

RESOLUTION NO. 704-01058

TENTATIVE TRACT MAP 32557

A RESOLUTION BY THE PLANNING COMMISSION OF THE CITY OF CATHEDRAL CITY, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF A REQUEST TO SUBDIVIDE 3.43 ACRES INTO 11 SINGLE FAMILY LOTS, TWO PRIVATE STREETS, LANDSCAPING RETENTION EASEMENT(S) AND A WELL SITE, ON ASSESSORS PARCEL NUMBER 675-040-030 BEING GENERALLY LOCATED WEST AND SOUTH OF THE WHITEWATER WASH TO THE WESTERN CITY LIMIT BOUNDARY AND NORTH OF THE TORTUGA ROAD ALIGNMENT IN THE R-1 ZONE (LOW DENSITY RESIDENTIAL) AND ADOPTING THE ASSOCIATED NEGATIVE DECLARATION FOR ENVIRONMENTAL ASSESSMENT NO. 04-012.

WHEREAS, an application to the City of Cathedral City, California ("City"), for approval of a Tentative Map under the provisions of the Cathedral City Municipal Code was initiated by Palm Springs Classic, LLC ("Applicant");

WHEREAS, said application was recommended for approval by the City Planning Commission after a duly noticed public meeting was held on December 15, 2004;

WHEREAS, Applicant is requesting approval to divide approximately 3.43 acres into 11 single family lots two private streets, landscaping, retention easement(s) and a well site, on Assessors Parcel Number 675-040-030 being generally located west and south of the Whitewater Wash to the western City Limit boundary and north of the Tortuga Road alignment in the R-1 (Single Family Residential) zone; and,

WHEREAS, the City of Cathedral City acting as Lead Agency has determined that the proposal will not have a significant impact on the environment, and that Environmental Assessment 04-012 and subsequent Mitigated Negative Declaration is hereby adopted;

THE PLANNING COMMISSION OF THE CITY OF CATHEDRAL CITY DOES RESOLVE AS FOLLOWS:

Section 1. The Planning Commission has considered all of the evidence submitted into the administrative record, which includes, but is not limited to the following:

- a) The Staff Report prepared for the Planning Commission by Senior Planner Bud Kopp, AICP;

- b) The staff presentation at the Planning Commission meeting held on December 15, 2004;
- c) Public comments, both written and oral, received and/or submitted at, or prior to, the public hearing/meeting supporting and/or opposing the staff recommendation; and
- d) Testimony and/or comments from interested parties including the Applicant and its representatives submitted to the City in both written and oral form at, or prior to, the public hearing/meeting.

Section 2. Based on the foregoing evidence the Planning Commission finds that:

- a) The proposal substantially complies with all applicable requirements of the Cathedral City Municipal Code, and the General Plan:

The proposal for 11 single family lots two private streets, landscaping, retention easement(s) and a well site is a permitted development in accordance with the Single Family Residential provisions of Title 9 of the City Municipal Code (Planning and Zoning). The project, with the attached conditions of approval, is compatible with the Low Density Residential designation of the General Plan, and the Tentative Tract Map complies with the Subdivision Map Act.

- b) The overall design relates to the intent and purpose of said General Plan, Title 9 of the City Municipal Code (Planning and Zoning) and to the general nature of the area in which the development is located.

The project, providing residential development and recreational amenities is consistent with the policies contained in the General Plan regarding the development of residential uses and in conformance with the Zoning. The project is located near other residential areas, and as designed, is compatible with and complementary to neighboring developments.

- c) The development provides for adequate public facilities and improvements.

The development will provide all necessary street improvements, including sidewalks, curbs and gutters (where required) and landscaping. All utilities will be installed to current code specifications. All public facilities and improvements are listed as conditions of approval. A homeowners association will maintain improvements.

- d) On the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment and that the mitigated negative declaration reflects the lead agency's independent judgment and analysis.

Section 3. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

- a) The current fees referenced below are merely fee amount estimates of the impact fees that would be required if due and payable under currently applicable ordinances and resolutions, presume the accuracy of relevant project information provided by the applicant, and are not necessarily the fee amount that will be owing when such fee becomes due and payable.

Unless otherwise provided by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in the applicable ordinances and resolutions and the City expressly reserves the right to amend the fees and fee calculations consistent with applicable law.

DESCRIPTION	CURRENT FEE/CALCULATION FORMULA
Police, Fire, Facilities & Signalization	\$150.00 per 1,000 square foot Increment (under roof)
Fringe-Toed Lizard Mitigation Fee	\$600.00 per acre
Master Underground Plan	\$.15 per square foot of area under roof structure
Transportation Uniform Mitigation Fee	\$794.31 per each residential unit
Transit Development Fee	\$5.00 per linear foot of frontage on major or arterial streets
Transportation Impact Fee	Per dwelling unit as identified in the March 2003 Traffic Impact Study.

- b) The adopted Conditions of Approval for TTM 32557, incorporated herein, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d)(1).

- c) The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that 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 resolution 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 and it does not apply to any fees, dedication, reservations, or other exactions of which have 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 4. CUSTODIAN OF RECORDS

The custodian of the records of the proceedings upon which the lead agency's decision is based for the Mitigated Negative Declaration shall be the Cathedral City Planning Department.

Section 5. MITIGATION MONITORING PROGRAM

In accordance with Section 15074, of Chapter 3, of Title 14, of the California Code of Regulations, the Mitigation Monitoring Program contained in Chapter 4 of the Draft Initial Study and Mitigated Negative Declaration, dated November 3, 2004, shall serve as the City's reporting program for monitoring the mitigation measures specified in the Mitigated Negative Declaration.

Section 6. In view of all the evidence, and based on the foregoing findings, the Planning Commission hereby resolves as follows:

That the Planning Commission of the City of Cathedral City, California, does recommend City Council approval of Tentative Tract Map 32557 a request to subdivide approximately 3.43 acres into 11 single family lots two private streets, landscaping, retention easement(s) and a well site, on Assessors Parcel Number 675-040-030 being generally located west and south of the Whitewater Wash to the western City Limit boundary and north of the Tortuga Road alignment in the R-1 (Single Family Residential) zone; and adoption of the associated Mitigated Negative Declaration for Environmental Assessment No. 04-012. The development of the property shall conform substantially to the Tentative Tract Map as approved herein

dated December 15, 2004, except as specifically modified by any of the conditions listed in this Resolution:

1.	Access Gate	All access gates shall be equipped with Knox box override capabilities.
2.	Access Gate	All electrically controlled access gates into neighborhoods will be provided with a standardized and approved override system that is capable of opening the gate or other access device when so activated by authorized City personnel.
3.	Access Gate	Entry gate(s) openings shall be a minimum of 20 feet wide.
4.	Access Roads	Access roads shall be a minimum of 20-feet in width, shall not exceed 5% grade and shall be designated as Fire Lanes.
5.	Access Secondary	Secondary Access into all areas of a Tract/Subdivision shall be provided to the satisfaction of the City Engineering and Fire Departments.
6.	ADA	All sidewalks, ramps, landings and pedestrian paths that are on and off-site shall meet current ADA requirements;
7.	Air Quality	An Owner and Contractor signed PM10 dust control plan in accordance with City & AQMD standards and codes shall be submitted for review and approval prior to the issuance of any grading or building permits. The plans shall clearly show the details for the construction of the on-site improvements including installation of dust palliatives and wind fences or other PM10 mitigation devices. Wheel washers and other similar BMPs (Best Management Practices) shall be required to eliminate any sand or dust migration within one hundred feet of the source or across any property lines. Dust shall be prevented from leaving the site onto the public street system. A refundable cash deposit shall be made to the City, per City Ordinance, to assure compliance with the PM10 dust mitigation regulations;
8.	Air Quality Blowsand Existing Installations	Existing PM10 wind-fence plants and fencing are to be protected in place as long as possible to assist in construction blowsand control. These areas will not be allowed to be mass graded and any wind fence plants and fencing shall not be removed from any portions of the Tract not actively having homes built. Fencing that is removed shall be rolled up and returned to the City of Cathedral City Public Works Division yard. Every effort to use or transplant the existing trees and shrubs shall be made and evidence provided to the City Engineer;
9.	Biological	The project site lies within the Coachella Valley Fringe Toed Lizard Mitigation Fee Area, Therefore, prior to any building permits being issued, the project proponent shall pay a fee of \$600.00 per acre or approximately \$2,058.00;

10.	Biology	A final pre-construction survey shall be conducted by a qualified Biologist at the project developers expense for targeted special status plant and animal species prior to any grading and commencement of project construction. Should any of the plant or animal species be located, a mitigation plan shall be submitted to the City Planner for approval. Any required mitigation shall be completed prior to issuance of grading or building permits. Inspections and monitoring will be conducted by the City Planning Department and the Department of Fish and Game if required.
11.	CC&Rs	Prior to Final Map approval, the applicant shall prepare and record Conditions, Covenants and Restrictions (CC&Rs) as a part of the establishment of a Home Owners Association (HOA) to the satisfaction of the City Attorney and City Planner. Said HOA shall be responsible for the ongoing and perpetual maintenance of all common areas and improvements established and required within the tentative map area. The CC&Rs shall include but not be limited to provisions for the ongoing maintenance of interior streets, recreational amenities, landscaping (including street parkways, landscape easements, parks and drainage retention basins), blowsand mitigation features (e.g. fencing, landscaping irrigation, sand impoundment areas, and soil stabilization), ongoing maintenance of drainage retention areas for flood control purposes and nuisance water collection, and the ongoing maintenance of the exterior of any project perimeter walls including graffiti removal;
12.	CC&Rs Drainage	The CC&Rs and other homeowner association documents shall clearly state that all private onsite drainage facilities, including pipelines and basins, are the responsibility of the HOA for regular upkeep and maintenance.
13.	Construction - Temporary Street	Temporary roads into subdivisions are allowed during construction as long as soil compactions are to the satisfaction of the City Engineer and grading is maintained to allow Fire Department access. Accepted standard is 95% compaction.
14.	Construction Equipment	There shall be no encroachment into public rights of way for construction trailers, equipment, trash bins, portable toilets, or materials, all of which shall be kept on-site. Construction access to the site shall be by an approved driveway, entry, or curb cut; no asphalt ramps or curb jumping shall be permitted.
15.	Construction Hours	Construction activities shall be strictly limited to the hours of legal activity in accordance with City Municipal Code Section 11.96.090;
16.	Construction Staging	At no time will the existing residential streets at the Tract entrances be allowed to be used for construction staging,

		storage or other such construction related activities. Access by heavy equipment shall be limited to the minimum number of trips essential to completing the construction. Any damage to the existing public roadways, sidewalks or other infrastructure shall be repaired or replaced by the developer's contractor at his own expense, as directed by the City Engineer;
17.	Cultural Resources	<p>In order to comply with Mitigation Measure V(a)1 and V(a)2,, upon the uncovering or other discovery of artifacts or cultural resources during construction activities associated with the project's development, all construction on the site shall be halted, and the developer shall immediately notify the City Planner. A qualified archaeologist shall be called to the site by and at the cost of the developer to identify the resource and recommend mitigation in the event of the resource's cultural significance.</p> <p>In the event that any human remains are discovered the applicant shall cease all work and contact the Riverside County Coroner's Office and work shall not resume until such time that the site has been cleared by County Coroner and/or the Cathedral City Police Department;</p>
18.	CVWD/DWA Sewer and Water Relocation	Existing water and/or sewer mains on or adjacent to this property are under the jurisdiction of the Desert Water Agency. Prior to the issuance of building permits, the developer shall show evidence that the existing sewer and water facilities have been relocated to the satisfaction of Desert Water Agency in the areas where they interfere with the buildings to be constructed.
19.	CVWD/DWA Sewer and Water Will Serve Letter	Prior to the issuance of building permits, the developer shall show evidence that the Desert Water Agency will serve the entire tract or facility with sewer and water service; that any/all fees to the desert Water Agency have been paid or are arranged for as part of the development of the site; and that all rights of way and other off-site approvals have been granted in order to construct these systems
20.	CVWD/DWA Sewer Lines Required	Sanitary sewers shall be installed in the tract, and a water and fire protection system shall be installed, all meeting local water district standards. All water lines and fire hydrants shall be installed and operational prior to any combustible materials including lumber being erected on site;
21.	Exhibit "A" Site Plan	Approval of the referenced exhibit is preliminary only. All final working drawings shall be submitted to the Planning, Engineering and Building Departments prior to issuance of building permits. Said plans shall include but not be limited to sidewalk/hardscape details, landscape and irrigation plans, trash enclosure details, exterior lighting plans, drive-

		thru details, fence/wall details, signage, and addressing. The development of the property shall conform substantially to that as approved in Exhibit A, dated November 15, 2004, except as specifically modified by any of the conditions listed in this Resolution;
22.	Fees – General City	The Applicant shall pay all applicable City of Cathedral City fees, charges and other costs as prescribed by City Ordinance.
23.	Fees - Impact	The Applicant shall pay all applicable impact fees required by City ordinances, which fees have been estimated in Section 3 of this Resolution, but which fees may change at the time they become due and payable as permitted by applicable law.
24.	Final Map - Residential	No residential building permits, with the exception of permits for non-livable models, shall be issued until the Final Tract Map has been approved by City Council and recorded. No public or private street, or sewer, water, or utility facilities shall be constructed until a City engineering permit has been issued, inspection has been arranged, and applicable inspection fees paid;
25.	Final Map Approval Expiration	A Final Tract Map, based upon a field survey, prepared in accordance with the State Subdivision Map Act, is required to be submitted by the developer and approved by the City, and recorded, prior to the issuance of any permits on the new tract. Approval of this Tentative Tract Map shall be valid for two years from date of approval unless extended by resolution of the City Council. Monuments shall be set with the survey or a monument bond shall be posted if monuments are deferred until after development;
26.	Final Occupancy	No Certificate of Occupancy shall be granted until all conditions of approval have been satisfied.
27.	Final Occupancy - Parking	No final occupancy permits shall be issued by the City on any building or facility until all the on-site drives, paving, parking areas, and other improvements required for access and parking for that particular building or facility are completed and approved by the City Planner and City Engineer;
28.	Fire – Flow	In residential areas, the fire flow shall be no less than 1000 gallons per minute for two-hour duration.
29.	Fire – Flow and Sprinkler	Fire flows as approved may be reduced by 75% when an approved automatic fire sprinklers system is provided in the building as approved by the Fire Chief/Marshal;
30.	Fire – Flow Calculation	Fire flows will be calculated using Table A-h A-I of the 2001 California Fire Code.
31.	Fire – Flow Proof	The developer shall provide written documentation to the Fire Chief/Marshal that the required fire flow will be provided to the Fire Department prior to any combustible materials

		including lumber being erected on site.
32.	Fire – Flow Residential	Water systems providing required fire flows will be installed on all subdivisions prior to any combustible materials including lumber being erected on site.
33.	Fire – Hydrant Curb	Prior to any Final Occupancy being issued in any phase of development seeking final occupancy, fire hydrant curbs will be painted red at least 15 feet in each direction of the hydrant for a total of 30-feet of painted curb in front of the hydrant;
34.	Fire – Hydrant Plan	A fire hydrant plan, indicating distance to and flow of nearest hydrant, shall be submitted to the City Fire Marshal for review and approval prior to City Engineer/Public Works Director's signature of the Grading Plans or issuance of any grading permits. On-site fire-fighting water shall be available to within 150 feet of all combustibles with a delivery capability of 1,500 gallons per minute flow (1000 gpm in residential areas) for a two-hour duration for Type V-N construction. Fire hydrants will be located so as to be accessible within 150 feet of all portions of the building being protected. Some building may require more than one fire hydrant due to size and/or fire flow requirements. When any portion of the building is greater than one hundred fifty feet (150') from an approved water supply on a public street as measured by an approved route, on-site fire hydrants capable of providing the required fire flow shall be required (1997 CFC 903.2).
35.	Fire - Sprinklers	Any structure over 5,000 square feet or more under roof including carports shall be fully fire sprinklered in accordance with a plan approved by the City Fire Marshal. NFPA 13, 13R or 13D, depending on building use, will be the standard.
36.	General Compliance	The development of the site shall conform to all Ordinances, codes, regulations, policies and development design controls pursuant to the Cathedral City Municipal Code taking effect prior to issuance of any building permits. All conditions herein shall be met prior to issuance of a building permit or occupancy clearance permit as determined by the City Planner.
37.	Hydrology - Grading Plan	The City Engineer shall approve an engineered grading plan, prior to issuance of any grading, building or encroachment permits. A detailed hydrology and hydraulics study of the site and offsite tributary areas shall be prepared and submitted by a registered civil engineer. Drainage improvements, including storm drains, retention and detention basins and any other appropriate facilities shall be designed and installed as detailed in Section 8.24.070 of the Cathedral City Municipal Code. The final grading plan shall

		<p>be in substantial conformance with the designs set forth in the Preliminary Hydrology report and Site Drainage design. A final hydrology report including hydraulics shall be submitted for the development for review as part of the grading plan:</p> <p>A. The hydrology study shall determine the depth of 100 year storm flows and all pads within the development shall be set above that level with a minimum 1 foot freeboard. The engineer of work shall certify as to that fact.</p> <p>B. Retention Basin Design - The soils report shall provide confirmation of appropriate slope stability for retention basins with the 2:1 conditions of the soil material including the saturated condition. Percolation data, including time to empty, shall be provided. If the retention basin is fenced, the fence design shall be reviewed and approved by the City Planner. At a minimum, a continuous 3-foot wide level service access and maintenance area should be provided at the top of the basin slopes.</p> <p>C. Retention Basin Vehicular Access - Vehicular access shall be provided for maintenance of the retention basins. The grading of a "road" to the bottom shall comply with health and safety standards and shall meet the requisite design requirements including geometries and capacity of the basin(s). Maintenance of retentions basins and drainage system shall be the responsibility of the Owners and be reflected in the CC&Rs.</p>
38.	Hydrology - Storm Drain	The site shall be designed in such a manner that no nuisance water shall escape the site onto the public streets. The grading plan shall include a hydrology report supporting the volumes and basin or other devices capacities.
39.	Improvements - Encroachment Permit	All on-site paving, curbs and gutters, sidewalks, ramps and other site work shall be constructed to City standards, subject to improvement plans prepared and submitted by the developer, approved by the City Engineer, and inspection by the City Engineering Division, and shall require the issuance of an on-site encroachment permit.
40.	Improvements - Maintenance	All improvements approved for construction by this Resolution are required to be maintained as to comply substantially with the plans approved for construction, unless modifications are approved by the City Engineer and City Planner. The improvements to be maintained include, but are not limited to, site improvements, such as parking and walking surfaces, private drainage control facilities,

		fences/walls, signs, and lights; building and accessory structure improvements, such as paint colors and other finish materials, roofing materials, mechanical equipment, windows, trellises, canopies, landscaping, irrigation, all architectural features, landscape improvements, such as plant type, size, and number; and all irrigation system components.
41.	Improvements - Driveway	The on-site driveways and parking areas shall be improved with asphalt or concrete paving, curbs, gutters, and appurtenances generally as shown on the approved site plan. The thickness of pavement shall be determined by the developer's engineer, based upon "R" value tests taken of the soils and appropriate traffic indices to be determined by the engineer, all subject to approval by the City Engineer.
42.	Landscape Plans	<p>The Landscape Plan shall be reviewed and approved by the Architectural Review Committee prior to the issuance of a Building Permit and shall include the following:</p> <ul style="list-style-type: none">a. Provision of a landscape key that shall include a specific symbol for each of the species of landscape material used, its frequency, caliper size, gallon and/or box size, and whether it is deciduous or evergreen.b. Provision of a detail that shows all trees shall be double staked and have arbor guards if they are in a turf area. At least 50% of the trees shall be evergreen species.c. The Landscape Plans shall include drought tolerant materials.d. Placement of a concrete mow strip between turf and other surfaces.e. Inclusion of a Conceptual Irrigation Plan.f. Clear indication where landscaping will be used to screen mechanical, electrical, or irrigation equipment.g. Ground mounted equipment such as mechanical, electrical, or irrigation equipment (Backflow preventers) shall be placed within a landscape planter with shrubbery and enclosed by a concrete mow strip. This type of equipment shall not be placed in a turf area and be screened from public view.

		<p>h. Landscape and Irrigation Plans must be attached to the Building Plans submitted to the Building and Safety Department.</p> <p>i. The developer shall provide final landscape and irrigation plans consistent with the water efficient standards of the Coachella Valley Water District.</p> <p>j. The plans shall minimize the use of turf for all facilities and front yards shall have no more than 50% use of turf.</p>
43.	Lighting – Photometric Plans	The developer shall submit an exterior lighting plan and photometric plan to the City Planner for review and approval prior to issuance of building permits. Special attention shall be paid to minimize the impact of outdoor lighting on the night sky. All exterior lighting shall be restricted as to not produce glare or spill-over outside the property lines, and the plans shall demonstrate zero foot candles on the property line. One hundred percent cut-off fixtures shall be utilized and security lighting shall be motion sensor activated. The Lighting Plans shall include the type of fixture, total height, color, and details on the base of the fixture.
44.	Landscaping and Lighting District	Prior to Final Map approval, the subdivider/property owner shall execute a recordable covenant requesting the annexation to a Landscape and Lighting District to cover the ongoing maintenance of any general benefit landscape and lighting areas which may be maintained by the City. The owner shall submit a letter of request and process annexation into the district concurrently with Map approval by City Council should it be determined by the Public Works Director that any infrastructure facility is outside the maintenance area of the HOA and falls within a general public benefit;
45.	Monumentation	Any Final Map prepared in compliance with the approved tentative map shall be field surveyed. The engineer/surveyor of record shall prepare and submit street centerline ties to the City Engineer upon the completion of the private and public street construction. All required monuments and street centerline ties required shall be guaranteed to be installed, provided, and paid for by the posting of a monument security, in an amount as determined by the engineer/surveyor of record.
46.	Phasing	It is incumbent upon the developer to determine any proposed phasing at the Tentative Map stage in accordance with the Subdivision Map Act Section 66452.6a and

		66456.1. This shall be done and submitted to the City prior to completion of final conditions of approval. Each phase shall be self sufficient in terms of utilities, traffic circulation, fire safety, etc. The City Engineer reserves the right to require additional dedications and improvements outside any phase or increment to assure that each phase or map increment is properly served with utilities and with proper traffic circulation. No phasing is proposed as a part of this tentative Map.
47.	Public Improvements General Street	All required street or public improvements shall be shown on either the precise grading plan or a separate street improvement plan, to be approved by the City Engineer prior to issuance of any permits or work commencing on the site. All public improvements shall be completed prior to the issuance of a final occupancy permit on any of the proposed buildings. Any relocation or modification of any existing facility in the public right of way to accommodate the new driveway or sidewalks shall be at the developer's expense.
48.	Public Utility Easements	All public utility easements shall be offered for dedication and shown on the Final Map;
49.	Resolution	A signed copy of all pages of this Resolution of approval shall be printed onto the first page of the construction drawings upon submittal for building permits;
50.	Responsible Agency Clearance	Prior to issuance of a building permit, clearances shall be obtained prior to permits from the affected agencies, including the Desert Water Agency, Southern California Edison, Time Warner Cable, Verizon Telephone and Waste Management of the Desert;
51.	Screening Equipment	All mechanical equipment, either roof or ground mounted shall be architecturally screened from public view. All such equipment shall be fully screened by the roof structure, by a parapet wall, by appropriate ground mounted walls, berming or landscaping. All walls shall architecturally match the building. If, after construction, but prior to the approval of a final inspection, it is determined by the City Planner that equipment can be viewed from the public street, a plan for screening the equipment shall be submitted to the Planning Department for approval. Once approved, said screening shall be constructed prior to clearance of building occupancy;
52.	Sign Addresses	Premises Identification/Property numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Property numbers shall be twelve inches (12") in height on commercial buildings and 6 inches (6") for residential buildings. Numbers shall be either internally or externally illuminated through an approved

		downlit method and designed to illuminate automatically during periods of darkness (1997 CFC 901.4.4).
53.	Sign Program	Signage for the proposed Tract is not part of this approval and shall require a Sign Permit Application consistent with an approved Sign Program.
54.	Soil Report	Prior to the final map approval, the Applicant shall submit to the City Engineer a engineered soils investigation report to confirm the status of grading, compaction of soil, extent of existing cut and fill areas. The report should specifically recommend any soil remediation that might be necessary to mitigate previous biological materials and waste or any abandoned water/irrigation systems. The report shall also address conditions mentioned elsewhere;
55.	Street Dedications	All public street dedications and other required public right of ways shall be made either by Final Map or by separate instrument, prior to Final Map approval.
56.	Street Names	Prior to Final Map approval, all proposed street names shall be approved by the City Planner and shown on the Final Map;
57.	Streets – Private	All project streets shall be maintained as private streets until such a time they are fully improved to City Standard and accepted by the City;
58.	Streets – Private	All interior private streets shall be built to the cross sections shown on the approved Tentative Map, subject to any conditions or modifications as approved by the final decision making body. Interior private streets shall be constructed to public street standards, subject to City inspection and materials testing.
59.	Stormwater Pollution Prevention Program	An NPDES SWPPP plan, Notice of Intention (NOI) and other submittals for approvals as required by the State Water Quality Control Board and Southern California Air Quality Management District shall be prepared and evidence of approval provided to the City prior to the issuance of any permits. The plans shall clearly show the manner of acceptance of off-site runoff, the disposal of on and off-site runoff, and similar Water Quality Practices;
60.	Utility Undergrounding	All utility lines shall be undergrounded in accordance with Chapter 8.30 of the Cathedral City Municipal Code. This includes all local power lines, under 35000 volts, within the property, and any community power lines in excess of 600 ft. long within or abutting the development, as said lines are defined in the code. The costs of undergrounding such lines may be used as a credit against the payment of the City Master Underground Program (MUP) fees which are collectible at time of building permit issuance;
61.	Reciprocal Response	It is the responsibility of the project applicant to work with the City of Palm Springs Police and Fire Departments to provide

	Agreement for Emergency Services	a reciprocal response agreement to the satisfaction of the City of Cathedral City Police and Fire Departments prior to recordation of the Final Map.
62.	Provision of Sewer Services Agreement	Prior to the issuance of building permits, it is incumbent upon the developer to show evidence that the sanitary sewer purveyor will serve the entire tract(s) or facility with sewer and water service; that any/all fees to the sanitary sewer purveyor have been paid or are arranged for as part of the development of the site; and that all rights of way and other off-site approvals have been granted in order to construct these systems.
63.	Permanent recorded Access Agreement	It is incumbent upon the applicant to guarantee that access will continue to be provided to these two Tentative Tracts if ownership changes. This will need to be in the form of a recorded access easement to the satisfaction of the City Engineer as a part of recordation of the Final Map. This is in addition to the dedication of the extension of San Joaquin Road as a public road.
64.	Traffic Mitigation Fees Applicable	The Traffic Mitigation Fees will apply to this project as identified in the March 2003 Traffic Impact Study.
65.	Streambed Alteration Permit	Modification of the Whitewater River channel necessitates obtaining a section 404 Permit from the federal government and a Streambed Alteration permit from the California Department of Fish and Game.
66.	Community Services District	Prior to issuance of a building permit for any single family dwelling within the subdivision, subdivider has voluntarily consented to cooperating and participating in the formation a community facilities district ("District") incorporating the entire boundaries of the subject map pursuant to the Mello-Roos Community Facilities Act of 1982 (Government Code section 53311, et seq.) ("Act") that may require the payment of special taxes per dwelling unit of the single family residences within the subdivision at the time of formation of the District or at the time of annexation to an existing District which may be subject to an automatic annual Cost of Living Adjustment ("COLA") during the entire term of the District.
67.	Riverside County Flood Control and Water Conservation District	Existing Riverside County Flood Control and Water Conservation District (District) facilities are located within the proposed project area and may be impacted. Any work that involves District right-of-way, easements or facilities will require an encroachment permit from the District. The construction of facilities within road right-of-way that may impact District storm drains should also be coordinated with the District.

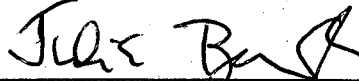
Section 7. The Secretary to the Planning Commission shall certify as to the adoption of this resolution and shall cause the same to be processed in the manner required by law.

PASSED AND APPROVED on this 15th day of December, 2004.

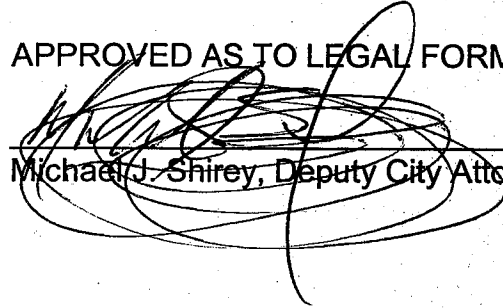
AYES: - COMMS. TOUCHET, FEIST, DIERMANN, MARCHAND
NOES: 0
ABSTAIN: - COMM. BARNES
ABSENT: 0


Gene Touchet, Chair

APPROVED AS TO CONTENT:


Julie Baumer, Deputy City Manager

APPROVED AS TO LEGAL FORM:


Michael J. Shirey, Deputy City Attorney