



City Council Staff Report

DATE: January 18, 2012 CONSENT CALENDAR

SUBJECT: SECOND READING AND ADOPTION OF ORDINANCE NO. 1803, APPROVING PLANNED DEVELOPMENT DISTRICT (PDD 357) IN LIEU OF A CHANGE OF ZONE FOR THE PARCEL LOCATED AT 1000 NORTH PALM CANYON DRIVE

FROM: David H. Ready, City Manager

BY: Office of the City Clerk

SUMMARY:

The City Council will consider adoption of Ordinance No. 1803.

RECOMMENDATION:

Waive further reading and adopt Ordinance No. 1803, "AN ORDINANCE OF THE CITY PALM SPRINGS, CALIFORNIA, APPROVING PLANNED DEVELOPMENT DISTRICT (PDD 357) IN LIEU OF A CHANGE OF ZONE FOR THE PARCEL LOCATED AT 1000 NORTH PALM CANYON DRIVE."

STAFF ANALYSIS:

On January 4, 2012, Ordinance No. 1803 was introduced for first reading, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AN ORDINANCE OF THE CITY PALM SPRINGS, CALIFORNIA, APPROVING PLANNED DEVELOPMENT DISTRICT (PDD 357) IN LIEU OF A CHANGE OF ZONE FOR THE PARCEL LOCATED AT 1000 NORTH PALM CANYON DRIVE."

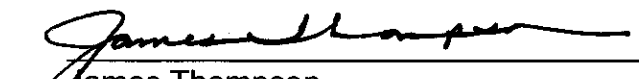
AYES: Councilmember Hutcheson, Councilmember Lewin, Councilmember Mills, Mayor Pro Tem Foat, and Mayor Pougnet.

NOES: None.

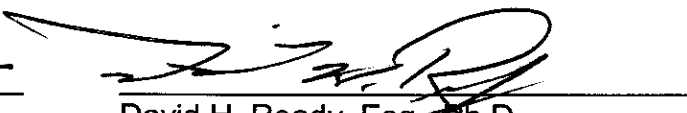
ABSENT: None.

ABSTAIN: None.

This report provides for the City Council to waive further reading and adopt the ordinance. The ordinance shall be effective 30-days from adoption.



James Thompson
City Clerk



David H. Ready, Esq., Ph.D.
City Manager

/kdh
Attachment: Ordinance No. 1803

ORDINANCE NO. 1803

AN ORDINANCE OF THE CITY PALM SPRINGS, CALIFORNIA,
APPROVING PLANNED DEVELOPMENT DISTRICT (PDD 357) IN
LIEU OF A CHANGE OF ZONE FOR THE PARCEL LOCATED AT
1000 NORTH PALM CANYON DRIVE

WHEREAS, On January 25, 2010, Tappan Enterprises, LLC (the Applicant) filed an application pursuant to Zoning Section 93.07.00 (*Zone Map Change / Change of Zone*) and Section 94.03.00 (*Planned Development District*) for a Planned Development District in lieu of a Change of Zone for an approximately 1.43 acre parcel at 1000 North Palm Canyon Drive, identified as APNs 505-265-004, -005, -006, -013,- 014, -015; and

WHEREAS, the applicant has also filed an application with the City pursuant to Section 66474 of the State of California Governmental Code State of California Governmental Code Sections 65350 – 65362, for a General Plan Amendment requesting to change the land use designation for the same 1.43 acre parcel from NCC (Neighborhood Community Commercial) to HDR (High Density Residential) and to amend General Plan text related to assisted living facilities and residential uses; and

WHEREAS, a notice of public hearing for Case 5.1237 GPA PDD 357 was given in accordance with applicable law; and

WHEREAS, on November 22, 2011, a public meeting on Case 5.1237 GPA PDD 357 was held by the Planning Commission in accordance with applicable law; and

WHEREAS, the proposed project is considered a “project” pursuant to the terms of the California Environmental Quality Act (“CEQA”) An Initial Study was conducted and the project was found to cause potentially significant impacts to the environment. Mitigation measures have been proposed reducing any potentially significant impacts to less than significant. The applicant has agreed in writing to all proposed mitigation measures. A Notice of Intent to Adopt a Mitigated Negative Declaration was prepared and circulated for public comment for a period of 20 days. No new information was discovered that would require further analysis under CEQA; and

WHEREAS, at said hearing the Planning Commission carefully reviewed and considered all of the evidence presented in connection with the hearing on the project, including, but not limited to, the staff report, and all written and oral testimony presented and voted 4-0-1-1 (Motion Klatchko, second Conrad. Munger abstained, Hudson Absent) to approve the preliminary PDD in lieu of Change of Zone and to recommend its approval by Ordinance of the City Council and approval of the General Plan Amendment by Resolution, subject to Conditions of Approval.

WHEREAS, notice of public hearing of the City Council of the City of Palm Springs to consider Case 5.1237 GPA PDD 357, was given in accordance with applicable law; and

WHEREAS, on January 4, 2012, a public hearing on the application for the project was held by the City Council in accordance with applicable law; and

WHEREAS, a Planned Development District in lieu of a Change of Zone is adopted by ordinance and includes two readings and a thirty-day period before it is effective; and

WHEREAS, an ordinance was prepared for two readings before Council for the approval of Case 5.1237 GPA PDD 357, and

WHEREAS, at said public hearing the City Council considered Case 5.1237 GPA PDD 357, including the staff report, the associated MND, and all written and public testimony.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Pursuant to CEQA, the City Council hereby adopts the Mitigated Negative Declaration as an adequate analysis of the potential environmental impacts of the proposed Change of Zone and Tentative Parcel map. The City Council further finds that with adoption of the proposed mitigation measures, all potentially significant impacts will be reduced to less than significant impacts.

SECTION 2. Pursuant to Zoning Code Section 94.07.00 (Change of Zone) –“*the council in reviewing a proposed change of zone shall consider whether the following conditions exist in reference to the proposed zoning of the subject property*”:

1. *The proposed change of zone is in conformity with the general plan map and report. Any amendment of the general plan necessitated by the proposed change of zone should be made according to the procedure set forth in the State Planning Law either prior to the zone change, or notice may be given and hearings held on such general plan amendment concurrently with notice and hearings on the proposed change of zone.*

The proposed change of zone is in conformity with the General Plan as follows:

General Plan Findings:

The proposed PDD is consistent with the goals and policies of the City of Palm Springs 2007 General Plan as follows:

Goal HS1: Facilitate a broad range of housing types, prices, and opportunities to address current and future housing needs in the community.

The project proposes an assisted living facility that will provide housing for seniors and people with special needs in an area of the City that presently has limited

housing resources of this type. The facility provides numerous in-house amenities and activity programs structured for its residents.

Policy HS1.5: Direct higher density residential uses near major activity centers and along corridors consistent with adopted architectural and design guidelines.

The project proposes assisted living residential uses in the Uptown neighborhood, a high-density mixed use neighborhood with numerous retail and commercial opportunities within a walkable distance of the proposed project site.

Policy HS3.1: Support the development of accessible and affordable senior rental housing readily accessible to support services; provide assistance for seniors to maintain and improve their homes.

The project proposes high-quality residential units for seniors needing the services of an assisted living facility, and who may not otherwise be able to live alone in their own homes.

Policy HS3.3: Increase the supply of affordable and accessible housing suited to the independent and semi-independent living needs of people with disabilities; provide assistance to people with disability to maintain and improve their homes.

The project proposes a 114-bed assisted living facility with a full complement of in-house activities and programming for its residents. The facility is fully accessible for people with disabilities and a special suite of rooms is devoted to individuals needing assistance with "memory impairment" challenges.

Based on the above analysis, with the approval of the GPA, the proposed project would be deemed consistent with the General Plan.

2. *The subject property is suitable for the uses permitted in the proposed zone, in terms of access, size of parcel, relationship to similar or related uses, and other considerations deemed relevant by the commission and council.*

The proposed property is a roughly 1.43 acre parcel with frontages on North Palm Canyon Drive and North Indian Canyon Drive, both of which are major thoroughfares on the City's General Plan Circulation Map. The site is adjacent to other residentially zoned parcels (R-3) and is compatible with the existing surrounding development in the Uptown District with is a dynamic mix of residential and commercial / retail uses in a walkable environment. The project proposes deviations in the development standards of the underlying zones and Section 93.04.00 (*high-rise buildings*) of the City's Zoning Code that are reasonable and appropriate for the proposed use and within the context of the existing neighborhood. The site proposes 106 off street parking spaces and vehicular access to and from both North Palm

Canyon Drive and North Indian Canyon Drive. Setbacks and usable open space are provided that are ample and appropriate for the proposed uses of an assisted living facility and related commercial uses.

As a PDD in lieu of change of zone, this PDD proposes a specific list of permitted uses as follows.

A. Uses Permitted.

Buildings, structures and land shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses. All uses shall be subject to the standards in PSZO Section 92.04.03 except as modified by the subject PDD.

- 1. Assisted living facility, including ancillary support activities such as meal service, health and fitness, spa, and medical care.*
- 2. Retail activities, accessory and appurtenant to the main use.*

B. Similar Uses Permitted by Commission Determination.

The commission may, by resolution of record, permit any other uses which it may determine to be similar to those listed above, and not more obnoxious or detrimental to the public health, safety and welfare or to other uses permitted in the zone, as provided in Section 94.01.00. All uses shall be subject to the standards in Section 92.04.03.

- 3. The proposed change of zone is necessary and proper at this time, and is not likely to be detrimental to the adjacent property or residents.*

The proposed project will contribute to the vibrancy and revitalization of the Uptown District by establishing residential and commercial uses in an area that already has a mix of such uses. The proposed project will develop a currently vacant site with a mixed use facility adding residents and amenities to this area of the City. The residents of the proposed project will benefit from the adjacency to good medical services available at nearby medical offices and the Desert Regional Medical Center. Existing nearby residents and visitors can benefit from the proposed commercial / retail amenities that are proposed within this project.

SECTION 3. Pursuant to California Law, an ordinance was prepared for two readings before Council for the approval of Case 5.1237 GPA PDD 357 and a thirty-day waiting period before it is effective allowing the approval of Case 5.1237 GPA PDD 357.

SECTION 4. The City Council approves the zone map change which changes the zoning designation from C-1 R-3 to PDD 357 for a roughly 1.43 acre parcel at 1000 North Palm Canyon Drive in conjunction with Case 5.1237 GPA PDD 357 subject to the Conditions of Approval, attached as Exhibit A to this Ordinance.

SECTION 5. This Ordinance shall be in full force and effect thirty (30) days after adoption.

SECTION 6. Publication.

The City Clerk is hereby ordered to and directed to certify to the passage of this Ordinance, and to cause the same or summary thereof or a display advertisement, duly prepared according to law, to be published in accordance with law.

PASSED, APPROVED AND ADOPTED BY THE PALM SPRINGS CITY COUNCIL THIS 18TH DAY OF JANUARY 2012.

STEPHEN P. POUQUET, MAYOR

ATTEST:

JAMES THOMPSON, CITY CLERK

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, California, do hereby certify that Ordinance No. _____ is a full, true, and correct copy, and was introduced at a regular meeting of the Palm Springs City Council on January 4, 2012, and adopted at a regular meeting of the City Council held on January 18, 2012, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

JAMES THOMPSON, CITY CLERK
City of Palm Springs, California \

ORDINANCE NO. _____

EXHIBIT A

Case 5.1237 GPA, PDD 357
Assisted Living Facility at
1000 North Palm Canyon Drive

(Revised pursuant to January 4, 2012, City Council actions)

CONDITIONS OF APPROVAL

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer, the Director of Planning Services, the Director of Building and Safety, the Chief of Police, the Fire Chief or their designee, depending on which department recommended the condition.

Any agreements, easements or covenants required to be entered into shall be in a form approved by the City Attorney.

ADMINISTRATIVE CONDITIONS

- ADM 1. Project Description. This approval is for the project described per Case 5.1237 PDD 357 GPA; except as modified with the approved Mitigation Monitoring Program and the conditions below;
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans, date stamped (September 28, 2011), including site plans, architectural elevations, exterior materials and colors, landscaping, and grading on file in the Planning Division except as modified by the approved Mitigation Measures and conditions below.
- ADM 3. Conform to all Codes and Regulations. The project shall conform to the conditions contained herein, all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, and any other City County, State and Federal Codes, ordinances, resolutions and laws that may apply.
- ADM 4. Minor Deviations. The Director of Planning or designee may approve minor deviations to the project description and approved plans in accordance with the provisions of the Palm Springs Zoning Code.
- ADM 5. Indemnification. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative

officers concerning Case 5.1237 PDD 357 GPA. The City of Palm Springs will promptly notify the applicant of any such claim, action, or proceeding against the City of Palm Springs and the applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Palm Springs fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Palm Springs. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

- ADM 6. Maintenance and Repair. The property owner(s) and successors and assignees in interest shall maintain and repair the improvements including and without limitation all structures, sidewalks, bikeways, parking areas, landscape, irrigation, lighting, signs, walls, and fences between the curb and property line, including sidewalk or bikeway easement areas that extend onto private property, in a first class condition, free from waste and debris, and in accordance with all applicable law, rules, ordinances and regulations of all federal, state, and local bodies and agencies having jurisdiction at the property owner's sole expense. This condition shall be included in the recorded covenant agreement for the property if required by the City.
- ADM 7. Time Limit on Approval. Approval of the (Planned Development District (PDD) Tentative Tract Map (TTM) and Major Architectural Applications (MAJ) shall be valid for a period of two (2) years from the effective date of the approval. Extensions of time may be granted by the Planning Commission upon demonstration of good cause.
- ADM 8. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05.00. Permits will not be issued until the appeal period has concluded.
- ADM 9. Public Art Fees. This project shall be subject to Chapters 2.24 and 3.37 of the Municipal Code regarding public art. The project shall either provide public art or payment of an in lieu fee. In the case of the in-lieu fee, the fee shall be based upon the total building permit valuation as calculated pursuant to the valuation table in the Uniform Building Code, the fee being 1/2% for commercial projects or 1/4% for residential projects with first \$100,000 of total building permit valuation for individual single-family units exempt. Should the public art be located on the project site, said location shall be reviewed and approved by the Director of Planning and Zoning and the Public Arts

Commission, and the property owner shall enter into a recorded agreement to maintain the art work and protect the public rights of access and viewing.

- ADM 10. Park Development Fees. The developer shall dedicate land or pay a fee in lieu of a dedication, at the option of the City. The in-lieu fee shall be computed pursuant to Ordinance No. 1632, Section IV, by multiplying the area of park to be dedicated by the fair market value of the land being developed plus the cost to acquire and improve the property plus the fair share contribution, less any credit given by the City, as may be reasonably determined by the City based upon the formula contained in Ordinance No. 1632. In accordance with the Ordinance, the following areas or features shall not be eligible for private park credit: golf courses, yards, court areas, setbacks, development edges, slopes in hillside areas (unless the area includes a public trail) landscaped development entries, meandering streams, land held as open space for wildlife habitat, flood retention facilities and circulation improvements such as bicycle, hiking and equestrian trails (unless such systems are directly linked to the City's community-wide system and shown on the City's master plan).
- ADM 11. Community Services District. The Project will bring a significant number of additional residents to the community. The City's existing public safety and recreation services, including police protection, criminal justice, fire protection and suppression, ambulance, paramedic, and other safety services and recreation, library, cultural services are near capacity. Accordingly, the City may determine to form a Community Services District under the authority of Government Code Section 53311 et seq., or other appropriate statutory or municipal authority. Developer agrees to support the annexation of the subject project into such assessment district and shall waive any right to protest, provided that the amount of such assessment shall be established through appropriate study and shall not exceed \$500 annually with a consumer price index escalator. The district shall be formed prior to sale of any lots or a covenant agreement shall be recorded against each parcel, permitting incorporation of the parcel in the district.
- ADM 12. Notice to Tenants. The applicant shall provide all tenants with a copy of the Conditions of Approval for this project.

ENVIRONMENTAL ASSESSMENT CONDITIONS

- ENV 1. Coachella Valley Multiple-Species Habitat Conservation Plan (CVMSHCP) Local Development Mitigation Fee (LDMF) not required. The site is a previously improved and developed site and is therefore exempt from payment of the CVMSHCP LDMF.
- ENV 2. California Fish & Game Fees Required. The project is required to pay a fish and game impact fee as defined in Section 711.4 of the California Fish and

Game Code. This CFG impact fee plus an administrative fee for filing the action with the County Recorder shall be submitted by the applicant to the City in the form of a money order or a cashier's check payable to the Riverside County Clerk prior to the final City action on the project (either Planning Commission or City Council determination). This fee shall be submitted by the City to the County Clerk with the Notice of Determination. Action on this application shall not be final until such fee is paid. The project may be eligible for exemption or refund of this fee by the California Department of Fish & Game. Applicants may apply for a refund by the CFG at www.dfg.ca.gov for more information.

- ENV 3. Mitigation Monitoring. The mitigation measures of the environmental assessment shall apply. The applicant shall submit a signed agreement that the mitigation measures outlined as part of the negative declaration or EIR will be included in the plans prior to Planning Commission consideration of the environmental assessment. Mitigation measures are defined in the approved project description.
- ENV 4. Cultural Resource Survey Required. Prior to any ground disturbing activity, including clearing and grubbing, installation of utilities, and/or any construction related excavation, an Archaeologist qualified according to the Secretary of the Interior's Standards and Guidelines, shall be employed to survey the area for the presence of cultural resources identifiable on the ground surface.
- ENV 5. Cultural Resource Site Monitoring. There is a possibility of buried cultural or Native American tribal resources on the site. A Native American Monitor shall be present during all ground-disturbing activities.
- a. A Native American Monitor(s) shall be present during all ground disturbing activities including clearing and grubbing, excavation, burial of utilities, planting of rooted plants, etc. Contact the Agua Caliente Band of Cahuilla Indian Cultural Office for additional information on the use and availability of Cultural Resource Monitors. Should buried cultural deposits be encountered, the Monitor shall contact the Director of Planning. After consultation the Director shall have the authority to halt destructive construction and shall notify a Qualified Archaeologist to further investigate the site. If necessary, the Qualified Archaeologist shall prepare a treatment plan for submission to the State Historic Preservation Officer and Agua Caliente Cultural Resource Coordinator for approval.
 - b. Two copies of any cultural resource documentation generated in connection with this project, including reports of investigations, record search results and site records/updates shall be forwarded to the Tribal Planning, Building, and Engineering Department and one copy to the City Planning Department prior to final inspection.

PLANNING DEPARTMENT CONDITIONS

- PLN 1. Outdoor Lighting Conformance. Exterior lighting plans, including a photometric site plan showing the project's conformance with Section 93.21.00 Outdoor Lighting Standards of the Palm Springs Zoning ordinance, shall be submitted for approval by the Department of Planning prior to issuance of a building permit. Manufacturer's cut sheets of all exterior lighting on the building and in the landscaping shall be included. If lights are proposed to be mounted on buildings, down-lights shall be utilized. No lighting of hillsides is permitted. Lights shall be adequately shielded to prevent glare onto adjacent streets, sidewalks and parcels.
- PLN 2. Water Efficient Landscaping Conformance. The project is subject to the State Water Efficient Landscape Ordinance and the Palm Springs Water Efficient Landscape Ordinance (Chapter 8.60.00) of the Palm Springs Municipal Code. The applicant shall submit a landscape and irrigation plan to the Director of Planning for review and approval prior to the issuance of a building permit. Landscape plans shall be wet stamped and approved by the Riverside County Agricultural Commissioner's Office prior to submittal. Prior to submittal to the City, landscape plans shall also be certified by the Desert Water Agency that they are in conformance with the State Water Efficient Landscape Ordinance. Refer to Chapter 8.60 of the Municipal Code for specific requirements.
- PLN 3. Submittal of Final PDD. The Final Planned Development plans shall be submitted in accordance with Section 94.03.00 (Planned Development District) of the Zoning Ordinance. Final development plans shall be comprised of 100% complete construction working drawings and include site plans, building elevations, floor plans, roof plans, grading plans, landscape plans, irrigation plans, exterior lighting plans, sign program, mitigation monitoring program, site cross sections, property development standards and other such documents as required by the Planning Commission and Planning Department (Developer may submit an interim 50% complete construction document set for staff review; final Planning Commission set shall be 100%). Mechanical, elevator and other penthouses and extensions above the roof shall not exceed the height shown on the Preliminary Planned Development District Drawings. Final Planned Development District applications must be submitted within two (2) years of the City Council approval of the preliminary planned development district.
- PLN 4. Palm Tree Requirement. In accordance with Planning Commission Resolution No. 1503, dated November 18, 1970, the developer is required to plant *Washingtonia Fillifera* (California Fan) palm trees (14 feet from ground to fronds in height) 60 feet apart along the entire frontage of Palm Canyon Drive and/or Tahquitz Canyon Way median. (for projects on Palm Canyon or Tahquitz Canyon Way).

- PLN 5. Sign Applications Required. No signs are approved by this action. Separate approval and permits shall be required for all signs in accordance with Zoning Ordinance Section 93.20.00. The applicant shall submit a sign program to the Department of Planning Services prior to the issuance of building permits.
- PLN 6. Flat Roof Requirements. Roof materials on flat roofs must conform to California Title 24 thermal standards for "Cool Roofs". Such roofs must have a minimum initial thermal emittance of 0.75 and minimum initial solar reflectance of 0.70. Only matte (non-specular) roofing is allowed in colors such as beige or tan.
- PLN 7. Maintenance of Awnings & Projections. All awnings shall be maintained and periodically cleaned.
- PLN 8. Screen Roof-mounted Equipment. All roof mounted mechanical equipment shall be screened per the requirements of Section 93.03.00 of the Zoning Ordinance.
- PLN 9. Surface Mounted Downspouts Prohibited. No exterior downspouts shall be permitted on any facade on the proposed building(s) that are visible from adjacent streets or residential and commercial areas.
- PLN 10. Pool Enclosure Approval Required. Details of fencing or walls around pools (material and color) and pool equipment areas shall be submitted for approval by the Planning Department prior to issuance of Building Permits.
- PLN 11. Exterior Alarms & Audio Systems. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.
- PLN 12. Outside Storage Prohibited. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.
- PLN 13. No off-site Parking. Vehicles associated with the operation of the proposed development including company vehicles or employees vehicles shall not be permitted to park off the proposed building site unless a parking management plan has been approved.
- PLN 14. Bicycle Parking. The project shall be required to provide secure bicycle parking facilities on site for use by residents and commercial/retail patrons and owners. Location and design shall be approved by the Director of Planning.
- PLN 15. Final Landscape Plans Final landscape plans shall be fully developed and submitted at the time of the Final Planned Development District application
- PLN 16. Bistro / Food Service Use. The tenant space shown on the first floor as a "Bistro" shall be required to be limited to a food and / or beverage use only.

PLN 17. Affordable Housing. Prior to final PDD submittal, the City encourages the developer to explore affordable housing alternatives at the subject site.

POLICE DEPARTMENT CONDITIONS

POL 1. Developer shall comply with Section II of Chapter 8.04 "Building Security Codes" of the Palm Springs Municipal Code.

BUILDING DEPARTMENT CONDITIONS

BLD 1. Prior to any construction on-site, all appropriate permits must be secured.

ENGINEERING DEPARTMENT CONDITIONS

The Engineering Division recommends that if this application is approved, such approval is subject to the following conditions being completed in compliance with City standards and ordinances.

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer.

STREETS

ENG 1. The Engineering Division recommends deferral of off-site improvement items (identified as "**Deferred**") at this time due to lack of full improvements in the immediate area. The owner(s) shall execute a street improvement covenant agreeing to construct all required street improvements upon the request of the City of Palm Springs City Engineer at such time as deemed necessary. The covenant shall be executed and notarized by the property owner(s) prior to approval of the Grading Plan or issuance of grading or building permits. A current title report; or a copy of a current tax bill and a copy of a vesting grant deed shall be provided to verify current property ownership. A covenant preparation fee in effect at the time that the covenant is submitted shall be paid by the applicant prior to issuance of any grading or building permits.

ENG 2. Any improvements within the public right-of-way require a City of Palm Springs Encroachment Permit.

N. PALM CANYON DRIVE

ENG 3. Dedicate additional right-of-way as needed to provide the ultimate half street right-of-way width of 50 feet along the entire frontage.

- ENG 4. Remove the existing driveway approaches as necessary and construct new street improvements (curb, gutter and sidewalk) to match existing, in accordance with applicable City standards.
- ENG 5. Remove existing street improvements as necessary to construct driveway approaches in accordance with City of Palm Springs Standard Drawing No. 201. The driveway approaches shall be appropriately signed to indicate allowable vehicular movements.
- ENG 6. ~~Remove the existing sidewalk and construct an 8-foot wide sidewalk behind the existing curb along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 210.~~ Remove the existing sidewalk and construct an 8-foot wide sidewalk behind the existing curb along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 210. The proposed sidewalk shall be decorative pavement matching the on-site decorative pavement and shall be shown on the revised landscape plans.
- ENG 7. The existing *Washingtonia filifera* (California fan palm) palm tree (located approximately 40 feet north of the southerly property line) shall be protected in place. The two existing *Washingtonia robusta* (Mexican fan palm) palm trees shall be removed. New mature *Washingtonia filifera* (California fan palm) palm trees at 50-foot spacing along the frontage shall be installed (exact number to be determined by the City Engineer based upon final site layout). The minimum trunk diameter and tree height shall be consistent with palm trees along Palm Canyon Drive; palm trees selected by the applicant shall be pre-approved by the City Engineer prior to planting. The existing irrigation and lighting system shall be modified as necessary to provide irrigation to and lighting of all palm trees, as required by the City Engineer.
- ENG 8. New palm trees shall be subject to a one-year plant establishment period. The applicant shall ensure that adequate irrigation of new palm trees is provided during the plant establishment period, until such time as the existing irrigation system is sufficient to irrigate the palm trees.
- ENG 9. ~~All new concrete construction (driveway approaches and sidewalk) shall be constructed with colored Portland cement concrete. The admixture shall be Palm Springs Tan, Desert Sand, or equal color approved by the City Engineer.~~ All new concrete construction (driveway approaches and sidewalks) shall be constructed with decorative pavement matching on the on-site decorative pavement and shall be shown on the revised landscape plans. colored Portland cement concrete. The admixture shall be Palm Springs Tan, Desert Sand, or equal color approved by the City Engineer.
- ENG 10. All broken or off-grade street improvements shall be repaired or replaced.

N. INDIAN CANYON DRIVE

- ENG 11. Dedicate additional right-of-way as needed to provide the ultimate half street right-of-way width of 50 feet along the entire frontage.
- ENG 12. Remove existing street improvements and construct ultimate half-street improvements required for a 100 feet wide, 4-lane divided major arterial, in accordance with City standards. **Deferred**
- ENG 13. Remove the existing driveway approaches as necessary and construct new street improvements (curb, gutter and sidewalk) to match existing, in accordance with applicable City standards.
- ENG 14. Remove existing street improvements as necessary to construct driveway approaches in accordance with City of Palm Springs Standard Drawing No. 201. The driveway approaches shall be appropriately signed to indicate allowable vehicular movements.
- ENG 15. ~~Remove the existing sidewalk and construct an 8 foot wide sidewalk behind the existing curb along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 210.~~ Remove the existing sidewalk and construct an 8 feet wide sidewalk behind the existing curb along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 210. The proposed sidewalk shall be decorative pavement matching the on-site decorative pavement and shall be shown on the revised landscape plans.
- ENG 16. ~~Construct a raised, landscaped median island as specified by the City Engineer across the entire frontage in accordance with the Circulation Element of the City of Palm Springs 2007 General Plan. **Deferred**~~ Construct a raised, landscaped median island as specified by the City Engineer across the entire frontage in accordance with the Circulation Element of the City of Palm Springs 2007 General Plan. The only median opening shall be across from the parking garage egress driveway only. **Deferred**
- ENG 17. The two existing *Washingtonia robusta* (Mexican fan palm) palm trees shall be removed. New mature *Washingtonia filifera* (California fan palm) palm trees at 50 feet spacing along the frontage shall be installed (exact number to be determined by the City Engineer based upon final site layout). The minimum trunk diameter and tree height shall be consistent with palm trees along Palm Canyon Drive; palm trees selected by the applicant shall be pre-approved by the City Engineer prior to planting. The applicant shall design and install an irrigation system for palm trees planted along Indian Canyon Drive, and shall be responsible for their maintenance as part of the parkway landscaping along the frontage of the property.
- ENG 18. All broken or off grade street improvements shall be repaired or replaced.

ON-SITE

- ENG 19. The minimum pavement section shall be 2½ inches asphalt concrete pavement over 4 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal. If an alternative pavement section is proposed, the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.
- ENG 20. The one-way 18 feet wide drive aisle adjacent to the north property line of the development shall be appropriately signed and striped to indicate that this travelway is for the use of one-way eastbound vehicles only.

SANITARY SEWER

- ENG 21. All sanitary facilities shall be connected to the public sewer system. New laterals shall not be connected at manholes.

GRADING

- ENG 22. Submit a Precise Grading and Paving Plan prepared by a California registered Civil engineer to the Engineering Division for review and approval. The Precise Grading and Paving Plan shall be approved by the City Engineer prior to issuance of grading permit.
- a. A Fugitive Dust Control Plan shall be prepared by the applicant and/or its grading contractor and submitted to the Engineering Division for review and approval. The applicant and/or its grading contractor shall be required to comply with Chapter 8.50 of the City of Palm Springs Municipal Code, and shall be required to utilize one or more "Coachella Valley Best Available Control Measures" as identified in the Coachella Valley Fugitive Dust Control Handbook for each fugitive dust source such that the applicable performance standards are met. The applicant's or its contractor's Fugitive Dust Control Plan shall be prepared by staff that has completed the South Coast Air Quality Management District (AQMD) Coachella Valley Fugitive Dust Control Class. The applicant and/or its grading contractor shall provide the Engineering Division with current and valid Certificate(s) of Completion from AQMD for staff that have completed the required training. For information on attending a Fugitive Dust Control Class and information on the Coachella Valley Fugitive Dust Control Handbook and related "PM10" Dust Control issues, please contact AQMD at (909) 396-3752, or at <http://www.AQMD.gov>. A Fugitive Dust Control Plan, in conformance with the Coachella Valley Fugitive Dust Control Handbook, shall be submitted to and approved by the Engineering Division prior to approval of the Precise Grading and Paving Plan.

- b. The first submittal of the Precise Grading and Paving Plan shall include the following information: a copy of final approved conformed copy of Conditions of Approval; a copy of a final approved conformed copy of the Site Plan; a copy of current Title Report; a copy of Soils Report; and a copy of the associated Hydrology Study/Report.
- ENG 23. Prior to approval of the Precise Grading and Paving Plan, the applicant shall obtain written approval to proceed with construction from the Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist. The applicant shall contact the Tribal Historic Preservation Officer or the Tribal Archaeologist at (760) 699-6800, to determine their requirements, if any, associated with grading or other construction. The applicant is advised to contact the Tribal Historic Preservation Officer or Tribal Archaeologist as early as possible. If required, it is the responsibility of the applicant to coordinate scheduling of Tribal monitors during grading or other construction, and to arrange payment of any required fees associated with Tribal monitoring.
- ENG 24. In accordance with an approved PM-10 Dust Control Plan, perimeter fencing shall be installed. Fencing shall have screening that is tan in color; green screening will not be allowed. Perimeter fencing shall be installed after issuance of Grading Permit, and immediately prior to commencement of grading operations.
- ENG 25. Perimeter fence screening shall be appropriately maintained, as required by the City Engineer. Cuts (vents) made into the perimeter fence screening shall not be allowed. Perimeter fencing shall be adequately anchored into the ground to resist wind loading.
- ENG 26. Within 10 days of ceasing all construction activity and when construction activities are not scheduled to occur for at least 30 days, the disturbed areas on-site shall be permanently stabilized, in accordance with Palm Springs Municipal Code Section 8.50.022. Following stabilization of all disturbed areas, perimeter fencing shall be removed, as required by the City Engineer.
- ENG 27. Contact Desert Water Agency at (760) 323-4971 Ext. 146 to determine impacts to any existing Whitewater Mutual Water Company water lines and other facilities that may be located within the property if any. Make appropriate arrangements to protect in place or relocate any facilities that are impacted by the development. A letter of approval for relocated or adjusted facilities from Desert Water Agency shall be submitted to the Engineering Division prior to approval of the Grading Plan.
- ENG 28. Drainage swales shall be provided adjacent to all curbs and sidewalks to keep nuisance water from entering the public streets, roadways, or gutters.

- ENG 29. A Notice of Intent to comply with the California General Construction Stormwater Permit (Water Quality Order 2009-0009-DWQ as modified September 2, 2009) is required for the proposed development via the California Regional Water Quality Control Board (Phone No. (760) 346-7491). A copy of the executed letter issuing a Waste Discharge Identification (WDID) number shall be provided to the City Engineer prior to issuance of a grading or building permit.
- ENG 30. Projects causing soil disturbance of one acre or more, must comply with the General Permit for Stormwater Discharges Associated with Construction Activity, and shall prepare and implement a stormwater pollution prevention plan (SWPPP). A copy of the up-to-date SWPPP shall be kept at the project site and be available for review upon request.
- ENG 31. In accordance with City of Palm Springs Municipal Code, Section 8.50.025 (c), the applicant shall post with the City a cash bond of two thousand dollars (\$2,000.00) per disturbed acre at the time of issuance of grading permit for mitigation measures for erosion/blowsand relating to this property and development.
- ENG 32. A Geotechnical/Soils Report prepared by a California registered Geotechnical Engineer shall be required for and incorporated as an integral part of the grading plan for the proposed development. A copy of the Geotechnical/Soils Report shall be submitted to the Engineering Division with the first submittal of a grading plan.
- ENG 33. The applicant shall provide all necessary geotechnical/soils inspections and testing in accordance with the Geotechnical/Soils Report prepared for the project. All backfill, compaction, and other earthwork shown on the approved grading plan shall be certified by a California registered geotechnical or civil engineer, certifying that all grading was performed in accordance with the Geotechnical/Soils Report prepared for the project. Documentation of all compaction and other soils testing are to be provided. No certificate of occupancy will be issued until the required certification is provided to the City Engineer.
- ENG 34. The applicant shall provide pad elevation certifications for all building pads in conformance with the approved grading plan, to the Engineering Division prior to construction of any building foundation.
- ENG 35. In cooperation with the Riverside County Agricultural Commissioner and the California Department of Food and Agriculture Red Imported Fire Ant Project, applicants for grading permits involving a grading plan and involving the export of soil will be required to present a clearance document from a Department of Food and Agriculture representative in the form of an approved "Notification of Intent To Move Soil From or Within Quarantined Areas of Orange, Riverside, and Los

Angeles Counties" (RIFA Form CA-1) prior to approval of the Grading Plan. The California Department of Food and Agriculture office is located at 73-710 Fred Waring Drive, Palm Desert (Phone: 760-776-8208).

DRAINAGE

- ENG 36. All stormwater runoff passing through the site shall be accepted and conveyed across the property in a manner acceptable to the City Engineer. For all stormwater runoff falling on the site, on-site retention or other facilities approved by the City Engineer shall be required to contain the increased stormwater runoff generated by the development of the property. Provide a hydrology study to determine the volume of increased stormwater runoff due to development of the site, and to determine required stormwater runoff mitigation measures for the proposed development. Final retention basin sizing and other stormwater runoff mitigation measures shall be determined upon review and approval of the hydrology study by the City Engineer and may require redesign or changes to site configuration or layout consistent with the findings of the final hydrology study.
- ENG 37. This project will be required to install measures in accordance with applicable National Pollution Discharge Elimination System (NPDES) Best Management Practices (BMP's) included as part of the NPDES Permit issued for the Whitewater River Region from the Colorado River Basin Regional Water Quality Control Board (RWQCB). The applicant is advised that installation of BMP's, including mechanical or other means for pre-treating stormwater runoff, will be required by regulations imposed by the RWQCB. It shall be the applicant's responsibility to design and install appropriate BMP's, in accordance with the NPDES Permit, that effectively intercept and pre-treat stormwater runoff from the project site, prior to release to the City's municipal separate storm sewer system ("MS4"), to the satisfaction of the City Engineer and the RWQCB. Such measures shall be designed and installed on-site; and provisions for perpetual maintenance of the measures shall be provided to the satisfaction of the City Engineer.
- ENG 38. The project is subject to flood control and drainage implementation fees. The acreage drainage fee at the present time is \$9,212.00 per acre per Resolution No. 15189. Fees shall be paid prior to issuance of a building permit.

GENERAL

- ENG 39. Any utility trenches or other excavations within existing asphalt concrete pavement of off-site streets required by the proposed development shall be backfilled and repaired in accordance with City of Palm Springs Standard Drawing No. 115. The developer shall be responsible for removing, grinding, paving and/or overlaying existing asphalt concrete pavement of off-site streets as required by and at the discretion of the City Engineer, including additional

pavement repairs to pavement repairs made by utility companies for utilities installed for the benefit of the proposed development (i.e. Desert Water Agency, Southern California Edison, Southern California Gas Company, Time Warner, Verizon, etc.). Multiple excavations, trenches, and other street cuts within existing asphalt concrete pavement of off-site streets required by the proposed development may require complete grinding and asphalt concrete overlay of the affected off-site streets, at the discretion of the City Engineer. The pavement condition of the existing off-site streets shall be returned to a condition equal to or better than existed prior to construction of the proposed development.

- ENG 40. All proposed utility lines shall be installed underground.
- ENG 41. In accordance with Chapter 8.04.401 of the City of Palm Springs Municipal Code, all existing and proposed electrical lines of thirty-five thousand volts or less and overhead service drop conductors, and all gas, telephone, television cable service, and similar service wires or lines, which are on-site, abutting, and/or transecting, shall be installed underground unless specific restrictions are shown in General Orders 95 and 128 of the California Public Utilities Commission, and service requirements published by the utilities. The existing overhead utilities extending across the property meet the requirement to be installed underground. Utility undergrounding shall extend to the nearest off-site power pole; no new power poles shall be installed unless otherwise approved by the City Engineer. A letter from the owners of the affected utilities shall be submitted to the Engineering Division prior to approval of a grading plan, informing the City that they have been notified of the City's utility undergrounding requirement and their intent to commence design of utility undergrounding plans. When available, the utility undergrounding plan shall be submitted to the Engineering Division identifying all above ground facilities in the area of the project to be undergrounded. Undergrounding of existing overhead utility lines shall be completed prior to issuance of a certificate of occupancy.
- ENG 42. All existing utilities shall be shown on the improvement plans required for the project. The existing and proposed service laterals shall be shown from the main line to the property line.
- ENG 43. Upon approval of any improvement plan by the City Engineer, the improvement plan shall be provided to the City in digital format, consisting of a DWG (AutoCAD 2004 drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variation of the type and format of the digital data to be submitted to the City may be authorized, upon prior approval of the City Engineer.
- ENG 44. The original improvement plans prepared for the proposed development and approved by the City Engineer shall be documented with record drawing "as-built" information and returned to the Engineering Division prior to issuance of a final certificate of occupancy. Any modifications or changes to approved

improvement plans shall be submitted to the City Engineer for approval prior to construction.

- ENG 45. Nothing shall be constructed or planted in the corner cut-off area of any driveway which does or will exceed the height required to maintain an appropriate sight distance per City of Palm Springs Zoning Code Section 93.02.00, D.
- ENG 46. All proposed trees within the public right-of-way and within 10 feet of the public sidewalk and/or curb shall have City approved deep root barriers installed in accordance with City of Palm Springs Standard Drawing No. 904.

MAP

- ENG 47. The existing parcels identified as portions of Lots 9, 10, 11, 12, 13, 14, 15, 16, 55, 56, 57, 58, and 59 in Block A of the Palm Springs Estates 2 map, Map Book 16, Page 45, shall be merged. An application for a parcel merger shall be submitted to the Engineering Division for review and approval. A copy of a current title report and copies of record documents shall be submitted with the application for the parcel merger. The application shall be submitted to and approved by the City Engineer prior to issuance of building permit.
- ENG 48. Easements for the existing overhead utility lines extending across the site shall be quit-claimed by the owners thereof as necessary to facilitate development of the subject property. Issuance of a building permit shall be withheld until all easements extending across the property are quit-claimed, and a copy of the recorded documents are provided to the City Engineer.

TRAFFIC

- ENG 49. A minimum of 48 inches of clearance for handicap accessibility shall be provided on public sidewalks or pedestrian paths of travel within the development.
- ENG 50. All damaged, destroyed, or modified pavement legends, traffic control devices, signing, striping, and street lights, associated with the proposed development shall be replaced as required by the City Engineer prior to issuance of a Certificate of Occupancy.
- ENG 51. Construction signing, lighting and barricading shall be provided during all phases of construction as required by City Standards or as directed by the City Engineer. As a minimum, all construction signing, lighting and barricading shall be in accordance with Part 6 "Temporary Traffic Control" of the California Manual on Uniform Traffic Control Devices for Streets and Highways, dated September 26, 2006, or subsequent editions in force at the time of construction.

ENG 52. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

FIRE DEPARTMENT CONDITIONS

GENERAL CONDITIONS

These Fire Department conditions may not provide all requirements. Detailed plans are still required for review.

FID 1 These conditions are subject to final plan check and review. Initial fire department conditions have been determined on the site plan dated Aug 23, 2011. Additional requirements may be required at that time based on revisions to site plans.

FID 2 Fire Department Conditions were based on the 2010 California Fire Code. Four complete sets of plans for private fire service mains, fire alarm, or fire sprinkler systems must be submitted at time of the building plan submittal.

FID 3 Plot Plan: Prior to completion of the project, an 8.5"x11" plot plan or drawing, and an electronic version in an industry standard file format capable of being used in a geographical information system (GIS) preferably an ESRI shape file(s) shall be provided to the fire department. The GIS file shall be projected in the California State Plane Zone VI coordinate system and capable of being re-projected into the North American Datum 1983 coordinate system. PDF files by themselves will not meet this requirement. The GIS and ESRI shape file(s) shall clearly show all access points, fire hydrants, KNOX™ box locations, fire department connections, dwelling unit or suite identifiers, main electrical panel location(s), sprinkler riser and fire alarm locations. Industry standard symbols used in emergency management and pre-fire planning are encouraged. Large projects may require more than one page. AutoCAD files will be accepted but must be approved prior to acceptance.

FID 4 PLANS AND PERMITS

When there are significant changes in occupancy, water supply, storage heights, type, and quantity of storage, storage configurations, Tenant Improvements or any other changes which may affect the fire sprinkler system design, the owner, tenant or contractor shall submit plans and secure permits.

Complete plans for private fire service mains or fire sprinkler systems should be submitted for approval well in advance of installation. Plan reviews can take up to 20 working days. Submit a minimum of four (4) sets of drawings for review. Upon approval, the Fire Prevention Bureau will retain two sets.

Plans shall be submitted to:

City of Palm Springs
Building and Safety Department
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Counter Hours: M – TH, 8:00 AM – 11:00 AM and 2:00 PM – 6:00 PM

A deposit for Plan Check and Inspection Fees is required at the time of Plan Submittal. The minimum fee is \$ 208.00. These fees are established by Resolution of the Palm Springs City Council.

Complete listings and manufacturer's technical data sheets for all system materials shall be included with plan submittals. All system materials shall be UL listed or FM approved for fire protection service and approved by the Fire Prevention Bureau prior to installation.

Plans shall indicate all necessary engineering features, including all hydraulic reference nodes, pipe lengths and pipe diameters as required by the appropriate codes and standards. Plans and supportive data (calculations and manufacturer's technical data sheets) shall be submitted with each plan submittal. Complete and accurate legends for all symbols and abbreviations shall be provided on the plans.

Plot Plan: Prior to completion of the project, a 8.5"x11" plot plan and an electronic CAD version shall be provided to the fire department. This shall clearly show all access points, fire hydrants, knox box locations, fire department connections, unit identifiers, main electrical panel locations, sprinkler riser and fire alarm locations. Large projects may require more than one page.

- FID 5 Public Safety CFD: The Project will bring a significant number of additional residents to the community. The City's existing public safety and recreation services, including police protection, criminal justice, fire protection and suppression, ambulance, paramedic, and other safety services and recreation, library, cultural services are near capacity. Accordingly, the City may determine to form a Community Services District under the authority of Government Code Section 53311 et seq, or other appropriate statutory or municipal authority. Developer agrees to support the formation of such assessment district and shall waive any right to protest, provided that the amount of such assessment shall be established through appropriate study and shall not exceed \$500 annually with a consumer price index escalator. The district shall be formed prior to sale of any lots or a covenant agreement shall be recorded against each parcel, permitting incorporation of the parcel

in the district.

- FID 6 Radio Communications: Must install an in-building Public Safety Radio Communications Coverage System composed of a radiating cable system or an internal multiple antenna system with FCC-certified bi-directional 800 MHz and 150 MHz (as required to meet the two indicated 150 MHz frequencies) amplifier(s), distribution system, and subcomponents shall be required for all buildings in excess of three stories, or has subterranean floors, or subterranean parking. Any addition, alteration, or enlargement of twenty percent or more in total floor area of an existing building or structure, then such building or structure shall be retrofitted or otherwise modified to comply with these requirements. This system must meet the City of Palm Springs Public Safety Radio System Coverage Specifications as stated in the Palm Springs Municipal Code Chapter 11.03.
- FID 7 Access During Construction (CFC 503): Access for firefighting equipment shall be provided to the immediate job site at the start of construction and maintained until all construction is complete. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13'6". Fire Department access roads shall have an all weather driving surface and support a minimum weight of 73,000 lbs.
- FID 8 Fencing Requirements (8.04.260 PSMC): Construction site fencing with 20 foot wide access gates is required for all combustible construction over 5,000 square feet. Fencing shall remain intact until buildings are stuccoed or covered and secured with lockable doors and windows.
- FID 9 Fire Apparatus Access Gates (8.04.260 PSMC): Entrance gates shall have a clear width of at least 15 feet and be equipped with a frangible chain and padlock.
- FID 10 Security Gates (CFC 503.6): The installation of security gates across a fire apparatus access road shall be approved by the Fire Chief. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200 and an approved Knox key electric switch. Secured non-automated vehicle gates or entries shall utilize an approved padlock or chain (maximum link or lock shackle size of ¼ inch). Approved security gates shall be a minimum of 14 feet in unobstructed drive width on each side with gate in open position.

In the event of a power failure, the gates shall be defaulted or automatically transferred to a fail safe mode allowing the gate to be pushed open without

the use of special knowledge or any equipment. If a two-gate system is used, the override switch must open both gates.

If there is no sensing device that will automatically open the gates for exiting, a fire department approved Knox electrical override switch shall be placed on each side of the gate in an approved location.

A final field inspection by the fire code official or an authorized representative is required before electronically controlled gates may become operative. Prior to final inspection, electronic gates shall remain in a locked-open position.

- FID 11 Premises Identification (505.1): New and existing buildings shall have *approved* address numbers, building numbers or *approved* building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches high for R-3 occupancies and 6" - 12" for all other occupancies depending on distance from street with a minimum stroke width of 0.5 inch. Where access is by means of a private road and the building cannot be viewed from the *public way*, a monument, pole or other sign or means shall be used to identify the structure.
- FID 12 Fire Hydrant Flow and Number of Fire Hydrants (CFC 508.5): Fire hydrants shall be provided in accordance with CFC Appendix B, Fire Flow Requirements for Buildings, for the protection of buildings, or portions of buildings, hereafter constructed. The required fire hydrant flow for this project is 1,500 gallons per minute (CFC Appendix B) and one available fire hydrant must be within 250 feet from any point on your lot street frontage. (CFC Appendix C)
- FID 13 NFPA 13 Fire Sprinkler System is Required: An automatic fire sprinkler system is required for intended occupancy use. Only a C-16 licensed fire sprinkler contractor shall perform system design and installation. System to be designed and installed in accordance with NFPA 13, 2010 Edition and using C_p of 0.74 and I/r Ratio of 200. No portion of the fire sprinkler system shall be installed prior to plan approval. Prior to final approval of the installation, contractor shall submit a completed Contractors Material and Test Certificate for Aboveground Piping to the Fire Department. (NFPA 13: Figure 24.1)
- FID 14 Trash Dumpster (CFC 304.3.3) Dumpsters and containers with an individual capacity of 1.5 cubic yards [40.5 cubic feet (1.15 m³)] or more shall not be

stored in buildings or placed within 5 feet (1524 mm) of combustible walls, openings or combustible roof eave lines.

Exceptions:

1. Dumpsters or containers in areas protected by an approved automatic sprinkler system installed throughout in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
2. Storage in a structure shall not be prohibited where the structure is of Type I or IIA construction, located not less than 10 feet (3048 mm) from other buildings and used exclusively for dumpster or container storage.

- FID 15 Identification (CFC 510.1): Fire protection equipment shall be identified in an approved manner. Rooms containing controls for air-conditioning systems, sprinkler risers and valves, or other fire detection, suppression or control elements shall be identified for the use of the fire department. Approved signs required to identify fire protection equipment and equipment location, shall be constructed of durable materials, permanently installed and readily visible.
- FID 16 Balconies and Decks (903.3.1.2.1). Sprinkler protection shall be provided for exterior balconies, decks and ground floor patios of dwelling units where the building is of Type V construction. Sidewall sprinklers that are used to protect such areas shall be permitted to be located such that their deflectors are within 1 inch (25 mm) to 6 inches (152 mm) below the structural members and a maximum distance of 14 inches (356 mm) below the deck of the exterior balconies and decks that are constructed of open wood joist construction.
- FID 17 Fire Sprinkler Supervision and Alarms System (CFC 903.4/4.1): All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures and water-flow switches on all fire sprinkler systems shall be electrically supervised by a listed Fire Alarm Control Unit (FACU). The listed FACU alarm, supervisory and trouble signals shall be distinctly different and shall be monitored at a UL listed central station service. The fire sprinkler supervision and alarms system shall comply with the requirements of NFPA 72, 2010 Edition. All control valves shall be locked in the open position.
- FID 18 Audible Water Flow Alarms (CFC 903.4.2 & Appendix K: 4.3): An approved audible sprinkler flow alarm (Wheelock horn/strobe with WBB back box or equal) shall be provided on the exterior of the building in an approved location. The horn/strobe shall be outdoor rated. A second horn/strobe shall be installed in the interior of the building in a normally occupied location. In multiple suite buildings, additional interior horn/strobes shall be installed in all suites with 50 or more occupant load. Power shall be provided from a fire

alarm control unit. Where a building fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

- FID 19 Fire Hydrant & FDC Location (CFC 912.2): A public commercial fire hydrant is required within 30 feet of the Fire Department Connection (FDC). Fire Hose must be protected from vehicular traffic and shall not cross roadways, streets, railroad tracks or driveways or areas subject to flooding or hazardous material or liquid releases.
- FID 20 Fire Department Connections (CFC 912.2.1 & 912.3): Fire Department connections shall be visible and accessible, have two 2.5 inch NST female inlets, and have an approved check valve located as close to the FDC as possible. All FDC's shall have KNOX locking protective caps. Contact the fire prevention secretary at 760-323-8186 for a KNOX application form.
- FID 21 Fire Extinguisher Requirements (CFC 906): Provide one 2-A:10-B:C portable fire extinguisher for every 75 feet of floor or grade travel distance for normal hazards. Show proposed extinguisher locations on the plans. Extinguishers shall be mounted in a visible, accessible location 3 to 5 feet above floor level. Preferred location is in the path of exit travel or near an exit door.
- FID 22 Operational Fire Hydrant(s) (CFC 508.1, 508.5.1 & 1412.1): Operational fire hydrant(s) shall be installed within 250 feet of all combustible construction. They shall be installed and made serviceable prior to and during construction. No landscape planting, walls, or fencing is permitted within 3 feet of fire hydrants, except ground cover plantings.
- FID 23 Storage Beneath Overhead Projections From Buildings (CFC 315.3.1): Where buildings are protected by automatic sprinklers, the outdoor storage, display and handling of combustible materials under eaves, canopies or other projections or overhangs is prohibited except where automatic sprinklers are installed under such eaves, canopies or other projections or overhangs.
- FID 24 Turning radius (CFC 503.2.4): Fire access road turns and corners shall be designed with a minimum inner radius of 25 feet and an outer radius of 43 feet. Radius must be concentric.
- FID 25 Aerial Fire Access Roads (CFC 503.2.8): Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway.

- FID 26 Aerial Fire Access Road Width (CFC 503.2.8.1): Fire apparatus access roads shall have a minimum unobstructed width of 26 feet in the immediate vicinity of any building or portion of building more than 30 feet in height.
- FID 27 Aerial Access Proximity to Building (CFC 503.2.8.2): At least one of the required access routes for buildings or facility exceeding 30 feet in height above the lowest level of fire department vehicle access shall be located within a minimum of 15 feet and a maximum of 30 feet from the building and shall be positioned parallel to one entire side of the building.
- FID 28 Elevator Recall Required (CFC 607.1): Existing elevators with a travel distance of 25 feet (7620 mm) or more above or below the main floor or other level of a building and intended to serve the needs of emergency personnel for fire-fighting or rescue purposes shall be provided with emergency operation in accordance with ASME A17.3. New elevators shall be provided with Phase I emergency recall operation and Phase II emergency in-car operation in accordance with ASME A17.1.
- FID 29 HVAC Duct Smoke Detection/Shut Down with a Fire Sprinkler Supervision & Alarm System or Fire Alarm System (CFC 907.4.1, CMC 609.0 & NFPA 72): All HVAC systems supplying greater than 2,000 CFM shall require a duct detector and HVAC shut down when smoke is detected. HVAC shut down shall be on an individual basis, not global. These systems shall supervise the Duct Detectors and activate the notification appliances. An accessory module shall be installed for each unit, including alarm LED, pilot LED and key-operated test/reset switch.
- FID 30 Elevator Stretcher Requirement (CBC 3002.4): Elevator shall be designed to accommodate medical emergency service in buildings four or more stories above grade plane or four or more stories below grade plane, at least one elevator shall be provided for fire department emergency access to all floors. The elevator(s) so designed shall accommodate the loading and transport of an ambulance gurney or stretcher 24 inches by 84 inches in the horizontal position.
- FID 31 Posting of Occupant Load (CFC 1004.3): Every room or space that is an assembly occupancy shall have the occupant load of the room or space posted in a conspicuous place, near the main exit or exit access doorway from the room or space. Posted signs shall be of an approved legible permanent design and shall be maintained by the owner or authorized agent.
- FID 32 Standpipe Systems Required (CFC 905.3): Class 1 Standpipe system is required in addition to the automatic sprinkler system.
- FID 33 Key Box Required to be Installed (CFC 506.1): Where access to or within a structure or an area is restricted because of secured openings or where

immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be flush mount type and shall contain keys to gain necessary access as required by the fire code official.

Secured emergency access gates serving apartment, town home or condominium complex courtyards must provide a key box in addition to association or facility locks. The nominal height of Knox lock box installations shall be 5 feet above grade. Location and installation of Knox key boxes must be approved by the fire code official.

FID 34 Key Box Contents (CFC 506.1): The Knox key box shall contain keys to all areas of ingress/egress, alarm rooms, fire sprinkler riser/equipment rooms, mechanical rooms, elevator rooms, elevator controls, plus a card containing the emergency contact people and phone numbers for the building/complex.

END OF CONDITIONS