

**DRAFT Conditions of Approval
TMP 37158 – Coachillin
November 8, 2016**

General

- 1) The final plat of any phase shall be in substantial compliance with the approved Tentative Parcel Map, as shown in Exhibit D, and shall comply with all conditions of approval as provided herein.
- 2) This entitlement shall expire two (2) years from the date of approval, unless extended, pursuant to the City of Desert Hot Springs Subdivision regulations and the State Subdivision Map Act.
- 3) Applicant/developer shall indemnify, protect, hold harmless and defend 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 applications. City shall promptly notify both the applicant 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 properties shall be in compliance with all applicable provisions of the City's Municipal Code, including the Zoning Ordinance/Subdivision Ordinance, as well as all applicable provisions of the adopted Building Codes. All new construction shall obtain a building permit and comply with all requirements of the Building Department.
- 5) Adequate measure to control PM10, as a result of the development of the site shall be taken at all times during construction, in order to limit the dust and debris affecting any adjacent development. A PM10 Mitigation Plan must be filed with the Planning Department prior to issuance of any building permit.
- 6) That development within the project area, including all building elevations and floor plans, landscaping (common and private), street/project lighting, entry ways, walls, signage, and open space area improvements, shall be subject to Development and Design Review Permits approved by the Planning Commission prior to issuance of any permits.

Final Map/Plat:

- 7) Developer shall provide all dedications and easements to the satisfaction of the City of Desert Hot Springs and the City Engineer.

- 8) Prior to final plat approval of any phase, all improvements must be either constructed or bonded for consistency with the requirements of the City and approved by the City Engineer.
- 9) Prior to the final plat approved for any phase, digital plans and specifications and one set of reproducible documents satisfactory to the City Engineer shall be provided to the City. The submittals shall include the property plans, grading plans, improvement plans and all utility plans.
- 10) Final proposed street names must be submitted to the City Engineer's office and the Fire Department for review and approval.

Acceptance of Conditions:

- 11) Within fifteen (15) days of approval by the Planning Commission, the applicant 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 (i.e. TTM No. 34300) shall be deemed to have elapsed if compliance with this condition has not been undertaken within the specified time limits.

Site Maintenance:

- 12) The Applicant/Developer shall maintain the subject property 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 5-days' notice by certified mail, the Applicant/Developer does not comply with the aforementioned criterion, the City Council may either cancel building or grading permits and/or enter the subject property with City forces and remove all subject violations, bill the Applicant and/or put a lien on the subject property.
- 13) Within 30-days of approval the applicant shall remove any discarded green waste, household debris, and/or construction rubble from the Parcel Lot 2. If after 5-days' notice by certified mail, the Applicant/developer does not comply with the before mentioned condition, the Planning Commission may enter the subject properties with City forces and remove all subject violations, bill the applicant and/or put a lien on the subject properties.
- 14) If after 5-days' notice by certified mail, the applicant/developer does not comply with the before mentioned criterion, the Planning Commission may either suspend future building or grading permits and/or enter the subject properties with City forces and remove all subject violations, bill the applicant and/or put a lien on the subject properties.

Environmental:

- 15) The Applicant/developer shall deliver to the Development Services Department a cashier's check, money order, or other acceptable form of payment made payable to the Riverside County Clerk in the amount of \$50.00 to enable the Notice of Exemption. Any additional fees that may be attributed to the required filing of environmental documents shall be paid by the Applicant/developer. If within 48-hours of Planning Commission Approval, the Applicant/developer has not delivered

to the Development Services 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)).

Grading:

- 16) Any grading will require a Permit issued by the Engineering Division of the Community Development Department.

Fees:

- 17) The Applicant/Developer shall pay all established service, permit, impact and other applicable fees required by the City of Desert Hot Springs.
- 18) Within 2 days of approval of the Tentative Parcel Map the applicant shall provide a check for environmental filing requirements made payable to the Clerk of Riverside County

Mitigation Measures/Conditions of Approval

- 19) The Applicant/Developer shall comply with all mitigation measures contained in Initial Study/Mitigated Negative Declaration for TPM 37158

Mapping Requirements

- 20) Parcel Map in accordance with Chapter 2, Article 3, Section 66444 et.al of the Subdivision Map Act.
- a) Title report (updated within at least 60 days).
 - b) Parcel Map closure calculations including individual parcels.
 - c). Dedicate the required right-of-way along Little Morongo Road to City of Desert Hot Springs, per General Plan for a Major Arterial 55 feet from centerline.

Engineering Conditions

- 21) Applicant/Developer shall submit the following items for approval from the Engineering Department:
- a. Grading Plans
 - 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)
- 22) Applicant/Developer shall submit the following items for approval with the submittal of the Tentative Parcel Map;
- 1. Soils Report
 - 2. Title Report

3. Preliminary Grading Plan
 4. Hydrology Report
 5. Utility master plan
- 23) Applicant/Developer shall submit the following items for approval with the submittal of the Final Tract/Parcel Map;
1. Final tract/parcel map
 2. Title Report (updated within at least 6 months) a subdivision guarantee indicting those persons/entities who may sign the map will be required immediately prior to the City's signing of the map.
 3. Final Map Closures
 4. Street Names
 5. Improvement Agreements with Security
- 24) Any street or dedications of easements shall be shown on the subdivision map.
- 25) If phasing of the approved tentative map is proposed, the applicant/subdivider shall indicate the number and configuration of the phases prior to tentative approval.
- 26) Accurate and complete surveys of the land to be subdivided shall be made by a registered civil engineer or licensed land survey. All existing and required monuments shall be identified and/or set in accordance with Section 16.20.030 of the City Municipal Code.
- 27) An Environmental Constraint Sheet ESC Book 11 Page 58 Records of Riverside County has been filed on the property. A note shall be placed on the map indicating the filing and record information for particulars.
- 28) Dedicate to the City the right to restrict direct vehicular access from parcels 1, 3, 5 and 7 to North Indian Avenue.
- 29) Place a note on the parcel map to prohibit direct access to North Indian Avenue from parcels 24, 25, 26 and 101.
- 30) Applicant/Developer shall annex the property to Community Facilities District No. 2010-1 to pay for the cost of maintenance of public improvements and pay the Five Thousand Dollars (\$5,000.00) cost for the City's consultant to and the City fee for processing the request, prior to parcel map approval.
- 31) The Applicant/Developer shall annex the property to Public Safety Special Tax 2 to provide essential funding for public safety purposes and 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 parcel map approval. .
- 32) 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.

- 33) A soil compaction report shall be prepared and submitted to the City Building Department for approval prior to issuance of any building permits.
- 34) Applicant/Developer shall provide and install adequate water supply, sanitary sewer, natural gas, electric, telephone and cable television lines to serve each separate lot.
- 35) Cross lot drainage is prohibited i.e. drainage from one lot across the adjacent lot. All lots shall drain to the streets.
- 36) 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.
- 37) 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.
- 38) The Applicant Developer shall construct a wall on the exterior boundary of the subdivision adequate to prevent access between the parcel(s) and adjacent properties subject to the approval of the Community Development Director.
- 39) 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
- 40) 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

- 41) 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.
- 42) 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.
- 43) The Applicant/Developer is required to construct all transition and missing links between existing and proposed improvements.
- 44) 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.
- 45) All Private Streets shall be designed and improved to City standards 60 feet wide.
- 46) The Applicant/Developer shall dedicate, if not already dedicated, and construct street improvements on the following streets:
 - a. N. Indian Avenue, Urban Arterial 134 foot right of way, easterly one-half, from centerline to ultimate right of way-67 feet.
 - b. 18th Street, Minor Collector 88 foot right of way, southerly one-half from centerline to ultimate right of way-44 feet.
 - c. 19th Street, Minor Collector 88 foot right of way, southerly one-half from centerline to ultimate right of way-44 feet.

- d. Calle De Los Romos, Industrial Collector 78 foot right of way per Riverside County Standard No. 111, westerly one-half from centerline to ultimate right of way-39 feet.
 - e. Private Streets "A", Coachillin Way, Blue Dream Crossing and Jack Herer Way, Local Street 60 foot right of way, from right of way to right of way.
 - f. 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 except as noted.
 - g. Improvements shall include removal and construction of existing street improvements that are severely damaged and/or not in compliance with City Standards, to be determined at the time plans are submitted.
 - h. All sidewalks, ramps, and landings shall be compliant with the Americans with Disability Act.
 - i. All street improvements including the energizing of street lights and installation of irrigation and landscaping to be constructed and accepted by the City Public Works Department prior to the issuance of occupancy.
- 47) Applicant/Developer shall pay to the City in 1(one) lump sum prior to the recordation of the map, the cost of electrical energy for the street lighting system installed for a period of 48 months from the date of acceptance by the City Engineer.
- 48) The minimum grade on all proposed streets shall be 0.50% unless approved in advance, in writing, by the City Engineer.
- 49) All project streets shall be maintained as private streets until such a time as they are fully improved to City Standards and accepted, except the Private Streets, by the City Council.
- 50) Traffic signal and intersection improvements shall be installed at the following locations:
- a. N. Indian Avenue and 18th Avenue including one shared northbound through lane and right turn lane; including one southbound through land and left turn lane; including one shared westbound left turn lane and right turn lane.
 - b. N. Indian Avenue and 19th Avenue including one shared northbound through and right turn lane and one left turn lane; one shared southbound through and right turn lane and one left turn lane; one shared eastbound through, left turn and right turn lane; and one shared westbound through, left turn and right turn lane.
 - c. N. Indian Avenue and Dillon Road including one shared northbound through and right turn lane and one left turn lane;

one shared southbound through and right turn lane and one left turn lane; one shared eastbound through and right turn lane and one left turn lane; and one shared westbound through and right turn lane and one left turn lane.

- 51) Applicant/Developer shall install stop control at the following intersections:
 - a. Blue Dream Way northbound and southbound at its intersection with 18th Avenue and 19th Avenue respectively.
 - b. Jack Herer Way northbound and southbound at its intersection with 18th Avenue and 19th Avenue respectively.
 - c. Coachillin Way eastbound and westbound at Calle De Los Romos and N. Indian Avenue respectively.
 - d. "A" Street eastbound and westbound at Calle De Los Romos and Jack Herer Way
 - e. Calle De Los Romos northbound and southbound at its intersection with 18th Avenue and 19th Avenue respectively.
 - e. Four (4) way stop control at Coachillin Way and its intersection with Blue Dream Way and Jack Derer Way except if these are to be designed as a traffic circle (roundabout) in which case the intersections shall be appropriately signed and striped. .
- 52) 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.
- 53) No nuisance water shall escape the site onto public streets.
- 54) 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.
 1. 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.
 2. All retention basins/systems shall be located on site; off-site retention basins/systems are specifically prohibited.
 3. 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

4. The Applicant/Developer shall incorporate and construct the proposed storm drain/channel improvements proposed in the West Desert Hot Springs Master Drainage Plan as part of the project.
- 55) 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.
- 56) 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.
- 57) Proposed street striping shall be per City standards.
- 58) The proposed driveways shall be a radius driveway per City of Desert Hot Springs Standard No. 210.
- 59) All overhead utilities less than 92kv, located within the project boundaries, bordering the project and/or fronting the project shall be undergrounded.
- 60) Applicant/Developer shall enter into a water service agreement with the Mission Springs Water District for domestic water service.
- 61) 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.

- 62) 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.
- 63) 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.
- 64) Developer shall contact Sunline Transit for location and requirements for bus stop / bus turnout..

Mission Springs Water District

Water Service

Water service is currently available for the project subject to the following conditions of service:

- 65) The developer shall comply with all rules, laws, ordinances, guidelines, and regulations of the District at the time that any new water service application is submitted.
- 66) The developer shall be required to request MSWD to have a Water Supply Assessment (WSA) prepared for this light industrial subdivision by. The developer shall bear all costs involved in preparation of the WSA, including MSWD staff review time.

- 67) The developer shall be required to design and construct a new 16-inch diameter transmission water line routed from the existing 24-inch transmission water line located on Little Morongo Road at 18th Avenue to the existing 12-inch water main located in Indian Canyon Drive at 19th Avenue. All engineered plans will be required to be designed per MSWD standards and specifications, and in accordance with the MSWD's Water Master Plan for facilities. All costs shall be borne by the owner/developer subject to reimbursement agreements.
- 68) The developer shall be required to install 12-inch diameter public water mains within all public or private streets to provide domestic, fire, and irrigation water service connections to all lots.
- 69) The installation of backflow prevention devices is required for all non-residential domestic, fire, and irrigation service connections.
- 70) Installation of private fire line services may be required per Riverside County Fire Department Standards. Double check detector assemblies (DCDA) per MSWD Standards will be a requirement at the time of installation.
- 71) The developer must submit hydraulic calculations to the District indicating the availability of the required fire flows as determined by the Riverside County Fire Department. These calculations shall be based on a current fire hydrant flow test which can be ordered through the MSWD Engineering Department.
- 72) The developer shall comply with all District standards, specifications and conditions, and have final approval of all design plans by the District Engineer or his/her designee, and the District's General Manager.
- 73) The developer shall provide plumbing plans with fixture units for District review and determination of meter and service size.
- 74) MSWD requires having all of its facilities within the public right-of-way or recorded and dedicated easements.
- 75) The developer is required to apply for water service and submit payment of District fees, charges, and deposits. The water meter and connection fees will be based on the actual meter sizes and quantities shown on the approved plans. All fees are subject to change based on the time of application for services from the District.
- 76) The developer will be required to bond all infrastructures and be required to supply a warranty bond for the infrastructure. This warranty bond will be released 1 year from the District's acceptance of the infrastructure.
- 77) Some of the infrastructure must be constructed in certain phases and in a manner to serve the project. The phasing and approval of these facilities and infrastructure will be at the discretion and approval of the District Engineer, and/or General Manager.

Septic System

Sewer Service is currently unavailable in this area. Dry sewers will be required offsite and onsite:

- 78) MSWD requires submittal of proposed plumbing plans showing all connections to the septic system(s) and the size and location of the proposed disposal system(s) for the project.
- 79) All onsite, temporary septic systems shall be designed to be easily abated and connected to the dry sewer system once the sewer is placed in service. The developer shall be responsible for all abatement and connection costs.
- 80) MSWD will require a Report of Waste Discharge for the project. The report shall be prepared by a qualified Licensed Professional Engineer in accordance with the requirements currently in use by the California State Water Resources Control Board (CSWRCB). The report shall be submitted to the Regional Water Quality Control Board and/or Riverside County Health Department as determined by California SWRCB to determine if enhanced treatment is required.

Dry Sewer System

- 81) Dry sewers will be required to be installed within the project site to conform to Mission Springs Water District Standards.
- 82) The developer shall comply with all rules, laws, ordinances, guidelines, and regulations of the District at the time the sewer service application is submitted.
- 83) Should an agreement be made regarding the location and construction of a sewer package plant and the interceptor and collection system routes based on the District's Wastewater Master Plan, the developer will be required to hook up to the sewer system.
- 84) The developer shall comply with all the District standards, specifications and conditions, and have final approval of all design plans by the District Engineer or his/her designee, and the District General Manager.
- 85) The developer/property owner 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).
- 86) MSWD requires submittal of proposed plumbing plans showing all connections to the public sewer system and the size and location of the proposed lateral for the project.
- 87) MSWD requires a Report of Waste Discharge for the project. MSWD will review the waste water quality and determine if any pretreatment process is required.

The report shall be prepared by a qualified Licensed Professional Engineer in accordance with requirements currently in use by the California State Water Resources Control Board.

- 88) The developer will be required to bond all infrastructure and be required to supply a warranty bond for the infrastructure. This warranty bond will be released 1 year from the District's acceptance of the infrastructure.
- 89) Some of the infrastructure must be constructed in certain phases and in a manner to serve the project. The phasing and approval of these facilities and infrastructure will be at the discretion and approval of the District Engineer, and/or General Manager.

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