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|  | <p style="text-align: center;">CITY OF CATHEDRAL CITY PLANNING COMMISSION</p> <p style="text-align: center;">CONDITIONS OF APPROVAL TENTATIVE TRACT MAP NO. 37755</p> <p style="text-align: center;">MOUNTAIN VIEW ESTATES PROJECT LOCATION: BETWEEN RAMON ROAD AND MCCALLUM WAY, EAST OF NEUMA DRIVE (APN: 670-130-004, -005, -014 AND -015)</p> <p style="text-align: center;">DATE APPROVED: June 5, 2024 EXPIRATION DATE: June 5, 2027</p> |
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SECTION 1 ADMINISTRATIVE CONDITIONS

- 1.1** A copy of all pages of these conditions shall be printed onto the first page of the construction drawings.
- 1.2** Approval of the reference plan is preliminary only. All final working drawings shall be submitted to and approved by the Planning, Engineering and Building Departments prior to issuance of building permits. The development of the property shall conform substantially to that as approved in Exhibit A, dated September 16, 2020, except as specifically modified by any of the conditions of approval. Any deviation from the approved set of improvement plans shall be approved in writing by the Director of Planning/Building prior to the installation, construction or deletion of the requested plan modification.
- 1.3** This approval shall be valid for two years from date of approval, unless extended pursuant to the Zoning and Subdivision Ordinance.
- 1.4** No Certificate of Occupancy shall be granted until all conditions of approval have been satisfied.
- 1.5** The Final Tract Map shall be approved by the City Council and recorded prior to the issuance of any building permits.
- 1.6** The development of the site shall conform to all ordinances, codes, regulations, policies and development design controls pursuant to the Cathedral City Municipal Code and the CC&Rs prior to the approval of the Final Tract Map. All conditions herein shall be met prior to the approval of the Final Tract Map and/or issuance of a grading or building permit.

SECTION 2 FEES

- 2.1** The Applicant shall pay all applicable City of Cathedral City fees, charges and other costs such as development impact fees as prescribed by City Ordinance. The applicant is hereby advised that the fees may change at the time they become due and payable, as permitted by applicable law.

NOTICE TO APPLICANT: Pursuant to Government Code Section 66020(d)(1), the 90-day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this approval and any such protest must be in a manner that complies with Section 66020(a), and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project. It further does not apply to any fees, dedication, reservations, or exactions for which the applicant has been given a notice similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

SECTION 3 PLANNING

- 3.1** The project shall comply with the requirements of the Chapter 9.94 (Planned Unit Development).
- 3.2** A Final Planned Unit Development (PUD) Plan in accordance with Section 9.94.160 of the Cathedral City Municipal Code (CCMC) shall be approved by the City Council prior to the issuance of any building permits.
- 3.3** No building permits for production units shall be issued until Tract Map 37755, or the phases thereof, is recorded.
- 3.4** Prior to the issuance of a building permit, the Applicant shall alleviate the negative yearly impact on the City's General Fund from residential development for police, fire, paramedic, and park services either by 1) the payment of a one-time fee equal to the present value cost of providing General Fund services to the proposed development for a period of 99 years or 2) annexing into Community Facilities District (CFD) No. 2006-1 having an annual special tax equal to the yearly cost of providing General Fund services as calculated and determined by the City of Cathedral Finance Department.
- 3.5** Before Final Tract Map approval by the City Council, a Final Site Plan shall be submitted to the Planning Department for review and approval consistent with the following:
- a. Plans shall be draw in a minimum scale of 1" = 30'.
 - b. Show locations of all property lines.
 - c. Walkways shall be a minimum of 4' wide and constructed of concrete or an acceptable alternative material such as brick or tile. (Section 9.94.110.N)

- d. Stacking distance at the entry gates shall be for a minimum of two cars.
- e. Show location of all mechanical and electrical equipment on exterior of building or ground-mounted equipment. All exterior and ground-mounted equipment is required to be screened.
- f. Locations of mailboxes on the site.
- g. Location of call box(es).
- h. Decorative paving at key crossing points on private roads. Include detail of decorative paving.
- i. Show locations of all fire hydrants, catch basins, and gutters.

3.6 Before Final Tract Map approval by the City Council, a Final Landscape Plan shall be submitted to the Planning Division for review and approval that includes the following:

- a. Front yards for all residential lots shall be landscaped. Show detail of typical landscaping.
- b. Show details of all parks and common open space areas with amenities. Include details of all amenities.
- c. Show locations of perimeter and internal property lines.
- d. All recreation areas shall provide site furnishings such as benches, bike racks, shading and play equipment the locations of which shall be shown on the landscape plans. Provide details of all proposed site furnishings.
- e. Show locations of all ground-mounted equipment and include landscaping to be used for screening.

3.7 A Final Landscape Construction Plan, prepared by a licensed landscape architect and approved by the Director of Planning/Building, shall be signed by the local water purveyor prior to the issuance of building permits. The Final Landscape Construction Plan shall contain the following required information:

- a. A title block with sheet number, site address and APNs, date of preparation, and name, address, and phone number of applicant on all sheets.
- b. Show use of concrete mow strip between turf and other surfaces.
- 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. Show all location of mechanical, electrical, and irrigation equipment and landscaping that will screen from public view.
- e. 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.
- f. Plant and tree installation and staking details.
- g. Side yard landscaping for each corner lot.
- h. Landscape plans shall meet the requirements of the City of Cathedral City's Water Efficient Landscape Ordinance.
- i. All plant materials used on the project site shall be those listed in the most recent version of Coachella Valley Water District's "Lush & Efficient Landscape Gardening in the Coachella Valley".
- j. An Irrigation Plan with equipment details.

3.8 Site landscaping shall comply with the City Design Guidelines and Water Conservation policies and rules 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. Residential front yards shall contain no more than 35% turf.
- c. At least 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 City's 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 between a minimum of 10 – 20 feet, varied to the satisfaction of City staff.
 - l. All 36-inch box trees or greater shall be verified as to size by the project planner prior to being planted. It is the responsibility of the contractor and/or Applicant to make an appointment with the project planner to conduct this verification.
- 3.9** Per section 9.94.110 of the Zoning Ordinance, all structures shall be setback a minimum of ten feet from the right-of-way of public or private streets, unless a variance has been granted.
- 3.10** All lighting on site shall comply with Chapter 9.89 of the Municipal Code relative to outdoor lighting including fixtures that direct lighting downward.
- 3.11** If determined to be necessary for the project by the Director of Planning/Building, an exterior Lighting Plan shall be submitted in compliance with CCMC Section 9.89, including a photometric analysis, for review and approval prior to issuance of a building permit. The Lighting Plan shall also identify the following:
- a. The type of fixtures, including height, material, and color.
 - b. That the total height of all freestanding lighting fixtures will not exceed 18 feet.
 - c. That all concrete fixture bases will have a decorative finish. At a minimum, a trowel finish shall be provided.
 - d. That the bolts connecting the light fixture to the base will be covered.
- 3.12** 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. If after construction, but prior to the issuance of a Certificate of Occupancy, it is determined by the Director of Planning/Building that equipment can be viewed from the public right-of-way a plan for screening the equipment shall be submitted to the Planning Department for approval. Once approved, said screening shall be constructed prior to issuance of a Certificate of Occupancy.

- 3.13** Property addresses or building identification signs shall be placed on all new and existing buildings so as to be plainly visible from the public street. Said signs shall be a minimum of 12 inches in height on commercial buildings and four inches in height for residential buildings. Numbers shall be either internally or externally illuminated to be consistent with Municipal Code Section 9.02 and designed to illuminate automatically during periods of darkness.
- 3.14** Signage for the proposed project is not part of this approval and shall require a sign permit, prior to the issuance of a Certificate of Occupancy.
- 3.15** Trash enclosures shall have a decorative wall surface and a decorative cap that are consistent with the overall architecture of the project.
- 3.16** In single-family residential subdivisions, all exterior walls facing a public street or public area shall have a decorative surface and a decorative cap that is consistent with the overall architecture. Interior walls between units are exempt from this requirement.
- 3.17** Building and landscaping shall be maintained in a condition that substantially complies with this approval.
- 3.18** All breaker boxes, fire sprinkler risers, and utility conduits shall be interior to the building.
- 3.19** All roof drains and downspouts shall be on the interior of the building with decorative drain terminations. Exposed drainpipes are specifically prohibited.
- 3.20** Contractor must divert at least 75 percent of all demolition waste to a recycling facility. The reuse of materials is considered an acceptable recycling program but must be documented and approved by the Environmental Conservation Manager
- 3.21** Prior to the issuance of a Certificate of Occupancy, the applicant shall submit all weight tickets associated with trash and recycling disposal to be approved by the Environmental Conservation Manager.
- 3.22** If the PUD is proposed to be constructed in phases, the application shall state this and include a proposed construction schedule. A phasing plan shall outline the construction timeline for homes, infrastructure, landscaping, open space, recreational and common amenities, and other site improvements.
- 3.23** The project shall comply with the following Mitigation Measures as identified in the Final Initial Study/Mitigated Negative Declaration for the project:
 - 1. **BIO-1:** Prior to initiating any ground disturbance or vegetation removal activities, a clearance survey shall be conducted by a qualified biologist to confirm that burrowing owls remain absent and impacts do not occur to any

- occupied burrows that may be located on or within 500 feet of the Project site. In accordance with the Staff Report on Burrowing Owl Mitigation (CDFW, 2012), two pre-construction clearance surveys shall be conducted 14-30 days and 24 hours prior to any ground disturbance or vegetation removal activities. Documentation of the surveys and findings shall be provided to the City of Cathedral City for review prior to initiating project activities. If no burrowing owls or occupied burrows are detected, project-related activities may begin. If an occupied burrow is detected, the qualified biologist shall flag the location and establish a “no-disturbance” buffer around the burrow in accordance with the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) and contact CDFW to determine the appropriate method of relocation, such as eviction/passive relocation or active relocation.
2. **BIO-2:** If Project grading/construction activities are scheduled to occur during the nesting season for breeding birds (typically February 1st through August 31st), a nesting bird clearance survey shall be conducted by a qualified biologist no more than three days prior to the start of any vegetation removal or ground disturbing activities to ensure that impacts to nesting birds do not occur. The qualified biologist shall survey all suitable nesting habitat within the Project impact area, including areas within a biologically defensible buffer distance surrounding the Project impact area, for the presence of nesting birds and shall provide documentation of the surveys and findings to the City of Cathedral City for review prior to initiating project activities. If no active bird nests are detected, project-related activities may begin. If an active nest is found, the bird shall be identified to species and the approximate distance from the closest work site to the active nest shall be estimated and the qualified biologist shall establish a “no-disturbance” buffer around the active nest. The distance of the “no-disturbance” buffer may be increased or decreased according to the judgement of the qualified biologist depending on the level of activity and sensitivity (i.e., listed) of the species. The qualified biologist shall periodically monitor any active bird nests to determine if project-related activities occurring outside the “no disturbance” buffer disturb the birds and if the buffer should be increased. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, project-related activities within the “no disturbance” buffer may occur.
3. **BIO-3:** The Local Development Mitigation Fee shall be paid in full by the Project Applicant, as defined in Section 5 of Ordinance No. 702, at the time of the issuance of a building permit for the Project.

4. **CR-1:** Prior to grading disturbance activities, the City of Cathedral City Planning Department shall inform field personnel of the possibilities of a buried cultural resource find. A qualified archaeologist shall be made available by the applicant during all ground disturbing activities should any unknown cultural resource be uncovered. In addition, because the site is located within the boundaries of the Agua Caliente Band of Cahuilla Indians (ACBCI) Tribe's Traditional Use Area, all ground disturbing activities shall be monitored by a qualified Native American monitor as requested by the ACBCI THPO. In the event that field personnel encounter buried cultural materials, work in the immediate vicinity of the find shall cease and the qualified archaeologist shall be retained by the applicant to assess the significance of the find. The qualified archaeologist/Tribal monitor shall have the authority to stop or divert construction excavation as necessary. If the qualified archaeologist finds that any cultural resources found meet eligibility requirements for listing on the California Register or the National Register, plans for the treatment, evaluation and mitigation of impacts to the find shall be developed. Prehistoric or historic cultural materials that may be encountered during ground disturbing activities include:

- Historic artifacts such as glass bottles and fragments, cans, nails, ceramic and pottery fragments, and other metal objects;
- Historic structural or building foundations, walkways, cisterns, pipes, privies, and other structural elements;
- Prehistoric flaked-stone artifacts and debitage (waste material), consisting of obsidian, basalt, and or cryptocrystalline silicates;
- Grindstone artifacts, including mortars, pestles, and grinding slabs;
- Dark, greasy soil that may be associated with charcoal, ash, bone, shell, flaked stone, groundstone, and fire affected rocks.

If it has been determined that the find, with concurrence of the archaeologist, and tribal monitor/THPO in the case of cultural resources, has significance, the final disposition of the find shall be determined with concurrence between the archaeologist, THPO (in the case of tribal cultural resources) and the City Planner. Once the mitigation and disposition for the find has been determined, work in the vicinity of the find shall resume at the direction of the archaeologist.

5. **CR-2:** If human remains are encountered during project grading activities, work in the immediate vicinity shall cease and the Riverside County Coroner

shall be contacted within 24 hours of the discovery. California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin of the human remains. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission must be contacted within 24 hours. The Native American Heritage Commission must then immediately identify the "most likely descendants(s)" (MLD) for purposes of receiving notification of discovery. The City and developer will work with the designated MLD to determine the final disposition of the remains pursuant to Public Resources Code Section 5097.98.

6. **GEO-1:** Any substantial and deep excavations in the sedimentary deposits in the Project area shall be monitored by a qualified paleontologist to professionally and expeditiously collect any vertebrate fossil remains uncovered without impeding development. Sediment samples shall be collected and processed to determine the small fossil potential in the Project area. Any fossils recovered during mitigation shall be deposited in an accredited and permanent scientific institution.
7. **NOI-1:** To reduce noise levels during construction activities, the Applicant must demonstrate, to the satisfaction of the Cathedral City Director of Planning/Building, that the Project complies with the following:
 - Construction contracts must specify that all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other state-required noise attenuation devices.
 - A sign, legible at a distance of 50 feet, shall be posted at the Project construction site providing a contact name and a telephone number where residents can inquire about the construction process and register complaints. This sign shall indicate the dates and duration of construction activities. In conjunction with this required posting, a noise disturbance coordinator shall be identified to address construction noise concerns received. The coordinator shall be responsible for responding to any local complaints about construction noise. When a complaint is received, the disturbance coordinator shall notify the City within 24 hours of the complaint and determine the cause of the noise complaint (starting too early, malfunctioning muffler, etc.) and shall implement reasonable

measures to resolve the complaint, as deemed acceptable by the City. All signs posted at the construction site shall include the contact name and the telephone number for the noise disturbance coordinator.

- During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers.
- Per Section 11.96.070 of the Municipal Code, construction shall be limited to the hours between 7:00 a.m. to 5:30 p.m. on Mondays through Fridays and between the hours of 8:00 a.m. to 5:00 p.m. on Saturdays from October 1st through April 30th and between 6:00 a.m. to 7:00 p.m. on Mondays through Fridays and between the hours of 8:00 a.m. to 5:00 p.m. on Saturdays from May 1st through September 30th. All construction activities shall be prohibited outside of those times and on Sundays and State holidays.

Some of the Mitigation Measures may be duplicated by or be more specific than some of the Standard Conditions of Approvals, since the special studies for the Initial Study document were prepared by outside consultants. Staff has left the City Standard Conditions intact, unless there was an exact duplication, in order to ensure that all issues were covered.

- 3.24** The installation or use of any exterior recreation or court lighting of the activity area identified as Lot N on Exhibit A shall be prohibited unless approved by the Planning Commission. (Revised by the Planning Commission on September 16, 2020)
- 3.25** This TTM shall comply with all applicable conditions of approval for Planned Unit Development No. 19-001A, as approved by the Planning Commission July 19, 2023.
- 3.26** The final map shall not be approved by the City Council until General Plan Amendment No. 24-001, changing the approximately 3.43 acre portion of the site designated for CN (Neighborhood Commercial) back to RL (Low Density Residential) has been approved by the City Council.

SECTION 4 ENGINEERING / PUBLIC WORKS

- 4.1** The Applicant agrees to defend, indemnify and hold harmless the City of Cathedral City ("City"), its agents, officers and employees from any claim, action or proceeding to attack, set aside, void, or annul the approval of this Tentative Tract Map No. 37755 (TTM). The City shall have sole discretion in selecting its defense counsel. The City shall promptly notify the Applicant of any claim, action or proceeding and shall cooperate fully in the defense.

- 4.2** This TTM shall expire two years after the City Planning Commission approval date, unless recorded or granted a time extension pursuant to the Cathedral City Subdivision Ordinance.
- 4.3** This TTM, and any Final Map(s) recorded thereunder, shall comply with the requirements and standards of the State "Subdivision Map Act" and the Cathedral City Subdivision Code, and The Final Map(s) shall:
- i. Be based upon a field survey.
 - ii. A preliminary soils report shall be performed and completed for the proposed parcels and shall be noted on the Final Map(s).
- 4.4** The TTM shall comply with all applicable terms, conditions and/or mitigation measures for the following approvals:
- A. TTM No. 37755.
 - B. Cathedral City Guidelines.
 - C. Cathedral City Water Conservation Policies and Rules.
 - D. Cathedral City Municipal Codes and Ordinances.

In the event of any conflict(s) between approval conditions and/or provisions of these approvals, the Director of Engineering/Public Works and/or Director of Planning/Building shall determine precedence.

- 4.5** Prior to the Final Tract Map (FTM) approval, the Applicant shall provide security to guarantee the survey and setting of final monumentation, parcel boundaries and lot corners. All such securities shall be in the form of a 100% cash bond. Release of securities will occur after the Applicant's engineer of record provides the Director of Engineering/Public Works certification that all such monuments have been placed and the engineer of record has been compensated in full for the work.
- 4.6** All conditions herein shall be met prior to the Grading Permit issuance for the TTM or as specifically modified by item as linked to a Certificate of Occupancy (COO) issuance and/or time limit from the date of issuance of the Grading Permit.
- 4.7** Prior to issuance of any grading, construction or building permit by the City, the Applicant shall obtain any necessary clearances and/or permits from the following agencies, if required:
- A. City of Cathedral City Fire Marshal
 - B. Cathedral City Engineering Department.
 - C. Cathedral City Planning Department.
 - D. Cathedral City Building Department.
 - E. Riverside County Environmental Health Department.

- F. Palm Springs Unified School District.
- G. Coachella Valley Water District (CVWD).
- H. Southern California Edison (SCE).
- I. Frontier Communications.
- J. Spectrum Cable.
- K. California Regional Water Quality Control Board (CRWQCB).
- L. State Water Resources Control Board.
- M. Sunline Transit Agency (SunLine).
- N. South Coast Air Quality Management District – Coachella Valley (SCAQMD).

The Applicant is responsible for all the requirements of the permits and/or clearances from the above listed agencies. When the requirements include approval of improvement plans, the Applicant shall furnish proof of such approvals when submitting those improvement plans for City approval.

- 4.8** The Applicant, if applicable, shall be responsible for completing all TTM approved Phase I Study recommendations, all City and Riverside County requirements and Riverside County Department of Environmental Health requirements. Proof of compliance shall be submitted to the City before issuance of building permits for the TTM.
- 4.9** Coverage under the State of California Construction General Permit must be obtained by the Applicant, who then shall submit a copy of the Regional Water Quality Control Board's ("RWQCB") acknowledgement of the applicant's Notice of Intent ("NOI") and Waste Discharge Identification ("WDID") number to the City prior to the issuance of a grading or building permit.
- 4.10** Prior to construction, during construction and up to Final Tract Map (FTM) acceptance the Applicant shall comply with applicable provisions of the City's NPDES Stormwater Discharge Permit and Riverside County Ordinance No. 457; the California Regional Water Quality Control Board – Colorado River Basin Regional Board Order No. R7-2013-0011 and the State Water Resources Control Board's Order No. 2009-009-DWQ, Order No. 2010-0014-DWQ and Order No. 2012-0006-DWQ.
 - A. For construction activities including clearing, grading or excavation of land that disturbs one (1) acre or more of land, or that disturbs less than one (1) acre of land, but which is a part of a construction project that encompasses more than one (1) acre of land, the Applicant ("Permitee") shall be required to submit a Storm Water Pollution Protection Plan ("SWPPP") to the State Water Resources Control Board ("SWRCB").
 - B. The Applicant or design professional can obtain the California Stormwater Quality Association SWPPP template at www.cabmphandbooks.com for use in their SWPPP preparation.

- C. Prior to the Applicant submitting the SWPPP to the SWRCB, the Applicant shall submit a copy of the SWPPP to the Director of Engineering/Public Works for review.
 - D. The Applicant shall deliver a complete copy of the State Water Resources Control Board approved SWPPP to the Director of Engineering/Public Works prior to issuance of the Grading Permit for City records.
 - E. The Applicant shall ensure that the required SWPPP is available for inspection at the project site at all times through and including acceptance of all improvements by the City.
 - F. The Applicant's SWPPP shall include provisions for all of the following Best Management Practices ("BMPs"), but not limited to:
 - 1) Temporary Soil Stabilization (erosion control).
 - 2) Temporary Sediment Control.
 - 3) Wind Erosion Control.
 - 4) Tracking Control.
 - 5) Non-Storm Water Management.
 - 6) Waste Management and Materials Pollution Control.
 - 7) Retention and Infiltration Basins Management.
 - G. All erosion and sediment control BMPs proposed by the Applicant shall be approved by the Director of Engineering/Public Works.
 - H. All erosion control BMPs shall remain in effect for the entire duration of project construction until all improvements are completed and accepted by the City.
 - I. The SWPPP shall remain in effect for the entire duration of project construction until all improvements are completed and accepted by the City Council.
- 4.11** The Applicant shall be responsible for the maintenance of all street frontages in accordance with Section 14.12.010 of the Cathedral City Municipal Code.
- 4.12** Approval of this TTM shall not be construed as approval for any horizontal dimensions implied by any site plans or exhibits unless specifically identified in the following Conditions of Approval.

- 4.13** The Applicant shall reimburse the City, within thirty (30) days of presentment of the invoice, all costs and actual attorney's fees incurred by the City Attorney to prepare, review, negotiate and/or modify any documents or instruments required by these conditions and/or subsequent modification requests to these Conditions of Approval. This obligation shall be paid in the time noted above without deduction or offset and Applicant's failure to make such payment shall be material breach of the Conditions of Approval.
- 4.14** The Applicant shall reimburse the City, within thirty (30) days of presentment of the invoice, all cost and actual consultant's fees incurred by the City for engineering, surveying and/or any other technical consultants to review and/or modify any documents or instruments required by these conditions and/or subsequent modification requests. This obligation shall be paid in the time noted above without deduction or offset and Applicant's failure to make such payment shall be material breach of the Conditions of Approval.
- 4.15** The Applicant shall reimburse the City, within thirty (30) days of presentment of the invoice, all actual costs incurred by the City for Engineering, Planning and/or Building Department reviews and/or modify any documents or instruments required by these conditions and/or subsequent modification requests. This obligation shall be paid in the time noted above without deduction or offset and Applicant's failure to make such payment shall be material breach of the Conditions of Approval.

PROPERTY RIGHTS AND PRIVATE IMPROVEMENTS

- 4.16** Prior to issuance of any permit(s), the Applicant shall acquire or confer easements and other property rights necessary for the construction or proper functioning of the proposed TTM. Conferred rights shall include irrevocable offers to dedicate or grant access easements to the City for emergency services and for maintenance, construction and reconstruction of essential improvements.
- 4.17** Pursuant to the aforementioned condition, conferred rights shall include approvals from all necessary persons or entities over easements and other property rights necessary for construction and proper functioning of the proposed TTM, not limited to access rights over proposed and/or existing private streets that access public streets and open space/drainage facilities of all phases of the TTM. Specifically:
- i. A number of utility easements exist where the proposed parcels are to be created. In accordance with the provisions of the State Subdivision Map Act and prior to FTM approval, these easements shall either be quitclaimed or terminated by their owners, or the Director of Engineering/Public Works shall be provided with "non-interference" letters

from the easement owners stating that the Applicant's proposed TTM will not interfere with their easements.

- ii. The Applicant shall provide an additional 22-feet of right of way dedication along the east side of Santoro Drive.
 - iii. The Applicant shall provide additional right of way dedication(s) along the north side of Ramon Road to accommodate the SunLine Bus stop.
 - iv. A Maintenance Covenant, as described in item 4.11., shall be included within the City approved CC and R's for the TTM which will be recorded on the parcel subject to the approval of the Director of Engineering/Public Works.
- 4.18** The Applicant shall retain for private use on the FTM all private street rights-of-way, parking lots, access ways, entry points and rights of way in conformance with the City's General Plan, Municipal Code and/or as required by the Director of Engineering/Public Works.
- 4.19** The Applicant shall construct the following private street rights-of-way to be retained for private use:
- A. Private Streets and/or Driveways On-Site within and/or outside the TTM gates.
 - 1) Private streets are designated as local (residential) streets.
 - 2) Entry drives, interior circulation routes, corner cutbacks, dedicated turn lanes and other features shown on the TTM, may require additional street widths as may be determined by the Director of Engineering/Public Works.
 - 3) Street "Lot B" Main Entry North – Entry driveway at the south end of Santoro Drive as shown on the TTM and as part of these conditions of approval.
 - a) Gated entry shall provide for vehicle stacking capacity for inbound traffic to be a minimum length to accommodate two (2) vehicles from the call box to the public street right of way; and shall provide for a full turn around outlet for non-accepted vehicles. If the stacking is encroaching within the public street area, vehicle stacking within the public right of way will be subject to approval and permit as approved by the Director of Engineering/Public Works.

For the proposed gated entry, the Applicant shall submit a detailed exhibit at a scale of 1" = 10', demonstrating that those passenger vehicles that do not gain entry into the development can safely make a

full turn-around (minimum radius to be 24 feet) out and northbound on Santoro Drive from the gated entry. The turn-around clear opening shall be a minimum of twenty-five feet wide or as approved by the Director of Engineering/Public Works.

Two lanes of traffic shall be provided on the entry side of the gated entry, one lane shall be dedicated for residents and one lane for visitors. The two travel lanes shall be a minimum of 22 feet of total paved roadway surface or as approved by the Cathedral City Fire Department and the Director of Engineering/Public Works.

Applicant shall construct the above access, if construction is phased, in the location of the proposed roadways, which will allow for emergency services only, with all appurtenances, gating and surfacing approved by the Cathedral City Fire Department and the Director of Engineering/Public Works.

- 4) Street "Lot B" Main Entry South – Entry driveway at the west end of Via Campanile as shown on the TTM and as part of these conditions of approval.
 - a) Gated entry shall provide for vehicle stacking capacity for inbound traffic to be a minimum length to accommodate two (2) vehicles from the call box to the public street right of way; and shall provide for a full turn around outlet for non-accepted vehicles. If the stacking is encroaching within the public street area, vehicle stacking within the public right of way will be subject to approval and permit as approved by the Director of Engineering/Public Works.

For the proposed gated entry, the Applicant shall submit a detailed exhibit at a scale of 1" = 10', demonstrating that those passenger vehicles that do not gain entry into the development can safely make a full turn-around (minimum radius to be 24 feet) out and east bound on Via Campanile from the gated entry. The turn-around clear opening shall be a minimum of twenty-five feet wide or as approved by the Director of Engineering/Public Works.

Two lanes of traffic shall be provided on the entry side of the gated entry, one lane shall be dedicated for residents and one lane for visitors. The two travel lanes shall be a minimum of 24 feet of total paved roadway surface or as approved by the Cathedral City Fire Department and the Director of Engineering/Public Works.

Applicant shall construct the above access, if construction is phased, in the location of the proposed roadways, which will allow for emergency services only, with all appurtenances, gating and surfacing approved

by the Cathedral City Fire Department and the Director of Engineering/Public Works.

- 5) Lot "B" Road – Private residential street measured right-of-way to right-of-way shall have a 56-foot width and curb to curb shall have a 36-foot width; with no parking allowed on one the east and parking allowed in designated striped spaces on the west side of the street from north terminus to south terminus as shown on the TTM and as part of these Conditions of Approval.
- 6) Lots "C", "D", "E", "F", "G", "H", "J" and "M" Roads – Private residential streets measured right-of-way to right-of-way shall have a 40-foot width and a curb to curb shall have a 28-foot width; with no parking allowed on both sides of the street from terminus to terminus as shown on the TTM and as part of these Conditions of Approval.
- 7) Lots "K" and "L" Walking Paseos – Private residential walking paseos measured right-of-way to right-of-way shall have a 35-foot width and the fire access lane width shall have a 20-foot width; with no vehicle access or parking allowed on the walking paseos from terminus to terminus as shown on the TTM and as part of these Conditions of Approval.
- 8) Lot "I" Walking Paseo - Private residential walking paseo measured right-of-way to right-of-way shall have a 35-foot width and 28-foot width and the fire access lane width shall have a transitioning 20-foot to 28-foot width; with no vehicle access or parking allowed on the walking paseo from terminus to terminus as shown the TTM and as part of these Conditions of Approval.
- 9) Private Driveways with ingress and egress from the public Santoro Drive – Private residential common driveways shall have a minimum 20-foot width with no parking allowed on both sides of the street from driveway to terminus as shown on the TTM and as part of these Conditions of Approval.
- 10) On streets with no parking allowed on one side of the street or both sides of the street "red" curb (no parking) painting will be applied.
- 11) The restricted street parking will be allowed provided there is adequate off-street parking for residents and visitors as shown on the TTM and as part of these Conditions of Approval, and the Applicant establishes provisions for ongoing enforcement of the parking restriction in the CC&R's. The CC&R's shall be reviewed by the Engineering/Planning Department prior to recordation of the FTM.

12) The Dead End on the private residential streets shall incorporate signing, striping and/or any required improvements to minimize turning conflicts, as may be determined necessary by the Director of Engineering/Public Works.

13) Curve Radii for curbs at all street intersections shall not be less than 25 feet or as shown on the TTM and as part of these Conditions of Approval.

4.20 The Applicant shall design private street pavement sections using Cal Trans's design procedure for 20-year life pavement, and the site-specific data for soil strength and anticipated traffic loading (including construction traffic). Minimum structural sections, with asphalt placed in two lifts, shall be as follows:

| | |
|---------------------|---|
| Private Residential | 3.0" a.c./4.5" class II base. |
| Private Driveways | 3.0" a.c./4.5" class II base or 6.0" PCC/4.5 class II base |
| Walking Paseos | 10.0" crushed aggregate base (CAB). |

Note: Proposed CAB will be subject to the approval of the City of Cathedral City fire Chief and the Director of Engineering/Public Works. Roadway will be required to withstand emergency vehicle weight loads of 80,000 pounds.

4.21 The Applicant shall install curb and gutter, which will convey water without ponding, and provide lateral containment of dust and residue during street sweeping operations, subject to the approval of the Director of Engineering/Public Works.

4.22 The Applicant shall construct all private streets, parking areas, drive aisles, curbs and gutters, sidewalks and driveways to uniformly connect to existing adjacent public and/or private improvements within and adjacent the TTM as shown on the Site Plan to the satisfaction of the Director of Engineering/Public Works.

4.23 The Applicant shall construct all appurtenant roadway components such as, but not limited to: curb, gutter, sidewalk, ADA ramps, traffic control striping, legends, traffic control signs and street name signs to the satisfaction of the Director of Engineering/Public Works.

a) All abutting properties disturbed by the Applicants grading, wall construction, retaining wall construction, slope construction, street improvement construction, utility relocations and/or any other construction activities performed by the Applicant, will be restored to original and/or improved conditions subject to the prior review and approval of the Director of Engineering/Public Works and/or Director of Planning/Building (Revised by the Planning Commission on September 16, 2020).

4.24 The Applicant shall coordinate and pay all cost necessary for the installation of the below detailed Cathedral City and SCE approved LED streetlights with SCE and pay all related expenses, including the monthly electrical expense for each streetlight installed prior to the issuance of the first COO. The Applicant shall execute a Street Light Covenant with the City to be reviewed by the City Engineer prior to recording. The CC&R's for the TTM shall require the HOA to take over the Street Light obligation.

A. Install two (2) 5,800 lumen LED streetlights per Cathedral City and SCE Standards along the TTM's Santoro Drive frontage with final locations to be approved by the Director of Engineering/Public Works.

B. Install two (2) 22,000 lumen LED streetlights per Cathedral City and SCE Standards along the TTM's Ramon Road frontage with final locations to be approved by the Director of Engineering/Public Works.

4.25 The Applicant shall coordinate and pay all cost necessary for the undergrounding and removal of all, and not limited to, aerial wires, power lines, telephone wires, cable lines, communication equipment, pole under burden and respective poles that are within **and/or along the frontage** this TTM prior to the issuance of the first COO to the satisfaction of the Director of Engineering/Public Works. **(Revised by the Planning Commission on September 16, 2020)**

i. The Applicant shall seek a concurrence from the Director of Engineering/Public Works on which lines are subject to undergrounding per CC Municipal Code 8.30.050, after which, the Applicant shall coordinate all undergrounding of existing facilities with each respective utility, service provider and adjacent properties owners to ensure that all aerial lines are removed/undergrounded from the TTM's Plans.

4.26 The Applicant will design and install stormwater drainage facilities:

i. Within the TTM the Applicant will design facilities to capture all onsite nuisance and stormwater per Cathedral City Municipal Code requirements and other conditions specified herein; and install TTM breakout water facilities to Ramon Road, to the satisfaction of the Director of Engineering/Public Works.

ii. The Applicant shall accept, capture and retain approximately 1.4-acre feet of regional stormwater from Ramon Road under sidewalk drain area on the north side of Ramon Road approximately 190 feet east of Neuma Drive to the satisfaction of the Director of Engineering/Public Works.

- 4.27** Dedications shall include additional widths as necessary for dedicated right and left turn lanes, bus turnouts, and other features contained in the approved construction plans.
- 4.28** When the City Engineer determines that access rights to the proposed street rights-of-way shown on the approved TTM are necessary prior to approval of the Final Map dedicating such rights-of-way, the Applicant shall grant the necessary rights-of-way within 60 days of a written request by the City.
- 4.29** If applicable, the Applicant shall offer for dedication on the Final Map, a public utility easement contiguous with, and along both sides of all private streets.
- 4.30** The Applicant shall offer for dedication to the City those easements necessary for the placement of, and access to, utility lines and structures, drainage basins and park lands on the Final Map.
- 4.31** The Applicant shall offer for dedication to the City those easements necessary for access to drainage facilities and basins, by separate instrument. The Applicant and/or Owner is required to execute a Drainage System and Basin Covenant with the City prior to issuance of the Grading Permit.
- 4.32** The Applicant shall cause all missing property corners and survey monuments within the boundaries of the TTM to be set prior to the final acceptance of the TTM improvements in accordance with the Subdivision Map Act.
- 4.33** The Applicant shall furnish proof of easements, or written permission, as appropriate, from those owners of all abutting properties on which grading, retaining wall construction, permanent slopes, street improvements, utility relocations or other encroachments will occur.
- a) All abutting properties disturbed by the Applicants grading, wall construction, retaining wall construction, slope construction, street improvement construction, utility relocations and/or any other construction activities performed by the Applicant, will be restored to original and/or improved conditions subject to the prior review and approval of the Director of Engineering/Public Works and/or Director of Planning/Building. (Added by the Planning Commission on September 16, 2020)**
- 4.34** The Applicant shall cause no easement to be granted, or recorded, over any portion of the subject property between the date of approval of the TTM and the date of recording of any FTM, unless such easement is approved by the Director of Engineering/Public Works.
- 4.35** The Applicant shall be responsible for the vacation, quitclaim or granting of easements that address changes in the existing easements over the proposed

TTM that may be affected by proposed improvements. Pursuant to this Condition, the Applicant shall apply to the City for any street vacation request of public right-of-way and/or utility easements. The Applicant must provide all applicable exhibits and legal descriptions and perform all necessary abandonments or relocation of easements and/or facilities as required by all affected utility purveyors over the public rights-of-way and/or utility easements, or as approved by the Director of Engineering/Public Works. Typically, the right-of-way vacation process is up to three (3) months.

PUBLIC IMPROVEMENTS

4.36 The Applicant shall construct and dedicate the following streets and street improvements to conform to the General Plan and/or requirements of the TTM's Traffic Study.

A. PUBLIC STREETS

- 1) Santoro Drive – Public roadway as shown on the TTM and per these Conditions of Approval shall include the following:
 - a) Santoro Drive is a public roadway and is designated as a Local Collector with a 62-foot ROW.
 - b) Santoro Drive measured at curb to curb shall be 40-foot in width.
 - c) Construct full east half crowned street improvements on Santoro Drive from McCallum Way south to the Project's Street "Lot B" Main Entry North. The Applicant will coordinate all public and private roadway improvements, driveway transitions and coordinate relocation of fire hydrants, water meters, storm drains and all other appurtenances as required to the satisfaction of the Director of Engineering/Public Works.
 - d) Construct all street, curb and gutter to uniformly connect to existing adjacent improvements north, east and west of the TTM along Santoro Drive to the satisfaction of the Director of Engineering/Public Works.
 - e) Along the east side Santoro Drive south of McCallum Way to the Project's Street "Lot B" Main Entry North, a 22 foot right of way dedication to the City will be required on the FTM. Full street right of way width shall be in accordance with a geometric alignment general as shown on the TTM and as approved by the Director of Engineering/Public Works.
 - f) Applicant shall reconstruct the southeast corner of Santoro Drive and McCallum Way to meet the new Santoro Road cross section, including,

but not limited, spandrel and cross gutter reconstruction the satisfaction of the Director of Engineering/Public Works.

- g) Construct a stormwater catch basin on Santoro Drive to capture storm water generated from the Santoro Drive developed portions of the TTM to the satisfaction of the Director of Engineering/Public Works.
 - h) Street shall have Type D and A-6 curbs per County of Riverside (RC) Standards (locations to be approved by the Director of Engineering/Public Works), which will convey water without ponding, and provide lateral containment of dust and residue during street sweeping operations.
 - i) Construct a 6-foot wide offset concrete sidewalk per RC Standards, with all required ADA ramps and utility offsets, as generally shown on the TTM and as approved by the Director of Engineering/Public Works.
 - j) Construct all appurtenant roadway components such as, but not limited to: curb, gutter, sidewalk, ADA ramps, traffic control striping, legends, traffic control signs and street name signs.
- 2) Ramon Road – Public roadway as shown on the TTM and per these Conditions of Approval shall include the following:
- a) Ramon Road is a public roadway and is designated as an Arterial Highway with a 126-foot ROW, with a north half right of way of 63 - feet.
 - b) The Applicant shall design, modify and construct the Lot “1” Walking Paseo emergency entrance driveway on the Ramon Road frontage as generally shown on the TTM to the satisfaction of the Director of Engineering/Public Works, as follows:
 - i. 28-foot driveway along Ramon Road frontage shall comply with City Standard Section 200-B and in compliance with all ADA requirements.
 - c) Construct a SunLine Transit Agency (SunLine) turn out along the TTM’s Ramon Road Frontage on the north side of Ramon Road of a design and at a location approved by SunLine and the Director of Engineering/Public Works. The bus turn out will have the general dimensions as follows:
 - i. 60-feet of transition both in front and back of the cutout.
 - ii. 50-feet of actual turnout.
 - iii. Total of 110-feet.

The bus turnout, including transitions will be constructed of 10-inch thick Portland Cement Concrete (PCC).

Applicant will be required to dedicate additional right of way along the Ramon Road frontage for the bus turn out, curb gutter and sidewalk and all related transitions.

- d) Reconstruct the existing stormwater under sidewalk drain on the north side of Ramon Road located approximately 190 feet east of Neuma Drive, to capture the approximately 1.4 acre feet of regional stormwater from Ramon Road as cited in Condition 4.26.ii to the satisfaction of the Director of Engineering/Public Works.
 - e) Reconstruct and/or modify the existing stormwater overflow drain inlet at the southeast corner of the TTM on the north side of Ramon Road located approximately 225-feet west of Via Campanile to accommodate the TTM stormwater overflow requirements to the satisfaction of the Director of Engineering/Public Works.
 - f) Ramon Road shall have A-8 curbs per County of Riverside (RC) Standards (locations to be approved by the Director of Engineering/Public Works), which will convey water without ponding, and provide lateral containment of dust and residue during street sweeping operations.
 - g) Construct a 6-foot wide curb adjacent concrete sidewalk per RC Standards, with all required ADA ramps and utility offsets, as generally shown on the TTM and as approved by the Director of Engineering/Public Works.
 - h) Construct all street, curb and gutter to uniformly connect to existing adjacent improvements east and west of the TTM along Ramon Road as approved by the Director of Engineering/Public Works.
 - i) Construct all appurtenant roadway components such as, but not limited to: curb, gutter, sidewalk, ADA ramps, traffic control striping, legends, traffic control signs and street name signs.
- 3) Via Campanile – A roadway as shown on the TTM and per these Conditions of Approval shall include the following:
- a) Via Campanile is a public roadway and is designated as a Local Collector.

- b) Applicant will be required to include the maintenance duties cited in Condition 4.11.
- 4) Baristo Road- A public roadway abutting the TTM and per these Conditions of Approval shall include the following:
 - a) Baristo Road is a public roadway and is designated as a Local Collector with a 60-foot ROW.
 - b) Street measured at curb to curb shall be 40-feet.
 - c) Applicant will be required to complete a street, curb and gutter and sidewalk end of street transition on the portion of Baristo that abuts the TTM's west wall and extend the sidewalk on the north side of Baristo Road to Neuma Drive, including the corner ramp/improvements, to the satisfaction of the Director of Engineering/Public Works.
 - d) Construct all appurtenant roadway components such as, but not limited to: curb, gutter, sidewalk, ADA ramps, traffic control striping, legends, traffic control signs and street name signs.
- 4.37** The Applicant shall design street pavement sections using Cal Trans's design procedure for 20-year life pavement, and the site-specific data for soil strength and anticipated traffic loading (including construction traffic). Minimum structural sections, with asphalt placed in two lifts, shall be as follows:

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|------------------|---|
| Local Collector | 4.0" a.c./5.0" class II base. |
| Arterial Highway | 5.5" a.c./5.5" class II base minimum (or 1" plus) |
- 4.38** Right-of-Way geometry for property line corner cutbacks at curb returns shall conform to RC Standard Drawing #805 unless otherwise approved by the City Engineer.
- 4.39** Improvements shall be designed and constructed in accordance with City adopted standards, supplemental drawings and specifications, or as approved by the City Engineer.
- 4.40** All public and private improvements shall be subject to City requirements for inspection during construction.
- 4.41** The City will conduct final inspections of structures only when the buildings have improved street and sidewalk access to publicly-maintained streets. The improvements shall include required traffic control devices, pavement markings and street name signs. If streets in residential developments are initially

constructed with partial pavement thickness, the Applicant shall complete the pavement prior to the final COO of the last structure in each phase.

IMPROVEMENT PLANS

As used throughout these Conditions of Approval, professional titles such as “engineer,” “surveyor,” and “architect,” refer to persons currently certified or licensed to practice their respective professions in the State of California.

4.42 Improvement plans shall be prepared, for each phase, by or under the direct supervision of qualified engineers and/or architects, as appropriate, and shall comply with all requirements of the City of Cathedral City.

4.43 The following improvement plans, for each phase, shall be prepared and submitted for review by the Engineering Department. A separate set of plans for each line item specified below, for each phase, shall be prepared. The plans shall utilize the minimum scale specified, unless authorized by the Director of Engineering/Public Works. Plans may be prepared at larger scale if additional detail or plan clarity is desired.

NOTE: Engineering Site Plans will be prepared by a Civil Engineer licensed to practice their profession in the State of California.

NOTE: The Applicant may be required to prepare other improvement plans not listed here pursuant to improvements required by other agencies and utility purveyors.

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|-------------------------------|---------------------------------|
| A. On-Site Rough Grading Plan | 1" = 40' Horizontal |
| B. PM 10 Plan | 1" = 40' Horizontal |
| C. Erosion Control Plan | 1" = 40' Horizontal |
| D. WQMP | (Plan submitted in report form) |

NOTE: A through D to be submitted concurrently.

NOTE: Rough Grading Plan shall normally include perimeter wall with Top of Wall and Top of Footing elevations shown. All footings shall have a minimum of 1-foot of cover, or sufficient cover to clear any adjacent obstructions.

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|---------------------------------|---------------------------------------|
| E. Precise Grading Plan | 1" = 40' Horizontal |
| F. On Site Storm Drain Plan | 1" = 40' Horizontal |
| G. Street Improvements Plan | 1" = 40' Horizontal, 1' = 4' Vertical |
| H. Street Signing/Striping Plan | 1" = 40' Horizontal |
| I. Signal Plan (N/A) | 1" = 40' Horizontal |
| J. Monumentation Plan | 1" = 40' Horizontal |

NOTE: E through J to be submitted concurrently.

NOTE: Precise Grading Plan shall normally include perimeter wall with Top of Wall and Top of Footing elevations shown. All footings shall have a minimum of 1-foot of cover, or sufficient cover to clear any adjacent obstructions.

NOTE: The street improvement plans shall show the sidewalk in the combined parkway and landscape setback area.

NOTE: Separate Storm Drain Plan if applicable and/or required by Director of Engineering/Public Works.

Other engineered improvement plans prepared for City approval that are not listed above shall be prepared in formats approved by the Director of Engineering/Public Works prior to commencing plan preparation.

All Plan and Profile Street Plans and Signing and Striping plans shall show all existing improvements for a distance of at least 200-feet beyond the Project limits, or a distance sufficient to show any required design transitions.

All Signing and Striping Plans shall show, at a minimum; Stop Signs, Limit Lines and Legends, No Parking Signs, Raised Pavement Markers (RPMs) (including Blue RPMs at fire hydrants) and Street Name Signs per Cathedral City Standard Plans and/or as approved by the Director of Engineering/Public Works.

“Rough Grading” plans shall normally include perimeter wall with Top of Wall and Top of Footing elevations shown. All footings shall have a minimum of 1-foot of cover, or sufficient cover to clear any adjacent obstructions.

- 4.44** The Applicant shall furnish accurate mylars of all improvement plans and the FTM, to the Director of Engineering/Public Works for approval. The FTM, shall be of a scale approved by the Director of Engineering/Public Works.
- 4.45** The Applicant shall furnish a copy of all approved improvement plans and recorded FTM, on an electronic storage media acceptable to the Director of Engineering/Public Works.
- 4.46** Upon completion of construction of each phase, and prior to final acceptance of the improvements by the City, the Applicant shall furnish the City with reproducible record drawings, for each phase, of all improvement plans which were approved by the City. Each sheet shall be clearly marked “As Built” and shall be stamped and signed by the engineer or surveyor certifying to the accuracy and completeness of the drawings. The applicant shall have all approved Mylars previously submitted to the City, revised to reflect the as-built conditions. The applicant shall employ or retain the Engineer of Record (EOR) during the construction phase of the project so that the EOR can make site visits

in support of preparing "As Built". However, if subsequent approved revisions have been approved by the Director of Engineering/Public Works and reflect said "As Built" conditions, the EOR may submit a letter attesting to said fact to the Director of Engineering/Public Works in lieu of Mylar submittal.

IMPROVEMENT SECURITY AGREEMENTS

- 4.47** Prior to approval of the FTM, the Applicant shall construct and dedicate all on and off-site improvements and satisfy its obligations for same, or shall furnish a fully secured and executed Subdivision Agreement guaranteeing the construction of such improvements and the satisfaction of its obligations for same, or shall agree to any combination thereof, as may be required by the City.
- 4.48** Prior to FTM approval the Applicant shall submit for review and City approval Covenants, Conditions and Restrictions (CC&Rs) for the future maintenance and upkeep of (and not limited to) street lighting (Street Light Covenant), landscaping improvements, hardscape improvements, retention basin improvements and TTM permanent site BMP appurtenances (Water Quality Management Plan Covenant). Once approved by the City, Applicant shall execute CC&Rs.
- 4.49** Any Subdivision Agreement entered into by and between the Applicant and the City of Cathedral City, for the purpose of guaranteeing the completion of any improvements related to this TTM, shall comply with all applicable City Codes and Ordinances.

All required improvement securities shall be in a form and amount as approved by the City Attorney and Director of Engineering/Public Works. Evidences of liability and workers compensation insurance coverage shall be submitted as required by the terms of the Subdivision Agreement.

- 4.50** The Applicant shall submit applicable deposits for the cost of reviewing Subdivision Agreement(s), CC&Rs, Map Extensions, Covenants, WQMP and/or any other requests or form submittals made by the Applicant related to this TTM.
- 4.51** Improvements to be made, or agreed to be made, shall include the removal of any existing structures or other obstructions which are not a part of the proposed improvements and shall provide for the setting of the final survey monumentation.

When improvements are phased through a "Phasing Plan," all improvements (e.g., backbone utilities, retention basins, perimeter wall, landscaping and gates) shall be constructed, or secured through a Subdivision Agreement, prior to FTM approval or as otherwise approved by the Director of Engineering/Public Works.

Improvements and obligations required of each subsequent phase shall be either complete, or secured through a Subdivision Agreement, prior to the completion of

homes or the occupancy of permanent buildings within such latter phase, or as otherwise approved by the Director of Engineering/Public Works.

In the event the applicant fails to construct the improvements for the development, or fails to satisfy its obligations for the development in a timely manner, pursuant the approved phasing plan, the City shall have the right to halt issuance of permits, and/or final inspections, withhold other approvals related to the development of the project, or call upon the surety to complete the improvements.

4.52 Depending on the timing of the development of this TTM, and the status of the improvements at the time, or if the Applicant desires to record the TTM in increments the Applicant may be required to:

- A. Construct certain improvements outside of the construction phase or Map increment.
- B. Construct additional improvements, subject to the reimbursement of its cost by others.
- C. Reimburse others for those improvements previously constructed that are considered to be an obligation of this TTM.
- D. Secure the costs for future improvements that are to be made by others.
- E. To agree to any combination of these means, as the City may require.

In the event that any of the improvements required for this development are constructed by the City, the Applicant shall, prior to the approval of the Final Map for each phase, or the issuance of any permit related thereto, reimburse the City for the costs of such improvements.

If the Applicant elects to utilize the secured agreement alternative, the Applicant shall submit detailed construction cost estimates for all proposed improvements for each phase, or map increment, including an estimate for the final survey monumentation, for checking and approval by the Director of Engineering/Public Works. Such estimates shall conform to the unit costs schedule as approved by the Director of Engineering/Public Works.

At the time the Applicant submits its detailed construction cost estimates for approval of the Final Map by the City Council, the Applicant shall also submit one copy each of an 8-1/2" x 11" reduction of each page of the Final Map, along with a copy of an 8-1/2" x 11" Vicinity Map.

Estimates for improvements under the jurisdiction of other agencies shall be approved by those agencies and submitted to the City along with the Applicant's detailed cost estimates.

Security will not be required for telephone, natural gas, or Cable T.V. improvements.

- 4.53** The Applicant shall provide security to guarantee the final monumentation of the TTM. All securities for final survey monumentation will be in the form of 100% cash deposits.

GRADING

- 4.54** The Applicant shall comply with all the provisions of Cathedral City Municipal Codes and Ordinances.
- 4.55** The Applicant shall obtain a Grading Permit approved by the Director of Engineering/Public Works prior to initiating any construction or on the project site.
- 4.56** To obtain an approved Grading Permit, the applicant shall submit and obtain approval of all of the following:
- A. A Grading Plan prepared by a civil engineer registered in the State of California,
 - B. A preliminary geotechnical ("Soils") Report prepared by a professional registered in the State of California,
 - C. A Fugitive Dust Control Plan prepared in accordance with City of Cathedral City requirements,
 - D. An Erosion Control Plan prepared in accordance with City of Cathedral City requirements,
 - E. A Best Management Practices report prepared in accordance with Cathedral City requirements (NPDES Stormwater Discharge Permit and Storm Management and Discharge Controls),
 - F. A WQMP prepared by an authorized professional registered in the State of California, and
- 4.57** All grading shall conform with the recommendations contained in the Preliminary Soils Report, Phase 1 Environmental Assessment report and shall be certified as being adequate by the soils engineer, or engineering geologist registered in the State of California.

- 4.58** A statement shall appear on the Final Map that a soils report has been prepared in accordance with the California Health and Safety Code § 17953 and California Government Code § 66490.
- 4.59** The Applicant shall furnish security, in a form acceptable to the City, and in an amount sufficient to guarantee compliance with the approved Fugitive Dust Control Plan provisions as submitted with its application for a grading permit. Additionally, the applicant shall replenish said security if expended by the City of Cathedral City to comply with the Plan as required by the Director of Engineering/Public Works.
- 4.60** The Applicant shall submit a deposit to stockpile on the site in conformance with CC Ordinances and Standards. The deposit shall be released back to the Applicant when all applicable grading deposits have been received and a Grading Permit is issued.
- 4.61** The Applicant shall maintain all open graded, undeveloped land in order to prevent wind and/or water erosion of such land. All open graded, undeveloped land shall either be planted with interim landscaping, or stabilized with such other erosion control measures, as were approved in the Fugitive Dust Control Plan.
- 4.62** Grading within the parkway areas shall conform to Cathedral City requirements except as otherwise modified by this condition. The maximum slope shall not exceed 3:1 anywhere in the landscape setback area, except for the back slope (i.e. the slope at the back of the landscaped lot) which shall not exceed 2:1 if fully planted with ground cover. The maximum slope in the first six (6) feet adjacent to the curb shall not exceed 4:1 when the nearest edge of sidewalk is within six feet (6') of the curb, otherwise the maximum slope within the right of way shall not exceed 3:1. All unpaved parkway areas adjacent to the curb shall be depressed one and one-half inches (1.5") in the first eighteen inches (18') behind the curb.
- 4.63** Building pad elevations on the Grading or Precise Grading Plan submitted for City Engineer's approval shall conform to the pad elevations shown on the TTM, unless the pad elevations have other requirements imposed elsewhere in the Conditions of Approval.
- 4.64** Building pad elevations of perimeter lots shall not differ by more than one foot higher from the building pads in adjacent development. The Applicant shall minimize the differences in elevation between the adjoining properties and the lots within this development.

House pad elevations on contiguous interior lots shall not differ by more than three feet except for lots that do not share a common street frontage, where the differential shall not exceed five feet or as approved by the Director of Engineering/Public Works.

- 4.65** Prior to any site grading or re-grading that will raise or lower any portion of the site by more than plus or minus half of a foot (0.5') from the elevation shown on the approved TTM, the Applicant shall submit the proposed grading changes to the Director of Engineering/Public Works for a substantial conformance review.
- 4.66** Prior to the issuance of a Building Permit for any building lot, the applicant shall provide a lot pad certification stamped and signed by a qualified engineer or surveyor with applicable compaction tests and over excavation documentation. Each pad certification shall list the pad elevation as shown on the approved grading plan, the actual pad elevation and the difference between the two, if any. Such pad certification shall also list the relative compaction of the pad soil. The data shall be organized by lot number and listed cumulatively if submitted at different times.
- 4.67** This TTM shall comply with the Cathedral City Floodplain Management Ordinance. If any portion of any proposed building lot in the development is or may be located within a flood hazard area as identified on the City's Flood Insurance Rate Maps (FIRM Maps), the development shall be graded to ensure that all floors and exterior fill (at the foundation) are above the level of the project (100-year) flood and building pads are compacted to 95% Proctor Density as required in Title 44 of the Code of Federal Regulations, Section 645.5(a) (6). Prior to issuance of building permits for lots which are so located, the Applicant shall furnish Elevation Certifications, as required by FEMA, that the above conditions have been met.

DRAINAGE

- 4.68** Stormwater handling shall conform to the approved Hydrology and Drainage report for the TTM. The design of the development shall not cause any increase in flood boundaries, levels or frequencies in any area outside the development.
- 4.69** Stormwater and nuisance water (drainage) for the TTM shall be retained on site and shall be disposed of in an approved manner. Nuisance water shall be disposed of via on-site storm drains, catch basins, underground percolation piping and retention basin(s) (as shown on the TTM) as approved by the Director of Engineering/Public Works.
- 4.70** All drainage water shall be conveyed underground or to the satisfaction of the Director of Engineering/Public Works.
- 4.71** Storm water drainage historically received from adjoining properties shall be received and retained and/or passed through into the historic downstream drainage relief route with the exception of the approximately 1.4 acre feet of Ramon Road stormwater as cited in Condition 4.26.ii.

4.72 The Applicant shall comply with applicable provisions for post construction runoff per the City's NPDES Stormwater Discharge Permit; Riverside County Ordinance No. 457; the Californian Regional Water Quality Control Board – Colorado River Basin (CRWQCB-CRB) Regional Board Order No. R7-2013-0011 and the State Water Resources Control Board's Order No. 2009-009-DWQ, Order No. 2010-0014-DWQ and Order No. 2012-0006-DWQ.

A. For post-construction urban runoff from New Development and Redevelopment Projects, the applicant shall implement requirements of the NPDES permit for the design, construction and the CC&R's for the perpetual operation and maintenance of BMPs per the approved Water Quality Management Plan (WQMP) for the project as require by the California Regional Water Quality Control Board – Colorado River Basin (CWQRCB-CRB) Region Board Order No. R7-2013-0011.

B. The Applicant shall implement the WQMP Design Standards per (CRWQCB-CRB) Region Board Order No. R7-2013-0011 utilizing BMPS approved by the City Engineer.

UTILITIES

4.73 The Applicant shall obtain the approval of the Director of Engineering/Public Works for the location of all utility lines within any right-of-way, and all above-ground utility structures including, but not limited to, traffic signal cabinets, electrical vaults, water valves, and telephone stands, to ensure optimum placement for practical and aesthetic purposes.

4.74 The Applicant shall coordinate and pay all cost necessary for the undergrounding and removal of all, and not limited to, aerial wires, power lines, telephone wires, cable lines, communication equipment, pole under burden and respective poles that are within this TTM prior to the issuance of the first COO to the satisfaction of the Director of Engineering/Public Works.

i. The Applicant shall coordinate all undergrounding of existing facilities with each respective utility, service provider and adjacent properties owners to ensure that all aerial lines are removed from the TTM's Site Plan.

4.75 Any existing overhead utility lines within, or adjacent to the proposed development, and all proposed utilities shall be installed underground per Chapter 8.30 of the CC Municipal Code.

4.76 Underground utilities shall be installed prior to overlaying hardscape. For installation of utilities in existing improved streets, the Applicant shall comply with trench restoration requirements required by the Director of Engineering/Public Works.

- 4.77** The Applicant shall provide certified reports of all utility trench compaction for approval by the Director of Engineering/Public Works.
- 4.78** All lots within the TTM shall be served with a gravity sanitary sewer system, a domestic water system and a fire protection system in accordance with CVWD and City of Cathedral City Fire Department requirements and standards. Applicant shall pay to the City and CVWD all applicable sewer and water service charges, capacity charges and construction reimbursements to ensure all services are complete, in place and operational prior to the respective COO being issued.
- 4.79** The Applicant shall abandon or relocate existing easements over the TTM prior to recordation of the FTM as required by the agency and/or individual favored and as approved by the Director of Engineering/Public Works. Additionally, the Applicant shall relocate existing utility facilities that are required by all utility purveyors prior to issuance of the first building permit or as approved by the Director of Engineering/Public Works.

SECTION 5 FIRE PROTECTION

This project has been reviewed as R-1 type occupancies, any other use will require further review.

Unless specifically stated herein, these conditions shall not be construed to permit or allow deviation from any Federal or State laws nor any of the local codes and ordinances adopted by this jurisdiction. Please contact the City of Cathedral City Fire Department for any questions regarding compliance with the applicable codes or following conditions:

Note: All references to the 2019 California Fire Code are shown as CFC, the 2019 California Building Code is shown as CBC and the California Code of Regulations are shown as CCR.

AGENCY COMMENTS

- 5.1** The Final Conditions of Approval for this project shall be included in any site plan or construction plans submitted for permit issuance. Plans will not be approved without reference to these “conditions”.

LIFE SAFETY AND FIRE PROTECTION SYSTEMS

- 5.2** Fire Sheet PUD.03 dated 2020.0.-04: A Fire Lane of twenty feet of unobstructed width is required to be painted with Red paint to designate a fire lane into the property, on the east side of Santoro Dr., for the entire length of Santoro Dr. from

McCallum Way to Via Campanile Rd and shall be stenciled "NO PARKING" "FIRE LANE" - CVC 22500.1 with White paint and posted with signage WHITE Signs with RED letter and numbers "NO PARKING" "FIRE LANE" - CVC 22500.1

- 5.3** Sheet PUD.03 dated 2020.02.04: Fire Lanes are required on each street labeled as "Fire Truck Access" throughout the community of twenty feet of unobstructed width and is required to be painted with Red paint (both sides of the streets) to designate a fire lanes and shall be stenciled "NO PARKING" "FIRE LANE" - CVC 22500.1 with White paint and posted with signage WHITE Signs with RED letter and numbers "NO PARKING" "FIRE LANE" - CVC 22500.1 NOTE: No street parking is permitted in front of the homes, in the community.
- 5.4** Sheet PUD.03 dated 2020.02.04: All Fire Lanes shall be rated to support a 72,000 G.V.W load
- 5.5** Sheet PUD.02 dated 2020.02.04 - Fire Hydrants shall be relocated and /or added as follows:
- RELOCATE Fire Hydrants on street marked LOT "C" from southside to northside of street at two locations
 - RELOCATE Fire Hydrants on street marked LOT "F" from first lot on the northside to the N/W corner of Santoro Dr. and LOT F street (East of Handicapped Parking spaces)
 - RELOCATE Fire Hydrants on street marked LOT "F" from southside to northside of street at one location (furthest west F/H)
 - RELOCATE Fire Hydrants on street marked LOT "G" from southside to northside of street at one location (furthest west F/H)
 - ADD Fire Hydrants - On the eastside of Santoro Dr. from McCallum Way to the community gated entrance every 400 feet.

SECTION 6 BUILDING DEPARTMENT

- 6.1** Project shall comply with the 2019 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
 - h. Chapter 8.34 of the Municipal Code: Building Security

- 6.2** 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.
- 6.3** 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.
- 6.4** Any temporary building, trailer, commercial coach, etc. installed and/or used in connection with a construction project shall comply with the City of Cathedral City requirements.
- 6.5** 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 inches of the property line. Distances greater than two inches may be approved prior to construction by the Building Official on a case-by-case basis for extenuating circumstances.
- 6.6** 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.
- 6.7** The Tract map shall record prior to the issuance of any permits.
- 6.8** The Grading Permit shall be issued prior to the issuance of building permits.
- 6.9** All signs shall be Underwriters Laboratories approved or the equivalent.
- 6.10** Permits issued by the Building Department are required prior to the removal and/or demolition of structures.
- 6.11** All exterior lighting shall be orientated, directed, and/or shielded as much as possible so that direct illumination does not infringe onto adjoining properties.
- 6.12** Prior to any building inspection, the following information shall be submitted to the Building Department:
 - a. A Pad Certification from the civil engineer of record that certifies the pad elevation is consistent with the approved grading plan;
 - b. A Form Certification from the civil engineer of record that certifies the building concrete forms have been placed to conform with the required setbacks as per the approved site/grading plan; and

- c. A compaction Report from a geotechnical testing firm that certifies the site has been compacted to comply with the approved soils/geotechnical report.

6.13 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.

SECTION 7 RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

7.1 Any outdoor lighting that shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.

7.2 The following uses shall be prohibited:

- a. Any use that would direct a steady light or flashing light of red, white, green or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
- b. Any use that would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
- c. Any use that would generate smoke or water vapor or that would attract large concentrations of birds, or that may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features, aquaculture, outdoor production of cereal grains, sunflower, and row crops, artificial marshes, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, and construction or demolition debris facilities.)
- d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.

7.3 The attached "Notice of Airport Vicinity" (see Letter of Determination dated March 26, 2020) shall be provided to all potential purchasers of the lots and tenants of the homes thereon:

- 7.4** Any new detention basins on the site shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the detention basin(s) that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.

Approved for Planning Entitlements by the Cathedral City Planning Commission on September 16, 2020.

Attest:

Robert Rodriguez
Director of Planning/Building

Applicant