

	<p style="text-align: center;"><b>CITY OF CATHEDRAL CITY PLANNING COMMISSION</b></p> <p style="text-align: center;"><b>CONDITIONS OF APPROVAL</b></p> <p style="text-align: center;"><b>TENTATIVE TRACT MAP NO. 38710</b></p> <p style="text-align: center;"><b>NCP VERONA LLC</b></p> <p style="text-align: center;"><b>PROJECT LOCATION: NORTHWEST CORNER OF VERONA ROAD AND LANDAU BOULEVARD</b></p> <p style="text-align: center;"><b>(APNs: 677-050-033 and -034)</b></p> <p style="text-align: center;"><b>DATE APPROVED: MAY 8, 2024</b></p> <p style="text-align: center;"><b>EXPIRATION: MAY 8, 2024</b></p>
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### **SECTION 1 ADMINISTRATIVE CONDITIONS**

- 1.1 Tentative Tract Map 38710 is approved to subdivide approximately 23.32 gross acres into 121 single family lots and three lettered lots located in the Rio Vista Village/Verano Specific Plan.
- 1.2 The plans approved by the Planning Commission and City Council will be referenced as Exhibit "A". The Final Map and construction drawings shall substantially conform to Exhibit "A", as approved by the Planning Commission and City Council, 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 Development Services 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 Prior to issuance of a building permit the Applicant or Developer shall sign the approved Conditions of Approval which shall certify that the Applicant or Developer agrees to implement all Conditions of Approval.
- 1.5 A copy of all pages of these conditions shall be printed onto the first page of the construction drawings.
- 1.6 No Certificate of Occupancy shall be granted until all conditions of approval have been satisfied.

- 1.7 The Final Tract Map shall be approved by the City Council and recorded prior to the issuance of any building permits.
- 1.8 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.
- 1.9 The development of the site shall conform to the Rio Vista Specific Plan, as amended by SPA Case No. 97-55D. Where the Specific Plan is silent on development standards and regulations, the development shall comply with the 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 Parcel Map. All conditions herein shall be met prior to the approval of the Final Parcel Map and/or issuance of a grading or building permit.
- 1.10 Prior to approval of the Final Parcel Map, “will serve” letters shall be obtained from all affected agencies, including the CVWD, Southern California Edison, Time Warner Cable, Verizon Telephone, and Burrtec.
- 1.11 Prior to Final Map approval, all proposed street names and addresses shall be submitted to and approved by the City, in consultation with Planning, Police, and Fire Departments, and shown on the Final Map.

## 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 and consistent with the Amended and Restated Purchase and Performance Agreement dated June 2022 and recorded in July 2022 (PAPA). 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 No building permits for production units shall be issued until Tract Map 38710, or the phases thereof, is recorded.
- 3.2 ~~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 Deleted.~~
- 3.3 ~~Prior to Final Tract Map approval, the Applicant shall form a Homeowner's Association and prepare Covenants, Conditions and Restrictions (CC&Rs) that prohibits the storage of boats, recreational vehicles, and utility trailers on any property within the Project boundaries, unless a storage area is established pursuant to Chapter 9.94 Planned Unit Development. Such CC&Rs shall be recorded on the property, subject to review and approval of the Director of Development Services and Director of Public Works Deleted.~~
- 3.4 ~~Prior to Final Tract Map approval, the Applicant shall incorporate into the design of all lots maintenance and access easements granted to adjacent properties designed with zero setbacks Deleted.~~
- 3.5 Prior to issuance of a building permit for any lot, the applicant shall provide typical landscape and irrigation plans for the subject lots. The subject lots shall be landscaped in accordance with the Rio Vista Village/Verano Specific Plan. The plans shall be prepared in accordance with these conditions.
- 3.6 Park Lots 297 and 298 of Tract 28639-1 shall be improved with landscaping and irrigation facilities in accordance with a landscape plan to be provided by the subdivider and approved by the City, which shall be maintained by the subdivider or homeowner's association (HOA) in accordance with the provisions of the supplemental CC&Rs to be approved by the City for this tentative map. The plans shall be prepared in accordance with conditions.
- 3.7 Open space/Landscape Lot "A" and Lot "C" shall be improved with landscaping and irrigation facilities in accordance with a landscape plan to be provided by the subdivider and approved by the City, retained for the use of the tract residents and shall likewise be improved and included in the tract CC&Rs for maintenance by the subdivider or HOA. The plans shall be prepared in accordance with conditions.
- 3.8 Proposed Lot "B-Park" shall be offered to the City for park purposes as part of the Final Tract Map approval. If accepted, Lot B shall be improved with landscaping and irrigation facilities in accordance with a landscape plan to be provided by the subdivider and approved by the City, which shall be maintained by the subdivider

or homeowner's association (HOA) in accordance with the provisions of the CC&Rs to be approved by the City for this tentative map. The plans shall be prepared in accordance with conditions.

- 3.9** Prior to issuance of a building permit for any lot, the applicant shall provide landscape, irrigation and improvement plans Park Lots 297 and 298 of Tract 28639-1, and Lots A, B, and C of this tentative tract map, which shall include, but is not limited to, the incorporation of shade trees, site furnishings such as benches, bike racks, shading and play equipment. These improvements shall be completed prior to final approval of the last building permit within the subdivision. The plans shall be prepared in accordance with these conditions.
- 3.10** A Final Landscape Construction Plan, prepared by a licensed landscape architect and approved by the Director of Development Services, 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.

**3.11** 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 area.
- 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~~ Any 36-inch box trees or greater included on the Construction Landscape Plans 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.

**3.12** All lighting on site shall comply with Chapter 9.89 of the Municipal Code relative to outdoor lighting including fixtures that direct lighting downward.

**3.13** All lighting on site shall comply with Chapter 9.89 of the Municipal Code relative to outdoor lighting including fixtures that direct lighting downward.

**3.14** An exterior Lighting Plan shall be submitted in compliance with CCMC Section 9.89 of the Zoning Ordinance, 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.

**3.13** Forms S-2.1, S-2.3, and S-2.6 of the Community Character Guidelines of the Rio Vista Village Specific Plan shall be submitted with building plans that demonstrate compliance of the project architecture with the Guidelines.

**3.14** 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 Development Services 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.

**3.15** 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.

**3.16** Signage for the proposed project is not part of this approval and shall require a sign permit, prior to construction of said signage and final approvals shall be obtained prior to issuance of a Certificate of Occupancy.

**3.17** Each residential lot shall incorporate a screened area for storage of trash containers.

**3.18** All perimeter project walls shall be solid walls facing a public street or public area shall measure a maximum of 6 feet high and shall have a decorative surface and a decorative cap that is consistent with the overall architecture. Interior walls between lots and not facing a public street or area may be decorative.

- 3.19** Building and landscaping shall be maintained in a condition that substantially complies with this approval.
- 3.20** All breaker boxes, fire sprinkler risers, and utility conduits shall be interior to the building.
- 3.21** All roof drains and downspouts shall be on the interior of the building with decorative drain terminations. Exposed drainpipes are specifically prohibited.
- 3.22** 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
- 3.23** 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.
- 3.24** The development of the site shall be developed in accordance with the “Amended and Restated Purchase and Performance Agreement” dated June 8, 2022.
- 3.25** Before start of ground-disturbing activities, the developer/applicant shall contact the Tribal Historic Preservation Office to arrange cultural monitoring.

### **SB 18 Tribal Cultural Resources**

- 3.24** Prior to the commencement of ground-disturbing activities, the applicant shall contact the Tribal Historic Preservation Office for the Agua Caliente Band of Cahuilla Indians to arrange cultural monitoring.
- 3.25** The presence of an approved Agua Caliente Native American Cultural Resource monitor during any ground disturbing activities (including archaeological testing and surveys). Should buried cultural deposits be encountered, the Monitor may request that destructive construction halt and the Monitor shall notify a Qualified Archaeologist (Secretary of the Interior’s Professional Qualifications Standards for Archaeology) to investigate and, if necessary, prepare a mitigation plan for submission to the State Historic Preservation Officer and the Agua Caliente Tribal Historic Preservation Office.
- 3.26** Copies of any cultural resource documentation (report and site records) generated in connection with this project shall be provided to the Agua Caliente Band of Cahuilla Indians.

### **MITIGATION MEASURES**

- 3.27** The project shall comply with the following Mitigation Measures identified in the CEQA Consistency Analysis prepared for the Rio Vista Village (Verano) Specific Plan Amendment, and Tentative Tract Maps 38709 through 38713 and Tentative Tract Map 38902 as applicable to the project:

**AES-7** New residential development proposals shall be reviewed by City staff to assure compliance with applicable design standards and guidelines, and promote design features, such as entry statements, recreational facilities, neighborhood parks and schools, and landscaping along public rights-of-way.

**AQ-5 CEQA Air Quality Analysis:** The City shall conduct an Initial Study and, where appropriate, require a detailed air quality analysis for all proposals that have the potential to adversely affect local or regional air quality.

**AQ-10 Energy Efficient Design:** Site plans shall incorporate energy-efficient design elements, including appropriate site orientation, possibility for incorporation of active and/or passive solar design, and the use of shade and windbreak trees, to reduce fuel consumption for heating and cooling.

**AQ-12 Alternative Energy: Community Wide.** To encourage the use of alternative energy sources, installation of electric vehicle charging stations shall be encouraged in all new development and in major retrofits.

**AQ-22 CEQA Analysis: CAP Measures:** Projects that require CEQA analysis shall be required to conduct detailed impact analyses and incorporate mitigation measures into their designs using the City's current Climate Action Plan prescribed reduction measures for achieving greenhouse gas emission reduction targets. All proposed mitigation measures shall be reviewed and approved by the City prior to the issuance of grading or demolition permits.

**BIO-3 Mitigation Related to Burrowing Owl:** For projects that contain suitable habitat for Burrowing Owl, a "take avoidance survey" for the burrowing owl no less than 14 days (in accordance with the Staff Report on Burrowing Owl Mitigation [CDFW 2012]) and no more than 30 days prior to groundbreaking activities shall be required. Additionally, a final survey must be conducted within 24 hours of the initiation of ground disturbance activities in accordance with the CDFW 2012 protocol.

- a) If no burrowing owls are detected during those surveys, implementation of ground disturbance activities could proceed without further consideration of this species assuming there is no lapse between the surveys and construction as the protocol states "time lapses between Project activities trigger subsequent take avoidance surveys including but not limited to a final survey conducted within 24 hours prior to ground disturbance."
- b) If burrowing owls are detected during the take avoidance surveys, avoidance and minimization measures would then be required and could include the establishment of a buffer zone, the passive or active relocation of the individual(s) or other measures approved by the CDFW.

**BIO-4 Mitigation Related to MBTA:** If ground disturbance, tree or plant removal is proposed between February 1st and August 31st, a qualified biologist shall conduct a nesting bird survey within 7 to 10 days of initiation of grading onsite focusing on MBTA covered species. If active nests are reported, then species-specific measures shall be

prepared. At a minimum, grading in the vicinity of a nest shall be postponed until the young birds have fledged. For construction between September 1st and January 31st, no pre-removal nesting bird survey is required.

- a) In the event active nests are found, exclusionary fencing shall be placed 200 feet around the nest until such time as nestlings have fledged. Nests of raptors and burrowing owls shall be provided a 500-foot buffer. Ground disturbance between September 1 and January 31 shall be exempt from this requirement.

**Blow Sand Mitigation:** The blow sand mitigation program will consist of reshaping the east slope of the existing CVWD storm berm, installing irrigation lines on the east and top of the existing CVWD berm together with planting at the top and eastern slope, a 20' maintenance road on the east side of the existing berm, a 6' high blow sand wall along the east side of the maintenance road at west of the west boundary of the specific plan area, a 6' high blow sand wall along the north boundary of the SP and maintenance road within the dedicated road right of way along of the western portion of the north boundary.

Sand will accumulate on the downwind side of the perimeter walls over time. Based on the sand transport flux analysis from Image 8 of the Sand Drifting Mitigation report prepared by RWDI on November 2, 2023, it is recommended that sand be removed at least every 6 months from behind the wall, or as deemed necessary by the Homeowners Association (HOA). It is possible that sand will need to be cleared in some areas more frequently, depending on the specific geometry and topography that surround the wall.

Similarly, it is recommended that the vegetation atop the east berm be regularly inspected and repaired, as necessary. A 6-month schedule is advised, as some areas of the vegetation may fill with sand like behind the mitigation walls.

Common equipment for removing sand from behind mitigation walls include a typical excavator and dump truck. Other equipment that is commonly used is a sweeping device, to minimize any potential damage to the wall and service road.

**Course of Construction Mitigations:** During the course of construction and to mitigate blow sand impacts prior to complete build-out of the Project the following measures are proposed.

- (a) Construction vehicle and equipment routing will be directed to the northerly portions of the site.
- (b) Watering and dust controls will be enforced per local ordinance.
- (c) Blow sand fencing will be installed within the un-built portions of the project area in locations specifically selected to protect adjacent residential development. The number, extent and location of such fences will be determined as a function of phased building permits so that the mitigation measures may be tailored to construction and development schedules.
- (d) Additional measures such as surface stabilization, the planting of ground cover and access control to prohibit vehicular use will all be reviewed as to their efficacy at the time the measures are required.

**CUL-4 Pre-Construction Surveys:** The City shall require intensive-level cultural resources surveys by qualified archaeologists, historians, and/or architectural historians, where deemed necessary and especially in areas of high sensitivity for cultural resources, as shown on Exhibit 2.6-1. Studies should include in-depth records search at the EIC, historic background research, intensive-level field survey, and consultation with the Cathedral City Historical Society, Native American representatives, and/or other relevant parties, as well as impact evaluation and mitigation programs, as needed. The City shall monitor and enforce recommended mitigation measures.

**CUL-5 Archaeological and/or Tribal Resource Procurement and Documentation:** Should unknown archeological or tribal cultural resource materials become unearthed, the area of potential resources shall be cordoned off and protected from further disturbance until a qualified archeologist can investigate the discovery. The qualified archaeologist shall prepare a findings report summarizing the methods and results of the investigation, including an itemized inventory and detailed analysis of recovered artifacts upon completion of field and laboratory work. The report shall include an interpretation of the cultural activities represented by the artifacts and a discussion of the significance of all archaeological or tribal finds. The submittal of the report to the City and Tribal representative, as appropriate, along with final curation of the recovered artifacts, will signify completion of the monitoring program and, barring unexpected findings of extraordinary significance, the mitigation of potential project impacts on cultural and tribal resources.

**CUL-6 Human Remains:** Should buried human remains be discovered during grading or other construction activity, in accordance with State law, the County coroner shall be contacted. If the remains are determined to be of Native American heritage, the Native American Heritage Commission and the appropriate local Native American Tribe shall be contacted to determine the Most Likely Descendant (MLD).

**ME-1** The City shall require new developments to reduce energy consumption through appropriate building technologies, promotion of non-auto transportation modes, support for greater use of alternative energy sources, and dissemination of public information regarding energy conservation techniques.

**GEO-3** New development in the planning area shall be constructed in accordance with the prevailing seismic design requirements contained in the most recently adopted edition of the Uniform Building Code/International Building Code and as otherwise required by the City.

**GEO-6** Proposals for development on wind or stream-deposited sediment on the valley floor shall include site specific subsurface geotechnical investigations that address settlement, liquefaction, and collapsible soils. These hazards can generally be mitigated by proper excavation, compaction and foundation design.

**GEO-7** The City shall continue to require expansive soils testing as part of its grading and building codes, and shall assure the implementation of mitigation measures which minimize these hazards, such as the use of reinforcing steel in foundations, drainage control devices, overexcavation and backfilling with nonexpansive soils.

**GEO-9** All grading permit requests shall include a PM10 Management Plan in conformance with the latest approved Coachella Valley PM10 requirements in place at the time construction occurs. Blowing dust and sand during grading operations shall be mitigated by adequate watering of soils prior to and during grading, and limiting the area of dry, exposed soils during grading.

**HYD-2** The City shall require all new development to minimize the creation of new impervious to the maximum extent practicable. The City shall also prohibit post-project peak storm water runoff discharge rates from exceeding the estimated pre-project rate by requiring on-site retention.

**HYD-3** The City shall require all new developments to include facilities that intercept pollutants prior to storm events during construction to control dust in order to prevent discharge of debris or sediment from the development sites.

**HYD-6** The City shall require all new developments to retain runoff from rainfall events up to and including the one-hundred-year, three-hour duration event.

**HYD-7** The City shall require all new development to incorporate adequate flood mitigation measures, such as grading that prevents adverse drainage impacts to adjacent properties, on-site retention of runoff, and the adequate siting of structures located within flood plains.

**HYD-9** Require the installation and application of water-conserving technologies, in conformance with Section 17921.3 of the Health and Safety Code, Title 20, California Administrative Code Section 1601(b), and other applicable sections of Title 24 of the Public Code.

**HYD-17** The City shall require all new development, public and private, to meet or exceed State storm water requirements and incorporate best management practices to treat, infiltrate, or filter storm water runoff and reduce pollutants discharged into the storm drain system during construction and post-construction, to the maximum extent practicable.

**Hydrologic Mitigation (Adopted MND Section 6.6.4(B)):** In general, it is proposed that storm water retention be accommodated by a series of linear retention basins located either within the 100 foot wide median of the main boulevard or in a 40 foot wide easement along the south side of the project adjacent to the Verona Road ROW.

- 1) The Boulevard Retention Areas are 7.5 acres in size and have a capacity of 54 acre-feet. Each basin is intended to receive storm water from a designated section of the project and are not intended to permit flow from one basin to another. These

basins are a maximum of 8 feet deep and have side slopes of 4:1 to generate the required volume of retention.

- 2) The Verona Retention Areas are 4 acres in size and have a total capacity of 15 acre-feet. Each basins is a maximum of 5 feet deep with side slopes of 4:1.

**LU-1** Individual proposed projects, especially those involving a mix of residential and other uses, as well as those located nearby or adjacent to sensitive lands or uses, shall be fully evaluated during the project review process to assure that all land use compatibility issues are addressed and mitigated.

**N-2** Prior to development plan approvals for new noise-sensitive development projects, the City shall require the submittal of noise impact and mitigation analyses to the Planning Department identifying practicable noise mitigation measures ensuring compliance with City standards.

**N-3** Prior to development plan approvals for new residential and similar noise sensitive projects, the City shall require submittal of noise impact and mitigation analyses to the Planning Department that demonstrates that the interior noise levels in all habitable rooms will satisfy the 45 dBA CNEL interior noise level standard of the General Plan and Title 24, Part 2, of the California Building Code.

**N-4** Prior to development plan approvals for new noise-sensitive development projects within 150 feet of UPRR railroad tracks, the City shall require submittal of a final vibration study, which identifies all practicable mitigation measures to satisfy the 72 VdB noise-sensitive and 75 VdB non-noise-sensitive vibration level standards, as defined by the FTA for frequent rail events.

**N-13** Where applicable, prior to the issuance of building permits for new development or other construction projects, when sensitive receiver locations are within 100 feet of proposed construction activities the City shall require the submittal of construction noise impact analysis and management plans that demonstrate:

- Exterior construction noise levels at the closest sensitive receiver locations will satisfy the FTA 80 dBA Leq residential and 85 dBA Leq commercial 8-hour construction noise level standards and the 0.01 in/sec RMS vibration standard for sensitive uses. The site-specific study shall identify the necessary noise and/or vibration mitigation measures, if any, required to reduce exterior noise and vibration levels to below FTA noise and City vibration thresholds; and
- Measures to reduce construction noise and vibration levels, such as those provided below, shall be incorporated in the final noise management plan, if necessary:
  - Install temporary construction noise barriers at the development site boundary which break the line of sight for occupied sensitive uses for the duration of construction activities. The noise control barrier(s) must provide a solid face from top to bottom and shall:
    - Provide a minimum transmission loss of 20 dBA and be constructed with an acoustical blanket (e.g. vinyl acoustic curtains or quilted

blankets) attached to the construction site perimeter fence or equivalent temporary fence posts;

- Properly maintained with any damage promptly repaired. Gaps, holes, or weaknesses in the barrier or openings between the barrier and the ground shall be promptly repaired.
- Install sound dampening mats or blankets to the engine compartments of heavy mobile equipment (e.g. graders, dozers, heavy trucks). The dampening materials must be capable of a 5 dBA minimum noise reduction, must be installed prior to the use of heavy mobile construction equipment, and must remain installed for the duration of the equipment use.
- Construction activities requiring loaded trucks, large bulldozers, and jackhammers within 50 feet of nearby sensitive land uses (e.g. residential, school, etc.) shall be minimized, or alternative equipment or methods shall be used, unless the vibration levels are shown to be less than the City threshold of 0.01 in/sec RMS.

**Construction Noise Mitigation (Adopted MND Section 6.6.2(C)):** Consistent with Cathedral City Municipal Code Section 11.96.070, construction would be permitted to occur between the hours of 7:00 a.m. to 5:30 p.m., Monday to Friday, and between 8:00 a.m. and 5:00 p.m. on Saturdays between October 1 and April 30 and between 6:00 a.m. to 7:00 p.m., Monday to Friday, and between 8:00 a.m. to 5:00 p.m. between May 1 through September 30.

- 1) All construction vehicles or equipment fixed or mobile-operated shall be equipped with properly operating and maintained mufflers.
- 2) Stockpiling and/or vehicle staging areas shall be located as far as practical from noise sensitive areas.

**Traffic Noise Mitigation (Adopted MND Section 6.6.2(B)(1)):** Prior to approval of any subsequent maps for the Rio Vista Village project, the developer shall coordinate with the City in providing mitigation of traffic noise impacts on existing residences. Specific mitigation shall include:

- (a) Preparation of a detailed acoustical analysis determining precise needs for roadway attenuation,
- (b) Construction of any improvements identified in the study as necessary to mitigate adverse impacts, and
- (c) A fair-share assessment of fee responsibilities among the major developers for construction of improvements, based on each major development's contribution to traffic volumes along the impacted roadways.
- (d) The 8 foot high wall will be fully constructed prior to the occupancy of any dwellings within areas requiring the wall for noise mitigation.

**On-site Noise Mitigation Adopted MND Section 6.6.2(B)(2)):** For all areas within the General Plan buildout (Post-2020) 65 CNEL roadway contours, residential lots and dwellings shall be sound attenuated against present and projected noise, which shall be the sum of all noise impacting the project, so as not to exceed an exterior standard of 65 CNEL in outdoor living areas and an interior standard of 45 dB CNEL in all habitable

rooms. An acoustical study shall be prepared under the supervision of a person experienced in the field of acoustical engineering. Evidence that above standards will be satisfied in a manner consistent with applicable zoning regulations shall be submitted as follows:

- (a) Prior to the recordation of a final tract/parcel map or prior to the issuance of Grading Permits, at the sole discretion of the City, an Acoustical Analysis Report shall be submitted to the City for approval. The report shall describe in detail the exterior noise environment and preliminary mitigation measures. Acoustical design features to achieve interior noise standards may be included in the report in which case it may also satisfy "B" below.
- (b) Prior to the issuance of any building permits, an acoustical analysis report describing the acoustical design features of the structures required to satisfy the exterior and interior noise standards shall be submitted to the City for approval along with satisfactory evidence which indicates that the sound attenuation measures specified in the approved acoustical report(s) have been incorporated into the design of the project.
- (c) Prior to the issuance of any Certificates of Use and Occupancy, field testing in accordance with California Administration Code Title 25 regulations may be required by the County, to verify compliance with Sound Transmission Class (STC) and Impact Insulation Class (IIC) design standards.

**Noise Control Barrier Construction Materials (Adopted MND Section 6.6.2(E)):** The necessary noise barrier mitigation will be accomplished if the noise barrier construction materials have a weight of at least 4 pounds per square foot of face area. The recommended barrier must present a solid face from top to bottom, and no openings or decorative cutouts should be made. All gaps (except for weep holes) should be filled with grout or caulking. The required noise control barriers may be constructed using one of the following alternative materials:

- 1) Masonry block;
- 2) Stucco veneer over wood framing (or foam core), or 1 inch thick tongue and groove wood of sufficient weight per square foot;
- 3) 1/4 inch thick glass, acrylic plastic, or other transparent materials with sufficient weight per square foot may be used to provide views;
- 4) Any combination of these materials or other construction materials with a minimum weight of 3.5 pounds per square foot of face area.

**Unit Ventilation Mitigation (Adopted MND Section 6.6.2(D)):** When the operable doors and windows are open, it is expected that the interior 45 CNEL limit for the Rio Vista Village may be exceeded. Therefore, a windows "Closed" condition is required for this use to meet the interior noise standard. For this windows closed condition, a means of mechanical ventilation may be provided using one of the following alternative methods:

- 1) A "summer switch" on the forced air heating/cooling unit for the building. The summer switch permits fan operations for ventilation at reference points 1 and 2, independent of the heating and cooling function. The UBC requires that the system shall be capable of supplying a minimum of 5 cubic feet per minute of outside air per occupant, with a total circulated of not less than 15 cubic feet per minute per'

occupant in all portions of the building, during such time as the building is occupied. If the velocity of the air at the register exceeds 10 feet per second, the register shall be placed more than 8 feet above the floor directly beneath. The fresh air intake duct should be a flexible fiberglass sound attenuating construction. The duct may be at least ten (10) feet long or at least six (6) feet long with one sharp damper before the fan.

- 2) A through wall air conditioner or heat pump. Such a unit must supply a minimum of 5 cubic feet per minute outside air per occupant for the total circulated air of not less than 15 cubic feet per minute per occupant in all portions of the building, during such time as the building is occupied. The unit should have an approximate overall dimension of 18" x 24" or less with a vent opening no greater than 6" in diameter. Or, the unit may be an approved alternative with acceptable acoustical transmission performance.
- 3) An attic fan system. Such a system would bring outside air to the building interior and exhaust the interior area air past a ceiling fan into the attic space and out the attic vent. The air may be ducted into the building through 10 feet of flexible fiberglass ducting, with one sharp 90° bend. The intake opening for the ducting should be in the side of the building which faces away from the I-10 Freeway. As required by the UBC, the system must provide 5 cubic feet per minute of outside air per occupant, with a total circulated of not less than 15 cubic feet per minute per occupant within all portions of the building, during such time as the building is occupied.
- 4) Any other method of ventilation which meets the UBC requirements for 5 cubic feet per minute of outside air per occupant, with the total circulated of not less than 15 cubic feet per minute per occupant in all portions of the building, during such time as the building is occupied.

**PS-2** The Fire and Police Departments shall evaluate proposals for new development to assure adequate emergency access, the integration of defensible space principles, clear street name signage and numbering, internal circulation, fire flow and other safety design considerations.

**PS-6** The City shall strictly enforce the California Building and Fire Codes, City Municipal Code and other applicable building standards in the course of reviewing development plans and conducting building inspections.

**PR-14** The City shall encourage or require the provision of recreation space in private development.

**PR-15** Recreation space and amenities shall be required and provided in large developments, especially in areas of high population and building density.

**Phase I Traffic Mitigation (Adopted MND Section 6.6.3(B)):** For Phase 1 of the project site, the following network features should be constructed.

- 1) Construct the extension of Landau Boulevard as a Major Highway (B) to the Rio Vista Boulevard one-way couplet.

- 2) Construct the Rio Vista Boulevard couplet from Landau Boulevard to west of the central project traffic circle.
- 3) Construct the intersection of Verona Road and Landau Boulevard.
- 4) Construct the northerly extension of Avenida Quintana as a Local Collector.
- 5) Improve the north side of Verona Road from Avenida Quintana to Landau Boulevard at its ultimate half-section width as a Local Collector.

**Phase II Traffic Mitigations (Adopted MND Section 6.6.3(C)):** For Phase 2 of the project site, the following additional network features should be constructed.

- 1) Construct a Collector connection to Verona Road from Rio Vista Boulevard between the proposed elementary school and the project commercial retail site.
- 2) Complete the westerly extension of Rio Vista Boulevard.
- 3) A traffic signal is projected to be warranted at the intersection of Landau Boulevard/Rio Vista Boulevard in conjunction with development of the site north of the project which will take access to the northerly extension of Landau Boulevard.
- 4) The project should contribute to the installation of offsite traffic signals when warranted through the payment of traffic signal mitigation fees.
- 5) The project should participate in an areawide funding program to provide phased implementation of the study area buildout approach lane geometrics at study area intersections as shown on Exhibits 5-I through 5-Q 4 of the traffic report.

**CUL-4 Pre-Construction Surveys:** The City shall require intensive-level cultural resources surveys by qualified archaeologists, historians, and/or architectural historians, where deemed necessary and especially in areas of high sensitivity for cultural resources, as shown on Exhibit 2.6-1. Studies should include in-depth records search at the EIC, historic background research, intensive-level field survey, and consultation with the Cathedral City Historical Society, Native American representatives, and/or other relevant parties, as well as impact evaluation and mitigation programs, as needed. The City shall monitor and enforce recommended mitigation measures.

**CUL-5 Archaeological and/or Tribal Resource Procurement and Documentation:** Should unknown archeological or tribal cultural resource materials become unearthed, the area of potential resources shall be cordoned off and protected from further disturbance until a qualified archeologist can investigate the discovery. The qualified archaeologist shall prepare a findings report summarizing the methods and results of the investigation, including an itemized inventory and detailed analysis of recovered artifacts upon completion of field and laboratory work. The report shall include an interpretation of the cultural activities represented by the artifacts and a discussion of the significance of all archaeological or tribal finds. The submittal of the report to the City and Tribal representative, as appropriate, along with final curation of the recovered artifacts, will signify completion of the monitoring program and, barring unexpected findings of extraordinary significance, the mitigation of potential project impacts on cultural and tribal resources.

**CUL-6 Human Remains:** Should buried human remains be discovered during grading or other construction activity, in accordance with State law, the County coroner shall be contacted. If the remains are determined to be of Native American heritage, the Native American Heritage Commission and the appropriate local Native American Tribe shall be contacted to determine the Most Likely Descendant (MLD).

**Hydrologic Mitigation (Adopted MND Section 6.6.4(B)):** In general, it is proposed that storm water retention be accommodated by a series of linear retention basins located either within the 100 foot wide median of the main boulevard or in a 40 foot wide easement along the south side of the project adjacent to the Verona Road ROW.

- 1) The Boulevard Retention Areas are 7.5 acres in size and have a capacity of 54 acre-feet. Each basin is intended to receive storm water from a designated section of the project and are not intended to permit flow from one basin to another. These basins are a maximum of 8 feet deep and have side slopes of 4:1 to generate the required volume of retention.
- 2) The Verona Retention Areas are 4 acres in size and have a total capacity of 15 acre-feet. Each basins is a maximum of 5 feet deep with side slopes of 4:1.

## **SECTION 4 ENGINEERING / PUBLIC WORKS**

### **GENERAL REQUIREMENTS**

- 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. 38710 (TTM). The city will have sole discretion in selecting its defense counsel. The city will promptly notify the Applicant of any claim, action or proceeding and will cooperate fully in the defense.
- 4.2** This TTM will 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 Tract Map (FTM) recorded thereunder, will comply with the requirements and standards of the State "Subdivision Map Act" and the Cathedral City Subdivision Code, and the FTM will:
  - i. Be based upon a field survey.
  - ii. A preliminary soils report will be completed for the proposed parcels and will be noted on the FTM.
- 4.4** The TTM will comply with all applicable terms, conditions and/or mitigation measures for the following approvals:
  - i. TTM No. 38710.

- ii. Rio Vista Village Specific Plan (RVVSP) 97-55 (1997), RVVSP Amendment 97-55-B (2016), RVVSP Amendment 97-C (2017) and proposed RVVSP Amendment 97-D (2024).
- iii. Cathedral City Design Guidelines.
- iv. Cathedral City Water Conservation Policies and Rules.
- v. Cathedral City Municipal Codes and Ordinances.

In the event of any conflict(s) between the above provisions for these conditions or approvals, the Applicant will notify the Director of Public Works and/or Director of Development Services to determine precedence.

- 4.5** Prior to the FTM approval, the Applicant will provide security to guarantee the survey and setting of final monumentation, parcel boundaries and lot corners. The security will be in the form of a 100% cash bond. Release of security will occur after the Applicant's engineer of record provides the city with the required 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 will 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** References to "approved by the city" include the following city staff to be contacted as applicable to the specific approval:
  - i. The Director of Public Works, or
  - ii. The Director of Development Services, or
  - iii. The City Engineer.
- 4.8** Prior to issuance of any grading, construction or building permit by the city, the Applicant will obtain any necessary clearances and/or permits from the following agencies, where required:
  - i. City of Cathedral City Fire Marshal.
  - ii. Cathedral City Public Works Department.
  - iii. Cathedral City Development Services Department.
  - iv. Riverside County Environmental Health Department.
  - v. Palm Springs Unified School District (PSUSD).
  - vi. Coachella Valley Water District (CVWD).
  - vii. Southern California Edison (SCE).
  - viii. Frontier Communications.
  - ix. Spectrum Cable.
  - x. Riverside County Airport Land Use Commission (RCALUC).
  - xi. California Regional Water Quality Control Board (CRWQCB).
  - xii. State Water Resources Control Board.
  - xiii. Federal Emergency Management Agency (FEMA).

- xiv. Sunline Transit Agency (SunLine).
- xv. 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 will furnish proof of such approvals when submitting those improvement plans for city approval.

- 4.9** Approval of this TTM will not be construed as approval for any horizontal and/or vertical dimensions implied by any site plans or exhibits unless specifically identified in the following Conditions of Approval.
- 4.10** The Applicant will 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 will be paid in the time noted above without deduction or offset and the Applicant's failure to make such payment will be a material breach of the Conditions of Approval.
- 4.11** The Applicant will 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 will be paid in the time noted above without deduction or offset and the Applicant's failure to make such payment will be a material breach of the Conditions of Approval.
- 4.12** The Applicant will reimburse the city, within thirty (30) days of presentment of the invoice, all actual costs incurred by the city for Public Works and/or Development Services Departments reviews and/or modify any documents or instruments required by these conditions and/or subsequent modification requests. This obligation will be paid in the time noted above without deduction or offset and the Applicant's failure to make such payment will be a material breach of the Conditions of Approval.

#### REAL PROPERTY

- 4.13** Prior to issuance of any permit(s), the Applicant will acquire or confer easements and other property rights necessary for the construction or proper functioning of the proposed TTM. Conferred rights will include irrevocable offers to dedicate or grant access easements to the city for emergency services, maintenance, construction, and reconstruction of essential improvements.

**4.14** Pursuant to the condition, conferred rights will 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. If utility easements exist where the proposed parcels are to be created, in accordance with the provisions of the Subdivision Map Act and prior to FTM approval, these easements will either be quitclaimed or terminated by their owners, or the city will 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 Owner of Record will dedicate to the city, a permanent general and emergency access easement over the entire 20-foot width and length of Rio Luna Road along the west boundary of the TTM.
- iii. The City will accept certain 33 feet wide road reservations described in the recorded patents for the government lots adjoining the north boundary of the TTM, to provide the Applicant and/or HOA an access road for blow sand, erosion control and maintenance purposes, subject to the Applicant’s or HOA’s acceptance of the ongoing maintenance responsibilities of the access road.
- iv. The Applicant will be responsible for blow sand, debris, trash, rubbish and deleterious material removal in all areas of the TTM’s Rio Luna Road, Rio Janiero Road, Rio Hondo Road, Rio Guadalupe Road, Avenida Quintana, Rio Plata Road, Rio Rosalia Road, Rio Sacramento Road and the north TTM boundary US patent maintenance road areas, including roadways, gutter pans, sidewalks, parkways, alleys, right-of-way, parking lots, drive aisles, parks and all other areas, including within the walled areas and all other areas outside the walled areas of the TTM. The Applicant will include these clean up responsibilities into the daily-regular maintenance of the site for perpetuity in the city approved supplemental Home Owners Association (HOA) Conditions, Covenants and Regulations (CC&Rs) for the TTM in the same manner as the public roadways in the developed portions of the Specific Plan and consistent with the street maintenance obligations specified in the PAPA.

The CC&Rs for the TTM will also include the obligation of the HOA to continuously maintain and/or pay for the ongoing maintenance and expenses of the existing and/or new landscaping and irrigation improvements along the street frontage parkways, median islands (and/or roundabout areas), alleys, drainage basins, open space/park areas, US patent maintenance road frontage and along all the TTM perimeter boundaries.

- v. Upon satisfactory completion of the construction of the public streets within the TTM, the city will accept the normal curb to curb maintenance of the public streets, excluding the maintenance items included in 4.14.iv above, and excluding maintenance of sidewalks, street lights, parkways, and landscaping on or adjacent to the streets, which will be the responsibility of the HOA per the supplemental CC&Rs of the TTM to the same extent as the public roadways in the developed portions of the Specific Plan and consistent with the street maintenance obligations specified in the PAPA.
- 4.15** Right of way dedications may include additional widths as necessary for dedicated right and left turn lanes, bus turnouts, parking and other features contained in proposed TTM.
- 4.16** The Applicant will retain for private use on the FTM all private street rights-of-way, parking lots, alleys, access ways, entry points and rights of way in conformance with the City's General Plan, Municipal Code and/or as required by the city.
- 4.17** When access rights to a proposed street right-of-way shown on the TTM are necessary prior to approval of the FTM dedicating such rights-of-way, the Owner of Record will grant the necessary rights-of-way within 60 days of a written request by the city.
- 4.18** Where applicable, the Owner of Record will offer for dedication on the FTM, a public utility easement (PUE) contiguous with, and along both sides of all public and/or private streets.
- 4.19** The Owner of Record will offer for dedication on the FTM to the city those easements necessary for the placement of, and access to, utility lines, structures, drainage facilities and park lands on the FTM.
- 4.20** For drainage facilities and basins, the Owner of Record will offer for dedication to the city those easements necessary for access to drainage facilities and basins on the FTM. The Owner of Record is also required to execute and record a separate Drainage System and Basin Covenant with the city prior to issuance of the Grading Permit.
- 4.21** The Applicant will cause all missing property corners and survey monuments along and 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.
- 4.22** The Applicant will furnish proof of easements, or written permission, as appropriate, from those owners of all abutting properties on which, and not limited to, grading, wall construction, retaining wall construction, permanent slopes, street improvements, sidewalks, driveways, utility relocations, other encroachments and other construction activities will occur.

- i. Further, all abutting properties disturbed by the Applicants, and not limited to, grading, wall construction, retaining wall construction, permanent slopes, street improvements, sidewalks, driveways, utility relocations, other encroachments and other construction activities performed by the Applicant, will be restored to original and/or improved conditions subject to city inspection.

**4.23** The Applicant will cause no easement to be granted, or recorded, over any portion of the TTM between the date of approval of the TTM and the date of recording of any FTM, unless such easement is approved by the city.

**4.24** The Applicant will 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 will 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. Typically, the right-of-way vacation process may take up to three (3) months to complete.

#### PHASE I, SWPPP, STORMWATER AND NPDES REQUIREMENTS

**4.25** The Applicant, where applicable, will be responsible for completing all TTM approved Phase I Study, city, Riverside County and Riverside County Department of Environmental Health requirements, respectively. Proof of compliance will be submitted to the city before issuance of any permit for the TTM.

**4.26** Coverage under the State of California Construction General Permit must be obtained by the Applicant, who then will 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.

Prior to construction, during construction and up to Final Tract Map (FTM) acceptance, the Applicant will 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.

- i. 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”) will be required to submit a Storm Water Pollution Protection Plan (“SWPPP”) to the State Water Resources Control Board (“SWRCB”).
- ii. The Applicant or design professional can obtain the California Stormwater Quality Association SWPPP template at [www.cabmphandbooks.com](http://www.cabmphandbooks.com) for use in their SWPPP preparation.
  - iii. Prior to the Applicant submitting the SWPPP to the SWRCB, the Applicant will submit a copy of the SWPPP to the city for review.
  - iv. The Applicant will deliver a complete copy of the State Water Resources Control Board approved SWPPP to the city prior to issuance of the Grading Permit for city records.
  - v. The Applicant will ensure that the required SWPPP is always available for inspection on the project site through and including acceptance of all improvements by the city.
  - vi. The Applicant’s SWPPP will 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. Track out control.
    5. Non-storm water management.
    6. Waste management and materials pollution control.
    7. Retention and infiltration basins management.
  - vii. All erosion and sediment control BMPs proposed by the Applicant will be approved by the city prior to implementation.
  - viii. All erosion control BMPs will remain in effect for the entire duration of project construction until all improvements are completed and accepted by the city.
  - ix. The SWPPP will remain in effect for the entire duration of project construction until all improvements are completed and accepted by the City Council.

**4.27** The Applicant will design and construct facilities to capture all onsite nuisance and stormwater, with breakout facilities, within the paved and landscaped areas of the TTM, per Cathedral City Municipal Code §8.24 requirements and other conditions specified in the TTM’s 2024 Hydrology Study and generally shown on the TTM.

**4.28** Stormwater handling will conform to the approved 2024 Hydrology and Drainage Report for the TTM. The design of the Project will not cause any increase in flood boundaries, levels, or frequencies in any area outside the development.

**4.29** Stormwater and nuisance water (drainage) will be disposed of via on-site storm drains, new and existing catch basins, underground percolation piping chambers, dry wells and retention basin(s) as approved by the city.

**4.30** ~~All drainage water will be conveyed underground~~Omitted.

**4.31** Storm water drainage historically received from adjoining properties will be received and retained and/or passed though into the historic downstream drainage relief route.

**4.32** The Applicant will comply with applicable provisions for post construction runoff per the Cathedral 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. 2010-0014-DWQ and Order No. 2012-0006-DWQ.

- i. For post-construction, urban runoff from New Development and Redevelopment Projects, the Applicant will implement requirements of the NPDES permit for the design, construction and the covenants for the perpetual operation and maintenance of BMPs per the approved revised/updated 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.
- ii. The Applicant will implement the revised/updated WQMP Design Standards per (CRWQCB-CRB) Region Board Order No. R7-2013-0011 utilizing BMPS approved by the ~~Director of Public Works~~City.
- iii. The Owner of Record will execute and record a Water Quality Management Plan and Urban Runoff Best Management Practices Transfer, Access and Maintenance Covenant with the city (as part of the WQMP) on the TTM prior to the issuance of a COO.

**4.33** Retention basins will be designed as follows:

- i. The minimum slopes accepted without security fencing will be 3:1.
- ii. Slopes will be lined with 3-inch to 6-inch angular rock over weed block.
- iii. The bottom will not be rock lined or landscaped.
- iv. Landscaping will be allowed on the top bench.
- v. A maintenance access route to the bottom of the retention basin will be provided.
- vi. A basin elevation monument will be installed at the bottom of each retention basin and visible when driving by.

#### OFFSITE PRIVATE MAINTENANCE ROADWAY

**4.34** The Applicant will design and construct the following private street adjacent and following the west boundary the TTM for private use:

- i. Rio Luna Road – is a blowsand and general maintenance road constructed as follows:

1. 20 feet wide minimum clear travel width.
2. Constructed of 4.0” class II base with 12” at 95% compaction.

Note: Proposed class II base road will be required to withstand emergency vehicle weight loads of 80,000 pounds per city requirements.

3. If this TTM is constructed prior to other abutting TTM’s that also have the requirement to construct Rio Luna Road from the intersection of Rio Luna Road and Verona Road, and any portion of this construction has not been completed and approved by the city, the Applicant will construct all offsite portions required from Verona Road to complete Rio Luna Road to reach this TTM’s southern boundary as follows:

- a. The southern ingress/egress location at the intersection of Rio Luna Road and Verona Road will be constructed with a city standard 200-B modified commercial driveway for vehicular access.
- b. The southern ingress/egress location at the intersection of Rio Luna Road and Verona Road will have access secured with a locking gate and a Knox Box at a city approved location to prevent unauthorized vehicle access and emergency access, respectively.
- c. The Applicant will complete a 5-foot sidewalk at the west dead end of Verona Road, joining the existing 5-foot non adjacent to curb sidewalk on the north side of Verona Road, continuing construction around the west radius and perimeter of the west dead end of Verona Road and, join the existing 5-foot curb adjacent sidewalk on the south side of Verona Road.

#### ONSITE PUBLIC/PRIVATE TTM ROADWAYS

- 4.35** The Applicant will dedicate, design and construct the following public streets within the TTM to be retained for public use:

- i. Rio Janiero Road – a local residential roadway constructed as follows:
  1. Curb to Curb width will be 36 feet.
    - a. Vehicle parking is allowed on both sides of the street.
  2. Right of way width will be 38 feet.

- a. A 9-foot public utilities easement (PUE) will be dedicated on both sides of the street.
    - b. A 5-foot non adjacent to curb sidewalk will be constructed on both sides of the street within the PUE.
  - ii. Rio Hondo Road – a local residential collector roadway constructed as follows:
    1. Curb to Curb width will be 36 feet.
      - a. Vehicle parking is allowed on both sides of the street.
    2. Right of way width will be 38 feet.
      - a. A 9-foot PUE will be dedicated on both sides of the street.
      - b. A 5-foot non adjacent to curb sidewalk will be constructed on both sides of the street within the PUE.
  - iii. Rio Guadalupe Road – a local residential collector roadway constructed as follows:
    1. Curb to Curb width will be 36 feet.
      - a. Vehicle parking is allowed on both sides of the street.
    2. Right of way width will be 38 feet.
      - a. A 9-foot PUE will be dedicated on the west side of the street and both sides of the street north of Rio Sacramento Road, respectively.
      - b. A 5-foot non adjacent to curb sidewalk will be constructed on west side of the street and both sides of the street north of Rio Sacramento Road, respectively, within the PUE.
  - iv. Avenida Quintana – a local residential collector roadway constructed as follows:
    1. Curb to Curb width will be 36 feet.
      - a. Vehicle parking is allowed on both sides of the street.
    2. Right of way width will be 38 feet.
      - a. A 9-foot PUE will be dedicated on the west side of the street.
      - b. A 5-foot non adjacent to curb sidewalk will be constructed on the west side of the street within the PUE.
  - v. Rio Plata Road – a local residential roadway constructed as follows:
    1. Curb to Curb width will be 36.
      - a. Vehicle parking is allowed on both sides of the street.
    2. Right of way width will be 38 feet.
      - a. A 9-foot PUE will be dedicated on the north side of the street.
      - b. A 5-foot non adjacent to curb sidewalk will be constructed on the north side of the street within the PUE.
  - vi. Rio Rosalia Road – a local residential roadway constructed as follows:
    1. Curb to Curb width will be 36 feet.

- a. Vehicle parking is allowed on both sides of the street.
2. Right of way width will be 38 feet.
  - a. A 9-foot PUE will be dedicated on both sides of the street.
  - b. A 5-foot non adjacent to curb sidewalk will be constructed on both sides of the street within the PUE.
- vii. Rio Sacramento Road - a local residential roadway constructed as follows:
  1. Curb to Curb width will be 36 feet.
    - a. Vehicle parking is allowed on both sides of the street.
  2. Right of way width will be 38 feet.
    - a. A 9-foot PUE will be dedicated on both sides of the street and on the north side of the street east of Rio Guadalupe Road to Avenida Quintana, respectively.
    - b. A 5-foot non adjacent to curb sidewalk will be constructed on both sides of the street within the PUE and on the north side of the street east of Rio Guadalupe Road to Avenida Quintana, respectively.

#### OFFSITE PUBLIC ROADWAYS

**4.36** The Applicant shall dedicate, design, and construct the following frontage improvements:

- i. US patent road – will be constructed as an interim blowsand and general road constructed as follows:

1. 20 feet wide minimum clear travel width.
2. Constructed of 4.0" class II base with 12" at 95% compaction.

Note: Proposed class II base road will be required to withstand emergency vehicle weight loads of 80,000 pounds per city requirements.

3. The southern ingress/egress location to the US patent road at the northern terminus of Rio Guadalupe Road and the northern terminus of Avenida Quintana, respectively, will have access secured with a locking gate and a Knox Box at a city approved location to prevent unauthorized vehicle access and emergency access.

#### SPECIFIC DESIGN AND CONSTRUCTION

**4.37** The Applicant will design and construct the TTM's public roadways corresponding to the following standards:

- i. Pavement:

1. The Applicant will design public street pavement sections using Caltrans'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 will be:
    - a. Onsite public streets of the TTM will be as follows:
      - i. 3.0" a.c./4.5" class II base with 12" at 95% compaction.
  2. On roadways joined by two (2) tracts, the Applicant will construct and complete the full asphalt width (on and off TTM) required for the ultimate roadway width (to the opposite side's curb's future location complete w/crown).
- ii. Sidewalks:
1. The Applicant will construct non adjacent to curb concrete sidewalks or adjacent to curb concrete sidewalks using RC Std. 401.
  2. Along the street with non-adjacent curb concrete sidewalks, the Applicant will construct 5-foot-wide concrete connecting walks to the sidewalk, for pedestrian street to sidewalk connectivity at a minimum of two (2) locations per street segment.
- iii. Curbs and Gutters:
1. The Applicant will construct curbs in accordance with (as applicable):
    - a. RC Std. 202A for Type "W" curbs (wedge curb); or,
    - b. RC Std. 200 Type A-6 Curb and Gutter (6" curb face); or,
    - c. RC Std. 204 Type "D" Curb (6" curb face).
    - d. On streets with no parking is allowed on one side of the street or both sides of the street the street curbing will be painted red with white stenciling of "NO PARKING FIRE LANE."
    - e. Curbs will be constructed to convey water without ponding and provide lateral containment of dust and residue during street sweeping operations.
- iv. Dead Ends:
1. Whether interim or permanent, the "Dead End" on local residential or local collector streets will incorporate signing, striping and/or improvements to minimize turning conflicts to be approved by the city.
- v. Corner Curve Radii:
1. The Applicant will construct corners with the following curve radii criteria:
    - a. Onsite streets within the TTM: 25-foot to 35-foot radii as shown on the TTM.
- vi. ADA Ramps:

1. The Applicant will construct ADA ramps to Caltrans A88A Standards using the appropriate Case or Detail as required to be confirmed by the city.
- vii. Connectivity:
1. The Applicant will ensure that the TTM is not built without connectivity to the north, south, west, or east with roadways, drainage facilities, utilities and all other infrastructure necessary for completing the TTM to a FTM. If the TTM is constructed ahead of other adjoining tentative maps, the Applicant will secure the necessary offsite dedications and construct the necessary infrastructure to complete the TTM's connectivity.

## GENERAL DESIGN AND CONSTRUCTION

- 4.38** The Applicant will construct all 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.
- 4.39** The Applicant will 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 in accordance to city and MUTCD standards.
- 4.40** The Applicant will construct and dedicate streets and related street improvements to conform to the General Plan and/or requirements of the TTM's Traffic Study.
- 4.41** The Applicant will construct full crowned street improvements and coordinate all public and private roadway improvements, driveway transitions, relocation of fire hydrants, water meters, storm drains, and all other appurtenances as required.
- 4.42** Right-of-Way geometry for property line corner cutbacks at curb returns will conform to RC Std. 805.
- 4.43** Improvements will be designed and constructed in accordance with city adopted standards, supplemental drawings, and specifications.
- 4.44** All public and private improvements will be subject to city requirements and inspection during construction.
- 4.45** The city will conduct final inspections of building structures when the building structures have improved street and sidewalk access to publicly maintained streets. The improvements will include the required traffic control devices, pavement markings, ADA improvements and street name signs.
- 4.46** The Applicant will complete the final pavement lift prior to the final COO of the last structure in the TTM.

## STREET LIGHTS

**4.47** The Applicant will coordinate and pay all cost necessary for the installation of the below detailed Verano and Southern California Edison (SCE) approved LED street lights with SCE and take over all related expenses, including the monthly electrical expense for the street lights installed prior to the issuance of the COO. The Applicant will coordinate the transferring of the street lights financial obligation to the HOA prior to the FTM approval. Prior to the FTM approval or the HOA acceptance of these obligations, the Applicant will be required to execute the city's Street Light Covenant once the street lights are energized.

- i. The Applicant will install LED street lights of a lumen, wattage, and style consistent with Verano's existing street light standard installed within the existing tracts to the east.
- ii. The Applicant will install LED street lights at locations along the TTM's roadways with a spacing consistent with the spacing utilized within the existing tracts to the east.

## OVERHEAD AND OTHER UTILITIES

**4.48** Where applicable, the Applicant will 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.

- i. Where existing overhead utilities exist, the Applicant will seek a concurrence from the city on which lines are subject to undergrounding per Cathedral City Municipal Code §8.30.050, after which, the Applicant will 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 property.

**4.49** The Applicant will 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.

**4.50** The Applicant will obtain approval from the city 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.

**4.51** All service runs and new utilities will be installed underground, per the utility purveyor standards.

- 4.52** The Applicant will 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.
- 4.53** Underground utilities will be installed prior to overlaying hardscape. For installation of utilities in existing improved streets, the Applicant will comply with trench restoration requirements required by the city.
- 4.54** The Applicant will provide certified reports of all utility trench compaction for city approval.
- 4.55** All lots within the TTM will be served with a gravity sanitary sewer system, a domestic water system and a fire protection system in accordance with CVWD and Cathedral City Fire Department requirements and standards. Applicant will 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.
- 4.56** The Applicant will 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 city. Additionally, the Applicant will relocate existing utility facilities that are required by all utility purveyors prior to issuance of the first building permit.

#### 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.

- 4.57** Improvement plans will be prepared, for each phase, by or under the direct supervision of qualified engineers and/or architects, as appropriate, and will comply with all the requirements of the city.
- 4.58** The following improvement plans will be prepared and submitted for review to the city. A separate set of plans for each line item specified below will be prepared. The plans will utilize the minimum scale specified, unless authorized by the city. Plans may be prepared at a 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.

- A. On-Site Rough Grading Plan 1" = 20' Horizontal
- B. PM 10 Plan and Packet 1" = 20' Horizontal (Plan)
- C. Erosion Control Plan 1" = 20' Horizontal
- D. WQMP (Plan submitted in report form)

NOTE: A through D to be submitted concurrently.

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

- E. Precise Grading Plan 1" = 10' Horizontal
- F. On Site Storm Drain Plan 1" = 20' Horizontal
- G. Street Improvements Plan 1" = 20' Horizontal, 1' = 2' Vertical
- H. Street Signing/Striping Plan 1" = 20' Horizontal
- I. Signal Plan (N/A) 1" = 20' Horizontal
- J. Monumentation Plan 1" = 20' Horizontal

NOTE: E through J to be submitted concurrently.

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

NOTE: The street improvement plans will 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 will be prepared in formats approved by the city prior to commencing plan preparation.

All Plan and Profile Street Plans and Signing and Striping plans will 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 will 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 city.

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

- 4.59** The Applicant will furnish accurate mylars of all improvement plans and the FTM, to the city for approval. The FTM will be of a scale approved by the city.
- 4.60** The Applicant will furnish a PDF copy of all approved improvement plans and recorded FTM acceptable to the city.
- 4.61** Upon completion of construction, and prior to final acceptance of the improvements by the city, the Applicant will furnish the city with reproducible record drawings, of all improvement plans which were approved by the city. Each sheet will be clearly marked "As Built" and will be stamped and signed by the engineer or surveyor certifying the accuracy and completeness of the drawings. The applicant will have all approved Mylars previously submitted to the city, revised to reflect the as-built conditions. The Applicant will 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 city and reflect said "As Built" conditions, the EOR may submit a letter attesting to said fact to the city in lieu of Mylar submittal.

#### IMPROVEMENT SECURITY AGREEMENTS

- 4.62** Prior to approval of the FTM, the Applicant will construct and dedicate all on and off-site improvements and satisfy its obligations for same or will furnish a fully secured and executed Subdivision Agreement guaranteeing the construction of such improvements and the satisfaction of its obligations for same, ~~or will agree to any combination thereof, as may be required by the city.~~
- 4.63** Prior to FTM approval the Applicant will submit for review and city approval supplemental 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, sidewalks, roadway debris removal, blow sand removal and TTM permanent site Best Management Practice (BMP) appurtenances (Water Quality Management Plan Covenant) to the same extent as the developed portions of the Specific Plan and consistent with the obligations specified in the PAPA. Once approved by the city, the Owner of Record will execute and record such documents and provide the copies to the city.
- 4.64** Any subdivision agreement entered into by and between the Applicant and the city, for the purpose of guaranteeing the completion of any improvements related to this TTM, will comply with all applicable city codes and ordinances.

All required improvement securities will be in a form and amount as approved by the city. Evidence of liability and workers' compensation insurance coverage will be submitted as required by the terms of the subdivision agreement.

- 4.65** The Applicant will submit applicable deposits for the cost of reviewing subdivision agreement, CC&Rs, map extensions, covenants, WQMP and/or any other requests or form submittals made by the Applicant related to this TTM.
- 4.66** Improvements to be made, or agreed to be made, will include the removal of any existing structures or other obstructions which are not a part of the proposed improvements and will 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) will be constructed, or secured through a subdivision agreement, prior to FTM approval.

Improvements and obligations required of each subsequent phase will 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.

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 will 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.

- 4.67** 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:
- i. Construct certain improvements outside of the construction phase or map increment.
  - ii. Construct additional improvements, subject to the reimbursement of its cost by others.
  - iii. Reimburse others for those improvements previously constructed that are an obligation of this TTM.
  - iv. Secure the costs for future improvements that are to be made by others.
  - v. 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 will, prior to the approval of the FTM, 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 will submit detailed construction cost estimates for all proposed improvements for each phase, or map increment, including an estimate for the final survey monumentation, for review and approval by the city. Such estimates will conform to the unit costs schedule as approved by the city.

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

Estimates for improvements under the jurisdiction of other agencies will 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.

- 4.68** The Applicant will 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

- 4.69** The Applicant will comply with all the provisions of Cathedral City municipal codes and ordinances.
- 4.70** The Applicant will obtain a Grading Permit approved by the city prior to initiating any construction or on the project site.
- 4.71** To obtain an approved Grading Permit, the applicant will submit and obtain approval of all of the following:
- i. A Grading Plan prepared by a civil engineer registered in the State of California,
  - ii. A preliminary geotechnical ("Soils") Report prepared by a professional registered in the State of California,
  - iii. A Fugitive Dust Control Plan and Packet prepared in accordance with city requirements,
  - iv. An Erosion Control Plan prepared in accordance with city requirements,
  - v. A Best Management Practices report prepared in accordance with city requirements (NPDES Stormwater Discharge Permit and Storm Management and Discharge Controls),
  - vi. A WQMP prepared by an authorized professional registered in the State of California, and
  - vii. A Conditional Letter of Map Revision – Fill (CLOMR-F) issued by FEMA. If the Applicant is not securing a CLOMR the Applicant must verify that the entire Project limits are outside a FEMA designated Flood Hazard Area and/or Area of Flood Hazard Risk as designated by the latest approved FEMA FIRM Map and in accordance with the Cathedral City Municipal Code Chapter 8.24.

- 4.72** All grading will conform with the recommendations contained in the Preliminary Soils Report and Phase 1 Environmental Assessment report and will be certified as being adequate by the soils engineer, or engineering geologist registered in the State of California.
- 4.73** A statement will appear on the FTM that a soils report has been prepared in accordance with the California Health and Safety Code § 17953 and California Government Code § 66490.
- 4.74** The Applicant will 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 will replenish said security if expended by the city to comply with the Fugitive Dust Control Plan as required by the city.
- 4.75** The Applicant may choose to submit a stockpile plan to the city to review and approve. If a stockpile plan is submitted to the city for review and approval, the city will also calculate the required cash deposit to ensure that the site is maintained for erosion and dust control in conformance with city ordinances and standards. The deposit will be released back to the Applicant when the site is transitioned back with an approved grading plan and a Grading Permit issued for said same location.
- 4.76** The Applicant will maintain all open graded, undeveloped land to prevent wind and/or water erosion of such land. All open graded, undeveloped land will either be planted with interim landscaping, stabilized with other erosion control measures, or maintained as were approved in the Fugitive Dust Control Plan.
- 4.77** Grading within the parkway areas will conform to city requirements except as otherwise modified by this condition. The maximum slope will not be steeper than 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 will not be steeper than 2:1 if fully planted with ground cover. The steepest slope in the first six (6) feet adjacent to the curb will not exceed 4:1 when the nearest edge of sidewalk is within six feet (6') of the curb, otherwise the steepest slope within the right of way will not be steeper than 3:1. All unpaved parkway areas adjacent to the curb will be depressed one and one-half inches (1.5") in the first eighteen inches (18') behind the curb.
- 4.78** Building pad elevations on the Grading or Precise Grading Plan(s) submitted for city approval will conform to the pad elevations shown on the TTM or CLOMR (with the CLOMR taking precedence), as applicable, unless the pad elevations have other requirements imposed elsewhere in the Conditions of Approval.
- 4.79** Building pad elevations of perimeter lots will not differ by more than one foot higher from the building pads in adjacent development. The Applicant will minimize the

differences in elevation between the adjoining properties and the lots within this development.

House pad elevations on contiguous interior lots will not differ by more than three feet except for lots that do not share a common street frontage, where the differential will not exceed five feet or as approved by city.

- 4.80** 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 will submit the proposed grading changes to the city for a substantial conformance review.
- 4.81** Prior to the issuance of a Building Permit for any TTM lot, the Applicant will 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 will 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 will also list the relative compaction of the pad soil. The data will be organized by lot number and listed cumulatively if submitted at different times.
- 4.82** This TTM will comply with the Cathedral City Floodplain Management Ordinance §8.24. 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 Cathedral City's Flood Insurance Rate Maps (FIRM Maps), the development will 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 will furnish Elevation Certifications, as required by FEMA, that the above conditions have been met.
- 4.83** Prior to the issuance of a Building Permit for any building, the Applicant shall provide to the city a Letter of Map Revision – Fill (LOMR-F) issued by FEMA.

## SECTION 5 FIRE PROTECTION

This project has been reviewed as “**R-3 Community**” occupancy: 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 2022 California Fire Code are shown as CFC, the 2022

California Building Code is shown as CBC and the California Code of Regulations are shown as CCR.

## **AGENCY APPROVALS**

- 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”.
- 5.2** 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”.
- 5.3** A clear scope of operations shall be provided on the architectural plan cover sheet.
- 5.4** All deferred submittals (when approved to be deferred) shall be listed on the cover sheet of the architectural plan.
- 5.5** No change in use or occupancy shall be made to any existing building or structure unless the means of egress system is made to comply with the requirements for the new use or occupancy in accordance with CFC, Chapter 10.
- 5.6** Occupancy separation, if required, shall comply with 2022 CA Building Code Table 508.4.
- 5.7** This project is subject to review and approval in accordance with the CCR, Title 19 for Fire and Life Safety.
- 5.8** This project is subject to an annual inspection and operational permit from the Cathedral City Fire Department for this type of occupancy (use).

## **FIRE ACCESS**

- 5.9** Prior to issuance of building permit, a ‘Fire Access’ plan shall be submitted to the Cathedral City Fire Department for review and approval. This plan shall identify fire hydrants, fire lanes and turning radii throughout the project. Fire Lanes shall be a minimum of 20 feet wide with vertical clearance of 13.5 feet high, unobstructed.
- 5.10** No Parking, Fire Lane” signs shall be posted parking area(s) where PIV and FDC are installed.
- 5.11** Prior to the issuance of a Certificate of Occupancy, "No Parking - Fire Lane" signs, red curbing, street signs and other required markings shall be provided to the specifications of the Cathedral City Fire Department in accordance with the CFC, Section 503.3 and California Vehicle Code Section 22500.1.
- 5.12** Prior to final inspection, illuminated addresses on a contrasting background and illuminated (backlit or surface) shall be provided on all buildings in accordance with the CFC, Section 505.1. Address numbers shall be placed in a position to be plainly legible from the street or road. Address numbers shall be displayed as numbers, as opposed to written in alpha characters.
- 5.13** Install Knox key box and/or Knox padlock for vehicle gate (if applicable) for Fire

Department access in accordance with CFC Section 506.

- 5.14 Install Opticom rapid entry for Fire Department access at main vehicle gate(s).
- 5.15 Provide KNOX emergency access box at clubhouse building.

## **LIFE SAFETY AND FIRE PROTECTION SYSTEMS**

### **Exiting**

- 5.16 Means of Egress of any proposed clubhouse building shall be in compliance with the 2022 CA Building Code Chapter 10 with a scaled, measured emergency egress plan provided as part of the architectural plan for review.
- 5.17 The doors must be operable from the inside of the building for occupant exiting. Surface latches and security bars are not permitted.
- 5.18 Clear paths of egress are required at-all-times in exit corridors (no storage racks, packaging, or equipment).
- 5.19 All exit doors must swing in direction of egress.
- 5.20 Emergency lighting and exit signs are required above all exterior doorways and in all hallways directing occupants to an exterior exit via a path of egress.
- 5.21 Exterior doors and their function cannot be eliminated without approval. If approved, and the door retains the appearance of functional, the door shall have, "THIS DOOR BLOCKED" posted on the exterior in accordance with the 2022 CA Fire code section 504.2.

### **Hazardous Materials**

- 5.22 Hazardous materials use and storage within the clubhouse shall comply with the California Fire Code and NFPA Standards.
- 5.23 A separate permit is required for use and/or storage of CO2 in excess of 100 pounds, in compliance with Chapter 53 of the 2022 CFC.
- 5.24 A National Fire Protection Association (NFPA) 704H Diamond shall be installed on the building identifying the health, flammability, reactivity and special hazards of the materials / operations inside the buildings.
- 5.25 Provisions for the storage or handling of hazardous materials (including pesticides, insecticides and fertilizers) as defined by Federal, State, and Local Law, shall be in accordance with CFC, Chapter 50.
- 5.26 Storage and handling of flammable and combustible liquids shall be in accordance with the CFC, Chapter 57 and NFPA 30 (2022), Flammable and Combustible Liquids Code.

### **Fire Suppression and Alarm Systems**

- 5.27 Fire hydrants shall be installed per local amendments to 2022 CFC 507.5.1. Hydrants shall be located inside cul-de-sacs bulbs within the project site, and where required elsewhere.

- 5.28** Fire extinguishers are to be installed in community buildings at a maximum of 75ft travel distance and have a minimum rating of 2A:10-B:C in accordance with the 2022 CFC section 906. Community buildings with kitchens shall have fire extinguishers specific to code section 906.
- 5.29** Fire sprinkler systems shall be installed in all buildings according to the CFC Chapter 9, CCFD Development Guidelines, NFPA13D and NFPA 13.
- 5.30** Fire alarm monitoring is required for buildings with 20 or more fire sprinkler heads. Plans for the fire alarm system shall be submitted for approval and shall meet the design requirements of NFPA 72.

## **SECTION 6 BUILDING DEPARTMENT**

### **General Conditions**

- 6.1.** Shall comply with the latest adopted edition of the following codes as applicable:
  - a. California Building Code
  - b. California Residential Code
  - c. California Electrical Code
  - d. California Mechanical Code
  - e. California Plumbing Code
  - f. California Energy Code
  - g. California Fire Code
  - h. California Green Building Standards Code
- 6.2.** Automatic fire suppression systems shall be installed in all new construction per Chapter 8.12 of the Municipal Code of the City of Cathedral City. Design and type of system shall be based upon the requirements of the Building and Fire Codes and the requirements of the Cathedral City Fire Department.
- 6.3.** The requirements of the Air Quality Management District shall be satisfied prior to the issuance of any permit if dusts and/or pollutants will be discharged into the atmosphere.
- 6.4.** Any temporary building, trailer, commercial coach, etc. installed and/or used in connection with a construction project shall comply with City Code.
- 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 lot line. In any case, the outer/exterior face of the wall shall be within two (2) inches of the lot 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.

- 6.6. The Tract or Parcel map shall record prior to the issuance of any permits.
- 6.7. All signs shall be Underwriters Laboratories approved, or equal.
- 6.8. Permits are required prior to the removal and/or demolition of structures.
- 6.9. In addition to approval from Building & Safety, approval is required from the County of Riverside, Department of Public Health for public swimming pools and spas.
- 6.10. The site, or a portion of the site, appears to be located in a Fire Hazard Severity Zone. If so, please verify that the design of structures will comply with Section R337 of the latest edition of the California Residential Code.
- 6.11. The site, or a portion of the site, appears to be located in a flood hazard area. Confirm with our Public Works/Engineering Department. Justification that the proposed development does not adversely affect the location or carrying capacity of the floodway, nor does it adversely affect upstream or downstream sites shall be provided to Building & Safety. Additionally, all development shall comply with Chapter 8.24 –FLOODPLAIN MANAGEMENT of the Code of the City of Cathedral City and all requisite provisions must be taken to protect the site from flood damage.
- 6.12. All exterior lighting shall be oriented, directed, and/or shielded as much as possible so that direct illumination does not infringe onto adjoining properties.

#### **PRIOR TO ISSUANCE OF BUILDING/CONSTRUCTION PERMITS**

- 6.13. The following items (as applicable) shall be completed and/or submitted to Building & Safety prior to the issuance of building permits for this project:
  - a. Precise grading plans shall be approved
  - b. Rough grading completed
  - c. Compaction certification
  - d. Pad elevation certification
  - e. Building location certification
  - f. Rough grade inspection signed off by City Public Works/Engineering
- 6.14. A Construction Waste Management Plan (CWMP) will be required. Contact our Environmental Conservation Department for more information.

#### **Specific Comments (NOTE: THESE COMMENTS ARE NOT CONDITIONS):**

- 6.15. Separate permits will be issued for structures that are not a part of the building. For example, trash enclosures, parking lot light standards, etc. Separate permit(s) will also be required for any signage that is and isn't part of the building.
- 6.16. At plan check submittal, verify that project complies with disabled access compliance as applicable.

- a. Note: Banks of mailboxes will be required to be accessible.
- 6.17. Swimming pools are required to be submitted to the Riverside County Environmental Health Services Department. Disabled access required to be provided, which includes a compliant chairlift.
- 6.18. At time of plan check submittal, verify that the common area site and buildings comply with Chapter 11B of the CBC as applicable.
- 6.19. Building walls located on property line are required to comply with Table R302.1(2) of the latest edition of the California Residential Code.
- 6.20. Verify compliance with building locations based on distance to toe of slopes.
- 6.21. When submitting for Building & Safety plan review, structures are required to be designed for 130 mph winds and exposure C.
- 6.22. For more information related to Building & Safety, please visit our website at <https://www.cathedralcity.gov/services/building-and-safety>.

## **SECTION 7 RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION**

- 7.1 Any new outdoor lighting that is installed 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 are prohibited:
  - a. Any use which 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 which 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 which would generate smoke or water vapor or which would attract large concentrations of birds, or which 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, composting operations, wastewater management facilities, artificial marshes, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, and incinerators.)
  - d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.

- e. Any use which results in a hazard to flight, including physical (e.g., tall objects), visual, and electronic forms of interference with the safety of aircraft operations.

**7.3** A copy of a notice shall be provided to all potential purchasers of the lots and to the tenants of the homes thereon that reads as follows:

***NOTICE OF AIRPORT IN VICINITY*** *This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b) (13) (A)*

**7.4** Any proposed stormwater basins or facilities shall be designed and maintained to provide for a maximum 48-hour detention period following the design storm, and remain totally dry between rainfalls. Vegetation in and around the basins that would provide food or cover for birds would be incompatible with airport operations and shall not be utilized in project landscaping. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature. Landscaping in and around the basin(s) shall not include trees or shrubs that produce seeds, fruits, or berries.

Landscaping in the stormwater basin, if not rip-rap, should be in accordance with the guidance provided in ALUC “LANDSCAPING NEAR AIRPORTS” brochure, and the “AIRPORTS, WILDLIFE AND STORMWATER MANAGEMENT” brochure available at [RCALUC.ORG](http://RCALUC.ORG) which list acceptable plants from Riverside County Landscaping Guide or other alternative landscaping as may be recommended by a qualified wildlife hazard biologist.

A notice sign, in a form similar to that attached hereto, shall be permanently affixed to the stormwater basin with the following language: **“There is an airport nearby. This stormwater basin is designed to hold stormwater for only 48 hours and not to attract birds. Proper maintenance is necessary to avoid bird strikes”**. The sign will also include the name, telephone number or other contact information of the person or entity responsible for monitoring the stormwater basin.

**Approved for Planning Entitlements by the Cathedral City Planning Commission on May 1, 2024.**

Attest:

\_\_\_\_\_  
Sandra Molina  
Deputy Director Development Services  
Date: \_\_\_\_\_

\_\_\_\_\_  
Applicant's Signature  
Name: \_\_\_\_\_  
Date: \_\_\_\_\_