

	<p style="text-align: center;"><b>CITY OF CATHEDRAL CITY</b>  <b>PLANNING COMMISSION</b></p> <p style="text-align: center;"><b>CONDITIONS OF APPROVAL</b>  <b>CONDITIONAL USE PERMIT NO. 16-039</b></p> <p style="text-align: center;"><b>CCBC RESTAURANT</b>  <b>PROJECT LOCATION: 68300 GAY RESORT DRIVE</b>  <b>(ASSESSOR'S PARCEL NUMBER 687-094-001)</b></p> <p style="text-align: center;"><b>DATE APPROVED: APRIL 19, 2017</b></p>
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### **SECTION 1 ADMINISTRATIVE CONDITIONS**

- 1.01** Prior to issuance of a building permit the Applicant shall sign the approved Conditions of Approval which shall certify that the Applicant agrees to implement all Conditions of Approval.
- 1.02** A copy of all pages of these conditions shall be printed onto the first page of the construction drawings.
- 1.03** Approval of the reference plan is preliminary only. All final working drawings shall be submitted to and approved by the Planning, Engineering and Building Departments prior to issuance of building permits. The development of the property shall conform substantially to those plans as approved by the Architectural Review Subcommittee, Planning Commission and City of Cathedral City, except as specifically modified by any of the conditions of approval. Any deviation from the approved set of improvement plans shall be approved in writing by the Planning Manager prior to the installation, construction or deletion of the requested plan modification.
- 1.04** This approval shall be valid for two years from date of approval (April 19, 2019) unless extended pursuant to Chapter 9.72.
- 1.05** No Certificate of Occupancy shall be granted until all Conditions of Approval have been satisfied including but not limited to the following: all the on-site drives, paving, parking areas and other improvements required for access and parking for the building are completed and approved by the Planning Manager and City Engineer.

- 1.06** No Final Construction Approval shall be granted until all Conditions of Approval have been completed and approved by the Planning Manager, City Engineer, and Chief Building Official, unless otherwise identified herein.
- 1.07** The development of the site shall conform to all ordinances, codes, regulations, policies and development design controls pursuant to the Cathedral City Municipal Code (CCMC) in effect, prior to issuance of any building permits.
- 1.08** Prior to issuance of a building permit, clearances shall be obtained from the affected agencies, including the local water purveyor, Southern California Edison, Time Warner Cable, Verizon Telephone, and Burrtec Waste and Recycling of the Desert.
- 1.09** All improvements approved for construction are required to be maintained as to comply substantially with the plans approved for construction, unless modifications are approved by the Planning Manager and City Engineer. The improvements to be maintained include, but are not limited to, site improvements: parking and walking surfaces, private drainage control facilities, fences/walls, signs, and lights; building and accessory structure improvements; paint colors and other finish materials, roofing materials, mechanical equipment, windows, trellises, canopies, all architectural features, landscaping and landscape irrigation.

## **SECTION 2 FEES**

- 2.01** The Applicant shall pay all applicable City of Cathedral City fees, charges and other costs as prescribed by City ordinance, including development impact fees.

Be advised that the fees may change at the time they become due and payable, as permitted by applicable law.

*NOTICE TO APPLICANT: Pursuant to Government Code Section 66020(d)(1), the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this approval and any such protest must be in a manner that complies with Section 66020(a), and failure to follow this procedure in a timely manner will bar any subsequent legal action to attack, review, set aside, void or annul imposition.*

*The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project. It further does not apply to any fees, dedication, reservations, or exactions for which the applicant has been given a notice similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.*

## **SECTION 3 PLANNING**

- 3.01** If during the course of grading or construction, artifacts or other cultural resources are discovered, all grading on the site shall be halted and the

Applicant shall immediately notify the Planning Manager. A qualified archaeologist shall be called to the site by, and at the cost of, the Applicant to identify the resource and recommend mitigation if the resource is culturally significant. The archeologist will be required to provide copies of any studies or reports to the Eastern Information Center for the State of California located at the University of California Riverside and the Agua Caliente Tribal Historic Preservation Office (THPO) for permanent inclusion in the Agua Caliente Cultural Register.

- 3.02** In the event that any human remains are discovered, the Applicant shall cease all work and contact the Riverside County Coroner's Office and work shall not resume until such time that the site has been cleared by County Coroner and/or the Cathedral City Police Department. The Applicant shall also be required to consult with the Agua Caliente Tribal Historic Preservation Office (THPO).
- 3.03** A Final Landscape Construction Plan, prepared by a licensed landscape architect and approved by the Planning Manager, shall be signed by the appropriate water agency prior to the issuance of a building permit. The Final Landscape Construction Plan shall contain the following required information:
- a. A plant landscape legend, including a specific symbol for each plant species used, size (i.e., caliper, gallon, box, or brown trunk height, and/or quantity) and whether it is deciduous or evergreen.
  - b. Clear indication where landscaping will be used to screen mechanical, electrical, and irrigation equipment.
  - c. A detail showing planter design adjacent to walkways and driveways that is designed to prevent soil and/or decomposed granite from flowing onto walkways and driveways. There shall be a minimum two-inch vertical separation between the pavement and the soil.
  - d. Plant and tree installation and staking details.
  - e. Details on how vines will be attached to the structural elements.
  - f. An Irrigation Plan with equipment details.
- 3.04** Site landscaping shall comply with the City Design Guidelines and Water Conservation policies and rules regardless of whether the items are illustrated on the Construction Landscape Plans:
- a. All planter areas shall be lower than the surrounding pavement or shall have a mow strip to prevent ground cover from flowing onto sidewalk or walkways.
  - b. Planter area borders shall be constructed of a permanent hardscape material.
  - c. All single trunk trees shall be double staked and multi-trunk trees shall be staked appropriate to the species of tree.

- d. Any drain that terminates in a planter shall have a splash guard.
  - e. All parking lot trees shall be centered between parking spaces to provide optimal shading.
  - f. Projects located along major arterials and/or streets shall comply with the street tree requirements of the specific plan and design guidelines.
  - g. All trees shall be properly pruned (laced) to enable them to form an upright head and allow visibility through and beneath the trees as they grow in height.
  - h. All trees shall be double staked and have arbor guards if they are in a turf area.
  - i. All ground-mounted equipment such as mechanical, electrical or irrigation equipment (backflow preventers) shall be placed within a landscape planter with shrubbery. This type of equipment shall not be placed in a turf area and shall not be visible from public view.
  - j. The Applicant shall contact the Planning Department 90 days after issuance of a Certificate of Occupancy to arrange for a follow-up on-site inspection to ensure that all plant material is being maintained consistent with the approved plans.
- 3.05** Redwood headers are specifically prohibited from use on the project site.
- 3.06** All equipment (such as HVAC, utility meters, backflow preventers, and fire equipment), either roof or ground mounted, shall be architecturally screened from public view. All such equipment shall be fully screened by the roof structure, a parapet wall, appropriate ground mounted walls, berming, or landscaping. All walls shall architecturally match the building. If, after construction, but prior to the approval of a final inspection, it is determined by the Planning Manager that equipment can be viewed from the public street, a plan for screening the equipment shall be submitted to the Planning Department for approval. Once approved, said screening shall be constructed prior to clearance of building occupancy.
- 3.07** All electrical equipment including cabinets and conduits shall be interior to the building.
- 3.08** All breaker boxes, fire sprinkler risers, and utility conduits shall be interior to the building.
- 3.09** Premises identification/property numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Property numbers shall not be less than 8 inches in height on commercial buildings. Numbers shall be either internally or externally illuminated through an approved down lit method or designed to illuminate automatically during periods of darkness.
- 3.10** Signage for the proposed project is not part of this approval and shall require a sign permit prior to the issuance of occupancy permits.

- 3.11** All walls and trash enclosures shall have a decorative surface and a decorative cap that are consistent with the overall architecture, and be approved by the Planning Manager prior to issuance of a Building Permit.
- 3.12** The applicant shall comply with the regulations of Chapter 11.96 (Noise Control).
- 3.13** The applicant shall install wheel stops at each parking space.
- 3.14** All decorative pavers shall have a concrete border transition between the pavers and any other surface.
- 3.15** Exposed equipment such as utility meters, backflow preventers, fire equipment, and other such equipment must be screened from public view.
- 3.16** All drains pipes shall be interior to the building. Exposed drain pipes are specifically prohibited.
- 3.17** All drain terminations shall be from the Watts Drainage Product RD-940 or a product of equal value.
- 3.18** No lighting fixture shall have a height over 18 feet.
- 3.19** Any switch gear and/or roof access are to be internal to the building.
- 3.20** All exterior lighting shall be installed and maintained in such manners that glare and intensive light sources will not be visible at the property line.
- 3.21** All lighting on site shall comply with Section 9.89 of the Municipal Code relating to outdoor lighting.
- 3.22** The site shall be maintained in a trash, weed and debris free condition.
- 3.23** All bollards on the project site shall be decorative.
- 3.24** Building and landscaping shall be maintained in a condition that substantially complies with this approval.
- 3.25** The applicant shall construct the trash enclosure pursuant to city standard.

#### **SECTION 4 ENGINEERING / PUBLIC WORKS**

- 4.01** The Applicant agrees to defend, indemnify and hold harmless the City of Cathedral City ("City"), its agents, officers and employees from any claim, action or proceeding to attack, set aside, void, or annul the approval of this Conditional Use Permit 16-039 (CUP) and the corresponding Site Plans (Site Plan). The City shall have sole discretion in selecting its defense counsel. The City shall promptly notify the applicant of any claim, action or proceeding and shall cooperate fully in the defense.
- 4.02** This CUP 16-039 and Site Plan shall comply with the requirements and standards of Government Code §§ 66410 ("the Subdivision Map Act"), and Cathedral City Ordinance No. 629 and 659.

**4.03** CUP 16-039 shall comply with all applicable terms, conditions and/or mitigation measures for the following approvals:

- A. CUP: 16-039.
- B. Cathedral City Design Guidelines.
- C. Cathedral City Water Conservation Policies and Rules.
- D. Cathedral City Municipal Codes and Ordinances.

In the event of any conflict(s) between approval conditions and/or provisions of these approvals, the Community Development Director shall determine precedence.

**4.04** All conditions herein shall be met prior to the Grading Permit issuance for CUP 16-039 or as specifically modified by item as linked to a Certificate of Occupancy (COO) issuance and/or time limit from the date of issuance of the Grading Permit for the CUP and Site Plan.

**4.05** Prior to issuance of any Grading, Engineering and/or Building Permit by the City, the Applicant shall obtain any necessary clearances and/or permits from the following agencies, if required:

- A. City of Cathedral City Fire Marshal
- B. Cathedral City Engineering Department for Engineering Permits.
- C. Cathedral City Planning and Building Departments for Building Permits.
- D. County of Riverside Transportation Department.
- E. Riverside County Environmental Health Department.
- F. Palm Springs Unified School District.
- G. Desert Water Agency (DWA).
- H. Southern California Edison (SCE).
- I. Frontier Communications.
- J. Charter Communications.
- K. California Regional Water Quality Control Board (CRWQCB)
- L. State Water Resources Control Board
- M. Sunline Transit Agency (SunLine)
- N. South Coast Air Quality Management District – Coachella Valley (SCAQMD).

The Applicant is responsible for all the requirements of the permits and/or clearances from, and not limited to, the above listed agencies. When the requirements include approval of improvement plans, the Applicant shall furnish proof of such approvals when submitting those improvement plans for City approval.

**4.06** Erosion Control BMPs shall remain in effect for the entire duration of project construction until all improvements are completed and accepted by the City Council.

- 4.07** Approval of CUP 16-039 and Site Plan shall not be construed as approval for any horizontal dimensions implied by any site plans or exhibits unless specifically identified in the following conditions of approval.
- 4.08** The Applicant shall reimburse the City, within thirty (30) days of presentment of the invoice, all costs and actual attorney's fees incurred by the City Attorney to prepare, review, negotiate and/or modify any documents or instruments required by these conditions and/or subsequent modification requests to these conditions. This obligation shall be paid in the time noted above without deduction or offset and Applicant's failure to make such payment shall be material breach of the Conditions of Approval.
- 4.09** The Applicant shall reimburse the City, within thirty (30) days of presentment of the invoice, all cost and actual consultant's fees incurred by the City for engineering, surveying and/or any other technical consultants to review and/or modify any documents or instruments required by these conditions and/or subsequent modification requests. This obligation shall be paid in the time noted above without deduction or offset and Applicant's failure to make such payment shall be material breach of the Conditions of Approval.
- 4.10** The Applicant shall reimburse the City, within thirty (30) days of presentment of the invoice, all actual costs incurred by the City for Engineering, Planning and/or Building Department reviews and/or modify any documents or instruments required by these conditions and/or subsequent modification requests. This obligation shall be paid in the time noted above without deduction or offset and Applicant's failure to make such payment shall be material breach of the Conditions of Approval.

#### **PROPERTY RIGHTS AND PRIVATE IMPROVEMENTS**

- 4.11** The Applicant shall design the private parking lot pavement sections using Cal Trans' design procedures for either P.C.C. or A.C. pavement, and the site specific data for soils strengths and anticipated traffic loading (including construction traffic).
- 4.12** The Applicant shall construct following private street and/or street improvements with the structural sections of the concrete or asphalt concrete pavement as follows:
- i. Pavement replacement where shown on the Grading Plan shall either be 6" of P.C.C. or 3" A.C. over 4.5" Class II Base where shown on the Site/Grading Plans prior to the issuance of the COO. Materials (including mix design and reinforcement) shall be approved by the City Engineer prior to installation.

- ii. Remaining parking lot pavement shown on the Site Grading Plan shall be reconstructed with either 6" of P.C.C. or 1.5" grind and 1.5" A.C. overlay prior to the issuance of the COO. Materials (including mix design and reinforcement) shall be approved by the City Engineer prior to installation.
  - iii. Construct all appurtenant roadway components within parking lot prior to the issuance of the COO, such as, but not limited to, curb, gutter, sidewalk, ADA ramps, ADA signage, traffic control striping, legends and traffic control signs.
  - iv. Apply striping and legends over the entire lot as shown on the Site Plan. Final striping and legend layout shall be approved by the City Engineer.
- 4.13** The Applicant will coordinate all public and private roadway improvements and driveway transitions with the adjacent property owner (public and/or private), if applicable, to the satisfaction of the City Engineer.
- 4.14** Construct all street, curb and gutter to uniformly connect to existing adjacent improvements within the CUP to the satisfaction of the City Engineer prior to the issuance of the COO.
- 4.15** If applicable, all driveways shall be of the residential type per County of Riverside Standard 207 modified for commercial traffic and ADA with an 8 inch concrete thickness, and shall be approved by the City Engineer, or his designee, prior to installation.
- 4.16** The Applicant shall be responsible for blow sand, debris, trash, rubbish and deleterious material removal in all areas of the CUP, including gutter pans, sidewalks, parkways, right-of-way, parking lots, drive aisles and all other interior areas. The Applicant shall include these responsibilities into the daily maintenance of the site for perpetuity.
- 4.17** The Applicant shall rehabilitate and/or construct parking lot, alley, drive aisles, curbs and gutters, sidewalks and driveways to uniformly connect to existing adjacent public and/or private improvements within and adjacent as shown on the Site Plan to the satisfaction of the City Engineer.
- 4.18** The Applicant shall construct all appurtenant private roadway components such as, but not limited to: curb, gutter, sidewalk, ADA ramps, traffic control striping, legends and traffic control signs to the satisfaction of the City Engineer.
- 4.19** The Applicant shall furnish proof of easements, or written permission, as appropriate, from those owners of all abutting properties on which grading, paving, retaining and/or garden wall construction, permanent slopes, street improvements, utility relocations, landscaping, parking lot improvements, alley improvements or other encroachments will occur.



- 4.20** The Applicant shall cause no easement to be granted, or recorded, over any portion of the subject property between the date of approval of CUP 16-039 and the date of issuance of the COO, unless such easement is approved by the City Engineer.

**PUBLIC IMPROVEMENTS**

- 4.21** The Applicant shall construct and dedicate the following streets and/or street improvements:

**A. PUBLIC STREETS**

- a) Construct an ADA ramp on the southeast corner of Gay Resort Drive and Melrose Drive on the CUP's frontage prior to the issuance of the COO, such as, but not limited to the curb, gutter, sidewalk (path of travel) associated with the ADA ramp, ADA signage, traffic control striping, legends and traffic control signs.
  - b) The Applicant will coordinate all public and private roadway improvements and driveway transitions with the adjacent property owner (public and/or private) to the satisfaction of the City Engineer, if applicable.
  - c) Construct all street, curb and gutter to uniformly connect to existing adjacent improvements north and south of the CUP along the Melrose Drive frontage to the satisfaction of the City Engineer prior to the issuance of the COO.
- 4.22** Improvements shall be designed and constructed in accordance with City adopted standards, supplemental drawings and specifications, or as approved by the City Engineer.
- 4.23** Right-of-Way geometry for property line corner cut-backs at curb returns shall conform to County of Riverside Standard Drawing No. 805 unless otherwise approved by the City Engineer.
- 4.24** All public and private improvements shall be subject to City requirements for inspection during construction.
- 4.25** The City will conduct final inspections for the COO only when CUP 16-039 has improved street and sidewalk access to publically-maintained streets. The improvements shall include required traffic control devices, pavement markings and ADA ramps.

## **IMPROVEMENT PLANS**

As used throughout these Conditions of Approval, professional titles such as “engineer,” “surveyor,” and “architect,” refers to person’s currently certified or licensed to practice their respective professions in the State of California.

**4.26** Improvement plans shall be prepared, by or under the direct supervision of qualified engineers and/or architects, as appropriate, and shall comply with all requirements of the City of Cathedral City.

**4.27** The following improvement plans shall be prepared and submitted for review by the Engineering Department. The plans shall utilize the minimum scale specified, unless authorized by the City Engineer. Plans may be prepared at larger scale if additional detail or plan clarity is desired.

Note: The Applicant may be required to prepare other improvement plans not listed here pursuant to improvements required by other agencies and utility purveyors.

A. Precise Grading Plan 1” = 40’ Horizontal

The Precise Grading Plan shall normally include perimeter wall with Top of Wall and Top of Footing elevations shown. All footings shall have a minimum of 1-foot of cover, or sufficient cover to clear any adjacent obstructions.

B. PM 10 Plan 1” = 40’ Horizontal  
C. WQMP Not Required

NOTE: A through B to be submitted concurrently. Precise Grading Plan shall normally include perimeter wall with Top of Wall and Top of Footing elevations shown. All footings shall have a minimum of 1-foot of cover, or sufficient cover to clear any adjacent obstructions.

D. N/A

E. Street Improvements Not Required

The street improvement plan shall show the sidewalk in the combined parkway and landscape setback area.

F. Storm Drain Plan Not Required

G. Street Signing and Striping Plan (May be waived by the City Engineer)  
1” = 40’ Horizontal

H. Monumentation Plan

As approved by the City Engineer

NOTE: G through H to be submitted concurrently.

Other engineered improvement plans prepared for City approval that are not listed above shall be prepared in formats approved by the City Engineer prior to commencing plan preparation.

All Plan and Profile Street Plans and Signing and Striping plans shall show all existing improvements for a distance of at least 200-feet beyond the project limits, or a distance sufficient to show any required design transitions.

All Signing and Striping Plans shall show, at a minimum; Stop Signs, Limit Lines and Legends, No Parking Signs, Street Name Signs, Raised Pavement Markers (RPMs) (including Blue RPMs at fire hydrants) and Street Name Signs per Cathedral City Standard Plans and/or as approved by the City Engineer.

- 4.28 The Applicant shall furnish accurate Mylars of all improvement plans to the City Engineer for approval. The Site Plan shall be of a scale approved by the City Engineer.
- 4.29 The Applicant shall furnish a copy of all approved improvement plans on an electronic storage media acceptable to the City Engineer.
- 4.30 Upon completion of construction, and prior to final acceptance of the improvements by the City, the Applicant shall furnish the City with reproducible record drawings, of all improvement plans which were approved by the City. Each sheet shall be clearly marked "As Built" and shall be stamped and signed by the engineer, architect or surveyor certifying to the accuracy and completeness of the drawings. The Applicant shall have all approved Mylars previously submitted to the City, revised to reflect the as-built conditions. The Applicant shall employ or retain the Engineer and/or Architect of Record (E/AOR) during the construction phase of the project so that the E/AOR can make site visits in support of preparing "As Built". However, if subsequent approved revisions have been approved by the City Engineer and reflect said "As Built" conditions, the E/AOR may submit a letter attesting to said fact to the City Engineer in lieu of Mylar submittal.

## **IMPROVEMENT AGREEMENTS**

- 4.31 Prior to the issuance of the COO, the Applicant shall construct and dedicate all on and off-site improvements and satisfy its obligations for same, if applicable.

**4.32** The Applicant shall submit applicable deposits for the cost of reviewing plans and/or any other requests or form submittals made by the Applicant related to this CUP.

**4.33** Improvements to be made, or agreed to be made, shall include the removal of any existing structures or other obstructions which are not a part of the proposed improvements.

In the event the Applicant fails to construct the improvements for the CUP, or fails to satisfy its obligations for the CUP in a timely manner, the City shall have the right to halt issuance of permits, and/or final inspections, withhold other approvals related to the development of the CUP.

**4.34** In the event that any of the public improvements required for this CUP are constructed by the City, the Applicant shall, prior to the issuance of any permit or COO related thereto, reimburse the City for the costs of such improvements.

**4.35** The Applicant shall submit a detailed construction cost estimate, stamped and approved by the E/AOR prior to the issuance of the Engineering Permit.

#### **GRADING**

**4.36** The Applicant shall comply with all the provisions of Cathedral City Municipal Codes and Ordinances.

**4.37** The Applicant shall obtain a Grading Permit approved by the City Engineer prior to initiating any construction or on the Project site.

**4.38** To obtain an approved Grading Permit, the Applicant shall submit and obtain approval of all of the following:

- A. A Precise Grading Plan prepared by a civil engineer registered in the State of California; and
- B. A preliminary geotechnical ("soils") report prepared by a professional registered in the State of California (may be waived by the City Engineer); and
- C. A Fugitive Dust Control Plan prepared in accordance with City of Cathedral City requirements.

All grading shall conform with the recommendations contained in the Preliminary Soils Report and shall be certified as being adequate by the soils engineer or engineering geologist registered in the State of California.

The Applicant shall furnish security, in a form acceptable to the City, and in an amount sufficient to guarantee compliance with the approved Fugitive Dust Control Plan provisions as submitted with its application for a Grading Permit. Additionally, the applicant shall replenish said security if expended by the City of Cathedral City to comply with the Plan as required by the City Engineer.

- 4.39** The Applicant shall maintain all open graded, undeveloped land in order to prevent wind and/or water erosion of such land. All open graded, undeveloped land shall either be planted with interim landscaping, or stabilized with such other erosion control measures, as were approved in the Fugitive Dust Control Plan.
- 4.40** Grading within the parkway areas shall conform to Cathedral City requirements except as otherwise modified by this condition. The maximum slope shall not exceed 3:1 anywhere in the landscape setback area, except for the back slope (i.e. the slope at the back of the landscaped lot) which shall not exceed 2:1 if fully planted with ground cover. The maximum slope in the first six (6) feet adjacent to the curb shall not exceed 4:1 when the nearest edge of sidewalk is within six feet (6') of the curb, otherwise the maximum slope within the right of way shall not exceed 3:1. All unpaved parkway areas adjacent to the curb shall be depressed one and one-half inches (1.5") in the first eighteen inches (18') behind the curb.
- 4.41** Building pad elevations on the Precise Grading Plan submitted for City Engineer's approval shall conform to the pad elevations shown on all plans, unless the pad elevations have other requirements imposed elsewhere in the Conditions of Approval.
- 4.42** Prior to any site grading or re-grading that will raise or lower any portion of the site by more than plus or minus half of a foot (0.5') from the elevation shown on the approved Plans, the Applicant shall submit the proposed grading changes to the City Engineer for a substantial conformance review.
- 4.43** Prior to the issuance of a Building Permit for any building pad, the Applicant shall provide a lot pad certification stamped and signed by a qualified engineer or surveyor with applicable compaction tests and over excavation documentation. The pad certification shall list the pad elevation as shown on the approved Precise Grading Plan, the actual pad elevation and the difference between the two, if any. Such pad certification shall also list the relative compaction of the pad soil. The data shall be organized by pad number and/or location, and listed cumulatively if submitted at different times.

#### **DRAINAGE**

- 4.44** Stormwater handling shall conform to the approved Hydrology and Drainage report for the CUP (or as shown in the Precise Grading Plan as approved by the

City Engineer). The design of the development shall not cause any increase in flood boundaries, levels or frequencies in any area outside the development.

- 4.45** Stormwater and nuisance water (drainage) shall be retained on site and shall be disposed of in an approved manner. Nuisance water shall be disposed of in the historical manner (as shown on the Precise Grading Plans) as approved by the City Engineer.
- 4.46** All drainage water shall be conveyed into the historic downstream drainage relief route as prior to the CUP, to the satisfaction of the City Engineer.
- 4.47** Stormwater drainage historically received from adjoining properties shall be received and retained and/or passed through into the historic downstream drainage relief route.

#### **UTILITIES**

- 4.48** If applicable, the Applicant shall obtain the approval of the City Engineer for the location of all utility lines within any right-of-way, and all above-ground utility structures including, but not limited to, traffic signal cabinets, electrical vaults, meter cabinets, water valves, blow offs and telephone stands, to ensure optimum placement for practical and aesthetic purposes.
- 4.49** Underground utilities shall be installed prior to overlaying hardscape. For installation of utilities in existing improved streets, the Applicant shall comply with trench restoration requirements required by the City Engineer.
- 4.50** The Applicant shall provide certified reports of all utility trench compaction for approval by the City Engineer.
- 4.51** CUP 16-039 shall be served with a gravity sanitary sewer system, domestic water system and fire protection system in accordance with DWA and City of Cathedral City Fire Department requirements and standards. Applicant shall pay to the City and DWA all applicable sewer and water service charges, capacity charges and construction reimbursements.
- 4.52** If applicable, the Applicant shall abandon or relocate existing easements over the CUP 16-039 prior to final inspection for the Certificate of Occupancy as required by the agency and/or individual favored and as approved by the City Engineer. Additionally, the Applicant shall relocate existing utility facilities that are required by all utility purveyors prior to issuance of the building permit or as approved by the City Engineer.

## **SECTION 5 FIRE PROTECTION**

- 5.01** Fire Department approval is required prior to the issuance of any Certificate of Occupancy.
- 5.02** No portion of any building shall be located more than 150 feet from a fire hydrant.
- 5.03** All access roads to a development project shall have a minimum width of 20 feet with no parking allowed on either side of the access road.
- 5.04** All designated "Fire Lanes" within a project site shall have a minimum 20-foot width with red curbs and appropriate signage as determined by the City Fire Marshal.
- 5.05** The south curb shall be painted Red and stenciled "NO PARKING" "FIRE LANE" per CVC 22500.1 with white paint.
- 5.06** "Knox"-keyed box, as approved by the City Fire Marshal, shall be installed for emergency building access for both the Fire Department and Police Department.
- 5.07** "Knox"-keyed device, as approved by the City Fire Marshal, shall be installed on all "access" gates for emergency access.
- 5.08** The fire apparatus access road shall be designed and maintained to support the imposed load of fire apparatus (73,000 GVW) and shall be surfaces so as to provide all-weather driving capabilities.

## **SECTION 6 BUILDING DEPARTMENT**

- 6.01** Project shall comply with the 2016 California Building Standards Code (Title 24, California Code of Regulations) and other adopted City Ordinances which include the following:
  - a. CA Building Code
  - b. CA Plumbing Code
  - c. CA Mechanical Code
  - d. CA Electrical Code
  - e. CA Fire Code
  - f. CA Green Building Standards Code
  - g. CA Energy Code
  - h. Chapter 8.34 of the Municipal Code: Building Security
- 6.02** Any temporary building, trailer, commercial coach, etc. installed and/or used in connection with a construction project shall comply with the City of Cathedral City requirements.

- 6.03** The requirements of the Department of Environmental Health Services and the Air Quality Management District shall be satisfied prior to issuance of any permit if hazardous materials are stored and/or used.
- 6.04** The applicant shall indicate on plans the path of travel for the disabled from the building to the public bus stop. The disabled parking stalls will be located on the shortest route to the building entrance.
- 6.05** If hazardous substances are used and/or stored, a technical opinion and report identifying and developing methods of protection from the hazards presented by the hazardous materials may be required. This report shall be prepared by a qualified person, firm, or corporation and submitted to the Building and Safety Department. This report shall also explain the proposed facility's intended methods of operation and list all of the proposed materials, their quantities, classifications, and the effects of any chemical (material) inter-mixing in the event of an accident or spill.
- 6.06** All signs shall be Underwriters Laboratories approved or the equivalent.
- 6.07** Permits are required prior to the removal and/or demolition of structures.

## **SECTION 7 RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION**

- 7.01** Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
- 7.02** The following uses shall be prohibited:
  - a. Any use that would direct a steady light or flashing light of red, white, green or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
  - b. Any use that would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
  - c. Any use that would generate smoke or water vapor or which would attract large concentrations of birds, or that may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower and row



crops, artificial marshes, recycling centers containing putrescible wastes, and construction and demolition debris facilities.)

- d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.

**7.03** This notice shall be provided to all potential purchasers of the property and tenants of the building that reads as follows:

***NOTICE OF AIRPORT IN VICINITY*** *This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b) (13) (A)*

**7.04** Any new retention basins on the site shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the retention basin(s) that would provide food or cover for bird species that would be incompatible with airport operation shall not be utilized in project landscaping.

**7.05** Children's schools, hospitals, and nursing homes are discouraged uses in the portion of the site that is located within Compatibility Zone D.

**Approved for Planning Entitlements by the Cathedral City Planning Commission on April 19, 2017.**

Attest:

Agreed:

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Robert Rodriguez  
Planning Manager

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Applicant