



**CITY OF CATHEDRAL CITY
PLANNING COMMISSION**

**CONDITIONS OF APPROVAL
GENERAL PLAN AMENDMENT 23-002
CHANGE OF ZONE 23-001
DESIGN REVIEW 23-002**

**THE WREN APARTMENTS
(ASSESSOR'S PARCEL NUMBER 670-110-041)**

**DATE APPROVED: JANUARY 8, 2025
EXPIRATION DATE: JANUARY 8, 2027
PRESENTED TO THE PLANNING COMMISSION**

SECTION 1 ADMINISTRATIVE CONDITIONS

- 1.1** General Plan Amendment 23-002 and Change of Zone 23-001 are approved to amend the General Plan land use designation from General Commercial to High Density Residential and change the zone district from Planned Community Commercial to Multiple Family Residential (R3) on 10.5 acres located at the northeast corner of Date Palm Drive and the extension of Rosemount Road. Design Review 23-002 is approved to construct a 204 apartment project consisting of 12 apartment buildings, a central clubhouse with community facilities, swimming pool and associated deck and outdoor furnishings, carports, trash enclosures and associated improvements
- 1.2** The plans approved by the Planning Commission are referenced as "Exhibit A". The construction drawings shall conform substantially to "Exhibit A" as approved by the Planning Commission/City Council, with the exception of any detail specifically modified by any of the conditions of approval contained herein. Any deviation from "Exhibit A" shall be submitted in writing and approved by the Community and Economic Development Director and/or the City Engineer prior to approval of the construction drawings.
- 1.3** Approval of Design Review 23-002 shall be valid for two (2) years from date of approval, unless a time extension is timely filed pursuant to the Cathedral City Municipal Code.
- 1.4** The Applicant shall reimburse the City for any court costs and attorney fees that the City may be required to pay as a result of any legal challenge (or federal enforcement action) related to the City's approval of the Project. The City may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the operator of its obligation hereunder.

- 1.5** Within ten (10) days following the final approval hearing for the Project, 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.
- 1.6** A copy of the signed Conditions of Approval shall be printed onto the first page of the construction drawings.
- 1.7** Approval of Design Review 23-002 is preliminary only. All final working drawings for construction of each building or structure shall be submitted to and approved by the Planning and Building Departments prior to issuance of building permits. The development of the property shall conform substantially to the following conditions of approval.
- 1.8** No Certificate of Occupancy shall be granted until all conditions of approval have been satisfied and approved by the Development Services Director, City Engineer, Chief Building Official, and Fire Chief unless otherwise identified herein.
- 1.9** 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.
- 1.10** All conditions herein shall be met prior to the issuance of a grading or building permit.
- 1.11** All improvements approved for construction are required to be maintained as to comply substantially with the plans approved for construction, unless modifications are approved by the Director of Community and Economic Development and the Director of Engineering/Public Works. The improvements to be maintained include, but are not limited to, site improvements: parking and walking surfaces, private drainage control facilities, fences/walls, signs, and lights; building and accessory structure improvements; paint colors and other finish materials, roofing materials, mechanical equipment, windows, trellises, canopies, all architectural features, landscaping and landscape irrigation.

SECTION 2 FEES

- 2.1** The Applicant shall pay all applicable City of Cathedral City fees, charges and other costs as prescribed by City Ordinance, including development impact fees. Be advised that the fees may change at the time they become due and payable, as permitted by applicable law.
- 2.2** The Applicant shall reimburse the City for all development entitlement costs that exceeded the filing fee deposit(s). The Applicant shall reimburse the City within ten (10) days of receiving invoice. Notwithstanding, in no event, will a grading or building permit, whichever comes first will be issued, if the City is still due a reimbursement.
- 2.3** 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 maintenance and general services by 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.

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 follow this procedure in a timely manner 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** If the project is proposed to be constructed in phases, a phasing plan shall be submitted for review and approval. The phasing plan shall outline the approximate construction timeline for buildings, infrastructure, landscaping, open space, common amenities, and other site improvements.
- 3.2** Prior to issuance of a building or grading permit, whichever comes first, a Final Site Plan showing a pedestrian access gate shall be submitted to Planning for review and approval; this Final Plan shall include the details of the pedestrian access gate including:
 - a. Location to be shown along the north/northwest section of the 6-foot perimeter wall;
 - b. A sidewalk shall be constructed from the site and pedestrian gate. Exterior access will be along the shared access road and connect directly to the Date Palm Drive sidewalk;
 - c. Access design, including the sidewalk and pedestrian gate shall comply with ADA requirements;
- 3.3** Prior to the issuance of building permits, a Final Landscape Construction Plan, prepared by a licensed landscape architect, and signed by the local water purveyor, shall be submitted to the Planning Department for review and approval. 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 or Developer on all sheets.

- b. 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.
 - c. Show use of concrete mow strip between turf and other surfaces.
 - d. Clear indication where landscaping will be used to screen mechanical, electrical, and irrigation equipment.
 - e. 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.
 - f. Show all location of mechanical, electrical, and irrigation equipment and landscaping that will screen from public view.
 - g. 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.
 - h. Plant and tree installation and staking details. Plant and tree installation and staking details that require single trunk trees to be double staked and multi-trunk trees to be staked appropriate to the species of tree.
 - i. Details, specifications, and location of all pavers and decorative surface materials used on the site. Samples of crushed rock material or decomposed granite materials shall be submitted to the Planning Department for approval.
 - j. All decorative surface materials shall be approved by the Director of Development Services before issuance of any permits.
 - k. Landscaping and irrigation shall be provided along the street frontage.
 - l. Landscape plans shall meet the requirements of the City of Cathedral City's Water Efficient Landscape Ordinance.
 - m. 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".
 - n. An Irrigation Plan with equipment details.
- 3.4** 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. At least 50% of the trees shall be evergreen species.

- c. All trees in parking lots shall be centered between parking spaces to provide optimal shading.
 - d. All single trunk trees shall be double staked and multi-trunk trees shall be staked appropriate to the species of tree.
 - e. Arbor guards shall be installed around trees in turf areas.
 - f. Projects located along major arterials and/or streets shall comply with the street tree requirements of the City's Design Guidelines.
 - g. Planter areas shall be surrounded by a concrete mow strip or other hard surface.
 - h. 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.
 - i. Any drain that terminates in a planter shall have a splash guard.
 - j. All palm trees shall have a brown trunk height of between a minimum of 10 – 20 feet, varied to the satisfaction of City staff.
 - k. All 36-inch box trees or greater shall be verified as to size by the project planner prior to being planted. It is the responsibility of the contractor and/or Applicant to make an appointment with the project planner to conduct this verification.
- 3.5** All landscaping shall be continuously maintained. Trees, shrubs, ground covers, etcetera, shall be watered and permanently maintained. All dead vegetation shall be removed and replaced in a timely manner.
- 3.6** Where landscaping is required for off-street parking areas, or in other vehicular parking areas, concrete curbing and/or bumper blocks shall be required to regulate vehicular traffic and to protect plant materials from vehicles. Such curbing height shall be at least six inches. Curbing of six inches or more shall be required where a public planter slopes toward a sidewalk and said curbing is needed to retain water. Overflow devices which drain under sidewalks may be required to assure that water does not overflow planters. In no event shall the finished grade of the irrigated planter be less than three inches below a public sidewalk and/or curb.
- 3.7** The Applicant shall contact the Planning Department 90 days after issuance of a Certificate of Occupancy to arrange for a follow-up on-site inspection to ensure that all plant material is being maintained consistent with the approved Exhibit "A".
- 3.8** Redwood headers are specifically prohibited from use on the project site for landscaping or as a permanent condition for other uses.
- 3.9** 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 Planning Department 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.

- 3.10** Trash enclosures shall be constructed as shown in Exhibit A and to City standards.
- 3.11** All exterior walls facing a public street or public area shall have a decorative surface and a decorative cap that is consistent with the overall architecture.
- 3.12** All breaker boxes, fire sprinkler risers, and utility conduits shall be interior to the building.
- 3.13** All roof drains and downspouts shall be on the interior of the building or within an enclosure that is integrated into the building design as approved by the Planning Department with decorative drain terminations. Exposed drainpipes are specifically prohibited.
- 3.14** All drain terminations shall be from the Watts Drainage Product RD-940 or a product of equal value.
- 3.15** 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.
- 3.16** 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.
- 3.17** Signage is not a part of this approval and shall require a separate Sign Permit.
- 3.18** The Applicant shall submit an exterior Lighting Plan in compliance with CCMC Chapter 9.89, including a photometric analysis, to the Director of Development Services 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 eighteen feet (18').
 - 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.

- 3.19** Property addresses or building identification signs shall be placed on all buildings to be plainly visible from the public street or private drives. Signs shall be a minimum of 12 inches in height on communal buildings and six inches in height for individual dwellings/units. If applicable, numbers shall be internally illuminated.
- 3.20** The applicant shall fully comply with and meet all operating criteria required pursuant to State Laws, the provisions of this Code, and any specific, additional operating procedures and measures as may be imposed as these conditions of approval, in order to ensure that the operation of the facility is consistent with the protection of the health, safety, and welfare of the community.
- 3.21** Any and all cables or wiring associated with utilities, shall be installed within the interior of the buildings and shall not be installed on the exterior the buildings.
- 3.22** Exterior balconies and terraces shall be free of outdoor storage.
- 3.23** Comply with the following Mitigation Measures in the IS/MND and MMRP
- a. AIR-1: Should building construction and architectural coatings/painting occur simultaneously, the volatile organic compound (VOC) content should be no greater than 45 grams VOC per liter for interior paint.
 - b. BIO-1: Nesting bird nesting season generally extends from February 1 through September 15 in southern California and specifically, March 15 through August 31 for migratory passerine birds. To avoid impacts to nesting birds (common and special status) during the nesting season, a qualified Avian Biologist will conduct pre-construction Nesting Bird Surveys (NBS) no more than 3-days prior to Project-related disturbance to nestable vegetation to identify any active nests. If no active nests are found, no further action will be required. If an active nest is found, the biologist will set appropriate no-work buffers around the nest which will be based upon the nesting species, its sensitivity to disturbance, nesting stage, and expected types, intensity, and duration of the disturbance. The nests and buffer zones shall be field-checked weekly by a qualified biological monitor. The approved no-work buffer zone shall be clearly marked in the field, within which no disturbance activity shall commence until the qualified biologist has determined the young birds have successfully fledged and the nest is inactive.
 - c. CUL-1: An approved Agua Caliente Band of Cahuilla Indians (ACBCI) Cultural Resource Monitor(s) shall be on-site during any ground disturbing activities (including grubbing, grading and excavation). Should buried cultural deposits be encountered, the Monitor may request that destructive construction halt. The Monitor shall notify a Qualified Archaeologist (Secretary of the Interior's Standards and Guidelines) 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.
 - d. NOI-1: Consistent with the General Plan Land Use Compatibility Matrix and prior to issuance of grading permit, a detailed sound attenuation study is necessary to verify the Project will achieve a minimum 25 dBA interior noise

reduction, specifically for apartment homes located adjacent to Date Palm Drive.

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 Design Review DR No. 23-002 (DR), Change of Zone 23-001, General Plan Amendment GPA 23-001 and Entitlement Plans (Plans). 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** The DR shall expire two years after the City Planning Commission approval date, unless granted a completed Building Permit application and/or a time extension pursuant to Cathedral City Ordinance 659; Section 3; Paragraph 8.4(A).
- 4.3** The DR will comply with all applicable terms, conditions and/or mitigation measures for the following approvals:
- i. DR No. 23-002.
 - ii. Change of Zone 23-001.
 - iii. GPA 23-001.
 - iv. Cathedral City Design Guidelines.
 - v. Cathedral City Water Conservation Policies and Rules.
 - vi. 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 the Director of Community and Economic Development to determine precedence.

4.4 References to:

- i. The Wren by reference includes the following parcel of DR 23-002 as shown in Exhibit A as part of these Conditions of Approval:
 - 1. APN 670-110-043.
- ii. Phase II (Rosemount Storage) by reference includes the following parcels of SPA 99-58A Planning Unit 4, Phase II as shown in Exhibit A as part of these Conditions of Approval:
 - 1. APN 670-110-049.
 - 2. APN 670-110-050.
 - 3. APN 670-110-051.
 - 4. APN 670-110-052.

Note: Development of the first parcel within Phase II initiates requirements outlined for Phase II as cited in these Conditions of Approval.

- iii. Grocery Shopping center by reference includes the following parcel as shown in Exhibit A as part of these Conditions of Approval:
 - 1. APN 678-160-022 (grocery shopping center).

4.5 All conditions herein will be met prior to the Building, Grading or Encroachment Permit (Permit) issuance for the DR or as specifically modified by item as linked to a Certificate of Occupancy (COO) issuance and/or issuance of the Permit and/or time limit from the date of either of the aforementioned COO or Permit.

4.6 References:

- i. To “approved by the city” include the following city staff to be contacted as applicable to the specific approval:

- 1. The Director of Public Works, or
 - 2. The Director of Community and Economic Development, or
 - 3. The City Engineer, or
 - 4. Chief Building Official.

- ii. “The Intersection” defines the full four-way traffic signalized intersection and all related improvements from 10 feet prior and 10 feet beyond the south, north, west and east corner end of returns at the intersection of Date Palm Drive and Rosemount Road including all intersection improvements, respectively; and the full median improvements, northbound to westbound and southbound to eastbound, to make “The Intersection” complete, as generally outlined in Conditions of Approval paragraph 4.39.

- 1. “The Intersection” includes the participation of the following properties:
 - a. Phase II (Rosemount Storage).
 - b. The Wren (APN 670-110-043).
 - c. APN 678-160-022 (grocery shopping center).

- iii. The “Rosemount Storage-Wren Cooperation” defines cooperative participation in the construction of the 13-ft wide and 275-foot-long (including bay taper) northbound to eastbound deceleration lane approaching the Date Palm Drive and Rosemount Road intersection; and improvements east of “The Intersection” along Rosemount Road to the Phase II’s northeast property corner.

- 1. The “Rosemount Storage-Wren Cooperation” includes the participation of the following properties:
 - a. Phase II (Rosemount Storage).
 - b. APN 670-110-043 (The Wren).

4.7 Prior to the 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 for 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.

4.8 Approval of the DR will not be construed as approval for any horizontal and/or vertical dimensions implied by the Plans or exhibits unless specifically identified in the following Conditions of Approval.

4.9 The Applicant will reimburse the city, within thirty (30) days of presentation of the invoice, all costs and actual attorney 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.

4.10 The Applicant will reimburse the city, within thirty (30) days of presentation 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.

4.11 The Applicant will reimburse the city, within thirty (30) days of presentation of the invoice, all actual costs incurred by the city for Public Works and/or Community and Economic Development 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

4.12 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 DR. 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.

4.13 Pursuant to the condition, conferred rights will also include approvals from all necessary persons or entities over easements and other property rights necessary for construction and proper functioning of the proposed DR, 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 DR. Specifically:

- i. If utility easements exist where the proposed DR is proposed, in accordance with the provisions of the City Municipal Code and prior to DR 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 DR will not interfere with their easements.
- ii. Special note: Immediately after entitlement of the southerly abutting Phase II (Rosemount Storage) or if the entitlement of The Wren (APN 670-110-043) occurs first, the Owner of Record of the Phase II (Rosemount Storage) will dedicate to the City an additional 13-foot of right of way along the Phase II (Rosemount Storage) west frontage located on the east side of Date Palm Drive to accommodate a 275-foot-long deceleration lane (including bay taper) approaching Rosemount Road as generally shown on the Phase II (Rosemount Storage) Project Plans. The deceleration lane improvements are subject to the fair share reimbursement described in the Rosemount Storage-Wren Cooperation" section of these Conditions of Approval.
- iii. The Owner of Record for will be responsible for blowsand, debris, trash, rubbish and deleterious material removal in all areas of the DR's parking lots and Date Palm Drive and Rosemount Drive frontage areas, including gutter pans, sidewalks, parkways, drive aisles (interior and northerly connector), entry areas and all interior areas within walled areas and all other areas outside walled areas the DR.

The Owner of Record will also be responsible for the daily maintenance of the interior and exterior (right of way frontage) landscaping continually in a condition to COO or better (matured), including the entering into of a Landscaping Maintenance Agreement, which includes improvement securities as cited further in Condition 4.66 of these Conditions of Approval.

The Owner of Record will include these responsibilities in the daily maintenance of the site for perpetuity and will record a Maintenance Covenant, inclusive of all items cited above, on the DR parcel.

- iv. The Owner of Record will record a mutual access easement between the DR parcel and northerly APN 670-110-042, for access to Date Palm Drive and 30th Avenue as shown on the Plans, subject to the approval of the city.
- v. The Owner of Record of the DR will offer dedication to the city those easements necessary for access to drainage facilities and basins and execute and record separate Drainage System and Basin Covenants with the city prior to issuance of the first COO.

4.14 Right of way dedications may include additional widths as necessary for dedicated right and left turn lanes, bus turnouts, parking, gated entry areas and other features contained in the proposed DR.

4.15 The Applicant will retain for private use the DR's parking lots, alleys, access ways, entry areas and rights of way in conformance with the Cathedral City General Plan, Municipal Code and/or as required by the city.

4.16 When the city determines that access rights to a proposed street right-of-way shown on the DR's Plans are necessary prior to the issuance of the COO, the Owner of Record will grant the necessary rights-of-way within 60 days of a written request by the city.

4.17 Where applicable, where public facilities (e.g. sidewalks) are placed on privately owned setbacks, the Owner of Record shall offer for dedication blanket easements for those purposes by separate instrument prior to the issuance of the first COO.

4.18 For drainage facilities and basins, the Owner of Record will provide the city with those easements necessary for access to drainage facilities and basins within the DR. 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.

- 4.19** The Applicant shall cause all missing property corners and survey monuments within the boundaries of the DR to be set and file the required Record of Survey prior to the issuance of the COO as cited in Condition 4.70 of these Conditions of Approval.
- 4.20** 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.
- 4.21** The Applicant shall cause no easement to be granted, or recorded, over any portion of the subject property between the date of approval the DR and the date of issuance of the first COO, unless such easement is approved by the city.
- 4.22** The Applicant will be responsible for the vacation, quitclaim or granting of easements that address changes in the existing easements over the proposed DR that may be affected by the 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

- 4.23** The Applicant, where applicable, will be responsible for completing all DR 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 DR.
- 4.24** 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 DR 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 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.

4.25 The Applicant's DR PM-10 and erosion control plans (separate plans) will include provisions for all the above cited Best Management Practices ("BMPs").

4.26 This DR will comply with the Cathedral City Floodplain Management Ordinance §8.24.

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 DR, per Cathedral City Municipal Code §8.24 requirements and other conditions generally shown on the DR's Plans and submitted in the DR's Preliminary Hydrology Report.

4.28 Final stormwater handling will conform to a final approved Hydrology Study for the DR. The design of the Project will not cause any increase in flood boundaries, levels, or frequencies in any area outside the DR.

4.29 Stormwater and nuisance water (drainage) for the DR will be retained on site and will be disposed of in an approved manner. Nuisance water shall be disposed of via on-site storm drains, catch basins, underground percolation piping, retention basin(s) and/or a combination of the aforementioned (as generally shown on the DR's Plans) as approved by the city.

All retention systems will be designed for full containment of the 100 year-3-hour storm event. All infiltration rates used in calculations for said retention basins or underground systems will conform to the DR's Geotechnical Infiltration Reports or no more than 2-inches per hour (2.0"/hr.), whichever is less. All proposed infiltration locations will be at the proposed bottom of the retention basin and/or underground retention system elevation.

The minimum precipitation frequency rate utilized for the 100 year-3-hour storm event shall be at the current rate published by the National Oceanic and Atmospheric Administration (NOAA) and RCFCDD and approved by the city. All flows for the proposed drainage system (catch basins, piping, etc.) will be calculated utilizing the largest flow rate of the 100-year storm event (1 - hour, 3 - hour, 6 - hour or 24 - hour).

4.30 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.

4.31 Storm water drainage historically received from adjoining properties will be received and retained and/or passed through 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 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 DR prior to the issuance of the first COO.

4.33 Open retention/infiltration 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 with a visible base elevation marker will be installed at the bottom of each retention basin to allow for drive by visual inspections.

4.34 Underground storage basins will be designed as follows:

- i. Storage capacity will be calculated from the open internal capacity of the pipe and/or chamber.
- ii. Rock and gravel bedding material in the foundation, haunch zone, side and top areas will not be included in the storage capacity area.
- iii. Pipe material and bedding will be shown on the engineering Plans subject to approval by the city.
- iv. All chambers will have accessible ports for maintenance subject to approval by the city.

OFFSITE PUBLIC ROADWAYS

4.35 All traffic impacts and mitigations will be in conformance to the city accepted “The Wren Transportation Analysis” prepared by Integrated Engineering Group, July 2024.

4.36 Date Palm Drive information – a General Plan designated Arterial Highway (A) roadway is to be designed to a minimum of 126 foot wide right of way to right of way (63 feet wide half right of way) and a curb-to-curb width of 94 feet (47-foot half street).

- i. Date Palm Drive is currently constructed with a centerline of improvements width to east curb of 43 feet wide.
 1. The Applicant will widen Date Palm Drive from the centerline of improvements to the east curb to a width of 47 feet (4 feet widening). The street widening will be completed with curb, gutter and 8-foot-wide sidewalk to be shown on the engineering Plans.
 2. If Phase II (Rosemount Storage) has not initiated construction, the Applicant will widen Date Palm Drive 60 feet from the centerline of improvements to the east curb in the areas of the 13-foot-wide and 275-foot-long (including the bay taper and storage) Rosemount Road approach deceleration lane completed with curb and gutter to be shown on the engineering Plans. Note: these improvements are subject to the fair share reimbursement described in the Rosemount Storage-Wren Cooperation” section of these Conditions of Approval.
- ii. There will be “no parking” allowed on Date Palm Drive frontage.
- iii. An 8-foot-wide curb adjacent sidewalk on the DR’s Date Palm Drive frontage will be constructed connecting to existing sidewalks north and south of the DR.
- iv. The Applicant will design and construct the following public street corner DR improvements at the Date Palm Drive and Rosemount Road intersection:
 1. Remove and replace the existing corner, cross gutter, spandrel and ADA corner ramp at the DR’s southwest corner at the northeast corner of the intersection of Date Palm Drive and Rosemount Road with new city approved street corner, cross gutter, spandrel and ADA corner ramp to be shown on the DR Plans as approved by the city.
 2. If The Wren is developed prior to the development of southerly abutting Phase II (Rosemount Storage), the Applicant will remove and replace the existing corner, cross gutter, spandrel and ADA corner ramp at the southeast corner of the intersection of Date Palm Drive and the Rosemount Road with new city approved street corner, cross gutter, spandrel and ADA corner ramp to be shown on the DR’s Plans as approved by the city. Note: these improvements are subject to the fair share reimbursement described in “The Intersection” in these Conditions of Approval Section 4.39.

4.37 Rosemount Road information – a General Plan designated Residential Collector roadway is to be designed to a minimum of 60 foot wide right of way to right of way (30 feet wide half right of way) and a curb-to-curb width of 50 and 40 feet (25- and 20-foot half street, respectively).

- i. Rosemount Road is currently unimproved along Applicant's DR southern frontage.
 1. The Applicant will construct full frontage improvements on the DR's southern frontage (north side of Rosemount Road) to include curb, gutter and 5-foot-wide sidewalk.
 2. The Applicant will construct an approximately 50-foot-wide commercial access driveway along the DR's southern frontage, with the centerline generally lining up with the future southerly abutting Phase II (Rosemount Storage) entrance driveway, with the final width and location as generally shown on the DR's Plans.
 3. The Applicant will construct one of the following:
 - a. If The Wren is developed after the development of southerly abutting Phase II (Rosemount Storage), the Applicant will construct a.c. pavement improvements of a width necessary to complete the Rosemount Road frontage improvements from "The Intersection" to the east existing curb and gutter improvements at the southeastern corner of the DR subject to the approval of the city. Note: these improvements are subject to the fair share reimbursement described in the Rosemount Storage-Wren Cooperation" section in these Conditions of Approval paragraph 4.38.iv below.
 - b. If The Wren is developed prior to the development of southerly abutting Phase II (Rosemount Storage) Project, the Applicant will construct a.c. pavement improvements 48 feet wide from the DR's south frontage improvements (curb, gutter and sidewalk) starting from the Date Palm Drive and Rosemount Road intersection cross gutter to the DR south frontage Rosemount Road access driveway then tapering easterly to 38 feet wide to the Phase II (Rosemount Storage) Project's eastern property line connecting to the existing curb and gutter improvements at that easterly location subject to the approval of the city. All a.c. paving work southerly of the Rosemount Road centerline within the above cited limits will be subject to the "Rosemount Storage-Wren Cooperation" described in the "Rosemount Storage-Wren Cooperation" section in these Conditions of Approval paragraph 4.38.iv below.
 - c. The Applicant will reconstruct full north half street paving improvements along the DR's southern frontage continuing from the easterly terminus of the abutting Phase II (Rosemount Storage) Project paving improvements to the southeast corner of the DR subject to the approval of the

city. Note: this described a.c. paving work and respective street frontage improvements are not subject to the “Rosemount Storage-Wren Cooperation.”

- ii. There will be “no parking” allowed on Rosemount Road frontage westerly of Sierra Place.
- iii. A 5-foot-wide curb adjacent sidewalk, transitioning to an off the curb sidewalk, east of the southerly abutting Phase II (Rosemount Storage) Project, on the DR’s Rosemount Road frontage will be constructed connecting to existing sidewalks west and east of the DR.
- iv. “Rosemount Storage-Wren Cooperation” is the cooperative participation in the construction of Rosemount Road east of “The Intersection” cited in Conditions of Approval 4.39.
 1. If The Wren Rosemount Road required improvements are constructed prior to the southerly abutting Phase II (Rosemount Storage) improvements along the same Rosemount Road frontage, all work south of the centerline of improvements along the Wren’s west to east frontage will be subject to 50% fair share cost reimbursement from the southerly abutting Phase II to The Wren, after Phase II (Rosemount Storage)’s entitlement and prior to the issuance of Phase II (Rosemount Storage)’s first permit, respectively.
 2. If The Wren required Rosemount Road frontage improvements are completed after the southerly abutting Phase II (Rosemount Storage) improvements have been fully constructed, all work south of the centerline of improvements along the Wren’s frontage west to east will be subject to 50% fair share cost reimbursement to the southerly abutting Phase II prior to The Wren’s first Permit.
 3. If the Applicant constructs the 13-foot-wide and 275-foot-long (including the bay taper and storage) Rosemount Road approach deceleration lane completed with curb and gutter prior to the southerly abutting Phase II (Rosemount Storage) construction of the same, the southerly abutting Phase II (Rosemount Storage) will reimburse The Wren its 50% fair share cost reimbursement prior to the issuance of Phase II’s first Permit.
 4. If the southerly abutting Phase II (Rosemount Storage) constructs the 13-foot-wide and 275-foot-long (including the bay taper and storage) Rosemount Road approach deceleration lane completed with curb and gutter prior to The Wren’s construction of the same, The Wren will reimburse Phase II its 50% fair share cost reimbursement prior to the issuance of The Wren’s first Permit.
- v. A speed hump of size and width in accordance with city requirements will be constructed across Rosemount Road at Phase II (Rosemount Storage)

Project's northeastern boundary entering the adjacent residential neighborhood, complete with solar flashing warning signs, fixed signs and legends.

TRAFFIC SIGNALS

4.38 The Applicant shall complete and/or participate in the following traffic signal installation project to conform to the requirements of "The Wren Transportation Analysis" prepared by Integrated Engineering Group, July 2024 and/or requirements The Wren.

- i. A full four-way traffic signalized intersection and all related appurtenances at the intersection of Rosemount Road and Date Palm Drive ("The Intersection") will be required when the first entitled applicant of either Phase II (Rosemount Storage), The Wren or APN 678-160-022 (grocery shopping center) initiates development construction within each respective entitled project. The first entitled applicant will be required, and not limited to:
- ii. Design and construct a four-way traffic signal intersection at the intersection of Date Palm Drive and Rosemount Road to provide full left and right turn vehicle movements for north, south, east and west bound vehicle movements constructed to city standards along Date Palm Drive complete with, and not limited to:
 1. Traffic signal poles, signal heads, cabinets, city standardized traffic signal operating equipment within the cabinet, traffic safety lights, street name signs, preemption equipment, video and radar detection equipment, pedestrian heads and call buttons.
 2. Curb, gutter, spandrels, intersection paving, ADA compliant corner ramps, crosswalks, signage, pedestrian heads and call buttons at all four (4) corners.
 3. Full raised median modifications to provide for 12 to 13 feet wide vehicle left turn pockets for vehicles moving north to west and for vehicles moving south to east with bay taper and storage lengths to be determined by each entitled applicant's city approved traffic study. Median improvements include, and are not limited to, landscaping, lighting and irrigation.
 4. N/A.
 5. Intersection preparation, backfill compaction, 150-foot concrete intersection approaches, nuisance and stormwater spandrels, cross gutters, and conduits (for both current and future use) for signal and fiber conductors.
 6. Coordinate all traffic signal engineering, signal retiming and synchronization coordination modifications in conjunction with the Coachella Valley Association of Government's (CVAG) CV Sync program.
 7. Note:

- a. The 13-foot-wide deceleration lanes to provide for vehicles moving north to east will be constructed by the Phase II and The Wren and are not subject to “The Intersection” improvements. The 13-foot-wide deceleration lanes to provide for vehicles moving north to east is cited in the “Rosemount Storage-Wren Cooperation” as cited in Conditions of Approval paragraph 4.38.iv 3 and 4.
 - b. The 13-foot-wide deceleration lanes to provide for vehicles moving south to west will be constructed by APN 678-160-022 (grocery shopping center) and not subject to “The Intersection” improvements.
- iii. Per the Wren’s Traffic Study, page ii, under **Recommended Improvements**, a fair share cost participation analysis was determined for all three applicants that about “The Intersection.” The participation percentages for payment of all cost related to the design and construction of “The Intersection” are as follows:
 - a. Phase II (Rosemount Storage) = 16.29%
 - b. The Wren = 13.43%
 - c. APN 678-160-022 (grocery shopping center) = 70.29%
- iv. The first entitled applicant initiating design and construction of “The Intersection”, will be required to provide:
 1. The city with the estimated cost of the design of “The Intersection” prior to final “The Intersection” plans approval for bond amount verification.
 2. Upon completion of the design of “The Intersection” the Applicant will provide the city with proof of expenditures or applicable reimbursement agreement for bond amount verification.
 3. The city with the estimated cost of construction of “The Intersection” prior to city approved final “The Intersection” plans approval for bond amount verification.
 4. The city the cost proposal of the actual contractor constructing “The Intersection” for bond amount verification.
 5. Upon completion of the construction of “The Intersection” the Applicant will provide the city with proof of expenditures or applicable reimbursement agreement in order that the city can provide the required fair share participation amount to the other aforementioned applicants.
 6. The fair share cost reimbursements for the design and construction of “The Intersection” will be paid by the subsequent applicants prior to the issuance of each respective Applicant’s first Permit.
- v. Note: The city is not obligated, nor required, to pay for the fair share cost reimbursable improvements. The city will only provide assistance for

each entitled applicant to provide the fair share payment amount and confirmation of reimbursement, as applicable, from the other applicants.

- vi. If the afore cited proposed developments do not move forward, the entitlement participation obligations outlined herein will be passed on to the next applicant of the respective property.
- vii. Note: Phase I is not required to initiate the construction of or contribute toward the fair share of “The Intersection” or “Rosemount Storage-Wren Cooperation”.
- viii. Prior to commencement of any planning for any improvements subject to fair share cost reimbursement (“The Intersection” or “Rosemount Storage-Wren Cooperation”), the Applicant shall either:
 - 1. If not already submitted or initiated by Phase II (Rosemount Storage) or APN 678-160-022 (grocery shopping center), submit a cooperative agreement subject to fair share cost reimbursement, as approved by the Director of Public Works and City Attorney, which shall specify that the city shall not have responsibility for any costs associated with the improvements plans or improvements, including the waiving of any developers impact fees for the respective improvements; or,
 - 2. If already initiated by Phase II (Rosemount Storage) or APN 678-160-022 (grocery shopping center), enter into the cooperative agreement subject to fair share cost reimbursement, as previously approved by the Director of Public Works and City Attorney, which shall specify that the city shall not have responsibility for any costs associated with the improvements plans or improvements, including the waiving of any developers impact fees for the respective improvements.

ONSITE PRIVATE ROADWAYS

4.39 The Applicant will design and construct the following private street improvements within The Wren to be retained for private use:

- i. Private entry/exit driveway off the north side of Rosemount Road, as generally shown on the DR’s Plans, to be constructed as follows:
 - 1. Curb to curb width of approximately 40 feet.
 - a. A driveway is to be divided into two (2) sides separated by a minimum 5-foot median.
 - b. The driveway will provide ingress and egress for residents and visitors. The gate system related to vehicle and pedestrian entry, exits and refusals, will require approval of the city.

- c. The gated entry/exit shall provide for vehicle stacking capacity for inbound traffic to be a minimum length to accommodate three (3) vehicles from the call box to the street; and shall provide for a full turn around outlet (egress) for non-accepted vehicles.
 - i. For the proposed gated entry, the Applicant shall submit a detailed (including lighting) exhibit at a scale of 1" = 10', demonstrating that those passenger vehicles that do not gain entry into the DR can safely make a full turn-around (minimum radius of 24 feet) out onto Rosemount Road from the gated entry. The turn-around clear opening shall be a minimum of twenty-four (24) feet wide.
 - ii. Two (2) lanes of traffic shall be provided on the ingress side of the gated entry, one (1) lane shall be dedicated for residents and one (1) lane for visitors. The two travel lanes shall be a minimum of twenty-four (24) feet wide.
 - iii. One (1) lane of traffic shall be provided on the egress side of the gated exit. The one (1) travel lane shall be a minimum of twenty (20) feet wide.
 - iv. There will be no parking designated on either side of the entry/exit with the curbing to be painted red with white stenciling of "NO PARKING FIRE LANE."
 - v. Driveway entrance radii and drainage design will be approved by the city and constructed to the same.
- ii. Private entry/exit driveway on the north property line of the DR abutting APN 670-110-042 and providing access through APN 670-110-042 to Date Palm Drive and 30th Avenue - as generally shown on the DR's plans, to be constructed as follows:
 - 1. Curb to Curb width of approximately twenty-eight (28) feet.
 - a. The driveway is to be divided into two (2) sides separated by a decorative or striped lane line.
 - b. The driveway will provide ingress and egress for residents with electronic gate opening devices. The gate system related to vehicle entry and exits will require the approval of the city.
 - c. The gated entry/exit shall provide for vehicle stacking capacity for inbound traffic to be a minimum length to accommodate one (1) to two (2) vehicles from the gate to the northern property line of the DR.
 - i. For the proposed gated entry, the Applicant shall submit a detailed (including lighting) exhibit at a scale of 1" = 10'.

- ii. One (1) lane of traffic shall be provided on the ingress side of the gated entry. The travel lane shall be a minimum of fourteen (14) feet wide.
 - iii. One (1) lane of traffic shall be provided on the egress side of the gated exit. The one (1) travel lane shall be a minimum of fourteen (14) feet wide.
 - iv. There will be no parking designated on either side of the entry/exit with the curbing to be painted red with white stenciling of “NO PARKING FIRE LANE.”
 - d. The private entry/exit driveway on the north property line shall connect to APN 670-110-042’s existing parking lot drive aisles for access to the west (connection to Date Palm Drive) and the north (connection to 30th Avenue).
 - i. The Applicant will construct a full twenty-six (26) foot wide and approximately 260-foot-long drive aisle, complete with curb and gutter and lighting, connecting the north property line driveway to the existing APN 670-110-042 drive aisle to the west providing full access to Date Palm Drive.
 - ii. The Applicant will construct a full twenty-six (26) foot wide and approximately 200-foot-long drive aisle, complete with curb and gutter and lighting, connecting the north property line driveway to the existing APN 670-110-042 drive aisle to the northeast providing full access to 30th Avenue.
 - iii. The Applicant will construct a six (6) foot wide and approximately 25 feet long sidewalk extension along the DR’s northern property line, including lighting, connecting to the east side Date Palm Drive sidewalks and the DR’s westernmost internal walking path with a private entry pedestrian path, to provide full pedestrian access into the DR.
 - 1. The private pedestrian gate will provide ingress and egress for residents. The gate system related to pedestrian entry and exits will require the approval of the city.
 - e. Installation of a.c. and/or decorative pavement, curb, gutter, striping and signage, storm drain inlets and piping, lighting, and other necessary appurtenances are required to make the vehicle driveway and pedestrian access complete.
- iii. Interior drive aisles and parking lots as generally shown on the DR’s Plans, are to be constructed as follows:
 - 1. The Applicant will construct full width onsite private drive aisles and parking lots within the DR, as generally shown on the DR’s Plans, and subject to approval by the city.

- a. Full onsite private drive aisles and parking lots improvements include, and not limited to:
 - i. Installation of a.c. pavement, curb, gutter, striping and signage, storm drain inlets and piping, lighting, surface stormwater storage systems, and other necessary appurtenances to make the drive aisles complete.
- iv. The private access driveways, collecting drive aisles and parking spaces will provide ingress, egress and parking for residents, employees, visitors and service vehicles.
- v. Stormwater collection on the DR's drive aisles and parking lots will be via surface sheet flow to ribbon gutters and/or A-6 gutter pan areas and inlet drains constructed to transport water to the DR's surface retention/infiltration storage basins as generally shown on the DR's Plans.

SPECIFIC DESIGN AND CONSTRUCTION

4.40 The Applicant will design and construct the DR's public or private roadways corresponding to the following standards:

- i. Pavement:
 - 1. The Applicant will design public or private 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. Date Palm Drive:
 - i. 5.5" a.c. over 6.5" class II base with 12" at 95% compaction; or,
 - ii. 1" over existing, whichever is greater.
 - iii. Grind and overlay existing Date Palm Drive a.c. a minimum of 1½ - inch as needed to create a 2% crossfall to meet new a.c. placed adjacent the new curb and gutter cited in the Condition above to be shown on the engineering Plans and approved by the city.
 - b. Rosemount Drive:
 - i. 4.0" a.c. over 5.0" class II base with 12" at 95% compaction
 - c. Onsite (including on APN 670-110-042) driveways, drive aisles and parking lots will be as follows:
 - i. 3.0" a.c. over 4.5" class II base with 12" at 95% compaction; or,

- ii. 6.0" Portland Cement Concrete (PCC) with steel mesh over 4.5" class II base with 12" at 95% compaction.

ii. Sidewalks:

1. The Applicant will construct curb adjacent concrete sidewalks or non-curb adjacent concrete sidewalks as generally shown on the DR's Plans in conformance with ADA requirements using RC Std. 401 sidewalk width shall be as follows:
 - a. Date Palm Drive: 8-feet-wide.
 - b. Rosemount Drive: 5 feet wide.
 - c. Northern property line: 6-feet-wide.

iii. Curbs and Gutters:

1. The Applicant will construct curbs and related appurtenances in accordance with (as applicable):
 - a. RC Std. 200 Type A-6 Curb and Gutter (6" curb face); or,
 - b. RC Std. 200 Type A-8 Curb and Gutter (8" curb face); or,
 - c. RC Std. 204 Type "D" Curb (6" curb face).
 - d. On public streets where no parking is allowed the street will be posted with "NO PARKING" signs at locations approved by the city.
 - e. On private streets and/or drive aisles where no parking is allowed, the street curbing and/or pavement will be painted red with white stenciling of "NO PARKING FIRE LANE."
 - f. Curbs will be constructed to convey water without ponding and provide lateral containment of dust and residue during street sweeping operations.

iv. Cross Gutters and Spandrels:

1. RC Std. 209 Cross Gutter and Spandrel.
2. RC Std. 210 Cross Gutter and Spandrel with Splash Area.

v. Dead Ends:

1. Whether interim or permanent, the "Dead End" on private drive aisles will incorporate signing, striping and/or improvements to minimize turning conflicts to be approved by the city.

vi. Corner Curve Radii:

1. The Applicant will construct corners with the following curve radii criteria:
 - a. Onsite driveways within the DR: 25-foot to 35-foot, and/or radii as generally shown on the DR's Plans.
 - b. Entryway streets from public streets connecting the DR:
 - i. Minimum 25 to 35-foot radii to be shown on the DR's Plans to be approved by the city.

vii. ADA Ramps:

1. The Applicant will construct ADA ramps in conformance with Caltrans A88A Standards using the appropriate Case or Detail on and offsite of the DR.

viii. Connectivity:

1. The Applicant will ensure that the DR infrastructure is built with connectivity to the north, south, west, or east with roadways, drainage facilities, sidewalks, ADA paths of travel, utilities and all other infrastructure necessary for completing the DR.

ix. Line of Sights:

1. The Applicant will remove/relocate and/or reconstruct all existing landscaping, monuments and/or structures that the city determines to impair vehicle, bicycle and/or pedestrian line-of-sights along all the frontages associated with the DR.

GENERAL DESIGN AND CONSTRUCTION

- 4.41** 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 DR.
- 4.42** 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 with city and MUTCD standards.
- 4.43** The Applicant will construct and dedicate streets and related street improvements to conform to the General Plan and/or requirements of the DR's Traffic Study.
- 4.44** 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.
- 4.45** Right-of-Way geometry for property line corner cutbacks at curb returns will conform to RC Std. 805.
- 4.46** Improvements will be designed and constructed in accordance with city adopted standards, supplemental drawings, and specifications.
- 4.47** All public and private improvements will be subject to city requirements and inspection during construction.
- 4.48** 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.

4.49 The Applicant will complete the final onsite pavement lifts prior to the first COO of the DR.

STREET LIGHTS

4.50 The Applicant shall coordinate and pay all costs necessary for the installation of the below detailed City and Southern California Edison (SCE) approved LED street light with SCE and to take over all related expenses, including the monthly electrical expense for the street lights installed prior to the issuance of the first COO of the DR. The Applicant shall execute a Street Light Covenant and be reviewed and approved by the Director of Public Works prior to recordation.

- i. Install four (4) 76 equivalent LED wattage LED street lights per city, Riverside County and SCE standards along the DR's Date Palm Drive frontage approximately 200 feet apart starting north of Rosemount Road at the southwest corner of the DR, as generally shown on the DR's Plans with the final locations to be approved by the city prior to the issuance of the first COO of the DR.
- ii. Install two (2) 29 equivalent LED wattage LED street lights per city, Riverside County and SCE standards along the DR's south Rosemount Road frontage approximately 200 feet apart starting from Date Palm Drive at the southwest corner of the DR, as generally shown on the DR's Plans, with the final locations to be approved by the city prior to the issuance of the first COO of the DR.

OVERHEAD AND OTHER UTILITIES

4.51 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 the DR prior to the issuance of the first COO of the DR.

- i. Where existing overhead utilities exist, the Applicant will seek a concurrence from the city on which lines are and/or are not 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 DR property.
- ii. If 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 the DR prior to the issuance of the first COO of the DR.

- iii. If applicable, 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 DR site.

4.52 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.

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

4.54 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.

4.55 The Applicant will provide certified reports of all utility trench compaction for city approval.

4.56 The DR 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. The 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 first COO being issued for the DR.

4.57 The Applicant will abandon or relocate existing easements over the DR prior to the issuance of the first COO of the DR, 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.

4.58 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.

4.59 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" = 10' Horizontal |
| B. PM 10 Plan and Packet | 1" = 20' Horizontal (Plan) |
| C. Erosion Control Plan | 1" = 20' Horizontal |
| D. WQMP Plan | (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" = 10' Horizontal |
| G. Street Improvements Plan | 1" = 10' Horizontal, 1' = 2' Vertical |
| H. Street Signing/Striping Plan | 1" = 10' Horizontal |
| I. Signal Plan (if applicable) | 1" = 10' Horizontal |
| J. Monumentation Plan | 1" = 10' 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 Precise Grading Plan will show the sidewalk in the combined parkway and landscape setback area.

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

NOTE: A separate On-Site Storm Drain Plan is required by the city.

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 plans will show all existing improvements for a distance of at least 200 feet beyond the DR 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.

4.60 The Applicant will furnish accurate mylars of all improvement plans, to the city for approval. The improvement plans will be of a scale approved by the city.

4.61 The Applicant will furnish a PDF copy of all approved improvement plans acceptable to the city.

4.62 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

4.63 A Public Works Completion Agreement is required prior to issuance of an Encroachment Permit(s) for the DR’s Date Palm Drive improvements, Rosemount Road improvements, “The Intersection” improvements and the “Rosemount Storage-Wren Cooperation” improvements. The Public Works Completion Agreement will be entered into by and between the Applicant and the city, for the purpose of guaranteeing the completion of the public improvements related to the DR and shall comply with all applicable city codes and ordinances.

All required improvement securities shall be in a form and amount as approved by the City Attorney and city. Evidence of liability and worker’s compensation insurance coverage shall be submitted as required by the terms of the Public Works Completion Agreement.

- 4.64** A Landscaping Maintenance Agreement is required prior to the issuance of the first COO of the DR and will be released one year after the final COO of the DR is issued. The Landscaping Maintenance Agreement will be entered into by and between the Applicant and the city, for the purpose of guaranteeing the establishment of all offsite and onsite landscaping improvements, including and not limited to, planted trees, bushes, shrubs, etc. installed by the Applicant as required for the DR in compliance with all applicable city codes and ordinances.

All required improvement securities shall be in a form and amount as approved by the City Attorney and city. Evidence of liability and worker's compensation insurance coverage shall be submitted as required by the terms of the Public Works Completion Agreement.

- 4.65** Improvements to be made, or agreed to be made, shall include the removal of any existing structures or other obstructions which are not a part of the proposed improvements.

Improvements and obligations required shall be either complete prior to the issuance of the first COO of the DR, or as otherwise approved by the city.

In the event the Applicant fails to construct the improvements for the DR or fails to satisfy its obligations for the DR in a timely manner, the city shall have the right to halt issuance of permits, and/or final inspections, withhold other approvals related to the development of the DR.

- 4.66** Prior to improvement plans approval, the Applicant will submit applicable fees or deposits for the cost of reviewing the applicable, and not limited to, Public Works Completion Agreement(s), Drainage Covenant, Mutual Drainage Easements, Street Light Covenant, PM-10 Cleanup Mitigation Covenant and/or any other requests or form submittals made by the Applicant related to the DR. Once approved by the city, the Applicant will execute and record such Covenants.

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

GRADING

- 4.68** The Applicant will comply with all the provisions of Cathedral City municipal codes and ordinances.

- 4.69** The Applicant will obtain a Grading Permit approved by the city prior to initiating any construction or on the project site.

- 4.70** 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 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. Where applicable, a Conditional Letter of Map Revision (CLOMR) 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.

4.71 All grading will conform with the recommendations contained in the Preliminary Soils Report and, if applicable, the 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.

4.72 A statement will appear on the DR Grading Plans that a soils report has been prepared in accordance with the California Health and Safety Code §17953 and California Government Code §66490.

4.73 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.

4.74 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.

4.75 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.

- 4.76** Building pad elevations on the Plans submitted for city's approval shall conform to the pad elevations shown on the engineering grading Plans, unless the pad elevations have other requirements imposed elsewhere in the Conditions of Approval.
- 4.77** 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 parcel pads within this development.
- 4.78** 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 DR grading Plans, the Applicant will submit the proposed grading changes to the city for a substantial conformance review.
- 4.79** Prior to the issuance of a Building Permit for the DR, the Applicant will provide a parcel 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.

SECTION 5 FIRE PROTECTION

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** This project is subject to review and approval in accordance with the CCR, Title 19 for Fire and Life Safety. This project is subject to an annual inspection and permit from the Cathedral City Fire Department for this type of occupancy (use).

FIRE ACCESS

- 5.3** A fire department access plan shall be submitted to the City of Cathedral City Fire Department for review and approval prior to the issuance of any building permits.
- 5.4** Fire Lanes parallel to the main building and providing access to the permanent generator and tower shall be a minimum of 20 feet wide, unobstructed.
- 5.5** “No Parking, Fire Lane” signs shall be posted parking area(s) where the permanent generator is to be installed.

FIRE PROTECTION

- 5.6** Portable fire extinguishers shall be installed and maintained in accordance with CFC, Section 906 and CCR, Title 19, Chapter 3. The fire extinguisher types, sizes and locations shall be included on architectural plan submittal and approved by the Cathedral City Fire Department prior to installation.

MISCELLANEOUS

- 5.7** Means of egress shall be in compliance with CFC Chapter 10, to include signs and door locking mechanisms.
- 5.8** The doors must be operable from the inside of the building for occupant exiting. Surface latches and security bars are not permitted.
- 5.9** Where applicable, a National Fire Protection Association (NFPA) 704H Diamond shall be installed.
- 5.10** Hazardous materials use and storage, if applicable, shall comply with the California Fire Code and NFPA Standards.
- 5.11** Extension cord and flexible cords shall not be used as a substitute for permanent wiring (2022 CFC § 604.5).
- 5.12** Address numbers shall be placed in a position to be plainly legible from the street or road, shall be a minimum of 12-inch high numbers with a minimum 1½ inch stroke, and be illuminated (back or surface lit).
- 5.13** Doors into electrical control panel rooms shall be marked with a plainly visible and legible sign made of durable material stating ELECTRICAL ROOM. The signage shall be in white letters on red background.
- 5.14** Access to the electrical panel shall be maintained with three feet of clearance in front of the panel, and 30 inches of clearance above and to the sides of the panel.
- 5.15** All equipment, including generator shall be UL compliant.

SECTION 6 BUILDING DEPARTMENT

- 6.1** Shall comply with the latest adopted edition of the following codes as applicable:

- A. California Building Code
 - B. California Electrical Code
 - C. California Mechanical Code
 - D. California Plumbing Code
 - E. California Energy Code
 - F. California Fire Code
 - G. California Green Building Standards Code
- 6.2** Refer to Fire Marshal's comments regarding Fire and Smoke Suppression Systems.
- 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 signs shall be Underwriters Laboratories approved, or equal.
- 6.6** Permits are required prior to the removal and/or demolition of structures.
- 6.7** All exterior lighting shall be oriented, directed, and/or shielded as much as possible so that direct illumination does not infringe onto adjoining properties.
- 6.8** If hazardous substances are used and/or stored, a technical opinion and report, identifying and developing methods of protection from the hazards presented by the hazardous materials, may be required. This report shall be prepared by a qualified person, firm, or corporation and submitted to Building & Safety. This report shall also explain the proposed facility's intended methods of operation and list of all of the proposed materials, their quantities, classifications, and the effects of any chemical (material) inter-mixing in the event of an accident or spill.
- 6.9** Please be aware a Construction Waste Management Plan (CWMP) will be required at time of plan check submittal.
- 6.10** Separate permits will be issued for structures that are not a part of the building. For example, the trash enclosure, the parking lot light standards, etc. Separate permit(s) will also be required for any signage that is and isn't part of the building.
- 6.11** Additions to Non-Residential buildings shall comply with CA Energy Code Section 141.0.
- 6.12** SoCalGas Distribution does have High-Pressure facilities in the area. Please note on case to have Developer contact 811 / USA or through utilizing Dig Alert prior to any excavation / demolition activities so we can Locate & Mark out our facilities.

- 6.13** If the Developer needs new gas service, please have them contact our Builder Services group to begin the application process as soon as practicable, at <https://www.socalgas.com/for-your-business/builder-services>.
- 6.14** Prior to commencing any street improvements, the applicant shall contact SoCalGas for the gas company to complete leak survey and repair any leaks, if found:
- A. For MINOR street improvements (chip seal, slurry seal, grind & overlay): 4 months prior to start of pavement projects;
 - B. For MAJOR street improvements (projects requiring excavations greater than 9 inches, widening of existing streets, installing new curbs and gutters, bus pads, traffic signals, realignment, grade separation, etc.
- And
- C. For PIPELINE projects (storm drain, water line, water , sewer, electrical, telecom, fiber, etc.): please provide Southern California Gas (SoCalGas) with your signed designed plans with gas company facilities posted on your design plans, 4-6 months prior to start of construction for possible relocation of SoCalGas medium pressure facilities and 9-12 months for possible relocation of SoCalGas high pressure facilities.
 - D. Please keep SoCalGas informed of any and all pre-construction meetings, construction schedules, etc. so that their work can be scheduled accordingly.
 - E. Potholing may be required to determine if a conflict exists between the proposed development and SoCalGas facilities. If for any reason there are SoCalGas facilities in conflict, and a request to relocate is needed, it is important to send the request in writing; please include all the required information below:
 - i. A signed “Notice to Owner” request on official letterhead from the City, County, or company;
 - ii. Name, title, and project number;
 - iii. Address, location, start date, parameters, and scope of entire job project,
 - iv. Copy of Thomas Guide Page and/or Google Map screenshot highlighting Project area.
- 6.15** Requestor Company’s contact name, title phone number, email, and other pertinent information

SECTION 7 AIRPORT LAND USE COMPATABILITY

- 7.1** The applicant shall comply with ALUC conditions of approval as stated in their September 12, 2024 approval letter:

- e. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
- f. 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
- c. The attached “Notice of Airport in Vicinity” shall be provided to all prospective purchasers and occupants of the property.
- d. 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](https://www.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 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 to monitor the stormwater basin.

Approved for Planning Entitlements by the Cathedral City Planning Commission on November 20, 2024.

Attest:

Inclusive of pages 1-36
Applicant:

Cynthia Schultz
Associate Planner

Stefan Vogel, Owner
S2 Builders, Inc.

