

Study Session: Subdivisions and Grading

PALM DESERT CITY COUNCIL
SEPTEMBER 12, 2024



Why are we here?

- Historically, the City has relied on **discretionary processes to regulate design and development** (Design Review, discretion by staff and Commissions, Precise Plan).
- **Recent state legislation** (SB 330 - Housing Crisis Act, Housing Accountability Act, SB 35, SB 9, SB 684) **mandates ministerial (i.e., by-right) approvals for certain housing developments**
 - Only **objective standards** are enforceable.
- Lack of enforceable objective standards can, and has resulted in:
 - **Inconsistent outcomes** for development
 - Project designs **which do not meet** decision-maker and resident **values and expectations**
 - **Increased timelines** for development review and approval

Objectives

Provide input on Staff's recommended Subdivision and Grading Ordinance Amendments

- Title 26 – Subdivisions

- Implement new mandated State Housing Law requirements for administrative tract map approval
 - Establish administrative review procedures for certain actions (Tentative Parcel Maps)

- Title 27 – Grading

- Clarify procedures for grading permit issuance
- Align design requirements with General Plan Policy
- Implement resident expectations
- Enhance existing regulations for stockpiling

Policy #1 – Senate Bill 684 Implementation

Issue #1: New State Housing Law – Streamlined Subdivision Approval. Aimed at promoting “starter homes” for small lot subdivisions and townhouse/condominium developments.

Eligibility:

- Multifamily zoning
- Existing parcel less than 5 acres
- Subdivision creating 10 lots or fewer.
- Lots that are no smaller than 600 square-feet.

Issue #2: Code establish limited framework for administrative approvals. Many mapping actions require Planning Commission approval.

Recommendation #1: Establish criteria for SB 684. Expand discretion of the City Engineer and Development Services Director to approve certain mapping actions such as Tentative Parcel Maps.

Policy #2 – Grading Permit Issuance

Issue: The ordinance is unclear and conflicting regarding the timing of issuance of a grading permit when a mapping action is involved

Typical practice in many jurisdictions is to issue grading permits **only after a final map is approved.**

- This ensures grading improvements are guaranteed by agreements and securities

Conflicting provision allows interpretation that **grading permits can be issued prior to map approval.**

- Less secure for City

Recommendation: Require that if a final tract map is required, or approved for a site, no grading permit shall be issued until the final map has been approved by the City Council.

Policy #3 – Design Requirements for Building Pad Elevations

Issue: The ordinance contains subjective language regarding “compatibility” of building pad elevations subject to staff discretion.

- Not enforceable under state mandates.
- No clear criteria identifying design the City expects
- Sensitive transition of heights are desired between new development and existing development.

Recommendation: Establish a grading pad elevation **transition standard** for infill developments, adjacent to existing residential.

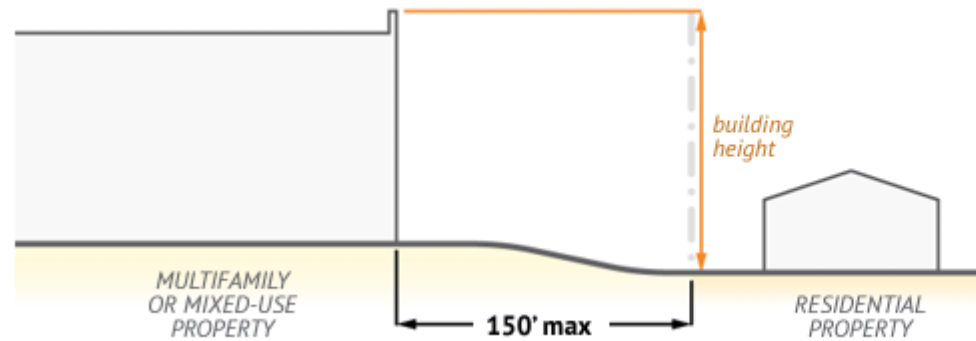
For **new infill developments** which **abut existing (including approved) residential**, the finished pad elevation of the new development **cannot exceed 5'-0" above the existing finished grade** at property line.

Exceptions may be permissible for pad elevations necessitated by life safety factors such as drainage, on-site retention, and stability (soils)

Exception for “Master Planned” developments.

Policy #3 – Context

The **Palm Desert Objective Design Standards for Multi-family and Mixed-Use Development** adopted in **May 2024**, established a transition standard for heights of buildings adjoining developments with lower elevations (see below Standards 4.12)



◀ In this diagram, the single-family zoned property has a lower elevation than the adjoining multifamily or mixed-use property. The height of the higher density building, in order to minimize the visual impact, is measured from the finished grade along the property line of the single-family lot.

In the Coachella Valley, **City of La Quinta** establishes a grading improvement standard for subdivisions where the **building pad elevation differential between lots does not exceed five feet.**

Policy #3 – Context



The Enclave at Gerald Ford Drive and Gateway Drive looking south



The Enclave at A Street and Gateway Drive looking north

Policy #3 – Context



Perimeter Retaining Wall on Dolce Avenue near Gateway Drive looking east



Perimeter Retaining Wall on Dolce Avenue moving east towards Cortesia Way

Policy #3 – Context



Terraced retaining walls – Gateway Drive Looking northwest toward Dinah Shore Drive



Pads below street retaining walls – Gateway Drive Looking northeast towards existing business park

Policy #3 – Context



TR 36351 (“Sage”) – Example Transition



TR 36351 (“Sage”) – Example Transition – 2:1 Slope – 12’ Grade difference

Policy #3 – Context



TR 36351 (“Sage”) – Example Transition



TR 36351 (“Sage”) – Example Transition – 2:1 Slope – 15’ Grade difference + 6’ - 7’ block wall

Policy #3 – Context



Urban Crossings South property line



Monterey Ridge at eastern boundary

Policy #4 – Control of building Pad Elevation

Issue: PDMC 27.12.045(C) requires pad elevations shown on preliminary grading remain consistent on final plans

Deviations of 6” or greater require approval by the City Engineer and Development Services Director.

Recommendation – Require any deviation be granted approval by the City Engineer and Development Services Director with ability to forward to the Planning Commission.

Policy #5 – Stockpiling Regulation

Issue: City has existing standards for stockpiling. Expanded regulations will result in improved clarity of process and City expectations.

Recommendation: Implement best practice regulations for stockpiling

- Dedicated Stockpile permit
- Erosion control
- Timing of stockpile (6 months)
- Criteria for placement and visual impact
- Securities and agreements for removal or permanent placement



Questions and discussion

