

**RESOLUTION 97-42**  
**CONDITIONS OF APPROVAL - FINAL**  
**TENTATIVE TRACT MAP 28444 - KSL LAND CORPORATION**  
**JUNE 3, 1997**

**CONDITIONS OF APPROVAL**

**GENERAL**

1. Upon their approval by the City Council, the City Clerk is authorized to file these Conditions of Approval with the Riverside County Recorder for recordation against the properties to which they apply (APN: 769-730-003, 769-520-001 and 002, 769-530-001, 769-720-003, 761-080-073 and 074, and 761-090-050).
2. Tentative Tract Map No. 28444 shall comply with the requirements and standards of §§ 66410-66499.58 of the California Government Code (the Subdivision Map Act) and Title 13 of the La Quinta Municipal Code (LQMC) unless otherwise modified by the following conditions. This map approval shall expire and become void within two years of City Council approval unless extended based on the provisions of Section 13.12.150 of the Subdivision Ordinance.
3. Prior to the issuance of a grading permit or building permit for construction of any building or use contemplated by this approval, the applicant shall obtain permits and/or clearances from the following public 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
  - Imperial Irrigation District
  - California Regional Water Quality Control Board (NPDES Permit)

The applicant is responsible for any requirements of the permits or clearances from those jurisdictions. If the requirements include approval of improvement plans, applicant shall furnish proof of said approvals prior to obtaining City approval of the plans.

The applicant shall comply with applicable provisions of the City's NPDES stormwater discharge permit. For subdivisions requiring project-specific NPDES construction permits, the applicant shall include a copy of the application for the Notice of Intent with grading plans submitted for plan checking. Prior to issuance of a grading or site construction permit, the applicant shall submit a copy of the proposed Storm Water Pollution Protection Plan for review by the Public Works Department.

4. Provisions shall be made to comply with the terms and requirements of the City's adopted Infrastructure Fee program in effect at the time of issuance of building permits.

### PROPERTY RIGHTS

5. All easements, rights of way and other property rights required of the tentative map or otherwise necessary to facilitate the ultimate use of the development and functioning of improvements shall be dedicated, granted or otherwise conferred, or the process of said dedication, granting, or conferral shall be ensured, prior to approval of a final map or filing of a certificate of compliance for waiver of a final map. The conferral shall include irrevocable offers to dedicate or grant easements to the City for access to and maintenance, construction, and reconstruction of all essential improvements which are located on privately-held lots or parcels.
6. If the applicant proposes vacation or abandonment of any existing rights of way or access easements which will diminish access rights to any properties owned by others, the applicant shall provide approved alternate rights of way or access easements to those properties.
7. The applicant shall dedicate public and private street right of way and utility easements in conformance with the City's General Plan, Municipal Code, applicable specific plans, and as required by the City Engineer.
8. The applicant shall dedicate 10-foot public utility easements contiguous with and along both sides of all private streets.
9. The applicant shall dedicate any easements necessary for placement of and access to utility lines and structures, drainage basins, mailbox clusters, and common areas.

10. The applicant shall cause no easements to be granted or recorded over any portion of this property between the date of approval by the City Council and the date of recording of any final map(s) covering the same portion of the property unless such easements are approved by the City Engineer.

#### FINAL MAP(S) AND PARCEL MAP(S)

11. As part of the filing package for final map approval, the applicant shall furnish accurate AutoCad files of the complete map, as approved by the City's map checker, on storage media and in a program format acceptable to the City Engineer. The files shall utilize standard AutoCad menu choices so they may be fully retrieved into a basic AutoCad program. If the map was not produced in AutoCad or another program which is convertible to AutoCad, the applicant may substitute a scanned raster image file of the map.

#### IMPROVEMENT PLANS

12. Improvement plans submitted to the City for plan checking shall be submitted on 24" x 36" media in the categories of "Rough Grading," "Precise Grading" and, if necessary, "Drainage" and "Landscaping." All plans except precise grading plans shall have signature blocks for the City Engineer. Precise grading plans shall have signature blocks for Community Development Director and the Building Official. Plans are not approved for construction until they are signed.

"Street and Drainage" plans shall normally include signals, sidewalks, bike paths, gates and entryways, and parking lots. If water and sewer plans are included on the street and drainage plans, the plans shall have an additional signature block for the Coachella Valley Water District (CVWD). The combined plans shall be signed by CVWD prior to their submittal for the City Engineer's signature.

"Landscaping" plans shall normally include landscape improvements, irrigation, lighting, and perimeter walls.

Plans for improvements not listed above shall be in formats approved by the City Engineer.

13. The City may maintain standard plans, details and/or construction notes for elements of construction. For a fee established by City resolution, the applicant may acquire standard plan and/or detail sheets from the City.

14. When final plans are approved by the City, and prior to approval of the final map, the applicant shall furnish accurate AutoCad files of the complete, approved plans on storage media acceptable to the City Engineer. The files shall utilize standard AutoCad menu choices so they may be fully retrieved into a basic AutoCad program. At the completion of construction and prior to final acceptance of improvements, the applicant shall update the files to reflect as-constructed conditions including approved revisions to the plans.

### IMPROVEMENT AGREEMENT

15. The applicant shall construct improvements and/or satisfy obligations, or furnish an executed, secured agreement to construct improvements and/or satisfy obligations required by the City prior to agendization of a final map or parcel map or issuance of a certificate of compliance for a waived parcel map. For secured agreements, security provided, and the release thereof, shall conform with Title 13, LQMC.

Improvements to be made or agreed to shall include removal of any existing structures or obstructions which are not part of the proposed improvements.

16. If improvements are secured, the applicant shall provide approved estimates of improvement costs. Estimates shall comply with the schedule of unit costs adopted by City resolution or ordinance. For items not listed in the City's schedule, estimates shall meet the approval of the City Engineer.

Estimates for utilities and other improvements under the jurisdiction of outside agencies shall be approved by those agencies. Security is not required for telephone, gas, or T.V. cable improvements. However, tract improvements shall not be agendized for final acceptance until the City receives confirmation from the telephone authority that the applicant has met all requirements for telephone service to lots within the development.

17. If the applicant desires to phase improvements and obligations required by the conditions of approval and secure those phases separately, a phasing plan shall be submitted to the Public Works Department for review and approval by the City Engineer.

The applicant shall complete required improvements and satisfy obligations as set forth in the approved phasing plan. Improvements and obligations required of each phase shall be completed and satisfied prior to completion of homes or occupancy

of permanent buildings within the phase unless a construction sequencing plan for that phase is approved by the City Engineer.

18. If improvements are phased with multiple final maps or other administrative approvals (site development permits, conditional use permits, etc.), off-site improvements and development-wide improvements (ie: retention basins, perimeter walls & landscaping, gates, etc.) shall be constructed or secured prior to approval of the first final map unless otherwise approved by the City Engineer.
19. The applicant shall pay cash or provide security in guarantee of cash payment for applicant's required share of improvements which have been or will be constructed by others (participatory improvements).

Participatory improvements for this development include:

- A. Fifty percent of the cost to design and construct improvements to Madison Street from the currently-improved section at Airport Boulevard to the most easterly southeast corner of the revised PGA West Specific Plan (Specific Plan). When construction is warranted, the improvements may be constructed by the applicant, by the City or by others.
- B. Design and construction of perimeter landscaping from the north boundary of this Tract to the most easterly southeast corner of the Specific Plan.

The applicant's obligations for all or a portion of the participatory improvements may, at the City's option, be satisfied by participation in a major thoroughfare improvement program if this development becomes subject to such a program.

#### GRADING

20. Graded, undeveloped land shall be maintained to prevent dust and blowsand nuisances. The land shall be planted with interim landscaping or provided with other wind and water erosion control measures approved by the Community Development and Public Works Departments.
21. Prior to occupation of the project site for construction purposes, the Applicant shall submit and receive approval of a fugitive dust control plan prepared in accordance with Chapter 6.16, LQMC. In accordance with said Chapter, the Applicant shall furnish security, in a form acceptable to the city, in an amount sufficient to guarantee compliance with the provisions of the permit.

22. The applicant shall comply with the City's flood protection ordinance.
23. The applicant shall furnish a copy of the soils report with the grading plan.
24. A grading plan shall be prepared by a registered civil engineer and must meet the approval of the City Engineer prior to issuance of a grading permit. The grading plan shall conform with the recommendations of the soils report and shall be certified as adequate by a soils engineer or an engineering geologist. A statement shall appear on the final map(s), if any are required of this development, that a soils report has been prepared pursuant to Section 17953 of the Health and Safety Code.
25. The applicant shall endeavor to minimize differences in elevation at the interface of this development with abutting properties and of separate tracts within this development, if any. Building pad elevations on contiguous lots shall not differ by more than three feet except for lots within a tract, but not sharing common street frontage, where the differential shall not exceed five feet.  
  
If the applicant is unable to comply with the pad elevation differential requirement, the City will consider and may approve alternatives that preserve community acceptance with the proposed development.
26. Prior to issuance of building permits, the applicant shall provide a separate document, bearing the seal and signature of a California registered civil engineer or surveyor, that lists actual building pad elevations for the building lots. The document shall list the pad elevation approved on the grading plan, the as-built elevation, and the difference between the two, if any. The data shall be organized by lot number and shall be listed cumulatively if submitted at different times.

#### UTILITIES

27. All existing and proposed utilities within or adjacent to the proposed development shall be installed underground. High-voltage power lines which the power authority will not accept underground are exempt from this requirement.
28. In areas where hardscape surface improvements are planned, underground utilities shall be installed prior to construction of surface improvements. The applicant shall

provide certified reports of utility trench compaction tests for approval of the City Engineer.

### STREET AND TRAFFIC IMPROVEMENTS

29. The City is contemplating adoption of a major thoroughfare improvement program. If the program is in effect 60 days prior to recordation of any final map or issuance of a certificate of compliance for any waived final map, the development or portions thereof may be subject to the provisions of the Ordinance.

If this development is not subject to a major thoroughfare improvement program, the applicant shall be responsible for all street and traffic improvements required herein.

30. The following minimum street improvements shall be constructed to conform with the General Plan street type noted in parentheses:

#### A. OFF-SITE STREETS

- 1) Madison Street (Primary Arterial) - 86 feet curb to curb plus sidewalks and median. The applicant shall secure 50% of the cost to design and construct the west half of the street from the currently-improved section at Airport Boulevard to the most easterly southeast corner of the Specific Plan.

#### B. PRIVATE STREETS AND CUL DE SACS

- 1) Residential - 36 feet wide if double loaded (builds on both sides), 32 feet if single loaded
- 2) Collector ( $\geq 300$  homes or 3,000 vpd) - 40 feet wide
- 3) Cul de sac curb radius - 45'

Main entry streets and interior circulation routes, bus turnouts, acceleration/deceleration lanes, and/or other features contained in the approved construction plans may warrant additional street widths or other measures as determined by the City Engineer.

31. Improvements shall include all appurtenances such as traffic signs, channelization markings and devices, raised medians if required, street name signs, sidewalks, and mailbox clusters approved in design and location by the U.S. Post Office and the City Engineer. Mid-block street lighting is not required.

32. The City Engineer may require improvements extending beyond development boundaries such as, but not limited to, pavement elevation transitions, street width transitions, or other incidental work which will ensure that newly constructed improvements are safely integrated with existing improvements and conform with the city's standards and practices.
33. Improvement plans for all on- and off-site streets and access gates shall be prepared by registered professional engineer(s) authorized to practice in the State of California. Improvements shall be designed and constructed in accordance with the LQMC, adopted Standard and Supplemental Drawings and Specifications, and as approved by the City Engineer. Plans for Madison Street shall be prepared by the applicant or others when the improvements are warranted as determined by the City.
34. Street right-of-way geometry for cul de sacs, knuckle turns and corner cut-backs shall conform with Riverside County Standard Drawings #800, #801, and #805 respectively unless otherwise approved by the City Engineer.
35. All streets proposed to serve residential or other access driveways shall be designed and constructed with vertical curbs and gutters or shall have other approved methods to convey nuisance water without ponding in yard or drive areas and to facilitate street sweeping.
36. Street pavement sections shall be based on a Caltrans design for a 20-year life and shall consider soil strength and anticipated traffic loading (including site and building construction traffic). The minimum pavement sections shall be as follows:

Residential & Parking Areas	3.0" a.c./4.50" a.b.
Collector	4.0"/5.00"
Secondary Arterial	4.0"/6.00"
Primary Arterial	4.5"/6.00"
Major Arterial	5.5"/6.50"

The listed structural sections are minimums, not defaults. Street pavement sections shall be designed using Caltrans design procedures with site-specific data for soil strength and traffic volumes.

The applicant shall submit current (no more than two years old) mix designs for base materials, Portland cement concrete and asphalt concrete, including complete mix design lab results, for review and approval by the City. For mix designs over six months old, the submittal shall include recent (no more than six months old at the



time proposed for construction) aggregate gradation test results to confirm that the mix design gradations can be reproduced in production of the base or paving material. Construction operations shall not be scheduled until mix designs are approved.

37. Prior to occupancy of homes or other permanent buildings within the development, the applicant shall install all street and sidewalk improvements, traffic control devices and street name signs along access routes to those buildings. If on-site streets are initially constructed with only a portion of the full thickness of pavement, the applicant shall complete the pavement when directed by the City but in any case prior to final inspections of any of the final ten percent of homes within the tract.

### LANDSCAPING

38. Perimeter walls and required landscaping for the entire perimeter to be enclosed shall be constructed prior to final inspection and occupancy of any homes within the tract unless a phasing plan or construction schedule is approved by the City Engineer.
39. The applicant shall provide landscape improvements in the perimeter setback areas or lots along the following streets:
  - A. Madison Street from the north boundary of this tract to the most easterly southeast corner of the Specific Plan. The improvements may be secured for installation when street improvements are constructed.
40. Landscape and irrigation plans for landscaped lots and landscape setback areas shall be prepared by a licensed landscape architect.

Landscape and irrigation plans shall be approved by the Community Development Department. Landscape and irrigation construction plans shall be submitted to the Public Works Department for review and approval by the City Engineer. The plans are not approved for construction until they have been approved and signed by the City Engineer, the Coachella Valley Water District, and the Riverside County Agricultural Commissioner.

41. Slopes shall not exceed 5:1 within public rights of way and 3:1 in landscape areas outside the right of way.

42. Landscape areas shall have permanent irrigation improvements meeting the requirements of the City Engineer. Use of lawn shall be minimized with no lawn or spray irrigation within five-feet of curbs along public streets.
43. Unless otherwise approved by the City Engineer, common basins and park areas shall be designed with a turf grass surface which can be mowed with standard tractor-mounted equipment.
44. The applicant shall ensure that landscaping plans and utility plans are coordinated to provide visual screening of above-ground utility structures.

#### PUBLIC SERVICES

45. The applicant shall provide transit amenities as required by Sunline Transit and or the City Engineer.

#### QUALITY ASSURANCE

46. The applicant shall employ construction quality-assurance measures which meet the approval of the City Engineer.
47. The applicant shall arrange and bear the cost of measurement, sampling and testing not included in the City's permit inspection program but which are required by the City to provide evidence that materials and their placement comply with plans and specifications.
48. The applicant shall employ or retain California registered civil engineers, geotechnical engineers, or surveyors, as appropriate, who will provide, or have their agents provide, sufficient supervision and verification of the construction to be able to furnish and sign accurate record drawings.
49. Upon completion of construction, the applicant shall furnish the City reproducible record drawings of all plans which were signed by the City Engineer. Each sheet of the drawings shall have the words "Record Drawings," "As-Built" or "As-Constructed" clearly marked on each sheet and be stamped and signed by the engineer or surveyor certifying to the accuracy of the drawings. The applicant shall revise the plan computer files previously submitted to the City to reflect the as-constructed condition.

### MAINTENANCE

50. The applicant shall make provisions for continuous maintenance of drainage, landscaping and on-site street improvements. The applicant shall maintain off-site public improvements until final acceptance of improvements by the City Council.
51. The applicant shall provide an executive summary maintenance booklet for streets, landscaping and related improvements, perimeter walls, drainage facilities, or any other improvements to be maintained by an HOA. The booklet should include drawings of the facilities, recommended maintenance procedures and frequency, and a costing algorithm with fixed and variable factors to assist the HOA in planning for routine and long term maintenance.

### FEES AND DEPOSITS

52. The applicant shall pay all deposits and fees required by the City for plan checking and construction inspection. Deposit and fee amounts shall be those in effect when the applicant makes application for plan checking and permits.

### FIRE DEPARTMENT

53. Schedule A fire protection approved Super fire hydrants (6" X 4" X 2.5" X 2.5") will be located at each street intersection spaced not more than 330-feet apart in any direction with any portion of any frontage more than 165-feet from a fire hydrant. Minimum fire flow will be 1,000 G.P.M. for a two-hour duration at 20 PSI.
54. Prior to recordation of the final map, the applicant/developer will furnish one blueline copy of the water system plans to the Fire Department for review and approval. Plans will conform to the fire hydrant types, location and spacing, and the system will meet the fire flow requirements. Plans will be signed and approved by the registered civil engineer and the local water company with the following certification: "*I certify that the design of the water system is in accordance with the requirements prescribed by the Riverside County Fire Department.*"
55. The required water system including fire hydrants will be installed and accepted by the appropriate water agency prior to any combustible building material being placed on an individual lot.

**MISCELLANEOUS**

56. The provisions of Specific Plan 83-002 (PGA West Specific Plan), including sideyard setbacks, shall be met prior to issuance of building permits.
57. All agency letters received for this case are made part of the case file documents for plan checking purposes.
58. Developer agrees to indemnify, defend and hold harmless the City of La Quinta in the event of any legal claim or litigation arising out of the City's approval of this project.