

DRAFT CONDITIONS OF APPROVAL

DATE: April 14th, 2020

CASE NO: TPM 37887 (TM-19-3)

PREPARED BY: Patricia Villagomez, Assistant Planner

REVIEWED BY: Rebecca Deming, Community Development Director

Project Specific Conditions

1. The approval of Tentative Parcel Map No. 37887 is for subdivision of the property into 2 parcels, and for financing and conveyance purposes only.
2. No improvements and/or ground disturbing activities are approved under this entitlement.
3. Any proposed development and/or ground disturbance of the site shall require the applicant/developer to file the appropriate applications (e.g. architectural review, development review, conditional use permit, etc.) for review and approval of the development plans for the site.

Standard Administrative Conditions

4. The approval of Tentative Parcel Map (TPM) No. 37887 is subject to the (2) year expiration provisions of the City's Zoning Ordinance, as provided in Section 16.24.160 and will expire on April 14, 2022.
5. The applicant may request an extension of time for TPM 37887, per the City's Zoning Ordinance Sections 16.24.170. 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 3 years.
6. 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.

7. 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.
8. Any/all permits may be subject to revocation if the project is not in compliance with all of the conditions of approval contained herein.

Engineering

9. The tract map is a condominium map shall be identified on the map "For Condominium Purposes."
10. Tentative Parcel Map 37887 shall be approved and recorded prior to any permits issued for the Conditional Use Permit.
11. The applicant owner shall record a reciprocal access and parking agreement for the shared access to parking
12. Applicant/Developer shall submit the following items for review and approval with the submittal of the Tentative Parcel Map;
 - a) Soils Report
 - b) Title Report
 - c) Preliminary Grading Plan if grading proposed for the parcels prior to map filing with County Recorder
 - d) Hydrology Report
 - e) Utility master plan
 - f) Street improvement plans
13. Applicant/Developer shall submit the following items for approval with the submittal of the Final Parcel Map;
 - a) Final parcel map
 - b) Title Report (updated within at least 6 months) a subdivision guarantee including those persons/entities who may sign the map will be required immediately prior to the City's signing of the map.
 - c) Parcel Map Closures
 - d) Engineer estimate for grading/drainage improvements and for all public improvements (street improvements, traffic signals, etc.)

e) Improvement Agreements with Security

14. All dedications, and easements shall be shown on the subdivision map
15. 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 to City Municipal Code
16. 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
17. 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.
18. 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
19. Applicant/Developer shall provide and install adequate water supply, sanitary sewer, natural gas, electric, and telephone lines to serve each separate parcel.
20. Cross parcel drainage is prohibited i.e. drainage from one parcel across the adjacent parcel. All parcels shall drain to on-site drainage system
21. 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 onsite. Construction access to the site shall be by an approved driveway, entry, or curb cut; no asphalt ramps or curb jumping is permitted
22. 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.

23. 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.
24. 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 Storm Water Pollution Prevention Plan (SWPPP) to comply with the California General Permit for Storm Water 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
25. The Applicant/Developer is required to construct all transition and missing links between existing and proposed improvements
26. 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
27. The Applicant/Developer shall dedicate by separate instrument 30 feet of street right of way for Cabot Road.
28. The Applicant/Developer shall construct full street improvements Cabot Road, street improvements east side to ultimate right of way and any required transition
 - a) 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.

- b) 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.
 - c) All sidewalks, ramps, and landings shall be compliant with the Americans with Disability Act.
 - d) All street improvements including the energizing of streetlights and installation of irrigation and landscaping to be constructed and accepted by the City Public Works Department prior to the issuance of occupancy of any buildings constructed on the site.
- 29. Applicant/Developer shall pay to the City in one (1) 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
 - 30. The minimum grade on all proposed streets shall be 0.50% unless approved in advance, in writing, by the City Engineer.
 - 31. 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
 - 32. 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
 - 33. If a portion of the property is in a Federal Emergency Management Agency (FEMA) flood zone, A note on the map shall state, "Environmental Constraint Sheet affecting this map is on file in the Office of the Riverside County Surveyor in ECS Book _____ Page _____. This affects Parcel Nos. _____. The Environmental Constraint sheet shall be filed prior to the filing of the Parcel Map.
 - 34. No nuisance water shall escape the site onto public streets
 - 35. 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
 - 36. 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

37. All overhead utilities less than 92kv, located within the project boundaries, bordering the project and/or fronting the project shall be undergrounded.
38. Applicant/Developer shall enter into a water service agreement with the water utility provider for domestic water service
39. 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
40. 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

41. 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
42. Developer shall contact Sunline Transit for location and requirements for bus stop/bus turnout.

Water Service

43. 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. MSWD ordinance requires that water service, including irrigation and fire services, shall not cross parcel boundaries to serve a second property.
44. The point of connection for water service shall be the existing 12" ductile iron water main located on the west side of Cabot Road fronting the parcel.
45. The installation of backflow prevention devices is required for all non-residential domestic, fire, and irrigation service connections.
46. 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.
47. 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.
48. The developer shall comply with all District standards, specifications and conditions, final approval of all design plans shall be by the District Engineer or his/her designee, and the District's General Manager.
49. The developer shall provide plumbing plans with fixture units for District review of meter and service size.
50. MSWD requires having all of its facilities within the public right-of-way or recorded and dedicated easements.

51. 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.

Septic System

52. 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.
53. The septic system shall be designed to connect to a future sewer line flowing south in Cabot Road with a 6" diameter dry sewer lateral installed to the proposed right-of-line at a depth no greater than 4.5' below the proposed finish grade at the end of the lateral.
54. 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, and approved by, the Regional Water Quality Control Board and/or Riverside County Health Department as determined by CSWRCB to determine if enhanced treatment is required.
55. 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

Landscape

As applicable per City requirements:

All new and rehabilitated residential and commercial development shall comply with the *Mission Springs Water District's Water Efficient Landscaping Guidelines* (guidelines are available at www.mswd.org). This policy requires outdoor water conservation practices within the MSWD 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. For additional details regarding plan check and inspection fees, please contact Theresa Murphy via email at tmurphy@mswd.org or (760) 329-6448 ext. 126.

END.