

## EXHIBIT A

### City of Desert Hot Springs

#### Conditions of Approval

<Project Name>  
<Case Numbers>  
<Project Location>

#### Administrative Conditions:

1. The approval for <Insert Development Number> are subject to the one-year expiration provisions of the City's Zoning Ordinance, as provided in Section 17.92.070. The approval of Conditional Use Permit No. 08-11 is subject to the two-year expiration provisions of the City's Zoning Ordinance, as provided in Section 17.76.070.

<Both 1 and 2 may not be needed for every project>

2. The applicant may request an extension of time for <Insert Development Permit or Conditional Use Permit Number> per the City's Zoning Ordinance Sections 17.92.100 and 17.76.090. Upon filing a time extension(s) at least 30 days prior to expiration of the project the Planning Commission may grant said time extension for good cause not to exceed twelve (12) months.
3. Applicant/Developer shall indemnify, protect, hold harmless and defend, with counsel selected by the City, the City and any agency or instrumentality thereof, an/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City to attack, set aside, void, annul, seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voter of the City, concerning the entitlement application. City shall promptly notify both the Applicant/Developer and landowner of any claim, action, or proceeding to which this condition is applicable and shall further cooperate fully in the defense of the action. The City reserves its right to take any and all action the City deems to be in the best interest of the City and its citizens in regard to such defense.
4. All development on the Project Site shall be in compliance with all applicable provisions of the City's Municipal Code as well as all applicable provisions of the adopted Building and Fire Codes. All new construction shall obtain a building permit and comply with the requirements of the Planning, Building, and Fire Departments.

5. No Certificate of Occupancy shall be granted until all Conditions of Approval have been completed and approved by the Planning, Engineering, Building, and Fire Departments unless otherwise identified herein.
6. The development of the Project on the Project Site shall be in compliance with the exhibits contained in the project file for <Insert Project name and Numbers> as shown in Exhibit A, attached hereto and incorporated herein by this reference.
7. The final grading plan shall be in substantial conformance with the designs set forth in the hydrology report and site drainage design.
8. Within fifteen (15) days of final approval by the City Council, the Applicant/Developer shall submit in writing, a statement indicating that he/she has read and agrees to the conditions imposed herein. This authorization shall become void, and any privilege, permit, or other authorization granted under these entitlements <Insert Project Numbers> shall be deemed to have elapsed if compliance with this condition has not been undertaken within the specified time limits.
9. A scanned copy of the signed Conditions of Approval shall be included in all Building Plans.
10. The Applicant shall pay all applicable City of Desert Hot Springs fees, charges and other costs as prescribed by City ordinance, including development impact fees. Be advised that the fees may change until such 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 project approval 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. Current fees for this entitlement may include but are not limited to the following and will be calculated at the time of permit issuance:

<b>DESCRIPTION</b>
<i>Police, Fire, and other City Facilities</i>
<i>Streets, Signalization, and Bridges</i>
<i>Parkland Acquisition and Development</i>
<i>Aquatic Center Development</i>
<i>Development Impact Fee (DIF)</i>
<i>Transportation Unified Mitigation Fee (TUMF)</i>
<i>Coachella Valley Multi-Species Habitat Conservation Fee</i>
<i>Palm Springs Unified School District Fee</i>

Note: The Transportation Unified Mitigation Fee and the Coachella Valley Multi-Species Habitat Conservation Fee are fees collected by the City of Desert Hot Springs on behalf of the Coachella Valley Association of Governments. Questions on the calculation of these fees should be addressed to them at (760) 346-1127. The School District Fees are imposed by the Palm Springs Unified School District and questions should be addressed to them at (760) 416-6159.

11. The Applicant/Developer shall deliver within 5 working days to the Community Development Department a cashier's check, money order, or other acceptable form of payment made payable to "Riverside County" in the amount of \$2,165.50 (\$2,101.50 department of Fish and Game fee plus \$64.00 Riverside County Clerk Document fee) to enable the City to file a Notice of Determination required pursuant to California Code of Regulations Section 15075. Any additional fees that may be attributed to the required filing of environmental documents shall be paid by the Applicant/Developer. If Applicant/Developer has not delivered to the Community Development Department the check as required above, the approval for the project granted shall be void by reason of failure of condition (Fish and Game Code Section 711.4(c)).
12. Applicant/Developer shall submit a public art compliance report in accordance with Section 17.60.070(B) of the City's Code, and shall comply with all requirements of the City's Art in Public Places Program as set forth in Chapter 17.60 of the City's Code. The Applicant/Developer has the following options:

- a. Public Art Requirement. The Applicant/Developer shall acquire and install public art on or in the vicinity of the Project Site, in accordance with the provisions of Chapter 17.60 of the City's Code. The value of the public art shall be at least as follows:
  - i. Commercial Development Project. The value of the public art shall equal 0.75% of the commercial development project's building valuation (exclusive of land).

Any such public art shall be subject to the approval of the City Council, after receiving a recommendation from the Community and Cultural Affairs Commission. As an alternative the Applicant/Developer may elect to donate public art to the City for placement on public property pursuant to Section 17.60.110 of the City's Zoning Code.

- a. Monetary Contribution In-Lieu of Public Art. In the event that the value of the public art, as required by subsection A of this section, is \$20,000.00 or less, the developer may elect to make a monetary contribution to the City as follows:
  - i. Commercial Development Project. In the amount equal to 0.75% of the Project's building valuation (exclusive of land).

C. Nothing in this section shall prohibit the Applicant/Developer from placing an approved public art with acquisition and installation costs in an amount less than the Art in Public Places Program allocations, where the 0.5% or 0.75%, as required and provided in subsection A of this section, value of the public art exceeds \$20,000.00 and provided that the Applicant/Developer shall also pay into the Art in Public Places Fund an amount equal to the difference between the Art in Public Places Program allocation and the costs of acquisition and installation of such public art.

**Planning Conditions:**

- 13. The Applicant/Developer shall maintain the Project Site after the start of construction and until the Project is completed, free of weeds, debris, trash or any other offensive, unhealthful and dangerous material. If after five (5) days notice by certified mail, the Applicant/Developer does not comply with the before mentioned criterion, the City may either cancel building or grading permits and/or enter the Project Site with City staff and remove all subject violations, bill the Applicant/Developer and/or put a lien on the Project Site.

14. Within 30-days of issuing a building permit, the Applicant/Developer shall remove any discarded green waste, tires, household debris, and/or construction rubble from the project site. If after five (5) days notice by certified mail, the Applicant/Developer does not comply with the before mentioned condition, the City may enter the Project Site with City staff and remove all subject violations, bill the Applicant/Developer and/or put a lien on the Project Site.
15. All construction activities must comply with Section 9.04.030 of the Desert Hot Springs Municipal Code which states that construction activity is prohibited during the following times:
  - a. From 5:00 PM to 6:00 AM during Standard Time
  - b. From 6:00 PM to 6:00 Am during Daylight Savings
  - c. At no time on Sundays
16. Wheel stops within the parking lot are prohibited unless required for ADA compliance.
17. All existing wheel stops shall be removed and replaced with extended planter areas and/or sidewalks.
18. All parking spaces at the end of a parking aisle shall be increased by one foot in space or curbing to allow for better traffic circulation and/or preservation of landscaping.
19. 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 Department. 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 City and the Eastern Information Center for the State of California located at the University of California Riverside.
20. If paleontological resources are encountered during grading, ground disturbance activities shall cease immediately, so a qualified paleontological monitor can evaluate any paleontological resources exposed during the grading activity. Applicant/Developer shall hire a paleontological monitor and shall be responsible for payment of all related expenses. If paleontological resources are encountered, adequate funding shall be provided to collect, curate and report on these resources to ensure the values inherent in the resources are adequately characterized and preserved.

21. In the event that any human remains are discovered, the Applicant shall cease all work and contact the Desert Hot Springs Police department and the Riverside County Coroner's Office. Work shall not resume until such time that the site has been cleared by County Coroner and/or the Desert Hot Springs Police Department.
22. All walls and trash enclosures shall have a decorative wall surface and a decorative cap that are consistent with the overall architecture of the project.

**<or>**

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.

23. The use of rolled concrete on any exterior walls or trash enclosures is specifically prohibited.
24. Applicant/Developer shall construct a trash enclosure in location per the approved Site Plan. The trash enclosure shall be subject to the following:
  - a. Enclosure shall be constructed of masonry block or concrete on a concrete pad. Gravel, compacted soil, or asphalt are not permitted for pad.
  - b. Two metal gates or similar material painted to match the building and positioned to swing clear of the enclosure's front width.
  - c. Gate pins shall be installed to hold gates open for integrity and safety
  - d. The enclosure shall be designed to allow walk in access without having to open the service gate.
  - e. A stress concrete apron shall extend a maximum of 13 feet from the trash enclosure pad the width of the enclosure opening to prevent damage to the asphalt paving caused by receptacle impact.
  - f. The trash enclosure base shall be 6-inches of concrete over 2-inches aggregated base rock or the builder shall provide evidence that construction are engineered to withstand up to 20,000 lbs of direct force from a single truck axle.
  - g. The trash enclosure shall have a trellis above the gates and enclosure to prevent unauthorized trash dumping into the bins. Said trellis shall be made of steel **<or wood>** and painted to match the enclosure.
  - h. Each trash enclosure shall be properly maintained.

25. Outdoor storage of equipment and/or merchandise must satisfy all screening requirements of Sections 17.12.320 and 17.16.320 of the Desert Hot Springs Municipal Code. <Choose one 17.12.320 is Commercial and 17.16.320 is Industrial>
26. Outdoor sales are prohibited unless the applicant has a Temporary Use Permit approved subject to the provisions of Section 17.136 of the Desert Hot Springs Municipal Code.
27. All drain pipes shall be interior to the building. Exposed drain pipes are specifically prohibited.
28. All drain terminations shall be from the Watts Drainage Product RD-940 or a product of equal value.
29. All breaker boxes, fire sprinkler risers, and utility conduits shall be interior to the building.
30. All Vapor Collection Systems at Service Stations shall be screened from public view.
31. All new residential and commercial development shall comply with Mission Springs Water District's Water Efficient Landscaping Guidelines (guidelines are available at [www.ms wd.org](http://www.ms wd.org)). This policy requires outdoor water conservation practices within MSWD's service area, specifically: (1) the creation of landscape plans featuring the use of California native desert friendly plants; and (2) the preparation of irrigation plans detailing water efficient irrigation technology systems (e.g., drip irrigation, evapotranspiration irrigation controllers, etc.) appropriate to an arid desert climate.
32. The applicant shall prepare a Final Landscape Construction and Irrigation Plan that is prepared by a licensed landscape architect subject to the following:

**<Check to see if all conditions are applicable to the project>**

- a. Approval from the Planning Department
- b. Approval from Mission Springs Water District
- 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. Clear indication where landscaping will be used to screen

mechanical, electrical, and irrigation equipment.

- 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. Details on how vines will be attached to the structural elements.
33. Site landscaping shall comply with the City Guidelines and Water Conservation policies 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.
  - 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.
  - k. Any drain that terminates in a planter shall have a splash guard.
  - l. All palm trees shall have a brown trunk height of 20 feet.



- m. The site shall have a maximum of 25% fifteen (15) gallon trees and all other trees shall be 24-inch box or greater.
  - n. All trees 24-inch box or greater shall be verified as to size by the project planner who shall ensure that each tree has diameter of 3 inches 5 inches from the ground level. It is the responsibility of the contractor and/or Applicant to make an appointment with the project planner to conduct this verification.
  - o. There shall be street trees along the frontage of each lot with a minimum spacing of 20 feet and a minimum size of 24-inch box tree with a trunk diameter of 3 inches 5 inches from the soil.
- 34. Parking stalls at the end of a parking row shall have an extra foot of width or the curb shall be an extra foot to protect the landscaping.
  - 35. All redwood headers are specifically prohibited from use on the project site.
  - 36. All irrigation lines shall be located below ground with no surface exposure.
  - 37. 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 City Planner 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.
  - 38. Applicant/Developer shall annex to Community Facilities District No. 2010-1 for the maintenance of:
    - a. Street medians
    - b. Landscape/Hardscape
    - c. Streetlights
    - d. Drainage Basins / Storm Drain FacilitiesPrior to the issuance of a certificate of occupancy and/or recordation of a subdivision map whichever occurs first.
  - 39. Applicant/Developer shall pay the Five Thousand Dollars (\$5,000.00) cost for the City's consultant to annex the Community Facilities District No. 2010-1 and the City fee for processing the request, prior to the issuance of an occupancy permit.

40. The Applicant/Developer shall pay the Five Thousand Dollars (\$5,000) cost for the City's consultant to annex to PTAX2 and the City fee for processing the request, prior to the issuance of an occupancy permit.
41. The Applicant/Developer shall keep the Project Site, clear of graffiti vandalism at all times.
42. The Applicant/Developer and/or successor(s) shall apply (and maintain) a protective coating or graffiti resistant materials acceptable to the City's Public Works and/or Community Development Department, to provide for the effective and expeditious removal of graffiti on all exterior building elevations and/or project walls and/or replacement of defaced screening panels.
43. Prior to final approval by the Building Department, the Applicant/Developer and/or successor(s) in interest shall provide the Director Public Works or his/her designee, with a valid name, address and phone number of an individual, company or a firm that shall be primarily responsible for removal of any graffiti vandalism from the Project Site.
44. In the event there is a change in the name, address or telephone number of the responsible person(s), firm or company, the Applicant/Developer or successor shall notify the City within 48 hours, in writing, of the change and provide the City with the current contact information of responsible person(s), firm or company.
45. The Applicant/Developer and/or successor(s) in interest shall be responsible for the removal of any graffiti vandalism from the project site (exterior building surfaces and/or exterior walls/fences) within 48-hour after discovering the graffiti vandalism or receipt of notice from the City of the same. The Applicant/Developer shall contact the City's Graffiti Hot Line at 888-562-3822 within 48 hours of discovering the graffiti vandalism.
46. The Applicant/Developer and/or successor(s) in interest hereby agrees to allow the City and/or its agents to enter the property for the purpose of removing or painting over graffiti vandalism, if the Applicant/Developer and/or successor(s) in interest fail to remove the reported graffiti vandalism within the 48 hours of discovering the graffiti or receipt of notice from the City.
47. In the event that Applicant/Developer and/or successor(s) in interest, fail to remove the graffiti vandalism within 48 hours, requiring the City and/or its agents to enter the Project Site for the purpose of removing or painting over graffiti vandalism the Applicant/Developer and/or

successor(s) in interest shall release the City and/or its agents from any liability for property damage or personal injury. And shall reimburse to the City all costs associated with the removal of the graffiti vandalism.

48. The Applicant/Developer and/or successor(s) in interest shall include the aforementioned authorizations to enter the Project Site for the purpose of removing or painting over graffiti vandalism as part of authorization agreement to the satisfaction of the Community Development Department and the approval of the City Attorney, as to form.
49. The Applicant/Developer and/or successor(s) in interest shall, to the extent feasible, have designed a building structure visible from any public or quasi-public place in such a manner to consider prevention of graffiti, including, but not limited to the following:
  - a. Use of additional lighting;
  - b. Use of non-solid fencing;
  - c. Use of landscaping designed to cover large expansive walls such as ivy or similar clinging vegetation; or
  - d. Use of architectural design to break up long, continuous wall or solid areas.
50. The Applicant shall submit an exterior Lighting Plan in compliance with all relevant sections of the DHSMC, include a photometric analysis, to the City Planner for review and approval prior to issuance of a building permit. The Lighting Plan shall also identify the following:
  - a. Exterior lighting shall be energy-efficient and shielded or recessed so that direct glare and reflections are contained within the boundaries of the Project Site, and shall be directed downward and away from adjoining properties and the public right-of-way.
  - b. All lighting outdoor lighting including fixture shall direct lighting downward.
  - c. The type of fixtures, including height, material, and color.
  - d. The total height of all freestanding lighting fixtures shall not exceed 18 feet.
  - e. That all concrete fixture bases will have a decorative finish. At a

minimum, a trowel finish shall be provided.

- f. That the bolts connecting the light fixture to the base shall be covered.
51. Applicant/Developer shall apply for a separate permit for any proposed signage, in accordance with the provisions of the City's Municipal Code.
52. Applicant/Developer shall record a Lot Line Adjustment and/or Lot Merger which is in conformance as to lot size and area of the project established by the City Council. A transfer of ownership in accordance with the Lot Line Adjustment and/or Lot Merger shall be recorded prior to the issuance of any construction permits. <only needed if there are multiple lots with buildings crossing lot lines.

**Engineering Department :**

53. Applicant/Developer shall submit the following items for approval from the Engineering Department:
- a. Grading Plans with the street address for each lot and/or building foot prints
  - b. Storm Drain / Drainage Plans
  - c. Street Improvement Plans
  - d. Street Signage and Striping Plans
  - e. Street Lighting Plans
  - f. Traffic Signal Plans
  - g. Composite Utility Plans  
(Sewer and Water Plans – submit to Mission Springs Water District)
54. Applicant/Developer shall submit the following items for approval with the submittal of the Tentative Tract Map or Parcel Map;
- a. Soils Report
  - b. Title Report
  - c. Preliminary Grading Plan
  - d. Hydrology Report
  - e. Preliminary traffic impact report
  - f. Utility master plan
55. Applicant/Developer shall submit the following items for approval with the submittal of the Final Tract/Parcel Map;
- a. Final tract/parcel map
  - b. Title Report (updated within at least 6 months)
  - c. Final Map Closures

- d. Street Names
- e. Improvement Agreements with Security

56. Any street or dedications of easements shall be shown on the subdivision map or by separate document.
57. Applicant shall record a lot merger prior to issuance of certificate of occupancy
58. Prior to the installation of any improvements in the public right-of-way (ROW), an encroachment permit shall be obtained from the City Public Works Department.
59. A soil compaction report shall be prepared and submitted to the City Building Department for approval prior to issuance of any building permits.
60. There shall be no encroachment into public rights of way for construction trailers, equipment, trash bins, portable toilets, or materials; all of which shall be kept on-site. Construction access to the site shall be by an approved driveway, entry, or curb cut; no asphalt ramps or curb jumping is permitted.
61. At no time shall any adjacent streets for the project be allowed to be used for construction staging, storage or other such construction related activities. Access by heavy equipment shall be limited to the minimum number of trips essential to completing the construction. Any damage to the existing public roadways, sidewalks or other infrastructure shall be repaired or replaced by the Applicant's contractor at his own expense, as directed by the Public Works Director.
62. Applicant/Developer shall submit an owner-and contractor-signed PM10 Dust Control Implementation Plan in accordance with the standards and codes of the City and the South Coast Air Quality Management District (SCAQMD). Plans shall be submitted for review and approval by the Public Works Department prior to the issuance of any grading and/or applicable building permits. Any site that is greater than 10 acres shall concurrently process a PM10 Dust Control Implementation Plan with the SCAQMD. For further information contact the SCAQMD at:

South Coast Air Quality Management District (SCAQMD)  
21865 Copley Drive  
Diamond Bar, CA 91765  
(800) CUT-SMOG (288-7664)  
[www.aqmd.gov](http://www.aqmd.gov)

63. Applicant/Developer shall comply with the National Pollution Discharge Elimination System (NPDES) requirements per the California Regional Water Quality Control Board (RWQCB) regulations. The Applicant/Developer shall submit a Project Specific Stormwater Pollution Prevention Plan (SWPPP) to comply with the California General Permit for Stormwater Discharges Associated with the Construction Activity, prior to the issuance of a grading permit. For projects larger than 1 acre, the Applicant/Developer shall obtain all required permits from the California Regional Water Quality Control Board (RWQCB) and submit a copy of the Notice of Intent (NOI) and the Waste Discharge Identification Number (WDID#) to the City's Public Works Department prior to the issuance of the any grading permit. For further information contact the RWQCB at:

California Regional Water Quality Control Board (RWQCB),  
Colorado River Basin Region,  
73-720 Fred Waring Drive #100  
Palm Desert, CA 92260  
(760) 346-7491  
[www.waterboards.ca.gov/colorariver](http://www.waterboards.ca.gov/colorariver)

64. The on-site driveways and parking areas shall be improved with asphalt or concrete paving, permeable pavers, curbs, gutters, and appurtenances as shown generally on the approved site plan. The thickness of pavement shall be determined by the Applicant's engineer based upon "R" value tests taken of the soils and appropriate traffic indices to be determined by the engineer, all subject to approval by the City Engineer.
65. All on-site paving, curbs and gutters, sidewalks, ramps and other site work shall be constructed to City standards, subject to the improvement plans approved by the City Engineer.
66. The Applicant/Developer is required to construct all transition and missing links between existing and proposed improvements.
67. The Applicant/Developer/Contractor shall comply with section 8.08 Recycling and Diversion of Waste from Construction and Demolition of the Municipal Code and file a Plan with the City's Building Department prior to the start of any construction.
68. The Applicant/Developer shall construct full street improvements on the following streets:

- a. <Insert Street Name>, one-half street improvements <insert side of the street> from centerline to ultimate right of way.
  - b. <Insert Street Name>, full street improvements from ultimate right of way to ultimate right of way.
  - c. The street improvements shall include construction of asphalt concrete pavement, curb/gutter, sidewalk, streetlights, catch basins, storm drains, and fully landscaped and irrigated along the property frontage
  - d. Improvements shall include removal and construction of existing street improvements that are severely damaged and/or not in compliance with City Standards along the property frontage on <insert Street Name>.
  - e. All sidewalks, ramps, and landings shall be compliant with the Americans with Disability Act.
69. All street improvements including the energizing of street lights and installation of irrigation and landscaping along:
- a. <insert Street Name> shall be constructed and accepted by the City Public Works Department prior to the issuance of occupancy.
70. The minimum grade on all proposed streets shall be 0.50% unless approved in advance, in writing, by the City Engineer.
71. All project streets shall be maintained as private streets until such a time as they are fully improved to City Standards and accepted by the City Council.
72. Applicant/Developer shall submit a project specific Hydrology Report, using Riverside County Flood Control and Water Conservation District's Hydrology Manual for City review and approval.
73. No nuisance water shall escape the site onto public streets.
74. The Applicant/Developer shall provide on-site storm water retention basin(s) or system(s) designed to the satisfaction of the City Engineer. Each retention basin shall include a sufficient number of underground vertical drywells designed to eliminate standing water in the basin. The retention basin shall be sized to retain all post-development storm water runoff within the limits of the project based on a 100-year storm event of 24-hour duration and shall completely drain/percolate any storm event within 72 hours. All upstream runoff from adjacent properties that has

historically been directed onto the proposed project may be considered to pass through the project with the exception of historical retention that occurred on-site. The retention basin shall be designed with a maximum depth of 5 feet and maximum side slopes of 3:1 and shall not be used for purposes other than for the collection of storm water, nuisance water and well blow-off water.

- a. Any other facilities required in the drainage/hydrology study shall be designed and installed as detailed in Section 15.68, Flood Plain Management, and Section 15.72 Floodplain Construction of the Desert Hot Springs Municipal Code.
  - b. All retention basins/systems shall be located on site; off-site retention basins/systems are specifically prohibited.
  - c. Retention Basin Vehicular Access - Vehicular access shall be provided for maintenance of the retention basins to the satisfaction of the City Engineer. The City Engineer shall determine the need and/or design of such access. The grading of a "road" to the bottom shall comply with health and safety standards and shall meet the requisite design requirements including geometries and capacity of the basin(s). Maintenance of retention basins and drainage system shall be the responsibility of the Applicant / property owner / operator
75. The design of the on-site grading, street improvements and the storm drainage improvements shall be coordinated with all adjacent projects to the satisfaction of the City Engineer.
  76. Applicant/Developer shall prepare and submit a Project Specific Preliminary and Final Water Quality Management Plans pursuant to the Whitewater River Region Water Quality Management Plan for Urban Runoff.
  77. Federal Emergency Management Act (FEMA) Elevation Certificate shall be provided to the Building Department prior to issuance of a grading permit, and shall be resubmitted "as constructed" prior to final grading signoff
  78. Proposed street striping shall be per City standards.
  79. The proposed driveways shall be a radius driveway per City of Desert Hot Springs Standard No. 210.
  80. All overhead utilities less than 92kv, located within the project boundaries, bordering the project and/or fronting the project shall be



undergrounded.

81. Applicant/Developer shall enter into a water service agreement with the Mission Springs Water District for domestic water service.
82. Applicant/Developer shall be responsible for the installation of traffic signals at proposed entrances/intersections if required by the traffic study as part of the traffic mitigations.
83. Applicant/Developer shall file an improvement agreement with security to guarantee completion of public improvements as follows:
  - a. A faithful performance security in an amount deemed sufficient by the City Engineer to cover up to 100% of the total estimated cost of all required improvements, including bonding requirements for grading as outlined in the Municipal Code.
  - b. A labor and material security to cover up to 50% of the total estimated cost of all required improvements.
  - c. A monumentation security in an amount stipulated by the City Engineer to cover the cost of placing lot corners and other related monuments.
  - d. If the required project improvements are financed and installed pursuant to special assessment proceedings, upon the furnishing by the contractor of the faithful performance and labor and material security required by the special assessment act being used, the City may reduce the improvement security of the Applicant/Developer by an amount corresponding to the amount of the security furnished by the contractor.
  - e. Notwithstanding the above, the Applicant/Developer may satisfy the requirement for security of certain improvements by providing proof that same has been posted with another public agency subject to the approval of the City Engineer.
84. Security may be one of the following types subject to the approval of the City Engineer and City Attorney as to form:
  - a. Bonds - All bonds shall be executed by a surety company authorized to transact business as a surety, and have an agent for service in California, together with an acceptable policy holder's rating. The bond(s) shall contain the nearest street address of the institution providing the bond(s).

b. Cash Deposits - In lieu of the faithful performance and labor and material bonds, the developer may submit cash deposits or negotiable bonds of a kind approved for securing deposits of public monies under the conditions hereinafter described.

i. Disbursements from cash deposits shall be made in compliance with a separate agreement between the developer and the City. A bookkeeping fee of 1% of the total amount deposited with the City for each cash deposit shall be submitted with each security. Disbursements from a cash deposit in any instance shall not be permitted unless and until authorized in writing by the City Engineer.

85. All improvement agreements shall be approved by the City Attorney and City Council. Security for the agreement shall be approved by the City Attorney and Finance Director.

86. Developer shall contact Sunline Transit for location and requirements for bus stop / bus turnout.

**Police Department:**

<The following may only apply to facilities that sell liquor – delete if not applicable>

87. The Applicant/Developer shall keep windows clear of visual obstructions including but not limited to signage beyond 10% window coverage and advertising displays, chip/product racks, refrigerated equipment, cardboard, trash, wire mesh/security bars, reflective coatings, or other materials. Note this is more restrictive than the State and City regulations related to signage. The purpose of this condition is to maintain good sight lines into and out of the store to allow police to monitor activity inside and to allow store staff to monitor and discourage inappropriate activity in front of the store.

88. The business may be open from 6:00 AM to 10:00 PM. Alcohol sales will only be permitted between 9:00 AM and 10:00 PM.

89. This use shall conform to all provisions of the State ABC license. The state license and state conditions shall be posted along with these Conditional Use Permit conditions in a place visible to the public. This use shall also conform to all State Retail Operating Standards, Section 25612.5 of the Business and Professions Code and local Performance Standards, Section 15210, where applicable including future changes in the above regulations. The intent of these standards is to reduce nuisance, litter, loitering, and crime associated with alcohol outlets. The

City Conditions of Approval shall be forwarded to the State Department of Alcoholic Beverage Control.

90. A sign shall be prominently posted on the exterior of the premises stating that consumption of alcoholic beverages in public is prohibited by law.
91. The establishment shall discourage patrons and visitors from loitering in public rights-of-way, parking areas, and in front of adjacent properties.
92. Beer and malt liquor shall not be sold in units of less than one six-pack for off-site consumption. No single container sales of beer or malt liquor.
93. Wine shall not be sold in bottle or containers smaller than 750 ml and wine coolers shall not be sold in containers smaller than 12 ounces and in units of less than one four-pack for off-site consumption.
- 94.
95. Consumption of alcoholic beverages shall not be permitted on any property adjacent to the licensed premises which is also under the control of the owner of the liquor establishment.
96. All containers of any beverage (including, but not limited to, milk, soda, juice, water) shall be sold either unbagged or bagged in clear plastic bags such that officers can readily identify the contents without removing the beverage container from the bag.
97. The Applicant/Developer shall comply with all applicable federal, state and City laws and regulations.
98. The Applicant/Developer shall incorporate all aspects of Crime Prevention through Environmental Design for visual surveillance, access control and territorial reinforcement.
99. Every area of the proposed development must be visible either from the street or from the structure. Unavoidable dead spaces or hidden/secluded areas require additional mitigating measures which may include increased lighting, hostile landscaping, security surveillance cameras, perimeter fencing and/or security gates, on-site security guards or other mitigating measures deemed appropriate by the Police Department.
100. Applicant/Developer shall adhere to the City's light standard and identify all light fixtures (wall mounted and pole lights) on the site plan.
101. Lighting shall provide face recognition at 100 feet.

102. The Photometric Plan shall be reviewed by the Police Department and shall not contain any dark spots.
103. The Police Department may require additional lighting to prevent unintended dark spots prior to final occupancy.
104. Secluded or hidden interior corridors are strongly discouraged by the Police Department. For uses utilizing said corridors, mitigation measures shall be required and may include increased lighting, security surveillance cameras, controlled access, on-site security guards or other mitigating measures deemed appropriate by the Police Department.
105. Applicant/Developer shall trim or prune existing trees that will be retained along <insert Street Name> to provide improved visibility into the landscaped area at the rear of the building and/or provide alternate source of surveillance such as video cameras.

**Fire Department:**

106. Applicant/Developer shall provide a water system capable of delivering a minimum fire flow of <Insert gallons per minute> gallons per minute for <duration> hours duration at 20 pounds per square inch (PSI) residual operating pressure, which must be available before any combustible material is placed on the construction site.
107. The project site shall contain on-site fire hydrants that are accessible and must not to exceed <insert distance> feet apart in any direction to be approved by the Fire Department.
108. No portion of any building shall be located more than <insert distance> feet from a fire hydrant.
109. Prior to building plan approval and construction, the Applicant/Developer shall furnish three copies of the water system fire hydrant plans to the Fire Department Headquarters located at 77933 Los Montanas in Palm Desert for review and approval. Plans shall be signed by a registered civil engineer, and shall confirm hydrant type, location, spacing, and minimum fire flow. Once plans are signed and approved by the local water authority, the originals shall be presented to the Fire Department for review and approval.
110. Prior to issuance of building permits, the water system for fire protection must be provided as approved by the Fire Department and the Mission Springs Water District.

111. Blue dot retro-reflectors pavement markers on private, public streets and driveways shall be installed to indicate locations of all fire hydrants associated with the project.
112. All fire apparatus access roads shall be in compliance with Riverside County Fire Department Standards and include the following:
  - a. Access lanes shall not have a slope that exceeds 15%.
  - b. Each access road shall have an unobstructed clearance of 13 feet 6 inches and be able to withstand a weight of 80,000 pounds over two axels.
  - c. Each access road shall have a turning radius capable of accommodating fire apparatus.
113. In the event that any alterations are made to the current parking lot circulation, any dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with approved provision for the turn around capabilities of fire apparatus
114. Driveway loops, fire apparatus access lanes and entrance curb radius shall be designed to adequately allow access of emergency fire vehicles. The Applicant/Developer shall include in the building plans the required fire lanes and include the appropriate lane printing and/or signs.
115. The Applicant/Owner shall install Knox Boxes as approved by the Fire Department subject to the following:
  - a. On Structures the Knox Box shall be installed next to the Fire Department access door and be flush with the building.
  - b. If the buildings are protected with an alarm system, the lock box shall be required to have tampered monitoring.
  - c. Any gate to a building or residential neighborhood shall have an emergency access from a Knox keyed device, as approved by the Fire Department.
  - d. Required order forms and installation standards may be obtained at the Fire Department Headquarters at 77933 Los Montanas in Palm Desert or City Hall
116. Applicant/Developer shall display street numbers in a prominent location on the address side of building(s) and/or rear access if applicable. Numbers and letters shall be a minimum of 12 inches in height except for building(s) greater than 25 feet in height which shall

have a minimum letter height of 24 inches. In complexes with alpha designations, letter size must match numbers. All addressing must be legible, of a contrasting color, and adequately illuminated to be visible from street at all hours.

117. The Applicant/Developer shall submit three (3) sets of construction drawings to the Riverside County Fire Department Headquarters located at 77933 Los Montanasin Palm Desert for review and approval prior to issuance of any permits. Said construction drawings shall demonstrate Project adherence to all provisions of the currently adopted Uniform Fire Code.
118. Applicant/Developer shall install a complete commercial fire sprinkler system (per NFPA 13 2010 Edition). Fire sprinkler system(s) with pipe sizes in excess of 4" in diameter will require the project Structural Engineer to certify with a "wet signature", that the structural system is designed to support the seismic and gravity loads to support the additional weight of the sprinkler system. All fire sprinkler risers shall be protected from any physical damage. The Post indicator valve and FDC shall be located to the front, within 25 to 50 feet of hydrant, and a minimum of 25 feet from the building(s). Sprinkler riser room must have indicating exterior and/or interior door signs. A C-16 licensed contactor must submit plans, along with current permit fees, to the Fire Department for review and approval prior to installation.
119. Applicant/Developer shall install an alarm monitoring system for fire sprinkler system(s) with 20 or more heads A C-10 licensed contractor must submit plans to Fire Department Headquarters along with the current County permit fees to the Fire Department for review and approval prior to installation.
120. Applicant/Developer shall install a portable fire extinguisher, with a minimum rating of 2A-10BC, for every 3,000 sq. ft. and/or 75 feet of travel distance. Fire extinguishers shall be mounted 3.5 to 5 ft above finished floor, measured to the top of the extinguisher. Where not readily visible, signs shall be posted above all extinguishers to indicate their locations. Extinguishers must have current CSFM service tags affixed.
121. If cooking facilities are planned in building: A UL 300 hood/duct fire extinguishing system shall be installed over the cooking equipment. A C-16 licensed contractor shall submit plans, along with the current permit fee, to the Fire Department for review and approval prior to installation.
122. If commercial cooking facilities are included the commercial hood

extinguishing systems shall be submitted by a C-16 licensed contractor to the Fire Department for review and approval. The plans shall include the following:

- a. They must be "UL 300" compliant
  - b. Wet extinguishing system is required with a compatible portable wet agent (K Extinguisher) fire extinguisher.
  - c. The distance between the extinguisher and the pull station shall be approved by the Fire Department.
  - d. Any equipment producing grease laden vapors shall be protected by a Type One Hood.
123. No hazardous materials shall be stored and/or used within the building, which exceeds quantities listed in 2010 California Building Code. No class I, II or IIIA of combustible/flammable liquid shall be used in any amount in the building.
124. Exit designs, exit signs, door hardware, exit markers, exit doors, and exit path marking shall be installed per the 2010 California Building Code.
125. Fire Equipment such as electrical room doors, FAC, fire riser, roof access shall be labeled by the Applicant/Developer and be approved by the Fire Department.
126. Access shall be provided to all mechanical equipment located on the roof as per the 2010 California Mechanical Code.
127. Air handling systems supplying air in excess of 2000 cubic feet per minute to enclosed spaces within buildings shall be equipped with an automatic shutoff as per the 2007 California Mechanical Code.
128. Fire sprinklers shall be installed in all buildings greater than 3,600 square feet in floor area to the satisfaction of the Fire Marshal.
129. Access roads to a development project shall have a width of 20 feet with no parking allowed on either side of the access road.
130. Provide a 20-foot minimum width for a gated community with an island median at the entrance.

131. All curb turning radii within the project site shall have a 35-foot outside radius and a 15-foot inside radius to accommodate all fire apparatus, subject to approval by the City Fire Marshal.
132. 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.
133. Any fire appliance or device shall have street curbs painted red a distance of 15 feet from center on both sides of the device for a total of 30 feet of continuously painted surface.
134. All buildings shall have at least two sides accessible to Fire Department equipment and have an access route approved by the City Fire Marshal.
135. All spray booth paint applicators shall be reviewed and approved by the Fire Marshal for determination of applicable fire extinguishment requirements.
136. Fire Department approval is required prior to the issuance of any Certificate of Occupancy.

**Mission Springs Water District:**

137. The Applicant/Developer shall comply with all rules, laws, ordinances, and regulations of the Mission Springs Water District at the time of application for water service.
138. In accordance with MSWD's Water Service Ordinance the water service shall require the installation of a backflow prevention assembly per MSWD Standards and Specifications at the expense of the Applicant/Developer.
139. The Applicant/Developer shall apply for water service and submit payment for all MSWD's fees, charges, and deposits. Fees shall be based on the meter size, (i.e., domestic 2" water connection fee is \$23,201.00 + 2" meter installation fee of \$2,110.00. Irrigation meter ¾" Water Connection Fee is \$4,353.00, and meter installation fee \$975.00). All fees are subject to change due to the actual time of application for services from the MSWD.
140. Per the preliminary landscape plan, a dedicated irrigation meter shall be required due to the square footage of the landscaped area.



141. Installation of a fire line service may be required per Riverside County Fire Department. Should this be the case, MSWD Standards require a double check detector assembly (DCDA) as the minimum requirement at the point of connection and shall be shown on water improvement plans. The design engineer shall submit hydraulic calculations to the MSWD indicating the availability of the required fire flows as determined by the Riverside County Fire Marshal. These requirements shall also conform to the District's maximum velocity rates as described in MSWD's Developer Design Guidelines.
142. MSWD requires having all of its public facilities in the public right-of-way. Recorded and dedicated easements (per final map dedication and approvals) shall also be required for final design approval (as applicable).
143. The Applicant/Developer shall comply with all the District standards and conditions and have final approval of all design plans by the District Engineer or his/her designee, and the District General Manager.
144. The Applicant/Developer shall comply with all rules, laws, ordinances, and regulations of the MSWD at the time of application for sewer service.
145. Provide a **<insert sewer lateral size>** to the existing sewer and show on the sewer improvement plans for MSWD to plan check and approve.
146. Applicant/Developer shall complete an application for sewer service with payment of all applicable fees, charges and deposits at the time of application (i.e., multi-family, residential, commercial sewer connection fees per current MSWD fee schedules).
147. Applicant/Developer shall comply with all Sewer Ordinances and the Rules and Regulations per Ordinance 2008-02 Section 3.01 and 8.04 (as amended by 2009-02 Sections 7.01 to 7.20). As applicable, this will also ensure that the Applicant/Developer complies with the Fats, Oils, and Grease Program (FOG).
148. Applicant/Developer shall provide permanent access to all public sewer facilities. This includes all easements, right of ways, and point of access to these facilities as applicable.
149. Applicant/Developer shall comply with all the District standards and conditions and have final approval of all sewer design plans by the District Engineer or his/her designee, and the District General Manager.

150. The Applicant/Developer shall complete an application for sewer service with payment of all fees, charges and deposits at the time of application (i.e., multi-family, residential, commercial sewer connection fees per current MSWD fee schedules).

**Building Department**

151. Project shall comply with the 2014 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
152. 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.
153. 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.
154. 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.
155. 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 (2) inches of the property line. Distances greater than two (2) inches may be approved prior to construction by the Building Official on a case-by-case basis for extenuating circumstances.

156. 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.
157. The Tract or Parcel map shall record prior to the issuance of any permits.
158. The grading permit shall be issued prior to, or concurrently with, the building permit.
159. All signs shall be Underwriters Laboratories approved or the equivalent.
160. Permits issued by the Building Department are required prior to the removal and/or demolition of structures.
161. All exterior lighting shall be orientated, directed, and/or shielded as much as possible so that direct illumination does not infringe onto adjoining properties.
162. 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.
163. 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.

