

DRAFT CONDITIONS OF APPROVAL

MEETING DATE: January 08, 2019

CASE NO: CUP No. 10-18

PREPARED BY: Patricia Meza, Planning Technician

REVIEWED BY: Rebecca Deming, Community Development Director

Planning Department Project Specific Conditions

1. The full service mobile unit shall not be parked, stored, or offer services to the community within the existing onsite parking lot. All use of mobile unit shall be in compliance with City of Desert Hot Springs Municipal Code.
2. The business owner/licensee or property management shall comply with all local, state and federal laws, at all times.
3. The applicant shall be required to obtain all necessary state and federal licenses for operation of the medical facility.
4. Failure to comply with any of the conditions outlined herein may result in revocation of the Condition Use Permit (CUP No 10-18).
5. Prior to issuance of building permit the applicant/developer/proprietor shall submit plans that demonstrate compliance with the American Disabilities Act.
6. Business signage shall require a separate permit.
7. A business license must be obtained from the City prior to occupancy of the building.

Standard Administrative Conditions


8. The approval of CUP 10-18 is subject to the (2) year expiration provisions of the City's Zoning Ordinance, as provided in Section 17.76.070 and will expire on January 08, 2020.
9. The applicant may request an extension of time for CUP 10-18, per the City's Zoning Ordinance Section 17.76.090. Upon filing a time extension(s) at least 30 (thirty) days prior to expiration of the project the Planning Commission may grant said time extension for good cause not to exceed twelve (12) months.

10. Applicant/developer shall indemnify, protect, hold harmless and defend, with counsel selected by the City, the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings, including those involving environmental issues, against the City to attack, set aside, void, annul, and/or 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 voters 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.
11. 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 including tenant improvements.
12. No Certificate of Occupancy (CofO) 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.
13. The development of the project on the project site shall be in substantial compliance with the exhibits contained in the project file for CUP 03-05 Amendment as shown in all Exhibits attached hereto and incorporated herein by this reference.
14. Within fifteen (15) days of final approval (expiration of the appeal period) by the Planning Commission, the applicant/developer shall submit in writing, a statement indicating that he/she has read and agrees to the conditions imposed herein. This approval shall become void, and any privilege, permit, or other authorization granted under these entitlements if compliance with this condition has not been undertaken within the specified time limits.
15. The applicant/developer shall pay all established service, permit, impact, public art, and other applicable fees required by the City.

Note: The Transportation Unified Mitigation Fee is collected by the City of Desert Hot Springs on behalf of the Coachella Valley Association of Governments. Questions on the calculation of this fee 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.

16. The applicant/developer shall deliver within five (5) working days after the appeal period (15 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 \$51 to enable the City to file a Notice of Exemption required pursuant to California Code of Regulations Section 15062. 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)).

Standard Planning Conditions

17. 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.
18. All new breaker boxes, fire sprinkler risers, utility conduits, and drain pipes shall be interior to the building. Any exposed pipes are specifically prohibited. All new drain terminations shall be from the Watts Drainage Product RD-940 or a product of equal value. 
19. 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, baring, or landscaping. All walls shall architecturally match the building.
20. At no time shall the combination of uses or activities conducted with the building exceed the total demand for parking, as calculated in the City's Zoning Code and as provide onsite according to the approved site plan. Any change to the floor plan shall be subject to review and approval by the Planning Department.

Standard Building & Safety Conditions

34. 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
35. 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.
36. 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.
37. 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.

Standard Construction/Demolition Activity Fire Safety Conditions

38. Smoking shall be prohibited except in approved areas. Signs shall be posted in accordance with Section 310. In approved areas where smoking is permitted, approved ashtrays shall be provided in accordance with Section 310.
39. Operations involving the use of cutting and welding shall be done in accordance with Chapter 35.

40. Structures under construction, alteration or demolition shall be provided with not less than one approved portable fire extinguisher in accordance with section 906 and sized for not less than ordinary hazard as follows:
- a. At each stairway on all floor levels where combustible materials have accumulated.
 - b. In every storage and construction shed.
 - c. Additional portable fire extinguishers shall be provided where special hazards exist including hazards exist including, but not limited to, the storage and use of flammable and combustible liquids.

Water and Wastewater Conditions

41. The applicant/developer shall comply with all rules, laws, ordinances, guidelines, and regulations of the Mission Springs Water District for water and for wastewater disposal services. Prior to issuance of any certificate of occupancy, the applicant/developer shall provide evidence to the satisfaction of the City Engineer that all permits and approvals for water service and wastewater disposal have been obtained.

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