

DRAFT CONDITIONS OF APPROVAL

DATE: April 14th, 2020

CASE NO: TPM 37832 (TM-20-4)

PREPARED BY: John Thomason, Contract Planner

REVIEWED BY: Rebecca Deming, Community Development Director

Project Specific Conditions

1. The approval of Tentative Parcel Map No. 37832 is for subdivision of 90.37 acres into 3 parcels.
2. No improvements and/or ground disturbing activities are approved under this entitlement.

Standard Administrative Conditions

3. The approval of Tentative Parcel Map (TPM) No. 37832 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.
4. The applicant may request an extension of time for TPM 37832, 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.
5. 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.

6. 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.
7. The applicant/developer shall deliver within 5 (five) working days to the Community Development Department a cashier's check, money order, or other acceptable form of payment made payable to "Riverside County" in the amount of \$50 to enable the City to file a Notice of Exemption 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.
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 Applicant/Developer shall submit the following for City approval:
 - a. The parcel map
 - b. Title Report prepared within last 60 days
 - c. Closure Calculations
 - d. Composite Utility Plans
 - e. (Sewer and Water Plans – submit to Mission Springs Water District)
 - f. A Subdivision Guarantee indicating all those parties who must sign the map
10. The parcel map shall be prepared in accordance with Chapter 16.20 Final and Parcel Maps of the City Municipal Code
11. An Environmental Constraint Sheet shall be filed concurrently with the parcel map depicting the FEMA zones affecting the property.
12. Applicant must submit all clearances from Utilities for proposed utility easement to be vacated, prior to final parcel map.
13. Applicant must identify the following streets directly abutting new parcels on Final Map to be shown as "Lot A", "Lot B", etc and must dedicate those lots for "Public Street and Public Utility Purposes in favor of the City of Desert Hot Springs"
 - g. Little Morongo Road – West 40 feet from Centerline
 - h. 20th Avenue – North 40 feet from Centerline

- i. 19th Avenue – North 30 feet from Centerline
 - j. 19th Avenue – South 30 feet from Centerline
 - k. Future Street – north end of Parcel 3 between 19th Avenue and 18th Avenue – South 30 feet from Centerline
- 14. Applicant/Developer shall file an improvement agreement with the engineering Department with security to guarantee completion of any incomplete improvements as follows:
- 15. 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.
- 16. A labor and material security to cover up to 50% of the total estimated cost of all required improvements.
- 17. A monumentation security in an amount stipulated by the City Engineer to cover the cost of placing lot corners and other related monuments.
- 18. Security may be one of the following types subject to the approval of the City Engineer and City Attorney as to form:
 - l. 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).
 - m. 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 approved by the City's Administrative Services Director.
 - n. All improvement agreements shall be approved by the City Council and the City Attorney.