

	<p style="text-align: center;"><b>CITY OF CATHEDRAL CITY PLANNING COMMISSION</b></p> <p style="text-align: center;"><b>CONDITIONS OF APPROVAL PLANNED UNIT DEVELOPMENT 17-001 TENTATIVE TRACT MAP 37354 TENTATIVE PARCEL MAP 37454 VARIANCE 17-006</b></p> <p style="text-align: center;"><b>MARIO GONZALES/GHA COMPANIES PROJECT LOCATION: EAST SIDE OF CREE ROAD BETWEEN CAREY ROAD AND JONES ROAD (APN: 681-310-014 &amp; -016)</b></p> <p style="text-align: center;"><b>DATE APPROVED: FEBRUARY 21, 2018</b></p>
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### **SECTION 1 ADMINISTRATIVE CONDITIONS**

- 1.1** A copy of all pages of these conditions shall be printed onto the first page of the construction drawings.
- 1.2** 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 that as approved in Exhibit A, dated February 21, 2018, 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.
- 1.3** This approval shall be valid for two years from date of approval, unless extended pursuant to the Zoning and Subdivision Ordinance.
- 1.4** No Certificate of Occupancy shall be granted until all conditions of approval have been satisfied.
- 1.5** The Final Tract Map shall be approved by the City Council and recorded prior to the issuance of any Building Permits.
- 1.6** The development of the site shall conform to all ordinances, codes, regulations, policies and development design controls pursuant to the Cathedral City Municipal Code and the CC&Rs prior to the approval of the Final Tract Map. All conditions herein shall be met prior to the approval of the Final Tract Map and/or issuance of a grading or building permit.

- 1.7** Prior to approval of the Final Tract Map, “will serve” letters shall be obtained from all affected agencies, including DWA, Southern California Edison, Spectrum Cable, Frontier Telephone and Burrtec.

## **SECTION 2 FEES**

- 2.1** The Applicant shall pay all applicable City of Cathedral City fees, charges and other costs such as development impact fees as prescribed by City Ordinance. The applicant is hereby 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 timely follow this procedure 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**

- 3.1** No building permits for production units shall be issued until Tract Map 37354 and Parcel Map 37454, or the phases thereof, are recorded.
- 3.2** Prior to the issuance of a building permit, the Applicant shall alleviate the negative yearly impact on the City’s General Fund from residential development for police, fire, paramedic, and park services either by 1) the payment of a one-time fee equal to the present value cost of providing General Fund services to the proposed development for a period of 99 years or 2) annexing into Community Facilities District (CFD) No. 2006-1 having an annual special tax equal to the yearly cost of providing General Fund services as calculated and determined by the City of Cathedral Finance Department.
- 3.3** Before Final Tract Map approval by the City Council, a Final Site Plan shall be submitted to the Planning Division for review and approval consistent with the following:
- a. Plans shall be draw in a minimum scale of 1” = 30’.
  - b. Show locations of all property lines.
  - c. Details of the area where the sidewalk within the recreation area meets the end of street “C” showing how the sidewalk will transition to the street.

- d. Walkways shall be a minimum of 4' wide and constructed of concrete or an acceptable alternative material such as brick or tile. (Section 9.94.110.N)
- e. Stacking distance at the entry gates shall be for a minimum of two cars.
- f. Show location of all mechanical and electrical equipment on exterior of building or ground-mounted equipment. All exterior and ground-mounted equipment is required to be screened.
- g. Locations of mailboxes on the site.
- h. Location of call box(es).
- i. All cross sections shall match those on the Tentative Tract Map or be deleted from plan.
- j. Decorative paving at key crossing points on private roads. Include detail of decorative paving.
- k. Show locations of all fire hydrants, catch basins, and gutters.

**3.4** Before Final Tract Map approval by the City Council, a Final Landscape Plan shall be submitted to the Planning Division for review and approval with the following revisions:

- a. Front yards for all residential lots shall be landscaped. Show detail of typical landscaping.
- b. Show details of all parks and common open space areas with amenities. Include details of all amenities.
- c. Show locations of perimeter and internal property lines.
- d. All recreation areas shall provide site furnishings such as benches, bike racks, shading and play equipment the locations of which shall be shown on the landscape plans. Provide details of all proposed site furnishings.
- e. A trail or path shall be provided along the top of the retention basin with pedestrian access to the bottom.
- f. Show locations of all ground-mounted equipment and include landscaping to be used for screening.

**3.5** A Final Landscape Construction Plan, prepared by a licensed landscape architect and approved by the Planning Manager, shall be signed by the local water purveyor prior to the issuance of a building permit. The Final Landscape Construction Plan shall contain the following required information:

- a. A title block with sheet number, site address and APNs, date of preparation, and name, address, and phone number of applicant on all sheets.
- b. Show use of concrete mow strip between turf and other surfaces.
- c. 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.
- d. Show all location of mechanical, electrical, and irrigation equipment and landscaping that will screen from public view.
- e. 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.
- f. Plant and tree installation and staking details.
- g. Side yard landscaping for each corner lot.
- h. Landscape plans shall meet the requirements of the City of Cathedral City's Water Efficient Landscape Ordinance.
- i. All plant materials used on the project site shall be those listed in the most recent version of Coachella Valley Water District's "Lush & Efficient Landscape Gardening in the Coachella Valley".
- j. An Irrigation Plan with equipment details.

**3.6** 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. Plants and trees shall be primarily of drought tolerant species compatible with the desert environment.
- b. Projects shall minimize the use of turf. Residential front yards shall contain no more than 35% turf.
- c. At least 50% of the trees shall be evergreen species.
- d. All trees in parking lots shall be centered between parking spaces to provide optimal shading.
- e. All single trunk trees shall be double staked and multi-trunk trees shall be staked appropriate to the species of tree.

- f. Arbor guards shall be installed around trees in turf areas.
  - g. Projects located along major arterials and/or streets shall comply with the street tree requirements of the Design Guidelines.
  - h. Planter areas shall be surrounded by a concrete mow strip or other hard surface.
  - i. All ground-mounted equipment, such as mechanical, electrical, and irrigation equipment (backflow preventers), shall be located within a landscape planter. This equipment shall not be located within a turf area and shall not be visible from public view.
  - j. Any drain that terminates in a planter shall have a splash guard.
  - k. All palm trees shall have a brown trunk height of between a minimum of 10 – 20 feet, varied to the satisfaction of City staff.
  - l. All 36-inch box trees or greater shall be verified as to size by the project planner prior to being planted. It is the responsibility of the contractor and/or Applicant to make an appointment with the project planner to conduct this verification.
- 3.7** Per section 9.94.110 of the Zoning Ordinance, all structures shall be setback a minimum of ten feet from the right-of-way of public or private streets, unless a variance has been granted.
- 3.8** All lighting on site shall comply with Chapter 9.89 of the Municipal Code relative to outdoor lighting including fixtures that direct lighting downward.
- 3.9** The Applicant shall submit an exterior Lighting Plan in compliance with CCMC Section 9.89, including a photometric analysis, to the Planning Manager for review and approval prior to issuance of a building permit. The Lighting Plan shall also identify the following:
- a. The type of fixtures, including height, material, and color.
  - b. That the total height of all freestanding lighting fixtures will not exceed 18 feet.
  - c. That all concrete fixture bases will have a decorative finish. At a minimum, a trowel finish shall be provided.
  - d. That the bolts connecting the light fixture to the base will be covered.
- 3.10** All mechanical equipment, either roof or ground mounted, and shall be 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 issuance of a Certificate of Occupancy, it is determined by the Planning Manager that equipment can be viewed from the public right-of-way a plan for screening the equipment shall be submitted to the Planning Department for approval. Once approved, said screening shall be constructed prior to issuance of a Certificate of Occupancy.

- 3.11** Property addresses or building identification signs shall be placed on all new and existing buildings so as to be plainly visible from the public street. Said signs shall be a minimum of 8 inches in height on commercial buildings and six inches in height for residential buildings. Numbers shall be either internally or externally illuminated to be consistent with Municipal Code Section 9.02 and designed to illuminate automatically during periods of darkness.
- 3.12** Signage for the proposed project is not part of this approval and shall require a sign permit, prior to the issuance of a Certificate of Occupancy.
- 3.13** Trash enclosures shall have a decorative wall surface and a decorative cap that are consistent with the overall architecture of the project.
- 3.14** In single-family residential subdivisions, all exterior walls facing a public street or public area shall have a decorative surface and a decorative cap that is consistent with the overall architecture. Interior walls between units are exempt from this requirement.
- 3.15** Building and landscaping shall be maintained in a condition that substantially complies with this approval.
- 3.16** All breaker boxes, fire sprinkler risers, and utility conduits shall be interior to the building.
- 3.17** All roof drains and downspouts shall be on the interior of the building with decorative drain terminations. Exposed drainpipes are specifically prohibited.
- 3.18** Contractor must divert at least 75 percent of all demolition waste to a recycling facility. The reuse of materials is considered an acceptable recycling program but must be documented and approved by the Environmental Conservation Manager
- 3.19** Prior to the issuance of a Certificate of Occupancy, the applicant shall submit all weight tickets associated with trash and recycling disposal to be approved by the Environmental Conservation Manager.
- 3.20** If the PUD is proposed to be constructed in phases, the application shall state this and include a proposed construction schedule. A phasing plan shall outline the construction timeline for homes, infrastructure, landscaping, open space, recreational and common amenities, and other site improvements.

**3.21** The project shall comply with the following Mitigation Measures as identified in the Initial Study for PUD 17-001, VAR 17-006, TTM 37354, TPM 37454:

1. AQ-1: Construction activities that include grading will be limited to a maximum of three acres per day and use of construction equipment listed in Appendix B of The District East Air Quality and Global Climate Change Analysis.
2. BIO-1: Before issuance of any building permit for the project, a pre-construction survey shall be conducted for the burrowing owl no more than five days before any ground-disturbing activities begin. The survey shall be conducted as close to the actual construction initiation date as possible. If evidence of the burrowing owl is found on the site, then the developer shall follow the recommendations of a professional biologist, hired by the City at the developer's expense, on the find before restarting the ground-disturbing activities in accordance with CDFW protocol. Evidence of the completed survey shall be submitted to the City Planner before building permit issuance. If the present, mitigation in accordance with the CDFW shall be implemented as follows:
  - If burrowing owls are identified as being resident on-site outside of the breeding season (February 1 through August 31) they may be relocated to other sites by permitted biologist (permitted CDFW), as allowed in the CDFW Staff Report on Burrowing Owl Mitigation (March 2012).
  - If an active burrow is found during the breeding season, the burrow shall be treated as a nest site and temporary fencing shall be installed at a distance from the active burrow, to be determined by the biologist, to prevent disturbance during grading construction. Installation and removal of the fencing shall be done with a biological monitor present.
3. BIO-2: If construction is to occur during the MBTA nesting cycle (February 1-September 30), a nesting bird survey shall be conducted by a qualified biologist, contracted by the applicant or City and paid by the applicant, not more than 14 days before start of ground-disturbing activities. Disturbance that cause nest abandonment and/or loss of reproductive effort (e.g. killing or abandonment of eggs or young) may be considered take and is potentially punishable by fines or imprisonment. Active bird nests shall be mapped utilizing a hand-held global positioning system (GPS) and a 300' buffer shall be flagged around the nest (500' buffer for raptor nests). Construction shall not be permitted within the buffer areas while the nest continues to be active (eggs, chicks, etc.). Results of the survey shall be submitted to the Planning Manager before issuance of building permits.
4. CR-1: If during excavation, grading or construction, artifacts or other archaeological resources are discovered, all work in the immediate area of the find shall be halted and the applicant shall immediately notify the City

Planner. A qualified archaeologist shall be called to the site by, and at the expense of, the applicant to identify the find and propose mitigation if the resource is culturally significant. Work shall resume after consultation with the City of Cathedral City and implementation of the recommendations of the archaeologist. If archaeological resources are discovered, the archaeologist 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.

5. CR-2: If a paleontological resource is accidentally uncovered during demolition or construction activities for the proposed project, the project applicant/developer shall be required to notify the City of Cathedral City Planner immediately and all excavation work within ten feet of the find shall cease immediately. A qualified paleontologist or archaeologist shall be consulted to determine the necessity for monitoring any excavation and to evaluate any paleontological resource exposed during construction. Construction activity shall resume upon consultation with the City of Cathedral City and upon implementation of the recommendations of the paleontologist or archaeologist.
6. GEO-1: Before issuance of building permits, the project applicant shall submit plans to the City of Cathedral City for review and approval demonstrating project compliance with the 2016 California Building Code (or the most recent version) seismic requirement and the recommendations of the design level geotechnical analysis contained in the geotechnical investigation report for the project. All geotechnical engineering recommendations and structural foundation recommendations shall be designed by a licensed professional engineer and shall be incorporated into the approved grading and building plans. All on-site soil engineering activities shall be conducted under the supervision of a licensed geotechnical engineer or certified engineering geologist.
7. HAZ-1: Any outdoor lighting installed shall be hooded or shielded to prevent either spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
8. HAZ-2: 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 light or visual approach slop 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 that 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, sun flower, and row crops, artificial marshes, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, and construction and demolition debris facilities.)
  - d. Any use that would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
9. HAZ-3: A "Notice of Airport in Vicinity" shall be provided to all potential purchases of the property and tenants of the buildings.
10. HAZ-4: Any new retention or detention 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 detention basins that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
11. HWQ-1: The applicant/developer shall provide construction plans to the City Engineer showing the following site improvements:
  - All perimeter roads (Jones Road and Carey Road) shall be improved per City Engineer requirements adjacent to the project site to mitigate local storm waters and drainage.
  - Jones Road shall be designed to continue to pass through regional flood waters.
  - All proposed on-site building pads shall be constructed to the CLOMR-F/LOMR-F FEMA-approved pad elevation above the current base flood elevation (BFE).
  - All proposed interior roads shall convey flows around the proposed homes and direct runoff via onsite storm drains to the proposed onsite retention basin. The proposed storm drains and retention basin system have been sized to handle the 100- year 3-hour storm event.
  - The above site improvements shall be designed to the satisfaction of and approved by the City Engineer before issuance of any grading permits for the proposed project.
12. HWQ-2: The applicant/developer shall provide to FEMA all studies, calculations, plans and other information required to meet FEMA requirements, and shall obtain a Conditional Letter of Map Revision Based Fill (CLOMR-F) prior to grading. The CLOMR-F shall be provided to the City

Engineer prior to issuance of any permits for grading for the project.

13. HWQ-3: Prior to issuance of a building permit for the project, the applicant/developer shall obtain from FEMA and provide to the City Engineer a Letter of Map Revision Based on Fill (LOMR-F).
14. N-1: Before issuance of grading permits for the project, the project applicant/developer shall submit plans or contract specifications to the City that include noise reduction measures that will be implemented during construction activities, as feasible, including the following:
  - Construction equipment will use available noise suppression devices and properly maintained mufflers. Construction noise shall be reduced by using quiet or “new technology”, equipment, particularly the quieting of exhaust noises by use of improved mufflers where feasible. All internal combustion engines used at the project site will be equipped with the type of muffler recommended by the vehicle manufacturer. In addition, all equipment will be maintained in good mechanical condition so as to minimize noise created by faulty or poorly maintained engine, drive-train and other components.
  - During all site preparation, grading and construction, contractors shall minimize the staging of construction equipment and unnecessary idling of equipment in the vicinity of residential land uses.
  - The equipment staging area will be situated so as to provide the greatest distance separation between construction- related noise sources and noise-sensitive receptors nearest the project site during all project construction.
  - Stationary noise sources shall be located as far from sensitive receptors as possible, and shall be muffled and enclosed within temporary sheds, or insulation barriers or other measures shall be incorporated to the extent feasible.
  - Temporary walls/barriers/enclosures will be erected around stationary construction equipment when such equipment will be operated for an extended period of time and where there are noise sensitive receptors substantially affected. Noise barriers and enclosures will consist of absorptive material in order to prevent impacts upon other land uses due to noise reflection. In addition, complete enclosure structures will close or secure any openings where pipes, hoses or cables penetrate the enclosure structure.
15. N-2: During construction, the following measures shall be implemented to the extent possible:
  - Heavily loaded trucks shall be routed away from residential streets.
  - The operation of earthmoving equipment or vibratory rollers on the project site shall take place as far away from vibration- sensitive

uses, i.e. mobile homes and historical buildings as possible.

16. TR-1: The project applicant shall submit plans to the City showing consistency with the following on- site circulation recommendations in the TIA for the project:

Construction of on-site improvements shall occur in conjunction with adjacent project development activity or as needed for project access purposes. The recommended on-site roadway improvements are illustrated on Figure 5-A of the TIA and as described below.

- Project Driveway 1 / Jones Road (#6)
  - Install a stop sign control for the southbound approach.
  - Construct a shared southbound left/right turn lane.
- Project Driveway 2 / Carey Road (#7)
  - Install a stop sign control for the northbound approach
  - Construct a shared southbound left/right turn lane.
- Construct the appropriate improvements as directed by the City Engineer along Carey Road between the westerly project boundary to the easterly project boundary which include off-set cul-de-sac, curb/gutter, sidewalk, landscaping, etc.
- Construct the appropriate full-street improvements as directed by the City Engineer along Jones Road between the westerly project boundary and east of project entry (Project Driveway 1) which include turn-around, curb/gutter, sidewalk, landscaping, etc.
- On-site traffic signing and striping should be implemented in conjunction with detailed construction plans for the project.

Verify that minimum sight distance is provided at the project access points.

These Mitigation Measures will be included in the Conditions of Approval for the project. Some of the Mitigation Measures may be duplicated by or be more specific than some of the Standard Conditions of Approvals, since the special studies for the Initial Study document were prepared by outside consultants. Staff has left the City Standard Conditions intact, unless there was an exact duplication, in order to ensure that all issues were covered.

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

- 4.1** 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 Tentative Parcel Map No. 37454 (TPM) and Tentative Tract Map No. 37354 (TTM). 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.

**4.2** This TPM and TTM shall expire two years after the City Planning Commission approval date, unless recorded or granted a time extension pursuant to the Cathedral City Subdivision Ordinance.

**4.3** This TPM and TTM, and any Final Map(s) recorded thereunder, shall comply with the requirements and standards of the State "Subdivision Map Act" and the Cathedral City Subdivision Code, and The Final Map(s) shall:

i. Be based upon a field survey.

ii. A preliminary soils report shall be performed completed for the proposed parcels and shall be noted on the Final Map(s).

**4.4** The TPM and TTM shall comply with all applicable terms, conditions and/or mitigation measures for the following approvals:

- A. Specific Plan 88-30.
- B. PUD 17-001 Requirements.
- C. Variance No. 17-006.
- D. Cathedral City Guidelines.
- E. Cathedral City Water Conservation Policies and Rules.
- F. 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.

**4.5** The TPM and Final Parcel Map (FPM) creating three parcels, are primarily for financing purposes for further subdivision and development. No grading or improvements of the parcels created by the TPM/FPM shall be permitted until the TTM, PUD and Variance are approved by the Cathedral City Planning Commission.

Conditions for site development, public and/or private improvements, grading, drainage, dust and erosion control, water quality management and other requirements for parcels created by this TPM/FPM will be determined by the approval of the TTM by the Cathedral City Planning Commission.

**4.6** Prior to the FPM approval, the Applicant shall provide security to guarantee the survey and setting of final monumentation, parcel boundaries and lot corners. All such securities shall be in the form of a 100% cash bond. Release of securities will occur after the Applicant's engineer of record provides the City Engineer

certification that all such monuments have been placed and the engineer of record has been compensated in full for the work.

**4.7** All conditions herein shall be met prior to the Grading Permit issuance for the TPM and/or TTM 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.

**4.8** Prior to issuance of any grading, construction 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.
- C. Cathedral City Planning Department.
- D. Cathedral City Building Department.
- E. City of Palm Springs.
- F. Riverside County Environmental Health Department.
- G. Palm Springs Unified School District.
- H. Desert Water Agency (DWA).
- I. Southern California Edison (SCE).
- J. Frontier Communications.
- K. Spectrum Cable.
- L. California Regional Water Quality Control Board (CRWQCB).
- M. State Water Resources Control Board.
- N. Sunline Transit Agency (SunLine).
- O. South Coast Air Quality Management District – Coachella Valley (SCAQMD).
- P. Riverside County Flood Control and Water Conservation District (RCFC).

The Applicant is responsible for all the requirements of the permits and/or clearances from 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.

**4.9** The Applicant shall be responsible for completing all TPM and TTM approved Phase I Study recommendations, all City and Riverside County requirements and Riverside County Department of Environmental Health requirements. Proof of compliance shall be submitted to the City before issuance of building permits for the TPM and TTM.

**4.10** Coverage under the State of California Construction General Permit must be obtained by the Applicant, who then shall submit a copy of the Regional Water Quality Control Board's ("RWQCB") acknowledgement of the applicant's Notice of Intent ("NOI") and Waste Discharge Identification ("WDID") number to the City prior to the issuance of a grading or building permit.

**4.11** Prior to construction, during construction and up to Final Tract Map (FTM) acceptance the Applicant shall comply with applicable provisions of the City's NPDES Stormwater Discharge Permit and Riverside County Ordinance No. 457; the California Regional Water Quality Control Board – Colorado River Basin Regional Board Order No. R7-2013-0011 and the State Water Resources Control Board's Order No. 2009-009-DWQ, Order No. 2010-0014-DWQ and Order No. 2012-0006-DWQ.

- A. For construction activities including clearing, grading or excavation of land that disturbs one (1) acre or more of land, or that disturbs less than one (1) acre of land, but which is a part of a construction project that encompasses more than one (1) acre of land, the Applicant ("Permitee") shall be required to submit a Storm Water Pollution Protection Plan ("SWPPP") to the State Water Resources Control Board ("SWRCB").
- B. The Applicant or design professional can obtain the California Stormwater Quality Association SWPPP template at [www.cabmphandbooks.com](http://www.cabmphandbooks.com) for use in their SWPPP preparation.
- C. Prior to the Applicant submitting the SWPPP to the SWRCB, the Applicant shall submit a copy of the SWPPP to the City Engineer for review.
- D. The Applicant shall deliver a complete copy of the State Water Resources Control Board approved SWPPP to the City Engineer prior to issuance of the Grading Permit for City records.
- E. The Applicant shall ensure that the required SWPPP is available for inspection at the project site at all times through and including acceptance of all improvements by the City.
- F. The Applicant's SWPPP shall include provisions for all of the following Best Management Practices ("BMPs"), but not limited to:
  - 1) Temporary Soil Stabilization (erosion control).
  - 2) Temporary Sediment Control.
  - 3) Wind Erosion Control.
  - 4) Tracking Control.
  - 5) Non-Storm Water Management.
  - 6) Waste Management and Materials Pollution Control.
  - 7) Retention and Infiltration Basins Management.

- G. All erosion and sediment control BMPs proposed by the Applicant shall be approved by the City Engineer.
  - H. All erosion control BMPs shall remain in effect for the entire duration of project construction until all improvements are completed and accepted by the City.
  - I. The SWPPP shall remain in effect for the entire duration of project construction until all improvements are completed and accepted by the City Council.
- 4.12** The Applicant shall be responsible for blow sand, debris, trash, rubbish and deleterious material removal in all areas of the TPM/TTM's Carey Road and Jones Road frontage, including gutter pans, sidewalks, parkways, right-of-way, private streets, parking lots, drive aisles and all other interior areas. The Applicant shall include these responsibilities into the daily maintenance of the site for perpetuity in the City approved CC and R's for the TPM/TTM.
- 4.13** Approval of this TPM and TTM 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.
- 4.14** 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 of Approval. 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.
- 4.15** 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.
- 4.16** 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

- 4.17** Prior to issuance of any permit(s), the Applicant shall acquire or confer easements and other property rights necessary for the construction or proper functioning of the proposed TPM/TTM. Conferred rights shall include irrevocable offers to dedicate or grant access easements to the City for emergency services and for maintenance, construction and reconstruction of essential improvements.
- 4.18** Pursuant to the aforementioned condition, conferred rights shall include approvals from all necessary persons or entities over easements and other property rights necessary for construction and proper functioning of the proposed TPM/TTM, not limited to access rights over proposed and/or existing private streets that access public streets and open space/drainage facilities of all phases of the TPM/TTM. Specifically:
- i. Prior to the FPM approval, the Applicant shall, by separate recorded instrument, grant a private access, utility and drainage easement for access to Jones Road in favor of Parcel 3 as shown on the TPM. Such instrument shall be in a form as approved by the City Engineer and City Attorney and its location and recordation data shall be shown on the FPM.
  - ii. A number of utility easements exist where the proposed parcels are to be created. In accordance with the provisions of the State Subdivision Map Act and prior to FTM approval, these easements shall either be quitclaimed or terminated by their owners, or the City Engineer shall be provided with “non-interference” letters from the easement owners stating that the Applicant’s proposed TTM will not interfere with their easements.
  - iii. Prior to FTM approval, the Applicant shall obtain all necessary easements and right-of-way for the completion of the proposed Carey Road cul-de-sac on the private properties located northeast and east of the TTM. Easements and right-of way shall be obtained from, and not limited to:
    - 1. APN 681-310-007
    - 2. APN 681-310-025
    - 3. APN 681-310-009
    - 4. APN 681-310-015
- 4.19** The Applicant shall retain for private use on the FTM all private street rights-of-way, parking lots, access ways, entry points and rights of way in conformance with the City’s General Plan, Municipal Code, applicable Specific Plan and PUD and/or as required by the City Engineer.
- 4.20** The Applicant shall construct the following private street rights-of-way to be retained for private use:



A. Private Streets On-Site.

- 1) Private streets are designated as local (residential) streets.
- 2) Entry drives, interior circulation routes, corner cutbacks, dedicated turn lanes and other features shown on the TTM, may require additional street widths as may be determined by the City Engineer.
- 3) Street "Lot G" Main Entry – Entry driveway north of Jones Road and south of District Road East as shown on the TTM and as part of these conditions of approval.
  - a) Gated entry shall provide for vehicle stacking capacity for inbound traffic to be a minimum length to accommodate two (2) vehicles from the call box to the street; and shall provide for a full turn around outlet for non-accepted vehicles.

For the proposed gated entry, the Applicant shall submit a detailed exhibit at a scale of 1" = 10', demonstrating that those passenger vehicles that do not gain entry into the development can safely make a full turn-around (minimum radius to be 24 feet) out onto Jones Road from the gated entry. The turn-around clear opening shall be a minimum of twenty-five feet wide or as approved by the City Engineer.

Two lanes of traffic shall be provided on the entry side of the gated entry, one lane shall be dedicated for residents and one lane for visitors. The two travel lanes shall be a minimum of 23 feet of total paved roadway surface or as approved by the Cathedral City Fire Department and the City Engineer.

- 4) District East Road – Private residential street measured right-of-way to right-of-way shall have a 33-foot width and 24-foot width, respectively; with no parking allowed on one side of the street from Street "A" to Street "C" and no parking allowed on either side from Street "C" to the north terminus as shown on the TTM and as part of these Conditions of Approval.
- 5) Street "A" – Private residential street measured right-of-way to right-of-way shall have a 29-foot width and 33-foot width, respectively; with no parking allowed on one side of the street from District East Road to Street "D" as shown on the TTM and as part of these Conditions of Approval.
- 6) Street "B" – Private residential street measured right-of-way to right-of-way shall have a 33-foot width and 29-foot width, respectively; with no parking allowed on one side of the street from District East Road to Street "A" as shown on the TTM and as part of these Conditions of Approval.

- 7) Street "C" - Private residential street, designated secondary gated access and emergency entrance measured right-of-way to right-of-way shall have a 33-foot width and 28-foot width, respectively; with parking allowed on one side of the street from District East Road to the 28-foot width secondary gated access road and no parking on either side of the street along the 28-foot width portion of the secondary gated access road as shown the TTM and as part of these Conditions of Approval.
    - a) The Applicant shall construct the above temporary secondary access, if construction is phased, in the location of the proposed roadways, which will allow for emergency services only, with all appurtenances, gating and surfacing approved by the Cathedral City Fire Department and the City Engineer.
  - 8) Street "D" – Private residential street measured right-of-way to right-of-way shall have a 33-foot width and 29-foot width, respectively; with no parking allowed on one side of the street from Street "B" to Street "A" as shown on the TTM and as part of these Conditions of Approval.
  - 9) On streets with no parking allowed on one side of the street, the Cathedral City Fire Chief will determine the actual side where "red" curb (no parking) painting will be applied.
  - 10) The restricted street parking will be allowed provided there is adequate off-street parking for residents and visitors, and the Applicant establishes provisions for ongoing enforcement of the parking restriction in the CC&R's. The CC&R's shall be reviewed by the Engineering/Planning Department prior to recordation of the FTM.
  - 11) The Dead End on District East Road shall incorporate signing, striping and/or any required improvements to minimize turning conflicts, as may be determined necessary by the City Engineer.
  - 12) Curve Radii for curbs at all street intersections shall not be less than 25 feet or as shown on the TTM and as part of these Conditions of Approval.
- 4.21** The Applicant shall design private street pavement sections using Cal Trans's design procedure for 20-year life pavement, and the site-specific data for soil strength and anticipated traffic loading (including construction traffic). Minimum structural sections, with asphalt placed in two lifts, shall be as follows:

Residential	3.0" a.c./4.5" class II base.
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- 4.22** The Applicant shall install curb and gutter, which will convey water without ponding, and provide lateral containment of dust and residue during street sweeping operations, subject to the approval of the City Engineer.
- 4.23** The Applicant shall construct all private streets, parking areas, drive aisles, curbs and gutters, sidewalks and driveways to uniformly connect to existing adjacent public and/or private improvements within and adjacent the TTM as shown on the Site Plan to the satisfaction of the City Engineer.
- 4.24** The Applicant shall construct all appurtenant roadway components such as, but not limited to: curb, gutter, sidewalk, ADA ramps, traffic control striping, legends, traffic control signs and street name signs to the satisfaction of the City Engineer.
- 4.25** The Applicant shall coordinate and pay all cost necessary for the installation of the below detailed Cathedral City and SCE approved LED street lights with SCE and pay all related expenses, including the monthly electrical expense for each street light installed prior to the issuance of the first COO. The Applicant shall execute a Street Light Covenant with the City to be reviewed by the City Engineer prior to recording. The CC&R's for the TTM shall include the Street Light Covenant for the HOA to take over this obligation.
- A. Install two (2) 5,800 lumen LED street lights per Cathedral City and SCE Standards along the TTM's Jones Road frontage with final locations to be approved by the City Engineer.
  - B. Install two (2) 5,800 lumen LED street lights per Cathedral City and SCE Standards along the TTM's Carey Road frontage with final locations to be approved by the City Engineer.
- 4.26** The Applicant shall coordinate and pay all cost necessary for the undergrounding and removal of all, and not limited to, aerial wires, power lines, telephone wires, cable lines, communication equipment, pole under burden and respective poles that are within this TTM prior to the issuance of the first COO to the satisfaction of the City Engineer.
- i. The Applicant shall coordinate all undergrounding of existing facilities with each respective utility, service provider and adjacent properties owners to ensure that all aerial lines are removed from the TTM's Site Plan.
- 4.27** The Applicant will design and install stormwater drainage facilities:
- i. Within the TTM the Applicant will design facilities to capture all onsite nuisance and stormwater per Cathedral City Municipal Code requirements and other conditions specified herein; and coordinate with Riverside County Flood Control to accept TTM breakout waters, via additional

permitted catch basins connecting to adjacent Line 41 drainage facilities to the satisfaction of the City Engineer.

- ii. The Applicant shall accept regional pass through break out stormwater from Tract No. 36747's outlet drain channel on the west side of District East Road and either capture and/or pass through stormwater to the satisfaction of the City Engineer
  - iii. The Applicant shall design facilities to move regional pass through stormwater from Carey Road to Jones Road and coordinate with Riverside County Flood Control to permit the direct pipe connection to adjacent Line 41 drainage facilities to the satisfaction of the City Engineer.
- 4.28** Dedications shall include additional widths as necessary for dedicated right and left turn lanes, bus turnouts, and other features contained in the approved construction plans.
- 4.29** When the City Engineer determines that access rights to the proposed street rights-of-way shown on the approved TTM are necessary prior to approval of the Final Map dedicating such rights-of-way, the Applicant shall grant the necessary rights-of-way within 60 days of a written request by the City.
- 4.30** The Applicant shall offer for dedication on the Final Map, a public utility easement contiguous with, and along both sides of all private streets.
- The setback requirements shall apply to all frontages including, but not limited to, remainder parcels and sites dedicated for utility purposes.
- Where public facilities (e.g. sidewalks) are placed on privately owned setbacks, the applicant shall offer for dedication blanket easements for those purposes on the Final Map.
- 4.31** The Applicant shall offer for dedication to the City those easements necessary for the placement of, and access to, utility lines and structures, drainage basins and park lands on the Final Map.
- 4.32** The Applicant shall offer for dedication to the City those easements necessary for access to drainage facilities and basins, by separate instrument. The Applicant and/or Owner is required to execute a Drainage System and Basin Covenant with the City prior to issuance of the Grading Permit.
- 4.33** The Applicant shall cause all missing property corners and survey monuments within the boundaries of the TTM to be set prior to the final acceptance of the TTM improvements in accordance with the Subdivision Map Act.

- 4.34** The Applicant shall furnish proof of easements, or written permission, as appropriate, from those owners of all abutting properties on which grading, retaining wall construction, permanent slopes, street improvements, utility relocations or other encroachments will occur.
- 4.35** The Applicant shall cause no easement to be granted, or recorded, over any portion of the subject property between the date of approval of the TTM and the date of recording of any FTM, unless such easement is approved by the City Engineer.
- 4.36** The Applicant shall be responsible for the vacation, quitclaim or granting of easements that address changes in the existing easements over the proposed TTM that may be affected by proposed improvements. Pursuant this condition, the Applicant shall apply to the City for any street vacation request of public right-of-way and/or utility easements. The Applicant must provide all applicable exhibits and legal descriptions and perform all necessary abandonments or relocation of easements and/or facilities as required by all affected utility purveyors over the public rights-of-way and/or utility easements, or as approved by the City Engineer. Typically, the right-of-way vacation process is up to three (3) months.

#### PUBLIC IMPROVEMENTS

- 4.37** The applicant shall construct and dedicate the following streets and street improvements to conform to the General Plan and/or requirements of the TTM's Traffic Study.

##### A. PUBLIC STREETS

- 1) Jones Road – Public roadway as shown on the TTM and per these Conditions of Approval shall include the following:
  - a) Jones Road is a public roadway and is designated as a Local Collector with a 60-foot ROW.
  - b) Street measured at curb to curb shall have a 40-foot street width west of the entrance and 30-foot street width east of the entrance with the transition at the center of the entrance.
  - c) Construct full width street improvements on Jones Road starting from approximately 65 feet west of the TTM's west property line and continuing east approximately 400 feet to the easternmost shopping center entrance driveway. The Applicant will coordinate all public and private roadway improvements and driveway transitions with the adjacent property owner and coordinate relocation of fire hydrants,

water meters, storm drains and all other appurtenances as required to the satisfaction of the City Engineer.

- d) Construct all street, curb and gutter to uniformly connect to existing adjacent improvements east and west of the TTM along Jones Road to the satisfaction of the City Engineer.
  - e) Jones Road along the south side of Parcel 1 shall be offered for dedication to the City on the FPM. Full street right of way width shall be in accordance with a geometric alignment general as shown on the TTM and as approved by the City Engineer.
  - f) Construct two (2) or more stormwater catch basin on Jones Road to capture regional pass through storm waters and TTM break out storm waters and connect catch basin piping to the existing RCFC Line 41 pipe in Jones Road, under RCFC permit and to the satisfaction of the City Engineer.
  - g) Street shall have Type D and A-6 curbs per County of Riverside (RC) Standards (locations to be approved by the City Engineer), which will convey water without ponding, and provide lateral containment of dust and residue during street sweeping operations.
  - h) Construct a 6-foot wide concrete sidewalk adjacent the curb per RC Standards, with all required ADA ramps and utility offsets, as generally shown on the TTM and as approved by the City Engineer.
  - i) Construct all appurtenant roadway components such as, but not limited to: curb, gutter, sidewalk, ADA ramps, traffic control striping, legends, traffic control signs and street name signs.
- 2) Carey Road – Public roadway as shown on the TTM and per these Conditions of Approval shall include the following:
- a) Carey Road is a public roadway and is designated as a Local Collector with a 60-foot ROW.
  - b) Street measured at gutter flow line to gutter flow line shall have a 40-foot travel width.
  - c) Construct south half width crowned street improvements on Carey Road along the entire northern frontage of the TTM as shown on the TTM.
  - d) Construct a complete offset cul-de-sac in accordance with the size shape and geometric alignment as generally shown on the TTM as

approved by the City Engineer. Applicant will include all construction of pavement tapers from the cul-de-sac to the street construction cited above as approved by the City Engineer.

- e) Carey Road along the north side of proposed Parcel 2 shall be offered for dedication to the City on the FPM. Half street width shall be 30 feet, and the east end of Carey Road shall be offered as a full modified cul-de-sac in accordance with the geometric alignment generally as shown on the TTM and as approved by the City Engineer.
- f) Access to all parcels adjacent to the proposed cul-de-sac will be improved with Cathedral City Section 200-B driveway approaches. Driveway to the secondary entrance to the TTM will be constructed to RC commercial driveway standards. All driveway designs will need the final approval of the City Engineer.
- g) Construct all street, curb and gutter to uniformly connect to existing adjacent improvements east and west of the TTM along Carey Road as approved by the City Engineer.
- h) Construct a stormwater catch basin on Carey Road to capture regional pass through storm waters and connect via underground pipe, through private storm drain pipe within the TTM and connect to the existing RCFC Line 41 pipe in Jones Road, under RCFC permit and to the satisfaction of the City Engineer
- i) Street shall have Type A-6 curbs per County of Riverside (RC) Standards, which will convey water without ponding, and provide lateral containment of dust and residue during street sweeping operations.
- j) Construct a 6-foot wide concrete sidewalk adjacent the curb per RC Standards, with all required ADA ramps and utility offsets, along the entire Carey Road frontage and along the entire cul-de-sac radius as generally shown on the TTM as approved by the City Engineer.
- k) Construct all appurtenant roadway components such as, but not limited to: curb, gutter, sidewalk, ADA ramps, traffic control striping, legends, traffic control signs and street name signs.

**4.38** The Applicant shall design street pavement sections using Cal Trans's design procedure for 20-year life pavement, and the site-specific data for soil strength and anticipated traffic loading (including construction traffic). Minimum structural sections, with asphalt placed in two lifts, shall be as follows:

Local Collector      4.0" a.c./5.0" class II base.

- 4.39** Right-of-Way geometry for property line corner cut-backs at curb returns shall conform to RC Standard Drawing #805 unless otherwise approved by the City Engineer.
- 4.40** Improvements shall be designed and constructed in accordance with City adopted standards, supplemental drawings and specifications, or as approved by the City Engineer.
- 4.41** All public and private improvements shall be subject to City requirements for inspection during construction.
- 4.42** The City will conduct final inspections of structures only when the buildings have improved street and sidewalk access to publicly-maintained streets. The improvements shall include required traffic control devices, pavement markings and street name signs. If streets in residential developments are initially constructed with partial pavement thickness, the Applicant shall complete the pavement prior to the final COO of the last structure in each phase.

#### IMPROVEMENT PLANS

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

- 4.43** Improvement plans shall be prepared, for each phase, 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.
- 4.44** The following improvement plans, for each phase, shall be prepared and submitted for review by the Engineering Department. A separate set of plans for each line item specified below, for each phase, shall be prepared. 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. On-Site Rough Grading Plan 1" = 40' Horizontal
- B. PM 10 Plan 1" = 40' Horizontal
- C. Erosion Control Plan 1" = 40' Horizontal
- D. WQMP (Plan submitted in report form)

NOTE: A through D to be submitted concurrently.



NOTE: Rough 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.

- |  |                                       |
|--|---------------------------------------|
| E. Precise Grading Plan                                | 1" = 40' Horizontal                   |
| F. On Site Storm Drain Plan                            | 1" = 40' Horizontal                   |
| G. Street Improvements Plan including Strom Drain Plan | 1" = 40' Horizontal, 1' = 4' Vertical |
| H. Street Signing and Striping Plan                    | 1" = 40' Horizontal                   |
| I. Signal Plan (N/A)                                   | 1" = 40' Horizontal                   |
| J. Monumentation Plan                                  | 1" = 40' Horizontal                   |

NOTE: E through J to be submitted concurrently.

NOTE: 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.

NOTE: The street improvement plans shall show the sidewalk in the combined parkway and landscape setback area.

NOTE: Separate Storm Drain Plan if applicable and/or required by City Engineer.

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, 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.

“Rough Grading” plans 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.

- 4.45** The Applicant shall furnish accurate mylars of all improvement plans and the FPM/FTM, to the City Engineer for approval. The FPM/FTM, shall be of a scale approved by the City Engineer.

- 4.46** The Applicant shall furnish a copy of all approved improvement plans and recorded FPM/FTM, on an electronic storage media acceptable to the City Engineer.
- 4.47** Upon completion of construction of each phase, and prior to final acceptance of the improvements by the City, the Applicant shall furnish the City with reproducible record drawings, for each phase, 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 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 of Record (EOR) during the construction phase of the project so that the EOR 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 EOR may submit a letter attesting to said fact to the City Engineer in lieu of Mylar submittal.

#### IMPROVEMENT SECURITY AGREEMENTS

- 4.48** Prior to approval of the FTM, the Applicant shall construct and dedicate all on and off-site improvements and satisfy its obligations for same, or shall furnish a fully secured and executed Subdivision Agreement guaranteeing the construction of such improvements and the satisfaction of its obligations for same, or shall agree to any combination thereof, as may be required by the City.
- 4.49** Prior to FTM approval the Applicant shall submit for review and City approval Covenants, Conditions and Restrictions (CC&Rs) for the future maintenance and upkeep of (and not limited to) street lighting (Street Light Covenant), landscaping improvements, hardscape improvements, retention basin improvements and TTM permanent site BMP appurtenances (Water Quality Management Plan Covenant). Once approved by the City, Applicant shall execute CC&Rs.
- 4.50** Any Subdivision Agreement entered into by and between the Applicant and the City of Cathedral City, for the purpose of guaranteeing the completion of any improvements related to this TTM, shall comply with all applicable City Codes and Ordinances.

All required improvement securities shall be in a form and amount as approved by the City Attorney and City Engineer. Evidences of liability and workers compensation insurance coverage shall be submitted as required by the terms of the Subdivision Agreement.

- 4.51** The Applicant shall submit applicable deposits for the cost of reviewing Subdivision Agreement(s), CC&Rs, Map Extensions, Covenants, WQMP and/or any other requests or form submittals made by the Applicant related to this TTM.

- 4.52** 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 and shall provide for the setting of the final survey monumentation.

When improvements are phased through a "Phasing Plan," all improvements (e.g., backbone utilities, retention basins, perimeter wall, landscaping and gates) shall be constructed, or secured through a Subdivision Agreement, prior to FTM approval or as otherwise approved by the City Engineer.

Improvements and obligations required of each subsequent phase shall be either complete, or secured through a Subdivision Agreement, prior to the completion of homes or the occupancy of permanent buildings within such latter phase, or as otherwise approved by the City Engineer.

In the event the applicant fails to construct the improvements for the development, or fails to satisfy its obligations for the development in a timely manner, pursuant the approved phasing plan, the City shall have the right to halt issuance of permits, and/or final inspections, withhold other approvals related to the development of the project, or call upon the surety to complete the improvements.

- 4.53** Depending on the timing of the development of this TTM, and the status of the improvements at the time, the Applicant may be required to:

- A. Construct certain improvements.
- B. Construct additional improvements, subject to the reimbursement of its cost by others.
- C. Reimburse others for those improvements previously constructed that are considered to be an obligation of this TTM.
- D. Secure the costs for future improvements that are to be made by others.
- E. To agree to any combination of these means, as the City may require.

In the event that any of the improvements required for this development are constructed by the City, the Applicant shall, prior to the approval of the Final Map for each phase, or the issuance of any permit related thereto, reimburse the City for the costs of such improvements.

If the Applicant elects to utilize the secured agreement alternative, the Applicant shall submit detailed construction cost estimates for all proposed improvements for each phase, including an estimate for the final survey monumentation, for

checking and approval by the City Engineer. Such estimates shall conform to the unit costs schedule as approved by the City Engineer.

At the time the Applicant submits its detailed construction cost estimates for approval of the Final Map by the City Council, the Applicant shall also submit one copy each of an 8-1/2" x 11" reduction of each page of the Final Map, along with a copy of an 8-1/2" x 11" Vicinity Map.

Estimates for improvements under the jurisdiction of other agencies shall be approved by those agencies and submitted to the City along with the Applicant's detailed cost estimates.

Security will not be required for telephone, natural gas, or Cable T.V. improvements.

- 4.54** The Applicant shall provide security to guarantee the final monumentation of the TTM. All securities for final survey monumentation will be in the form of 100% cash deposits.

#### GRADING

- 4.55** The Applicant shall comply with all the provisions of Cathedral City Municipal Codes and Ordinances.
- 4.56** The Applicant shall obtain a Grading Permit approved by the City Engineer prior to initiating any construction or on the project site.
- 4.57** To obtain an approved Grading Permit, the applicant shall submit and obtain approval of all of the following:
- A. A Grading Plan prepared by a civil engineer registered in the State of California,
  - B. A preliminary geotechnical ("Soils") Report prepared by a professional registered in the State of California,
  - C. A Fugitive Dust Control Plan prepared in accordance with City of Cathedral City requirements,
  - D. An Erosion Control Plan prepared in accordance with City of Cathedral City requirements,
  - E. A Best Management Practices report prepared in accordance with Cathedral City requirements (NPDES Stormwater Discharge Permit and Storm Management and Discharge Controls),

- F. A WQMP prepared by an authorized professional registered in the State of California, and
  - G. A Conditional Letter of Map Revision – Fill (CLOMR-F) issued by the Federal Emergency Management Agency (FEMA). If the Applicant is not securing a CLOMR the Applicant must verify that the entire Project limits are outside a FEMA designated Flood Hazard Area and/or Area of Flood Hazard Risk as designated by the latest approved FEMA FIRM Map and in accordance with the City of Cathedral Municipal Code Chapter 8.24.
- 4.58** All grading shall conform with the recommendations contained in the Preliminary Soils Report, Phase 1 Environmental Assessment report and shall be certified as being adequate by the soils engineer, or engineering geologist registered in the State of California.
- 4.59** A statement shall appear on the Final Map that a soils report has been prepared in accordance with the California Health and Safety Code § 17953 and California Government Code § 66490.
- 4.60** 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.
- 4.61** The Applicant shall submit a deposit to stockpile on the site in conformance with CC Ordinances and Standards. The deposit shall be released back to the Applicant when all applicable grading deposits have been received and a Grading Permit is issued.
- 4.62** 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.
- 4.63** 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.

**4.64** Building pad elevations on the Grading or Precise Grading Plan submitted for City Engineer's approval shall conform to the pad elevations shown on the TTM, unless the pad elevations have other requirements imposed elsewhere in the Conditions of Approval.

**4.65** Building pad elevations of perimeter lots shall not differ by more than one foot higher from the building pads in adjacent development. The applicant shall minimize the differences in elevation between the adjoining properties and the lots within this development.

House pad elevations on contiguous interior lots shall not differ by more than three feet except for lots that do not share a common street frontage, where the differential shall not exceed five feet or as approved by the City Engineer.

**4.66** 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 TTM, the applicant shall submit the proposed grading changes to the City Engineer for a substantial conformance review.

**4.67** Prior to the issuance of a Building Permit for any building lot, 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. Each pad certification shall list the pad elevation as shown on the approved 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 lot number, and listed cumulatively if submitted at different times.

**4.68** This TTM shall comply with the Cathedral City Floodplain Management Ordinance. If any portion of any proposed building lot in the development is or may be located within a flood hazard area as identified on the City's Flood Insurance Rate Maps (FIRM Maps), the development shall be graded to ensure that all floors and exterior fill (at the foundation) are above the level of the project (100-year) flood and building pads are compacted to 95% Proctor Density as required in Title 44 of the Code of Federal Regulations, Section 645.5(a) (6). Prior to issuance of building permits for lots which are so located, the applicant shall furnish Elevation Certifications, as required by FEMA, that the above conditions have been met.

**4.69** Prior to the issuance of a building permit for any building in any phase, the Applicant shall provide to the City Engineer a Letter of Map Revision – Fill (LOMR-F) issued by FEMA.

## DRAINAGE

- 4.70** Stormwater handling shall conform to the approved Hydrology and Drainage report for the TTM. The design of the development shall not cause any increase in flood boundaries, levels or frequencies in any area outside the development.
- 4.71** Stormwater and nuisance water (drainage) for the TTM shall be retained on site and shall be disposed of in an approved manner. Nuisance water shall be disposed of via on-site storm drains, catch basins, underground percolation piping and retention basin(s) (as shown on the TTM) as approved by the City Engineer.
- 4.72** All drainage water shall be conveyed underground or to the satisfaction of the City Engineer.
- 4.73** Storm water drainage historically received from adjoining properties shall be received and retained and/or passed through into the historic downstream drainage relief route.
- 4.74** The Applicant shall comply with applicable provisions for post construction runoff per the City's NPDES Stormwater Discharge Permit; Riverside County Ordinance No. 457; the Californian Regional Water Quality Control Board – Colorado River Basin (CRWQCB-CRB) Regional Board Order No. R7-2013-0011 and the State Water Resources Control Board's Order No. 2009-009-DWQ, Order No. 2010-0014-DWQ and Order No. 2012-0006-DWQ.
- A. For post-construction urban runoff from New Development and Redevelopment Projects, the applicant shall implement requirements of the NPDES permit for the design, construction and the CC&R's for the perpetual operation and maintenance of BMPs per the approved Water Quality Management Plan (WQMP) for the project as require by the California Regional Water Quality Control Board – Colorado River Basin (CWQRCB-CRB) Region Board Order No. R7-2013-0011.
- B. The Applicant shall implement the WQMP Design Standards per (CRWQCB-CRB) Region Board Order No. R7-2013-0011 utilizing BMPS approved by the City Engineer.

## UTILITIES

- 4.75** 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, water valves, and telephone stands, to ensure optimum placement for practical and aesthetic purposes.

- 4.76** The Applicant shall coordinate and pay all cost necessary for the undergrounding and removal of all, and not limited to, aerial wires, power lines, telephone wires, cable lines, communication equipment, pole under burden and respective poles that are within this TTM prior to the issuance of the first COO to the satisfaction of the City Engineer.
- i. The Applicant shall coordinate all undergrounding of existing facilities with each respective utility, service provider and adjacent properties owners to ensure that all aerial lines are removed from the TTM's Site Plan.
- 4.77** Any existing overhead utility lines within, or adjacent to the proposed development, and all proposed utilities shall be installed underground per Chapter 8.30 of the CC Municipal Code.
- 4.78** 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.
- 4.79** The Applicant shall provide certified reports of all utility trench compaction for approval by the City Engineer.
- 4.80** All lots within the TTM shall be served with a gravity sanitary sewer system, a domestic water system and a 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 to ensure all services are complete, in place and operational prior to the respective COO being issued.
- 4.81** The Applicant shall abandon or relocate existing easements over the TTM prior to recordation of the FTM 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 first building permit or as approved by the City Engineer.

## **SECTION 5 FIRE PROTECTION**

This TTM and PUD has been reviewed as a new residential development. Any other use will require further review.

*Unless specifically stated herein, these conditions shall not be construed to permit or allow deviation from any Federal or State laws nor any of the local codes and ordinances adopted by this jurisdiction. Please contact the City of Cathedral City Fire Department for any questions regarding compliance with the applicable codes or following conditions:*



Note: All references to the 2016 California Fire Code are shown as CFC, the 2016 California Building Code is shown as CBC and the California Code of Regulations are shown as CCR.

### AGENCY APPROVALS

- 5.1 The Final Conditions of Approval for this project shall be included in any site plan or construction plans submitted for permit issuance. Plans will not be approved without reference to these “conditions”.
- 5.2 This project is subject to review and approval in accordance with the CCR, Title 19 for Fire and Life Safety. This project is subject to inspection from the Cathedral City Fire Department.

### LIFE SAFETY AND FIRE PROTECTION

- 5.3 Fire sprinklers shall be installed in all new residential buildings per the 2016 CA State Fire Code.
- 5.4 One portable fire extinguisher shall be installed and maintained at the Recreation Area in accordance with CFC, Section 906 and CCR, Title 19, Chapter 3. The type shall be approved by the Cathedral City Fire Department prior to installation.
- 5.5 Fire Lanes in the community shall have a minimum unobstructed width of 20 feet with NO PARKING allowed on one or both sides of the Fire Lane (see City Engineering Conditions on development plans.)
- 5.6 Fire lanes are required to be painted with Red paint and shall be stenciled with White paint “**NO PARKING FIRE LANE**” - **CVC 22500.1**.
- 5.7 All curb turning radii within the development site shall have a 35-foot outside radius and a 15-foot inside radius to provide fire apparatus emergency access.
- 5.8 In accordance with the CFC, Section 503, the entrance gates on Jones Rd. and Carey Rd. shall be installed with approved automatic devices and/or key switches to allow Fire Dept. apparatus emergency access.
- 5.9 Fire hydrants within the community shall have street curbs painted RED, a distance of 15 feet from center on both sides of the fire hydrant, for a total of 30 feet of continuously painted RED curb surface.
- 5.10 If the community has a master address the Address Numbers shall be a minimum of twelve inches in height, illuminated and posted adjacent to both entrances (Jones Rd. and Carey Rd.)

- 5.11** Fire Department approval is required prior to the issuance of any Certificate(s) of Occupancy.

## **SECTION 6 BUILDING DEPARTMENT**

- 6.1** 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
- 6.2** As applicable, automatic fire sprinkler systems shall be installed in all new construction as per Chapter 9 of the California Building code and per City Ordinance. Design and type of system shall be based upon the requirements of the California Building Code, the California Fire Code and the requirements of the Fire Department.
- 6.3** The requirements of the Department of Environmental Health Services and the Air Quality Management District shall be satisfied prior to the issuance of any permit if hazardous materials are stored and/or used.
- 6.4** 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.
- 6.5** All perimeter/boundary walls shall be designed and constructed so that the outer/exterior face of the wall is as close as possible to the property line. In any case, the outer/exterior face of the wall shall be within two inches of the property line. Distances greater than two inches may be approved prior to construction by the Building Official on a case-by-case basis for extenuating circumstances.
- 6.6** All property lines, easement lines, etc. shall be located and/or relocated in such a manner as to not cause any existing structure to become non-conforming with the requirements of the latest adopted edition of the Building Code, or any other applicable law, ordinance, or code.
- 6.7** The Tract map shall record prior to the issuance of any permits.
- 6.8** The Grading Permit shall be issued prior to the Building Permit.

- 6.9** All signs shall be Underwriters Laboratories approved or the equivalent.
- 6.10** Permits issued by the Building Department are required prior to the removal and/or demolition of structures.
- 6.11** All exterior lighting shall be orientated, directed, and/or shielded as much as possible so that direct illumination does not infringe onto adjoining properties.
- 6.12** Prior to any building inspection, the following information shall be submitted to the Building Department:
- a. A Pad Certification from the civil engineer of record that certifies the pad elevation is consistent with the approved grading plan;
  - b. A Form Certification from the civil engineer of record that certifies the building concrete forms have been placed to conform with the required setbacks as per the approved site/grading plan; and
  - c. A compaction Report from a geotechnical testing firm that certifies the site has been compacted to comply with the approved soils/geotechnical report.
- 6.13** 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 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.

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

- 7.1** Any new outdoor lighting that is installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
- 7.2** 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 that would attract large concentrations of birds, or that may otherwise affect safe air navigation within the area, including but not limited to, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, landscaping utilizing water features, aquaculture, production of cereal grains, sunflower and row crops, artificial marshes, incinerators, and fly ash disposal.
- d. Any use that would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.

**7.3** A copy of a notice shall be provided to all potential purchasers of the lots and to the tenants of the homes thereon 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)*

**7.4** Any new detention 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 detention basin(s) that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.

**Approved for Planning Entitlements by the Cathedral City Planning Commission on February 21, 2018.**

Attest:

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Robert Rodriguez  
Planning Manager

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Applicant