

**CITY COUNCIL RESOLUTION NO. 2005-016
CONDITIONS OF APPROVAL - FINAL
SPECIFIC PLAN 99-035, AMENDMENT #1,
ND LA QUINTA PARTNERS
FEBRUARY 1, 2005**

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 Specific Plan, 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 Specific Plan 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 any necessary clearances and/or permits from the following agencies:

- Fire Marshal
- Public Works Department (Grading Permit, Improvement Permit)
- Community Development Department
- Riverside Co. Environmental Health Department
- Coachella Valley Unified School District
- Coachella Valley Water District (CVWD)
- Imperial Irrigation District (IID)
- California Water Quality Control Board (CWQCB)
- SunLine Transit Agency
- SCAQMD 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.

A project-specific NPDES construction permit must be obtained by the applicant; who then shall submit a copy of the Regional Water Quality Control Board's ("RWQCB") acknowledgment of the applicant's Notice of Intent ("NOI"), prior to the issuance of a grading or site construction permit by the City.

4. The applicant shall comply with applicable provisions of the City's NPDES stormwater 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.

A. 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 Permittee shall be required to submit a Storm Water Pollution Protection Plan ("SWPPP").

The applicant or design professional can obtain the California Stormwater Quality Association SWPPP template at www.cabmphandbooks.com for use in their SWPPP preparation.

B. The applicant's SWPPP shall be approved by the City Engineer prior to any on or off-site grading being done in relation to this project.

C. The applicant shall ensure that the required SWPPP is available for inspection at the project site at all times through and including acceptance of all improvements by the City.

D. The applicant's SWPPP shall include provisions for all of the following Best Management Practices ("BMPs") (8.70.020 (Definitions), LQMC):

- 1) Temporary Soil Stabilization (erosion control).
- 2) Temporary Sediment Control.
- 3) Wind Erosion Control.
- 4) Tracking Control.
- 5) Non-Storm Water Management.

- 6) Waste Management and Materials Pollution Control.
 - E. All erosion and sediment control BMPs proposed by the applicant shall be approved by the City Engineer prior to any onsite or offsite grading, pursuant to this project.
 - F. The approved SWPPP and BMPs shall remain in effect for the entire duration of project construction until all improvements are completed and accepted by the City.
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).

PROPERTY RIGHTS

6. 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.
7. The applicant shall offer for dedication on the Final Map all public street right-of-ways in conformance with the City's General Plan, Municipal Code, applicable specific plans, and/or as required by the City Engineer.
8. The public street right-of-way offers for dedication required for this development include:
 - A. PUBLIC STREETS
 - 1) Madison Street (Primary Arterial, Option A, 110' ROW) – The standard 55 feet from the centerline of Madison Street for a total 110-foot ultimate developed right-of-way except for additional right-of-way dedication as follows:

- a) At the Madison Street and Avenue 52 intersection measured 76 feet east of the centerline of Madison Street to accommodate a 300-foot long dual left turn lane for northbound Madison Street to westbound Avenue 52 and a 150-foot deceleration/right turn only lane, plus variable width taper length to accommodate improvements conditioned under STREET AND TRAFFIC IMPROVEMENTS.
 - b) At the Madison Street and Avenue 54 intersection measured 64 feet east of the centerline of Madison Street to accommodate a dual left turn lane for northbound Madison Street to westbound Avenue 54 plus variable width taper length to accommodate improvement conditioned under STREET AND TRAFFIC IMPROVEMENTS.
- 2) Avenue 52 (Primary Arterial, Option A, 110' ROW) – The standard 55 feet from the centerline of Avenue 52 for a total 110-foot ultimate developed right-of-way except an additional variable right-of-way dedication at the proposed Primary Entry measured 63 feet south of the centerline of Avenue 52 and length to be determined by a traffic study prepared for the applicant by a licensed traffic engineer per Engineering Bulletin #03-08. As a minimum, the required right-of-way shall be for a length of 100 feet plus a variable dedication of an additional 50 feet to accommodate improvements conditioned under STREET AND TRAFFIC IMPROVEMENTS.
 - 3) Monroe Street (Primary Arterial, Option A, 110' ROW) – The standard 55 feet from the centerline of Monroe Street for a total 110-foot ultimate developed right-of-way except an additional variable right-of-way dedication on Monroe Street at the intersection of Avenue 54 measured 63 feet west of the centerline of Monroe Street and length to be determined by a traffic study prepared for the applicant by a licensed traffic engineer per Engineering Bulletin #03-08. As a minimum, the required right-of-way shall be for a length of 150 feet plus a variable dedication of an additional 50 feet to accommodate improvements conditioned under STREET AND TRAFFIC IMPROVEMENTS.

- 4) Avenue 54 (Secondary Arterial with Class II Bike Lane, 96' ROW) – 48 feet of right-of-way measured from the centerline of Avenue 54 for a total 96-foot ultimate developed right-of-way except an additional variable right-of-way dedication at the proposed Secondary Entry and on Avenue 54 at Madison Street measured 58 feet south of the centerline of Avenue 54 and length to be determined by a traffic study prepared for the applicant by a licensed traffic engineer per Engineering Bulletin #03-08. As a minimum, the required right-of-way shall be for a length of 100 feet plus a variable dedication of an additional 50 feet to accommodate improvements conditioned under STREET AND TRAFFIC IMPROVEMENTS.
 - 5) Avenue 53 (Collector, 74' ROW) – The standard 37 feet from the centerline of Avenue 53 for a total 74-foot ultimate developed right-of-way.
9. The applicant shall retain for private use on the Final Map all private street right-of-ways in conformance with the City's General Plan, Municipal Code, applicable specific plans, and/or as required by the City Engineer.
 10. The private street right-of-ways to be retained for private use required for this development include:
 - A. PRIVATE STREETS

Private Residential Streets. Private Residential Streets shall have a 28-foot travel width with on-street parking prohibited, and provided there is adequate off-street parking for residents and visitors, and the applicant establishes provisions for ongoing enforcement of the parking restriction in the CC&R's. The CC&R's shall be reviewed by the Engineering Department prior to recordation. The flush curb street section shall have a full 28 feet of travelable roadway as approved by the City Engineer and the Fire Department and provided the method of drainage conveyance is acceptable to the City Engineer.
 - B. CUL DE SACS
 - 1) The cul de sac shall conform to the shape shown on the tentative map with a 38-foot curb radius at the bulb or larger as shown on

the tentative map.

11. Dedications shall include additional widths as necessary for dedicated right and left turn lanes, bus turnouts, and other features contained in the approved construction plans.

Pursuant to this requirement, the Applicant shall include in the submittal packet containing the draft final map submitted for map checking, an offsite street geometric layout, drawn at 1" equals 40 feet, detailing the following design aspects: median curb line, outside curb line, lane line alignment including lane widths, left turn lanes, deceleration lane(s) and bus stop turnout(s). The geometric layout shall be accompanied with sufficient professional engineering studies to confirm the appropriate length of all proposed turn pockets and auxiliary lanes that may impact the right-of-way dedication required of the project and the associated landscape setback requirement.

12. When the City Engineer determines that access rights to the proposed street right-of-ways shown on the approved Tentative Tract Map are necessary prior to approval of the Final Map dedicating such right-of-ways, the applicant shall grant the necessary right-of-ways within 60 days of a written request by the City.
13. 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.
14. The applicant shall create perimeter landscaping setbacks along all public right-of-ways as follows:
 - A. Madison Street, Avenue 52 and Monroe Street (Primary Arterial) - 20-foot from the R/W-P/L.
 - B. Avenue 54 (Secondary Arterial with Class II Bike Lane) - 20-foot from the R/W-P/L.
 - C. Avenue 53 (Collector) – 10-foot from the R/W-P/L.

The setback requirements shall apply to all frontages including, but not limited to, remainder parcels and sites dedicated for utility purposes.

Where public facilities (e.g., sidewalks) are placed on privately-owned setbacks, the applicant shall offer for dedication blanket easements for those purposes on the Final Map.

15. At locations where the onsite finished grade adjacent to the landscaped setback lot has an elevation differential with respect to the arterial street top of curb exceeding 11 feet, the applicant shall comply with, and accommodate, the maximum slope gradients in the parkway/setback area and meandering sidewalk requirements by either: 1) increasing the landscape setback size as needed, or 2) installing retaining walls between the sidewalk and the back of the landscaped area as needed.
16. The applicant shall offer for dedication those easements necessary for the placement of, and access to, utility lines and structures, drainage basins, mailbox clusters, park lands, and common areas on the Final Map.
17. Direct vehicular access to Madison Street, Monroe Street, Avenue 52, Avenue 54 and Avenue 53 from lots with frontage along Madison Street, Monroe Street, Avenue 52, Avenue 54 and Avenue 53 is restricted, except for those access points identified on the tentative tract map, or as otherwise conditioned in these conditions of approval. The vehicular access restriction shall be shown on the recorded final tract map.
18. The applicant shall furnish proof of easements, or written permission, as appropriate, from those owners of all abutting properties on which grading, retaining wall construction, permanent slopes, or other encroachments will occur.
19. 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 Tract Map and the date of recording of any Final Map, unless such easement is approved by the City Engineer.

FINAL MAPS

20. Prior to the City's approval of a Final Map, the applicant shall furnish accurate AutoCAD files of the Final 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 Final 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. The Final Map shall be of a 1" = 40' scale.

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.

21. 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.
22. 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.

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| A. | On-Site Mass Grading Plan | 1" = 100' Horizontal |
| B. | PM10 Plan | 1" = 40' Horizontal |
| C. | SWPPP | 1" = 40' Horizontal |

Note: A through C shall be submitted concurrently.

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| D. | On-Site Rough Grading Plan | 1" = 40' Horizontal |
| E. | Storm Drain Plans | 1" = 40' Horizontal |
| F. | Off-Site Street Improvement Plan | 1" = 40' Horizontal, 1" = 4' Vertical |
| G. | Off-Site Signing & Striping Plan | 1" = 40' Horizontal |

The Off-Site street improvement plans shall have separate plan sheet(s) (drawn at 20 scale) that show the meandering sidewalk, mounding, and berming design in the combined parkway and landscape setback area.

H. On-Site Street Improvement/Signing & Striping Plan

1" = 40' Horizontal, 1" = 4' Vertical

Note: D through G shall be submitted concurrently as phased.

Street Improvement Plans and Storm Drainage Plans may be combined when submitted for Engineering Department Review.

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.

I. On-Site Residential Precise Grading Plan 1" = 30' Horizontal

Other engineered improvement plans prepared for City approval that are not listed above shall be prepared in formats approved by the City Engineer prior to commencing plan preparation.

All Off-Site Plan & Profile Street Plans and Signing & Striping Plans shall show all existing improvements for a distance of at least 200-feet beyond the project limits, or a distance sufficient to show any required design transitions.

All On-Site Signing & Striping Plans shall show, at a minimum; Stop Signs, Limit Lines and Legends, No Parking Signs, Raised Pavement Markers (including Blue RPMs at fire hydrants) and Street Name Signs per Public Works Standard Plans and/or as approved by the Engineering Department.

"Rough Grading" plans shall normally include perimeter walls with Top Of Wall & Top Of Footing elevations shown. All footings shall have a minimum of 1 foot of cover, or sufficient cover to clear any adjacent obstructions.

The applicant shall prepare an accessibility assessment on a marked up print of the building floor plan identifying every building egress and notes the 2001 California Building Code accessibility requirements associated with each door. The assessment must comply with submittal requirements of the Building & Safety Department. A copy of the reviewed assessment shall be submitted to the Engineering Department in conjunction with the Site Development Plan when it is submitted for plan checking.

In addition to the normal set of improvement plans, a "Site Development" plan is required to be submitted for approval by the Building Official and the City Engineer.

"Site Development" plans shall normally include all on-site surface improvements including but not necessarily limited to finish grades for curbs & gutters, building floor elevations, parking lot improvements and ADA requirements.

"Street Parking" plan shall include appropriate signage to implement the "No Parking" concept, or alternatively an on-street parking policy shall be included in the CC & R's subject to City Engineer's Approval. The parking plan or CC & R's shall be submitted concurrently with the Street Improvement Plans.

23. The City maintains standard plans, detail sheets and/or construction notes for elements of construction on the Public Works Online Engineering Library at http://www.la-quinta.org/publicworks/tract1/z_onlinelibrary/O_intropage.htm.
24. The applicant shall furnish a complete set of the AutoCAD files of all approved improvement plans on a storage media acceptable to the City Engineer. The files shall be saved in a standard AutoCAD format so they may be fully retrievable through a basic AutoCAD program.

At the completion of construction, and prior to the final acceptance of the improvements by the City, the applicant shall update the AutoCAD files in order to reflect the as-built conditions.

Where the improvement plans were not produced in a standard AutoCAD format, or a file format that can be converted to an AutoCAD format, the City Engineer will accept raster-image files of the plans.

IMPROVEMENT SECURITY AGREEMENTS

25. 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.
26. Any 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 Specific Plan, shall comply with the provisions of Chapter 13.28 (Improvement Security), LQMC.
27. 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.

When improvements are phased through a "Phasing Plan," or an administrative approval (e.g., Site Development Permits), all off-site improvements and common on-site improvements (e.g., backbone utilities, retention basins, perimeter walls, landscaping and gates) shall be constructed, or secured through a SIA, prior to the issuance of any permits in the first phase of the development, or as otherwise approved by the City Engineer.

Improvements and obligations required of each subsequent phase shall either be completed, or secured through a SIA, prior to the completion of homes or the occupancy of permanent buildings within such latter phase, or as otherwise approved by the City Engineer.

In the event the applicant fails to construct the improvements for the development, or fails to satisfy its obligations for the development in a timely manner, pursuant to the approved phasing plan, the City shall have the right to halt issuance of all permits, and/or final inspections, withhold other approvals related to the development of the project, or call upon the surety to complete the improvements.

28. Depending on the timing of the development of this Specific Plan, and the status of the off-site improvements at the time, the applicant may be required

to:

- A. Construct certain off-site improvements.
- B. Construct additional off-site improvements, subject to the reimbursement of its costs by others.
- C. Reimburse others for those improvements previously constructed that are considered to be an obligation of this Specific Plan.
- D. Secure the costs for future improvements that are to be made by others.
- E. To agree to any combination of these means, as the City may require.

Off-Site Improvements will be started by the issuance of the 50th building permit, or by May 31, 2006, whichever occurs first, and will be completed by the issuance of the 100th building permit on the site.

In the event that any of the improvements required for this development are constructed by the City, the applicant shall, prior to the approval of the Final Map, or the issuance of any permit related thereto, reimburse the City for the costs of such improvements.

29. 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.

GRADING

30. The applicant shall comply with the provisions of Section 13.24.050 (Grading Improvements), LQMC.
31. 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.
32. 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,
 - C. A Fugitive Dust Control Plan prepared in accordance with Chapter 6.16, (Fugitive Dust Control), LQMC, and
 - D. A Best Management Practices report prepared in accordance with Sections 8.70.010 and 13.24.170 (NPDES stormwater discharge permit and Storm Management and Discharge Controls), LQMC.

All grading shall conform to the recommendations contained in the Preliminary Soils Report, and shall be certified as being adequate by a soils engineer, or by an engineering geologist.

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.

33. 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.
34. Grading within the perimeter setback and parkway areas shall have undulating terrain and shall conform with the requirements of LQMC Section 9.60.240(F) except as otherwise modified by this condition requirement. The maximum slope shall not exceed 3:1 anywhere in the landscape setback area, except for the backslope (i.e. the slope at the back of the landscape lot) which shall not exceed 2:1 if fully planted with ground cover. The maximum slope in the first six (6) feet adjacent to the curb shall not exceed 4:1 when the nearest edge of sidewalk is within six feet (6') of the curb, otherwise the maximum slope within the right of way shall not exceed 3:1. All unpaved parkway areas adjacent to the curb shall be depressed one and one-half inches (1.5") in the first eighteen inches (18") behind the curb.
35. Perimeter wall shall be approved by the Community Development Department. The applicant shall submit perimeter wall plans for approval prior to rough grading plan approval.
36. Building pad elevations on the rough grading plan submitted for City Engineer's approval shall conform to pad elevations shown on the tentative map, unless the pad elevations have other requirements imposed elsewhere in these Specific Plan Conditions of Approval.
37. Building pad elevations of perimeter lots shall not differ by more than that specified in the approved Specific Plan Amendment No. 1 and per these Conditions of Approval.
38. The applicant shall minimize the differences in elevation between the adjoining properties and the lots within this development.

Building pad elevations on adjacent interior single family lots having common boundaries shall not differ by more than six feet. Additionally, a 12" high by 4' wide berm is required at the tops of all slopes with a 3-foot neighboring pad elevation difference and one foot (1') bench shall be provided at the top of all 2:1 slopes between lots.

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.

39. Prior to any site grading or regrading that will raise or lower any portion of the site, the grading shall be shown to be consistent with the Specific Plan Amendment #1, and the applicant shall submit the proposed grading changes to the City Staff for a substantial conformance finding review.
40. 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.

DRAINAGE

“Stormwater handling shall conform to the approved hydrology and drainage report for Specific Plan 99-035, Amendment No. 1, East of Madison and/or Tentative Tract 33076. Nuisance water shall be disposed of in an approved manner.”

41. The project shall be designed to accommodate purging and blowoff water (through underground piping and/or retention facilities) from any on-site or adjacent well sites granted or dedicated to the local water utility authority as a requirement for development of this property.
42. Stormwater may not be retained in landscaped parkways or landscaped setback lots. Only incidental storm water (precipitation which directly falls onto the setback) will be permitted to be retained in the landscape setback areas. The perimeter setback and parkway areas in the street right-of-way shall be shaped with berms and mounds, pursuant to Section 9.100.040(B)(7), LQMC.
43. The design of the development shall not cause any increase in flood boundaries, levels or frequencies in any area outside the development.

44. The development shall be graded to permit storm flow in excess of retention capacity to flow out of the development through a designated overflow and into the historic drainage relief route.
45. Storm drainage historically received from adjoining property shall be received and retained or passed through into the historic downstream drainage relief route.
46. Where flush curb street cross section designs are approved for Specific Plan 99-035, Amendment No. 1 and/or Tentative Tract Map No. 33076, landscaped drainage swales shall have minimum grade of 1 %. The swale design and supporting drainage facility shall be able to retain a maximum depth of 6 inches of storm water during the 10-year storm and/or one travel lane during the 100-year storm. The design of landscaped drainage swales shall be subject to a hydrology report approval by the City Engineer. Landscaping swales shall act as ancillary collection facilities with storm water and nuisance water positively transported by hard piping to retention basins and/or other facilities identified in the approved hydrology report.

UTILITIES

47. The applicant shall comply with the provisions of Section 13.24.110 (Utilities), LQMC.
48. 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.
49. Existing overhead utility lines within, or adjacent to the proposed development, and all proposed utilities shall be installed underground.

All existing utility lines attached to joint use 92 KV transmission power poles are exempt from the requirement to be placed underground.

50. 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.

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

STREET AND TRAFFIC IMPROVEMENTS

51. The applicant shall comply with the provisions of Sections 13.24.060 (Street Improvements), 13.24.070 (Street Design - Generally) & 13.24.100 (Access For Individual Properties And Development), LQMC for public streets; and Section 13.24.080 (Street Design - Private Streets), where private streets are proposed.
52. The applicant shall construct the following street improvements to conform to the General Plan (street type noted in parentheses.)

A. OFF-SITE STREETS

- 1) Madison Street (Primary Arterial, Option A; 110' R/W):

Widen the east side of the street along all frontage adjacent to the Tentative Map boundary to its ultimate width on the east side as specified in the General Plan and the requirements of these conditions. The east curb face shall be located forty three feet (43') east of the centerline, except at locations where additional street width is needed to accommodate:

- a) Bus turnout (if required by Sunline Transit or Coachella Valley Unified School District)
- b) A deceleration/right turn only lane on Madison Street at the intersection of Avenue 52. The east curb face measured 64 feet east of the centerline of Madison Street to accommodate a 300-foot long dual left turn lane for northbound Madison Street to westbound Avenue 52 and a 150-foot deceleration/right turn only lane plus variable width taper length.

- c) At the Madison Street and Avenue 54 intersection, the curb face shall be measured 52 feet east of the centerline of Madison Street to accommodate the dual left turn lane for northbound Madison Street to westbound Avenue 54 plus variable width taper length conditioned of Specific Plan 2004-074 on the southeast corner of Madison Street and Avenue 54.

Other required improvements in the Madison Street right of way and/or adjacent landscape setback area include:

- d) All appurtenant components such as, but not limited to: curb, gutter, traffic control striping, legends, and signs.
- e) An 18 - foot wide raised landscaped median along the entire boundary of the Specific Plan plus variable width as needed to accommodate a dual left turn for the north bound traffic on Madison Street to west bound Avenue 52.
- f) Establish a benchmark in the Madison Street right of way and file a record of the benchmark with the County of Riverside.
- g) A 10-foot wide Multi-Purpose Trail. The applicant shall construct a multi-use trail per La Quinta Standard 260 along the Madison Street frontage within the landscaped setback. The location and design of the trail shall be approved by the City. A split rail fence shall be constructed to separate the multi-purpose trail from the pedestrian sidewalk in accordance with Section 9.140.060 (Item E, 3a) of the Zoning Ordinance. Bonding for the fence to be installed shall be posted prior to final map approval. At grade intersection crossings shall be of a medium and design and location as approved by the Engineering Department on the street improvement plan submittal.

2) Avenue 52 (Primary Arterial, Option A; 110' R/W):

Widen the south side of the street along all frontages adjacent to the Tentative Map boundary to its ultimate width on the south side as specified in the General Plan and the requirements of these conditions. Rehabilitate and/or reconstruct existing roadway pavement as necessary to augment and convert it from a rural county-road design standard to La Quinta's urban arterial design standard. The south curb face shall be located forty three feet (43') south of the centerline, except at locations where additional street width is needed to accommodate:

- a) Bus turnout (if required by Sunline Transit or Coachella Valley Unified School District)
- b) A deceleration/right turn only lane at the Primary Entry. The south curb face measured 51 feet south of the centerline of Avenue 52 and length to be determined by a traffic study prepared for the applicant by a licensed traffic engineer per Engineering Bulletin #03-08. As a minimum, the required right-of-way shall be for a length of 100 feet plus a variable dedication of an additional 50 feet.

Other required improvements in the Avenue 52 right-of-way and/or adjacent landscape setback area include:

- c) All appurtenant components such as, but not limited to: curb, gutter, traffic control striping, legends, and signs.
- d) Half of an 18-foot wide raised landscaped median along the entire boundary of the Specific Plan plus variable width as needed to accommodate left turn movements for west bound traffic on Avenue 52 to south bound Madison Street and left turn in only movement at the Primary Entry. The applicant shall construct positive left turn restrictors for left turn movement out of the primary entry as approved by the City Engineer.

- e) A 10-foot wide Multi-Purpose Trail. The applicant shall construct a multi-use trail per La Quinta Standard 260 along the Madison Street frontage within the landscaped setback. The location and design of the trail shall be approved by the City. A split rail fence shall be constructed to separate the multi-purpose trail from the pedestrian sidewalk in accordance with Section 9.140.060 (Item E, 3a) of the Zoning Ordinance. Bonding for the fence to be installed shall be posted prior to final map approval. At grade intersection crossings shall be of a medium and design and location as approved by the Engineering Department on the street improvement plan submittal.

3) Monroe Street (Primary Arterial, Option A; 110' R/W):

Widen the west side of the street along all frontages adjacent to the Tentative Map boundary to its ultimate width on the west side as specified in the General Plan and the requirements of these conditions. Rehabilitate and/or reconstruct existing roadway pavement as necessary to augment and convert it from a rural county-road design standard to La Quinta's urban arterial design standard. The west curb face shall be located forty three feet (43') west of the centerline, except at locations where additional street width is needed to accommodate:

- a) Bus turnout (if required by Sunline Transit or Coachella Valley Unified School District)
- b) A deceleration/right turn only lane on Monroe Street at the intersection of Avenue 54. The west curb face measured 51 feet west of the centerline of Monroe Street and length to be determined by a traffic study prepared for the applicant by a licensed traffic engineer per Engineering Bulletin # 03-08. As a minimum, the required right-of-way shall be for a length of 150 feet plus a variable dedication of an additional 50 feet.

Other required improvements in the Monroe Street right-of-way and/or adjacent landscape setback area include:

- c) All appurtenant components such as, but not limited to: curb, gutter, traffic control striping, legends, and signs.
- d) Half of an 18-foot wide raised landscaped median along the entire boundary of the Specific Plan plus variable width as needed to accommodate a left turn for the south bound traffic at Avenue 54.
- e) A 10-foot wide Multi-Purpose Trail. The applicant shall construct a multi-use trail per La Quinta Standard 260 along the Monroe Street frontage within the landscaped setback. The location and design of the trail shall be approved by the City. A split rail fence shall be constructed to separate the multi-purpose trail from the pedestrian sidewalk in accordance with Section 9.140.060 (Item E, 3a) of the Zoning Ordinance. Bonding for the fence to be installed shall be posted prior to final map approval. At grade intersection crossings shall be of a medium and design and location as approved by the Engineering Department on the street improvement plan submittal.

4) Avenue 54 (Secondary Arterial with Class II Bike Lane, 96' R/W):

Widen the north side of the street along all frontages adjacent to the Tentative Map boundary to its ultimate width on the north side as specified in the General Plan and the requirements of these conditions. Rehabilitate and/or reconstruct existing roadway pavement as necessary to augment and convert it from a rural county-road design standard to La Quinta's urban arterial design standard. The west curb face shall be located thirty-six feet (36') north of the centerline, except at locations where additional street width is needed to accommodate:

- a) Bus turnout (if required by SunLine Transit or Coachella Valley Unified School District)
- b) A deceleration/right turn only lane at the Secondary Entry and at the intersection of Avenue 54 and Madison Street. The north curb face measured 36 feet north of the centerline of Avenue 54 and length to be determined by a

traffic study prepared for the applicant by a licensed traffic engineer per Engineering Bulletin # 03-08. As a minimum, the required right-of-way shall be for a length of 100 feet plus a variable dedication of an additional 50 feet.

Other required improvements in the Avenue 54 right-of-way and/or adjacent landscape setback area include:

- c) All appurtenant components such as, but not limited to: curb, gutter, traffic control striping, legends, and signs.
- d) A 10-foot wide Multi-Purpose Trail. The applicant shall construct a multi-use trail per La Quinta Standard 260 along the Avenue 54 frontage within the landscaped setback. The location and design of the trail shall be approved by the City. A split rail fence shall be constructed to separate the multi-purpose trail from the pedestrian sidewalk in accordance with Section 9.140.060 (Item E, 3a) of the Zoning Ordinance. Bonding for the fence to be installed shall be posted prior to final map approval. At grade intersection crossings shall be of a medium and design and location as approved by the Engineering Department on the street improvement plan submittal.

5) Avenue 53 (Collector, 74' R/W):

- a) Widen the south side of the street along all frontages adjacent to the Tentative Map boundary to its ultimate width on the south side as specified in the General Plan and the requirements of these conditions. Rehabilitate and/or reconstruct existing roadway pavement as necessary to augment and convert it from a rural county-road design standard to La Quinta's urban arterial design standard. The south curb face shall be located twenty-six feet (26') south of the centerline.

Other required improvements in the Avenue 53 right-of-way and/or adjacent landscape setback area include:

- b) All appurtenant components such as, but not limited to: curb, gutter, traffic control striping, legends, and signs.

- c) Removal of existing trees at the southwest corner of Avenue 53 and Monroe Street per the approval of the City Engineer.
- d) Construct a cul de sac on Avenue 53 at the entrance to Tentative Tract Map No. 31874 per City of La Quinta Standard 401 and with approval from the Fire Department.

The applicant shall extend improvements beyond the subdivision boundaries to ensure they safely integrate with existing improvements (e.g., grading; traffic control devices and transitions in alignment, elevation or dimensions of streets and sidewalks).

The applicant is responsible for construction of all improvements mentioned above. The development is eligible for reimbursement from the City's Development Impact Fee fund in accordance with policies established for that program.

- 7) Traffic Signals at Madison Street and Avenue 52.
 - a) The applicant shall install the Traffic Signal at the intersection of Madison Street and Avenue 52 when warrants are met. Applicant is responsible for 50 % of the cost to design and install the traffic signal if complementing cost share from development on the other side of the street is available at time signals are required. Applicant shall enter into a SIA to post security for 50% of the cost to design and install the traffic signal prior to issuance of an on-site grading permit; the security shall remain in full force and effect until the signal is actually installed by the applicant or the developer on the other side of the street. If, however, the applicant's development trails the progress of the development on the other side of the street, the applicant shall be responsible for 50% of the cost as previously stated. The development is eligible for reimbursement from the City's Development Impact Fee fund in accordance with policies established for that program.

B. PRIVATE STREETS

- 1) Private Residential Streets. Private Residential Streets shall have a 28-foot travel width with on-street parking prohibited, and provided there is adequate off-street parking for residents and visitors, and the applicant establishes provisions for ongoing enforcement of the parking restriction in the CC&R's. The CC&R's shall be reviewed by the Engineering Department prior to recordation. The flush curb street section shall have a full 28 feet of travelable roadway as approved by the City Engineer and the Fire Department and provided the method of drainage conveyance is acceptable to the City Engineer.
- 2) The location of driveways of corner lots shall not be located within the curb return and away from the intersection when possible.

C. PRIVATE CUL DE SACS

- 1) Shall be constructed according to the lay-out shown on the tentative map with a 38-foot curb radius or greater at the bulb similar to the layout shown on the rough grading plan.

53. All gated entries shall provide for a three-car minimum stacking capacity for inbound traffic to be a minimum length of 62 feet from call box to the street; and shall provide for a full turn-around outlet for non-accepted vehicles.

Where a gated entry is proposed, the applicant shall submit a detailed exhibit at a scale of 1" = 10', demonstrating that those passenger vehicles that do not gain entry into the development can safely make a full turn-around (minimum radius to be 24 feet) out onto the main street from the gated entry.

Two lanes of traffic shall be provided on the entry side of each gated entry, one lane shall be dedicated for residents, and one lane for visitors. The two travel lanes shall be a minimum of 20 feet of total paved roadway surface or as approved by the Fire Department.

Entry drives, main interior circulation routes, standard knuckles, corner cutbacks, bus turnouts, dedicated turn lanes and other features shown on the approved construction plans, may require additional street widths as may be determined by the City Engineer.

54. The applicant shall design street pavement sections using CalTrans' 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 shall be as follows:

Residential	3.0" a.c./4.5" c.a.b.
Collector	4.0" a.c /5.0" c.a.b.
Secondary Arterial	4.0" a.c./6.0" c.a.b.
Primary Arterial	4.5" a.c./6.0" c.a.b.

or the approved equivalents of alternate materials.

55. The applicant shall submit current mix designs (less than two years old at the time of construction) for base, asphalt concrete and Portland cement concrete. The submittal shall include test results for all specimens used in the mix design procedure. For mix designs over six months old, the submittal shall include recent (less than six months old at the time of construction) aggregate gradation test results confirming that design gradations can be achieved in current production. The applicant shall not schedule construction operations until mix designs are approved.
56. General access points and turning movements of traffic are limited to the following:

Primary Entry (Avenue 52): Right turn in and out and left turn in movements are permitted. Left turn movement out is prohibited.

The applicant shall coordinate with the City Engineer and City of Indio City Engineer to negotiate to amend the planned full turn access located 1,950 feet west of Monroe Street on the north side of Avenue 52, and that there be no other full turn access points within 1,060 feet of the proposed Primary Entry. The applicant shall be allowed to relocate the Primary Entry to conform to the aforementioned provisions as approved by the City Engineer and the City of Indio. If no agreement has been reached within 120 days of the date of approval of the Specific Plan and Tentative Tract Map, the applicant shall be permitted to construct lane geometrics at the Primary Entry which allow full turn movements.

If full turn movements at the Primary Entry are permitted, the applicant shall install the Traffic Signal when warrants are met. Applicant is responsible for 50% of the cost to design and install the traffic signal if complementing cost share from development on other side of street is available at time signal is required. Applicant shall enter into a SIA to post security for 50% of the cost to design and install the traffic signal prior to issuance of an on-site grading permit; the security shall remain in full force and effect until the signal is actually installed by the applicant or the developer on the other side of the street. If the land on the other side of the street does not have an approved project connecting to the subject intersection, the applicant shall pay 100% of the cost to design and install the signalization for the resulting "T" intersection. If, however, the applicant's development trails the progress of the development on the other side of the street, the applicant shall be responsible for 50% of the cost as previously stated.

A. Secondary Entry (Avenue 54): Full turn movements are permitted.

57. Improvements shall include appurtenances such as traffic control signs, markings and other devices, raised medians if required, street name signs and sidewalks. Mid-block street lighting is not required.
58. Improvements shall be designed and constructed in accordance with City adopted standards, supplemental drawings and specifications, or as approved by the City Engineer. Improvement plans for streets, access gates and parking areas shall be stamped and signed by qualified engineers.

CONSTRUCTION

59. The City will conduct final inspections of habitable buildings only when the buildings have improved street and (if required) sidewalk access to publicly-maintained streets. The improvements shall include required traffic control devices, pavement markings and street name signs. If on-site streets in residential developments are initially constructed with partial pavement thickness, the applicant shall complete the pavement prior to final inspections of the last ten percent of homes within the development or when directed by the City, whichever comes first.

LANDSCAPING

60. The applicant shall comply with Sections 13.24.130 (Landscaping Setbacks) &

13.24.140 (Landscaping Plans), LQMC.

61. The applicant shall provide landscaping in the required setbacks, retention basins, common lots and park areas.
62. Landscape and irrigation plans for landscaped lots and setbacks, medians, retention basins, and parks shall be signed and stamped by a licensed landscape architect.
63. The applicant shall submit the landscape plans for approval by the Community Development Department (CDD), prior to plan checking by the Public Works Department. When plan checking has been completed by CDD, the applicant shall obtain the signatures of CVWD and the Riverside County Agricultural Commissioner, prior to submittal for signature by the City Engineer.

NOTE: Plans are not approved for construction until signed by the City Engineer.

64. Landscape areas shall have permanent irrigation improvements meeting the requirements of the City Engineer. Use of lawn areas shall be minimized with no lawn, or spray irrigation, being placed within 18 inches of curbs along public streets.

PUBLIC SERVICES

65. The applicant shall provide public transit improvements as required by SunLine Transit Agency or the Coachella Valley Unified School District and approved by the City Engineer.

QUALITY ASSURANCE

66. The applicant shall employ construction quality-assurance measures that meet with the approval of the City Engineer.
67. 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.

68. 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.
69. Upon completion of construction, the applicant shall furnish the City with reproducible record drawings of all improvement plans which were approved by the City. Each sheet shall be clearly marked "Record Drawing," "As-Built" or "As-Constructed" and shall be stamped and signed by the engineer or surveyor certifying to the accuracy and completeness of the drawings. The applicant shall have all AutoCAD or raster-image files previously submitted to the City, revised to reflect the as-built conditions.

MAINTENANCE

70. The applicant shall comply with the provisions of Section 13.24.160 (Maintenance), LQMC.
71. The applicant shall make provisions for the continuous and perpetual maintenance of all private on-site improvements, perimeter landscaping, access drives, and sidewalks.

FEES AND DEPOSITS

72. 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.
73. 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).

COMMUNITY DEVELOPMENT DEPARTMENT

74. The use of the subject property for residential uses shall be in conformance with the approved exhibits and conditions of approval contained in Tentative Tract Map 33076, Specific Plan 99-035, Amendment #1 and Environmental Assessment 2004-520, unless otherwise amended by the Conditions of Approval.
75. The applicant shall supply a revised cover sheet and summary for Specific Plan 99-035, as it applies to all lands within the Specific Plan area located west of Madison Street, describing the changes affecting this portion of the plan, including the guesthouse provisions and maximum unit count of 446 dwelling units. The cover sheet and summary shall be provided within 30 days of approval of the Specific Plan by the City Council.
76. Within 30 days after City Council approval of this Specific Plan, the applicant shall submit five copies of a final text document to the Community Development Department, incorporating all corrections and revisions, conditions of approval and mitigation measures required for this project.
77. Ten foot wide multi-purpose trails shall be installed in the landscape setbacks of Avenue 52, Avenue 54, and Monroe Street. In addition, a Class II Bike Trail shall be included in the improvement for Avenue 52.
78. Berming on the perimeter of the site shall be limited to the following:
 - a. Located within the 20 foot setback of the street right-of-way line abutting the property, the berm height shall be 0 feet.
 - b. Located in the area 20 feet to 50 feet from the street right-of-way line abutting the property the berm height shall be no more than 12 feet.
 - c. Located in the area 50+ feet from the street right-of-way line abutting the property the berm height shall be no more than 16 feet.

The Specific Plan text on Page 4-5 shall be amended to include this condition of approval.

79. Specific Plan Section 5.4.1 Residential Development Standards shall be modified to include the following Table:

	CUSTOM/SINGLE-FAMILY DETACHED	VILLAS
Parking	For main residence, per Development Code. In addition, one guest parking space shall be provided on each lot. Guest parking must not impede full access to the garage and driveway to the street.	For main residence, per Development Code. In addition, one guest parking space shall be provided for every two units. Guest parking must not impede full access to the garage and driveway to the street.

- 80. The site shall be monitored during on-and off-site trenching and rough grading by qualified archaeological monitors. Proof of retention of monitors shall be given to the City prior to issuance of the first earth-moving or clearing permit.
- 81. The final report on the monitoring shall be submitted to the Community Development Department prior to the issuance of the first Certificate of Occupancy for the project.
- 82. The local tribes shall be contacted in writing for comments prior to issuance of the first grubbing, earth-moving or grading permit. The applicant shall provide the Community Development Department with all written responses received within one month prior to issuance of grading permit. One Native-American monitor shall be provided should the tribes request it.
- 83. Excavations shall be monitored to collect any larger fossil remains uncovered.
- 84. Sediment samples shall be collected and processed to determine the small fossil potential.
- 85. Any fossils recovered during construction operations shall be deposited in an accredited and permanent scientific institution for the benefit of current and future generations.

86. Sight distance at the Specific Plan Amendment project entrance shall be reviewed with respect to standard Caltrans/City of La Quinta sight distance standards at the time of preparation of final grading, landscape and street improvement plans.
87. Traffic signing/striping should be implemented in conjunction with detailed construction plans for the Specific Plan Amendment project site.
88. Vacation of Avenue 53 westerly of Monroe Street within the project site shall be requested and completed by the applicant prior to the issuance of any building permit on the phase 2 site.
89. The applicant shall comply with all Fire Department requirements.