

**RESOLUTION NO. 2010 - 021**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
LA QUINTA, CALIFORNIA, APPROVING TENTATIVE  
TRACT MAP 35996, A SUBDIVISION OF 9.02 ACRES  
INTO 36 SINGLE FAMILY RESIDENTIAL LOTS AND  
OTHER MISCELLANEOUS LOTS**

**CASE NO.: TENTATIVE TRACT MAP 35996  
APPLICANT: SHEA HOMES**

**WHEREAS**, The City Council of the City of La Quinta, California, did on the 16<sup>th</sup> day of March, 2010, hold a duly noticed Public Hearing to consider the request of Shea Homes for the subdivision of 9.02 acres into 36 single-family residential lots and other miscellaneous lots, generally located east of the CVWD Dike #4, between Avenues 60 and 62, and west of Trilogy project, more particularly described as:

APN: 764-280-004

**WHEREAS**, said Tentative Tract Map complies with the requirements of "The Rules to Implement the California Environmental Quality Act of 1970" as amended (Resolution 83-63), in that the Planning Director has conducted an Initial Study (Environmental Assessment [EA] 2009-607) and determined that, although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures for EA 2009-607 incorporated into the project approval will mitigate or reduce any potential impacts to a level of non-significance; and,

**WHEREAS**, at said Public Hearing, upon hearing and considering all testimony and arguments, if any, of all interested persons wanting to be heard, said City Council did make the following Mandatory Findings to justify approval of Tentative Tract Map 35996:

1. The Tentative Tract Map and its improvement and design, are consistent with the General Plan, as amended, in that its street design and lots are in conformance with applicable goals, policies, and will be provided with adequate infrastructure and public utilities.
2. The design of the subdivision and its proposed improvements are not likely to create environmental damage or substantially and avoidably injure wildlife or their habitat because the site does not contain significant biological resources.
3. The design of the subdivision and subsequent improvements are not likely to cause serious public health problems because the construction of 36 residential units will not have considerable cumulative impacts. The project is consistent

with the General Plan, and the potential impacts associated with General Plan build-out.

4. The design of the subdivision and the proposed types of improvements will not conflict with easements acquired by the public at large, for access through or use of the property within the subdivision in that none presently exist and access is provided within the project and to the adjacent Trilogy project.

**WHEREAS**, the Planning Commission of the City of La Quinta, California, did on the 23<sup>rd</sup> day of February, 2010, hold a duly noticed Public Hearing to consider the request of Shea Homes for the subdivision of 9.02 acres into 36 single-family residential lots and other miscellaneous lots generally located east of the CVWD Dike #4, between Avenues 60 and 62, and west of Trilogy project and recommended approval by adoption of Resolution 2010-006;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of La Quinta, California, as follows:

1. That the above recitations are true and constitute the findings of the City Council in this case;
2. That it has certified a Mitigated Negative Declaration of environmental impact;
3. That the City Council does hereby approve Tentative Tract Map 35996 for the reasons set forth in this Resolution, subject to the attached Conditions of Approval.

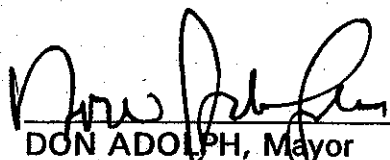
**PASSED, APPROVED, and ADOPTED** at a regular meeting of the La Quinta City Council, held on this 16<sup>th</sup> day of March, 2010, by the following vote, to wit:

**AYES:** Council Members Evans, Franklin, Henderson, Sniff, Mayor Adolph

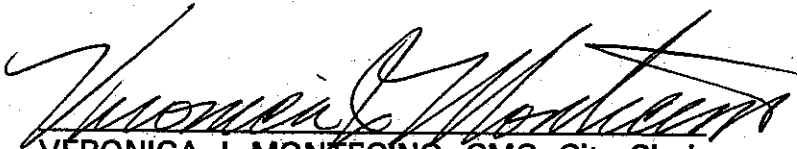
**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

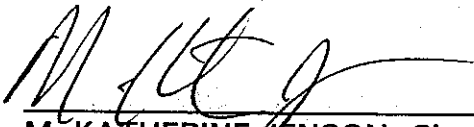
  
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DON ADOLPH, Mayor  
City of La Quinta, California

**ATTEST:**

  
VERONICA J. MONTECINO, CMC, City Clerk  
City of La Quinta, California

(City Seal)

**APPROVED AS TO FORM:**

  
M. KATHERINE JENSON, City Attorney  
City of La Quinta, California

## 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 Tract 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 Tract 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](http://www.la-quinta.org).

This Tentative Tract Map shall expire two years from the effective date of City Council approval, unless a time extension is approved, pursuant to the requirements of La Quinta Municipal Code 13.12.160 (Extensions of Time for Tentative Maps).

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, if required:

- Riverside County Fire Marshal
- Public Works Department (Grading Permit, Green Sheet (Public Works Clearance) for Building Permits, Improvement Permit)
- Planning 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
- 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.

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, LQMC Sections 8.70.010 et seq. (Stormwater Management and Discharge Controls), and 13.24.170 (Clean Air/Clean Water); Riverside County Ordinance No. 457; the California Regional Water Quality Control Board – Colorado River Basin Region Board Order No. R7-2008-0001 and the State Water Resources Control Board's Order No. 2009-0009-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](http://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") (LQMC Section 8.70.020 (Definitions)):
- 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).
  6. Approval of this Tentative Tract Map shall not be construed as approval for any horizontal dimensions implied by any site plans or exhibits unless specifically identified in the following conditions of approval.
  7. Developer shall reimburse the City, within thirty (30) days of presentment of the invoice, all costs and actual attorney's fees incurred by the City Attorney to review, negotiate and/or modify any documents or instruments required by these conditions, if Developer requests that the City modify or revise any documents or instruments prepared initially by the City to effect these conditions. This obligation shall be paid in the time noted above without deduction or offset and Developer's failure to make such payment shall be a material breach of the Conditions of Approval.

#### PROPERTY RIGHTS

8. 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.
9. Pursuant to the aforementioned condition, conferred rights shall include approvals from the master developer or the HOA over easements and other property rights necessary for construction and proper functioning of the

proposed development not limited to access rights over proposed and/or existing private streets that access public streets and open space/drainage facilities of the master development.

10. The applicant shall retain for private use on the Final Map all private street rights-of-way in conformance with the City's General Plan, Municipal Code, applicable specific plans, and/or as required by the City Engineer.
11. The private street rights-of-way to be retained for private use required for this development include:

A. PRIVATE STREETS

- 1) Property line shall be placed at the back of curb similar to the lay out shown on the (rough grading plan/tentative map) and the typical street section shown in the tentative map. Use of smooth curves instead of angular lines at property lines is recommended.
- 2) Private Residential Streets measured at gutter flow line to gutter flow line shall have a 36-foot travel width. The travel width may be reduced to 32 feet with parking restricted to one side, and 30 feet if on-street parking is 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 and Planning Departments and approved by the Planning Department prior to recordation.

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.

C. Knuckle

- 2) The knuckle shall conform to the shape shown on the tentative tract map except for minor revision as may be required by the City Engineer.

Curve radii for curbs at all street intersections shall not be less than 25 feet except at the intersection of Street "A" with Living Stone Drive similar to the lay out shown on the rough grading plan.

12. The applicant shall offer for dedication on the Final Map a ten-foot wide public utility easement contiguous along both sides of all private streets. Such easement may be reduced to five feet in width with the express written approval of IID.
13. 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.
14. 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.
15. The applicant shall acquire perpetual access route across property located within the Overlying Tract 30023 to and from public streets. The perpetual access easements shall be recorded prior to or concurrent with the Final Map process.
16. 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.

#### **STREET AND TRAFFIC IMPROVEMENTS**

17. The applicant shall comply with the provisions of LQMC Sections 13.24.060 (Street Improvements), 13.24.070 (Street Design - Generally) & 13.24.100 (Access For Individual Properties And Development) for public streets; and Section 13.24.080 (Street Design - Private Streets), where private streets are proposed.

##### **A. PRIVATE STREETS**

- 1) Private Residential Streets measured at gutter flow line to gutter flow line shall have a 36-foot travel width. The travel width may be reduced to 32 feet with parking restricted to one side, and 30 feet if on-street parking is 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 and Planning Departments and approved by the Planning Department prior to recordation.
- 2) The location of driveways of corner lots shall not be located within the curb return and away from the intersection when



possible unless approved by the City Engineer.

**B. PRIVATE CUL DE SACS**

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

**C. KNUCKLE**

- 1) Construct the knuckle to conform to the lay-out shown in the tentative tract map, except for minor revisions as may be required by the City Engineer.

18. 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.
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or the approved equivalents of alternate materials.

19. 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. .
20. Improvements shall include appurtenances such as traffic control signs, markings and other devices, street name signs and sidewalks.
21. 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.

**FINAL MAPS**

22. Prior to the City's approval of a Final Map, the applicant shall furnish accurate mylars of the Final Map that were approved by the City's map checker on a storage media acceptable to the City Engineer. The Final Map shall be 1" = 40' scale.

## 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.

23. 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 LQMC Section 13.24.040 (Improvement Plans).
24. 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. SWPPP 1" = 40' Horizontal
- D. WQMP (Plan submitted in Report Form)

NOTE: A through D to be submitted concurrently.

- E. *On-Site Street Improvements/Signing & Striping/Storm Drain Plan*

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

*Vertical*

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.

- F. 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 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 2007 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.

25. The City maintains standard plans, detail sheets and/or construction notes for elements of construction which can be accessed via the "Plans, Notes and Design Guidance" section of the Public Works Department at the City website ([www.la-quinta.org](http://www.la-quinta.org)). Please navigate to the Public Works Department home page and look for the Standard Drawings hyperlink.
26. The applicant shall furnish a complete set of the mylars of all approved improvement plans on a storage media acceptable to the City Engineer.
27. Upon completion of construction, and prior to final acceptance of the improvements by the City, 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" 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 approved mylars previously submitted to the City, revised to reflect the as-built conditions. The applicant shall employ or retain the Engineer Of Record during the construction phase of the project so that the EOR can make site visits in support of preparing "Record Drawing". However, if subsequent approved revisions have been approved by the City Engineer and reflect said "Record Drawing" conditions, the Engineer Of Record may submit a letter attesting to said fact to the City Engineer in lieu of mylar submittal.

## IMPROVEMENT SECURITY AGREEMENTS

28. 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.
29. 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 Tract Map, shall comply with the provisions of LQMC Chapter 13.28 (Improvement Security).
30. 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.
31. Depending on the timing of the development of this Tentative Tract Map, 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 tentative tract map.
  - D. Secure the costs for future improvements that are to be made by others.
  - E. To agree to any combination of these actions, as the City may require.

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.

32. 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.

33. 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

34. The applicant shall comply with the provisions of LQMC Section 13.24.050 (Grading Improvements).
35. 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.
36. 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 LQMC Chapter 6.16, (Fugitive Dust Control), and
  - D. A Best Management Practices report prepared in accordance with LQMC Sections 8.70.010 and 13.24.170 (NPDES stormwater

discharge permit and Storm Management and Discharge Controls).

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.

37. 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.
38. 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.
39. 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.
40. Building pad elevations of perimeter lots shall not differ by more that one foot higher from the building pads in adjacent developments.
41. 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.

42. Prior to any site grading or regrading that will raise or lower any portion of the site by more than plus or minus five tenths of a foot (0.5') from the elevations shown on the approved Tentative Tract Map, the applicant shall submit the proposed grading changes to the Public Works Department for a substantial conformance finding review.
43. 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 with applicable compaction tests and over excavation documentation.

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.

44. This development shall comply with LQMC Chapter 8.11 (Flood Hazard Regulations). If any portion of any proposed building lot in the development is or may be located within a flood hazard area as identified on the City's Flood Insurance Rate Maps, the development shall be graded to ensure that all floors and exterior fill (at the foundation) are above the level of the project (100-year) flood and building pads are compacted to 95% Proctor Density as required in Title 44 of the Code of Federal Regulations, Section 65.5(a) (6). Prior to issuance of building permits for lots which are so located, the applicant shall furnish elevation certifications, as required by FEMA, that the above conditions have been met.

#### DRAINAGE

45. Stormwater handling shall conform with the approved hydrology and drainage report for the Trilogy Annex project. Nuisance water shall be disposed of in an approved manner.
46. The applicant shall comply with the provisions of LQMC Section 13.24.120 (Drainage), Retention Basin Design Criteria, Engineering Bulletin No. 06-16 - Hydrology Report with Preliminary Hydraulic Report Criteria for Storm Drain Systems and Engineering Bulletin No. 06-015 - Underground Retention Basin Design Requirements. More specifically, stormwater falling on site during the 100 year storm shall be retained within the development, unless otherwise approved by the City Engineer. The design storm shall be either the 1 hour, 3 hour, 6 hour or 24 hour event producing the greatest total run off.

47. Nuisance water shall be retained on site. Nuisance water shall be disposed of per approved methods contained in Engineering Bulletin No. 06-16 – Hydrology Report with Preliminary Hydraulic Report Criteria for Storm Drain Systems and Engineering Bulletin No. 06-015 - Underground Retention Basin Design Requirements.
48. In design of retention facilities, the maximum percolation rate shall be two inches per hour. The percolation rate will be considered to be zero unless the applicant provides site specific data indicating otherwise and as approved by the City Engineer.
49. 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.
50. No fence or wall shall be constructed around any retention basin unless approved by the Planning Director and the City Engineer.
51. For on-site above ground common retention basins, retention depth shall be according to Engineering Bulletin No. 06-16 – Hydrology Report with Preliminary Hydraulic Report Criteria for Storm Drain Systems. Side slopes shall not exceed 3:1 and shall be planted with maintenance free ground cover. Additionally, retention basin widths shall be not less than 20 feet at the bottom of the basin.
52. 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 LQMC Section 9.100.040(B)(7).
53. The design of the development shall not cause any increase in flood boundaries and levels in any area outside the development.
54. 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.
55. Storm drainage historically received from adjoining property shall be received and retained or passed through into the historic downstream drainage relief route.
56. The applicant shall comply with applicable provisions for post construction runoff per the City's NPDES stormwater discharge permit, LQMC Sections



8.70.010 et seq. (Stormwater Management and Discharge Controls), and 13.24.170 (Clean Air/Clean Water); Riverside County Ordinance No. 457; and the California Regional Water Quality Control Board – Colorado River Basin (CRWQCB-CRB) Region Board Order No. R7-2008-001.

- A. For post-construction urban runoff from New Development and Redevelopments Projects, the applicant shall implement requirements of the NPDES permit for the design, construction and perpetual operation and maintenance of BMPs per the approved Water Quality Management Plan (WQMP) for the project as required by the California Regional Water Quality Control Board – Colorado River Basin (CRWQCB-CRB) Region Board Order No. R7-2008-001.
- B. The applicant shall implement the WQMP Design Standards per (CRWQCB-CRB) Region Board Order No. R7-2008-001 utilizing BMPs approved by the City Engineer. A project specific WQMP shall be provided which incorporates Site Design and Treatment BMPs utilizing first flush infiltration as a preferred method of NPDES Permit Compliance for Whitewater River receiving water, as applicable.

## UTILITIES

- 57. The applicant shall comply with the provisions of LQMC Section 13.24.110 (Utilities).
- 58. 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.
- 59. Existing overhead utility lines within, or adjacent to the proposed development, if any, 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.

- 60. 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. Additionally, grease traps and the maintenance thereof shall be located as to not conflict with access aisles/entrances.

## CONSTRUCTION

61. 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.

## LANDSCAPE AND IRRIGATION

62. The applicant shall comply with LQMC Sections 13.24.130 (Landscaping Setbacks) & 13.24.140 (Landscaping Plans).
63. The applicant shall provide landscaping in the required setbacks, retention basins, common lots and park areas.
64. Landscape and irrigation plans for landscaped lots and setbacks, medians, retention basins, and parks shall be signed and stamped by a licensed landscape architect.
65. Landscaping plans for the front yards and common areas shall be approved as a part of the submitted Site Development Permit application approved by the Planning Commission. Following Site Development Permit approval the applicant shall submit final landscape plans for approval by the Planning Department and green sheet sign off by the Public Works Department. When plan checking has been completed by the Planning Department, the applicant shall obtain the signatures of CVWD and the Riverside County Agricultural Commissioner, prior to submittal for signature by the Planning Director, however landscape plans for landscaped median on public streets shall be approved by the both the Planning Director and the City Engineer. Where City Engineer approval is not required, the applicant shall submit for a green sheet approval by the Public Works Department.

Final landscape plans for on-site planting shall be reviewed by the ALRC and approved by the Planning Director prior to issuance of first building permit. Final plans shall include all landscaping associated with this project.

NOTE: Plans are not approved for construction until signed by both the Planning Director and/or the City Engineer.

66. Landscape areas shall have permanent irrigation improvements meeting the requirements of the Planning Director. Use of lawn areas shall be minimized with no lawn, or spray irrigation, being placed within 24 inches of curbs

along public streets per LQMC Section 8.13.030.

67. The applicant or his agent has the responsibility for proper sight distance requirements per guidelines in the AASHTO "A Policy on Geometric Design of Highways and Streets, 5<sup>th</sup> Edition" or latest, in the design and/or installation of all landscaping and appurtenances abutting and within the private and public street right-of-way.

#### MAINTENANCE

68. The applicant shall comply with the provisions of LQMC Section 13.24.160 (Maintenance).
69. The applicant shall make provisions for the continuous and perpetual maintenance of perimeter landscaping up to the curb, access drives, and sidewalks.

#### FEES AND DEPOSITS

70. The applicant shall comply with the provisions of LQMC Section 13.24.180 (Fees and Deposits). 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.
71. 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).
72. 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.
73. Tentative Tract Map 36139 shall provide for parks through payment of an in-lieu fee, as specified in Chapter 13.48, LQMC. The in-lieu fee (sometimes referred to as the "Quimby Fee") shall be based on the fair market value of the land within the subdivision. Land value information shall be provided to the Planning Director, via land sale information, a current fair market value of land appraisal, or other information on land value within the subdivision. The Planning Director may consider any subdivider-provided or other land value information source for use in calculation of the parkland fee.
74. In accordance with Chapter 3.34 of the La Quinta Municipal Code, future development permits are subject to the Coachella Valley Multi-Species Habitat Conservation Plan/Natural Community Habitat Conservation Plan

Mitigation Fee.

**FIRE DEPARTMENT**

75. For residential areas, approved standard fire hydrants, located at each intersection and spaced 330 feet apart with no portion of any lot frontage more than 400 or 600 feet from a hydrant. Minimum fire flow shall be 1000 GPM for a 2-hour duration at 20 PSI.
76. For any buildings with public access i.e. recreational halls, clubhouses, etc. or buildings with a commercial use i.e. gatehouses, maintenance sheds, etc. Minimum fire flow for these areas would be 1500 GPM for a 2-hour duration at 20 PSI. The water mains shall be designed to provide for a potential fire flow of 2500 GPM and an actual fire flow available from any one hydrant connected to any given main of 1500 GPM for a 2-hour duration at 20 PSI residual operating pressure.
77. The required water system, including fire hydrants, shall be installed and accepted by the appropriate water agency prior to any combustible building material being placed on an individual lot. Two sets of water plans are to be submitted to the Fire Department for approval.
78. Fire Apparatus access road and driveways shall be in compliance with the Riverside County Fire Department Standard number 06-05 (located at [www.rvcfire.org](http://www.rvcfire.org)). Access lanes will not have an up, or downgrade of more than 15%. Access roads shall have an unobstructed vertical clearance not less than 13 feet and 6 inches. Access lanes will be designed to withstand the weight of 80 thousand pounds over 2 axles. Access will have a turning radius capable of accommodating fire apparatus. Access lane shall be constructed with a surface so as to provide all weather driving capabilities
79. Roadways may not exceed 660 feet without secondary access unless otherwise approved by the Fire Marshal. This access may be restricted to emergency vehicles only however, public egress must be unrestricted.
80. Applicant/Developer shall mount blue dot retro-reflectors pavement markers on private streets, public streets and driveways to indicated location of the fire hydrant. It should be 8 inches from centerline to the side that the fire hydrant is on, to identify fire hydrant locations.
81. All structures shall be accessible from an approved roadway to within 150 feet of all portions of the exterior of the first floor.
82. Final conditions will be addressed when complete buildings plans are

reviewed.

PLANNING DEPARTMENT

83. All grading equipment shall be equipped with properly functioning mufflers.
84. No grading vehicle shall be allowed to idle for more than 5 minutes within 50 feet of the northern or eastern boundary of the site.
85. Any staging areas or storage areas for stationary grading equipment shall be located in the southwestern portion of the site. Stationary equipment shall be oriented so as to direct noise in a southerly or southeasterly direction.
86. All grading activities shall occur in strict compliance with the construction hours allowed in the Municipal Code.

END.

