

DRAFT CONDITIONS OF APPROVAL

MEETING DATE: September 1, 2020

TITLE: Coachillin' Industrial Cultivation & Ancillary Canna-Business Park

CASE NO: Specific Plan Amendment No. SP-20-4

PREPARED BY: Rebecca Deming, Community Development Director

Administrative Conditions

1. 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.
2. 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.
3. 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.
4. The development of the project on the Project Site shall be in substantial compliance with the exhibits contained in the project file for SP-20-4 and incorporated herein by this reference.

5. 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.
6. 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.


Planning Commission/City Council Additional Conditions (If Applicable)

Planning Conditions

7. All events shall have an approved Special Event Permit and shall comply with all conditions related to the permit.
8. The City, and any agency or instrumentality thereof, and/or any of its officers, employees and agents, including the Community Development Department, shall not under any circumstances whatsoever be responsible for ensuring compliance with Property Owner Association requirements, which requirements are private in nature. The City, and any agency or instrumentality thereof, and/or any of its officers, employees and agents is not responsible for ensuring that the Property Owners Association has approved an application/project before the City approves an application and/or issuance of permits.
9. Final Amphitheater parking requirements and lighting shall be subject to City requirements and approval.
10. The proposed hotel shall subject to Transit Occupancy Tax, which is currently codified at Chapter 3.20 of the DHSMC, but may be amended from time to time and such amendments will apply to this Project. The Hotel shall be considered transient and shall collect and remit tot the City the required Transit Occupancy Tax, no matter the sale or lease of the hotel units.

11. The proposed electronic sign shall be reviewed for traffic safety purposes by the City's Public Works Department and shall comply with any and all safety standards as prescribed by the State of California. The electronic messaging shall be made available to the City at no cost for emergency, traffic, or event messaging.
12. With respect to the Development Impact Fees ("DIFs"), and in recognition of the need for improvements causing impacts of any development within the 2010 Annexation Area, including the Coachillin' Specific Plan, the applicant/developer and/or project shall mitigate such impacts by paying the City's DIFs to provide funds for maintaining and augmenting improvements and other facilities and needs in the Coachillin' Specific Plan. These DIFs shall be in addition to any other required mitigation measure. The DIFs shall be payable upon the completion of an updated Nexus Study identifying the appropriate DIFs for properties in the 2010 Annexation Area, which includes the Coachillin' Specific Plan.
13. The Specific Plan in no way approves, or shall be interpreted to approve, any art for art in public places. All art in public places requires and shall require separate City Council approval as described in the Specific Plan.
14. The development of the Coachillin Specific Plan project site shall be in conformance with the approved Environment Documentation including but not limited to the Addendum/Mitigated Negative Declaration.
15. Outdoor sales of marijuana and marijuana products are prohibited. Other types of activities or special events are prohibited, unless the applicant has obtained a Temporary Use Permit or Special Event approved subject to the provisions of the Desert Hot Springs Municipal Code and/or Specific Plan.
16. Should odors emanate from the building or project site in the future, the applicant/developer/proprietor shall abate all odors and shall be required to submit revised plans and equipment specifications demonstrating techniques to control odors and shall submit those plans/documents/specs to the planning department for review and approval.
17. For any extractions that will be conducted, inspection and approval of those facilities shall be through our Fire Department and Building Department.
18. All Signs, including electronic messaging, within the project shall use the terminology cannabis instead of marijuana and shall not include the cannabis plant or leaf. Stylized use of the leaf within a logo may be authorized with approval. This requirement was at the request of the applicant to be included.
19. 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.

20. 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. The trash enclosure shall be constructed per City Standards.
21. 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. 
22. 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 signs that are removed shall be painted and patched immediately.
 - d. Shall be in compliance with the Specific Plan
23. 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/Specific Plan and as provide 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

24. All new industrial development shall comply with Mission Springs Water District's Water Efficient Landscaping Guidelines (guidelines are available at www.ms wd.org). This policy requires outdoor water conservation practices within MSWD's 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.
25. 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 and inspection 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.
26. 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 (20%) 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 (12) feet.

- l. The site shall have a maximum of twenty-five percent (25%) fifteen (15) gallon trees and all other trees shall be twenty-four (24) 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.
27. 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.
28. Wheel stops within the parking lot are prohibited unless required for ADA compliance.
29. All redwood headers are specifically prohibited from use on the project site.

Standard Graffiti Conditions

30. 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.
31. 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.
32. 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.
33. 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.

Lighting Conditions

39. The applicant shall submit an exterior Lighting Plan in compliance with all relevant sections of the DHSMC; include a photometric analysis, to the Planning Department 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
40. 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.
41. Applicant/developer shall adhere to the City's light standard and identify all light fixtures (wall mounted and pole lights) on the site plan.

Building & Safety Conditions

42. Project shall comply with the 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
43. 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.
44. 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.
45. 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.
46. 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.
47. 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.
48. 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.

Construction/Demolition Activity Fire Safety Conditions

49. 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.
50. Operations involving the use of cutting and welding shall be done in accordance with Chapter 35.
51. An approved water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible material arrives on the site.
52. 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.

Police Department Conditions

53. The applicant/developer shall comply with all applicable federal, state and City laws and regulations.
54. All development shall be in compliance with Desert Hot Springs Municipal Code Chapter 5.50 Marijuana Facilities Regulatory Permit.
55. The amphitheater shall have separate public access and shall be secured from industrial cannabis uses in the park as deemed appropriate by the Police Department.
56. All traffic, parking and security for events are subject to Police Department approval. Additional Conditions and requirements may apply.
57. The applicant/developer shall incorporate all aspects of Crime Prevention through Environmental Design for visual surveillance, access control and territorial reinforcement.

58. Every area of the proposed development must be visible either from the street or from the structure. Unavoidable dead spaces or hidden/secluded areas require additional mitigating measures which may include increased lighting, hostile landscaping, security surveillance cameras, perimeter fencing and/or security gates, on-site security guards or other mitigating measures deemed appropriate by the Police Department.
59. Applicant/developer shall adhere to the City's light standard and identify all light fixtures (wall mounted and pole lights) on the site plan.
60. Lighting shall provide face recognition at 100 feet.
61. The Police Department may require additional lighting to prevent unintended dark spots prior to final occupancy.
62. Secluded or hidden interior corridors are strongly discouraged by the Police Department. For uses utilizing said corridors, mitigation measures shall be required and may include increased lighting, security surveillance cameras, controlled access, on-site security guards or other mitigating measures deemed appropriate by the Police Department.
63. The applicant and operator shall at all times implement the Utilize Crime Prevention Through Environmental Design (C.P.T.E.D) throughout the project, as follows:
 - CPTED Principle #1 – Natural Surveillance

"See and be seen" is the overall goal when it comes to CPTED and natural surveillance. A person is less likely to commit a crime if they think someone will see them do it. Lighting and landscape play an important role in Crime Prevention Through Environmental Design.
 - CPTED Principle #2 - Natural Access Control

Natural Access Control is more than a high block wall topped with barbed wire. Crime Prevention Through Environmental Design or CPTED utilizes the use of walkways, fences, lighting, signage and landscape to clearly guide people and vehicles to and from the proper entrances. The goal with this CPTED principle is not necessarily to keep intruders out, but to direct the flow of people while decreasing the opportunity for crime.
 - CPTED Principle #3 – Territorial Reinforcement

Creating or extending a "sphere of influence" by utilizing physical designs such as pavement treatments, landscaping and signage that enable users of an area to develop a sense of proprietorship over it is the goal of this CPTED principle.

Public areas are clearly distinguished from private ones. Potential trespassers perceive this control and are thereby discouraged.

CPTED Principle #4 – Maintenance

CPTED and the "Broken Window Theory" suggests that one "broken window" or nuisance, if allowed to exist, will lead to others and ultimately to the decline of an entire neighborhood. Neglected and poorly maintained properties are breeding grounds for criminal activity. We will work with you to develop a formal CPTED based maintenance plan to help you preserve your property value and make it a safer place.

64. Prior to issuance of building permits, the site plan shall indicate all perimeter walls and fences to be of a design to prevent or discourage scaling & graffiti.
65. Prior to issuance of building permits, that landscape plan shall include drought tolerant "hostile vegetation" shall be used when possible under windows and around the fence line.
66. Prior to issuance of a Regulatory Permit, a photovoltaic survey shall be prepared and submitted with the proposed lighting plan. The lighting plan shall be reviewed to assure that:
 - a. Lighting provides adequate visibility, face & color recognition, and a sense of security for employees and visitors.
 - b. LED and/or Metal Halide lights are recommended.
 - c. Lighting shall be shielded through the use of fixture design and placement, and shrouds so that spillover at the property line is minimized.
 - d. Prior to issuance of building permits, the building plans shall indicate that motions sensors are installed on the building rooftops, subject to review and approval by the City of Desert Hot Springs Police Department.
67. At no time shall any plant materials, plant products, or plant-derived products be visible from any public areas.
68. Prior to issuance of building permits, the plans shall be approved to indicate the location and type of all gate control and access equipment and/or systems (e.g. Knox box, keypad, radio control, etc.) Prior to issuance of occupancy permits, the applicant will provide all access equipment, materials, codes, etc. to the City of Desert Hot Springs Police Department.
69. All delivery vehicles shall be equipped with GPS location equipment, which shall be maintained and available at all times.
70. All employees, regardless of status, shall be subject to Live Scan or similar security clearance through the City of Desert Hot Springs Police Department. All employees shall be issued photo ID cards and shall keep the card on her/his person at all times.

71. Any private security service that uses security guards with uniforms shall assure to the satisfaction of the City of Desert Hot Springs Police Department that the uniforms are sufficiently different in appearance from any uniform of the Police Department, Riverside County Sheriff or other local police department.
72. Security cameras shall be utilized to capture video of the perimeter of the building as well as interior areas of importance. The exterior shall have cameras, as approved by the Police Department, on each exterior wall. The interior shall have cameras covering areas of operation, registers, and one facing the entrance door from the inside to capture video of each person as they enter. The camera system shall have recording and back up capabilities for 90 days and will be made accessible to the Police Department on demand
73. Prior to issuance of occupancy permits, the applicant shall provide in the security plan that at all times at least one member of management or staff has knowledge of the operation of all video surveillance equipment and is capable of assisting the Police Department at any time the Police have need of such assistance.
74. Prior to issuance of occupancy permits a security plan showing the location of camera to be installed and approved by the Police Department.

Engineering Conditions

75. All applicable Conditions of Approval for Tentative Parcel Map No. 37158, and Conditional Use Permit 17-17 shall apply.
76. Sidewalks shall be provided along all public street, which include Indian Canyon Drive, 18th Avenue, 19th Avenue, and Calle De Los Romos.
77. The applicant/developer shall construct all applicable street improvements per Conditions of Approval for Tentative Parcel Map No. 37158 and Conditions of Approval for Conditional Use Permit 17-17, and the following additional street improvements based on recommendations provided in traffic study completed by Ganddini Group Inc. dated October 25, 2019:
 - a) Indian Canyon Drive/Dillon Road
 - a. Install traffic signal (signal warrant currently satisfied under Existing conditions)
 - b. Provide northbound left turn lane
 - c. Provide southbound left turn lane
 - d. Provide eastbound left turn lane
 - e. Provide westbound left turn lane
 - b) Little Morongo Road/Dillon Road
 - a. Install traffic signal (signal warrant currently satisfied under Existing

conditions

- c) Indian Canyon Drive/18th Avenue
 - a. Install westbound stop sign
 - b. Provide northbound right turn lane
 - c. Provide southbound left turn lane
 - d. Restrict westbound left turn and provide westbound right turn lane

- d) Project Driveway/18th Avenue
 - a. Install northbound stop sign
 - b. Provide northbound left/right turn lane
 - c. Provide eastbound through/right lane
 - d. Provide westbound left/through lane

- e) Indian Canyon Drive/Project Driveway
 - a. Install traffic signal (signal warrant currently satisfied under Existing Plus Project Without Amphitheater Event conditions)
 - b. Provide southbound left turn lane
 - c. Provide westbound left/right turn lane

- f) Indian Canyon Drive/19th Avenue
 - a. Install westbound stop sign
 - b. Provide southbound left turn lane
 - c. Restrict eastbound and westbound left turn and provide westbound right turn lane

- g) Project Driveway/19th Avenue
 - a. Install southbound stop sign
 - b. Provide southbound left/right turn lane
 - c. Provide eastbound left/through lane
 - d. Provide westbound through/right lane

- h) Indian Canyon Drive/Parcel 30 Driveway
 - a. Install westbound stop sign
 - b. Provide westbound right turn lane

- i) Indian Canyon Drive/Parcel 31 Driveway
 - a. Install westbound stop sign
 - b. Provide westbound right turn lane

- j) Indian Canyon Drive/Pierson Boulevard
 - a. Install traffic signal (signal warrant currently satisfied under Existing conditions)
 - b. Provide northbound left turn lane
 - c. Provide southbound left turn lane
 - d. Provide eastbound left turn lane

- e. Provide westbound left turn lane
 - k) Indian Canyon Drive/Dillon Road
 - a. Install traffic signal (signal warrant currently satisfied under Existing conditions)
 - b. Provide northbound left turn lane
 - c. Provide southbound left turn lane
 - d. Provide eastbound left turn lane
 - e. Provide two westbound left turn lanes
 - f. Provide northbound right-turn overlap phasing
 - l) Indian Canyon Drive/19th Avenue
 - a. Provide a second northbound through lane
 - b. Provide a second southbound through lane
 - m) Little Morongo Road/Dillon Road
 - a. Install traffic signal (signal warrant currently satisfied under Existing conditions)
 - b. Provide northbound left turn lane
 - c. Provide southbound left turn lane
 - d. Provide southbound right turn lane with overlap phasing
 - e. Provide a second eastbound left turn lane
 - f. Provide westbound right turn lane with overlap phasing
78. All amphitheater events shall have the following additional temporary traffic measures.
- a. Manual traffic control should be provided to facilitate the temporary surge in circulation and parking demand during an amphitheater event at the following intersections;
 - i. Indian Canyon Drive/19th Ave
 - ii. Project Driveway/19th Ave
 - iii. Indian Canyon Drive/Parcel 31 Driveway
79. All special events in amphitheater shall require a Special Event Permit. All conditions of approval per event shall apply.
80. Parcels 101, 102, and 103 shall be used for ground cover landscape, drainage, and retention basin purposes only, as depicted on Final Map 31758.
81. Any crop production within Parcels 101, 102, and 103 shall not limit and/or change the overall site hydrology and/or hydraulic capabilities of the retention basins' design and function. Any modifications to the grading and/or hydrology will require a resubmittal and approval of grading plans and hydrology report and any other

studies required per the City Engineer.

Environmental/Tribal Mitigation Conditions

82. The applicant/developer shall implement all mitigation measures and monitoring program requirements outlined in the Environmental Documents.
83. If the project involves any ground disturbance applicant/developer shall hire a paleontological monitor and shall be responsible for payment of all related expenses. If paleontological resources are encountered, adequate funding shall be provided to collect, curate and report on these resources to ensure the values inherent in the resources are adequately characterized and preserved.
84. The applicant/developer shall provide the consulting tribes the following;
 - a. Cultural resources inventory of the project area (by a qualified archaeologist) prior to any development activities in the area.
 - b. Copy of the records search with associated survey reports and site records from the information center.
 - c. Copies of any cultural resource documentation (report and site records) generation in connection with this project.
85. The applicant/developer shall have an approved Cultural Resource/Tribal Monitor on site during any ground disturbing activities (including archeological surveys). Should buried cultural resource be encountered, the Monitor may request that desiccative construction halt and the Monitor shall notify a Qualified Archeologist to investigate and, if necessary, prepare a mitigation plan for submission to the State Historic Preservation Officer and each of the consulting Tribal Preservation Office's.
86. In the event that human remains (or remains that may be human) are discovered at the project site during grading or earthmoving, the construction contractors, project archaeologist, and/or designated Native American Monitor shall immediately stop all activities within 100 feet of the find. The project proponent shall then inform the Riverside County Coroner and the City of Desert Hot Springs immediately, and the coroner shall be permitted to examine the remains as required by California Health and Safety Code Section 7050.5(b). Section 7050.5 requires that excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If human remains are determined as those of Native American origin, the applicant shall comply with the state relating to the disposition of Native American burials that fall within the jurisdiction of the NAHC (PRC Section 5097). The coroner shall contact the NAHC to determine the most likely descendant(s). The MLD shall complete his or her inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. The Disposition of the remains shall be overseen by the most likely descendant(s) to determine the most appropriate means of treating the human remains and any

associated grave artifacts. The specific locations of Native American burials and reburials will be proprietary and not disclosed to the general public. The County Coroner will notify the Native American Heritage Commission in accordance with California Public Resources Code 5097.98. According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052) determined in consultation between the project proponent and the MLD. In the event that the project proponent and the MLD are in disagreement regarding the disposition of the remains, State law will apply and the median and decision process will occur with the NAHC (see Public Resources Code Section 5097.98(e) and 5097.94(k)).

87. **Prior to grading permit issuance:** If there are any changes to project site design and/or proposed grades, the Applicant shall contact the consulting tribes to provide an electronic copy of the revised plans for review. Additional consultation shall occur between the City of Desert Hot Springs, Applicant and interested tribes to discuss the proposed changes and to review any new impacts and/or potential avoidance/preservation of the cultural resources on the Project. The Applicant will make all attempts to avoid and/or preserve in place as many as possible of the cultural resources located on the project site if the site design and/or proposed grades should be revised in consult with the City of Desert Hot Springs. In specific circumstances where existing and/or new resources are determined to be unavoidable and/or unable to be preserved in place despite all feasible alternatives, the developer shall make every effort to relocate the resource to a nearby open space or designated location on the property that is not subject any future development, erosion or flooding.

88. **Archaeological Monitoring:** The Developer, the City and the consulting tribe(s) shall develop an archaeological monitoring plan to address details, timing and responsibilities of all archaeological activities that will occur at the project site, when it is determined by either the city or the consulting tribe(s) to be necessary. Details of the plan may include:
 - a. Project grading and development scheduling;
 - b. The development of a rotating or simultaneous schedule in coordination with the applicant and the Project Archeologist for designated Native American Tribal Monitors from the consulting tribes during grading, excavation and ground disturbing activities on the site: including the scheduling, safety requirements, duties, scope of work, and Native American Tribal Monitors' authority to stop and redirect grading activities in coordination with all Project archaeologists;
 - c. The protocols and stipulations that the Developer, City of Desert Hot Springs, the consulting tribes and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation;

- d. Archaeological Monitoring Plan shall take into account the potential impacts to undiscovered buried archaeological and cultural resources and procedures to protect in place and/or mitigate such impacts.

89. **Treatment and Disposition of Cultural Resources:** In the event that Native American cultural resources are inadvertently discovered during the course of grading for this Project. The following procedures will be carried out for treatment and disposition of the discoveries:

- a. **Temporary Curation and Storage:** During the course of construction, all discovered resources shall be temporarily curated in a secure location onsite or at the offices of the project archaeologist. The removal of any artifacts from the project site will need to be thoroughly inventoried with tribal monitor oversight of the process; and
- b. **Treatment and Final Disposition:** The landowner(s) shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts and non-human remains as part of the required mitigation for impacts to cultural resources. The applicant shall relinquish the artifacts through one or more of the following methods and provide the City of Desert Hot Springs with evidence of same:
 - i. Accommodate the process for onsite reburial of the discovered items with the consulting Native American tribes or bands. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloguing and basic recordation have been completed;
 - ii. A curation agreement with an appropriate qualified repository within Riverside County that meets federal standards per 36 CFR Part 79 and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within Riverside County, to be accompanied by payment of the fees necessary for permanent curation;
 - iii. For purposes of conflict resolution, if more than one Native American tribe or band is involved with the project and cannot come to an agreement as to the disposition of cultural materials, they shall be curated at the Western Science Center or Agua Caliente Cultural Museum.
 - iv. At the completion of grading, excavation and ground disturbing activities on the site a Phase IV Monitoring Report shall be submitted to the City of Desert Hot Springs documenting monitoring activities conducted by the project Archaeologist and Native Tribal Monitors within 60 days of completion of grading. This report shall document the impacts to the known resources on the property; describe how each mitigation measure was fulfilled; document the type of cultural resources recovered and the

disposition of such resources; provide evidence of the required cultural sensitivity training for the construction staff held during the required pre-grade meeting; and, in a confidential appendix, include the daily/weekly monitoring notes from the archaeologist. All reports produced will be submitted to the consulting tribes and Eastern Information Center and interested tribes.

90. Project shall have “Super Compliant” Architectural Coatings:
 - a. Prior to Building permit issuance the applicant shall submit evidence, such as emissions estimates, coating use estimates and manufacturers specifications for VOC content, or other evidence that indicates VOC emissions during architectural coating activities would not exceed SCAQMD CEQA significance thresholds.
 - b. Prior to Building permit issuance the applicant shall prepare a Coating Restriction Plan (CRP), consistent with SCAQMD guidelines. The project applicant/developer shall include in any construction contracts and/or subcontracts a requirement that Project contractors adhere to the requirements of the CRP. The CRP shall include a requirement that all interior and exterior residential and non-residential architectural coatings used in Project construction meet the SCAQMD “super compliant” coating VOC content standard of less than 10 grams of VOC per liter of coating. The CRP shall also specify the use of high-volume, low-pressure spray guns during coating applications to reduce coating waste.
91. The project shall use Tier IV Construction Equipment. To reduce construction equipment emissions of NOx, diesel particulate matter, and other pollutants, the applicant shall:
 - a. Use electric-powered and liquefied or compressed natural gas equipment instead of diesel-powered equipment to the maximum extent feasible.
 - b. All construction equipment with a rated power-output of 50 horsepower or greater shall meet U.S. EPA and CARB Tier IV Final Emission Standards for NOx. This may be achieved via the use of equipment with engines that have been certified to meet Tier IV emission standards, or through the use of equipment that has been retrofitted with a CARB-verified emission control strategy (e.g., selective catalytic reduction) capable of reducing exhaust NOx emission to levels that meet Tier IV standards.
 - c. The City may grant an exemption from these requirements in the event an applicant can factually document that the specific equipment needed to construct a project is not reasonably available (e.g., the specific Tier IV equipment needed is not available within Riverside County within the scheduled construction period).
92. Protocol focused surveys for sensitive plant and wildlife species shall be carried out by a qualified biologist if suitable habitat for any such species is present on the project site and has a potential for impact. Some aspects of the proposed Project may warrant periodic updated surveys for certain sensitive taxa, particularly if the

Project is proposed to occur over a protracted time frame, or in phases, or if surveys are completed during periods of drought. Project permitting and approval requires compliance USFWS, CDFW, and CVMSHCP regulations for any impacts to special status plant or animal species.

93. Nesting Bird Avoidance: If vegetation removal is scheduled during nesting season (February 1 - September 1), focused surveys for active nests shall be conducted by a qualified biologist no more than three days prior to the beginning of project-related activities (e.g., excavation, grading and vegetation removal). Surveys shall be conducted in proposed work areas, staging and storage areas, and soil, equipment, and material stockpile areas. For passerines and small raptors, surveys shall be conducted within a 250-foot radius surrounding the work area (in non-developed areas and where access is feasible). For larger raptors, such as those from the genus *Buteo*, the survey area shall encompass a 500-foot radius. Surveys shall be conducted during weather conditions suited to maximize the observation of active nests and shall concentrate on areas of suitable habitat. If nests are encountered during any preconstruction survey, a qualified biologist shall determine if it is feasible for construction to continue as planned without impacting the success of the nest, depending on conditions specific to each nest and the relative location and rate of construction activities. Any active nest(s) within a Project Site shall be monitored by a qualified biologist during construction if work occurs directly adjacent to the pre-determined nest avoidance buffer. If the qualified biologist determines construction activities have potential to adversely affect a nest, construction activities will be halted within.
94. If riparian habitat or other sensitive natural communities are impacted by project-related activities, a habitat restoration and revegetation plan will be developed pursuant to U.S. Army Corps of Engineers and/or California Department Fish & Wildlife guidelines. Habitat restoration and revegetation plans will include, at a minimum: (a) the location of restoration sites and assessment of appropriate reference sites; (b) the plant species to be used, sources of local propagules, container sizes, and seeding rates; (c) a schematic depicting the mitigation area; (d) a local seed and cuttings and planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity. Monitoring of restoration areas should extend across a sufficient time frame to ensure that the new habitat is established, self-sustaining, and capable of surviving drought. For Projects with CVMSHCP Conservation Areas, habitat revegetation, restoration, and conservation will be vetted via coordination with the appropriate resource agencies and the Coachella Valley Conservation Commission (CVCC) through the Joint Project Review (JPR) process to ensure the Project aligns with the goals and policies of the CVMSHCP.

95. Assess and Minimize Temporary Construction Noise Levels To ensure that the project implements appropriate construction noise controls, the applicant shall assess potential construction noise levels and minimize substantial adverse impacts by implementing feasible construction noise control measures that reduce construction noise levels at sensitive receptor locations, including nearby residences. Such measures include:
- a. construction management techniques. This may include:
 - i. providing advance notice of construction activities to nearby noise-sensitive receptors
 - ii. Siting staging areas away from noise-sensitive land uses,
 - iii. monitoring construction;
 - b. construction equipment controls. This may include:
 - i. ensuring equipment has mufflers,
 - ii. use of electric hook-ups instead of generators);
 - iii. use of temporary sound barriers (equipment enclosures, berms, walls, blankets, or other devices) when necessary;
 - c. preparation of a plan, procedures, or other mechanisms to receive track, respond, and resolve construction noise complaints, including designation of an on-site appointee to handle such complaints, and report back to City staff; and
 - d. require monitoring construction noise levels if complaints are received to verify the need for additional noise controls.

Fire Department Conditions

96. Applicant/developer shall provide a water system capable of delivering a minimum fire flow of 1,500 gallons per minute for 2 hours duration at twenty (20) pounds per square inch (PSI) residual operating pressure, which must be available before any combustible material is placed on the construction site. The minimum required GPM and PSI may change during official plan check.
97. The greenhouses must be type IIB. All framing needs to be non-combustible, unless it is permitted per Section 603.
98. The applicant/owner shall install Knox Boxes as approved by the Fire Department subject to the following:
- a. On Structures the Knox Box shall be installed next to the Fire Department access door and be flush with the building.
99. 503.6.1 Automatic opener. New motorized gates shall be provided with means to be automatically opened remotely by emergency vehicle in accordance with Riverside County Fire Department standards and Policies, as may be amended from time to time.
100. The fire apparatus access road shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building.

101. If the buildings are protected with a FIRE alarm system, the lock box shall be required to have tampered monitoring.
102. Required order forms and installation standards may be obtained at the Fire Department Headquarters at 77933 Los Montana's in Palm Desert or Desert Hot Springs City Hall
103. Applicant/developer shall display street numbers in a prominent location on the address side of building(s) and/or rear access if applicable. Numbers and letters shall be a minimum of twelve (12) inches in height except for building(s) greater than twenty-five (25) feet in height which shall have a minimum letter height of twenty-four (24) inches. In complexes with alpha designations, letter size must match numbers. All addressing must be legible, of a contrasting color, and adequately illuminated to be visible from street at all hours.
104. The applicant/developer shall submit three (3) sets of construction drawings to the Fire Department for review and approval prior to issuance of any permits. Said construction drawings shall demonstrate Project adherence to all provisions of the currently adopted Uniform Fire Code.
105. Applicant/developer shall install a portable fire extinguisher, with a minimum rating of 2A-10BC, for every 3,000 sq. ft. and/or seventy-five (75) feet of travel distance. Fire extinguishers shall be mounted three and a half (3.5) to five (5) feet above finished floor, measured to the top of the extinguisher. Where not readily visible, signs shall be posted above all extinguishers to indicate their locations. Extinguishers must have current CSFM service tags affixed.
106. No hazardous materials shall be stored and/or used within the building, which exceeds quantities listed in California Building Code. No class I, II or IIIA of combustible/flammable liquid shall be used in any amount in the building.
107. Exit designs, exit signs, door hardware, exit markers, exit doors, and exit path marking shall be installed per the California Building Code.
108. Fire apparatus access roads shall be 24' in width with no parking allowed on either side of the access road. If the building height exceeds 30', the fire apparatus access road shall be 30' in width with no parking allowed on either side of the access road WITH a turning radius of 38'.
109. Fire Equipment such as electrical room doors, FACP, fire riser, roof access shall be labeled by the Applicant/developer and be approved by the Fire Department.
110. Access shall be provided to all mechanical equipment located on the roof as per the California Mechanical Code.
111. Fire sprinklers shall be installed in all buildings greater than 3,600 square feet regardless of the occupancy classification.

112. Shall install a fire alarm system.
113. Emergency and standby power systems shall be installed in accordance with CFC, CBC, NFPA 110, and NFPA 30.
114. An on-site acceptance test for generators shall be conducted as a final approval. The test of the transfer switch shall consist of electrically operating the transfer switch from the normal position to the alternate position and then return to the normal position.
115. No smoking sign shall be posted at generators.
116. NFPA 704 placard shall be posted where applicable.
117. Shall provide equipment technical data sheets for the type of plastic to be hung in grow room. Shall be a minimum Class C finishing per CFC 803.9.
118. Shall submit separate plans for CO2 enriched environment and have a California licensed Engineer design to RCFD Technical Policy TP 16-005.
119. Shall submit separate plans for extraction system plans and have a California licensed Engineer design to RCFD Technical Policy TP 16-004.
120. Shall provide equipment technical data sheets for the access control egress door.
121. Shall provide sequence of Operation for access control egress doors and shall comply with all requirements per CFC 1008.1.9.8
122. Shall provide equipment technical data sheets for the type of lamps to be used.
123. Shall submit a Business Plan to Riverside County Health Department prior to final.
124. Shall contact Air Quality Management District to ensure all requirements will be met with the CO2 exposure (Carbon Filter).
125. The exit discharges appear inadequate. Please ensure the travel distances do not exceed what is required in the 2016 CBC and CFC.
126. Shall design to current California Codes and Standards.
127. Prior to issuance of occupancy permits, the applicant shall demonstrate to the satisfaction of the Riverside County Fire Department that the site conforms with fire lane width requirements in accordance with County standards, as found at: http://rvcfire.org/stationsAndFunctions/AdminSppt/FireMarshal/Documents/Standards/FPS_x06-05_Access_Roadways_x2x.pdf

Water and Wastewater Conditions

128. 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.

END