservation programs, encouraging water recycling, and educating the public. With the expected increases in population, overdraft of the aquifers underlying the Coachella Valley will be one of the most serious challenges in maintaining the region's environmental quality.

#### Wind Erosion and Wind-Blown Sand

Most of Rancho Mirage is highly susceptible to wind erosion. The geomorphology of the Coachella Valley, its extreme aridity, and the marine air masses funneled from the west through the San Gorgonio Pass conspire to create strong and persistent winds in the valley. These strong winds have been blowing and redistributing sand deposits in the area for thousands of years. Lands disturbed by flooding, grading, or agricultural activities, therefore, are subject to significant erosive forces that suspend fine dust and transport sand over great distances.

## Richter Scale

EARTHQUAKES ARE TYPICALLY DEFINED BY THEIR MAGNITUDE AS MEASURED ON THE RICHTER SCALE. EACH WHOLE NUMBER STEP IN MAGNITUDE ON THE SCALE REPRESENTS A TENFOLD INCREASE IN THE AMPLITUDE OF THE WAVES ON A SEISMOGRAM AND ABOUT A 31-FOLD INCREASE IN ENERGY RELEASED. AS AN EXAMPLE, A 7.5 MAGNITUDE EARTHQUAKE IS 31 TIMES MORE POWERFUL THAN A 6.5 MAGNITUDE QUAKE.

## Mercalli Scale

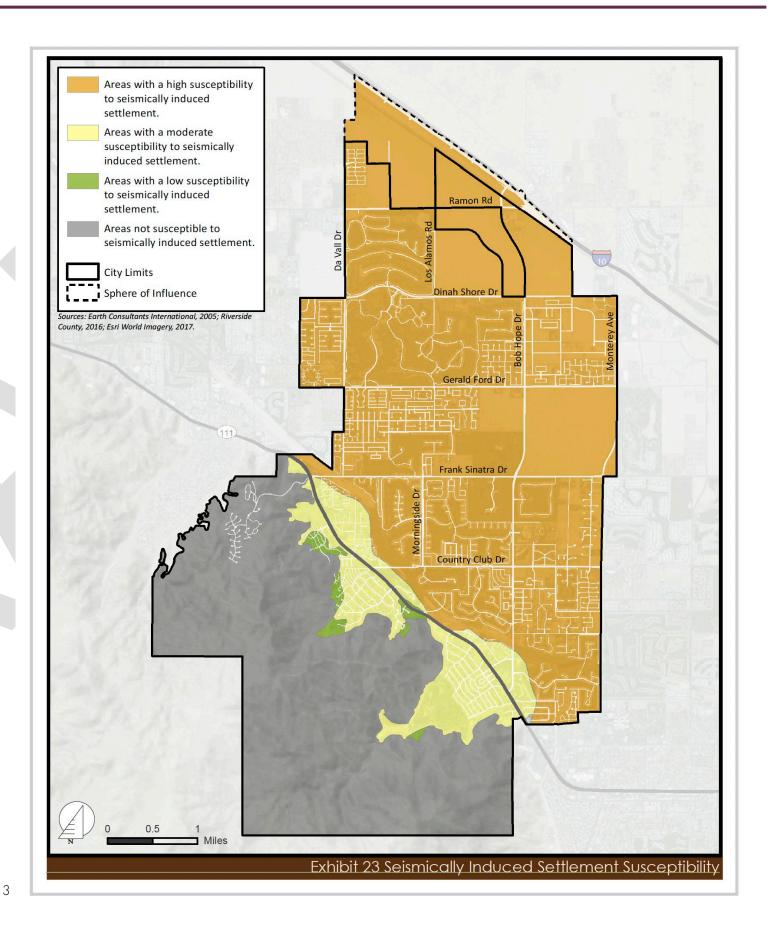
THE MODIFIED MERCALLI INTENSITY SCALE IS A MORE USEFUL MEASURE OF THE DAMAGE POTENTIAL OF EARTHQUAKES, AND IS BASED UPON PEOPLE'S REACTIONS TO A QUAKE, OBSERVED DAMAGE TO STRUCTURES, AND OTHER PHYSICAL EFFECTS.

THERE ARE TWELVE LEVELS OF INTENSITY IN THIS SCALE, RANGING FROM I (TREMOR NOT FELT) TO VII (HEAVY DAMAGE TO POORLY BUILT STRUCTURES) TO XII (DAMAGE IS NEAR TOTAL).

In addition to damaging vehicles, structures, and other improvements, blowing sand collects on streets, in driveways, and in other areas where it must be removed at considerable expense. The presence of dust particles in the air is also a source of major health problems, as atmospheric dust causes respiratory discomfort and may carry pathogens that cause eye infections and skin disorders. Dust storms reduce highway and air traffic visibility. Exhibit 25 shows the wind erosion hazard zones occurring in Rancho Mirage and the SOI.

Mitigation measures currently used in Rancho Mirage focus on the application of the Coachella Valley PM10 State Implementation Plan. Some other physical measures used in the area include hedges, walls, and other barriers to wind. Water is typically sprayed at construction sites to reduce dust in the air by weighing down the soil.

Development projects and individual structures can be designed to protect occupants and property from the damage of blowing sand. Vegetation covers, such as a desert hydroseed mix, can reduce wind erosion of the topsoil, but these efforts are only partially effective in mitigating the wind erosion hazard. Furthermore, grass requires intense watering to thrive, and in an area where water is such a vital commodity, the need for water preservation needs to be weighed against the need to control airborne dust.



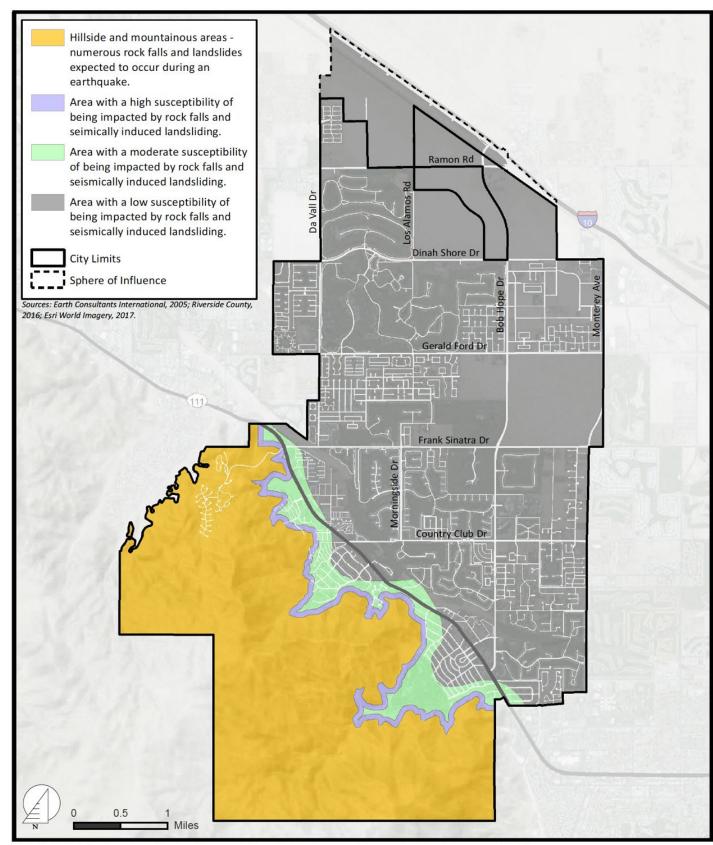
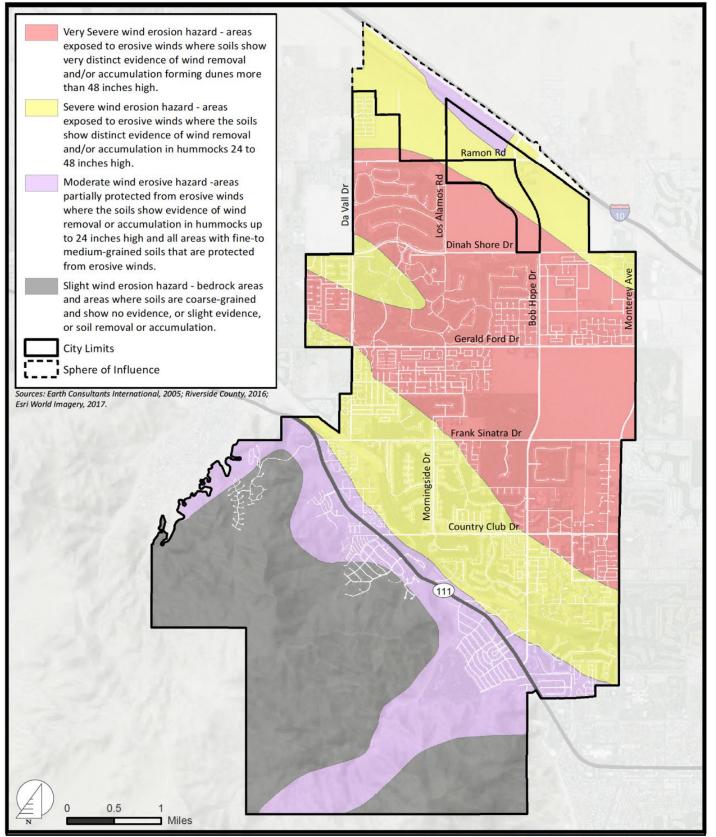


Exhibit 24 Seismically Induced Rock Falls and Landslide Susceptibility







# Open Space for Public Health and Safety

An important function of open space is its use as a buffer to separate people and buildings from hazards that could cause injury, damage, or death. Open space for public health and safety includes areas requiring special management or regulation because of hazardous or special conditions such as earth- quake fault zones, unstable soil or slope areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs, and areas required for the protection and enhancement of air quality. All though these lands remain open to mitigate potential hazardous situations, they have potential for other uses. Land along fault lines can be retained in its natural condition as a wildlife corridor, and flood control facilities may be usable for natural open space, wildlife habitat, and recreation.

## OPEN SPACE FOR PUBLIC HEALTH AND SAFETY GOALS, POLICIES, AND PROGRAMS

The development review process performed by the City must assure that proposals are thoroughly evaluated with regard to seismic and geological safety, that all necessary special studies are conducted and reviewed, and that comprehensive mitigation measures are developed and implemented. Developing a groundwater management and water conservation program and encouraging the use of recycled water will be important in mitigating ground subsidence. The City should also work with state, regional, and county agencies to establish and maintain an up-to-date database on seismic geological conditions in the region, legislation affecting the City's regulatory responsibilities, and changing technical assessments that refine or re-characterize the seismic hazards affecting the region.

## **GOAL SAFE 1**

A community that plans for and is protected from the effects of seismic and geological hazards.

## POLICY SAFE 1.1

The City shall consult and cooperate with surrounding communities and applicable state and federal agencies to improve and update information on regional seismic and geological conditions.

## PROGRAM SAFE 1.1A

Coordinate with the California Division of Mines and Geology and the United States Geological Survey to establish and maintain maps illustrating the location of seismic and geological hazard zones occurring in Rancho Mirage's boundaries and the SOI.

## PROGRAM SAFE 1.1B

Coordinate with the National Earthquake Hazard Reduction Program of the Federal Emergency Management Agency to identify earthquake risks and available mitigation techniques.

## POLICY SAFE 1.2

The City shall establish ordinances and guidelines to reduce the hazards from wind-blown sand and dust.

#### PROGRAM SAFE 1.2A

Coordinate with the SCQAMD and other local agencies to develop and maintain appropriate large particulate (PM10) mitigation practices.

## POLICY SAFE 1.3

The City shall require the removal or rehabilitation of hazardous or substandard structures that may collapse in the event of an earthquake.

## POLICY SAFE 1.4

The City shall cooperate and coordinate with public and quasipublic agencies to assure seismically strengthened or relocated facilities and other appropriate measures to safeguard water, electricity, natural gas, and other transmission and distribution systems.

## PROGRAM SAFE 1.4A

Encourage and cooperate with Caltrans to stabilize susceptible slopes and strengthen bridges, elevated roadways and other structures along state highways, which may be subject to failure during major seismic events, thereby isolating portions of the community from emergency aid and assistance.

## POLICY SAFE 1.5

The City shall play an active role in the development or distribution of earthquake preparedness information and materials to residents and local businesses.

## PROGRAM SAFE 1.5A

Confer and cooperate with local utility companies, the CVWD, the Palm Springs Unified School District, police and fire departments, and others to coordinate public education regarding appropriate action before, during, and after earthquakes and other disasters.

#### PROGRAM SAFE 1.5B

Keep the City's public awareness programs on natural disaster management and emergency preparedness up-to-date on current hazards and issues.

## POLICY SAFE 1.6

New septic tank leach fields, seepage pits, drainage facilities and heavily irrigated areas shall be located away from foundations and other structural supports to minimize the creation of a localized collapse of soils and associated hazards.

## POLICY SAFE 1.7

Developers of projects in areas identified as being subject to a rockfall or landslide hazard shall prepare detailed geotechnical analysis, including site response to seismic events, and require mitigation measures that reduce associated hazards to insignificant levels.

#### PROGRAM SAFE 1.7A

Require design of engineered slopes to resist earthquake-induced failure

## PROGRAM SAFE 1.7B

Require design of lifelines (e.g., roadways, utilities, rail- roads) that cross a fault to resist the occurrence of a fault rupture.

## POLICY SAFE 1.8

The City shall encourage the incorporation of wind barriers, architectural design or features, and drought resistant ground coverage in new development site designs to mitigate the impacts from erosion and wind-blown sand.

## POLICY SAFE 1.9

Where appropriate, hazard zones (earthquake fault lines, floodways and floodplains, steep or unstable slopes, etc.) shall be designated as open space, and incorporated into the General Plan land use map.

## Flooding and Hydrology Hazards

## **Purpose**

Rancho Mirage and surrounding areas, like most of southern California, are subject to unpredictable seasonal rainfall. Most years, the scant winter rains are barely sufficient to turn the hills green for a few weeks, but every few years the region is subjected to periods of intense and sustained precipitation that result in flooding. The potential for flooding is a safety concern that the City continues to address. It is the intention of the City to plan and implement the phased development of flood control facilities, both project-specific and citywide. Provisions for open space and multiple uses, wildlife, and pedestrian and equestrian corridors in major drainages are also planned.

## Background

#### Desert Conditions and Flood Hazards

Rancho Mirage and the Coachella Valley enjoy a subtropical desert climate. Mean annual rainfall is very low on the desert floor, ranging from four to six inches per year. On average, nearby Mount San Jacinto experiences of 25.3 inches of rainfall annually. High intensity thunderstorms and tropical storms can occur suddenly, however, creating flood hazards. Although the ground may be generally dry at the beginning of a storm, sufficient amounts and intensities of rainfall can saturate the desert surface and substantially reduce percolation, pushing the water farther downstream. Development also in-creases runoff by creating large areas of impervious surface. Furthermore, increased runoff upstream can be a significant contributor to downstream damage.

Areas of potential flooding are generally associated with the Whitewater River and its tributaries, mountain canyons, and their alluvial fans, as well as runoff associated with the Indio Hills drainage (including Edom Hill). Exhibit 26 identifies areas subject to flooding both along the Whitewater River drain- age and along the fan area between I-10 and the Indio Hills (identified as the I-10 Wash). The 100-year flood zone for the Whitewater River is generally confined to the channel of the river and its tributaries, although at the bottom of Magnesia

Spring Canyon, the 100-year flood limits extend to several of the residential streets in the area. The 500-year flood limits cover a large residential and commercial section of Rancho Mirage and extend across Highway 111.

## 100-year Floodplain

Land subject to flooding in a 100-year flood or a flood elevation that has a 1% chance of being equaled or exceeded each year

## 500-year Floodplain

Land that has the potential to be flooeded in a storm with a 0.2% chance of occurring every year

Although the City's SOI does not extend north of I-10, there is a potential for substantial flooding in the wash north of I-10. Flooding in this area is generally shallow, between one and three feet deep, but the floodwaters move at relatively high velocities with the potential to do considerable damage. According to maps issued by the Federal Emergency Management Agency (FEMA) maps, the velocity of the floodwaters in this area varies between five and seven feet per second.

FEMA also reports that most of the streams in the Rancho Mirage area have the potential to carry large amounts of debris. This increases the volume of peak discharges, and when flows reach the valley, the debris is deposited, com- pounding the flooding problem. Debris has the potential to fill or plug structures designed to collect and convey run- off, forcing floodwaters into the adjacent areas. Rapidly moving flows heavily laden with debris are also extremely dangerous.

Increased urbanization of the northern portions of the Coachella Valley can and will result in increased amounts of runoff during large storms. Local agencies have realized that unless adequate flood control measures are implemented, this increased runoff can damage improvements and endanger life.

The CVWD is the primary agency responsible for the management of regional drainage in the vicinity of Rancho Mirage, including rivers, major streams and their tributaries, and areas of significant sheet flooding. CVWD is empowered with broad management functions, including flood control planning and construction of drainage improvements for regional flood control facilities, as well as watershed and watercourse protection related to those facilities. A small portion of Rancho Mirage lies within the Riverside County Flood Control District boundary, which encompasses Sections 4 and 9 along the border between Rancho Mirage and Cathedral City.

#### Land Use Planning as a Flood Control Strategy

Proper land use planning is one of the most effective and direct methods of controlling flooding and limiting threats to lives and property. Consistent with other primary goals of the community, land use planning can call for the preservation of natural vegetation in the foothills and mountains that function as natural watersheds for local drainage and groundwater recharge and can affect the volume of stormwater and debris that reaches down- stream facilities.

## Benchmark Storms

BENCHMARK STORMS ARE USED BY THE ARMY CORPS OF ENGINEERS TO CALCULATE FLOOD POTENTIAL. THEY INCLUDE THE STORM OF SEPTEMBER 24, 1939 IN THE COACHELLA VALLEY DESERT REGION. THIS INTENSE STORM GENERATED 6.45 INCHES OF RAIN IN 6 HOURS.

TROPICAL STORM KATHLEEN GENERATED VERY HEAVY GENERAL RAINFALL FROM SEPTEMBER 9 TO 11, 1976, GENERATED A HIGH LEVEL OF STORM RUNOFF, WITH RANCHO MIRAGE RECEIVING 3 INCHES AND THE SURROUNDING HILLS AND MOUNTAINS RECEIVING AS MUCH AS 14 INCHES.

Land use planning can also limit the exposure of people and improvements to storm hazards and damage. Restrictions on the type and location of structures in the vicinity of major drainages in the community can greatly reduce potential damage. Within the limits of improved and unimproved 100-year floodplains, development should be severely limited and regulated, with the prohibition of the construction of structures for human habitation. To promote sound land use and floodplain development, FEMA provides Flood Insurance Rate Maps for local and regional planners and civil engineers. These maps provide more detailed

flood hazard map information, including the boundaries of the 100-year and 500-year flood zones.

The City's Floodplain Management Ordinance (Municipal Code Chapter 15.28) provides flood hazard reduction measures including standards of construction, standards for utilities, subdivisions, manufactured homes and recreational vehicles. In flood zones subject to sheet flooding, development approvals should be conditioned to assure protection of improvements from flood damage. Protection measures may include raising the finished floor level above the flood depth projected for the surrounding area and providing protection against scouring. Until such time as flood protection that removes areas from severe threats of flooding is provided, development in these areas should be carefully regulated.

## National Pollutant Discharge Elimination System

The National Pollutant Discharge Elimination System (NPDES) implements the federal Clean Water Act and was adopted in 1990. It requires the development, adoption, and implementation of plans and programs for stormwater management, which among other things must effectively prohibit non stormwater discharge into the storm drain and require controls to reduce the discharge of pollutants from stormwater systems to designated Waters of the United States.

Riverside County municipalities and agencies, including the City of Rancho Mirage, Riverside Flood Control and Water Conservation District, and CVWD, have joined to develop and implement the 2001-2006 Stormwater Management Plan as part of NPDES permitting requirements. This plan was designed to manage and control stormwater runoff to the maximum extent practical.

One of the primary strategies to comply with the provisions of NPDES is the use of onsite stormwater retention or detention basins in any new developments of one acre or larger. These facilities have long been required by the City and may in some instances include artificial wetlands that use a biologically active zone to break down potential pollutants before they can contaminate surface runoff or reach the water table through percolation. These intercept structures will also be important in capturing sand and sediment before it is discharged into drainage facilities.



## FLOODING AND HYDROLOGY HAZARDS SAFETY GOALS, POLICIES, AND PROGRAMS

The principal and direct implementation of the goals, policies, and programs in this section will occur through the use and enforcement of FEMA's National Flood Insurance Plan (NFIP) guidelines and mitigation measures, NPDES requirements, and the application of CVWD's regional plans and policies. These measures and their improvements help control and confine the areawide drainage pattern to more discreet and focused routes where it can be better managed. Proper implementation may also reveal locations of new facilities that could complement land use patterns, provide cost effective flood control alternatives, and maximize opportunities for multiple uses, including enhanced groundwater recharge.

The NFIP flood plain maps and guidelines will also set critical parameters for future development along areas subject to areawide flooding. This section will also be implemented through the development guidelines and regulations of the Rancho Mirage zoning, grading, and subdivision ordinances.

## **GOAL SAFE 2**

Protection of lives, property, and essential facilities from flooding and other hydrologic hazards in Rancho Mirage.

## POLICY SAFE 2.1

The City shall ensure that updated and effective master drainage plans are implemented in a timely fashion for the near and long-term protection of the community and its residents.

## PROGRAM SAFE 2.1A

Proactively participate with the CVWD and the Riverside County Flood Control District in the development and updating of Rancho Mirage Regional master drainage plans, providing land use and other relevant data and information.

## POLICY SAFE 2.2

The City shall provide drainage controls and improvements that enhance local conditions and are consistent with and complement the Master Drainage Plans.

## PROGRAM SAFE 2.2A

Establish and/or update local regulations and guidelines to direct the management of runoff and provide for local drainage facilities that tie into and maximize the effective use of regional drainage facilities

## **PROGRAM SAFE 2.2B**

Adopt or update local drainage policies and development standards that reduce the rate of runoff from developed lands, consistent with capacities of public facilities and local and regional management plans, while pro-viding opportunities for open space enhancement and multiple uses.

## PROGRAM SAFE 2.2C

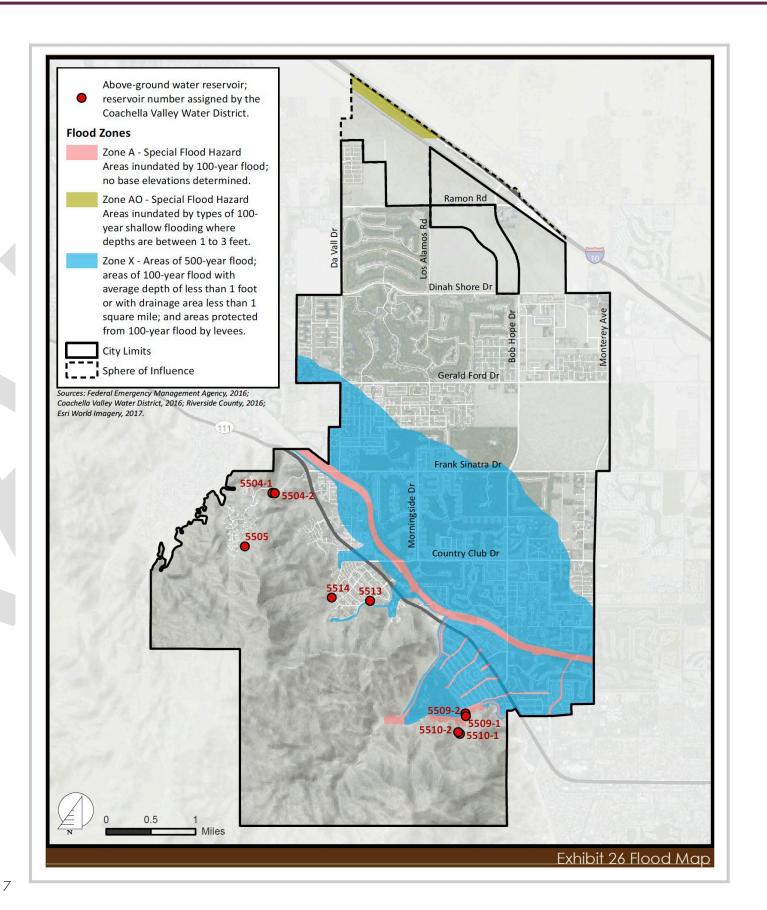
Confer and consult with the CVWD and Caltrans to assure adequate all weather crossings/facilities at appropriate locations along Highway 111 and I-10, especially those serving as emergency evacuation/access routes.

## PROGRAM SAFE 2.2D

Ensure that emergency evacuation routes are constructed to appropriate all-weather standards.

## POLICY SAFE 2.3

The City shall provide direction and guidelines for the development of onsite stormwater retention/detention facilities consistent with local and regional drainage plans and community design standards.



## PROGRAM SAFE 2.3A

Establish and enforce regulations and guidelines for the development and maintenance of project-specific onsite retention/detention basins that implement the NPDES program, enhance groundwater recharge, complement regional flood control facilities, and ad- dress applicable community design policies.

## POLICY SAFE 2.4

The City shall cooperate with FEMA, when necessary, to amend Flood Insurance Rate Maps for areas in the city boundaries and SOI.

## POLICY SAFE 2.5

Design major drainage facilities, including debris basins and flood control washes and channels, to balance their enhancement as wildlife habitat and community open space amenities with the functional requirements of these facilities.

#### PROGRAM SAFE 2.5A

Work closely with the CVWD to assure that design opportunities for enhanced open space and recreation amenities, including habitat enhancement and hiking and equestrian trails, are fully explored and incorporated when designing and constructing channels, debris and detention basins, and other major drainage facilities, to the greatest extent practical.

## POLICY SAFE 2.6

The City shall establish Area Drainage Plans or Benefit Assessment Districts for purposes of funding needed drainage improvements, especially where defined tributary areas of the community are concerned.

## POLICY SAFE 2.7

Development proposals located in areas that are subject to flooding shall be evaluated to minimize the exposure of life and property to potential flood risks. All development proposed on lands of one acre or larger shall be designed such that all stormwater to the level of a 100-year frequency storm, worst case of the 3, 6, 12, or 24-hour duration, shall be retained onsite.

## POLICY SAFE 2.8

Locate new essential public facilities outside of flood hazard zones, including hospitals and health care facilities, emergency shelters, fire stations, emergency command centers, and emergency communications facilities

## Fire Hazards

## Purpose

The Fire Hazards section identifies existing fire hazards in or near Rancho Mirage and describes the regulatory environment established to safely manage these hazards. The intention of the Fire Hazard section is to reinforce the City's concern and planning for the protection of all Rancho Mirage residents. The section sets forth goals, policies, and programs that will help assure an effective management of fire hazards in Rancho Mirage, and guard the general health, safety, and welfare of the community from possible impacts associated with fire hazards. This section was reviewed to incorporate the advice included in the Office of Planning and Research's most recent publication of "Fire Hazard Planning, General Plan Technical Advice Series" (May 2015).

## Background

Fires can occur in urban environments as well as unpopulated areas that may contain brush or grassland. The central and northern portions of Rancho Mirage are urbanized with few remaining vacant lands. The remaining southern area of Rancho Mirage is in an undeveloped mountain and hillside reserve. These two area types include two fire hazard categories that are of interest to Rancho Mirage and its SOI: vegetation fires and urban or structural fires. With large portions of Rancho Mirage's boundaries adjoining uninhabited mountain and hillside reserve areas that are rated as high fire threats, the potential for wildfires is high. The urban areas in Rancho Mirage also face common fire hazards.

## Wildland Fire Hazards

Large areas of southern California are particularly susceptible to wildfire due to the region's weather, topography, and native vegetation. The typically mild, wet winters characteristic of the region's Mediterranean climate result in an annual growth of grasses and plants that dry out during the hot summer months. This dry vegetation provides fuel for wildfires in the autumn, when the area is intermittently impacted by Santa Ana conditions, including the hot, dry winds that blow across the region in the late fall. These winds often fan and help spread the fires.

The undeveloped areas in Rancho Mirage are characterized by steep topographic gradients that are generally conducive to spreading wildfires. Furthermore, the area's hot, dry summer and autumn weather is ideal for generating the dry vegetation that fuels most wildfires. Fortunately, the only recorded historical wildfire near the planning area is the Dry Falls fire that occurred in August 1980 to the southeast of Rancho Mirage. The reason that most of the undeveloped areas of Rancho Mirage have not been impacted by wildland fire is that most of the rugged terrain is so steep, rocky, and dry that few plants thrive in the area. As a result, the amount of fuel available for wildland fires is very limited, and the distance between stands of vegetation is too great for fires to spread easily. In the developed areas of Rancho Mirage, the landscape vegetation is carefully maintained and watered regularly, creating conditions that limit the possibility for vegetation fires to ignite and spread.

The California Department of Forestry and Fire Protection (Cal-Fire) ranks fire hazard of wildland areas of the state using four main criteria: fuels, weather, assets at risk, and level of service. Although Very High Fire Hazard Severity Zones (VHFHSZ) are mapped in the Rancho Mirage area, the historical record indicates that the wildland fire hazard in Rancho Mirage is relatively low. CalFire has mapped several fire hazard zones in Rancho Mirage and the SOI, shown in Exhibit 27.

There are no state responsibility areas (SRAs) in the City of Rancho Mirage. The only Very High Fire Hazard Severity Zone in Local Responsibility Area (LRA) within the City is in the southern end of urban areas. The VHFHSZ consists of part of a single-family residence (70000 Thunderbird Mesa Drive) and undeveloped land. The undeveloped portion is designated as Mountain Reserve per the Land Use Map and will not be developed in the future.

## Urban and Structural Fires

To quantify the structural fire risk in a community it is necessary for the local fire departments to evaluate all occupancies based upon their product type, size, construction type, built-in protection (such as internal fire sprinkler systems), and risk (high-occupancy versus low-occupancy) to determine if they can control a fire if it occurs in the types of structures identified. In newer residential areas where construction includes fire-resistant materials and internal fire sprinklers, most structural fires can be confined to the building or property of origin. In older residential areas where the building materials may not be fire-rated and the structures are not fitted with fire sprinklers, there is a higher probability of a structural fire impacting adjacent structures. With the varied type and age of structures in Rancho Mirage, structural fire risk is divided into four categories:

- High Probability/High Consequences (e.g., multi-family dwellings, high-occupancy hotels and resorts, single-family residential homes in the older sections of Rancho Mirage, hazardous materials occupancies, and large shopping centers
- Low Probability/High Consequences (e.g., hospitals and other medical facilities, mid-size shopping malls, industrial occupancies, office complexes, and upscale homes in the hills or mountains, in or adjacent to high to very high fire threat areas)
- High Probability/Low Consequences (e.g., older detached single-family dwellings with properly maintained landscaping)
- Low Probability/Low Consequences (e.g., newer detached single-family dwellings and small office buildings with properly maintained landscaping).

Most buildings and structures in the City are not in or adjoining a mountainous area or lands covered by forest, brush or grass or other flammable material. Therefore, no mandatory clearance



around the structures applies per Public Resources Code Section 4291. Those buildings or structures immediately adjoining the mountainous areas in the south of the City would need to provide clearance as required by law. Within the City, there is only one development (70000 Thunderbird Mesa Drive) partially located in a Very High Fire Hazard Severity Zone, and the only evacuation route would be via Thunderbird Mesa Drive downhill to Highway 111.

The City maintains roadway standards that are detailed in the Circulation Element of this General Plan, which include minimum road widths to ensure accessibility for emergency vehicles and crew under various conditions.

Fire services for the City of Rancho Mirage are provided through a cooperative agreement with the State of California (Cal-Fire) and Riverside County. Cal-Fire/Riverside County Fire Department is an all risk, full service fire department and has two fire stations located strategically throughout Rancho Mirage to provide highly effective protection. Fire Station 69 serves North Rancho Mirage at 71751 Gerald Ford Drive, and Fire Station 50 serves South Rancho Mirage at 70801 Highway 111. Additionally, the City participates in the regional cooperative agreement and benefits from resources responding from other nearby stations, ensuring that peak loads and major incidents are handled promptly. There are no gaps in the City for emergency service, and all areas including the VHFHSZ have adequate access to fire and emergency services.

## Peak Water Demand and Supply

The availability of water is critical to effective fire suppression. The CVWD provides water services to Rancho Mirage and has a total groundwater storage capacity of 30 million acre-feet (one acrefoot equals 325,850 gallons) in the Indio Subbasin. The City and its SOI maintains a peak summer daily water demand of 41 mgd (approximately 126 acre-feet). CalFire has general water flow requirements of 1,500 gallons per minute (gpm) for new development and 3,000 gpm for new commercial development. Table 36 lists fire suppression water flow requirements by land use.

TABLE 36 WATER FLOW REQUIREMENTS FOR FIRE PROTECTION

LAND USE	Water Flow	
Agriculture / Open Space	1,000 gpm for 2 hours	
Single-family Residential	1,500 gpm for 2 hours	
Multi-family Residential / High Density	2,500 gpm for 2 hours	
Commercial / Industrial	3,000 gpm for 3 hours	
Source: California Department of Forestry and Fire Protection 2004		

According to Insurance Services Office, Inc., the fire suppression system rating for Rancho Mirage is Class 3. This includes fire dispatch (operators, alarm dispatch circuits, telephone lines available), fire department (equipment available, personnel, training, distribution of companies), and water supply (adequacy, condition, number and installation of fire hydrants). The rating scale is from 1 to 10 with the worst rating being a Class 10 and the best rating a Class 1. CalFire has a five-year plan that outlines fire hazards and risks, cost effectiveness, and present and future fire protection needs.

## **Emergency Preparedness**

The purpose of emergency preparedness is to protect the health, safety, and welfare of the general public before, during, and after natural and human emergencies. These emergencies include flooding, high winds, earthquakes, hazardous material accidents, wild- fire, and other natural and man-made events. The City maintains a multi-hazard functional plan, that addresses the planned response to extraordinary emergency situations associated with natural or human caused disasters, technological incidents, and nuclear defense operations.

The Local Hazard Mitigation Plan (LHMP) for the City of Rancho Mirage was prepared pursuant to the requirements of the Disaster Mitigation Act (DMA) of 2000 to achieve eligibility for various federally funded grants and post-disaster assistance. The LHMP must be updated every five years in compliance with the DMA. The LHMP was designed to identify potential natural and man-made hazards; 2) identify and assess local risks; 3) determine local

capabilities to mitigate risks; and 4) set goals, objectives, and mitigation measures to address identified potential disasters.

Assembly Bill (AB) 2140 is a state incentive to help cities become more resilient to natural hazards and requires adopting the LHMP into the Safety Element of the General Plan. This adoption makes the City eligible to be considered for part or all its local-share costs on eligible Public Assistance funding to be provided by the state through the California Disaster Assistance Act (CDAA). As the General Plan is an overarching long-term plan for community growth and development, incorporating the LHMP into it creates a stronger mechanism for implementing the LHMP.

Clicking this link allows you to access the City of Rancho Mirage LHMP, which has been incorporated into this element by reference.

## County of Riverside Multi-Jurisdictional Local Hazard Mitigation Plan

The City's LHMP is integrated into the Riverside County Multi-Jurisdictional Local Hazard Mitigation Plan (MJLHMP) as an annex to ensure a unified and coordinated effort by all cities within the County in the event of a disaster. The goals and objectives, along with any mitigation strategies that are listed in the County's MJLHMP, and which may be relevant in Rancho Mirage, shall be considered appurtenant to the Goals, Policies, and Programs in this General Plan.

In addition to emergency services provided by the Riverside County Fire Department, the California Department of Forestry, and the Sheriff's Department, the American Red Cross provides a wide range of emergency response support services in Rancho Mirage, ranging from a single residential fire to community-wide disasters.

#### **Evacuation Routes**

The availability of evacuation routes is critical in times of emergencies. Rancho Mirage's location in the Coachella Valley allows for two main evacuation routes (I-10 and Highway 111) along with primary and minor arterial streets serving as secondary

routes. Since earthquakes, floods, fires, or other disasters may render certain routes impassible, specific evacuation routes may need to be designated during an emergency.

FIRE HAZARDS GOALS, POLICIES, AND PROGRAMS

#### **GOAL SAFE 3**

Protection of the lives and property of residents, business owners, and visitors from structural and wildland fires.

#### **GOAL SAFE 4**

Emergency preparedness and response programs that provide for fast and effective response to daily emergencies and major catastrophes.

## POLICY SAFE 4.1

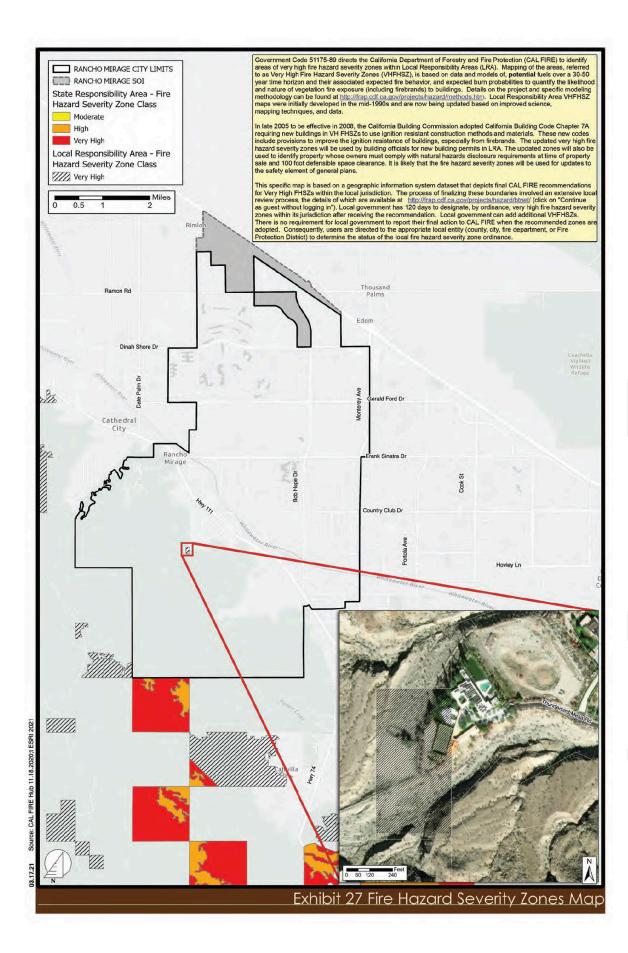
The City shall minimize the exposure of residents, business owners, and visitors to the impacts of structural and wildland fires.

## PROGRAM SAFE 4.1A

Maintain a weed abatement program to ensure clearing of dry brush areas. The Public Works Department and Code Compliance Division shall monitor public and private roads clearance. Coordinate with the Fire Department to assess the need of community fire breaks and devise a plan for long-term maintenance, where necessary.

## POLICY SAFE 4.2

The City shall conduct long-range fire safety planning, including enforcement of stringent building, fire, subdivision and other Municipal Code standards, improved infrastructure, and mutual aid agreements with other public agencies and the private sector.



### PROGRAM SAFE 4.2A

Require properties within or adjacent to Very High Fire Hazard Severity Zones to comply with Riverside County Fire Department Wildfire Safety Recommendations for fuel modification plans and defensible space. Coordinate with the Fire Department to reach out to property owners and achieve compliance on the recommendations and additional requirements, including visible home address and street signage.

### PROGRAM SAFE 4.2B

Evaluate the adequacy of access routes to and from hazard areas relative to the degree of development or use (e.g., road width, road type, length of dead- end roads, etc.) Development of non-conforming sites requires a conditional use permit. The city will coordinate with the fire department through the CUP process to address substandard fire safety standards, especially regarding roads and vegetative hazards.

### PROGRAM SAFE 4.2C

Maintain the City's emergency plan, including an inventory and evaluation of all local and regional emergency resources.

### PROGRAM SAFE 4.2D

The City shall consider the development and identification of citywide evacuation routes.

### PROGRAM SAFE 4.2E

Require redevelopment in Very High Fire Hazard Severity Zones (VHFHSZ) to comply with the latest California Building Standards Code (Title 24), including the California Fire Code (Part 9). Coordinate with the Fire Department on evaluation of rebuilding after a large fire and require additional fire safe measures where necessary.

### POLICY SAFE 4.3

The City shall support area-wide mutual aid agreements and communication links with Riverside County authorities and other participating jurisdictions.

### PROGRAM SAFE 4.3A

The City shall adhere to the guidelines set forth in the County of Riverside Multi-Jurisdictional Hazard Mitigation Plan.

# POLICY SAFE 4.4

The City shall ensure adequate provision of public information to residents and businesses on actions to minimize damage and facilitate recovery from a natural disaster. Prioritize at-risk populations such as those within or near fire hazard zones.

### PROGRAM SAFE 4.4A

Coordinate with public agencies and non-profit organizations to promote emergency preparedness and response training such as the Riverside County Community Emergency Response Team (CERT) program and the Coachella Valley Disaster Preparedness Network (CVDPN) training and resources.

# Hazardous and Toxic Materials Purpose

The Hazardous and Toxic Materials section identifies existing hazardous and toxic material locations in the community and describes the regulatory environment established to safely manage these materials. The intent of the section is to reinforce the City's concern and planning for the protection of all Rancho Mirage residents and visitors from adverse impacts due to the presence of hazardous and toxic materials. The section sets forth goals, policies, and programs that will help assure an effective response to and protection from the use, storage, or transport of hazardous and toxic materials in Rancho Mirage.



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# Background

A wide variety of products, chemical and purified chemical compounds, and elements that are considered hazardous or toxic are used in households, commercial business- es, and industrial operations and processes. They range through home and pool related chlorine products, chemical fertilizers, herbicides and pesticides, stored fuels and waste oil, chemical solvents and lubricants, and a variety of medical materials. The improper use and management of hazardous materials can pose a significant potential threat to the community and its environment.

# Community Hazardous Wastes Risks

There are only a few identified hazardous/toxic material generators in Rancho Mirage. These are associated with commercial, quasi industrial, and medical operations, which have the potential to be connected to accidental spills, purposeful illegal dumping, air emission, and other uncontrolled discharges into the environment. All are considered "small quantity generators," and some of those identified in Rancho Mirage include the Eisenhower Medical Center and Desert Orthopedic Center.

Eisenhower Medical Center (EMC) is a "small quantity generator" of hazardous medical wastes associated with various procedures and treatments provided at the facility. Management and disposal of these materials is primarily the responsibility of the U.S. Environmental Protection Agency, with additional regulatory responsibility given to the California Office of Health Planning and Development and the Riverside County Department of Health. EMC has developed and implemented both a Medical Waste Management Plan and a Hazardous Materials Management Program, which set forth policies, programs, and procedures for handling, storage, use, and disposal of these materials. Wastes are stored in controlled conditions onsite and removed every 90 days,

with storage typically limited to less than 100 gallons each 90 days.

Additionally, there are other sites that have been or should be monitored. These include other waste generating medical clinics and facilities, gasoline service stations, equipment and fuel storage yards, and waste haulers.

The U.S. EPA requires all service stations to retrofit or replace underground storage tanks with double walled construction. All sites in Rancho Mirage have achieved compliance with this rule.

A sanitary landfill was operated on a 57-acre site located in the southwest quarter of Section 11 in the City's SOI, south of the Southern Pacific Railroad lines. This landfill was operated by the Cathedral City Sanitary District between 1955 and 1967 using the then standard "burn and bury" technique. From 1983 to the end of 1988, the easterly 40 acres of the site were used as a domestic sewage disposal field.

# Hazardous Waste Management Plans

Per the Environmental Protection Agency of the state of California (CalEPA), Californians are protected from hazardous waste and materials by a Unified Program that ensures consistency throughout the state in regard to administrative requirements, permits, inspections and enforcement. CalEPA oversees the program as a whole, and certifies 83 local government agencies known as Certified Unified Program Agencies (CUPA) to implement the hazardous waste and materials standards set by five different state agencies. <sup>1</sup>

The Riverside County Environmental Health Hazardous Materials Branch is the sole overseeing agency for hazardous waste generation throughout the county. The purpose of the hazardous waste program is to ensure that hazardous wastes will be properly managed and disposed of in order to protect both people and environment.<sup>2</sup>

The City has the opportunity to coordinate with appropriate county, state, and federal agencies in the identification of hazardous material sites and the active regulation of their timely cleanup. Management strategies may include establishing and maintaining information on these sites, periodic monitoring facilities, and operations that produce, utilize, or store hazardous materials in Rancho Mirage. Involvement in multi-agency monitoring of illegal dumping in Rancho Mirage, conferring in the regulation of underground storage tanks and septic systems, and regulating the transport of hazardous materials through the community is also appropriate. The City hazardous waste management policies for the General Plan are essentially an extension of the County's policies and procedures.

Several sources provide information concerning hazardous waste sites in Rancho Mirage. The California Regional Water Quality Control Board and the CVWD maintain information concerning contaminated wells and groundwater. The state and federal environmental protection agencies and the state Department of Health also supply information concerning specific hazardous waste sites and their locations.

# Hazardous Materials Response

Hazardous and toxic materials pose a threat to public safety if not properly regulated. CalEPA designated the Riverside County Department of Environmental Health Hazardous Materials Branch as the CUPA for Riverside County. The role of the CUPA is to assure consolidation, consistency and coordination of the hazardous materials programs in the county. The CUPA also oversees the two participating agencies (the City of Corona Fire Department and the

Riverside County Fire Department) that implement hazardous materials programs in the county.

The Riverside County Department of Environmental Health, Hazardous Materials Branch is responsible for overseeing the six hazardous materials programs in the county. This agency is responsible for inspecting facilities that handle hazardous materials, generate hazardous waste, treat hazardous waste, own/operate underground storage tanks, own/operate aboveground petroleum storage tanks, or handle other materials subject to the California Accidental Release Program. In addition, the branch maintains an emergency response team that handles hazardous materials and other environmental health emergencies 24 hours a day, 7 days a week.<sup>3</sup>

# <u>Hazardous And Toxic Materials Goals, Policies, And Programs</u>

The City has the responsibility to coordinate with the appropriate agencies in the identification of hazardous material sites and the active regulation of their timely cleanup. This section's programs of oversight and management between responsible agencies can most efficiently be implemented through regular consultation with the RWQCB and the County Health Department and by updating information on hazardous material sites and monitoring facilities that utilize or produce hazardous materials in Rancho Mirage. The City should also remain current regarding the monitoring and regulating of underground storage tanks and septic systems and regulating the transport of hazardous materials through Rancho Mirage.

### **GOAL SAFE 5**

The continued safety of Rancho Mirage residents and visitors through the regulation of the manufacture, transport, use, and disposal of toxic and hazardous materials.

<sup>&</sup>lt;sup>1</sup> Certified Unified Program Agencies

<sup>&</sup>lt;sup>2</sup> Riverside County Environmental

<sup>&</sup>lt;sup>3</sup> All information regarding hazardous materials was obtained from the Riverside Department of Environmental Health at <a href="https://www.rivcoeh.org/hazmat">www.rivcoeh.org/hazmat</a>

### POLICY SAFE 5.1

The City shall regulate, to the extent empowered, the delivery, use, and storage of hazardous materials in city limits and the SOI.

### PROGRAM SAFE 5.1A

The City shall compile and maintain an inventory of all hazardous waste sites in Rancho Mirage and surrounding jurisdictions.

### PROGRAM SAFE 5.1B

The City shall develop a permitting process for the establishment of facilities that manufacture, store, use, or dispose of hazardous and toxic materials in the community or adjacent areas, should it be determined that the need for such a use be realized.

### POLICY SAFE 5.2

The City shall require and facilitate the safe and responsible disposal and cleanup of all hazardous/toxic waste and waste sites in Rancho Mirage and the SOI.

## PROGRAM SAFE 5.2A

The City shall coordinate with the appropriate state and federal agencies to activate procedures for the cleanup of existing and future hazardous and toxic waste sites.

# PROGRAM SAFE 5.2B

The City shall prepare and/or disseminate information and instructive education program materials for residents, including direction on the identification and proper management and disposal of household hazardous waste.

# PROGRAM SAFE 5.2C

To the extent empowered, the City shall prohibit the disposal of automotive and household hazardous and toxic materials in landfills.

### PROGRAM SAFE 5.2D

The City shall coordinate with Burrtec and other appropriate public and quasi-public agencies to sponsor and develop drop off locations for hazardous or toxic household products for all Rancho Mirage residents.

### PROGRAM SAFE 5.2E

The City shall coordinate with appropriate agencies to identify the locations and monitor the use of all underground fuel storage tanks located in city limits with the potential to release hazardous or toxic materials into the environment.

### POLICY SAFE 5.3

The City shall coordinate with the Fire and Sheriff's Department to develop a system for roadway management and for alerting emergency and medical facilities to the impending transport of hazardous and toxic materials.

### PROGRAM SAFE 5.3A

The City shall coordinate with appropriate departments and agencies to establish transportation management and contingency emergency procedures and training programs for police, fire, medical, and other organizations that would be involved in an airborne release or ground spill of hazardous and toxic materials or waste.

# PROGRAM SAFE 5.3B

Follow the response procedures as outlined by the Riverside County Department of Environmental Health in the event of hazardous materials emergency.

# POLICY SAFE 5.4

The City shall coordinate with the Regional Water Quality Control Board and the CVWD to monitor and regulate the use and phased removal of subsurface sewage disposal systems.

### PROGRAM SAFE 5.4A

Through the subdivision and development review process, the City shall require, to the greatest extent practical, the connection of new development to the sewage collection system of the CVWD.

### PROGRAM SAFE 5.4B

The City shall cooperate with the appropriate agencies to help assure that all subsurface sewage disposal systems, upon completion of their use, are properly removed from service.

### POLICY SAFE 5.5

The City shall actively oppose any plan or attempt to establish hazardous and toxic waste dumps/landfills or hazardous industrial processes with the potential to adversely affect Rancho Mirage or the SOL.

### PROGRAM SAFE 5.5A

The City shall coordinate with CVAG and its member cities to actively organize against and oppose any County, state, federal, or private effort to build or operate hazardous or toxic waste dumps/landfills or to operate hazardous industrial processes, which cannot be mitigated and have the potential to adversely affect Rancho Mirage or the SOI.

# Climate Change Purpose

Climate change is already affecting California cities, as seen by the rise in sea levels, average temperatures, and extreme hot days. These climate driven changes have many consequences that affect California's health and prosperity such as the increased frequency of wildfires, pressure on water supplies, shifts in growing seasons, and the increase in populations that will be exposure to intense heat waves.

Rancho Mirage recognizes that understanding its vulnerability and planning for the increased effects of climate change is crucial to the livelihood and safety of its residents. This Climate Change section provides a brief overlook of the leading climate factors that affect Rancho Mirage and its vulnerability to each. The intent of this

section is to reinforce the City's concern for the protection of all Rancho Mirage residents and visitors from the adverse impacts of climate change and to set forth goals, policies, and programs that will help the City to adapt to these changes.

# Background

As discussed in the Conservation and Open Space Element, Rancho Mirage is already subject to extreme temperatures and aridity, and the intensity of these conditions will only increase with climate change. The three major climate factors that will impact Rancho Mirage in the future are temperature, precipitation, and wildfire risk.

# Temperature Average Temperature

Overall temperatures are expected to rise throughout this century. During the next few decades, scenarios project average temperature to rise between 1 and 2.3°F. Rancho Mirage has already experienced a 2.0°F increase compared to the end of the last century (i.e., 1961-1990). This change in temperature is projected to increase to 3.0°F by 2040. Currently, the average annual temperature for Rancho Mirage is approximately 74°F. The temperature can drop into the low 30's in the winter and can exceed 120°F in the summer.

# Extreme Heat Days

The most serious threats to the public health of Californians will stem primarily from the increased frequency of extreme conditions, principally more frequent extreme heat days, and more frequent, intense, and longer heat waves. An extreme heat day is typically defined as a day in April through October where the maximum temperature exceeds the 98th historical percentile of maximum temperatures, based on daily temperature data between 1961 and 1990. A heat wave is defined as five or more consecutive extreme heat days. An increase in heat waves may increase the risk of directly related conditions such as heat stroke and dehydration. An extreme heat day for Rancho Mirage is when the temperature

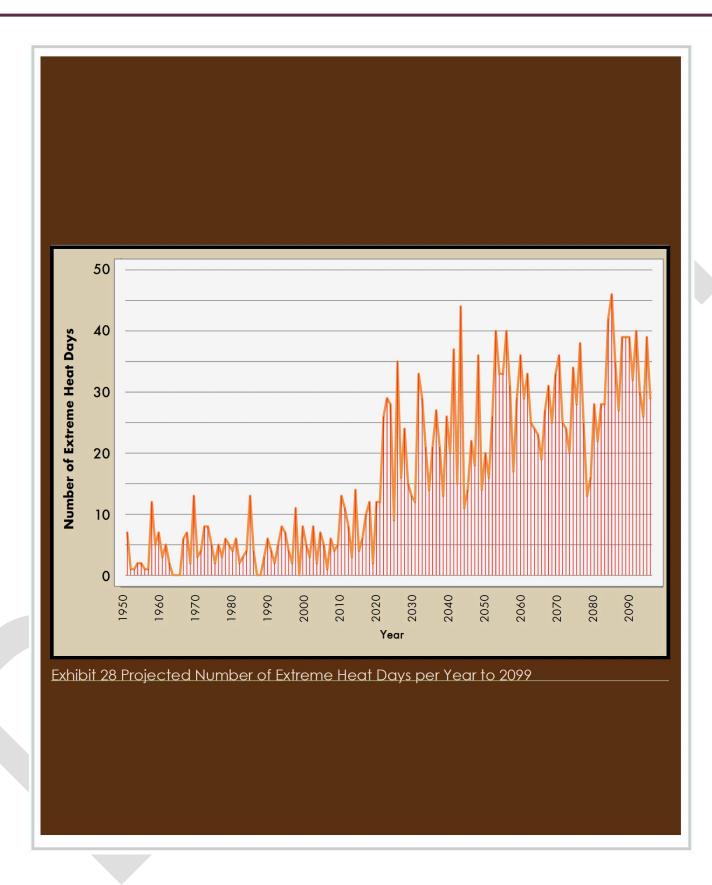


exceeds 114°F.<sup>43</sup> Even though the number of heat days varies from year to year, the average is projected to increase in the future (Exhibit 28). As the number of heat days per year steadily increases over time, Rancho Mirage must be prepared to protect its residents' health and safety.

### Precipitation

Changes in precipitation patterns will affect public health primarily through extreme events such as floods, droughts and wildfires. In addition, higher temperatures combined with changes in precipitation patterns create conditions that are more conducive to the occurrence and spread of infectious diseases. On average, the projections show little change in total annual precipitation in California. Furthermore, precipitation projections do not show a consistent trend during the next century. However, even modest changes would have a significant impact because California ecosystems are conditioned to historical precipitation levels and water resources are nearly fully utilized.

Rancho Mirage has had an average rainfall of 5.74 inches over the last 30 years, which is 85 percent less than the average nationwide, and 77 percent less than the average in California. Average rainfall in Rancho Mirage is predicted to decline to approximately four inches per year by 2040. This decrease in annual precipitation is not expected to have a significant impact on Rancho Mirage, due to the limited amount of water they already receive.



Decreased precipitation and drought also result in increased frequency and duration of wildfires, another significant risk to public health. Wildfire frequency and intensity is expected to grow as temperatures increase and vegetation dries due to longer dry seasons, especially in mountainous areas. In addition to the associated direct risk of fatalities, wildfires can lead to immediate and long-term adverse public health problems due to exposure to smoke. Smoke from wildfires is a mixture of carbon dioxide, water vapor, carbon monoxide, hydrocarbons and other organic chemicals, nitrogen oxides, trace metals, and fine particulate matter from burning trees, plants, and built structures. During wildfires, large populations can be exposed to a complex mixture of pollutant gases and particles, which can have both acute and chronic health impacts. Smoke can irritate the eyes, harm the respiratory system, and worsen chronic heart and lung disease, including asthma. People with existing cardiopulmonary diseases are generally at the greatest risk from smoke inhalation, with age being a complicating risk factor for the exposed population.

Further details regarding wildfire in Rancho Mirage are described in Fire Hazards above.

### Climate Change Goals, Policies, And Programs

The City has the responsibility to coordinate with state, regional, and County agencies to establish and maintain an up-to-date database on climate change conditions in the region, legislation affecting the City's regulatory responsibilities, and changing technical assessments that refine or re-characterize the climate change impacts affecting the region. The City should also monitor the effectiveness of its adaptation strategies. The City's development review process must assure that development proposals are thoroughly evaluated with regard to climate change and that comprehensive mitigation measures are developed and implemented. The City will need to take a proactive role to assure the public is safe by informing them about severity of climate change impacts and what resources are available to them to mitigate these impacts.

<sup>&</sup>lt;sup>4</sup> Cal-Adapt

# **GOAL SAFE 6**

Maintenance of Rancho Mirage as a safe place with a highquality of life for its residents, businesses, and visitors in the face of climate change.

### POLICY SAFE 6.1

The City shall identify and periodically reassess local climate change vulnerabilities.

### PROGRAM SAFE 6.1A

Conduct a climate change vulnerability assessment of vulnerable populations, structures, and functions.

### PROGRAM SAFE 6.1B

Review the findings of the climate change vulnerability assessment with relevant City departments to ensure that vulnerable community populations, structures, and functions are understood and that appropriate actions are taken to protect these vulnerabilities.

## POLICY SAFE 6.2

The City shall develop adaptation measures that address the climate change impacts on Rancho Mirage's residents, businesses, and visitors.

### PROGRAM SAFE 6.2A

Develop a heat response plan that includes identification of cooling centers and promotion of urban heat mitigation strategies.

### PROGRAM SAFE 6.2B

Improve wildfire prevention through regulations of new development, establish and/or maintain cooperative fire agreements, and increase vegetation management efforts to reduce wildfire potential.

### PROGRAM SAFE 6.2C

Incorporate newly identified adaptation measures into planning documents, including the Hazard Inventory and Hazard Mitigation Plan, as appropriate.

### POLICY SAFE 6.3

The City shall support initiatives, legislation, and actions to respond to climate change and consider potential climate change impacts in planning and decision making processes.

### PROGRAM SAFE 6.3A

Coordinate adaptation planning with other planning, including future General Plan/land use code updates.

### POLICY SAFE 6.4

The City shall work with local organizations to raise awareness about climate change impacts.

### PROGRAM SAFE 6.4A

Collaborate with community-based organizations (e.g., health care providers, public health advocates, fire prevention organizations) to disseminate public preparedness and emergency response information related to climate change.



CalFIRE personnel fight a blaze in nearby Palm Desert.



### **RESOLUTION NO. 2024-55**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO MIRAGE, CALIFORNIA, ADOPTING THE 2023 LOCAL HAZARD MITIGATION PLAN

WHEREAS, the City of Rancho Mirage is a charter city and a municipal corporation of the State of California, and recognized as a political subdivision of State of California for certain purpose; and

WHEREAS, City staff, with the assistance of the Riverside County Emergency Management Department (EMD), the California Office of Emergency Services (CalOES) and the Federal Emergency Management Agency (FEMA), prepared the 2023 Local Hazard Mitigation Plan in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the 2023 Local Hazard Mitigation Plan is designed to: (1) identify potential natural and man-made hazards; (2) identify and assess local risks; (3) determine local capabilities to mitigate risks; and (4) set goals, objectives and mitigation measures to address identified potential disasters; and

WHEREAS, the 2023 Local Hazard Mitigation Plan will replace the City's current 2017 Local Hazard Mitigation Plan and it will be integrated into Riverside County's Local Hazard Mitigation Plan (as an "Annex") so that there can be a unified and coordinated effort by all cities which annex into the County's Multi-Jurisdictional Local Hazard Mitigation Plan; and

WHEREAS, CalOES and FEMA have conditionally approved the 2023 Local Hazard Mitigation Plan, pending adoption of the LHMP by the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO MIRAGE, CALIFORNIA, DOES HEREBY RESOLVES AS FOLLOWS:

# SECTION 1. RECITALS AND EXHIBITS

That the foregoing Recitals and attached Exhibits are true and correct and are hereby incorporated by this reference.

# SECTION 2. ENVIRONMENTAL REVIEW

That this action is exempt from California Environmental Quality Act pursuant to Section 15061(b)(3) of the CEQA Guidelines, because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

# SECTION 3. APPROVAL PENDING ADOPTION

That on August 27, 2024, the City obtained an Approval Pending Adoption Letter from FEMA, attached hereto as Exhibit "A", establishing the effective date of April 18, 2023, and an expiration date of April 18, 2028, to coincide with the Riverside County Operational Area Multi-Jurisdictional Local Hazard Mitigation Plan 2023.

# SECTION 4. 2023 LOCAL HAZARD MITIGATION PLAN

That the City hereby adopts the updated 2023 Local Hazard Mitigation Plan, attached hereto as Exhibit "B", and incorporated herein by this reference, and directs staff to implement said Local Hazard Mitigation Plan.

## SECTION 5. EFFECTIVE DATE

That this Resolution shall take effect immediately upon its adoption.

## SECTION 6. SEVERABILITY

That if any provision, section, paragraph, sentence or word of Resolution or any portion of the 2023 Local Hazard Mitigation Plan be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words as hereby adopted shall remain in full force and effect.

# SECTION 7. CERTIFICATION

That the City Clerk shall certify as to the adoption of this Resolution and shall cause the same to be processed in the manner required by law.

# SECTION 8. REPEAL OF CONFLICTING PROVISIONS

That all provisions of any resolution in effect prior to the effective date of this Resolution as adopted by the City Council that are in conflict with the provisions of this Resolution, are hereby repealed.

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

PASSED, APPROVED, AND ADOPTED on this 19th day of September, 2024.

Steve Downs, Mayor

ATTEST:

Kristie Ramos, City Clerk

APPROVED AS TO FORM:

Colin D. Kirkpatrick, City Attorney

# EXHIBIT "A"

# **APPROVAL PENDING ADOPTION**

(SEE ATTACHED)

August 27, 2024

Brian MacGavin Program Director County of Riverside Emergency Management Department 450 E Alessandro Blvd, Riverside, CA 92508

Dear Brian MacGavin:

The County of Riverside Operational Area Multi-Jurisdictional Local Hazard Mitigation Plan 2023 has been amended to include the Cities of Riverside and Rancho Mirage as official planning participants. These jurisdictions must submit their adoption resolution to FEMA in order to be considered fully approved.

FEMA's approval of the *County of Riverside Operational Area Multi-Jurisdictional Local Hazard Mitigation Plan 2023* remains for a period of five years from the original approval date of **April 18, 2023** for all approved participants. An updated list of the status of current participating jurisdictions is enclosed with this letter.

Prior to **April 18, 2028**, Riverside County and all participating jurisdictions are required to review and revise the plan to reflect changes in development, progress in local mitigation efforts, and changes in priorities, and resubmit it for approval in order to continue to be eligible for mitigation project grant funding.

The continued approval of this plan ensures Riverside County and all participating jurisdictions' continued eligibility for project grants under FEMA's Hazard Mitigation Assistance programs, including the Hazard Mitigation Grant Program, Building Resilient Infrastructure and Communities Program, and Flood Mitigation Assistance Program. All requests for funding, however, will be evaluated individually according to the specific eligibility, and other requirements of the particular program under which applications are submitted.

If you have any questions regarding the planning or review processes, please contact the FEMA Region 9 Hazard Mitigation Planning Team at <a href="mailto:fema-r9-mitigation-planning@fema.dhs.gov">fema-r9-mitigation-planning@fema.dhs.gov</a>.

Sincerely,

XING LIU

Digitally signed by XING LIU Date: 2024.08.27 10:46:38 -07'00'

for: Alison Kearns
Planning and Implementation Branch Chief
Mitigation Division
FEMA Region 9

Riverside County Hazard Mitigation Plan Amendment Notice August 27, 2024 Page 2 of 3

### Enclosures (2)

Riverside County Annex Review Tool, dated August 27, 2024 Status of Participating Jurisdictions, dated August 27, 2024

cc: Robyn Fennig, Planning Division Chief, California Governor's Office of Emergency Services

Victoria LaMar-Haas, Hazard Mitigation Planning Chief, California Governor's Office of Emergency Services

# Status of Participating Jurisdictions as of August 27, 2024

Jurisdictions – Adopted and Approved

	Jurisdictions – Adopted and A	
1	Riverside County	April 4, 2023
2	Morongo Band of Mission Indians	January 16, 2024
3	City of Banning	August 8, 2024
4	City of Beaumont	December 19, 2023
5	City of Calimesa	April 1, 2024
6	City of Coachella	February 28, 2024
7	City of Eastvale	October 25, 2023
8	City of Lake Elsinore	June 11, 2024
9	City of Indian Wells	February 15, 2024
10	City of Jurupa Valley	October 19, 2023
11	City of Moreno Valley	May 16, 2023
12	City of Palm Desert	June 26, 2024
13	City of Palm Springs	March 28, 2024
14	City of Perris	April 9, 2024
15	City of Temecula	July 11, 2023
16	City of Norco	January 17, 2024
17	City of Wildomar	December 13, 2023
18	Beaumont Unified School District	September 7, 2023
19	Rancho California Water District	November 9, 2023
20	Twenty-Nine Palms Band of Mission Indians	July 12, 2024
21	Hemet Unified School District	April 16, 2024
22	Western Municipal Water District	February 1, 2023
		, , , , , , , , , , , , , , , , , , , ,

Jurisdictions – Approvable Pending Adoption

2 C	San Jacinto Unified School District City of La Quinta
	City of La Quinta
2 0	
3	City of Corona
4 C	City of Riverside
5 C	City of Rancho Mirage

# EXHIBIT "B"

# 2023 LOCAL HAZARD MITIGATION PLAN

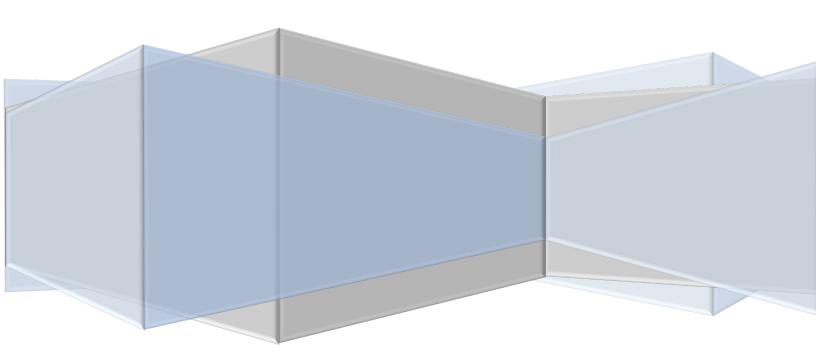
(SEE ATTACHED)

# EXHIBIT "B" (2023 LOCAL HAZARDS MITIGATION PLAN) INCLUDED IN RESOLUTION NO. 2024-55 IN LASERFICHE

# CITY OF RANCHO MIRAGE

LOCAL HAZARDS MITIGATION PLAN

PLAN UPDATE 2023



# **Contact Information**

### CITY OF RANCHO MIRAGE

Brian Kephart, Emergency Manager 69-825 Highway 111 Rancho Mirage, CA 92270

Telephone: (760) 770-3220 Email: esc@ranchomirageca.gov

# Plan Adoption/Resolution

The City of Rancho Mirage will submit plans to the Riverside County Emergency Management Department (EMD) who will forward to CalOES and FEMA for review. In addition, we will wait to receive an "Approval Pending Adoption" before taking the plan to our local governing body for adoption. Upon approval, the City of Rancho Mirage will insert the signed resolution.

# **Executive Summary**

The purpose of this Local Hazard Mitigation Plan (LHMP) is to identify the County's hazards, review and assess past disaster occurrences, estimate the probability of future occurrences and set goals to mitigate potential risks to reduce or eliminate long-term risk to people and property from natural and man-made hazards.

The Plan was prepared pursuant to the requirements of the Disaster Mitigation Act of 2000 to achieve eligibility and potentially secure mitigation funding through Federal Emergency Management Agency (FEMA) Flood Mitigation Assistance, Pre-Disaster Mitigation, and Hazard Mitigation Grant Programs.

The City of Rancho Mirage's continual efforts to maintain a disaster-mitigation strategy is on-going. Our goal is to develop and maintain an all-inclusive plan to include all jurisdictions, special districts, businesses and community organizations rather than them writing their own plan to promote consistency, continuity and unification.

The City's planning process followed a methodology presented by FEMA and CalOES which included conducting meetings with the Operational Area Planning Committee (OAPC) coordinated by the Riverside County Emergency Management Department comprised of participating Federal, State and local jurisdictions agencies, special districts, school districts, non-profit communities, universities, businesses, tribes and general public.

The plan identifies vulnerabilities, provides recommendations for prioritized mitigation actions, evaluates resources and identifies mitigation shortcomings, provides future mitigation planning and maintenance of existing plan.

The plan will be implemented upon FEMA approval.

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# **Section 1.0 Community Profile**

### 1.1 City Of Rancho Mirage Location & Map

The City of Rancho Mirage is located in central Riverside County in the Coachella Valley. The City is generally bound by Interstate 10 to the north; Monterey Avenue to the east; DaVall Drive to the west and the Santa Rosa Mountains to the south. Interstate 10 and Highway 111 are the primary thoroughfares serving the Coachella Valley Cities, with other numerous arterials connecting adjacent jurisdictions.

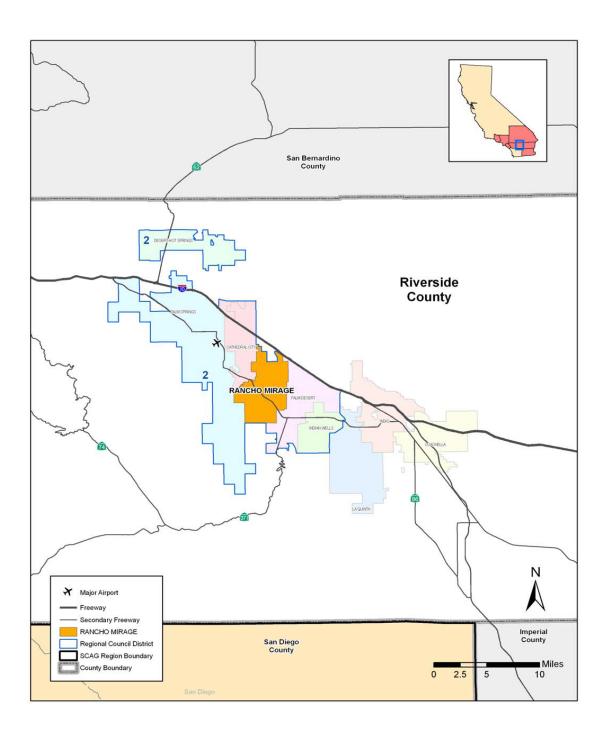


Figure 1-1 Regional Location

### 1.2 Geography And Climate Description

The City of Rancho Mirage is located in Riverside County in the Coachella Valley of California. Rancho Mirage is approximately 25.7 square miles in area and is 70 miles east of the County seat, the City of Riverside. Riverside County covers 7,208 square miles (approximately the same size as the state of New Jersey) and stretches from Orange County to the Colorado River which forms the border with the state of Arizona. Adjacent counties include San Bernardino County to the north, La Paz County Arizona to the east, Imperial and San Diego counties to the south and Orange County to the west.

Rancho Mirage is located within the Coachella Valley, which extends for approximately 45 miles (72 km) in Riverside County southeast from the San Bernardino Mountains to the saltwater Salton Sea, the largest lake in California. The Valley is approximately 15 miles (24 km) wide along most of its length, bounded on the west by the San Jacinto Mountains, the south by the Santa Rosa Mountains and on the north and east by the Little San Bernardino Mountains. These mountains peak at around 11,000 feet (3,400 m) and tend to average between three to five thousand feet. This effectively blocks the marine layer familiar to most other Southern Californian areas. The Salton Sea is located to the southeast of the Coachella Valley with a surface elevation of 227 feet below sea level.

Regional geomorphology is largely due to the San Andreas Fault which enters the valley at the Chocolate Mountains and Salton Sea in the southeast corner and then follows the centerline of the Little San Bernardino Mountains on the north side of the Coachella Valley. The fault is easily visible along its northern length as a strip of intermittent green oasis against an otherwise bare mountain.

### Climate

Geographically, the County is mostly desert in the central and eastern portions of the county which includes the Coachella Valley and the City of Rancho Mirage. The Coachella Valley is considered the northwestern extension of the Sonoran Desert to the southeast. In the summer months daytime temperatures range from 104 °F (40 °C) to 118 °F (48 °C) and nighttime lows from 77 °F (25 °C) to 86 °F (30 °C). During winter, the daytime temperatures range from 70 °F (21 °C) to 90 °F (32 °C) and corresponding nights range from 46 °F (8 °C) to 68 °F (20 °C) making it a popular winter resort destination. Due to its warm year-round climate, the region is well known for the production of tropical fruits such as mangoes, figs and dates. According to the Coachella Valley Water District, average annual rainfall is approximately three inches. The mountains that flank the west and south sides of the Valley are often covered in snow during the winter months, and it is not uncommon for snow levels to dip to the 2000 foot elevation.

### **Transportation**

The primary arterial to the Coachella Valley is Interstate 10, which runs east-west; while State Route 111 runs for about 30 miles along the southwestern rim of the valley and serves as the main arterial highway between almost all Coachella Valley cities. In 2020, interchange at Interstate 10 at Bob Hope Drive through Rancho Mirage had approximately 101,000 AADT (Annual Average Daily Traffic in vehicles per day (vpd) (https://dot.ca.gov/-/media/dot-media/programs/traffic-operations/documents/census/aadt/2020-traffic-volumes.xlsx). In comparison, Highway 111 west of Magnesia Falls in front of Rancho Las Palmas Shopping center had 40,415 ADT when traffic counts were taken on April 5, 2017; with peak traffic volumes occurring between noon and 3:30PM. About 25 miles southeast, a four-lane expressway, State Highway 86 opened in the early 1990s as a "special" bypass (hence the "S" designation) of two-lane Highway 86 and connects with Imperial and San Diego counties.

The rail right-of-way that parallels the I-10 freeway between San Bernardino and Indio is operated by the Union Pacific Railroad (UPRR). In 2006, 42 trains per day passed through the City of Rancho Mirage (15,330 per year). There are no surface roads crossing the railroad tracks within the City. One older two lane bridge (Ramon Road) and one newly constructed six lane bridge (Bob Hope Drive) crosses the railroad and Interstate 10.

Public transportation in the Valley, including Rancho Mirage, is provided by the SunLine Transit Agency based in Thousand Palms, which was among the country's first transit agencies to totally convert their fleet to alternate fuel vehicles, including full-sized buses powered by fuel cells.

Aviation in the area is served by the Palm Springs International Airport in Palm Springs, Jacqueline Cochran Regional Airport in Thermal and Bermuda Dunes Municipal Airport in Bermuda Dunes. Palm Springs International airport (PSP) is currently served by ten airlines. In 2022, there were a total of 2,660,629 total passengers embarking/disembarking at PSP; with an indicated 46.5% increase over the previous year. In

2022, there was direct service to/from PSP with respect to 30 different destinations: United States: Los Angeles, Phoenix, Las Vegas, San Jose, Oakland, San Francisco, Sacramento, Santa Rosa, Austin Houston, Dallas, Denver, Salt Lake City, Boise, Redmond, Eugene, Portland, Seattle, Everett, Bellingham, Minneapolis, Des Moines, Chicago, Atlanta, New York, and in Canada: Vancouver, Edmonton, Calgary, Winnipeg, and Toronto.

### 1.3 Brief History

The City of Rancho Mirage is a well-known desert resort and residential community in the Coachella Valley. With major regional medical facilities, the Valley's most vibrant and attractive commercial centers, and world-class resort hotels; Rancho Mirage is a desirable destination for residents and visitors alike.

The City has taken shape in a beautiful valley setting surrounded by dramatic views of the Santa Rosa and San Jacinto Mountains to the south and west and the Little San Bernardino Mountains to the north. Lushly landscaped golf course communities and broad arterial streets on the Coachella Valley floor have created a "garden in the desert". This contrast of unbridled geography and manicured environments provide Rancho Mirage with its unique sense of place.

The City of Rancho Mirage was incorporated on August 3, 1973, bringing autonomy to residents and businesses over land use and development on approximately 15.6 square miles of land. Since City incorporation, expansion has occurred without sacrificing the quality of life that originally attracted residents and the City now comprises approximately 16,448 acres or 25.7 square miles. Its Sphere of Influence (SOI) – County managed lands over which the City has an advisory role – total another 957 acres or 1.49 square miles. The City of Rancho Mirage has a Council/Manager form of government and became a Charter City in 1997.

From the beginning, Rancho Mirage was primarily a residential community. Successive decades brought new assets and resources. In the 1960s, commercial businesses expanded and "Restaurant Row" developed. The 1970s saw the introduction of the Eisenhower Medical Center as well as five of the City's country clubs. Residential construction boomed in the 1970s and 1980s and that period also saw the addition of the Valley's world class destination resorts – Marriott's Rancho Las Palmas (now Omni Rancho Las Palmas Resort & Spa), the Westin Mission Hills and The Ritz Carlton Rancho Mirage.

Development in past years has focused primarily in the North half of the City North of Frank Sinatra Drive. From the 1990s to present day, the City has added entertainment and shopping venues such as The River (a 250,000 square foot mixed use entertainment/commercial development) and Monterey Marketplace (a 400,000 square foot "big-box" retail center); worked with the Annenberg Trust to transform the Sunnylands Estate and Visitors Center into a world class educational/conference facility, and completed the state-of-the-art Rancho Mirage Public Library. On March 25, 2018, the observatory addon was completed and officially opened at the Rancho Mirage Library resulting in renaming of the facility to the Rancho Mirage Library and Observatory. In addition, the completion of the Section 19 Specific Plan will permit a large scale mixed use development adjacent to the 16 story Agua Caliente Casino Resort and proposed multi-modal transit station.

In 2015, the Agua Caliente Band of Cahuilla Indians ("Tribe") adopted a Specific Plan for Section 24 along with an EIS and Tentative Map for the development of a 1,200 unit age restricted (55+) community. In 2017, the developer, Pulte homes, requested annexation of the 320 acre site to the City of Rancho Mirage, and subsequently, the City adopted the "Tribe adopted" Section 24 Specific Plan, Tract Map and EIS/EIR. The annexation was completed in May 2017 with construction commencing shortly thereafter. Since 2017, the development now, called "Del Webb at Rancho Mirage," has built out over 900 residential units or over 86% of the potential build out.

In 2021 the City of Rancho Mirage tentatively approved the development of up to 1,932 residential and residential branded units in Section 31 located on 618 acres of land in the geographic core of Rancho Mirage between Gerald Ford Drive, Frank Sinatra Drive, Monterey Avenue, and Bobe Hope Drive. Approximately 516 of the residential units have been identified and subdivided and the developer has been actively grading the site. The official name for the development was announced as "Cotino, a Storyliving by Disney Community."

### 1.4 Economy Description

#### **Employment**

In 2016, Employment in Rancho Mirage was dominated by the Education/Health (35.4%) and Leisure/Hospitality (24.2%) sectors according to the California Employment Development Department. Retail sales (inflation adjusted) in the City of Rancho Mirage decreased by 31% between the years 2006-2010 reflecting the downturn in the economy but rebounded by 14.3% between 2011 and 2015.

Per capita assessed valuation in Rancho Mirage ranks second in the Coachella Valley and is reflective of the City's image as a high-end resort and residential community. The highly valued country clubs, gated communities and other residential properties along with four first-class resort hotel properties (plus commercial) provide the basis for the City's assessed valuation in excess of 9.2 billion (2020/21 Riverside County Assessor Annual Report). Upon incorporation in 1973, the City chose not to collect a City property tax. The only property tax revenues received by the City's general fund are for properties annexed in recent years and those within Community Facilities Districts. As a result, the City is less dependent upon property-based taxes as a significant source of general fund revenue compared to most cities in California.

In contrast to the general fund, however, the City's former Redevelopment Agency derived a significant source of revenue from any increase in assessed valuation within one of the two Redevelopment project areas. Tax increment financing was used to implement a wide variety of Redevelopment Agency Activities. However, the passage of Assembly Bills AB1x26/27 provided for the dissolution of Redevelopment Agencies effective October 1, 2011 and permitted communities to continue development only if a payment was "voluntarily" paid to the State.

The average household income in Rancho Mirage is \$138,993 and is second highest in the Coachella Valley. The high income level provides the purchasing power for the City's highly valued properties and for local goods and services.

Retail – Although Rancho Mirage is primarily a residential community, a significant amount of retail sales tax is generated by local businesses. The City ranks second in per capita retail sales in the Coachella Valley. In the past, restaurants and hotels have provided the majority of sales taxes to the City. The top twenty tax generators in the City are as follows:

Albertsons	Hobby Lobby
Audi Leasing Bentley Leasing	Home Depot
Cart Mart	JP Morgan Chase Bank
Cheesecake Factory	Kristine Schultz Interior Design
Clarks Nutrition Center	Las Casuelas Nuevas
CVS Pharmacy	Mistys Consignments
Desert European Motorcars	Omni Rancho Las Palmas Resort & Spa
Eisenhower Medical Center	Pacific Sales
Ferguson Enterprises	Pacific Sales w/Best Buy
Financial Services Vehicle Trust	Pirch
Gelson's Markets	Scandinavian Designs
Porsche Leasing	Yard House
Walgreens	

Figure 1-2 Top 25 Tax Generators (FY 20-21)

Resort Hotels – Three resort hotels (a total of seven hotels/motels with 1,842 rooms) are major features of the social, cultural and recreational setting in Rancho Mirage. Not surprisingly, hotels also provide the City with its largest revenue source, Transient Occupancy Taxes (TOT). Over eight million dollars in TOT was collected in FY 2015 - 2016. The occupancy rates for the Rancho Mirage hotels averaged 65.6% for Calendar Year 2016 compared to 61% for the entire Valley during the same period. In addition to the direct revenue generated by bed taxes, tourists also spend a considerable amount in local restaurants and shops. Due to the fact that the Agua Caliente Resort & Spa is on Tribal land and is a sovereign nation, they do not pay TOT to the City and it is not included in the above listed figure. The 16 story facility includes 340 rooms,

an indoor amphitheater style seating entertainment venue seating up to 2,057 guests, a 45,000 square foot casino floor with more than 1,300 slot machines and 36 table games.

Employment – Although Rancho Mirage is not a major employment center, Eisenhower Medical Center, Westin Mission Hills Resort, Omni Rancho Las Palmas Resort, The Ritz Carlton and the Agua Caliente Resort, Spa and Casino comprise the majority of employment in the City. The River lifestyle shopping center is also a major employer. Areas for anticipated economic development growth over the planning period include vacant properties along Highway 111 and the commercial district surrounding Monterey, Dinah Shore, Bob Hope and Interstate 10. In 2020, the following were the major employers in Rancho Mirage:

Employer	Type Business
Eisenhower Medical Center	Private medical center/ hospital
Agua Caliente Casino Resort Spa	Casino and resort hotel
Rancho Las Palmas Resort & Spa	Resort hotel
Westin Mission Hills Resort & Spa	Resort hotel
The Ritz-Carlton, Rancho Mirage	Resort Hotel
Betty Ford Center	Alcohol/drug treatment center
Mission Hills Country Club	Country Club
Cheesecake Factory	Restaurant
Home Depot	Home improvement
Desert European Motorcars	Auto Sales and Service
P.F Chang's	Restaurant

Figure 1-3 Major Employers (2020)

### 1.5 Population And Housing

According to the 2010 U.S. Census, the population of the City of Rancho Mirage was 17,218 compared with 13,249 in the 2000 Census; an increase in population of 3,969. This 30% increase in population was lower than the Riverside County growth rate of 41.7% within the same time frame. As of January 1, 2017, the California State Department of Finance estimated the population in Rancho Mirage to be 18,295; an increase of 1.1% from the previous year.

The previously adopted LHMP of 2005 estimated that the population in Rancho Mirage was 14,950. When this figure is compared to the 2010 Census, the City grew by 15% during the previous LHMP period. For comparative purposes, since the 2010 Census, the City has grown 6.25% over the seven year period.

According to the California Department of Finance the estimated population of Rancho Mirage was 16,804 as of January 1, 2022, however when compared to the population estimates from January 1, 2020, it was estimated that the population was 18,611, which is a population loss of about 10%.

When compared to the US Census, the population estimate was 17,303 as of July 1, 2021, which equals about a 2% increase since April 1, 2020. It is unclear why the DOF change is substantially different from the US Census change, however it is believed that the US Census figure is the more reasonable figure.

Staff estimates the population to be closer to 18,799 based on the ACFR Report for 2020-21.

### **Section 2.0 Planning Process**

### 2.1 Local Planning Process

### 2.1.1 City LHMP Planning

The City of Rancho Mirage utilized a multi-step planning, update and review process. The initial review of the 2017 plan started through an email blast to various City Departments. The email explained the need for the update and requested that departments review and update information as needed. An internal City planning team was created, the planning team was comprised of:

- Isaiah Hagerman, City Manager
- Ben Torres, Planning Manager
- Majna Dukic, Development Services Director
- Ryan Stendell, Public Works Director
- Jeff Benson, Engineering Technician II
- Brian Kephart, Emergency Services Coordinator

The LHMP Planning team met to discuss hazards, mitigation actions, development trends and demographic information. Once the plan had been updated the draft was sent for review by the Riverside County Emergency Management Department.

### 2.1.2 Emergency Preparedness Committee

The City has an Emergency Preparedness Committee comprised of City staff, and an Emergency Preparedness Commission that consists of private citizens appointed by the City Council. The Emergency Preparedness Committee is led by the Emergency Services Coordinator Brian Kephart and is represented by City Department and Division leaders.

The Committee meets on an as-needed basis. All members of the Committee have been issued radios to be used in the event of an emergency and a monthly radio-check is conducted.

### 2.1.3 Emergency Preparedness Commission

One of the several Commissions that aid the City of Rancho Mirage is the Emergency Preparedness Commission. It consists of citizen volunteers who provide recommendations to the City in the area of emergency preparedness.

The Commission consists of 5 members who are appointed by the City Council and meets the fourth Tuesday of each month at 2:30 p.m., unless adjourned. The Commission was established in 1998 to effectively deal with the possibility of man-made and natural emergencies such as major earthquakes, floods, extended power outages, terrorism, hazardous material and other problems. The mission of the Emergency Preparedness Commission is to motivate every person, business, and organization in the City of Rancho Mirage to take actions that reduce future disaster damages and enhance disaster preparedness, response, and recovery. Representatives of Home Owner Associations, gated communities and neighborhoods are especially encouraged to attend the Commission meetings. Current appointed members, as of June 2022, were as follows:

- Robert Brown
- Mary Levine
- Kirk Dandridge
- Mary Lou Suter
- David Richardson

Additionally, non-voting members are appointed to the Commission who serve as Technical Advisors. The appointed technical advisors, as of June 2022, were as follows:

- Edward Thomas
- Katie Stice

For well over a decade the Commission has sponsored the City's annual Town Hall Forum which is a public event at the City's Library focusing on emergency preparedness; primarily the earthquake risk we face in

the Coachella Valley. Beginning in 2016, the Commission started holding two Town Hall Forums; the most recent Town Hall Forums were held in March 2021 in a virtual format, in lieu of in-person, due to COVID-19 restrictions. The forum was titled "Listen+Learn: More Secrets to Survive the Big One" that provided participants with current information regarding local resources to assist with the development of plans to prepare for, respond to, and recover from a major disaster, such as an earthquake.

In 2009 the Commission established its HOA (Homeowners' Association) radio program in which participating HOAs can communicate with the City and Commission members via radio in the event of a disaster. A monthly radio test is conducted the first Tuesday of the month at 7:00 p.m. As of 2022 there were approximately 97 radios on the roll call roster with response rates ranging from 27 to 46.

### 2.1.4 City Radio Room and Radio Training

The City has one fully-functional Radio Room located at the Rancho Mirage Public Library and Observatory which serves as the City's Primary Emergency Operations Center (EOC). The radio room is fully functional and includes numerous hand-held radios for field personnel, satellite phone(s), one suitcase radio to communicate with the County Disaster Net Radio System, one HAM radio and one base station radio with six frequencies. All radios are operational, and training has been provided to staff. Two additional handheld radios were provided to the Sheriff's Lieutenant and Fire Division Chief assigned to Rancho Mirage. A satellite phone has also been provided to the Fire Division Chief. The radios are identical to the 16 radios City staff keeps at home. The City conducts a quarterly radio check and all members have had training in the use of said radios.

### 2.1.5 City Outreach - Emergency Preparedness Web Site

The City has an Emergency Preparedness page on the City's web site and two domains have been setup for easy access:

www.rmready.org www.ranchomiragepreparedness.org

The City's website currently includes a vast array of topics including:

Preparedness for different hazards with specific links and information on:

- How to Build a Kit
- Earthquakes
- Federal Emergency Management Agency (FEMA)
- Fires
- Flooding
- Extreme Heat
- Landslides
- Power Outages / Blackouts
- Wildfires

Specialized Preparedness Topics on the City website include:

- Because We Live in the Desert
- Food & Water
- Seniors
- Engaging Seniors/People with Disabilities
- Pets & Disaster Safety Checklist
- Pet Preparedness Kit
- Pet Identification Card
- People with Disabilities & Special Needs
- First Aid Supplies
- Children's FEMA Webpage
- Children's Emergency Preparedness
- Create Your Own Car Emergency Bag

### **HOA Emergency Response:**

- How to Participate in Monthly HOA Radio Drill
- HOA Casualty & Damage Assessment Report (to be used when communicating with City during a major disaster)

#### Other Local Information includes:

- Riverside County Early Warning Notification System
- Locate services & supplies Google "Emergency Preparedness Supplies"

### Preparedness for Businesses/Business Continuity:

- Emergency Preparedness US Small Business Administration www.sba.gov/content/disasterpreparedness
- QuakeSmart Business Community Resilience

#### 2.1.6 Town Hall Forum Lectures

Each year, there are Town Hall Forums that discuss emergency preparedness of various topics. Topics of the Town Hall Forum included:

- Is America Losing the Cyberwars?
- A Special Screening of Quake Heroes
- Earthquake Insurance
- Earthquakes: What to Tell Children you Love & How to Say It
- Secrets to Survive the Big One
- Listen + Learn: More Secrets to Survive the Big One (Webinar)

Videos of many of the presentations are available on YouTube:

### https://www.youtube.com/@RanchoMirageLibraryObservatory/videos

### 2.1.7 Community Emergency Response Training (CERT)

The City has requested that all City employees attend CERT training in order to assist emergency services and City residents in the event of a disaster. As of 2017, approximately 75% of City employees have received CERT training. Every couple of years, staff will receive a refresher course. The majority of City staff has also been trained in CPR and the use of defibrillators. In 2022 the City entered into a contract with Cintas to lease and maintain 4 AEDs at City Hall, 1 AED at the City Yard, and 1 AED at the Amphitheatre, for a period of 3 years. Cintas is responsible for checking the AEDs each month to ensure they are functional and ready to use if needed.

### 2.1.8 Great California Shake Out Exercise

Rancho Mirage City staff participates in this annual event which is held each October. City staff at City Hall and the City Library participate in The Great California Shake Out exercise by practicing the *Drop, Cover and Hold On* earthquake drill. In 2022, approximately 9.6 million Californians practiced <u>Drop, Cover, and Hold On</u> to practice how they will protect themselves during earthquakes, and increased their overall preparedness. Local government represented just over 1 million of those total participants. The City of Rancho Mirage will continue to participate in this yearly exercise.

### 2.2 Participation In Regional (Operation Area) Planning Process

The LHMP was incorporated into the 2005 Safety Element of the General Plan and again with the 2012, and 2017 LHMP Update. The Safety Element includes a discussion on seismic hazards in the Rancho Mirage area as well as flood hazards, fire hazards, and hazardous waste risks.

Many of the activities conducted by the City were fed into the planning process for the previous (2005, 2012, and 2017) Multi-Jurisdictional Local Hazard Mitigation Plan (MJLHMP). In addition, the City enforces the requirements of the California Environmental Qualities Act (CEQA) which since 1988 has required mitigation for identified natural hazards.

CITY OF RANCHO MIRAGE – ANNEX LOCAL HAZARD MITIGATION PLAN

The City participated in various workshops and meetings in the development of this Multi-Jurisdictional (Regional) Plan Update including the following:

June 15, 2022

City staff attended the Kickoff Meeting for the Multi-Jurisdictional Local Hazards Mitigation Plan. The City executed a letter of commitment to the Riverside County Emergency Management Department.

July 2022

The City created a webpage describing the LHMP update process and invited public participation. A public input survey was also posted to the webpage.

August 24, 2022

City staff attended a Multi-Jurisdictional Local Hazard Mitigation Plan Update Workshop.

January 6, 2023

An email was sent to all City newsletters inviting public participation in the public opinion survey of the LHMP process. To date a total of 159 responses were received and attached under Appendix C.

January 24, 2023

The Local Hazard Mitigation Plan Update was agenized and discussed at the Community Emergency Preparedness Commission regular meeting. The meeting provided a final opportunity for the public prior to submission of the draft document to the County. A copy of the agenda and staff report are attached under Appendix C.

#### 2.3 Dates Available For Public Comment

The City has been actively implementing objectives and policies in accordance with the City's (previous) 2017 LHMP and Safety Element of the General Plan. As identified in Sections #2 and #3, numerous opportunities exist for the residents and the public at-large in Rancho Mirage to participate in and comment upon emergency preparedness plans and procedures as a part of the regional and local planning process. The monthly Emergency Preparedness Commission permits comments from the general public. The City's web site includes copies of the Agendas and meeting minutes from 1998 to present. Information regarding mitigation measures and safety precautions is discussed at the bi-annual expos and other workshops held throughout the year.

The Safety Element of the Rancho Mirage General Plan is posted on the City's web site as follows:

### https://ranchomirageca.gov/wp-content/uploads/2019/01/Chapter 8 Safety.pdf

In addition to the public workshops already conducted and documented in Section 2.2 and Appendix "C", additional opportunity to comment on the LHMP and mitigation measures will be provided as the Planning Commission and City Council conduct public hearings to consider incorporating the LHMP Update into the General Plan Safety Element.

### 2.4 Plans Adopted by Resolution

The City Council will consider adoption of the LHMP in a public meeting via an official Resolution upon approval by FEMA. This LHMP may be incorporated as part of Safety Element of the City of Rancho Mirage General Plan to be eligible for additional Public Assistance funding pursuant to Assembly Bill 2140.

### **Section 3.0 Updates and Mitigation Actions**

### 3.1 Updates From 2017 Plan

No new hazards occurred within the City of Rancho Mirage that were not already identified in the 2017 LHMP.

### 3.2 New Hazards Or Changes From 2017

The City's planning group reviewed 2017 LHMP Agency Inventory and determined that the 2017 Plan adequately described all hazards and disasters in Rancho Mirage.

	RANCHO MIRAGE COMMENTS
<u>HAZARD</u>	On 2017 LHMP
Wildfires	None. No change
Flooding	See comment "A" below.
Earthquakes	Several minor events with no injuries or damage reported.
Extreme Weather	Extreme wind events have given rise to an increased need for sand removal along public roadways and private property.
Landslides	None No change
Insect Infestation	None. No Change.
Dam failure	Not applicable
Hazardous materials (hazmat) incidents	None. No change.
Transportation emergencies	None within or immediately adjacent to the City
Pipeline/Aqueduct incidents	None, No change
Blackout	One event with minimal to no effects on the City.
Toxic pollution	None No change
Nuclear incidents	None No change
Civil unrest	One high exposure event however there was no major negative impact.
Jails and prisons incidents	None. No change
Terrorism	None. No change.

Figure 3-1 Comments on 2017 Hazards

### 3.2.1 Flood Updates

January/February 2019 Storms

The City of Rancho Mirage experienced storm events between January and February 2019 caused by an atmospheric river system that brought high winds, substantial precipitation and flooding across California. These storm events washed out 100 feet of the eastbound number 2 lane along Frank Sinatra Drive, east of Highway 111, including a portion of the Frank Sinatra Drive low water crossing over the Whitewater River Channel. The storm also severely damaged a portion of Country Club Drive's eastbound shoulder and

# CITY OF RANCHO MIRAGE – ANNEX LOCAL HAZARD MITIGATION PLAN

embankment, just east of its low water crossing over the Whitewater River Channel. The City conducted emergency opening procedures which included sawcut and removal of damaged asphalt pavement and berm, import of fill dirt, construction of new asphalt paving, concrete and toe cover, PCC down swale, and the repair of rip-rap covered areas including gunite grouting. The projects were needed in order to restore and protect the integrity of the roadways from further storm events and maintain traffic flow along both streets.

Flooding events caused the closure of the Frank Sinatra Drive roadway, resulting in total costs to the City of \$99,481 for closure, clean-up, and emergency repairs. The closure of the Country Club Drive roadway resulted in total costs to the City of \$130,067 for closure, clean-up, emergency repairs, and permanent restoration. Funds for both projects were reimbursed by the Federal Emergency Management Agency (FEMA), in conjunction with the California Governor's Office of Emergency Services (CalOES), and by the Federal Highway Administration (FHWA), in conjunction with the California Department of Transportation (Caltrans).

### Closures

#### **Frank Sinatra Drive**

Full Closures: 2/14/19 - 2/16/19

Partial Closures for Construction: 2/20/19 - 6/28/19

### **Country Club Drive**

Full Closures: 2/14/19 - 2/19/19

Partial Closures for Construction – 3/11/19 – 6/28/19

### 3.2.2 Earthquake Updates

### July 4 and 6, 2019 - Ridgecrest Earthquake Sequence

On July 4, 2019, a M6.4 earthquake struck in Ridgecrest, California followed by a M7.1 on July 6, 2019. While Ridgecrest is located approximately 142 miles North Northwest of Rancho Mirage, the shaking could be felt with reported magnitude intensities ranging from 3 to 4 on the Modified Mercalli Intensity scale. No injuries or damages were reported however the Emergency HOA Radio channel was briefly activated for situational readiness.

Figures representing the generated USGS shake maps are provided below.

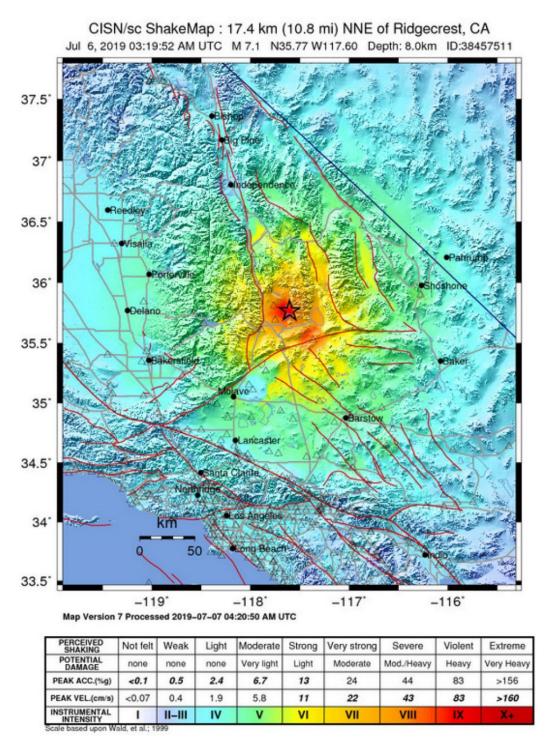


Figure 3-2 Ridgecrest M7.1 ShakeMap (July 6, 2019)

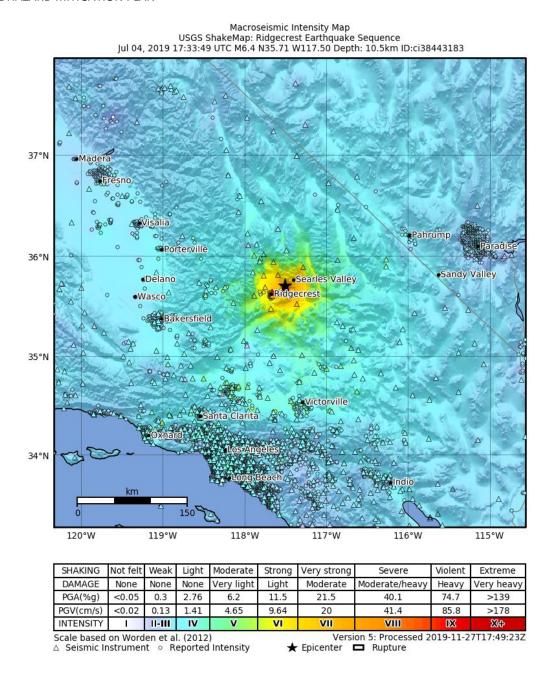


Figure 3-3 Ridgecrest M6.4 ShakeMap (July 4, 2019)

### New Fault Located:

In early 2017, Seismologists uncovered a newly identified fault line that was estimated to be capable of unleashing an M7.4 earthquake in the region, which other researchers say is already long overdue along the southern end of the San Andreas Fault.

The newly identified fault line is allegedly capable of a powerful earthquake that would impact 20 million residents of Los Angeles and San Diego. The fault runs underwater from San Diego Bay to Seal Beach in Orange County and on land through the Los Angeles basin.

In the study, the newly identified fault line is primarily offshore but is never more than four miles from the San Diego, Orange County, and Los Angeles County coastline (Valerie Sahakian, formerly of the Scripps Institution of Oceanography and now with the U.S. Geological Survey).

Even an M5 to M6 event could still have a major impact on those regions, which are some of the most densely populated in California. The fault, officially known as the Newport-Inglewood/Rose Canyon fault zone, caused a 6.4-magnitude quake in Long Beach, Calif. that killed 115 people in 1933. About 3 million people lived in the entire Los Angeles metro area at that time. Today, that number is 13 million.

The Newport-Inglewood and Rose Canyon faults were considered separate system, but the study found they are actually one continuous fault system.

### 3.3 Blackout/Significant Power Outage

There was a power failure incident on September 8, 2011, that affected about 150,000 customers in the Imperial Irrigation District (IID) territory. The incident was widespread and affected customers in all of southeastern California from the Arizona border to San Diego including much of the Coachella Valley. The power outage affected roughly 5 million people during late afternoon 110 degree heat. The outage was likely caused by an employee removing a piece of monitoring equipment that was causing problems at a power substation in southwest Arizona, officials said. The power loss should have been limited to the Yuma, Ariz., area. The power company, Arizona Public Service, was investigating why the outage wasn't contained.

Only a small undeveloped portion of the City of Rancho Mirage is located within IID territory so the City was largely unaffected during this particular outage.

No significant or unplanned outages have occurred during this planning period (2018-2022).

#### 3.4 Civil Unrest

Civil Unrest is generally associated with controversial political, judicial, and/or economic issues and events. On January 30, 2011, the Rancho Las Palmas resort hosted a conference conducted by the Koch brothers which resulted in more than 1,000 people picketing the event. The police department was called to help monitor the protestors to ensure civil obedience.

The rally began at 1 p.m. at The River shopping center across Bob Hope Drive from the Rancho Las Palmas Resort and Spa where the event was being held. About two-dozen police officers in riot gear lined up across the street to keep the protesters away from the gated entrance of the upscale resort. Police arrested 25 activists who were led away and cited for trespassing.

Also, the Westboro Baptist Church stated their intent to picket Betty Ford's funeral in July 2011 which called for heightened security measures to be into place.

While there were some minor demonstrations and walks within the City limits for various causes during this planning period, none of them required law enforcement intervention or activation of any emergency resources to respond to any type of unrest.

### Sunnylands

Rancho Mirage is unique as it is home to Sunnylands which is the former home of Ambassador Walter Annenberg and his wife Leonora. The Annenberg Estate frequently hosts renowned conferences and dignitaries such as Supreme Court justices, presidents, kings, queens and celebrity figures. Sunnylands convenes global leaders and prominent experts for retreats and meetings that result in meaningful outcomes. Every retreat or meeting is designed to address and find solutions to real-world problems that promote peace, facilitate international agreement, and better serve the public good.

With the passing of the Annenbergs, the Annenberg Trust has re-purposed the Estate, constructed the Sunnylands Visitors Center, and continues the philanthropic nature of the property and the Trust. The Visitors Center and Estate opened to the public in 2012, and the property will continue to be used in a manner consistent with the way it has been used in the past. Large scale, high profile events that involve dignitaries will occur from time-to-time, but will temporarily be closed to the public during these events which require heightened security measures.

Between 2012 and 2017, there were two protests previously discussed in the 2017 LHMP, however there have not been any significant protests revolving around the activities at Sunnylands since 2017.

Porcupine Creek

On February 19, 2020, a fundraiser was held at the golf estate of Oracle founder Larry Ellison for the then President of the United States, Donald Trump. The event drew national attention to the City of Rancho Mirage and the Coachella Valley as a whole. In addition to the usual presidential entourage wherever the president goes, a major contingent of local law enforcement was mobilized to provide traffic control and perimeter security to the Secret Service and the President. Several protests and demonstrations occurred in Rancho Mirage along the streets where the President was predicted to route to reach the estate from the Palm Springs International Airport. While the protests and demonstrations were numerous, none of them resulted in any significant incidents worth reporting or requiring an active law enforcement response. Other than some minor allocation of personnel and physical resources in support of the Presidential motorcade, most of the deployed resources were brought in from external agencies such as the Sheriff's Department and the Secret Service and the City incurred little additional expenses.

### 3.5 Hazardous Materials Incidents

City Staff is not aware of any hazardous materials incidents in the City of Rancho Mirage prior to adoption of the 2005 LHMP. However, one significant event happened in the neighboring jurisdiction of Cathedral City on October 22, 1999 when there was a passenger and freight train collision. A passenger train collided with a freight train and 234 crew and passengers were injured and 18 rail cars were damaged. No such events occurred between 2012 and 2017 either within or adjacent to the City of Rancho Mirage.

On October 1, 2021, at approximately 12:30 PM a train fire was reported just outside the city's jurisdiction on the I-10 railroad tracks just east of Monterey Avenue. One intermodal railroad car was found with an active fire inside and later found to contain lithium batteries, car batteries, and inert compressed gas cylinders. The fire and hazardous products presented an explosion hazard and additional engines, and water tenders were requested for fire suppression if necessary. A Riverside County Hazardous Material Team made entry into the rail car and determined the fire was smoldering and were able to quickly extinguish. The effected railcar was relocated to the Indio Rail yard and the contents moved into a new rail car.

### 3.6 Landslides

While the vast majority of Rancho Mirage is within a low susceptibility region for seismically induced rock fall and landslides, there is a developed portion that abuts the San Jacinto and Santa Rosa Mountains to the Southern end of the City that are within a moderate to high susceptibility zone.

Landslide and rock fall potential is highest at the base of the Santa Rosa Mountains just south of Highway 111. While the lower and less steep portion of the foothill has generally been urbanized, the upper portion of "coves" tucked in the mountain are adjacent to more rugged natural steep terrain with a moderate potential for seismically induced landslide and rock fall hazards. The areas that are subject to the highest potential for hazard are located within the Mountain Reserve area (approximately 8 square miles), are not developable, and are primarily within a Habitat Conservation Easement. The figure below shows the areas of elevated susceptibility.

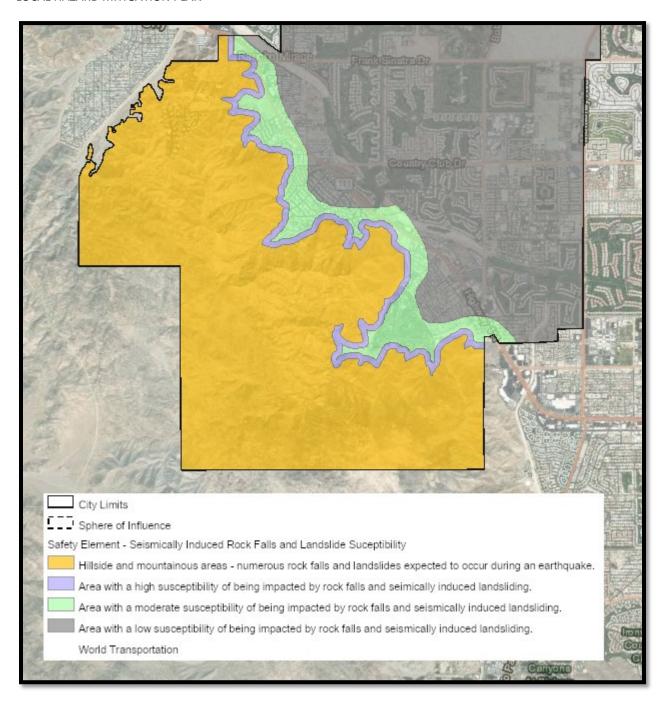


Figure 3-4 Seismically Induced Rock Falls and Landslide Susceptibility (2017)

While there is no significant recent history of seismically induced landslides, the City does have some mitigation in place to help capture some of the minor to moderate rockfall activity by way of a fence that was installed to help contain Big Horn Sheep to within the Santa Rosa and San Jacinto Mountains Conservation Area. The figure below provides an additional overlay of the Conservation Area over the seismic susceptibility figure, wherein the edge of the Conservation zone delineates the approximate location of the protective fencing.

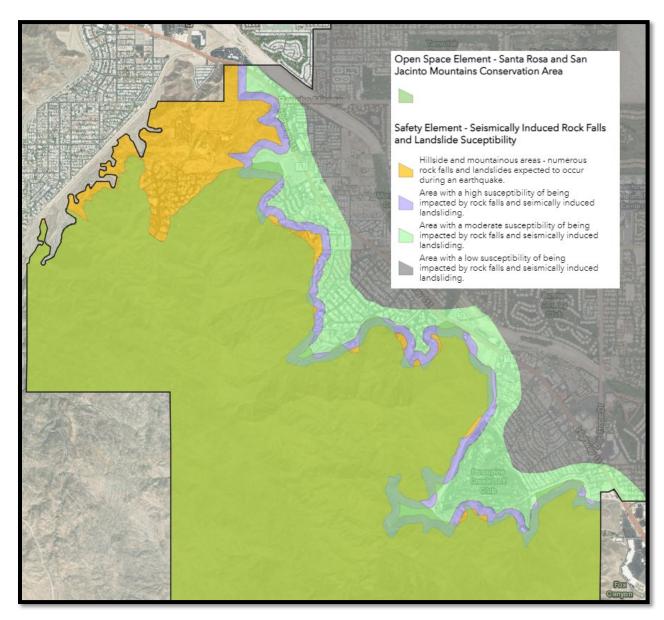


Figure 3-5 Rock Falls and Landslide Susceptibility With Conservation Overlay (2017)

### 3.7 Brief Statement Of Unique Hazards

The hazards in the City of Rancho Mirage include the same as much of Riverside County, including earthquakes, flooding and fires. Rancho Mirage is nestled at the base of the Santa Rosa Mountains with limited urbanization in close proximity to the foothills that may be subject to increased wildfire, landslide or mudflow hazards. The Whitewater Wash, Magnesia Falls Storm Drain Channel and other naturally occurring drainage coves may impact certain properties in the event of a significant flash flood. Rancho Mirage also has the potential for transportation related hazards due to both Interstate 10 and the Union Pacific Railroad (UPRR) being adjacent to the northern City Limit and Sphere of Influence. Finally, Rancho Mirage also has several conference facilities that host world renowned leaders and events from time-to-time where heightened security may be warranted.

### 3.8 Mitigation Project Updates

Type of Hazard	Mitigation Action	Lead Department Jurisdiction	Status Update

Flood	Country Club Dr. Storm drain	Public Works	Partially Completed.
Flood	Bob Hope Drive Storm Drive	Public Works	Completed.
Flood	Frank Sinatra Low Water Crossing – All Weather Bridge	Public Works	Cancelled and superseded.
Flood	Frank Sinatra Low Water Crossing – Enhanced Maintenance	Public Works	Implemented and Ongoing.
Flood	Frank Sinatra Low Water Crossing – Pedestrian Crossing	Public Works	Design and Feasibility Phase for FY24 and FY25.
Earthquake	Public Outreach	Emergency Preparedness Commission	Ongoing.
Earthquake	Seismic Retrofit Fire Station 50	Public Works	Completed.
Earthquake Blackout	Backup Generator Fire Station 50	Public Works	Completed
Earthquake Blackout	Backup Generator Fire Station 69	Public Works	Completed
All	Traffic Signal Interconnect	Public Works	Partially completed with another phase in Design.

## Section 4.0 Hazard Identification And Risk Assessment

#### 4.1 Critical Facilities And Infrastructures

A critical facility may be defined as one that is essential in providing utility or direction either during the response to an emergency or during the recovery operation. The following Table lists particular critical facilities and other community assets identified by Rancho Mirage's planning team as important to protect in the event of a disaster.

Figure 4-1 Count of Critical Facilities (2022)

Number	Comments
0	
*	Same as ECC with Radio Room
0	
1*	Primary EOC is at the Rancho Mirage Public Library with back-up facilities at City Hall.
*	Same as ECC.
2	#50 and #69.
1	Eisenhower Medical Center (2 including the off- site Emergency Care facility)
1	Sheriff's Substation. Also, Sheriff's Department has established a Mobile Command Post (stored in Palm Desert).
1	(1) Thousand Palms
10	Not including Eisenhower Medical Center. 5 age restricted seniors housing developments and 5 assisted living and nursing care facilities (see 7B)
3**	Includes Rancho Mirage High School
-	Coachella Valley Water District owned and operated.
	0  *  0  1*  *  2  1  1  1  10

## **Estimating Potential Loss**

In FY20/21, the Rancho Mirage Assessment Roll (gross values) totaled \$9,294,534,105.

Figure 4.1 shows Jurisdictions exposure to hazards in terms of number and value of structures. In addition to critical facilities, the structures identified in Section 7D could be vulnerable in the event of an earthquake. These structures are also identified on Map #2 (Critical Facilities and Vulnerable Structures) and more fully analyzed in the Risks and Vulnerability Section of this Plan.

## **4.2 Replacement Values**

The following table identifies the replacement value and occupancy/capacity for specific critical care facilities and other community assets:

Figure 4-2 Estimated Replacement Values (2022)

Asset Addr	lress Building Sq. Ft.	Building Valuation	Contents	Occupancy	Hazards
------------	------------------------	-----------------------	----------	-----------	---------

City Yard  (2) Office Bldgs.  Shop Parking Shelter Wash Rack	72-201 Manufacturing Road, Thousand Palms, CA 92276	25036	\$ 4,638,081	\$550,000	232	Earthquakes
Fire Station #69 & Parking Shelter	70751 Gerald Ford Drive, Rancho Mirage, CA 92270	6708	\$ 1,606,222	\$100,000	110	Earthquakes
Fire Station #50	70-800 Highway 111, Rancho Mirage, CA 92270	8092	\$ 2,131,871	\$120,000	120	Earthquakes Floods
City Hall Structure Carports Trash Enclosure Bus Shelter	69825 Highway 111, Rancho Mirage, CA 92270	66,532	\$ 11,920,634	\$1,300,000	330	Earthquakes Landslides Flooding
Library  Mechanical bldg.  Carports	71100 Highway 111, Rancho Mirage, CA 92270	43,066	\$ 17,411,911	\$2,900,000	731	Earthquakes Flooding
Rancho Mirage Community Park & Amphitheater	71560 San Jacinto Drive, Rancho Mirage, CA 92270	8264	\$ 5,584,509	\$450,000	638	Earthquakes Flooding
Rancho Mirage Observatory	71100 Highway 111, Rancho Mirage, CA 92270	1400	\$ 4,114,901	\$500,000	42	Earthquakes Flooding

## **4.3 Hazard Priorities**

Impacts of past events and vulnerability to specific hazards are further discussed; see the LHMP, Part 1 County and the Submitting Jurisdictions Hazards for more detailed information about these hazards and their impacts on Riverside County.

Hazards are prioritized based on their perceived severity and probability and are depicted in Figure 4-3 Hazard Ranking and Priority below.

Figure 4-3 Hazard Ranking and Priority

HAZARD	SEVERITY	PROBABILITY	PRIORITY	RANCHO MIRAGE COMMENTS
Earthquakes	4	4	High	Minor/ No Injuries or damage reported
Flooding	3	3	Medium	Frank Sinatra Drive at Whitewater Wash
Extreme Weather	3	3	Medium	Heat, Drought
Wildfires	2	2	Medium	None
Blackout/Power Failure	2	2	Medium	None
Terrorism	3	1	Low	None
Hazardous materials (hazmat) incidents	3	2	Low	None.
Landslides	2	1	Low	None
Transportation emergencies	2	2	Low	None.
Pipeline/Aqueduct incidents	1	1	Low	None
Insect Infestation	2	1	Low	None
Civil unrest	2	2	Low	None.
Toxic pollution	2	1	Low	None
Jails and prisons incidents	1	1	Low	N/A
Nuclear incidents	2	1	Low	None
Dam failure	0	0	Low	N/A

#### 4.4 Hazard Profiles

#### 4.4.1 Earthquakes

Severity 4, Probability 4, Priority High

Rancho Mirage is located in an area subject to substantial seismic and geological hazards such as ground shaking, seismic induced settlement, seismic induced landslides, collapsible and expansive soils, ground subsidence and wind-blown sands hazards. These seismic and geological hazards can affect the structural integrity of buildings and utilities, and in turn, cause severe property damage and potential loss of life.

The City of Rancho Mirage is located where numerous active faults are present. At least two active faults extend within a few miles of the City Limits; the Banning fault and the Garnet Hill fault north of the City. Both fault lines are capable of causing damage to the City. Other faults in the region, such as the San Andreas, San Jacinto and San Gorgonio Pass faults, also have the potential to produce strong seismic shaking in Rancho Mirage. Currently, ground shaking during an earthquake is the most significant seismic hazard that will impact the City. No portion of the City is located within an Alquist-Priolo Zone. (The intent of the AP Zone is to ensure public safety by prohibiting the siting of most structures for human occupancy across traces of active faults that constitute a potential hazard for structures from surfaces faulting or fault creep).

In accordance with the City's General Plan, an effective seismic hazard reduction program includes identification and mapping of geologic and seismic hazards, the enforcement of building and fire codes, and the expedient retrofitting and rehabilitation of weak structures.

Rancho Mirage has experienced several noticeable ground movement incidents (as listed in Section 3.2) but no local damage was reported.

In relation to a seismic event, the City has a low susceptibility to liquefaction. Most of the City is located north of the Whitewater Wash which consists of fine grain sediment, and south of the Wash closer to the Santa Rosa foothill consists of coarse grain sediments not subject to liquefaction.

Similarly, the underlying geology of the City primarily north of the Whitewater Wash has a high susceptibility to seismically induced settlement. The closer to the mountain and in the low lying foothills, the susceptibility decreases to moderate, with some rocky outcrops being least susceptible.

Landslide and rock fall potential is highest at the base of the Santa Rosa Mountains just south of Highway 111. While the lower and less steep portion of the foothill has generally been urbanized, the upper portion of "coves" tucked in the mountain are adjacent to more rugged natural steep terrain with a moderate potential for seismically induced landslide and rock fall hazards. The areas that are subject to the highest potential for hazard are located within the Mountain Reserve area (approximately 8 square miles), are not developable, and are primarily within a Habitat Conservation Easement.

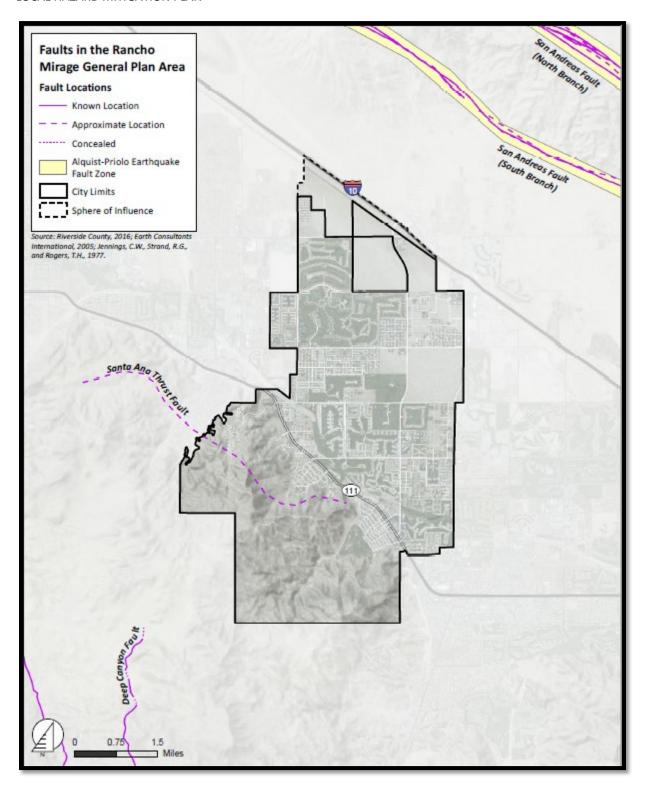


Figure 4-4 Earthquake Fault Zones (2017, Current)

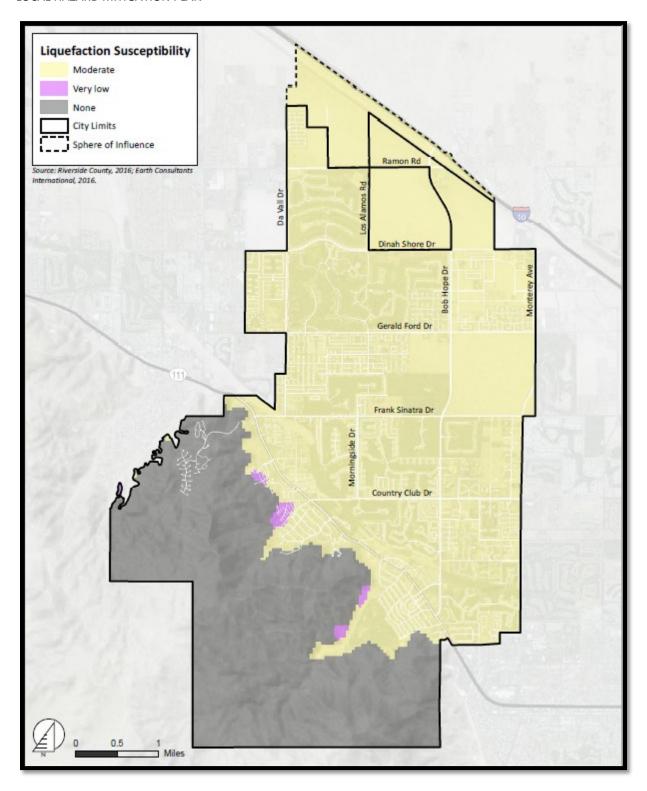


Figure 4-5 Liquefaction Susceptibility (2017, Current)

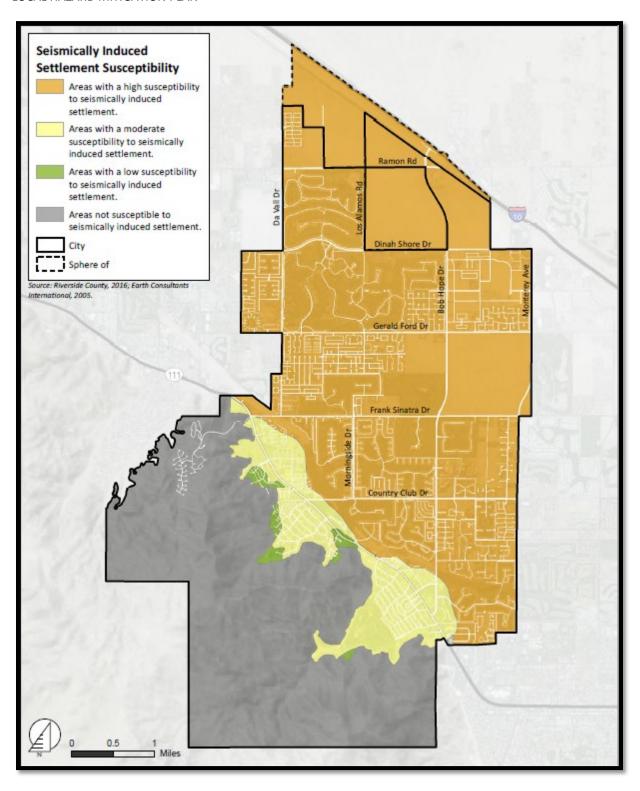


Figure 4-6 Seismically Induced Settlement Susceptibility (2017, Current)

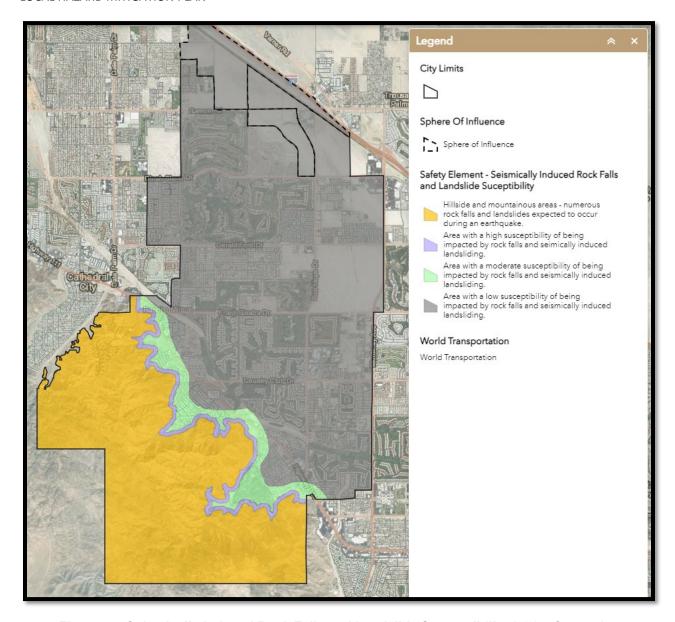


Figure 4-7 Seismically Induced Rock Falls and Landslide Susceptibility (2017, Current)

Landslide and rock fall mitigation requires development within areas shown as having a moderate and high potential for seismically induced landslide and rock fall hazards as a part of any project consideration to complete a geotechnical and rock fall hazard report and propose reasonable mitigation to render the hazard to less than significant.

Historical Earthquake Data:

## M6.3 December 14, 2012

A large earthquake of magnitude 6.3 (M6.3) struck off the Californian coast around 185 miles southwest of San Diego in the early hours of Friday, December 14, 2012.

Although the epicenter of the quake was underwater, the quake was not sufficiently large to generate a tsunami and no tsunami alert was issued. The tremor, which occurred at a depth of around six miles, was followed by at least one aftershock of M4.3 but no injuries or damage to property had been reported in Rancho Mirage.

#### M5.1 March 28, 2014

A magnitude-5.1 earthquake struck the Los Angeles area on Friday, March 28, affecting nearby communities and breaking water mains in some neighborhoods. The epicenter was in Orange County, one mile east of La Habra and four miles north of Fullerton. Shortly after the earthquake, nearly two dozen aftershocks occurred followed throughout the weekend followed by hundreds of smaller aftershocks. Around 70 people were displaced after damage to their homes, products were toppled from supermarket shelves, several water mains broke, and a car was lost due to a rockslide.

The quakes came approximately a week after the March 17<sup>th</sup> M4.4 tremor that hit near downtown Los Angeles. That temblor originated in the Santa Monica Mountains, northwest of central LA. It shook nearby buildings but did not cause significant damage. None of these events affected the City of rancho Mirage.

## September 26, 2016, Salton Sea Swarm

A swarm of seismic activity at the Salton Sea that began mid-September 2016 prompted scientists to warn of an elevated risk for a big San Andreas fault earthquake.

The swarm began just after 4 a.m. on Sept. 26, starting earthquakes three to seven miles deep underneath the Salton Sea. The biggest earthquakes included an M4.3 and then a pair later that night, followed by another M4.3 and a M4.1. There was another burst of activity the following night. It marked only the third time since earthquake sensors had been installed in this area in 1932 that the area had seen such a swarm. This particular swarm had more earthquakes than events in 2001 and 2009.

Before the swarm started to fade, more than 200 earthquakes had been recorded. The earthquakes hit in a sparsely populated area, less than four miles from Bombay Beach, population 171, sitting on the edge of the Sonoran Desert. Some people in Rancho Mirage felt the earthquakes but no damage was reported.

San Bernardino, which is on the San Andreas Fault and located about 60 miles west of Rancho Mirage, took the unprecedented step of closing down City Hall for several days over concerns about how the structure would fare in the big quake. Seismologists have been closely tracking the occasional swarms of earthquakes at the south end of the San Andreas fault, which experts consider overdue for a major earthquake, with an M7.0 or greater. Scientists estimate that the San Andreas faults southernmost stretch has not ruptured since about 1680 — more than 330 years ago. A big earthquake happens on average in this area once every 150 or 200 years, which is why the region is long overdue for a major quake.

#### June 10, 2016, M5.2

A 5.2-magnitude earthquake occurred about 13 miles from Borrego Springs, a community in the eastern part of San Diego County, just after 1 am PT, according to the U.S. Geological Survey (USGS). Residents in San Diego, parts of Los Angeles and the Coachella Valley felt shaking. Fortunately, there were no reports of injuries or damage.

After the initial earthquake, about a dozen small aftershocks hit the area, the strongest being a 3.8-magnitude quake.

Depending on the magnitude and intensity of ground shaking experienced during an earthquake, even modern structures complying with current building codes could be vulnerable to some damage. All improvements, including critical infrastructure, are vulnerable to earthquakes depending on magnitude and duration.

#### 4.4.2 Wildfires

## Severity 2, Probability 2, Priority Medium

The risk of wildfire in Rancho Mirage is considered moderate based on the combination of hot dry summers, steep mountain terrain and sparse scrub vegetation. Most of the land within the City includes urbanized land such as golf courses, manicured lawns and street parkways, the northernmost area of the City (generally north of Ramon Road) is moderately susceptible to fire. Rows of Tamarisk trees flank both Interstate 10 and the railroad as a wind break, which are prone to fire. Historically, the fires that start within the tamarisk trees are human caused due to unlawful camping activities. The fires themselves are typically extinguished within a few hours with only minor impacts. Additionally, there are open sections of

undeveloped land separating the tamarisk trees from any human occupied structures, therefore providing a defensible zone for fire personnel.

There is a moderate to high risk for wildfires on the steep slopes of the Santa Rosa Mountains where it is more difficult to contain with ground crews. These lands are undeveloped and part of the Bighorn Sheep habitat area. Most of these lands are designated as Hillside Reserve with a Conservation Easement. As an existing mitigation measure, the City General Plan limits hillside development. In areas designated Hillside Reserve (H-R), only one dwelling unit is permitted per 640 acres. Located above the Hillside Reserve zone is Mountain Reserve (M-R) which is primarily Bighorn Sheep habitat within the Mountains Conservancy area. Over 8 square miles of land are located within the City, protecting the hillside from urban development. There is no record of any significant wildfire within Rancho Mirage.

The City of Rancho Mirage contracts for fire service from the Riverside County Fire Department in cooperation with CalFire. CalFire operates an air attack base out of the Hemet/Ryan airport just West of the City. While the steep slopes of the Santa Rosa Mountains pose a challenge to ground fire fighting personnel, the City benefits from a rapid air attack response from the Hemet/Ryan airport, with an estimated flight time of under 15 minutes.

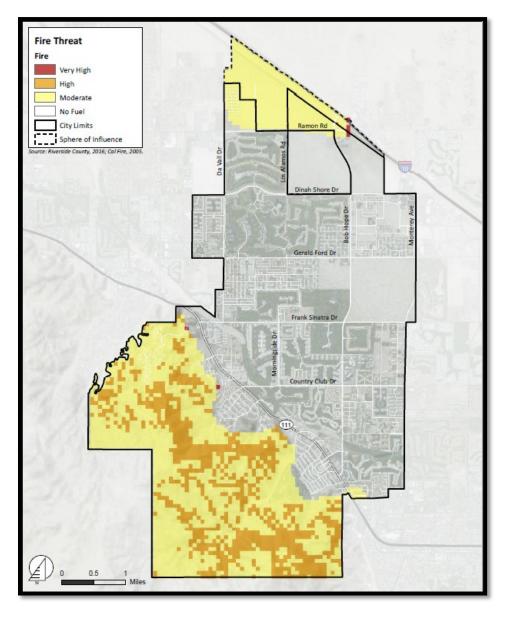


Figure 4-8 Fire Threat Map (2017, Current)

#### 4.4.3 Blackout / Power Failure

Severity 2, Probability 2, Priority Medium

Pursuant to Section 3.3 of this Plan, the last major blackout / power failure occurred in 2011 and it only affected a small portion of the City serviced by the Imperial Irrigation District (IID), with the vast majority of Rancho Mirage serviced by Southern California Edison, whom were unaffected by the outage.

There have been, and will continue to be, localized incidents of power failure due to unplanned maintenance from infrastructure failures, or because of a human caused event, such as a traffic accident into utilities. These localized power failures can have varying impacts based on the current weather conditions and the resources available to affected households. Rancho Mirage is subject to some of the hottest summer conditions in the United States, and electrical utilities are necessary for the operation of air conditioning systems.

Additionally, some households rely on critical care systems that in turn rely on uninterrupted electrical utility service. Fortunately, both local utilities, Edison and the Imperial Irrigation District, offer special programs and registries to identify themselves to the utilities, which in turn provide special services to those households to help mitigate the effects of a power loss.

#### **4.4.4 Floods**

Severity 3, Probability 3, Priority Medium

Heavy rain can lead to problems with storm drainage and create localized flood problems. In localized areas of the City during heavy rainfall events over short durations, temporary ponding may occur on shoulders of certain roadways but the grades of the roads ensure that these events are in very short duration. Primary risk is to bridges and low water crossings over the Whitewater Wash as discussed in other Sections of this Plan.

As shown on Map 8, the northernmost portions of the City (south of Interstate 10) are not located within a flood zone hazard area. The areas north of the Whitewater Wash (within about a mile), some areas south of the Wash located on flatter lands and in the Magnesia Falls Cove area are located within Flood Zone X, which has the potential to have areas capable of producing a 100-year flood at depths less than one foot, areas of 500-year flood and/or drainage areas less than 1 square mile.

Also, located on higher elevations within the City are water reservoir storage tanks. Although these storage reservoirs are constructed to withstand seismic events, during strong ground motion, seiche action may occur within the reservoir. During especially large seismic events, the tanks may become unstable or damaged. These areas are also served by concrete lined drainage channels that help mitigate potential hazards.

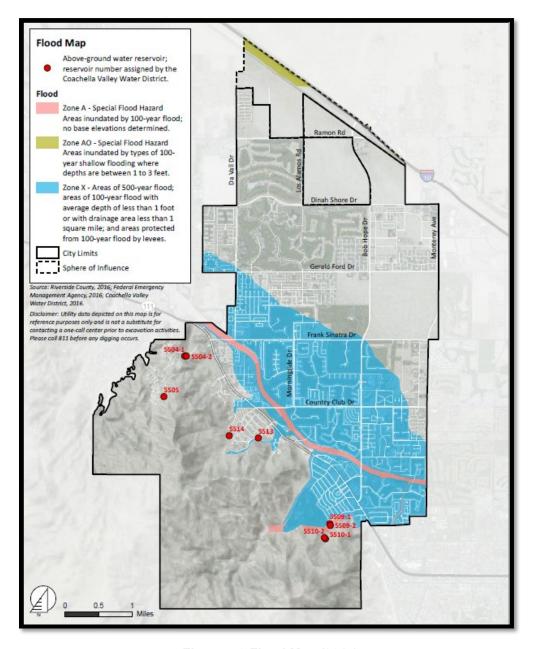


Figure 4-9 Flood Map (2017)

As construction occurs within the City our Municipal Code requires the following conditions to be met (Please refer to Riverside County OA MJHMP Section 5.3.9)

#### Grading & Drainage Plan:

The applicant shall be required to submit a grading and drainage plan prepared by a licensed civil engineer to the City Engineer for plan check and approval. The grading and drainage plan shall be consistent with any and all conditions of approval associated with any applicable subdivision map and any Development Permit entitlements issued for the subject project by the City or any other responsible public agency. The grading and drainage plan shall conform to all city policies, standards and regulations applicable to the project. In addition, if the project involves grading and drainage issues related to Coachella Valley Water District (CVWD) facilities, written evidence of the District's approval shall be included with the submittal required by the City of Rancho Mirage.

#### Storm Water Retention:

The grading of the project shall be designed such that all storm water to the level of a 100 year frequency storm; worst case of the 1, 3, 6, or 24 hour duration, shall be retained on site. If the project is less than 1 acre or if it is south of the Whitewater Flood Channel, the grading of the project may be designed for the drainage to be conveyed to an acceptable disposal site as determined by the City Engineer. Surface streets are not considered "an acceptable disposal site" for common "nuisance water" from sprinklers and cleaning. Therefore, at a minimum, all projects shall make provisions to absorb such "nuisance water" to the satisfaction of the City Engineer. A Hydrology/Hydraulic Report, in accordance with the Riverside County Hydrology Manual, shall be submitted from a Registered Civil Engineer, showing how this storm water is handled.

#### Dedication of Drainage Easements:

All easements for drainage facilities necessary to accommodate the final approved Grading and Drainage Plan shall be offered for dedication to the appropriate serving agency. Such offer shall be incorporated on the Final Map or as required by the City Engineer.

The Street Maintenance Supervisor maintains a map of the City's local storm drain system, including catch basins and drywall locations. This information is located at the Public Works Yard. The City participates in the NFIP but there are no records of repetitive loss structures. There are no areas of town with storm drain deficiencies.

#### Flood Historical Data:

In the 2005 LHMP, the City of Rancho Mirage proposed mitigation action and strategy included the "Frank Sinatra Crossing gates". The proposal type was "Flood and mud flow mitigation". In 1993, the City incurred costs of \$550,000 and in 1996 incurred costs of \$400,000 when "Indian canyon was washed away on both occasions at the Whitewater River Channel. The site in Rancho Mirage at Frank Sinatra required debris clearance on these occasions as well as many other occasions when the road is closed due to water, sand and debris (most winter storms). There is an extreme "loss of life" concern with this area because of the high level and speed of water flowing through the wash and the number of motorists who attempt to drive through the rushing water.

The mitigation goal is directed at the "loss of life" concern. The plan was to install large crossing arms on both sides of the Wash. The arms would be on both sides of the roadway to reduce the ability of a motorist going around the crossing arm and attempting to cross the rushing water. There were proposed warning signals on the street for approaching motorists as well as warning lights on the cross arms themselves (similar to railroad crossing arms). The arms would be capable of being locked in either open or closed positions.

In the 2005 LHMP, funding for the project was not available at the time and the City stated that a future request for Local Hazard Mitigation Grant Funds would be submitted.

Between 2005 and 2012, several additional flooding events occurred at the Frank Sinatra/Whitewater Wash surface crossing that caused the City to re-think the mitigation strategy. In December 2005, the City spent approximately \$165,000 cleaning debris off the roadway, cleaning out drain pipes, and performing a swiftwater recovery to save a driver and a dog that attempted to cross the Wash. A similar event happened in December 2010 where the City incurred \$100,000 in costs and also involved swift water rescue. In both instances, no loss of life occurred but the vehicles were a total loss.

In January and February 2017, flooding events caused the closure of the roadway on three separate occasions resulting in total costs to the City of \$10,000 for closure and clean-up:

- 1. 1/20/17 Closed and reopened 1/21/17. Expense \$2,500
- 2. 1/22/17 closure to 1/24/17. Expense \$2,500
- 3. 2/27/17 to 2/28/17. Expense \$2,500

The City of Rancho Mirage experienced storm events between January and February 2019 caused by an atmospheric river system that brought high winds, substantial precipitation, and flooding across California. These storm events washed out 100 feet of the eastbound number 2 lane along Frank Sinatra Drive, east of Highway 111, including a portion of the Frank Sinatra Drive low water crossing over the Whitewater River

Channel. The storm also severely damaged a portion of Country Club Drive's eastbound shoulder and embankment, just east of its low water crossing over the Whitewater River Channel. The City conducted emergency opening procedures which included sawcut and removal of damaged asphalt pavement and berm, import of fill dirt, construction of new asphalt paving, concrete and toe cover, PCC down swale, and the repair of rip-rap covered areas including gunite grouting. The projects were needed in order to restore and protect the integrity of the roadways from further storm events and maintain traffic flow along both streets.

Flooding events caused the closure of the Frank Sinatra Drive roadway, resulting in total costs to the City of \$99,481 for closure, clean-up, and emergency repairs. The closure of the Country Club Drive roadway resulted in total costs to the City of \$130,067 for closure, clean-up, emergency repairs, and permanent restoration. Funds for both projects were reimbursed by the Federal Emergency Management Agency (FEMA), in conjunction with the California Governor's Office of Emergency Services (CalOES), and by the Federal Highway Administration (FHWA), in conjunction with the California Department of Transportation (Caltrans).

## Closures

Frank Sinatra Drive

Full Closures: 2/14/19 - 2/16/19

Partial Closures for Construction: 2/20/19 – 6/28/19

Country Club Drive

Full Closures: 2/14/19 - 2/19/19

Partial Closures for Construction - 3/11/19 - 6/28/19

#### Vulnerable Infrastructure

Based on the historical data, most improvements and critical infrastructure are protected from damage associated with flooding with the exception of roadways that cross the Whitewater Wash as Frank Sinatra Drive, Country Club Drive, and Paxton Drive.

## 4.4.5 Severe Weather - Extreme Heat - Drought

Severity 3, Probability 3, Priority Medium

As discussed, the City is located in the Coachella Valley which is geomorphologically part of the Sonoran Desert where extreme heat is common during the summers. Extreme heat can also unexpectedly hit early or late in the season and affect outdoor activities during prime tourist season to persons not accustomed to such extreme heat.

Record high temperatures have occurred in both July and August. On July 29, 1995 and on August 1993, the temperature hit 123 degrees. Record temperatures above 110 degrees are capable of being produced seven months out of the year (between April and October), with all other months capable of having an extreme high temperature above 90 degrees.

The City has upgraded the emergency back-up generators at the Library which have the capability of providing a "cooling station" for residents of Rancho Mirage if warranted by extreme heat or loss of power. In addition, the City has worked with Edison to ensure that planned power outages do not occur during extreme heat events. (Please refer to Riverside County OA MJHMP Section 5.3.13 and Section 5.3.13.1)

Recent strong wind events have results in accumulations of mostly sand along public and private properties throughout the City. The winds typically come from the Northwest from the Desert Hot Springs/North Palm Springs region and carry clouds of sand and dust over and onto the City of Rancho Mirage. Certain public roadways and pedestrian walkways have become covered with sand and made it difficult and unsafe for vehicles and pedestrians to cross. The City as well has the various private developments have expended significant resources to remove the sand buildup and restore the safe access to the roadways and walkways. The response to these concerns the City has invested enhanced street sweeping operations and purchased an in-house street sweeping vehicle.

All of the City of Rancho Mirage is subject to moderate to severe drought conditions as the Coachella Valley it is considered to be an extension of the Sonoran desert. The Coachella Valley Water District is the water purveyor for the City. CVWD will be contacted in the event of a water line break. The City is prohibited from touching the water distribution system for liability reasons.

In an effort to conserve water, the City has adopted the CVWD Model Water Efficient Landscape Ordinance (as amended) which establishes a water budget that requires native and drought tolerant species for all new and substantial remodel projects.

In conjunction with the Coachella Valley Association of Governments (CVAG), the City developed a "voluntary" Green Building Program which identifies additional water saving techniques above Title 24 requirements (California Building Code). The result also includes an educational tool.

In 2022 the City Council allocated \$2.8 million dollars toward the CVWD matching turf rebate program.

#### 4.4.6 Insect Infestation

Severity 2, Probability 1, Priority Low

The City of Rancho Mirage does not have any agricultural land within the City Limits. However, the importation of pests is always a concern. The red imported fire ant as well as pests for citrus and date vegetation remain a State and Valley-wide concern. The City complies with quarantine of certain species of plants and requires certification of landscaping plans by both the Coachella Valley Water District and the County Agriculture Commissioner as mitigation.

The Coachella Valley Mosquito and Vector Control District (CVMVCD) offer a free program to eradicate the pests to residents of the Valley by calling 760-342-8287 or by visiting their web site at <a href="https://www.cvmvcd.org">www.cvmvcd.org</a>. Per the CVMVCD website:

"The Coachella Valley is an arid desert that is not naturally suitable for RIFA survival, however multiple daily irrigation of golf courses, lawns, flower beds and other horticultural landscapes, provide moist and relatively cool conditions conducive to red imported fire ant (RIFA) survival. The RIFA program was established to reduce the potential for injury and economic impact to the residents and visitors of the Valley. Property inspections and control product treatments are conducted at prescribed intervals."

Additionally, the City is challenged with the seasonal impact of disease carrying mosquitos in and around the City. The CVMVCD is the lead agency for the identification and abatement of disease carrying mosquitos and their habitats. The City's Code Compliance Division works closely with CVMVCD to abate identified mosquito habitats that cannot be rapidly abated by CVMVCD personnel alone. CVMVCD's comprehensive surveillance program has worked well for years in helping to maintain control of this ongoing concern. Per the CVMVCD website:

"Mosquito control activities are conducted for many reasons. Developing an effective mosquito control program takes time, preparation, and planning. Effective planning requires strategies for addressing both routine operations and activities and emergencies caused by the risks of vector-borne disease.

By their very nature, mosquito control activities impact the environment. Therefore, every practical effort must be made to minimize the negative consequences of mosquito control on the environment. This is the foundation to integrated vector management (IVM). The District implemented a mission to evaluate and enhance our IVM program in 2014 to ensure surveillance and control methods are effective in protecting public health and environmentally sound.

Not all mosquitoes are harmful. Targeting identifies and controls only the mosquitoes that are nuisance and disease vectors. It is more prudent to target larval mosquitoes over adults. That is because the targeted vector is more stationary and easier to target than compared to a flying adult.

The District's operational effort to control mosquitoes is in large part directed by the distribution of the mosquito population as determined by our surveillance program."

#### 4.4.7 Dam Failure

Severity 0, Probability 0, Priority Low

The City is not subject to dam failure hazard. As identified in the discussion on Flooding, there are above ground water storage reservoirs that may seiche, and in the event of an especially large earthquake could become unstable or fail. Although these reservoirs are built to Code, additional mitigation includes drainage channels to divert water away from urbanized areas to limit the impact. These storage reservoirs are relatively small in size and hazard impact would be more localized within close proximity to the storage reservoir. In a catastrophic event of failure, water would be expected to be channelized and dissipate quickly downstream. (Please refer to Riverside County OA MJHMP Section 5.3.15)

## 4.4.8 Technological Hazards (Transportation Hazards/Hazardous Materials Release)

Severity 2, Probability 2, Priority Low

Along with the potential for death and injuries from large-scale motor vehicle accidents, there is the potential for hazardous material spills or fires as numerous commercial transportation vehicles travel the highways and freeways with various types and quantities of hazardous materials.

The Union Pacific Railroad (UPRR) has a main artery of its system traversing the northernmost portion of Rancho Mirage. The line connects Arizona with the Los Angeles area and is a commercial freight corridor. The line is also shared with the Amtrak passenger system (See discussion on Transportation). It is likely that large quantities and numerous types of hazardous materials are transported through the jurisdiction by rail on a daily basis. The rail line has had accidents, spills and derailments over time but none are known to have happened within the 3-4 mile segment in Rancho Mirage. However, due to the increased rail and vehicle traffic in the City, this type of accident may have a higher likelihood in the future.

Of particular concern are the following structures and land uses within close proximity to the UPRR corridor in the event of a hazardous material spill or derailment:

- Agua Caliente Hotel and Casino (approximately 600' south)
- Rancho Mirage High School (approximately ½ mile south)
- Undeveloped residential and mixed use lands north of Ramon Road and undeveloped land within Section 19

An emergency preparedness plan addresses a potential hazard event along the UPRR.

Similarly, Interstate 10 is the main arterial connecting Phoenix and Los Angeles. I-10 through Riverside County is located within CalTrans District 8. The segment through the City of Rancho Mirage carries over 96,000 AADT; up from 83,000 AADT in 2002 (CalTrans). The segment through Rancho Mirage is eight lanes, divided. A high percentage of vehicles include truck traffic, travel trailers and oversize vehicles posing similar accident hazards as the UPRR. Similar mitigation strategies are proposed and are in place. (Please refer to Riverside County OA MJHMP Section 5.3.22 & Section 5.3.14)

## 4.4.9 Pipelines

Severity 1, Probability 1, Priority Low

Kinder Morgan operates a 20-inch diameter, high-pressure refined petroleum products pipeline within the UPRR right-of-way that presents a potential hazard to the existing Agua Caliente Hotel and Casino and future development within Section 30 and the City Sphere of Influence. As with the I-10/UPRR corridor, the potential hazard from rupture of this pipeline is taken into consideration in land use planning decisions. The Section 19 Specific Plan requires a 500' buffer between the pipeline and sensitive residential land uses. The nearest workers would be about 118' from the pipeline.

Pipeline operators are responsible for the continuous maintenance and monitoring of their pipelines to evaluate and repair, when necessary, corroded sections of pipe that no longer meet the pipeline strength criteria.

## **4.5 Growth And Development Trends**

The Rancho Mirage planning team reviewed and discussed the Development Trends Questionnaire along with the possible changes going forward to 2027. The LHMP Annex will be considered for adoption by the City Council in 2023, so the 5-year update time will take the information required through 2027.

The housing growth that occurred in Rancho Mirage during the 2012-2017 LHMP cycle primarily occurred in the latter part of the Planning period due to the recession. The City of Rancho Mirage's population and

housing growth was significantly slowed due to impacts of the great recession. However, during the current LHMP cycle, as noted in the following table, residential activity grew substantially. During this planning period, the following new residential construction activity occurred:

YEAR	NUMBER OF RESIDENTIAL BUILDING PERMITS ISSUED
2017	24
2018	195
2019	196
2020	199
2021	323
2022	183

Rancho Mirage is primarily "built-out", with several large parcels remaining for infill residential, commercial and office development. The previously annexed Section 24 Specific Plan area, designated for Adult 55+ living commonly referred to as Del Webb at Rancho Mirage, has been building out at a rapid pace since 2018.

In 2019 the Section 31 Specific Plan was adopted which will allow for the development of up to 1,932 additional residential units and in 2022 major grading had commenced.

Del Webb and Section 31 both reside within liquefaction susceptibility zones and all new construction is built to the latest California Building Code standards as adopted every 3 years. Despite adhering to current Building Code standards, these new developments will inherently expand the City's susceptibility footprint for earthquake damages.

## **Section 5.0 Community Rating System**

## **5.1 Repetitive Loss Properties**

The City does not have any repetitive loss structures.

## **5.2 National Flood Insurance Properties**

The City of Rancho Mirage participates in the National Flood Insurance Program (NFIP). The table below reflects the status from FEMA's Community Status Book Report.

CID	COMMUNITY NAME	INIT FHBM	INIT FIRM IDENTIFIED	CURR EFF MAP DATE	REG- EMER DATE	IDENTIFIED TRIBAL
060259C	RANCHO MIRAGE	-	09/14/79	04/19/17	09/14/79	No

The flood provisions of the California Building Standards Code, CCR Title 24, meet or exceed the minimum NFIP requirements for buildings and structures. California communities can rely on the building codes and local floodplain management regulations to fulfill the requirements for participation in the NFIP. The City of Rancho Mirage has adopted the California Building Code triannual update, including Appendix G - Flood-Resistant Construction.

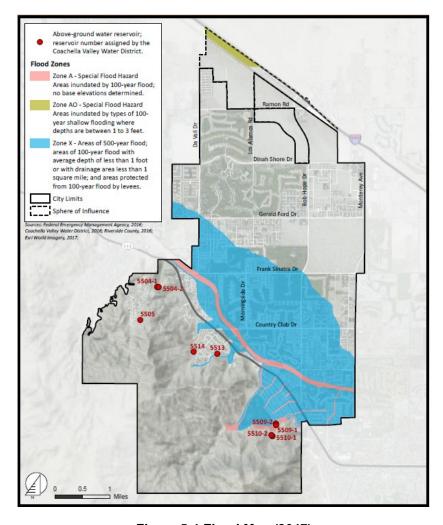


Figure 5-1 Flood Map (2017)

## **Section 6.0 Capabilities Assessment**

## **6.1 Regulatory Mitigation Capabilities**

Figure 6-1 Regulatory Mitigation Capabilities lists regulatory mitigation capabilities, including planning and land management tools, typically used by local jurisdictions to implement hazard mitigation activities and indicates those that are in place in Jurisdiction.

Figure 6-1 Regulatory Mitigation Capabilities

Regulatory Tool	Yes/No	Comments
General plan	Yes	Adopted 2005; Updated 2017.
Zoning ordinance	Yes	Updated on an as-needed basis
Subdivision ordinance	Yes	Updated on an as-needed basis
Site plan review requirements	Yes	Updated on an as-needed basis
Growth management ordinance	No	
Floodplain ordinance	No	Regulated by CVWD
Other special purpose ordinance (storm water, water conservation, wildfire)	Yes	Water Efficient Landscape Ordinance, Hillside Reserve and Conservation Easement (Multiple Species Habitat Conservation Plan)
Building code	Yes	2022 California Building Code.
Fire Department ISO rating	Yes	Rating: 3
Erosion or sediment control program	No	City requires compliance with state law. Water Quality Management Plan (WQMP)
Storm water management program	No	See above comments
Capital improvements plan	Yes	Five-year plan; updated annually
Economic Development plan	Yes	General Plan
Local emergency operations plan	Yes	Emergency Operations Plan,
Other special plans	Yes	East Highway 111 Specific Plan, West Highway 111 Specific Plan, Vista Montana Specific Plan, Mission Hills North Specific Plan, Monterey Specific Plan, Eisenhower Medical Center Specific Plan, Victoria Falls Specific Plan, Desert Island Specific Plan, Country Club/Monterey Avenue Specific Plan, Section 19 Specific Plan, Section 24 Specific Plan
Flood Insurance Study or other engineering study for streams	No	

The 2017 General Plan Update provides a blueprint for development in the City with a horizon year of 2035. No changes in land use were proposed as it is considered a "Technical Update" to reflect changes in new laws and technologies since the 2005 Plan was adopted. Several of the plan goals support hazard mitigation. These General Plan Safety Element goals and their policies are referenced below.

Seismic and Geological Hazards

### **GOAL SAFE 1**

A community that plans for and is protected from the effects of seismic and geological hazards.

#### Policy SAFE 1.1

The City shall consult and cooperate with surrounding communities and applicable State and federal agencies to improve and update information on regional seismic and geological conditions.

## Program SAFE 1.1A

Coordinate with the California Division of Mines and Geology and the United States Geological Survey (USGS) to establish and maintain maps illustrating the location of seismic and geological hazard zones occurring within the City boundaries and Sphere of Influence.

## **Program SAFE 1.1B**

Coordinate with the National Earthquake Hazard Reduction Program of the Federal Emergency Management Agency to identify earthquake risks and available mitigation techniques.

#### Policy SAFE 1.2

The City shall establish ordinances and guidelines to reduce the hazards from wind-blown sand and dust.

## Program SAFE 1.2A

Coordinate with the South Coast Air Quality Management District and other local agencies to develop and maintain appropriate large particulate (PM10) mitigation practices.

## Policy SAFE 1.3

The City shall require the removal or rehabilitation of hazardous or substandard structures that may collapse in the event of an earthquake.

#### Policy SAFE 1.4

The City shall cooperate and coordinate with public and quasi-public agencies to assure seismically strengthened or relocated facilities and other appropriate measures to safeguard water, electricity, natural gas, and other transmission and distribution systems.

#### Program SAFE 1.4A

Encourage and cooperate with CalTrans to stabilize susceptible slopes and strengthen bridges, elevated roadways and other structures along state highways, which may be subject to failure during major seismic events, thereby isolating portions of the community from emergency aid and assistance.

## Policy SAFE 1.5

The City shall play an active role in the development or distribution of earthquake preparedness information and materials to residents and local businesses.

#### Program SAFE 1.5A

Confer and cooperate with local utility companies, the Coachella Valley Water District, the Palm Springs Unified School District, police and fire departments, and others to coordinate public education regarding appropriate action before, during, and after earthquakes and other disasters.

## Program SAFE 1.5B

Keep the City's public awareness programs on natural disaster management and emergency preparedness up-to-date on current hazards and issues.

#### Policy SAFE 1.6

New septic tank leach fields, seepage pits, drainage facilities and heavily irrigated areas shall be located away from foundations and other structural supports to minimize the creation of a localized collapse of soils and associated hazards.

#### Policy SAFE 1.7

**Developers of properties** in areas identified as being subject to a rock fall or landslide hazard shall prepare detailed geotechnical analysis, including site response to seismic events, and require mitigation measures that reduce associated hazards to insignificant levels.

### Program SAFE 1.7A

Require that engineered slopes be designed to resist earthquake-induced failure.

#### Program SAFE 1.7B

Require design of lifelines (e.g., roadways, utilities, railroads) that cross a fault to resist the occurrence of a fault rupture.

## Policy SAFE 1.8

The City shall encourage the incorporation of wind barriers, architectural design or features, and drought resistant ground coverage in new development site designs to mitigate the impacts from erosion and wind-blown sand.

#### Policy SAFE 1.9

Where appropriate, hazard zones (earthquake fault lines, floodways and floodplains, steep or unstable slopes, etc.) shall be designated as open space, and incorporated into land use map.

Flooding and Hydrology Hazards

#### **GOAL SAFE 2**

Protection of lives, property, and essential facilities from flooding and other hydrologic hazards in Rancho Mirage.

## Policy SAFE 2.1

The City shall ensure that updated and effective Master Drainage Plans are implemented in a timely fashion for the near and long term protection of the community and its residents.

## Program SAFE 2.1A

Proactively participate with the Coachella Valley Water District and the Riverside County Flood Control District in the development and updating of Rancho Mirage Regional Master Drainage Plans, providing land use and other relevant data and information.

### Policy SAFE 2.2

The City shall provide drainage controls and improvements that enhance local conditions and are consistent with and complement the Master Drainage Plans.

#### Program SAFE 2.2A

Establish and/or update local regulations and guidelines to direct the management of runoff and provide for local drainage facilities that tie into and maximize the effective use of regional drainage facilities.

#### Program SAFE 2.2B

Adopt or update local drainage policies and development standards that reduce the rate of runoff from developed lands, consistent with capacities of public facilities and local and regional management plans, while providing opportunities for open space enhancement and multi-use.

#### **Program SAFE 2.2C**

Confer and consult with the Coachella Valley Water District and CalTrans to assure adequate all weather crossings/facilities at appropriate locations along Highway 111 and I-10, especially those serving as emergency evacuation/access routes.

#### Program SAFE 2.2D

Ensure emergency evacuation routes are constructed to appropriate all-weather standards.

## Policy SAFE 2.3

The City shall provide direction and guidelines for the development of on-site storm water retention/detention facilities consistent with local and regional drainage plans and community design standards.

#### Program SAFE 2.3A

Establish and enforce regulations and guidelines for the development and maintenance of project-specific on-site retention/detention basins that implement the NPDES program, enhance groundwater recharge, complement regional flood control facilities, and address applicable community design policies.

#### Policy SAFE 2.4

The City shall cooperate with FEMA, when necessary, to amend Flood Insurance Rate Maps for areas in the city boundary and SOI.

## Policy SAFE 2.5

Design major drainage facilities, including debris basins and flood control washes and channels, to balance their enhancement as wildlife habitat and community open space amenities with the functional requirements of these facilities.

## Program SAFE 2.5A

Work closely with the Coachella Valley Water District to assure that design opportunities for enhanced open space and recreation amenities, including habitat enhancement and hiking and equestrian trails, are fully explored and incorporated when designing and constructing channels, debris and detention basins, and other major drainage facilities, to the greatest extent practical.

## Policy SAFE 2.6

The City shall establish Area Drainage Plans or Benefit Assessment Districts for purposes of funding needed drainage improvements benefiting defined tributary areas of the community.

## Policy SAFE 2.7

Development proposals located in areas that are subject to flooding shall be evaluated to minimize the exposure of life and property to potential flood risks. All development proposed on lands of one acre or larger shall be designed such that all storm water to the level of a 100-year frequency storm, worst case of the 3, 6, 12, or 24 hour duration, shall be retained on site.

#### Fire Hazards

#### **GOAL SAFE 3**

Protection of the lives and property of residents, businesses owners, and visitors from structural and wildland fires.

## **GOAL SAFE 4**

Emergency preparedness and response programs that provide for fast and effective response to daily emergencies and major catastrophes.

#### Policy SAFE 4.1

The City shall minimize the exposure of residents, business owners, and visitors to the impacts of structural and wild land fires.

#### Program SAFE 4.1A

Maintain a weed abatement program to ensure clearing of dry brush areas.

#### Policy SAFE 4.2

The City shall conduct long-range fire safety planning, including enforcement of stringent building, fire, subdivision and other Municipal Code standards, improved infrastructure, and mutual aid agreements with other public agencies and the private sector.

## Program SAFE 4.2A

Require property adjacent to Very High Threat Zones to comply with Riverside County Fire Department Wild Fire Safety Recommendations for fuel modification plans and defensible space.

#### Program SAFE 4.2B

Evaluate the adequacy of access routes to and from hazard areas relative to the degree of development or use (e.g., road width, road type, length of dead-end roads, etc.).

## Program SAFE 4.2C

Maintain the City's emergency plan including an inventory and evaluation of all local and regional emergency resources.

## Program SAFE 4.2D

The City shall consider the development and identification of citywide evacuation routes.

#### Policy 3 SAFE 4.3

The City shall support area-wide mutual aid agreements and communication links with Riverside County authorities and other participating jurisdictions.

#### Policy 4 SAFE 4.4

The City shall ensure adequate provision of public information to residents and businesses on actions to minimize damage and facilitate recovery from a natural disaster.

Hazards and Toxic Chemicals

#### **GOAL SAFE 5**

The continued safety of Rancho Mirage residents and visitors through the regulation of the manufacture, transport, use, and disposal of toxic and hazardous materials.

## Policy SAFE 5.1

The City shall regulate, to the extent empowered, the delivery, use, and storage of hazardous materials within the City limits and Sphere of Influence.

#### Program SAFE 5.1A

The City shall compile and maintain an inventory of all hazardous waste sites in the City and surrounding jurisdictions.

## Program SAFE 5.1B

The City shall develop a permitting process for the establishment of facilities that manufacture, store, use or dispose of hazardous and toxic materials in the community or adjacent areas, should it be determined that the need for such a use be realized.

#### Policy SAFE 5.2

The City shall require and facilitate the safe and responsible disposal and cleanup of all hazardous/toxic waste and waste sites within the City of Rancho Mirage and Sphere of Influence.

#### Program SAFE 5.2A

The City shall coordinate with the appropriate state and federal agencies to activate procedures for the cleanup of existing and future hazardous and toxic waste sites.

## Program SAFE 5.2B

The City shall prepare and/or disseminate information and instructive education program materials for residents, including direction on the identification and proper management and disposal of household hazardous waste.

#### Program SAFE 5.2C

To the extent empowered, the City shall prohibit the disposal of automotive and household hazardous and toxic materials in landfills.

## Program SAFE 5.2D

**The City shall coordinate** with **Burtec** and other appropriate public and quasi-public agencies to sponsor and develop drop off locations for hazardous or toxic household products for all Rancho Mirage residents.

## Program SAFE 5.2E

The City shall coordinate with appropriate agencies to identify the location and monitor the use of all underground fuel storage tanks located within the City limits with the potential to release hazardous or toxic materials into the environment.

#### Policy SAFE 5.3

The City shall coordinate with the Fire and Sheriff's Department to develop a system for roadway management and for alerting emergency and medical facilities to the impending transport of hazardous and toxic materials.

#### Program SAFE 5.3A

The City shall coordinate with appropriate departments and agencies to establish transportation management and contingency emergency procedures and training programs for police, fire, medical, and other organizations that would be involved in an airborne release or ground spill of hazardous and toxic materials or waste.

### Program SAFE 5.3B

Follow the response procedures outlined by the Riverside County Department of Environmental Health in the event of hazardous materials emergency.

## Policy SAFE 5.4

The City shall coordinate with the Regional Water Quality Control Board and the Coachella Valley Water District to monitor and regulate the use and phased removal of subsurface sewage disposal systems.

#### Program SAFE 5.4A

Through the subdivision and development review process, The City shall require, to the greatest extent practical, the connection of new development to the sewage collection system of the Coachella Valley Water District.

#### Program SAFE 5.4B

The City shall cooperate with the appropriate agencies to help assure that all subsurface sewage disposal systems, upon completion of their use, are properly removed from service.

#### Policy SAFE 5.5

The City shall actively oppose any plan or attempt to establish hazardous and toxic waste dumps/landfills or hazardous industrial processes with the potential to adversely affect the City or its Sphere of Influence.

## Program SAFE 5.5A

The City shall coordinate with the Coachella Valley Association of Governments (CVAG) and its member cities to actively organize against and oppose any County, State, federal, or private effort to build or operate hazardous or toxic waste dumps/landfills or to operate hazardous industrial processes, which cannot be mitigated and have the potential to adversely affect the City or its Sphere of Influence.

## **6.2 Administrative/Technical Mitigation Capabilities**

The following table identifies the personnel responsible for activities related to mitigation and loss prevention in Jurisdiction.

Figure 6.1 - Rancho Mirage's Administrative and Technical Mitigation Capabilities

Personnel Resources	Department/Position
Planner/engineer with knowledge of land	Development Services Director
development/land management practices	Planning Manager
Engineer/professional trained in construction	City Engineer
practices related to buildings and/or infrastructure	Building Official
Planner/engineer/scientist with an understanding	Public Works Director
of natural hazards	City Engineer
	Director of Community Development
	Planning Manager
Personnel skilled in GIS	Information Services (IT)
	Planning
Full time building official	Building Official
Floodplain manager	City Engineer
Emergency manager	Chief of Police
	Fire Chief
	Emergency Services Director
	Emergency Services Coordinator
	Contract with Emergency Management
	Department (EMD).
Grant writer	Public Works and contract personnel as needed.
GIS Data—Land use	Information Services (IT)
	Planning
GIS Data—Links to Assessor's data	Information Services (IT)
	Planning
Warning systems/services	Riverside County IT
(Reverse 9-11, outdoor warning signals)	County Emergency Management Department

## **6.3 Fiscal Mitigation Capabilities**

This table identifies financial tools or resources that the City could potentially use to help fund mitigation activities.

Figure 6.2 - City of Rancho Mirage's Fiscal Mitigation Capabilities

Financial Resources	Accessible/Eligible to Use (Yes/No)	Comments
Community Development Block Grants	No	City does not meet Target Area requirements
Capital improvements project funding	Yes	
Authority to levy taxes for specific purposes	Yes	With voter approval
Fees for water, sewer, gas, or electric services	Yes	Installation, Permit inspections
Impact fees for new development	Yes	Development Impact Fee (DIF)
Incur debt through general obligation bonds	Yes	With voter approval
Incur debt through special tax bonds	Yes	With voter approval
Incur debt through private activities	No	
Withhold spending in hazard prone areas	N/A	
Other	N/A	

## **6.4 Funding Opportunities**

The City of Rancho Mirage has the same funding opportunities as Riverside County Operational Area.

## **6.5 Mitigation Outreach And Partnerships**

- Emergency Preparedness Committee.
- Emergency Preparedness Commission.
- City Radio Room and Radio Training.
- City Outreach Emergency Preparedness Web Site. (www.RMReady.org)
- Community Emergency Response Training (CERT).
- Rancho Mirage Chamber of Commerce.
- Coachella Valley Disaster Preparedness Networking (CVDPN)
- Great American Shake Out.
- Emergency Preparedness Fairs / EXPOs.
- Two Annual Emergency Preparedness Town Hall Forums.

The City does not have a formal mutual aid agreement in place with the county or neighboring cities. However, the City contracts for Law Enforcement and Fire Services which have established mutual aid agreements in place with neighboring cities.

## 6.6 Expansion and Improvement of Mitigation Capabilities

There are various methods to improve upon current capabilities to mitigate emergencies or disasters. The City of Rancho Mirage has identified the following:

Personnel: A deficiency was identified with regard to staff training for disaster response. In response to that, management implemented mandatory training for all staff to establish a baseline minimum for training. Additionally, staff have been offered CERT training to help expand their field response capabilities, should the need arise. Lastly, management has directed staff to implement recurrent training in both EOC and disaster exercises, that will be implemented over several years.

Governance: The City continues to ensure that all necessary regulations are implemented or adopted relating to building codes and zoning codes.

Administrative: The City will be allocating additional personnel resources to be able to review and amend plans on an annual basis. This will not only enable to City to be more responsive to future disasters, but help streamline the process of major updates to plans in the future, such as this LHMP.

Technical: The City will be sending dedicated personnel to outside disaster and emergency management training to bolster the City's technical knowledge of mitigation, response, and recovery best practices.

Fiscal: The City has, through years of sound financial planning, been able to build a reserve fund outside of the general fund, of approximately 68 million dollars. Of that 68 million dollars, 4.6 million is presently allocated for disaster recovery.

Outreach: The City is exploring the expansion of public outreach events by enabling Staff to directly participate in community meetings and events in support of the already established volunteer efforts of the Emergency Preparedness Commission.

## **Section 7.0 Mitigation Strategies**

## 7.1 Goals And Objectives

Our City coordinated with multiple cities and agencies throughout Riverside County in the creation/update of our LHMP Annex. The cooperation and discussions both in regional meetings, community outreach and in internal meetings allowed for both "big picture" and "local jurisdiction" views of mitigation needs and possibilities.

The Part Two, Agency Inventory Worksheet process enabled our City to recognize hazards and their severity and also assisted in determining what mitigation actions are appropriate to lessen or prevent the hazard on a long-term basis.

## 7.1.1 Strategies and Goals

Specific goals, objectives and policies are listed under Regulatory Mitigation Capabilities. The working groups created a detailed list of Mitigation Strategies and Goals for the primary hazards previously identified. This list was developed so that the City could determine what mitigation strategies, goals, and objectives would be of value for their organization. The City was also given the opportunity to list additional strategies, goals, and objectives specific to either their jurisdiction or their workgroup (i.e. the hospitals, agriculture, etc.). Once this list was compiled, each jurisdiction was asked to determine a priority of the strategies, goals, and objectives based on:

- The hazards identified in their jurisdiction.
- The ability of their organization to perform the strategy, goal, or objective.
- The availability of funding

These were prioritized as High (H), Medium (M), Low (L), or N/A.

The priority level for each listed mitigation goal is identified below. No additional mitigation goals or recommendations were identified by the Planning group.

## 7.1.2 Earthquake

Н	Aggressive public education campaign in light of predictions
Н	Generate new literature for dissemination to:
Н	Government employees
Н	Businesses
Н	Hotel/motel literature
Н	Local radio stations for education
Н	Public education via utilities
Н	Identify/create television documentary content
N/A	Improve the Emergency Alert System (EAS)
N/A	Consider integration with radio notification systems
N/A	Upgrade alerting and warning systems for hearing impaired
N/A	Training and maintenance
L	Procure earthquake-warning devices for critical facilities
Н	Bridges/dams/pipelines
Н	Government buildings/schools
L	Mobile home parks
L	Develop educational materials on structural reinforcement and home inspections (already developed)
Н	Ensure Uniform Building Code compliance
Н	Update to current compliance when retrofitting
Н	Fire sprinkler ordinance for all structures
L	Evaluate adequacy of reservoir capacity for sprinkler systems
М	Training/standardization for contractors performing retrofitting
N/A	Website with mitigation/contractor/retrofitting information
N/A	Links to jurisdictions
L	Alerting information
Н	Volunteer information
Н	Evaluate depths of aquifers/wells for adequacy during quakes
L	Evaluate hazmat storage regulations near faults
7.1.3	Communication in Disaster Issues

- H Communications Interoperability
- H Harden repeater sites
- H Continue existing interoperability project

## CITY OF RANCHO MIRAGE - ANNEX

Η

L

Pre-event communications

Look at County requirements for neighborhood access

LOCAL HAZARD MITIGATION PLAN Н Strengthen/harden Н Relocate Н Redundancy N/A Mobile repeaters **7.1.4 Floods** Update development policies for flood plains Н Public education on locations of flood plains L Develop multi-jurisdictional working group on floodplain management Н Develop greenbelt requirements in new developments Η Update weather pattern/flood plain maps N/A Conduct countywide study of flood barriers/channels/gates/water dispersal systems Н Required water flow/runoff plans for new development Н Perform GIS mapping of flood channels, etc. Н Install vehicular crossing gates/physical barriers for road closure Н Maintenance of storm sewers/flood channels L Create map of flood channels/diversions/water systems etc. Η Require digital floor plans on new non-residential construction Н Upgrade dirt embankments to concrete L Conduct countywide needs study on drainage capabilities L Increase number of pumping stations Н Increase sandbag distribution capacities L Develop pre-planned response plan for floods N/A Evacuation documentation L Re-examine historical flooding data for potential street re-design Н Training for city/county PIOs about flood issues Н Warning systems - ensure accurate information provided Μ Publicize flood plain information (website?) L Install warning/water level signage Н Enhanced public information Н Road closure compliance L Shelter locations

Н	Secondary means of ingress/egress
L	Vegetation restoration programs
Н	Ensure critical facilities are hardened/backed up
N/A	Hardening water towers
N/A	Terrorism Surveillance - cameras at reservoirs/dams
L	Riverbed maintenance
L	Evaluate existing lift stations for adequacy
М	Acquisition of property for on-site retention
L	Evaluate regulations on roof drainage mechanisms
L	Erosion-resistant plants
Н	Traffic light protection
L	Upkeep of diversionary devices
L	Install more turn-off valves on pipelines
L	Backup generation facilities
L	Identify swift water rescue capabilities across County
7.1.5 l	<i>Vildfires</i>
L	Aggressive weed abatement program
L	Networking of agencies for weed abatement
N/A	Develop strategic plan for forest management
N/A	Public education on wildfire defense
Н	Encourage citizen surveillance and reporting
N/A	Identify hydrants with equipment ownership information
L	Enhanced firefighting equipment
L	Fire spotter program/red flag program
L	Expand to other utilities
N/A	Research on insect/pest mitigation technologies
L	Volunteer home inspection program
L	Public education program
L	Weather reporting/alerting
L	Building protection
L	Respiration
L	Pre-identify shelters/recovery centers/other resources
L	Roofing materials/defensive spacing regulations

L	Community task forces for planning and education
M	Fuel/dead tree removal
L	Strategic pre-placement of firefighting equipment
L	Establish FEMA coordination processes based on ICS
L	Brush clearings around repeaters
N/A	Research new technologies for identifying/tracking fires
L	Procure/deploy backup communications equipment
L	"Red Tag" homes in advance of event
L	Provide fire-resistant gel to homeowners
L	Involve insurance agencies in mitigation programs
L	Clear out abandoned vehicles from oases
M	Code enforcement
L	Codes prohibiting fireworks
M	Fuel modification/removal
Н	Evaluate building codes
M	Maintaining catch basins
7.1.6	Other Hazards
Н	Improve pipeline maintenance
L	Wetlands mosquito mitigation (West Nile Virus)
L	Insect control study
L	Increase County Vector Control capacities
M	General public drought awareness
L	Lawn watering rotation
N/A	Develop County drought plan
L	Mitigation of landslide-prone areas
L	Develop winter storm sheltering plan
L	Ease permitting process for building transmission lines
	Evaluate restrictions on dust/dirt/generating activities during wind seasons
N/A	Rotational crop planning/soil stabilization
N/A	Enhance agricultural checkpoint enforcement
N/A	Agriculture - funding of detection programs
N/A	Communications of pipeline maps (based on need to know)
N/A	Improved notification plan on runaway trains

L Improve/maintain blackout notification plan.

L Support business continuity planning for utility outages

N/A Terrorism training/equipment for first responders

L Terrorism planning/coordination

M Staffing for terrorism mitigation

N/A Create a SONGS regional planning group

L Include dirty bomb planning

L Cooling stations - MOUs in place

L Fire Ant eradication program

L White Fly infestation abatement/eradication program

L Develop plan for supplemental water sources

M Public education on low water landscaping

N/A Salton Sea desalinization

N/A Establish agriculture security standards (focus on water supply)

L ID mutual aid agreements

N/A Vulnerability assessment on fiber-optic cable

N/A Upgrade valves on California aqueduct

H Public education

L Bi-lingual signs

H Blackout information

N/A Notification system for rail traffic - container contents

H Control and release of terrorism intelligence

N/A Develop prison evacuation plan (shelter in place?)

## 7.2 Mitigation Actions

The mitigation strategy for the City of Rancho Mirage is based on informed assumptions, recognizing both mitigation challenges and opportunities, with the ultimate mission of creating a disaster resistant and sustainable community for the future. The mitigation strategy is derived from an in-depth understanding of possible deficiencies between potential vulnerabilities and existing capabilities, with the mitigation objectives in mind. The mitigation strategy builds upon the previous mitigation actions identified by the City of Rancho Mirage 2017 LHMP and was expanded to consider current needs.

## 7.3 Future Mitigation Actions

Rancho Mirage has many on-going mitigation and outreach programs that help create a more educated populace and disaster-resistant region. The planning team for the City of Rancho Mirage identified and prioritized the following mitigation actions based on the risk assessment. Background information and information on how each action will be implemented and administered, such as ideas for implementation, responsible office, partners, potential funding, estimated cost, and schedule are included.

## 7.3.1 Frank Sinatra Drive/Whitewasher Wash – Enhanced Maintenance and Improvements

#### Issue/Background/Benefits

On December 16, 2021, Staff determined that the "All Weather Bridge" was no longer viable financially and the City Council agreed with Staff's recommendation to declare the project "No Build" and eliminate the project completely.

As a replacement project, the City Council directed Staff to:

- Implement an enhanced maintenance program for existing Low Water Crossing (LWC).
- Analyze improvements that could be made to the existing LWC including:
  - o Enhanced maintenance ability.
  - Enhanced pedestrian connectivity.
  - Vehicular safety

Both topics above have been put into motion.

Timeframe	Priority	Hazards	Responsibility
2023-2027	High	Floods	Public Works

## 7.3.2 North Side Storm Drain Projects

#### Issue/Background/Benefits:

The area along Country Club Drive near The Springs is extremely flat and does not drain well during flood events. Due to runoff from adjacent private properties that were urbanized many years ago coupled with impermeable roadways, the area within the travel way has a tendency to pond during significant rainfall events. The City is proposing a Storm Drain line within the Country Club Drive right-of-way between Sand Dune and Bob Hope Drive, and then within Bob Hope Drive between Country Club Drive to the terminus at the Whitewater River channel. This will significantly reduce the hazard to motorists caused by ponding within the roadway.

The storm drain line was proposed to be funded through the City's Redevelopment Agency (RDA), but as a result of the dissolution of the RDA, the project was placed on-hold indefinitely until a funding source can be identified.

Timeframe	Priority	Hazards	Responsibility
2023-2027	Low	Floods	Public Works

### 7.3.3 Study: Debris-Flood Control at Bob Hope Drive-Ramon Road Intersection

#### Issue/Background/Benefits

Recent heavy storm activity resulted in substantial flooding and debris flow onto the roadways and intersection of Bob Hope Drive and Ramon Road on the North border of the City of Rancho Mirage. This debris flow was unprecedented and resulted in a full closure of the intersection for almost a whole week while crews worked to clear the roadways. This closure was particularly impactful on the daily commuter traffic as this intersection serves as a critical access point for the I-10 freeway. This was compounded by multiple similar debris flow closures to the West in Cathedral City and Palm Springs, causing all that traffic to concentrate on the next available I-10 exit, which happened to be shared with Rancho Mirage and Palm Desert, at Monterey Avenue.

Future heavy rainfall events are expected in the future. Unfortunately, the area of this area is has multiple jurisdictions and stakeholders, including: the City of Rancho Mirage, Riverside County, the Union Pacific Railroad, the Agua Caliente Band of Cahuilla Indians, and CalTrans. Any project to mitigate the effects of future flooding and debris flow would require complex coordination. Before any project can commence, a thorough study of the issue must be conducted to determine what mitigation measures are possible.

Timeframe	Priority	Hazards	Responsibility
2023-2027	Low	Floods	Public Works

#### 7.3.4 Public Education and Outreach

## Issue/Background/Benefits

One of the most effective strategies toward mitigating the potential impacts of hazards is the education and outreach of the community. This gives residents and businesses the tools and information needed to go back to their home or business and identify potential vulnerabilities and take the necessary steps to mitigate the potential impacts.

The City of Rancho Mirage will continue to education and outreach programs that emphasize earthquake hazards, such as:

- Appointment of a volunteer-citizen Emergency Preparedness Commission.
- Designation of a staff liaison and coordinator of emergency preparedness activities.
- Allocation of funds in support programs for the Emergency Preparedness Commission.
- Coordination of two (2) or more public in-person events per year, showcasing disaster preparedness and mitigation topics.
- Coordination with the Rancho Mirage Chamber of Commerce to reach local businesses to share and disseminate disaster mitigation information.
- Engage face-to-face with the public at public events, such as the local Farmer's Market, the Sunnyland's Great Shake Out, and the Rancho Mirage Chamber of Commerce Business Expo.
- Attend and present to local community groups, such as homeowners' associations.

Timeframe	Priority	Hazards	Responsibility
2023-2027	High	Earthquakes	Emergency Preparedness Commission Emergency Manager

## 7.3.5 Unlawful Camping Abatement and Enforcement

## Issue/Background/Benefits

Unlawful camping by unhoused individuals is a complex challenge for many local jurisdictions. One of the leading concerns with unlawful camping is the increased risk of accidental fires being started from exposed flames or other heat sources. The slopes and hills of the Santa Rosa Mountains and the Tamarisk trees along the railroad are attractive locations for unlawful camping due to their relative privacy.

To help mitigate the risk of wildfire ignition, conduct ongoing surveys, enforcement, and abatement of unlawful camping in these areas on a routine basis.

Timeframe	Priority	Hazards	Responsibility
2023-2027	Medium	Wildfires	Code Compliance Sheriff's Department

#### 7.3.6 Fire Hazard Abatement

#### Issue/Background/Benefits

The slopes and hills of the Santa Rosa Mountains pose a moderate wildfire threat due to the presence of sparse yet dry vegetation, and periods of high wind. It is necessary to work with property owners whose properties abut the Santa Rosa Mountains to ensure they are identifying and abating any major dry vegetation concerns as they may amplify the risk of exposure to fire to improvements should a wildfire breakout in the adjacent hills.

Timeframe	Priority	Hazards	Responsibility
2023-2027	Medium	Wildfires	Code Compliance

# 7.3.7 Building Code Updates

### Issue/Background/Benefits

The City of Rancho Mirage will continue to adopt the latest version of the California Building Code Standards, as amended every three years to ensure that the latest standards and requirements are in place toward the development of earthquake resilient homes, businesses, and other structures within the City of Rancho Mirage.

As of the writing of this document, the City of Rancho Mirage has adopted the 2022 edition of the California and Uniform codes.

Timeframe	Priority	Hazards	Responsibility
2026	High	Earthquakes	Building and Safety Division

### 7.3.8 Turf Conversion-Drought Tolerant Landscaping

#### Issue/Background/Benefits

Drought remains an ongoing challenge throughout the State of California but is particularly challenging in the Coachella Valley due to the particularly hot and dry summer weather for the region. The City of Rancho Mirage has historically allocated funds in support of drought tolerant turf conversion rebates for residents and businesses within the City of Rancho Mirage. This program has been extremely popular, as funds were rapidly allocated to applicants. The Rancho Mirage City Council authorized several rounds of funding and there remains many properties that could still benefit from turf conversion. The City desires to authorize more rebate programs for turf conversion provided adequate funding sources are available.

Timeframe	Priority	Hazards	Responsibility
2023-2027	Medium	Drought	Deputy of Sustainability

#### 7.3.9 Waste Water Enforcement

#### Issue/Background/Benefit

Water waste from poorly managed and maintained irrigation systems are a leading cause of water waste within the City of Rancho Mirage. The City of Rancho Mirage recently passed an ordinance that prohibits nearly all forms of water waste that originates from irrigation systems. Continuous identification and enforcement are necessary to abate these waste water concerns. This action combined with ongoing turf conversions to drought tolerant landscapes will help to mitigate the drought hazard.

Timeframe	Priority	Hazards	Responsibility
2023-2027	Medium	Drought	Code Compliance

#### 7.4 Mitigation Actions Since Last LHMP Update

The City recently completed a seismic retrofitting of its Fire Station No. 50 located on Highway 111 which is immediately adjacent to the San Jacinto Mountains. The project commenced on October 20, 2021, and was accepted on April 7, 2023. The project cost \$2,454,600.00 for the prime contractor not including some additional cost for additional inspections, consultants, design revisions, and other work outside of the contractor's scope.

In November of 2018 the City completed the installation of backup generators at its two fire stations (50 and 69) to allow the facilities to continue operating during a power outage. The total cost for each generator install was \$82,183.59 for a total cost of \$16,4367.18.

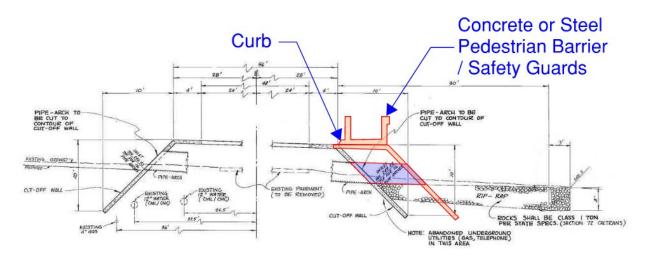
The City continues to pursue a comprehensive traffic signal interconnect of all controlled intersections within the City. This will enhance the ability of first responders to respond to not only everyday emergencies, but also enable managed flow of traffic during significant incidents. There are currently 18 remaining controlled intersections to be integrated into the City's current network fiber network and traffic management system.

The design phase will begin in Fiscal Year 2024 and is estimated to cost \$500,000.00, while the construction phase is expected to begin in Fiscal Year 2025 and is estimated to cost approximately \$5,000,000.00.

Because of the environmental, financial, and design concerns, staff evaluated the continued feasibility of the Frank Sinatra All Weather Bridge and recommended that the City Council close out the project. CALTRANS was made aware of the City's recommendation. The last project estimate was \$58-million dollars, and funded largely by the Highway Bridge Program (HBP), with CVAG and local funds covering the balance. The City was notified in summer of 2021, that HBP is severely underfunded, and the City would have to Advance Fund the project and be reimbursed over time. While this is not the primary reason to close out the project, staff was not in favor of loaning funds for this project.

With the cancellation of the Frank Sinatra Wash All Weather Bridge Project, the City has elected to implement an enhanced maintenance program of the area upstream, downstream, and within the culverts of the bridge so as to maximize the ability for water to flow freely during any measurable water flow event.

Additionally, the City of Rancho Mirage has elected to embark on a design and feasibility study to construct a concrete or steel pedestrian path and barrier along the South side of the Frank Sinatra low water crossing during fiscal years 23-24 and 24-25.



The City continues to offer two Community Emergency Response Team (CERT) courses a year, free to the public, and not just for Rancho Mirage residents. The CERT program has been wildly successful in terms of participation and interest and the City continues to support this program financially 100%.

Upon the direction for the City Manager, Staff was able to obtain near 100% NIMS compliance by providing the following training to all Staff in:

- ICS 100 Introduction to the Incident Command System (ICS)
- ICS 700 Introduction to the National Incident Management System (NIMS)
- SEMS Introduction to the Standardized Emergency Management System (SEMS).

Additionally, the City implemented a 2-year training cycle on use of an AED and training in CPR. Approximately 25% of all Staff will be trained every 6 months to allow for a 2-year re-training cycle.

The Rancho Mirage Emergency Preparedness Commission (EPC) continues to spearhead public education and outreach efforts within the community by regularly presenting to local community groups.

# CITY OF RANCHO MIRAGE – ANNEX LOCAL HAZARD MITIGATION PLAN

such as homeowners associations and small businesses, to educate them on the hazards that exist in Rancho Mirage, and how they can be better prepared to mitigate the negative effects. The EPC also coordinates at least one formal presentation, open to the public, at the Rancho Mirage Library and Observatory, on a relevant topic in emergency preparedness. Most presentations tend of emphasize earthquake preparedness as it is the highest priority hazard for the City.

The City intends to install HVAC System Upgrades for added redundancy in the event of mechanical or other partial system failure of the City Hall HVAC system. Since City Hall acts as the hub of operations for the City, it is crucial that staff can comfortably function particularly during the City's seasonably hot months from June through September each year.

# **Section 8.0 Plan Implementation And Maintenance Process**

Annual Reports from each City Council appointed Commission are required to be submitted for review and approval on a yearly basis. The Emergency Preparedness Commission is required to provide a yearly update on the status of achieving goals and implementation of policies, programs and mitigation measures. The Development Services Department annually reports on the status of the General Plan and because the LHMP will be set forth in the Safety Element, the status report will be incorporated within that annual report.

The Emergency Services Director, or designee, will monitor and evaluate our LHMP on a yearly basis. Over the next 5 years, we will review the LHMP on an annual basis and assess, among other things, whether:

- The goals and objectives address current and expected conditions.
- The nature, magnitude, and/or type of risks have changed.
- The current resources are appropriate for implementing the plan.
- There are implementation problems, such as technical, political, legal, or coordination issues with other agencies.
- The outcomes occurred as expected (a demonstration of progress).
- The agencies and other partners participated as originally proposed.

If we discover changes have occurred during the evaluation, we will update the LHMP Revision Page, and notify EMD to update our Annex.

# **Section 9.0 Incorporation Into Existing Planning Mechanisms**

The City has a Safety Element in its General Plan that includes a discussion of fire, earthquake, flooding, and landslide hazards. This LHMP Update will be incorporated into the Safety Element of the General Plan by reference as though fully set forth therein. In addition, the City enforces the requirements of the California Environmental Quality Act (CEQA), which, since 1988, requires mitigation for identified natural hazards. The City has used these pre-existing programs as a basis for identifying gaps that may lead to disaster vulnerabilities in order to work on ways to address these risks through mitigation.

# **Section 10.0 Continued Public Involvement**

Continued involvement will be through the monthly public Emergency Preparedness Commission meetings as well as annual public hearings on the yearly Commission reports. These opportunities for public involvement will be advertised in digital newsletters, on the City's website and in the local news media as required.

# CITY OF RANCHO MIRAGE – ANNEX LOCAL HAZARD MITIGATION PLAN

# **Section 11.0 Appendices**

11.1 Appendix A – Inventory Worksheet

# 11.1.1 LOCAL JURISDICTION DEVELOPMENT TRENDS QUESTIONNAIRE 2023 (Table 1F)

JURISDICTION: CITY OF RANCHO MIRAGE			E RESPONSIBILITY FOR LAND USE AND/OR DEVELOR UNDARIES? YES	MENT ISSUES WITHIN
	2017 DATA	2023 DATA		2028
Current Population in Jurisdiction or Served	18,489	18,799 per ACFR 20/21	Projected Population in Jurisdiction or Served - in 2028	21,391
Current Sq Miles in Jurisdiction or Served	25.62	25.7	Projected Sq Miles in Jurisdiction or Served - in 2028	25.7
Does Your Jurisdiction have any ordinances or regulations dealing with disaster mitigation, disaster preparation, or disaster response?	Yes	Yes	If yes, please list ordinance or regulation number.  RMMC Chapter 2.25 Disaster Operations and Relief	
What is the number one land issue your agency will face in the next five years	Implementing Sta	te Mandates.		
Approximate Number of Homes/Apts/etc.	14,451	14,792	Projected Number of Homes/Apts/etc in 2028	17,342
Approximate Total Residential Value	\$6,671,675,197	\$7,411,749,174	Projected Residential Total Value - in 2028	\$8,713,890,458
Approximate Number of Commercial Businesses	725	896	Projected Number of Commercial Businesses - in 2028	1100
Approximate Percentage of Homes/Apts/etc in flood hazard zones	0%	0%	Approximate Percentage of Homes/Apts/etc in flood hazard zones - in 2028	0%
Approximate Percentage of Homes/Apts/etc in earthquake hazard zones	0%	0%	Approximate Percentage of Homes/Apts/etc in earthquake hazard zones - in 2028	0%
Approximate Percentage of Homes/Apts/etc in wildland fire hazard zones	0%	0%	Approximate Percentage of Homes/Apts/etc in wildland fire hazard zones - in 2028	0%
Approximate Percentage of Commercial Businesses in flood hazard zones	0%	0%	Approximate Percentage of Commercial Businesses in flood hazard zones - in 2028	0%
Approximate Percentage of Commercial Businesses in earthquake hazard zones	0%	0%	Approximate Percentage of Commercial Businesses in earthquake hazard zones - in 2028	0%

Approximate Percentage of Commercial Businesses in wildland fire hazard zones	0%	0%	Approximate Percentage of Commercial Businesses in wildland fire hazard zones - in 2028	0%	
Number of Critical Facilities in your Jurisdiction that are in flood hazard zones	0	0	Projected Number of Critical Facilities in your Jurisdiction that are in flood hazard zones - in 2028	0	
Number of Critical Facilities in your Jurisdiction that are in earthquake hazard zones	0	0	Number of Critical Facilities in your Jurisdiction that are in earthquake hazard zones - in 2028	0	
Number of Critical Facilities in your Jurisdiction that are in wildland fire hazard zones.	None	None	Number of Critical Facilities in your Jurisdiction that are in wildland fire hazard zones - in 2028	None	
Does your jurisdiction plan on participating in the County's on-going plan maintenance program every two years as described in Part I of the plan?	Yes	Yes	If not, how will your jurisdiction do plan maintenance?		
Will a copy of this plan be available for the various p	Yes				

# 11.2 Appendix B – List of Potentially Vulnerable Structures

The following is a list of potentially vulnerable structures in the City of Rancho Mirage:

# 11.2.1 Inventory of Potentially Vulnerable Structures

All improvements in Rancho Mirage are considered vulnerable to earthquakes of varying degrees. Additional vulnerabilities are identified per structure.

	SITE	LOCATON	POTENTIAL VULNERABILITY			
1	Rancho Mirage City Hall	69825 Highway 111	Government building, high density of people, Emergency Operations Center #2. The basement has a history of flooding that have required remediation and installation of automatic flood pumps.			
2	Rancho Mirage Public Library and Observatory	71100 Highway 111	Government building, high density of people, Emergency Operations Center #1. Slight risk of flooding due to its proximity to the Whitewater Wash, however recent historical events have demonstrated the wash has been performing as designed.			
3	Rancho Mirage Community park	71560 San Jacinto Drive	Amphitheater, large congregations of people			
4	Rancho Mirage (North) Fire Station #69	71751 Gerald Ford Drive	Fire station, critical facility. Facility recently received earthquake reinforcement retrofit.			
5	Rancho Mirage (South) Fire Station #50	70801 Highway 111	Fire station, critical facility. Facility recently received earthquake reinforcement retrofit.			
6	Eisenhower Medical Center	39000 Bob Hope Drive	Regional Hospital, Critical facility. Facility recently received earthquake reinforcement retrofit.			
7	Eisenhower Urgent Care Clinic	72780 Country Club Drive	Medical office.			
8	Santa Rosa Villas	25150 Juniper Lane	Seniors housing 33 units. Slight risk of flooding due to its proximity to the Whitewater Wash, however recent historical events have demonstrated the wash has been performing as designed.			
9	Whispering Waters	42536 Rancho Mirage Lane	Senior apartments, 30 units			
10	Las Colinas Apartments	3 Via Las Colinas	Seniors Housing 85 units. Slight risk of flooding and landslide due to its proximity hillsides, however some drainage and fencing provide some level of protection.			
11	San Jacinto Villas	71300 San Jacinto Drive	Seniors apartments, 82 units. Slight risk of flooding due to its proximity to the Whitewater Wash, however recent historical events have			

			demonstrated the wash has been performing as designed.
12	Parkview Villas	71740 san Jacinto Drive	Seniors Housing 82 units. Slight risk of flooding due to its proximity to the Whitewater Wash, however recent historical events have demonstrated the wash has been performing as designed.
13	Palm Valley School	35525 DaVall Drive	Private school with high density of students and employees
14	Rancho Mirage Elementary School	42985 Indian Trail; Road	Public school with high concentration of students and employees
15	Children's Discovery Museum of the Desert	71701 Gerald Ford Drive	Children, High concentration of people
16	Rancho Mirage Terrace	34560 Bob Hope Drive	Assisted Living Facility 179 beds, including an Alzheimer's patient capability
17	Brookdale Assisted Living	72750 Country Club Drive	Assisted Living Facility 19 dementia/Alzheimer's beds and 107 independent and assisted living beds
18	Country Villa, Rancho Mirage Healthcare Center	39950 Vista del Sol Drive	Assisted Living Facility 99 nursing home beds
19	Brookdale Assisted Living	72201 Country Club Drive	Assisted Living Facility 90 assisted living beds, 27 Alzheimer's beds, and 45 beds for residents requiring skilled nursing
20	Condominiums	Stellar Drive	Unreinforced Masonry Structures (URM) 12 dwelling units
21	Small Mountain Condominium Complex	Mirage Cove Drive	Unreinforced Masonry Structures (URM) 70 dwelling units
22	Collectors Corner	71280 Highway 111	Unreinforced Masonry Structures (URM)
23	Rancho Mirage Mobile Home Park	69975 Frank Sinatra Drive	Raised foundation not permanently anchored to the ground (274 units) Slight risk of flooding due to its proximity to the Whitewater Wash, however recent historical events have demonstrated the wash has been performing as designed.
24	Rancho Mirage RV and Mobile Home Park	70210 Highway 111	Raised foundation not permanently anchored to the ground (67 units).
25	Blue Skies Mobile Home Park	70260 Highway 111	Raised foundation not permanently anchored to the ground (143 units) Slight risk of flooding due to its proximity to the Whitewater Wash, however recent historical events have demonstrated the wash has been performing as designed.

26	The Colony Mobile Home Park	70377 Gerald Ford Drive	Raised foundation not permanently anchored to the ground (220 units)
27	Apartments	Bird Lane	Soft story structure uncommon design
28	Rancho Las Palmas Shopping Center	42424 Bob Hope Drive	Shopping center with high density of people
29	Desert Island	71777 Frank Sinatra Drive	High Rise Condominiums, non-sprinklered
30	Low Water Crossing	Frank Sinatra Drive Low Water Crossing	Frequent closure due to flooding events
31	Bridge	Country Club Bridge crossing Whitewater Channel	May be compromised during serious flood event.
32	Bridge	Thunderbird Terrace Whitewater Low Water Crossing	May be compromised during serious flood event.
33	Bridge	Bob Hope Drive Whitewater crossing	May be compromised during serious flood event, however extremely unlikely based on its elevation above the ground.
34	Bridge	Monterey Avenue Whitewater crossing	May be compromised during serious flood event, however extremely unlikely based on its elevation above the ground.
35	Bridge	Dinah Shore Bridge (connecting Mission Hills North & South)	May be compromised during serious event.
36	Westin Mission Hills	71333 Dinah Shore Drive	Resort with high density of people
37	Ritz Carlton	68900 Frank Sinatra Drive	Resort & Spa with high density of people
38	Omni Rancho Las Palmas Resort	41000 Bob Hope Drive	Resort and spa with high density of people. Slight risk of flooding due to its proximity to the Whitewater Wash, however recent historical events have demonstrated the wash has been performing as designed.
39	Agua Caliente Resort & Spa	32250 Bob Hope Drive	Hotel/Casino with High Density of People. Flooding events have resulted in difficulty accessing the facility as the roadways on Bob Hope Drive and Ramon tend to accumulate water and debris.
40	Holiday Inn Express	71730 Highway 111	Hotel with high density of people

41	Hilton Gardens Inn	71700 Highway 111	Hotel with high density of people	
42	Motel 6	69570 Highway 111	Hotel with high density of people. Slight risk of flooding due to its proximity to the Whitewater Wash, however recent historical events have demonstrated the wash has been performing as designed.	
43	The River Lifestyle Center	71800 Highway 111	Shopping center with high density of people	
44	Gelson's Shopping Center	361001 Bob Hope Drive	Shopping with high density of people	
45	Country Club Village	40101 Monterey Avenue	Shopping center with high density of people	
46	Home Depot	34249 Monterey Avenue	Large retailer of construction materials	
47	Regal Cinemas	72777 Dinah Shore Drive	Movie theater with high density of people	
48	Rancho Mirage High School	31001 Rattler Road	Approximately 1,600 students and employees; Hig density of people	
49	Vista Cove at Rancho Mirage	70201 Mirage Cove Drive	Assisted Living Facility 68 beds, including Alzheimer's patient capabilities	

# 11.2.2 Soft Story and Unreinforced Masonry (URM) Structures

A soft story or building is a multi-story building in which one or more floors have windows, wide doors, large unobstructed commercial spaces, or other openings in places where a shear wall would normally be required for stability as a matter of earthquake engineering design. A typical soft story building is an apartment building of three or more stories located over a ground level with large openings, such as a parking structure or series of retail businesses with large windows. Soft story buildings are vulnerable to collapse in a moderate to severe earthquake in a phenomenon known as soft story collapse. Soft story failure was responsible for nearly half of all homes that became uninhabitable in California's Loma Prieta Earthquake of 1989 and the Northridge Earthquake of 1994.

As of 2011 the following privately owned buildings have not undergone the relatively inexpensive seismic retrofit to correct the condition. The several multi-family structures on Bird Lane would qualify as a soft story building and were constructed 30 to 40 years ago. Stellar Drive condominiums may also have soft story character.

Stellar Drive Condominiums 12 unitsSmall Mountain Condominiums 70 units

Collectors Corner (retail)
 71-280 Highway 111

#### 11.2.3 High-rise Construction

There are two projects in Rancho Mirage that involve high rise buildings:

Agua Caliente Resort and Casino. The 16 story (173') Agua Caliente Resort and Casino includes 340 rooms, 13,000 square foot conference center, 10,500 square foot spa and fitness center, theater with 2,028 seats, and 71,000 square foot casino. The high rise hotel portion of the facility was completed in 2007.

Although it is assumed that modern building codes apply to this recently constructed building, Tribal land is sovereign and the facility was constructed prior to being annexed to the City. The project was constructed per the building code in affect at the time of construction but the City did not participate in building inspections.

<u>Desert Island Condominiums</u>. Desert Island was constructed in the early 1970s and consists of three separate high-rise condominium buildings with approximately 226 units (some units have been merged to create larger units). Two buildings have seven stories and one building has five stories. The structures are built over a subterranean parking garage.

#### Bridges

There are six bridges and three vulnerable low water crossing points in Rancho Mirage:

- Dinah Shore Bridge (connecting Mission Hills North & South)
- Desert Island Entry Bridge
- Country Club Drive (Whitewater crossing) over the Whitewater Wash (seismically retrofitted)
- Bob Hope Drive over the Whitewater Wash (seismically retrofittable)
- Monterey Avenue (all weather bridge) over the Whitewater Wash
- Frank Sinatra/Whitewater Wash Low-water crossing
- Paxton Drive Low-water crossing (Thunderbird Terrace)
- Avenida Las Palmas (Rancho Las Palmas) Low Water Crossing
- Lake Mirage Desert Lakes Drive

11.3 Appendix C – Documentation of Hearings, Workshops, and Meetings

# Multi-Jurisdictional Local Hazard Mitigation Plan (MJLHMP) Update Jurisdiction Workshop

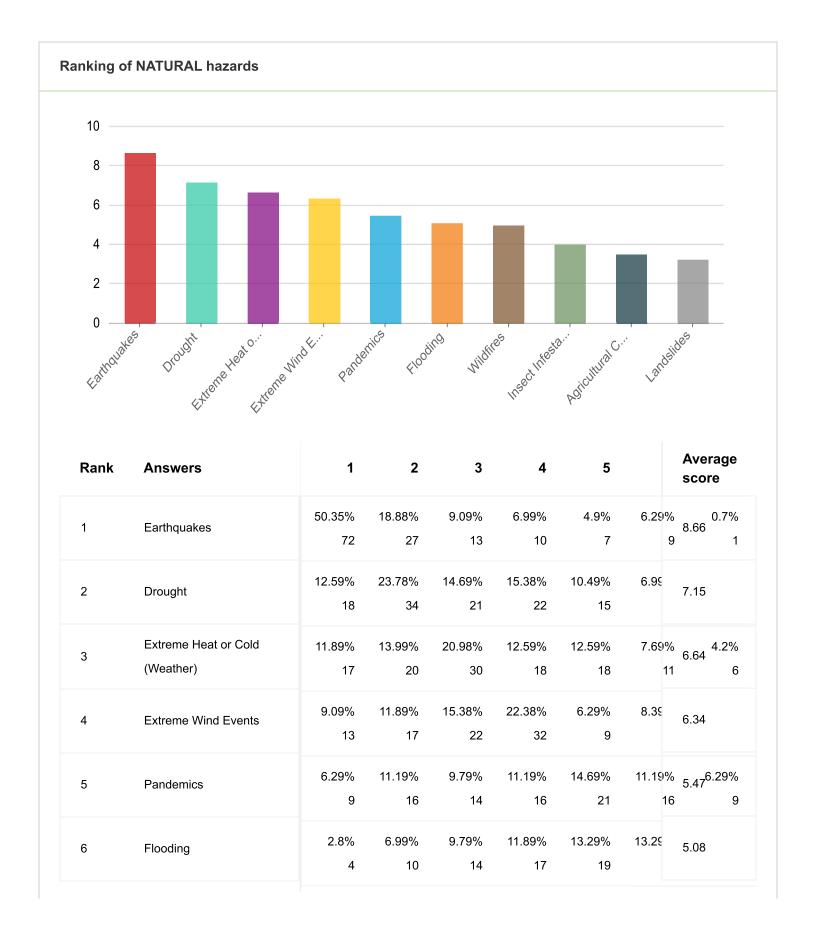
Dates: August 17, 2022 (West County EOC or Virtual)
August 24, 2022 (East County EOC or Virtual)

Times: 9:00 AM to 12:00 PM 1:00 PM to 4:00 PM

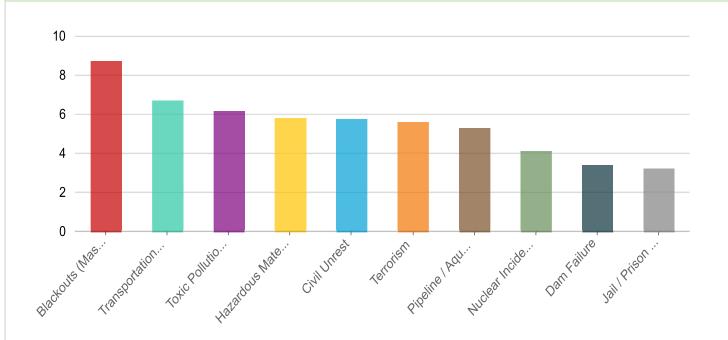
Subject	Time	Presented by	Purpose
Introductions / Overview	5 mins.	William Luna	
Review of Update Requirements / Q&A	15 mins.	Jennifer Smith	Inform
Risk Assessment Overview	20 mins.	William Luna	Discussion
GIS Mapping/ Risk Score Matrix Q&A	30 mins.	Catherine Farrokhi & Moses Martinez	Discussion
Community Outreach Strategies & Breakout Session	30 mins.	Shane Reichardt	Discussion & Breakout
Break	10 mins.	-	-
Example Plan Review	30 mins.	Jennifer Smith & William Luna	Discussion
Mitigation Project Ranking & Tracking	15 mins.	Brian MacGavin	Discussion
Overview of Approval Process with Cal OES and FEMA	15 mins.	Victoria Lamaar-Haas	Inform
Timeline Review /Action Items	5 mins.	Jennifer Smith & William Luna	Inform
Roundtable & Adjourn	5 mins.	Brian MacGavin	

Next Meeting-TBD based on partner needs Any inquires and follow-up: Email <u>LHMP@Rivco.org</u>

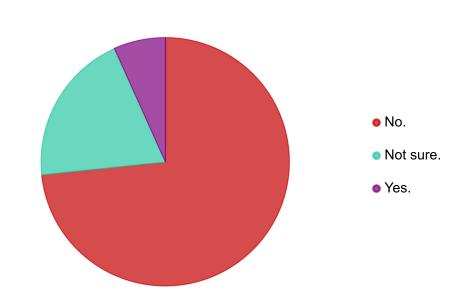
# Rancho Mirage - Local Hazard Mitigation Plan Update - Public Input Survey



# Ranking of TECHNOLOGICAL hazards



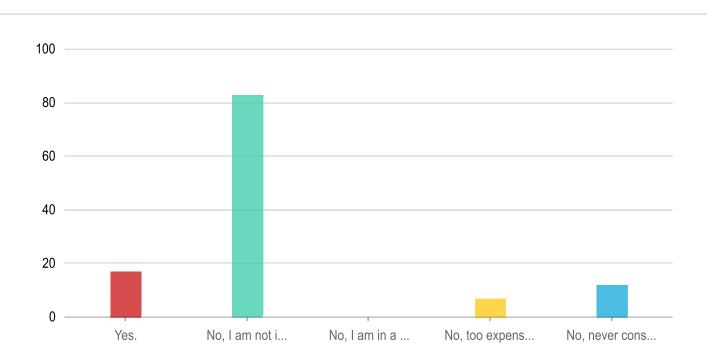
Rank	Answers	1	2	3	4	5		Average score
1	Blackouts (Mass Power Failure)	55.63% 79	14.08% 20	8.45% 12	8.45% 12	7.04% 10	2.82% 4	8.74
2	Transportation Emergencies (Air / Railroad / Highways)	9.86%	26.76%	11.27% 16	10.56% 15	8.45% 12	11.97	6.73
3	Toxic Pollution	7.75% 11	11.97% 17	15.49% 22	14.08% 20	14.08% 20	10.56% 15	6.19
4	Hazardous Material	3.52% 5	4.93% 7	14.79% 21	21.13%	16.2% 23	14.79	5.84
5	Civil Unrest	8.45% 12	12.68% 18	10.56% 15	11.27% 16	11.97% 17	12.68% 18	5.77 <sup>9.15%</sup> 13
6	Terrorism	4.93% 7	13.38% 19	13.38% 19	9.15% 13	7.04% 10	13.38	5.61



Answers	Count	Percentage
No.	110	72.37%
Not sure.	30	19.74%
Yes.	10	6.58%

Answered: 150 Skipped: 2

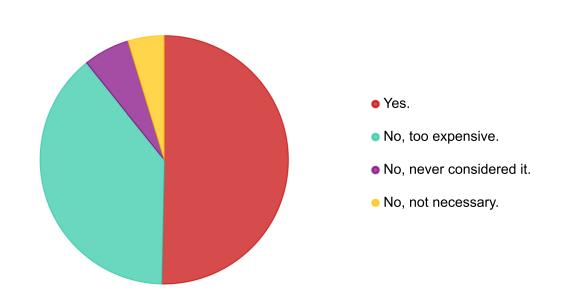
# Do you have flood insurance?



Answers	Count	Percentage
Yes.	17	11.18%
No, I am not in a floodplain.	83	54.61%
No, I am in a low risk area or my property is adequately protected by elevation, barriers, or drainage.	0	0%
No, too expensive.	7	4.61%
No, never considered it.	12	7.89%

Answered: 146 Skipped: 6

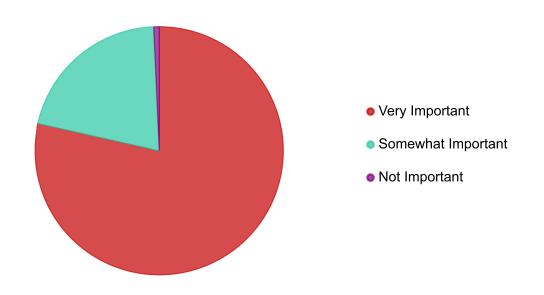
# Do you have earthquake insurance?



Answers	Count	Percentage
Yes.	75	49.34%
No, too expensive.	58	38.16%
No, never considered it.	9	5.92%
No, not necessary.	7	4.61%

Answered: 149 Skipped: 3

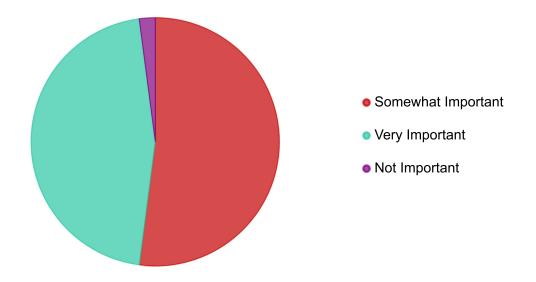
# Prevention



Answers	Count	Percentage
Very Important	117	76.97%
Somewhat Important	31	20.39%
Not Important	1	0.66%

Answered: 149 Skipped: 3

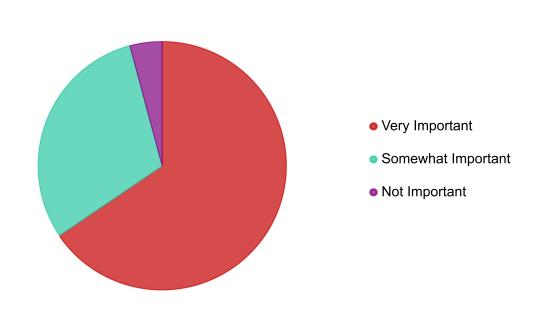
# **Property Protection**



Answers	Count	Percentage
Somewhat Important	76	50%
Very Important	67	44.08%
Not Important	3	1.97%

Answered: 146 Skipped: 6

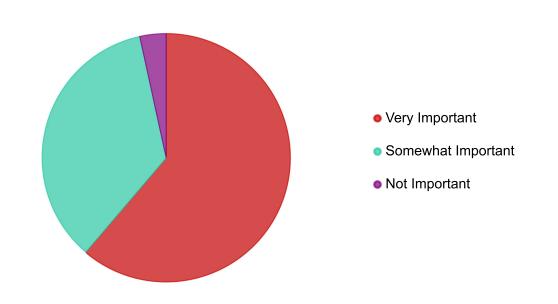
# **Natural Resource Protection**



Answers	Count	Percentage
Very Important	95	62.5%
Somewhat Important	44	28.95%
Not Important	6	3.95%

Answered: 145 Skipped: 7

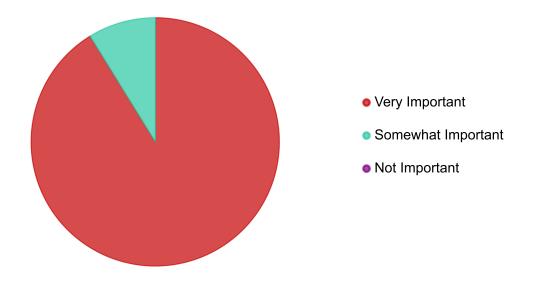
# **Structural Projects**



Answers	Count	Percentage
Very Important	90	59.21%
Somewhat Important	52	34.21%
Not Important	5	3.29%

Answered: 147 Skipped: 5

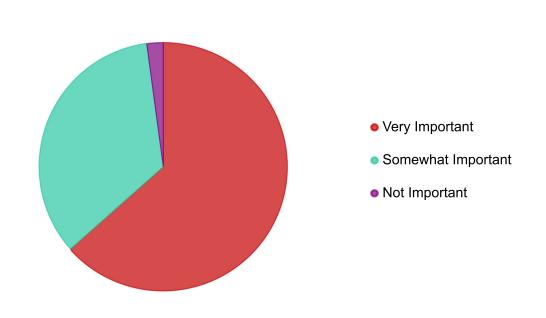
# **Emergency Services**



Answers	Count	Percentage
Very Important	135	88.82%
Somewhat Important	13	8.55%
Not Important	0	0%

Answered: 148 Skipped: 4

# **Public Education and Awareness**



Answers	Count	Percentage
Very Important	92	60.53%
Somewhat Important	50	32.89%
Not Important	3	1.97%

Answered: 145 Skipped: 7

# Anything else we should consider?

The word cloud requires at least 20 answers to show.

Response	Count
we are concerned about whether or not all the country clubs and other gated communities in Rancho Mlrage are properly preserving/maintinaing/correcting underground fuel/and gas tanks or other under grand materials. that may affect the water table. We very concerned about any possible chlorine tan ks and other storage tanks that are not mantanined and serviced properly with procedures in place for leak mitigation. A chloinre leak could result in not only severe damag but death to the reidents who a re donw wind of the leak.	1
water resources need to be protected	1
To review the last adopted LHMP please "click here". THIS LINK DOES NOT WORK.	1
Test	1
over devlopment ex; disney development	1
Lots of potential rock falls along public and private roadways. In an event such as high rainfall and/or earthquakes emergency vehicle access could be delayed.	1
In the event of a catastrophe, I want to feel secure our town is ready for it and can keep residents saf e.	1
Important-Filling empty commercial buildings in the City of Rancho Mirage. Of course, keep the City's high standards. We recognize this is challenging.	1

I attended a CERT class put on and/or paid for by RM in 2022, at The Roy Wilson Center. In addition, I am on The Riverside County Sheriffs Search and Rescue Team (DSSAR.) In discussion with The Cit y of RM on both of these, I have learned that you (The City) does NOT currently keep a list of RM Citi zens that can help out durring a disasster. So that you can assemble this group to help out. I think tha t you should! Heating of the ground could get much higher in the following years which would cause road problems which intern could cause road buckling problems for cars and trucks on our highways. Drought will be on and off but we must continue to use much less water than we are currently. This includes private g olf courses and the use of well water that is not available to most homeowners who pay much higher f or their water from DW. Well water should be regulated the same as water coming from our water co mpany. Less density for our city as more homes mean more water usage. Possible ban on new home pool installation and requirements for all lawn to be taken out and desert low water landscaped install ed in all properties in Rancho Mirage. New private communities should have community pools and po ssible older communities with the help of the city to take out many of the little used pools. EOC's, cached supplies, designated evacuation routes and rally areas. Partner with local security co 1 mpanies for security needs. Host disaster training, have online emergency preparedness resources, h ave a notification system. Encourage HOA's and Country Clubs to build parks within their boundaries because Rancho Mirage d oes not currently have what we residents would like, especially for dog walking and safe pedestrian w alking. Do something about financial loss from blowing sand. Request assistance from property owners of un developed space. If they won't help. Request state assistance for health reason based on the harm fr om the blowing dust. Or. Close down all businesses and homes in the city Do not allow further development in RM. Cotino is a huge environmental mistake. Hopeful they bankr 1 upt before ruining the aquafer CLIMATE CHANGE and the unsustainability of living in a desert in the coming decades. Why is there 1 so much grass in the desert? Stop it already. 1. Medical Triage and Treatment Preparedness. Identifying and planning areas that should a mass ca 1 sualty event take place RM residents can go to receive care and treatment. There should be an area (e.g. Community Park) that can be quickly be brought up to scale to treat people hurt and/or injured. 2. There are people who are unhoused in the City and they should be identified and offered opportunit y to transition to living in an appropriate location along with the offer of mental health evaluation and tr eatment. 3. The Desert Health Care District needs to become more of a presence in the City with outr each programs for the Elders of the community.

1) Distribute to all HOAs and Neighborhood Associations an outline of disaster organization for their a reas. Many reluctant to devise plans for fear of incurring liability. A centrally distributed plan could relie ve fears, spur action. 2) City of RM and Tribal owned lots on NE corner of Ramon and DaVall are form er waste areas attracting nuisance and require remediation.

Answered: 17 Skipped: 135



# **COMMUNITY EMERGENCY PREPAREDNESS COMMISSION**

# **REGULAR MEETING**

**TUESDAY, JANUARY 24, 2023** 

2:30 P.M. i.ii

# **AGENDA**

# **Meeting Location**

City of Rancho Mirage Conference Room 3 69-825 Highway 111 Rancho Mirage, CA 92270

# Remote Access Information iii

Zoom Webinar Link:

https://us02web.zoom.us/j/81696086228?pwd=LzR2ZnFFUmRvNFFYaTRIQXFYSXhVUT09

Webinar ID: 816 9608 6228

Passcode: 287879

Zoom Call-In No.: 1 669-900-9128

888-475-4499 (Toll Free)

# **CALL TO ORDER**

Roll Call: Commission Members

Chair Brown, Vice Chair Dandridge, Commissioner Levine, Richardson, Suter.

Roll Call: Ex-Officio Members

Mayor Kite, Mayor Pro Tem Downs, Council Member Marker, Council Member Mallotto, Council Member Weill

Roll Call: Technical Advisors

Technical Advisor Stice, Thomas.

**NON-AGENDA PUBLIC COMMENTS** – An opportunity for the public to speak on issues that are not on the agenda for a maximum of three minutes per speaker.

# **COMMISSIONER COMMENTS**

#### STAFF LIAISON COMMENTS

**MINUTES** Regular Meeting November 22, 2022

# REPORTS, INFORMATIONAL, AND DISCUSSION ITEMS

1. Attendance Roster

Page 1 of 2 01/24/2023

3.	Town	Hall Forum Update			
4.	Local	Hazards Mitigation F	Plan (LHMP)		
5.	Subco	ommittee Reports an	d Recommendations	;	
6.	Month	nly HOA Radio Drill A	Assignments:		
	a.	February 7, 2023,	1 <sup>st</sup>	2 <sup>nd</sup>	<u>.</u>
	b.	March 7, 2023,	1 <sup>st</sup>	2 <sup>nd</sup>	<u>.</u>
7.		Program			_
ACTIO	ON CA	LENDAR .			
	URNN				
Calen check For m	dar po ing the ore info	sted to the City's we City website or calli	ebsite www.Rancholong City Hall at 760-3 ncy Preparedness pl		
			ed to attend. If you have 24-4511 in advance of th	special communication or e meeting.	access needs, please
of the I	egislativ	e bodies regarding any	item on this agenda, are	nd any writings or document available for public inspec at www.RanchoMirageCa.	tion at City Hall, at the
324-45 Kephai (writter	11, Ext. t via em comme	296, or via email to Bria ail to BrianK@RanchoMi	nK@RanchoMirageCA.g irageCA.gov, or mailed to	emotely, please contact the ov. Written comments may 69-825 Highway 111, Randed to the Commission foll	y be submitted to Brian cho Mirage, CA 92270
		Posting:			
of the	foregoi	ng Meeting Notice/Age	enda was posted in the	Rancho Mirage, do herebe City Hall posting box, a ours in advance of the me	t the Rancho Mirage
1		/		<u>o</u> .	1/19/2023
Signat	ure			D	ate
Page 2	of 2				01/24/2023

2. Commissioner Written and Oral Presentations

Page 2 of 2



TO: Community Emergency Preparedness Commission DATE: January 24, 2023

**FROM:** Brian Kephart, Emergency Services Coordinator

**SUBJECT:** Local Hazards Mitigation Plan (LHMP)

# SPECIFIC REQUEST OR RECOMMENDATION

That the Commission review and suggest revisions, if any, to be included in the Local Hazards Mitigation Plan update.

A Local Hazard Mitigation Plan (LHMP) is a technical document that identifies local hazards that can affect the jurisdiction and identifies strategies to mitigate their potential impacts. Such hazards include, but are not limited to, earthquakes, flooding, and extreme weather. The LHMP must be revised every 5 years to remain eligible for disaster recovery funds from FEMA.

Attached to this staff report is the LHMP from 2017 and below is summary of the proposed changes for the 2023 LHMP. As part of the LHMP revision process public input is requested from any relevant stakeholders.

Summary of proposed changes for the 2023 LHMP:

- 1. Updated City demographics.
- 2. Updated development and buildouts that are either complete or in progress.
  - a. Del Webb, Cotino
- 3. Additional City Facilities
  - a. Observatory, Dog Park
- 4. Updated Employment and Tax Generators
- 5. Updated Education and Outreach Efforts
  - a. Seats and updated mission of the EPC.
  - b. New website and revisions.
- 6. Status of CERT and new leased AEDs at City Facilities.
- 7. New hazard: pandemics / outbreaks.
- 8. Recent flood event activities.
  - a. February 14, 2019 storms.
- 9. Recent earthquake event activities.
- 10. Mitigation projects update for:
  - a. Frank Sinatra all weather bridge.
  - b. Bob Hope Drive Storm Drains

- c. Country Club Drive Storm Drains.
- 11. Updated Valuations for City Owned facilities.
- 12. Project Update GIS Hazards
- 13. Miscellaneous updates for figures and statistics throughout the document.

The City recently solicited public input through an online poll and to date 149 responses have been received. A summary of the results to date has been attached to this staff report.

From:
To:
Subject:
Brian Kephart
LHMP notes

**Date:** Tuesday, January 24, 2023 8:25:43 PM

CAUTION: This email originated from outside The City of Rancho Mirage. DO NOT CLICK links or open attachments unless you recognize the sender and know the content is safe.

Here are my public comments.

P1. #2

Updated development to include higher level businesses such as Amazon Fresh and Larry Ellison's resort, Porcupine Creek.

# 5 Mention connection/partnership with CVDPN Coachella Valley Disaster Preparedness Network.

P16 Need to clarify "man-made and natural emergencies"

P18 MYN is no longer being recommended

P28 Add unique hazard Porcupine Creek

P31 and P32 Senior housing replacement values

P50 Policy SAFE, mobile homes ARE substandard

P62, 6.5 Mitigation & Partnerships, add CVDPN

P74 #5 Add information about remote access to EPC meetings, access to information on RM TV, presentations to HOAs and other community groups, partnership with CVDPN, participation in community events, partnership with Chamber of Commerce, etc.

With best wishes,

Sent from my iPhone

# **CERTIFICATION**

STATE OF CALIFORNIA	)
COUNTY OF RIVERSIDE	)
CITY OF RANCHO MIRAGE	)

I, Kristie Ramos, City Clerk of the City of Rancho Mirage, California, do hereby certify that Resolution No. 2024-55 was duly adopted by the City Council of the City of Rancho Mirage, California at a regular meeting thereof held on the 19<sup>th</sup> day of September 2024, by the following vote:

AYES:

Downs, Mallotto, Marker, O'Keefe, Weill.

NOES:

None.

ABSTAIN: ABSENT:

None.

None.

Kristie Ramos

City Clerk



# **Planning Commission Staff Report**

Zoning Text Amendment Case No. ZTA25-0001 Applicant: City of Rancho Mirage. Consideration of an Ordinance Amending Section 17.20.040 (Development/Design Considerations) of Chapter 17.20 (General Property and Use Standards), Repealing and Replacing Chapter 17.32 (Wireless Communication Facilities), Amending Section 17.34.010 (Introduction) of Chapter 17.34 (Introduction) of Division IV (Permits and Review), and Amending Section 17.48.045 (Minor Conditional Use Permits) of Chapter 17.48 (Conditional Use Permits) of Title 17 ("Zoning") of the Rancho Mirage Municipal Code. Location: City-Wide

DATE	ITEM #
April 24, 2025	PUBLIC HEARINGS - 6C.
Presented To	Presented By
i resented to	rieseliteu by

#### RECOMMENDED ACTION

Adopt Resolution No. 2025-PC-(Next-in-Order), recommending that the City Council take the following actions:

- 1. Find that the adoption of the Ordinance has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA) and CEQA Guidelines, and that adoption of the Ordinance is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15378 because it is not a "project", and 15061(b)(3) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment because the amendments involve general policy and procedure making; and
- 2. Introduce and adopt Ordinance No. (Next-in-Order), Amending Section 17.20.040 (Development/Design Considerations) of Chapter 17.20 (General Property and Use Standards), Repealing and Replacing Chapter 17.32 (Wireless Communication Facilities), Amending Section 17.34.010 (Introduction) of Chapter 17.34 (Introduction) of Division IV (Permits and Review), and Amending Section 17.48.045 (Minor Conditional Use Permits) of Chapter 17.48 (Conditional Use Permits) of Title 17 ("Zoning") of the Rancho Mirage Municipal Code subject to addition of further amendments to the Municipal Code as may be recommended by staff, which are outside the purview of the Planning Commission, and therefore go directly to City Council.

#### **DISCUSSION**

#### **Facts**

1. Applicant:

City of Rancho Mirage

2. Request:

Consideration of an Ordinance to amend Section 17.20.040 (Development/Design Considerations) of Chapter 17.20 (General Property and Use Standards), Repealing and Replacing Chapter 17.32 (Wireless Communication Facilities), Amending Section 17.34.010 (Introduction) of Chapter 17.34 (Introduction) of Division IV (Permits and Review), and Amending Section 17.48.045 (Minor Conditional Use Permits) of Chapter 17.48 (Conditional Use Permits) of Title 17 ("Zoning") of the Rancho Mirage Municipal Code subject to addition of further amendments to the Municipal Code as may be recommended by staff, which are outside the purview of the Planning Commission, and therefore go directly to City Council.

3. Location:

City-Wide

4. Environmental Information

Pursuant to the provisions of the California Environmental Quality Act (CEQA), Section 15378 the proposed amendments are not considered a "project" under CEQA. Furthermore, the proposed amendments are exempt from CEQA pursuant to Section 15061(b) (3).

#### **PURPOSE**

The primary purpose of this ordinance is to introduce certain amendments to Title 17 (Zoning) of the Rancho Mirage Municipal Code as further detailed in the staff report. As part of regular Municipal Code maintenance updates to various chapters and sections are occasionally required to correct errors, update standards and ensure that the Municipal Code complies with new regulations.

#### **DISCUSSION**

The following discusses some of the changes proposed as part of the Municipal Code updates, see Attachment 4 (Ordinance for ZTA25-0001) for the full scope of the proposed revisions that are subject to Planning Commission review. In the Ordinance proposed additions are "bolded and underlined" and deletions have a "strikethrough." In addition, as detailed in the Ordinance, the title of the Ordinance may change when presented to the City Council if staff adds additional proposed Municipal Code revisions which are outside the purview of the Planning Commission, and therefore go directly to the City Council.

#### Title 17 (Zoning):

Chapter 17.32 (Wireless Communications Facilities): On March 6, 2025 the City Council received and filed the <u>Wireless Master Plan</u> (clicking this link allows you to access the Wireless Master Plan webpage) which contains key data and recommendations on how to improve cellular coverage within the City. The City Council directed staff to initiate the necessary municipal code amendments to streamline the permitting process and to reduce barriers to entitlement for wireless communication facilities. The proposed revisions to Chapter 17.32 achieve these objectives.

Section 17.20.040 (Development/Design Considerations): Clarifies that conduit and pipes shall not be located along the building exterior.

Section 17.34.010 (Introduction): Modifies a footnote regarding the review authority for Conditional Use Permits.

Section 17.48.045 (Minor Conditional Use Permits): Clarifies the review authority for Minor Conditional Use Permits.

#### **ENVIRONMENTAL DETERMINATION**

This Ordinance is not a "project" under CEQA pursuant to Title 14 California Code of Regulations, Section 15378, because it will not cause a direct (or reasonably foreseeable indirect) physical environmental change, but even assuming *arguendo* that the action is a "project" under CEQA, it is exempt from CEQA pursuant to 15061(b)(3) in that the amendments involve general policy and procedure making, and it can be seen with certainty that there is no possibility that the amendments will have a significant effect on the environment.

# **NOTICING REQUIREMENT**

Pursuant to Rancho Mirage Municipal Code Section 17.74.020, *Hearing and notice*, notification of the public hearing was published in *The Desert Sun* on April 4, 2025. In addition, on April 3, 2025, public hearing notices were posted at the City's designated community posting spots which include City Hall Bulletin Board, Rancho Mirage Library, and City website. Any information addressed to the Planning Commission, but received after completion of this final report, will be distributed at the public hearing. No comments have been received as of the publication date of this report.

# **Attachments**

Attachment 1 - Public Hearing Notice

**Attachment 2 - Notice of Exemption** 

<u>Attachment 3 - City Attorney Independent Analysis</u>

Attachment 4 - Planning Commission Resolution

Attachment 5 - Ordinance for ZTA25-0001

Planning Division 69-825 Highway 111 Rancho Mirage, CA 92270 Planning@RanchoMirageCA.gov (760) 328-2266

# **PUBLIC HEARING NOTICE**

# PLANNING COMMISSION MEETING Thursday, April 24, 2025 – 2:00 p.m.

**Zoning Text Amendment Case No. ZTA25-0001** 

**Applicant:** City of Rancho Mirage

**Request:** Consideration of an Ordinance to amend Chapter 17.20 (General Property

and Use Standards) – Section 17.20.040 (Development/Design Considerations); Chapter 17.32 (Wireless Communication Facilities); Chapter 17.34 (Introduction) of Division IV (Permits and Review) – Section 17.34.010 (Introduction); and Chapter 17.48 (Conditional Use Permits) – Section 17.48.045 (Minor Conditional Use Permits) of the Rancho Mirage

Municipal Code.

Location: City-wide

**NOTICE IS HEREBY GIVEN** that a Public Hearing will be held before the City of Rancho Mirage PLANNING COMMISSION pursuant to Rancho Mirage Municipal Code Title 17. Pursuant to the provisions of the California Environmental Quality Act (CEQA), Section 15378 of California Code of Regulations, Title 14, Section 15378, the proposed amendments are not considered a "project" under CEQA. Furthermore, the proposed amendments are exempt from CEQA pursuant to Section 15061(b)(3).

The Public Hearing will be held on Thursday, April 24, 2025, at 2:00 p.m., in the Council Chamber, 69-825 Highway 111, Rancho Mirage, California, at which time and place pertinent testimony will be heard. The file, including all environmental information, is available for public inspection at City Hall, Monday through Friday, between 8 a.m. and 5 p.m., and will be posted on the City's website with the publication of the Planning Commission Agenda, to be posted at least 72 hours prior to the meeting.

Written testimony may be submitted to the City Clerk via email to <a href="CityClerk@RanchoMirageCA.gov">CityClerk@RanchoMirageCA.gov</a>, or mailed to City of Rancho Mirage, ATTN: City Clerk, 69-825 Highway 111, Rancho Mirage, CA 92270. Written testimony must be received no later than 11:00 a.m. on the day of the hearing to be considered by the Planning Commission.

**GOVERNMENT CODE § 65009 NOTICE**: If you challenge this proposed activity in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission sufficiently prior to the Public Hearing to enable its consideration by them.



Development Services Department 69-825 Highway 111 Rancho Mirage CA 92270

Phone 760/328-2266 Fax 760/324-9851

# **NOTICE OF EXEMPTION**

То:	State Clearinghouse 1400 10 <sup>th</sup> Street Sacramento, CA 95812		Riverside County Clerk P.O. Box 751 Riverside, CA 92501
Projec	ct Title/Case Nos. Zoning Text	Amendment Case No. ZTA25-00	001
Project Location: City-wide		Applicant/Representative: City of Rancho Mirage Attn: Ben Torres, Planning Manger 69825 Highway 111 Rancho Mirage, CA 92270	Project Description: The "Proposed Project" is an ordinance, proposing various amendments Title 17 (Zoning) of the Rancho Mirage Municipal Code.
	of Public Agency Approving F f Rancho Mirage		Ben Torres
Evami	pt Status: (check one)	I	Planning Manager
Mi Em	nisterial (Sec. 21080(b)(1); 1526 nergency Project [Sec. 21080(b tegorical Exemption. State typ	o)(4); 15269(b)(c)]; 🔲 Statu	ared Emergency [Sec. 21080(b)(3); 15269(a)] utory Exemption; Code Nº
Ot Reaso of Ree environment of R	her: CEQA Section 15061(b)(3) ons why project is exempt: This gulations, Section 15378, be onmental change, but even as A pursuant to 15061(b)(3) in the en with certainty that there onment. The following are enty and Use Standards) — less Communication Facilities	s Ordinance is not a "project" uscause it will not cause a direct suming arguendo that the act that the amendments involve us no possibility that the amendments involve us no possibility that the amendments within Section 17.20.040 (Develops); Chapter 17.34 (Introduction pter 17.48 (Conditional Use F	under CEQA pursuant to Title 14 California Codect (or reasonably foreseeable indirect) physication is a "project" under CEQA, it is exempt from general policy and procedure making, and it can endments will have a significant effect on the Municipal Code: Chapter 17.20 (General pment/Design Considerations); Chapter 17.3 (n) of Division IV (Permits and Review) – Section Permits) – Section 17.48.045 (Minor Conditional
Lead A	Agency Contact Person: Ben T	Orres, Planning Manager	Telephone No. <u>(760)</u> 328-2266
Date:		Ben Tor	rres, Planning Manager
⊠ Sig	gned by Lead Agency		



TO: Planning Commission/City Council DATE: April 24, 2025

**FROM:** Colin Kirkpatrick, City Attorney

SUBJECT: Zoning Text Amendment Case No. ZTA25-0001

### SPECIFIC REQUEST OR RECOMMENDATION

That the Planning Commission and City Council consider and receive and file the City Attorney's Independent Analysis of the Ordinance approving Zoning Text Amendment Case No. ZTA25-0001.

### **Background**

Since the Zoning Text Amendment requires the adoption of an ordinance, the City Attorney is required to make determinations which address whether the City has the legal authority to adopt said ordinances.

Rancho Mirage Municipal Code Section 1.04.031 (Review And Approval Of Legal Form Of Ordinances By City Attorney) provides that "[n]o ordinance shall be deemed effective unless the City Attorney determines that the City has the authority to adopt the proposed ordinance, that the proposed ordinance is constitutionally valid under the state and federal constitutions, and that the proposed ordinance is consistent with the general powers and purposes of the City, the City's Charter, ordinances approved by the voters, and any applicable federal and/or state laws."

### **Legal Authority**

# **Zoning Text Amendments**

California's Planning and Zoning Law (California Government Code §§65000–66499.58) is the framework for local land use regulation. Every city must have a comprehensive, long-term general plan for its physical development. Government Code §65300. Generally, City's zoning ordinances must be consistent with the City's general plan. See Government Code Section 65451. Zoning consistency with the general plan is required for all cities, including charter cities. Government Code 65860

Moreover, Chapter 17.73 (General Plan, Specific Plan and Zoning Text Amendment) of the Municipal Code, in relevant part, provides procedures for initiating and processing amendments to the text of Title 17, which includes, but is not limited to: initiation of amendment by a Council member, City Manager or any Department Director; review by City attorney to make the same determinations set forth in Section 1.04.031, as set forth above; and grants the City Council the authority to take certain actions at their discretion (as set forth in 17.73.030 (Procedure).

Any city may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with applicable state laws. Cal Const art XI, §7. The police power of a city is its right to adopt regulations designed to promote the public convenience or the general prosperity, as well as regulations designed to promote the public health, the public morals, or the public safety. *Chicago, B. & Q. Ry. Co. v Illinois* (1906) 200 US 561, 592, 26 S Ct 341. The exercise of police power must: 1) Be reasonably related to a legitimate governmental purpose. *Birkenfeld v City of Berkeley* (1976) 17 C3d 129, 158. See *Consolidated Rock Prods. Co. v City of Los Angeles* (1962) 57 C2d 515, 522 (there must be reasonable basis in fact to support legislative determination of regulation's wisdom and necessity); and 2) Have a reasonable tendency to promote the public health, morals, safety, or general welfare of the community. *Carlin v City of Palm Springs* (1971) 14 CA3d 706, 711 (city has broad discretion in determining what is reasonable in endeavoring to protect public health, safety, morals, and general welfare of community).

It is the independent opinion of the City Attorney that based on the content and findings in the Staff Report, the Planning Commission Staff Report and Resolution, and proposed ordinance, the City Attorney determines that the City Council has the legal authority to adopt the ordinance, since the proposed ordinance is constitutionally valid under the state and federal constitutions, is consistent with the general powers and purposes of the City, the City's charter, ordinances approved by the voters, and applicable federal and state laws.

<b>RESOL</b>	UTION NO.	

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RANCHO MIRAGE, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL: 1) FIND ADOPTION OF THE ORDINANCE EXEPT FROM CEQA; AND 2) INTRODUCE AND ADOPT THE ATTACHED ORDINANCE [NEXT IN LINE] AMENDING 17.20.040 (DEVELOPMENT/DESIGN CONSIDERATIONS) OF CHAPTER 17.20 (GENERAL PROPERTY AND USE STANDARDS), REPEALING AND REPLACING CHAPTER 17.32 (WIRELESS COMMUNICATION FACILITIES), AMENDING SECTION 17.34.010 (INTRODUCTION) OF CHAPTER 17.34 (INTRODUCTION) OF DIVISION IV (PERMITS AND REVIEW), AND AMENDING SECTION 17.48.045 (MINOR CONDITIONAL USE PERMITS) OF CHAPTER 17.48 (CONDITIONAL USE PERMITS) OF TITLE 17 ("ZONING") OF THE RANCHO MIRAGE MUNICIPAL CODE

**WHEREAS**, the City of Rancho Mirage is a charter city and a municipal corporation of the State of California, and recognized as a political subdivision of the State of California for certain purpose; and

WHEREAS, on March 6, 2025, the City Council received and filed the Wireless Master Plan which contains key data and recommendations on how to improve cellular coverage within the City. The City Council directed staff to initiate the necessary municipal code amendments to streamline the permitting process and to reduce barriers to entitlement for wireless communication facilities. The proposed revisions to Chapter 17.32, as set forth in the Ordinance on Exhibit "A", attached hereto and incorporated herein by this reference (the "Ordinance"), achieve these objectives, while reasonably balancing the aesthetic quality of the City; and

**WHEREAS**, the Ordinance proposes further revisions to the municipal code as part of City's regular maintenance of the Municipal Code to update standards, ensuring internal consistency of Title 17, and ensures the Municipal Code complies with new laws, rules and regulations; and

WHEREAS, the Planning Commission finds, and recommends that City Council find, that the adoption of the Ordinance is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15378 because it is not a "project", and 15061(b)(3) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment because the amendments involve general policy and procedure making; and

**WHEREAS**, the Planning Commission adopted this Resolution at its regular held on April 24<sup>th</sup>, 2025, upon a duly noticed public hearing, noticed in accordance with California Government Code Section 65854.

WHEREAS, the Proposed Project is an amendment to the Municipal Code and is City-wide. Accordingly, a Public Hearing Notice was published in the Desert Sun on April 4, 2025, and posted on April 3, 2025, on the City's website, on the bulletin board in front of City Hall, and at the Rancho Mirage Library and Observatory, informing the public of the Planning Commission's consideration of the Proposed Project, in addition to the Agenda and Staff Report posted on the City's website for public review and inspection at least 72 hours prior to the Planning Commission's April 24, 2025 Regular Meeting.

# NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF RANCHO MIRAGE, CALIFORNIA, DOES HEREBY RESOLVES AS FOLLOWS:

### SECTION 1. RECITALS AND EXHIBITS.

That the foregoing Recitals and attached Exhibit are true and correct and are hereby incorporated by this reference.

## SECTION 2. FINDINGS.

That the Planning Commission finds as follows:

- a) That the proposed adoption of the Ordinance has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA) and CEQA Guidelines, and that adoption of the Ordinance is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15378 because it is not a "project", and 15061(b)(3) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment because the amendments involve general policy and procedure making; and
- b) That all proposed zoning text amendments herein are consistent with the General plan upon consideration of all of its aspects, including without limitation that the proposed amendments further the objectives and policies of the General Plan and do not obstruct their attainment.

### SECTION 3. RECOMMENDATIONS.

That based on the foregoing Findings, as set forth and described herein, and the findings and determinations set forth in the April 24, 2025, Planning Commission Staff Report and the attached Ordinance, the Planning Commission recommends that the City Council take the following actions:

a) Find that adoption of the Ordinance is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15378 because it is not a "project", and 15061(b)(3) because it can be seen with certainty that there is no possibility that the activity in question may

have a significant effect on the environment because the amendments involve general policy and procedure making

- b) Find the amendments to the Municipal Code are consistent with the General Plan upon consideration of all its aspects, in that the proposed amendments further the objectives and policies of the General Plan and do not obstruct their attainment; and
  - c) Adopt the Ordinance.

### SECTION 4. EFFECTIVE DATE.

That this Resolution shall take effect immediately upon its adoption.

# SECTION 5. SEVERABILITY.

That if any provision, section, paragraph, sentence or word of this Resolution or any portion of the Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words as hereby adopted shall remain in full force and effect.

## **SECTION 6.** CERTIFICATION.

That the Secretary to the Planning Commission shall certify as to the adoption of this Resolution and shall cause the same to be processed in the manner required by law.

# SECTION 7. REPEAL OF CONFLICTING PROVISIONS.

That all provisions of any resolution in effect prior to the effective date of this Resolution as adopted by the Planning Commission that are in conflict with the provisions of this Resolution, are hereby repealed.

# PASSED AND ADOPTED on this 24th day of April, 2025.

	Jassen Agostini, Chair		
ATTEST:			
Kristie Ramos, Secretary			
APPROVED AS TO FORM:			
Colin D. Kirkpatrick, City Attorney			

#### **EXHIBIT "A"**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO MIRAGE, CALIFORNIA, AMENDING SECTION 17.20.040 (DEVELOPMENT/DESIGN CONSIDERATIONS) OF CHAPTER 17.20 (GENERAL PROPERTY AND USE STANDARDS), REPEALING AND REPLACING CHAPTER 17.32 (WIRELESS COMMUNICATION FACILITIES), AMENDING SECTION 17.34.010 (INTRODUCTION) OF CHAPTER 17.34 (INTRODUCTION) OF DIVISION IV (PERMITS AND REVIEW), AND AMENDING SECTION 17.48.045 (MINOR CONDITIONAL USE PERMITS) OF CHAPTER 17.48 (CONDITIONAL USE PERMITS) OF TITLE 17 ("ZONING") OF THE RANCHO MIRAGE MUNICIPAL CODE

[TO BE ATTACHED]

# ORDINANCE NO. 2025-\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO MIRAGE, CALIFORNIA, 1) FINDING ADOPTION OF THIS ORDINANCE EXEMPT FROM CEQA; AND 2) AMENDING SECTION 17.20.040 (DEVELOPMENT/DESIGN CONSIDERATIONS) OF CHAPTER 17.20 (GENERAL PROPERTY AND USE STANDARDS), REPEALING AND REPLACING CHAPTER 17.32 (WIRELESS COMMUNICATION FACILITIES), AMENDING SECTION 17.34.010 (INTRODUCTION) OF CHAPTER 17.34 (INTRODUCTION) OF DIVISION IV (PERMITS AND REVIEW), AND AMENDING SECTION 17.48.045 (MINOR CONDITIONAL USE PERMITS) OF CHAPTER 17.48 (CONDITIONAL USE PERMITS) OF TITLE 17 ("ZONING") OF THE RANCHO MIRAGE MUNICIPAL CODE<sup>1</sup>

**WHEREAS**, the City of Rancho Mirage ("City") is a charter city and a municipal corporation of the State of California, and recognized as a political subdivision of State of California for certain purpose; and

WHEREAS, on March 6, 2025, the City Council received and filed the Wireless Master Plan which contains key data and recommendations on how to improve cellular coverage within the City. The City Council directed staff to initiate the necessary municipal code amendments to streamline the permitting process and to reduce barriers to entitlement for wireless communication facilities. The proposed revisions to Chapter 17.32 achieve these objectives, while reasonably balancing the aesthetic quality of the City; and

**WHEREAS**, this ordinance proposes further revisions to the municipal code as part of City's regular maintenance of the Municipal Code to update standards, ensuring internal consistency of Title 17, and ensures the Municipal Code complies with new laws, rules and regulations; and

**WHEREAS**, the City Council finds that the adoption of this Ordinance is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15378 because it is not a "project", and 15061(b)(3) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment because the amendments involve general policy and procedure making.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO MIRAGE DOES ORDAIN AS FOLLOWS:

<sup>&</sup>lt;sup>1</sup> Title of Ordinance and further proposed municipal code amendments may be presented to the City Council if staff proposes additional Municipal Code revisions which are outside the purview of the Planning Commission, and therefore go directly to City Council.

## Section 1. RECITALS AND EXHIBITS

That the above Recitals and attached Exhibits are true and correct and are incorporated as though fully set forth herein.

# <u>SECTION 2</u>. EVIDENCE AND ADMINISTRATIVE RECORD

That the City Council conducted a noticed Public Hearing on [INSERT], 2025, and considered all of the evidence submitted into the administrative record for the proposed Ordinance, including, but not limited to, the following, which are all hereby incorporated herein by reference:

- (a) Rancho Mirage Municipal Code;
- (b) Rancho Mirage General Plan and Title 17 (Zoning) of the Rancho Mirage Municipal Code and all relevant provisions contained therein;
- (c) Notice of Planning Commission Public Hearing scheduled for April 24, 2025, at 2:00 p.m. in the Council Chamber, located at City Hall at 69-825 Highway 111, Rancho Mirage, California;
- (d) Planning Commission Staff Report, attachments and Staff presentation for the proposed Ordinance, and all public documents, records and references related thereto submitted or provided at or prior to the April 24, 2025, Planning Commission Public Hearing;
- (e) Testimony and/or comments from all persons that were provided in written format or correspondence, at, or prior to, the April 24, 2025, Planning Commission Public Hearing;
- (f) Notice of City Council Public Hearing scheduled for [INSERT], 2025, at 1:00 p.m. in the Council Chamber, located at City Hall at 69-825 Highway 111, Rancho Mirage, California;
- (g) City Council Staff Report, attachments and Staff presentation for the proposed Ordinance, and all public documents, records and references related thereto submitted or provided at or prior to the [INSERT[, 2025, City Council Public Hearing; and
- (h) Testimony and/or comments from all persons that were provided in written format or correspondence, at, or prior to, the [INSERT], 2025, City Council Public Hearing.

## Section 3. FINDINGS

That the City Council finds that all proposed zoning text amendments herein are consistent with the General plan upon consideration of all of its aspects, including without limitation that the proposed amendments further the objectives and policies of the General Plan and do not obstruct their attainment.

# Section 4. AMENDING SECTION 17.20.040 (DEVELOPMENT/DESIGN CONSIDERATIONS) OF CHAPTER 17.20 (GENERAL PROPERTY AND USE STANDARDS) OF TITLE 17 ("ZONING") OF THE RANCHO MIRAGE MUNICIPAL CODE

That Section 17.20.040 (Development/Design Considerations) of Chapter 17.20 (General Property and Use Standards) of Title 17 ("Zoning") of the City of Rancho Mirage Municipal Code, is hereby amended as set forth in more detail on Exhibit "A", attached hereto and incorporated herein by this reference.

# Section 5. REPEALING AND REPLACING CHAPTER 17.32 (WIRELESS COMMUNICATION FACILITIES) OF TITLE 17 ("ZONING") OF THE RANCHO MIRAGE MUNICIPAL CODE

That Chapter 17.32 (Wireless Communication Facilities) of Title 17 ("Zoning") of the City of Rancho Mirage Municipal Code, is hereby repealed in its entirety and replaced with a new Chapter 17.32 as set forth in more detail on Exhibit "B", attached hereto and incorporated herein by this reference.

# Section 6. AMENDING SECTION 17.34.010 (INTRODUCTION) OF CHAPTER 17.34 (INTRODUCTION) OF DIVISION IV (PERMITS AND REVIEW) OF TITLE 17 ("ZONING") OF THE RANCHO MIRAGE MUNICIPAL CODE

That 17.34.010 (Introduction) of Chapter 17.34 (Introduction) of Division IV (Permits and Review) of Title 17 ("Zoning") of the City of Rancho Mirage Municipal Code, is hereby amended as set forth in more detail on Exhibit "C", attached hereto and incorporated herein by this reference.

# Section 7. AMENDING SECTION 17.48.045 (MINOR CONDITIONAL USE PERMITS) OF CHAPTER 17.48 (CONDITIONAL USE PERMITS) OF TITLE 17 ("ZONING") OF THE RANCHO MIRAGE MUNICIPAL CODE

That Section 17.48.045 (Minor Conditional Use Permits) of Chapter 17.48 (Conditional Use Permits) of Title 17 ("Zoning") of the City of Rancho Mirage Municipal Code, is hereby amended as set forth in more detail on Exhibit "D", attached hereto and incorporated herein by this reference.

## Section 8. ENVIRONMENTAL REVIEW

That the City Council finds that the adoption of this Ordinance is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15378 because it is not a "project", and 15061(b)(3) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment because the amendments involve general policy and procedure making.

### Section 9. CITY ATTORNEY REVIEW

That the City Attorney prepared and framed this Ordinance pursuant to Section 1.04.010 of the Municipal Code and finds that the City Council has the authority to adopt this Ordinance, that the Ordinance is constitutionally valid and that the Ordinance is consistent with the general powers and purposes of the City as set forth in Section 1.04.031 of the Rancho Mirage Municipal Code.

# Section 10. SEVERABILITY

That the City Council declares that, should any provision, section, paragraph, sentence or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Ordinance as hereby adopted shall remain in full force and effect.

# Section 11. REPEAL OF CONFLICTING PROVISIONS

That all the provisions of the Rancho Mirage Municipal Code as heretofore adopted by the City that are in conflict with the provisions of this Ordinance are hereby repealed.

### Section 12. AMENDING OF BAIL SCHEDULE

That the City Attorney's Office is hereby directed to determine whether this Ordinance necessitates amendment of the City's Bail Schedule and to cause such necessary amendments to be made and filed with the local branches of the Superior Court of the County of Riverside.

### Section 13. EFFECTIVE DATE

That this Ordinance shall take effect thirty (30) days after its second reading.

### Section 14. CERTIFICATION

That the City Clerk shall certify to the passage of this Ordinance, and cause it to be published as required by law.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

The foregoing Ordinance Council held on	was approved and adopted at a meeting of the City , 2025, by the following vote:
Ayes: Noes: Abstain: Absent:	
	CITY OF RANCHO MIRAGE
	Ted Weill, Mayor
ATTEST:	
Kristie Ramos, City Clerk	
APPROVED AS TO FORM:	
Colin Kirkpatrick, City Attorney	<del></del>

# **EXHIBIT "A"**

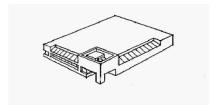
# AMENDING SECTION 17.20.040 (DEVELOPMENT/DESIGN CONSIDERATIONS) OF CHAPTER 17.20 (GENERAL PROPERTY AND USE STANDARDS) OF TITLE 17 ("ZONING") OF THE RANCHO MIRAGE MUNICIPAL CODE

[SEE ATTACHED]

# § 17.20.140. Screening and buffering.

This section establishes standards for the screening, buffering, and separation of adjoining residential and nonresidential land uses.

- A. Screening Between Different Land Uses. Wherever a parcel zoned for commercial, industrial, or institutional purposes adjoins a residential zoning district/use, at the time of nonresidential construction there shall be erected along the property line adjoining the residential zoning district/use a six-foot high solid decorative wall with a stucco or equivalentfinish. The wall shall be architecturally treated on both sides, subject to the approval of the director. The wall separating the nonresidential use from adjoining residential use/district may exceed six feet, up to a maximum of eight feet in height for increased screening, as measured from the finished grade of the affected residential property, if all of the following requirements are met:
  - 1. Walls exceeding six feet in height shall be subject to approval or modification of a development plan permit;
  - 2. Increased wall heights shall be allowed where additional height is necessary to protect the privacy of residents from intrusive elements of adjacent nonresidential development;
  - 3. Increased wall heights shall be allowed only in locations where existing or future residents' mountain views would not be adversely impacted; and
  - 4. Walls exceeding six feet in height may be installed only if all structural requirements are met as determined by the city building official.
- B. Mechanical Equipment. Any mechanical equipment, whether on the roof, side of structure, or ground, shall be properly screened from public view. The method of screening shall be architecturally compatible in terms of colors, materials, shape, and size. Conduits and pipes shall not be located along the building exterior and shall be routed within the building, as allowed by federal, state, and local laws. The screening design and construction shall be subject to the approval of the director and shall blend with the design of the structure and include appropriately installed and maintained landscaping whenon the ground. In addition, mechanical equipment and screening shall be installed as follows:
  - 1. Located back of the front setback line;
  - 2. Vents located not less than five feet from any screening wall; and
  - 3. Screening wall material, color, and textures to match the adjoining structure or the perimeter wall.



C. Noise Buffering. Walls separating residential properties from adjacent arterial streets may

exceed six feet, up to a maximum of eight feet, as measured from the finished grade of the residential property if all of the following requirements are met:

- 1. The additional height is necessary to reduce existing motor vehicle noise levels below the 65 Community Equivalent Noise Level (CNEL) as measured from the affected residential property;
- 2. Adjacent roadway noise levels shall first be minimized by the application of asphalt rubber hot mix as a prior noise mitigation measure;
- 3. Additional wall height and materials at existing residential developments shall be uniformly applied over the entire length of the wall segment facing the public street, subject to the director's approval;
- 4. Enhanced landscaping shall be installed in the public street parkway to soften the appearance of the higher wall, subject to the director's approval; and
- 5. Walls exceeding six feet in height may be installed if all structural requirements are met as determined by the city building official.
- D. Solar Collectors. Solar collectors, pursuant to the Solar Rights Act of 1978 (as amended), shall be allowed on the roof of all permitted residential and commercial structures including public facilities. Solar collectors shall not extend above the maximum allowable height of the structure. Collectors may be mounted on racks which are suitably enclosed, screened behind a parapet wall or otherwise architecturally designed to blend in with the proposed or existing structure and screen any support structure mechanisms. Manifolds, supply and return lines shall be painted to match the adjacent building or roof surface.
  - 1. All new residential construction shall be "solar ready," meaning that electrical panel capacity is provided, and conduits are provided within the walls and/or attic space to a roof connection for PV panels.

(Ord. 777 § 1 (Exh. A), 2002; Ord. 931 § 1, 2006; Ord. 1023 § 2, 2011; Ord. 1070 § 2, 2013)

# **EXHIBIT "B"**

# REPEALING AND REPLACING CHAPTER 17.32 (WIRELESS COMMUNICATION FACILITIES) OF TITLE 17 ("ZONING") OF THE RANCHO MIRAGE MUNICIPAL CODE

[SEE ATTACHED]

## **CHAPTER 17.32 WIRELESS COMMUNICATION FACILITIES**

### 17.32.010 Title and Purpose.

This chapter shall be known as the Wireless Communications Facilities Ordinance. The purposes of this chapter are to assure that wireless communications networks are completed in the least visible fashion, and with the least disruptive impact on the neighborhoods and the communities within the city of Rancho Mirage. The regulations set forth in this chapter are adopted to serve, protect and promote the public health, safety and welfare, and to preserve and enhance the aesthetic qualities of the city of Rancho Mirage, as set forth in the goals, objectives and policies of the general plan, while concurrently allowing for the orderly and efficient development of a wireless communications infrastructure in accordance with the Federal Telecommunications Act of 1996. It is the public policy of this city to advance and preserve the aesthetics of this city by the undergrounding and removal of all overhead telephone and power poles, antennas and lines. Therefore, while the present state of cellular technology may require the use of above ground electronics or antennas, it is the policy of this city that all cellular equipment and antennas shall be architecturally disguised and hidden from public view. The location of all cellular equipment shall also be in compliance with all standards, except height, of the zoning district in which it is proposed. (Ord. 778 § 1 (Exh. A), 2002)

The purpose of this chapter is to provide a uniform and comprehensive set of standards for the development of wireless communication facilities. The regulations contained herein are intended to protect and promote public health, safety, and welfare and the aesthetic quality of the city while providing reasonable opportunities for communication services to provide such services in a safe, effective and efficient manner. These regulations are intended to address the following community concerns:

- A. Enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively, and efficiently, while balancing aesthetic quality of the city;
- B. <u>To ensure radio frequency radiation is in compliance with federal</u> requirements;
- C. Encourage users of towers and antennas to configure them in a way that minimizes the adverse visual impact of the towers, antennas, and facilities through careful design, siting, landscape screening, and innovative camouflaging techniques; and
- D. <u>To allow new communication technology in appropriate areas within the City</u> to promote access to wireless communications services.

## 17.32.020 Applicability.

This chapter applies to all wireless communications facilities existing and proposed to be located within the corporate limits of the city of Rancho Mirage, California, including personal wireless services as defined by the Telecommunications Act of 1996 (TCA) and licensed by the Federal Communications Commission, including, but not limited to, the types commonly known as cellular, personal communications services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), paging, land based repeaters for satellite broadcast services, micro-cell antennae and similar systems which exist now or may be developed in the future and exhibit technological characteristics similar to them. This chapter shall also apply to wireless communication facilities within public rights-of-way except as prohibited by state and federal law.

Wireless communications facilities proposed to be located in Rancho Mirage may be constructed only pursuant to a permit issued by the city in accordance with this chapter and shall comply with Municipal Code Title 17 Zoning and all other applicable laws and regulations.

This chapter does not apply to hand-held mobile phones, satellite dishes less than eighteen inches in diameter, amateur radio facilities, receiving antennae for AM and FM radio and television, or other facilities which may be exempt pursuant to applicable state or federal law, which may be governed by other laws including, but not limited to, city of Rancho Mirage Municipal Code. (Ord. 778 § 1 (Exh. A), 2002)

#### 17.32.030 Definitions.

For the purposes of this chapter, the following definitions apply. These definitions shall be adapted to the context for appropriate grammatical tense, number, case and gender.

"Ancillary structures" means any structure or device used to contain ancillary equipment for a wireless communications facility, such as cabinets, shelters, and additions to existing structures, pedestals, and other devices serving similar purposes. Typically it includes an air conditions unit, a heating unit, electrical supply, telephone hookup and back-up power supply and may include any service roads or other access accommodations used to service the facility.

"Antenna" means a device or system of wires, poles, rods, dishes or other devices of similar function, used for the transmission and/or reception of radio frequency signals for wireless communications, as described in the Telecommunications Act of 1996. It may include an omnidirectional antenna (whip), a directional antenna (panel) and parabolic antenna (disc). It does not include the support structure means any system of wires, poles, rods, panels, reflecting discs or similar devices used for the transmission or reception of radio frequency electromagnetic waves.

"Antenna array" means a set of one or more antenna.

"Applicant/permittee" means the person or firm applying for the permit and also refers to the wireless communication facility service provider.

"Building-mounted" means any antenna, or other antenna associated support equipment resting on the ground, directly attached or affixed to the building, tank, tower or other structure other than a wireless communication tower.

"Co-location"\_means the use of a common wireless communications facility or common site by two or more service applicant/permittees, or use by one applicant/permittee of a single site for two or more technologies. It is also called site sharing means the placement of two (2) or more wireless communication facilities service providers sharing one (1) support structure or building for the location of their facilities. It is also called site sharing.

"Director" means the director of <del>community development</del> <u>development services</u>, city of Rancho Mirage.

"Existing facilities" means an existing structure located in the public right-of-way or a building with an approved site development permit and/or an existing wireless communication facility with a previously approved conditional use permit.

"FAA" means the Federal Aviation Administration.

"Facility <u>or Wireless Communication Facility</u>" means any component of the wireless communication installation including any towers, antennae, and antenna array.

"FCC" means the Federal Communication Commission.

"FCC OET Bulletin 65" refers to the Federal Communication Commission Office of Engineering and Technology Bulletin 65 entitled "Evaluating Compliance with FCC Guidelines for Human Exposure to Radio frequency Electromagnetic Fields", as may be revised from time to time.

"Ground-mounted" means an antenna or other antenna associated support equipment with its support structure placed directly on the ground.

"Hand-held source" means a transmitter normally operated while being held in the hands of the user.

"NIER" means non-ionizing electromagnetic radiation.

"Roof-mounted" means an antenna directly attached to the roof of an existing building, water tank, tower or structure other than a communication tower.

<u>"Satellite dish"</u> means any device incorporating a reflective surface that is solid, open mesh or bar configuration, that is shallow dish, cone, horn, bowl or cornucopia or similar shaped and is used to transmit and/or receive electromagnetic or radio frequency communication/signals in a specific directional pattern.

- "Small cell facilities" means any wireless communication facility that meets the following exact conditions, as defined by the FCC in Title 47 Code of Federal Regulations (CFR) 1.6002(I) as a "small wireless facility", as may be amended:
- 1. The facilities and its structure on which antenna facilities are mounted are:
- a. Fifty (50) feet or less in height, including antennas, as defined in 47 CFR 1.1320(d), or
- b. No more than ten percent (10%) taller than other adjacent structures, or
- c. Does not extend an existing structure on which it is located to a height of more than fifty (50) feet or by more than ten percent (10%) above its height as a result of the addition of the facility, whichever is greater; and
- 2. Each antenna associated with the deployment (excluding the associated equipment with that specific antenna, as defined in the definition of antenna in 47 CFR 1.320(d)) is no more than three (3) cubic feet in volume; and
- 3. All antenna and other wireless equipment associated with the small cell facility's antennas, including any pre-existing associated equipment on the structure (but, excluding the antennas themselves) are cumulatively no more than twenty-eight (28) cubic feet in volume; and
- 4. The facility does not require antenna structure registration under Title 47, Part 17 of the Code of Federal Regulations; and
- 5. The facility is not located on Tribal lands, as defined under Title 36, Section 800.16(x) (or successor provision) of the Code of Federal Regulations; and
- 6. The facility does not result in human exposure to radiofrequency radiation in excess of the applicable safety standards specified in FCC Rule 1.1307(b).
- "Stealth" means improvements or treatments added to a wireless communication facility which mask or blend the proposed facility into the existing structure or visible backdrop in such a manner as to minimize its visual impacts, or any design of a wireless communication facility to achieve same. Stealth designs may utilize, but do not require, concealment of all components of a facility. Examples of stealthing include, but are not limited to, the design and construction of a tower so that it is disguised as a flagpole, tree, palm or sculpture, or the incorporation of colors and design features of nearby structures.
- "Structure" means a pole, tower, base station, or other building, whether or not it has an existing antenna facility, that is used or to be used for the provision of personal wireless service (whether on its own or comingled with other types of services).

(Ord. 778 § 1 (Exh. A), 2002)

#### 17.32.040 Preferred locations.

Wireless communications facilities are encouraged to be located in commercial, industrial and public/semi-public zoning districts whenever feasible. Applicants are encouraged to site facilities on existing commercial and industrial buildings. Co-location is encouraged. where enclosed within an integrated architectural element such as a tower feature or behind a parapet wall on a building, but is discouraged on artificial trees, flag poles, or other stealth designs because of the anticipated difficulties in addressing visual impact. (Ord. 778 § 1 (Exh. A), 2002; Ord. 1029 § 2, 2011)

- 1. In the instance where a facility is proposed within one hundred feet of residential zoning or child day care centers, the applicant shall submit a narrative description of alternative sites considered, if any, and include specific reasons why these alternative sites were not chosen. Drawings shall include the location of all schools, child day care centers, hospitals, and residential dwellings within one hundred feet of the antenna array.
- 17.32.050 Conditional use permit application required. Approval standards.
- A. <u>Except as specifically otherwise noted, general approval standards for all</u> communication facilities include:
  - Compliance with all federal and state statutes, laws, rules and regulations, including, but not limited to, FCC licensing, NIER levels, and FAA requirements;
  - 2. Addition of the planned equipment to an existing or approved facility shall not result in NIER levels in excess of those permitted by the FCC;
  - 3. Antennas, equipment, and all ancillary components shall be stealth to the maximum extent feasible.

### **B.** Facility Provisions.

- 1. All towers shall incorporate stealth/camouflaged design(s) to the maximum extent feasible, to avoid adverse visual impacts to the surrounding properties and the community as a whole.
- 2. The base of the tower shall comply with the setback standards in the underlying zoning district at minimum and may be required to provide additional setbacks dependent on potential impacts.
- 3. Notwithstanding any other provision of this chapter, the installation of wireless communication facilities and ancillary structures shall not be subject to any absolute height limit, provided the proposed facility addresses potential visual impacts as specified below and is shown to be necessary to fulfill the coverage needs:

Addressing Visual Impacts. All applications shall demonstrate how the proposed wireless communications and ancillary structures shall be designed so that observers will be unable to discern the presence of wireless communications antenna or antenna array on the project site. This objective shall be achieved through one or more of the following techniques:

- a. Architecture. Enclosed within an integrated architectural element.
- b. Stealth Design. The facility shall be designed to visually and operationally blend into the surrounding area, in a manner compatible with the local community character. The facility shall use the quietest cooling equipment commercially available and whisper emergency generating apparatus. Where artificial trees (for example monopalms) are proposed, a landscaping and irrigation plan shall be submitted with the application that includes additional landscape to conceal the facility, including additional live trees. Live trees shall be planted that are in reasonable proportion and height to screen the proposed facility. In cases where flag poles are used to conceal communications equipment, the pole shall be located in a pedestrian plaza or formalized/enhanced landscape setting and may not require additional screening. All ground mounted equipment shall be effectively screened with an architectural wall or placed underground.
- c. Landscape Screening. The applicant/permittee shall provide a landscape plan to screen the facility as part of the CUP submittal. When trees are to be removed, the replacement tree shall be shown on the landscape plan.
- 6. The proposed tower shall be designed structurally to accommodate the maximum number of foreseeable users, including all potential co-location scenarios.
- 7. All accessory structures associated with a tower shall comply with the setback standards in the underlying zoning district, unless determined otherwise by the Director.
- 8. If lighting is proposed, a photometric plan shall be submitted for consideration. Lighting shall be consistent with Section 17.18.050 of the Municipal Code.
- 9. Existing on-site vegetation shall be preserved to the maximum extent feasible and may be required to be enhanced.
- C. Roof-Mounted and Building-Mounted Communication Facilities.
  - 1. All building-mounted facilities shall be screened in compliance with Section 17.20.140.

- 2. Equipment shall not be visible to surrounding properties, or shall be screened to match existing structures.
- 3. All equipment shall blend or architecturally match the existing design of the building. Elements used to screen roof-mounted or building-mounted equipment shall not appear as "add-on" elements to the existing building.

# D. Small Cell Facilities.

- 1. All small cell facilities shall be required to meet the following standards:
  - a. Painted or treated to match the pole and/or structure on which it is to be located.
  - b. All wiring shall be enclosed within the antenna, pole and/or structure so that it is not visible from the right-of-way or neighboring parcels.
  - c. All antennas shall not exceed twelve (12) inches in diameter and thirtysix (36) inches in height.
  - d. All ground-mounted equipment shall be fully screened in equipment cabinets integrated within the base of the pole or in a permanent cabinet located within the approved location.
  - e. All small cell facilities shall incorporate stealth/camouflaged design(s) to the maximum extent feasible, and as allowed by pertinent law, to avoid adverse visual impacts to the surrounding properties and the community as a whole.
- 2. Small cell facilities shall only be mounted on the top of, or within the top five (5) feet of a structure.
- 3. The associated equipment (as that term is used in the definition of small cell facilities) shall be located within the base of the pole on which the small cell is located, only if such equipment does not impede the path of travel or reduce a sidewalk to a width narrower than that required by the Americans with Disabilities Act (ADA) and/or building code in effect at the time. If appurtenant equipment is to be located in a ground-mounted cabinet, it shall be placed on a permanent foundation in the landscaped parkway of the public right-of-way, and shall be screened by landscaping to the satisfaction of the director.
- 4. Small cell facilities shall not be located within twenty-five (25) feet of a residential structure, unless approved by the owner of the residence, or homeowners association/membership if the residence is located within a homeowners association/membership, or Development Services Director.
- <u>5. Prior to applying for a permit for the development and deployment of a small cell facility, the applicant must demonstrate compliance with either of the following standards (or some combination thereof where necessary):</u>
  - a. Where the facility is to be located on city-owned property, the applicant must have a fully executed lease, license, or other

- <u>reasonable city-approval indicating that the city has consented to the proposed facility.</u>
- b. Any other application shall be accompanied by proof that the applicant has sufficient rights to install and maintain the proposed facility.
- E. Other Facilities. Other facilities are described as those communication facilities that do not fit the descriptions above. These facilities may include, but are not limited to, rock features and other wireless communication facility designs. All communication facilities shall be stealth to the maximum extent feasible.

Wireless communication facilities and ancillary structures require an application for a conditional use permit, which shall contain all information required by Section 17.32.070 (Supplementary materials).-(Ord. 778 § 1 (Exh. A), 2002)

# 17.32.060 Reviewing authority.

The planning commission shall make recommendations to the city council on applications made pursuant to this chapter and the city council shall be the final reviewing authority; however, wireless communication facilities which are to be completely enclosed within an existing structure shall be subject to the review and approval of the community development director.

(Ord. 778 § 1 (Exh. A), 2002; Ord. 818 § 6, 2002; Ord. 912 § 1, 2005)

- A. All new communication facilities shall require a conditional use or modification permit with the review authority detailed below unless determined otherwise by the Director in accordance with Section 17.34.010:
  - 1. <u>Director review authority for a new wireless communication facility</u> established on an existing building or structure.
  - 2. <u>Planning Commission review authority for new wireless communication facility tower located within a project site with an existing or entitled tower.</u>
  - 3. <u>City Council review authority for new wireless communication facility</u> towers.
- B. Additions, such as additional antennas or equipment or size increases, to approved existing facilities/sites may require a modification permit for director approval. All modifications and/or additions shall be reviewed on a case-by-case basis. Wireless communication facilities which are to be completely enclosed within an existing structure shall be subject to the review and approval of the director.

### 17.32.070 Supplementary materials.

<u>In all cases, unless otherwise waived by the director, an application for approval of a wireless communication facility shall include, at a minimum:</u>

A. Description of Services. A description of the services the applicant/permittee proposes to offer at the proposed site, including:

- A description of the location, type, capacity, field strength or power density, and calculated geographic service area of the proposed antenna or antenna array. The city retains the right to retain experts to review and assess the technical data.
- 2. Documentation that the applicant/permittee has obtained and is in compliance with all applicable licenses, permits or authorizations required by the Federal Communications Commission. A copy of the applicant's lease with the property owner shall be submitted to the community development department prior to issuance of a building permit for the wireless communication facility. If the lease is extended or terminated, notice and evidence thereof shall be provided to the director. Upon termination or expiration of the lease, the wireless communication facility shall be removed within ninety days or be considered abandoned.
- 3. Location of all existing, proposed and anticipated wireless communications facilities in the applicant/permittees network located in the city, or within one-half mile of the city's corporate limit in any direction.
- 4. A description of how the proposed facility fits into the applicant/permittee network.
- 5. In the instance where a facility is proposed within one hundred feet of residential dwellings, schools, child day care centers and hospitals, the applicant/permittee shall submit a narrative description of alternative sites considered, if any, and include specific reasons these alternative sites were not chosen.
- 6. If in a residential zone, locate each of the closest commercial zones and show why these sites were not chosen.

B. Design. All project applications shall adhere to the following criteria and describe location of site:

- 1. Site Characteristics. Completely describe the physical characteristics and location of the site.
- Location Relative to Residential Dwellings, Schools, Child Day Care Centers, and Hospitals. Drawings shall include the location of all schools, child day care centers, hospitals, and residential dwellings within one hundred feet of the antenna array.
- 3. Addressing Visual Impacts. All applications shall demonstrate how the proposed wireless communications and ancillary structures shall be designed so that observers will be unable to discern the presence of wireless communications antenna or antenna array on the project site. This objective shall be achieved through one or more of the following techniques:
  - a. Architecture. Enclosed within an integrated architectural element.
  - b. Stealth Design. The facility shall be designed to visually and operationally blend into the surrounding area, in a manner compatible with the local community character. The facility shall use the most quiet cooling equipment and whisper emergency generating apparatus. Artificial trees may be permitted in exceptional circumstances but are generally

disfavored. When artificial trees are proposed, all paint, materials and colors shall be listed by manufacturer and color number. When an artificial tree is proposed, the applicant/permittee shall provide sufficient samples, models or other information to demonstrate that alternative designs have been considered and rejected, and the reasons for the rejections. Where artificial trees (monopalms) are proposed, a landscaping and irrigation plan shall be submitted with the application that includes, at a minimum, a cluster of live palm trees aesthetically similar to the proposed monopalm. Live palm trees shall be planted that are in reasonable proportion and height to screen the proposed monopalm. In cases where flag poles are used to conceal telecommunications equipment, the pole shall be located in a pedestrian plaza or formalized/enhanced landscape setting and may not require additional screening. All ground mounted equipment shall be effectively screened with an architectural wall or placed underground.

- c. Landscape Screening. The applicant/permittee shall provide a landscape plan to screen the facility as part of the CUP submittal. When trees are to be removed, the replacement tree shall be shown on the landscape plan.
- C. Operational Plan. All applications for wireless communications facilities shall include written assurances that the facilities shall be operated in accordance with the following:
  - 1. A lighting plan must be included with the CUP application.
  - 2. Maintenance. All facilities, landscaping, and related equipment shall be maintained in good working order and free from trash, debris, graffiti and designed to discourage vandalism. Any damaged equipment shall be repaired or replaced within twenty-four hours. Damaged, dead or decaying plant materials shall be removed and replaced within ten days from the date of notification.
  - 3. Monitoring. Once the wireless communications facility is operating, the city may, if a legitimate concern regarding the facility arises, require the applicant/permittee to submit documentation that the facility is operating within the technical standards as described in the application and the Federal Communications Commission permit. Independent field strength or power density measurements shall be provided to the director within thirty days of written request to the applicant/permittee.

Within thirty days before or after the first and second annual anniversary of when the city issues any permit authorized by this chapter, the applicant/permittee shall submit the following information, in writing, to the director:

- a. Confirmation that the facility continues to operate in compliance with all terms and conditions of approval by the city.
- b. Independent field strength measurements or power density plot taken within the past thirty days that verify that the facility continues to operate in compliance with all terms and conditions and emissions standards imposed by the Federal Communications Commission.

- c. Confirmation that the facility continues to function as an essential element of the applicant/permittees network.
- d. Documentation of any complaints received by the applicant/permittee since the inception of operations regarding the operation and maintenance of the facility, including the applicant/permittees actions to address the complaints.

(Ord. 778 § 1 (Exh. A), 2002; Ord. 1029 § 2, 2011)

- A. A site plan or plans drawn to scale and identifying the site boundaries; tower(s); guy wires; existing and proposed facilities; vehicular parking and access; existing vegetation to be added, retained, removed or replaced; and uses, structures and land use and zoning designations on the site and abutting parcels.
- B. A plan drawn to scale showing proposed landscaping, including species type, size, spacing and other features.
- C. Photo simulations showing the proposed wireless communication facility and surrounding features. Photo simulations shall include at least three (3) different angles of the proposed facility at different distances from the location, including before and after visualizations.
- D. Propagation maps showing all existing wireless communication facilities within a ten (10)-mile radius of the proposed facility. The propagation maps shall show existing coverage without the proposed site, predicted coverage with the proposed site and existing sites, and the predicted coverage of only the proposed site. Propagation maps shall show the predicted coverage for indoor, in vehicle, and outside service. Maps at varying wireless communication facility heights may be required.
- E. The applicant shall provide a project information and justification letter. The letter shall provide the project location, contact information, a project description and project objectives, alternative site analysis and justification for why the proposed site was chosen over existing sites. The letter shall include justification for the selected site and a benefits summary on how the proposed site will improve wireless communication access in the community.
- F. Engineering certification demonstrating compliance with all existing RF emissions standards and structural requirements. The technical information submitted must also include technical support/analysis to justify the proposed height of the antenna mount.
- G. Documentation that the applicant/permittee has obtained and is in compliance with all applicable licenses, permits or authorizations required by the Federal Communications Commission and FAA.

# H. The applicant shall provide a letter of authorization from the property owner/authorized agent.

# 17.32.080 Construction time, abandonment and decommissioning. Operations and maintenance.

All wireless communications facilities which receive a permit under this chapter shall be completed and operational within one hundred eighty calendar days of the issuance of the permit and all related permits or licenses. The construction time may be extended for an additional one hundred eighty calendar days upon a showing of good faith efforts to complete the facility, which shall take into account complications beyond the control of applicant/permittee. If the facility is not completed and operational by the end of the extension period, then the permit shall expire, and the applicant/permittee must reapply for the permit; however, this provision shall not apply when the applicant/permittee demonstrates to the satisfaction of the director that the operational delay is due entirely to factors beyond the control of the applicant/permittee, in which event the director may extend the construction time in his or her discretion.

Any facility that ceases operating for more than ninety consecutive days shall be considered abandoned. In such an event the applicant/permittee must either: (A) apply for all permits required at the time of expiration to reactivate the operation; or (B) remove all elements of the facility and restore the site. In the event the applicant/permittee fails to apply for permits or perform the removal and restoration within these ninety days, the property owner shall have the facility removed.

- A. All new communication towers shall be designed within the applicable American National Standards Institute (ANSI) standards.
- B. No wireless communication facility or combination of facilities shall produce, at any time, power densities that exceed current FCC adopted standards for human exposure to RF (Radio Frequency Radiation Exposure Standards) fields. Failure to comply with FCC Standards will result in the immediate cessation of operation of the wireless communication facility.
- C. All wireless communication facilities shall be installed and maintained in compliance with all applicable state, federal and local laws, rules and regulations, including but not limited to the requirements of the applicable Building and Electrical Codes, the city's noise ordinance, and other applicable codes, as well as other restrictions specified in the permit and this chapter. The facility operator and the property owner shall be responsible for maintaining the facility in good condition, which shall include, but not be limited to, regular cleaning, painting, and general upkeep and maintenance of the site.

- D. All wireless communication facilities and related support equipment shall be designed to prevent unauthorized persons from accessing and/or climbing upon any wireless communication facility or appurtenance thereto. Fences, walls, and other landscape materials shall be installed to prevent unauthorized persons from accessing and/or climbing a wireless communication facility.
- E. If the subject site is subject to a lease, the permittee shall (1) promptly provide city any lease extension or (2) provide notice and evidence of termination or expiration to the director within 60 days of the earlier of any termination notice or effective termination/expiration of the lease. Upon termination or expiration of the lease, the wireless communication facility shall be removed within ninety days or be considered abandoned and subject to section 17.32.090 (Removal of an Abandoned, Unused or Inoperable Facility), unless written authorization from the property owner is provided to the city, authorizing the continued use.

# 17.32.090 Height limits. Removal of an abandoned, unused, or inoperable facility.

Notwithstanding any other provision of this chapter, the installation of wireless communication facilities and ancillary structures shall not be subject to any absolute height limit, provided the proposed facility addresses potential visual impacts as specified in Section 17.32.070(B)(3).

(Ord. 778 § 1 (Exh. A), 2002)

Within 30 days of terminating the operation of any wireless communication facility for any reason, including inoperable equipment, abandonment or technical obsolescence, the applicant or successor-in-interest shall notify Development Services of such termination. Said notification shall be in writing, shall specify the date of termination and shall include reference to the applicable wireless communication facility permit number. The city may require, at the city's sole and absolute discretion, the applicant's, or successor-in-interest, sole expense and responsibility, all component elements of a terminated or abandoned wireless communication facility be removed in accordance with applicable health and safety requirements and the site restored to its condition prior to the installation of the facility within 90 days from the date the use of the facility is terminated.

At any time after 90 days of discontinued use and/or operation of a wireless communication facility, the city may, but shall have no obligation to, remove the facility, repair any and all damage to the premises caused by such removal, and otherwise restore the premises as is appropriate to be in compliance with applicable code. The city may, but shall not be required to, store the removed wireless communication facility (or any part thereof). The owner of the premises upon which the abandoned facility was located, and all prior operators of the wireless communication facility, shall be jointly liable for the entire cost of such removal, repair, restoration, and storage, and shall remit payment to the city promptly after demand therefore is made. The city may, in lieu of storing the

removed facility, convert it to the city's use, sell it, or dispose of it in any manner deemed appropriate by the city, in accordance with applicable law.

# 17.32.100 Modifications. Additional Findings to be Made

<u>A. Modifications to existing wireless communication facilities shall be submitted to the planning commission for approval. The following modifications may be approved by the community development director without the filing of a new application for a conditional use permit.</u>

1. An increase of up to ten feet above the allowed height limit of the particular zoning district for existing towers to accommodate an attached facility on an existing structure; and

2. A decrease of up to ten percent in setback requirements.

<u>B.</u> Modifications to wireless communication facilities, which are other than those identified by subsection  $\underline{\Lambda}$ , above, shall require approval of a conditional use permit in compliance with Chapter  $\underline{17.48}$  and shall be submitted to the community development director.

<u>C.</u>Modification for the purposes of this section means the addition of structures or equipment to a previously approved installation. The term does not include replacement of existing equipment or structures, provided the replacement equipment or structure is substantially similar to the pre-existing equipment or structure, and creates no new impacts not addressed in connection with the previous approval.

(Ord. 778 § 1 (Exh. A), 2002; Ord. 912 § 2, 2005)

The findings below shall be required in addition to any Conditional Use or Modification permit findings:

- 1. The proposed facility is visually compatible with the surrounding neighborhood.
- 2. The proposed facility complies with height, location and design standards, as provided for in this chapter.
- 3. An alternative site(s) located further from a residential district or public park, or any site(s) as may be identified by the City as a preferred site, cannot feasibly fulfill the coverage needs fulfilled by the installation at the proposed site; or, applicant cannot acquire the necessary approvals to fulfill the requirements of this chapter, including, but not limited to, obtaining the requisite property rights to install and maintain the facilities.

<u>A.</u> Modifications to Existing Projects. Any modification to a wireless communication facility existing at the time of the adoption of the ordinance codified in this chapter shall be processed through a new conditional use permit and the facility as modified shall comply with the standards contained in this chapter.

<u>B.</u>All wireless communication facilities existing at the time of the adoption of the ordinance codified in this chapter shall either be removed or be modified through the approval of a new conditional use permit as specified in subsection  $\underline{\Lambda}$  above, on or before the tenth anniversary of the effective date of the ordinance codified in this chapter.

<u>C.</u> Notwithstanding the provisions of subsection <u>B</u> above, the deadline for removal or modification of an existing wireless communication facility may be extended upon application by the owner of the facility, if the owner can demonstrate that as applied to the owners facility the amortization period stated in subsection <u>B</u> is unreasonably short when considering factors including, but not limited to, the depreciated value of the facility to be removed or modified, the remaining useful life of the facility to be removed or modified, and the harm to the public that would result from the continued existence of the facility without modification.

(Ord. 778 § 1 (Exh. A), 2002)

# 17.32.120 Installation of wireless communication facilities on sites with nonconforming conditions. Reserved

Notwithstanding any other provision of this title, the installation of a wireless communication facility and ancillary structures may be permitted on a property on which there exists a nonconforming building, structure, use, or site condition, provided the wireless communication facility and ancillary structures are approved through a conditional use permit as required by the chapter, except that such installations shall not be permitted on any site on which there exists a nonconforming sign.

(Ord. 778 § 1 (Exh. A), 2002)

# **EXHIBIT "C"**

# AMENDING SECTION 17.34.010 (INTRODUCTION) OF CHAPTER 17.34 (INTRODUCTION) OF DIVISION IV (PERMITS AND REVIEW) OF TITLE 17 ("ZONING") OF THE RANCHO MIRAGE MUNICIPAL CODE

[SEE ATTACHED]

# CHAPTER 17.34 **INTRODUCTION**

# § 17.34.010. Introduction.

The purpose of this division is to outline procedures together with various land use permit or approval options.

Table 4-1 (Threshold of Review) identifies the full range of land use permit or approval options and the general review authority for the subject permit.

Table 4-1 Threshold of Review <sup>6</sup>				
Type of Application	See Chapter	Director Review <sup>1</sup>	Commission Review <sup>2</sup>	City Council Review <sup>3</sup>
Amendments (General Plan, and Zoning Map/Ordinance) <sup>3</sup>	17.72	X	X	X
Conditional Use Permit (Minor) <sup>7</sup>	17.48	X	X	
Conditional Use Permits <sup>7</sup>	17.48	X	X	X
Development Agreements <sup>3</sup>	17.56	X	X	X
Development Plan Permits	17.42	X	X	X
Development Plan Extension of Time <sup>8</sup>	17.42	X	X	X
Home Occupation Permits	17.44	X		
Private Tennis Court or Sport Court (Associated with PDP Modification)	17.30	X	X	
Private Tennis Court or Sport Court Associated with Single- Family Residence	17.30	X	X	
Sign Permits <sup>4</sup>	17.28	X	X	
Sign Programs	17.28	X	X	
Single-Family Permit	17.42	X		
Single-Family Permit Extension of Time	17.42	X		
Specific Plans/Specific Plan Amendments <sup>3</sup>	17.54	X	X	X
Street Names	17.58	X		
Street Name Changes	17.58	X	X	
Temporary Use Permits	17.46	X		
Tentative Parcel Maps	16.12	X	X	
Tentative Parcel Map Extension of Time	17.68	X	X	

Tabl 4-1 Threshold of Review <sup>6</sup>				
Type of Application	See Chapter	Director Review <sup>1</sup>	Commission Review <sup>2</sup>	City Council Review <sup>3</sup>
Tentative Tract Maps <sup>3</sup>	16.12	X	X	X
Tentative Tract Map Extension of Time	17.68	X	X	X
Variances (Minor)	17.50	X		
Variances <sup>5</sup>	17.52	X	X	

#### **Notes:**

- 1 The director may defer action and refer any permit or approval application to the commission for final determination.
- 2 The commission may defer action and refer any permit or approval application to the council for final determination.
- 3 Commission recommends to council for final determination.
- 4 The director may approve signs thirty sq. ft. or smaller in size or signs which conform to an approved sign program. Other signs are reviewed by the commission.
- 5 The commission shall recommend to the city council variances required in connection with a development plan permit or conditional use permit.
- 6 Project review authority for development plan and conditional use permits is dependent on the land use type and is identified in Tables 2-2 and 2-4.
- The planning commission shall make recommendations to the city council on applications made pursuant to this chapter and the city council shall be the final reviewing authority; however, The review authority for wireless communication facilities shall be subject to the provisions of Section 17.32.060(A). which are to be completely enclosed within an existing structure shall be subject to the review and approval of the director. Conditional uses within an existing building shall be subject to the review and approval of the director.
- 8 The director may approve time extensions, but may defer, at directors discretion, such requests to the commission or city council for final action.

(Ord. 777 § 1 (Exh. A), 2002; Ord. 818 Exh. A, 2002; Ord. 845 § 5, 2003; Ord. 912, § 3, 2005; Ord. 1030 § 2, 2011; Ord. 1219, 7/18/2024)

# **EXHIBIT "D"**

# AMENDING SECTION 17.48.045 (MINOR CONDITIONAL USE PERMITS) OF CHAPTER 17.48 (CONDITIONAL USE PERMITS) OF TITLE 17 ("ZONING") OF THE RANCHO MIRAGE MUNICIPAL CODE

[SEE ATTACHED]

# § 17.48.045. Minor conditional use permits.

Requests for a conditional use permit that involve establishment of a conditional use in an existing structure or expansion of a conditional use in an existing structure, where no exterior modifications to the structure are required may qualify for a minor conditional use permit and shall be subject to director review and approval. Wireless Communications Facilities as detailed in Chapter 17.32 may also qualify for a minor conditional use permit with the review authority determined by Section 17.32.060(A). Tennis and sports courts (non-lighted) may also qualify for a minor conditional use permit with a recommendation by the director. Said application shall be made to the director of community development services and processed in accordance with Chapter 17.48.