

## **DRAFT CONDITIONS OF APPROVAL**

**MEETING DATE:** December 10, 2019

**TITLE:** Affinity Recovery Treatment Center

**CASE NO:** Conditional Use Permit No 19-06

**PREPARED BY:** Patricia Villagomez, Assistant Planner

**REVIEWED BY:** Rebecca Deming, Community Development Director

### **Project Specific Conditions**

1. The applicant/developer shall provide a trash enclosure to accommodate the trash generated by the business, and to city specifications.
2. The trash enclosure shall be relocated to an area out of the front yard setback (fronting Calle Bolso) and shall be subject to review and approval by the Planning Department.
3. The trash enclosure shall be built to city standards and include a roof/trellis structure.
4. The proposed parking spaces located on the east side of the vacant lot shall be located 5 feet from the east property line (out of the required side yard setback).
5. The area adjacent to the new parking spaces on the east side of the property shall have a 5-foot-wide landscape buffer.
6. The applicant/developer shall provide a solid fence/wall along the east side of the property to mitigate potential vehicle headlights spilling onto the adjacent residential property, the design of which shall be subject to review and approval by the Planning Department.
7. The applicant/developer shall provide for a striped emergency loading zone for ambulance/emergency access and van loading/unloading.
8. The applicant/developer shall provide an 8-foot-wide loading zone to provide an ADA compliant van accessible parking space and relocate the parking space number 9 (on the site plan) to the east parking area.

9. The applicant/owner shall bring the fencing into compliance by removing the chain link fence and replacing with a wall/fence that is compatible with other structures presently on the site and/or with the development standards in the Zoning Code.
10. The applicant/developer shall obtain all necessary licensing from the State and Health Department.
11. The applicant/developer shall remove the existing roof sign.
12. Any proposed signage will require separate permits and will be subject the specific requirements of the City's Sign Ordinance, and be subject to review and approval by the Planning Department.
13. No signage is approved as part of this approval.
14. The applicant/developer shall install a paved parking area to City standards on the lot to the east of the existing building to accommodate the required parking spaces.
15. The applicant/developer shall install additional drought-tolerant landscaping with varying heights, textures, and colors along both street frontages and abutting neighboring properties, subject to administrative review and approval by the Planning Department.
16. The facility shall remain in compliance with the City's Noise Ordinance at all times.
17. Prior to issuance of building permits the applicant/developer shall submit a lot merger application with the City Engineer. The lot merger shall be approved and recorded prior to Certificate of Occupancy.
18. The parking, path of travel, restrooms, etc. shall meet all ADA requirements and shall be subject to review and approval by the City's Building Department.
19. The existing pool shall be compliant with State pool safety standards.
20. Activities conducted and equipment or material used shall not change the fire safety or occupancy classifications of the premises. Utility consumption shall not exceed normal residential usage.
21. No use shall create or cause noise, dust, light, vibration, odor, gas, fumes, toxic/hazardous materials, smoke, glare, or electrical interference or other hazards or nuisances.

22. The applicant/developer shall obtain a business license pursuant to the Desert Hot Springs Municipal Code.

### **Standard Administrative Conditions**


23. The approval of Conditional Use Permit No 19-06 is subject to a 2-year expiration provisions of the City's Zoning Ordinance, as provided in Section 17.76.070 and will expire on December 10, 2021 if no permits building is pulled.
24. The applicant may request an extension of time for CUP 19-06, per the City's Zoning Ordinance Sections 17.92.100 and 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.
25. 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.
26. 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.
27. 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 and/or the City Manager and Chief of Police, unless otherwise identified herein.

28. The development of the project on the Project Site shall be in substantial compliance with the exhibits contained in the project file for CUP 04-18 as shown in all Exhibits attached hereto and incorporated herein by this reference.
29. 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.
30. The applicant/developer shall pay all established service, permit, impact, public art, and other applicable fees required by the City.
31. The applicant/developer shall deliver within 5 (five) 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 \$50 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)).

**Standard Planning Conditions.**

32. 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.
33. 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. The use of rolled concrete on any exterior walls or trash enclosures is

specifically prohibited.

34. Applicant/developer shall construct or remodel an existing trash enclosure in location per the approved Site Plan. The trash enclosure shall be constructed per City Standards.
35. 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. 
36. 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.
37. The applicant shall submit a Sign Permit to be approved by the staff to include the following:
  - a. All signage for in-line tenants shall be channel letters.
  - b. No sign shall have exposed raceways or conduits.
  - c. All signage shall comply with the Desert Hot Springs Municipal Code.
  - d. All signs that are removed shall be painted and patched immediately.
38. 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 Landscaping/Parking Conditions**

39. The applicant shall prepare a Final Landscape Construction and Irrigation Plan that is prepared by a licensed landscape architect subject to the following:
  - 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. Provide the total percentage of evergreen trees of all trees not including

- palm trees as evergreen.
  - e. Clear indication where landscaping will be used to screen mechanical, electrical, and irrigation equipment.
  - f. 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.
  - g. Plant and tree installation and staking details.
  - h. Details on how vines will be attached to the structural elements.
  - i. Install a row of trees and ground cover across the rear property line.
40. 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 fifty percent (50%) of the trees shall be evergreen species.
  - d. All trees in parking lots shall be centered between parking spaces to provide optimal shading.
  - e. All single trunk trees shall be double staked, and multi-trunk trees shall be staked appropriate to the species of tree.
  - f. Arbor guards shall be installed around trees in turf areas.
  - g. Projects located along major arterials and/or streets shall comply with the street tree requirements of the Design Guidelines.
  - h. Planter areas shall be surrounded by a concrete mow strip or other hard surface.
  - i. All ground-mounted equipment, such as mechanical, electrical, and irrigation equipment (backflow preventers), shall be located within a landscape planter. This equipment shall not be located within a turf area and shall not be visible from public view.
  - j. Any drain that terminates in a planter shall have a splash guard.
  - k. All palm trees shall have a brown trunk height of twenty (20) feet.
  - l. The site shall have a maximum of twenty-five percent (25%) fifteen (15) gallon trees and all other trees shall be thirty-six (36) inch box or greater.
  - m. All trees twenty-four (24) inch box or greater shall be verified as to size by the project planner who shall ensure that each tree has diameter of three (3) inches five (5) inches from the ground level.

- n. All changes of species made by the Mission Springs Water District shall have concurrent approval from the Community Development prior to final approval.
- 41. Parking spaces adjacent to any planter shall have a width totaling eleven (11) feet, or the landscape finger or planter curb be an extra foot wide to protect the landscaping.
- 42. Wheel stops within the parking lot are prohibited unless required for ADA compliance.
- 43. All redwood headers are specifically prohibited from use on the project site.

#### **Standard Graffiti Conditions**

- 44. 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.
- 45. 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.
- 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. 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.

### **Standard Lighting Conditions**

- 45. 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.
  - g. The lighting on-site shall provide 100-foot face recognition
- 46. Prior to the issuance of a Certificate of Occupancy the lighting shall be inspected by the Police Department and Community Development Department and requested changes for safety shall be implemented. The Planning and/or Police Departments may require additional lighting to prevent unintended dark spots prior to final occupancy.
- 47. Applicant/developer shall adhere to the City's light standard and identify all light fixtures (wall mounted and pole lights) on the site plan.

### **Standard Building & Safety Conditions**

- 48. 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

49. 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.
50. 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.
51. Any temporary building, trailer, commercial coach, etc. installed and/or used in connection with a construction project shall obtain a Temporary Use Permit and comply with the City of Desert Hot Springs requirements.
52. 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.
53. 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.
54. 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**

55. 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.
56. Operations involving the use of cutting and welding shall be done in accordance with Chapter 35.
57. An approved water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible material arrives on the site.
58. 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.

#### **Engineering Department Conditions**

59. Applicant/developer shall submit the annexation packet and pay the Five Thousand Dollars (\$5,000.00) cost for the City's consultant to annex into the Community Facilities District No. 2010-1 and the City fee for processing the request. The annexation packet shall be submitted prior to issuance of grading permit, and the annexation shall be completed prior to the issuance of an occupancy permit. The Community Facilities District No. 2010-1 is for the maintenance of:
  - a. Landscape/Hardscape
  - b. Streetlights
  - c. Drainage Basins/Storm Drain Facilities/Storm Water Retention System Facilities
60. Applicant/Developer shall submit the following items for approval from the Engineering Department
  - a. Street Improvement Plans
  - b. Street Signage, Striping, and Street Lighting Plans
  - c. PM10 Dust Mitigation Plan

d. Erosion Control Plan

61. Applicant/Developer shall submit the following items for approval from the Engineering Department if grading activities will be completed:
  - a. Grading Plans
  - b. Storm Drain / Drainage Plans/Storm Water Retention Systems Facilities Plans
  - c. Soils Report
  - d. Hydrology Report
  - e. Water Quality Management Plan
  - f. Storm Water Pollution Prevention Plan
  - g. Composite Utility Plans
  - h. (Sewer and Water Plans – submit to Mission Springs Water District)
62. If grading activities will be completed, all grading plans for the project shall be in compliance with the requirements of the City of Desert Hot Springs and the City Engineer. These requirements may include geotechnical, soils, dust control, erosion control, or other submittals to the satisfaction of the City Engineer.
63. If grading activities will be completed, all grading plans and improvement plans shall be coordinated for consistency prior to the issuance of any permits and prior to the issuance of building permits with the proper pad certification from a licensed engineer.
64. If grading activities will be completed, 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.
65. If grading activities will be completed, the Developer will be required to construct all parking spaces, parking areas and driveways to a 1% slope on AC and 0.5% slope on PCC to drain to an approved drainage facility onsite or City Storm Drain Facility as approved by the City Engineer.
66. If grading activities will be completed, the design of the on-site grading and the storm drainage improvements shall be coordinated with all adjacent projects to the satisfaction of the City Engineer.
67. The applicant/developer is required to construct all transition and missing links between existing and proposed improvements.
68. Any slopes exceeding 3' will need to have an in-ground water system and be planted with plant material to be approved by the Planning Department prior to Certificates of Occupancy per the City of Desert Hot Springs Zoning Ordinance 17.56.100.
69. All wall heights, wall types, and wall setbacks must be approved with the Planning Department, and subject to a separate Building Permit.

70. All project associated sidewalks, ramps, and landings shall be compliant with the Americans with Disability Act.
71. All overhead utilities less than 92kv, located within the project boundaries, bordering the project and/or fronting the project shall be undergrounded.
72. If grading activities will be completed, 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. If grading activities will be completed, 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. Alternate methods may be provided with the approval of the City Engineer.
  - 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
74. If grading activities will be completed, 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.

75. The developer will be required to install any improvements to any off-site facility if damaged during construction to the satisfaction of the City Engineer.
76. 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.
  - a. For further information contact the RWQCB at:
    - i. California Regional Water Quality Control Board (RWQCB),
    - ii. Colorado River Basin Region,
    - iii. 73-720 Fred Waring Drive #100
    - iv. Palm Desert, CA 92260
    - v. (760) 346-7491
  - b. [www.waterboards.ca.gov/colorariver](http://www.waterboards.ca.gov/colorariver)
77. 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.
78. Applicant/developer shall construct 5-foot sidewalk at Mountain View Road and Calle Bolso along frontage of property. Improvements shall include all transitions necessary per City Engineer.
79. Applicant/developer shall construct new Asphalt in parking area including markings at Calle Bolso
80. Applicant shall remove parking spaces 15 thru 19 as shown on site plan.
81. Applicant/developer shall construct PCC curb around parking at APN 844-144-005
82. Applicant/developer shall repair /replace any damage at existing curb along perimeter of property

83. Applicant/developer shall submit for parcel merge for 3 APN's 644-151-004, 644-144-005 and 644-151-005
84. Applicant/developer shall Install a one street light on Mountain View road on south east side as per city standard
85. Applicant/developer shall install ADA ramp at corner of Mountain view with Calle Bolso
86. If applicant/developer need additional parking in APN 644-151-005, shall submit full plan including street improvement and access to Calle Bolso
87. If the property is located in a Federal Emergency Management Act (FEMA) flood zone. An Elevation Certificate shall be provided to the Engineering Department prior to final grading signoff. In lieu of elevating the site, a Floodproofing Certificate for Non-Residential Structures may be filed with the Engineering Department for the project and approved prior to issuance of an occupancy permit.
88. A soil compaction report and pad certification shall be prepared and submitted to the Engineering Department for approval prior to issuance of any building permits.
89. 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.
90. If imported or exported soil material is necessary to balance the grading on the site, a separate grading plan and haul permit approval is necessary before transport of the material.
91. The applicant/developer/contractor shall comply with section 8.08 Recycling and Diversion of Waste from Construction and Demolition of the Municipal Code. An applicant may arrange exclusively with the City's preferred hauler to remove construction and demolition waste for recycling or diversion from a project, and submit written evidence to the City, whereupon certain Chapter 8.08 requirements of applicant may be waived.
92. If the applicant/developer requests a Temporary Certificate of Occupancy before all the improvements are completed the applicant/developer shall submit the following items for approval with the submittal of the Improvement Agreement for the project;
  - a. Soils Report
  - b. Title Report
  - c. Grading Plans
  - d. Hydrology Report
  - e. Preliminary traffic impact report
  - f. Street Improvement Plans

- g. Engineer's Estimate of the incomplete improvements
93. If the applicant/developer requests a Temporary Certificate of Occupancy before all the improvements are completed the 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.
94. 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.
  - c. 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.
95. 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.

### **Fire Department Conditions**

96. Fire Sprinkler (FPFSS) – Tenant Improvement plans must be submitted and reference the installing contractor performing the work. Permit fees in the amount of \$614.00 will be required.
97. Fire alarm/monitoring system (FPFAS) – Install an automatic fire alarm system as per NEPA 72 required by the California Building Code, California Fire Code and designed in accordance with adopted standards, A C-10 licensed contractor must submit plans to the Fire Department office for review and approval prior to installation. Permit fees in the amount of \$627.00 will be required. (Monitoring only = \$192.00).

### **Prior to Final**

98. Install Knox Key Lock box, mounted per recommended standard of the Knox Company. Special forms are available from this office for the ordering of the Key Switch. This form must be authorized and signed by this office for the correctly coded system to be purchased.
99. Provided keys to the tenant space for inclusion in the main building Knox box. Key(s) shall have durable and legible tags affixed for identification of the correlating tenant space.
100. Approved building address shall be placed in such a position as to be plainly visible and legible from the street and rear access if applicable. Building address numbers shall be a minimum of 12". Minimum 6" tall suite addressing shall be provided to both the front and rear entrances. All addressing must be legible and of a contrasting color with the background and adequately illuminated to be visible from the street at all hours.
101. Install portable fire extinguishers per Title 19, but not less than 2A10BC in rating. All new and existing portable fire extinguishers shall have current annual servicing performed and tagged.
102. All kitchen hood and ventilation systems shall have records of inspection and necessary cleaning in compliance with CFC 609.
103. All kitchen hood suppression systems must have current servicing performed and tagged.
104. All fire rated drop door assemblies are required to have a current annual certification at time of final inspection.
105. Decorative materials shall comply with all applicable requirements.



106. Occupancies storing or using significant volumes of hazardous materials shall appropriately display the required NFPA 704 Hazard Placard on the exterior access to the yards, buildings and rooms where the hazardous materials are located.
107. Applicable room door(s) shall be posted "Electrical", "FACP", "Fire Riser", and "Roof Access" on the outside of the door so it is visible and in contrasting color.
108. Room Occupancy load, as approved by the building Official, shall be posted in a conspicuous place near the main exit from the room(s). The location shall be approved by the Fire Department Office. Posting shall be by means of an approved durable sign having a contrasting color from the background to which it is attached. The owner shall maintain signs in a legible manner. No person shall deface, remove or change the occupant load on the sign except as authorized by the Building Official and/or Fire Department office. (Prior to building final inspection).
109. A durable sign stating "THIS DOOR TO REMAIN UNLOCKED WHEN THIS SPACE IS OCCUPIED" shall be placed on or adjacent to the front exit doors. The sign shall be in letters not less than one inch high on a contrasting background (A<300, B, F, M and S).
110. Illuminated Exit Signage and Egress Illumination placement and functional test will be witnessed by OFM Fire Inspector at time of final inspection.
111. Components and equipment located in required electrically classified areas shall be confirmed to be the same classification prior to use. Exception: Declassified areas based on engineering technical report in compliance with CFC 5703.1.1
112. If building is currently provided with automatic fire sprinkler system, documentation of annual maintenance and 5-year certification is required.
113. The Fire Department approved plans and conditions letter must be at the job site.
114. The applicant/developer shall be responsible to contact the Fire Department to schedule inspections. Requests for inspections are to be made at least 72 hours in advance and may be arranged by calling (760) 329-6411.

**END**