TENTATIVE PARCEL MAP 32891
CONDITIONS OF APPROVAL – ADOPTED
CHAPMAN GOLF DEVELOPMENT
ADOPTED: DECEMBER 21, 2005

CONDITIONS OF APPROVAL

GENERAL

1. The applicant agrees to defend, indemnify and hold harmless the City of La Quinta ("City"), its agents, officers and employees from any claim, action or proceeding to attack, set aside, void, or annul the approval of this Tentative Parcel Map, or any Final Map recorded thereunder. The City shall have sole discretion in selecting its defense counsel.

   The City shall promptly notify the applicant of any claim, action or proceeding and shall cooperate fully in the defense.

2. This Tentative Parcel Map, and any Final Map recorded thereunder, shall comply with the requirements and standards of Government Code §§ 66410 through 66499.58 (the "Subdivision Map Act"), and Chapter 13 of the La Quinta Municipal Code ("LQMC").

   The City of La Quinta's Municipal Code can be accessed on the City's Web Site at www.la-quinta.org.

3. Prior to the issuance of any grading, construction, or building permit by the City, the applicant shall obtain the necessary clearances and/or permits from the following agencies:

   - Fire Marshal
   - Public Works Department (Grading Permit, Green Sheet (Public Works Clearance) for Building Permits, Improvement Permit)
   - Community Development Department
   - Riverside Co. Environmental Health Department
   - Desert Sands Unified School District
   - Coachella Valley Water District (CVWD)
   - Imperial Irrigation District (IID)
   - California Water Quality Control Board (CWQCB)
   - SunLine Transit Agency
   - South Coast Air Quality Management District, Coachella Valley

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

4. The applicant shall comply with applicable provisions of the City's NPDES storm water discharge permit, Sections 8.70.010 et seq. (Stormwater Management and Discharge Controls), and 13.24.170 (Clean Air/Clean Water), LQMC; Riverside County Ordinance No. 457; and the State Water Resources Control Board's Order No. 99-08-DWQ.

5. Permits issued under this approval shall be subject to the provisions of the Infrastructure Fee Program and Development Impact Fee program in effect at the time of issuance of building permit(s).

6. The applicant shall comply with all applicable Conditions of Approval for Tract No. 28470 and Tract No. 28867.

PROPERTY RIGHTS

7. Prior to issuance of any permit(s), the applicant shall acquire or confer easements and other property rights necessary for the construction or proper functioning of the proposed development. Conferred rights shall include irrevocable offers to dedicate or grant access easements to the City for emergency services and for maintenance, construction and reconstruction of essential improvements. Pursuant to the aforementioned, the applicant shall be required to acquire or confer easements on Lots 27 and 28 for the 10-foot drainage easement along the toe of slope. The 10-foot drainage easement shall be designated a no-build area in perpetuity and designated as such on the Final Parcel Map.

8. The applicant shall offer for dedication those easements necessary for the placement of, and access to, utility lines and structures, drainage facilities both above and below ground to include the 10-foot drainage easement along the toe of slope as conditioned under DRAINAGE, mailbox clusters, park lands, and common areas on the Parcel Map.

9. The applicant shall offer for dedication on the Final Map a ten-foot wide public utility easement contiguous with, and along both sides of all private streets. Such easement may be reduced to five feet in width with the express written approval of IID.

10. The applicant shall cause no easement to be granted, or recorded, over any portion of the subject property between the date of approval of the Tentative Parcel Map and the date of recording of any Parcel Map, unless such easement is approved by the City Engineer.

UTILITIES

11. The applicant shall comply with the provisions of Section 13.24.110 (Utilities), LQMC.

12. The applicant shall obtain the approval of the City Engineer 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, electric vaults, water valves, and telephone stands, to ensure optimum placement for practical and aesthetic purposes.

13. Underground utilities shall be installed prior to overlying hardscape. For installation of utilities in existing improved streets, the applicant shall comply with trench restoration requirements maintained, or required by the City Engineer.

14. The applicant is required to provide all required connection for each parcel to existing utilities to include but not limited to water, sewer, and electrical.

    The applicant shall provide certified reports of all utility trench compaction for approval by the City Engineer.

PARCEL MAPS

15. Prior to the City's approval of a Parcel Map, the applicant shall furnish accurate AutoCAD files of the Parcel Map that was approved by the City's map checker on a storage media acceptable to the City Engineer. Such files shall be in a standard AutoCAD format so as to be fully retrievable into a basic AutoCAD program.

Where a Parcel Map was not produced in an AutoCAD format, or produced in a file that can be converted to an AutoCAD format, the City Engineer will accept a raster-image file of such Final Map.

IMPROVEMENT PLANS

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

16. Improvement plans shall be prepared by or under the direct supervision of qualified engineers and/or architects, as appropriate, and shall comply with the provisions of Section 13.24.040 (Improvement Plans), LQMC.

17. The following improvement plans shall be prepared and submitted for review and approval by the Public Works Department. A separate set of plans for each line item specified below shall be prepared. The plans shall utilize the minimum scale specified, unless otherwise authorized by the City Engineer in writing. Plans may be prepared at a larger scale if additional detail or plan clarity is desired. 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" = 40' Horizontal

    B. PM10 Plan 1" = 40' Horizontal

    C. Storm Drainage Plans 1" = 40' Horizontal, 1" = 4' Vertical

    NOTE: A through C to be submitted concurrently.

18. The following plans shall be submitted to the Building and Safety Department for review and approval. The plans shall utilize the minimum scale specified, unless otherwise authorized by the Building and Safety Director in writing. Plans may be prepared at a larger scale if additional detail or plan clarity is desired. 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 Residential Precise Grading Plan 1" = 30' Horizontal

IMPROVEMENT SECURITY AGREEMENTS

19. Prior to approval of any Final Map, the applicant shall construct all on and off-site improvements and satisfy its obligations for same, or shall furnish a fully secured and executed Subdivision Improvement Agreement ("SIA") guaranteeing the construction of such improvements and the satisfaction of its obligations for same, or shall agree to any combination thereof, as may be required by the City.

20. Any Subdivision Improvement Agreement ("SIA") entered into by and between the applicant and the City of La Quinta, for the purpose of guaranteeing the completion of any improvements related to this Tentative Parcel Map, shall comply with the provisions of Chapter 13.28 (Improvement Security), LQMC.

21. Improvements to be made, or agreed to be made, shall include the removal of any existing structures or other obstructions which are not a part of the proposed improvements; and shall provide for the setting of the final survey monumentation.

22. If the applicant elects to utilize the secured agreement alternative, the applicant shall submit detailed construction cost estimates for all proposed on-site and off-site improvements, including an estimate for the final survey monumentation, for checking and approval by the City Engineer. Such estimates shall conform to the unit cost schedule adopted by City resolution, or ordinance.

    For items not listed in the City's unit cost schedule, the proposed unit costs shall be approved by the City Engineer.

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

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

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

Should the applicant fail to construct the improvements for the development, or fail to satisfy its obligations for the development in a timely manner, the City shall have the right to halt issuance of building permits, and/or final building inspections, withhold other approvals related to the development of the project, or call upon the surety to complete the improvements.

GRADING

23. The applicant shall comply with the provisions of Section 13.24.050 (Grading Improvements), LQMC.

24. Prior to occupancy of the project site for any construction, or other purposes, the applicant shall obtain a grading permit approved by the City Engineer.

25. To obtain an approved grading permit, the applicant shall submit and obtain approval of all of the following:

    A. A grading plan prepared by a qualified engineer,

    B. A preliminary geotechnical ("soils") report prepared by a qualified engineer, and

    C. A Fugitive Dust Control Plan prepared in accordance with Chapter 6.16, (Fugitive Dust Control), LQMC.

26. All grading shall conform to the recommendations contained in the Preliminary Soils Report for Tract Map No. 28470, and shall be certified as being adequate by a soils engineer, or by an engineering geologist.

Regrading under this parcel map shall be certified by a soils engineer, or by an engineering geologist; particularly fill and cut reconstruction of the driveway shown on the approved rough grading plan for Tract Map No. 28470.

A statement shall appear on the Final Map that a soils report has been prepared in accordance with the California Health & Safety Code § 17953.

The applicant shall furnish security, in a form acceptable to the City, and in an amount sufficient to guarantee compliance with the approved Fugitive Dust Control Plan provisions as submitted with its application for a grading permit.

27. The applicant shall maintain all open graded, undeveloped land in order to prevent wind and/or water erosion of such land. All open graded, undeveloped land shall either be planted with interim landscaping, or stabilized with such other erosion control measures, as were approved in the Fugitive Dust Control Plan.

28. Building pad elevations on the rough grading plan submitted for City Engineer's approval shall conform with pad elevations shown on the tentative map, unless the pad elevations have other requirements imposed elsewhere in these Conditions of Approval.

29. The applicant shall minimize the differences in elevation between the adjoining properties and the lots within this development.

    Where compliance within the above stated limits is impractical, the City may consider alternatives that are shown to minimize safety concerns, maintenance difficulties and neighboring-owner dissatisfaction with the grade differential.

30. Prior to any site grading or regrading that will raise or lower any portion of the site by more than plus or minus three tenths of a foot from the elevations shown on the approved Tentative Parcel Map, the applicant shall submit the proposed grading changes to the City Staff for a substantial conformance finding review.

31. Prior to the issuance of a building permit for any building lot, the

applicant shall provide a lot pad certification stamped and signed by a qualified engineer or surveyor.

Each pad certification shall list the pad elevation as shown on the approved grading plan, the actual pad elevation and the difference between the two, if any. Such pad certification shall also list the relative compaction of the pad soil. The data shall be organized by lot number, and listed cumulatively if submitted at different times.

32. The applicant or his design professional shall address concerns of the Public Works Department regarding discrepancies in approved Rough Grading Plans for Tract Map No. 28470-1 and existing conditions. If corrective measures are required to ensure proper functioning of recommendations of the approved Hydrology Report for Tentative Parcel Map No. 32891 and requirements of the City Engineer, the applicant shall work with the abutting property owner(s) or their design professional for the design and construction of necessary improvements.

DRAINAGE

33. Stormwater handling shall conform with the approved hydrology and drainage report for Tentative Parcel Map No. 32891 dated October 17, 2005 and as revised per these conditions. In particular, drainage facilities that transport stormwater from adjacent properties to the south as well as storm water falling on this parcel map and the surrounding hillside shall be redesigned through the parcel map to existing golf course/retention areas. Nuisance water shall be disposed of in an approved manner as approved by the City Engineer. The aforementioned storm water **shall not** be transported via the existing street system.

34. The applicant shall provide a 10-foot drainage easement along the toe of slope along the rear boundaries of this Tentative Parcel Map as well as Lots 27 and 28 to the south for construction of a channel as approved by the City Engineer in the rough grading plan review.

QUALITY ASSURANCE

35. The applicant shall employ construction quality-assurance measures that meet with the approval of the City Engineer.

36. The applicant shall employ, or retain, qualified engineers, surveyors, and such other appropriate professionals as are required to provide the expertise with which to prepare and sign accurate record drawings, and to provide adequate construction supervision.

37. The applicant shall arrange for, and bear the cost of, all measurements, sampling and testing procedures not included in the City's inspection program, but which may be required by the City, as evidence that the construction materials and methods employed comply with the plans, specifications and other applicable regulations.

FEES AND DEPOSITS

38. The applicant shall comply with the provisions of Section 13.24.180 (Fees and Deposits), LQMC. These fees include all deposits and fees required by the City for plan checking and construction inspection. Deposits and fee amounts shall be those in effect when the applicant makes application for plan check and permits.

39. Permits issued under this approval shall be subject to the provisions of the Infrastructure Fee Program and Development Impact Fee program in effect at the time of issuance of building permit(s).

40. Prior to completion of any approval process for modification of boundaries of the property or lots subject to these conditions, the applicant shall process a reapportionment of any bonded assessment(s) against the property and pay the cost of such reapportionment.