

RESOLUTION NO. 2001-71
CONDITIONS OF APPROVAL - FINAL
AMENDING TRACT MAP 28343 - RANCHO LA QUINTA
T. D. DESERT DEVELOPMENT
JUNE 5, 2001

CONDITIONS OF APPROVAL

GENERAL

1. The developer/property owner 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 including but not limited to indemnifying and holding harmless the City from any challenge regarding SP 84-004 (Amendment #4), GPA 2001-073, EA 2001-421, and affiliated subdivision maps. The City of La Quinta shall have the right to select its defense counsel in its sole discretion.

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

2. Amending Tentative Map 28343 shall comply with the requirements and standards of §§ 66410-66499.58 of the California Government Code (the Subdivision Map Act) and Chapter 13 of the La Quinta Municipal Code (LQMC) unless otherwise modified by the following conditions.
3. 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 the City Engineer approves a construction sequencing plan for that phase.

4. Before 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 Departments and public agencies:
 - Fire Marshal
 - Public Works Department (Grading Permit, Improvement Permit)
 - Community Development Department
 - Riverside Co. Environmental Health Department
 - Desert Sands 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, the applicant shall furnish proof of said approvals prior to obtaining City approval of the plans.

For projects requiring 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 an approved Storm Water Pollution Protection Plan.

5. 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

6. 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.
7. 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.
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, park lands, 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.

11. The proposed CVWD well site shall be reconfigured to provide a minimum 12 feet of landscaped setback from the curblineline of the adjacent road.

FINAL MAP(S)

12. As part of the filing package for final map approval, the applicant shall furnish the City, on storage media and in a program format acceptable to the City Engineer, accurate computer files of the map(s) as approved by the City's map checker.

IMPROVEMENT PLANS

13. 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," "Streets & 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 the Planning Director and the Building Official. Plans are not approved for construction until they are signed.

"Streets 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). CVWD shall sign the combined plans before 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.

14. 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.

When final plans are approved by the City, and prior to approval of the final map, the applicant shall furnish accurate computer files of the complete, approved plans on storage media and in a program format acceptable the City Engineer. 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 enter into a 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 Chapter 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 improvements are phased with multiple final maps or other administrative approvals (plot plans, 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.

GRADING

18. Graded and/or 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.

19. Before 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.
20. The applicant shall comply with the City's Flood Protection Ordinance.
21. The applicant shall conduct a thorough preliminary geological and soils engineering investigation and shall submit the report of the investigation ("the soils report") with the grading plan.
22. A registered civil engineer shall prepare a grading plan 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 soil's 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.
23. Building pad elevations on contiguous lots shall not differ by more than three feet except for lots within this development, but not sharing a 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 and buyer satisfaction with the proposed development.

24. Before 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

25. Existing overhead lines and all proposed utilities within or adjacent to the proposed development shall be installed underground, unless otherwise permitted by General Plan Amendment 2000-073.

26. 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

27. 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/traffic improvements required herein.

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

A. PRIVATE STREETS/CUL DE SACS

- 1) Residential - 32-foot-wide travel surface.
- 2) Collector (\$300 homes or 3,000 vpd) - 40-foot-wide travel surface.

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, raised medians or other mitigation measures as determined by the City Engineer.

29. Improvements shall include all appurtenances such as traffic signs, channelization markings, 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.
30. 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.
31. 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.

32. Street right of way geometry for cul-de-sacs, knuckle turns and corner cutbacks shall conform with Riverside County Standard Drawings #800, #801, and #805 respectively unless otherwise approved by the City Engineer.
33. All streets proposed to serve residential or other access driveways shall be designed and constructed with 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.
34. 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 applicant shall submit mix designs for road base and pavement materials, including complete testing lab results, for review and approval by the City. Paving operations shall not be scheduled until mix design(s) is approved.

35. Before 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.

LANDSCAPING

36. Landscape and irrigation plans for landscaped lots, landscape setback areas, medians, common retention basins, and park facilities shall be prepared by a licensed landscape architect and approved prior to building permit issuance.

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.

37. Slopes shall not exceed 5:1 within public rights of way and 3:1 in landscape areas outside the right of way.
38. 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 5-feet of curbs along public streets.
39. The applicant shall ensure that landscaping plans and utility plans are coordinated to provide visual screening of aboveground utility structures.

QUALITY ASSURANCE

40. The applicant shall employ construction quality-assurance measures which meet the approval of the City Engineer.
41. 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.
42. 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

43. 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.
44. 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

45. 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.
46. Prior to approval of a final map or completion of any approval process for modification of boundaries of the property subject to these conditions, the applicant shall process a reapportionment of any bonded assessment(s) against the property and pay the cost of the reapportionment.

FIRE DEPARTMENT

47. Schedule A fire protection approved Super fire hydrants (6" X 4" X 2-1/2" X 2-1/2") shall be located at each street intersection spaced not more than 500-feet apart in any direction with no portion of any frontage more than 250-feet from a fire hydrant. Minimum fire flow shall be 1000 g.p.m. for two hour duration at 20 psi.
48. Prior to recordation of the final map, applicant/developer shall furnish one blueline copy of the water system plan to the Fire Department for review and approval. Plans shall conform to the fire hydrant types, location and spacing, and the system shall meet the fire flow requirements. Plans shall be signed/approved by a 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."
49. 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.

A temporary water supply for fire protection may be allowed for the construction of a model unit only. Plans for a temporary water system must be submitted to the Fire Department for review prior to issuance of building permits.

SPECIAL

50. Single story homes shall be built within 75-feet of the south boundary of the tentative map.

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51. The production houses planned for these lots, if not previously approved by the City, shall be approved by the Planning Commission before issuance of any building permits for construction by the Building and Safety Department (i.e., Non-Hearing Business Agenda).
52. All Zoning Code provisions shall be met prior to building permit issuance.
53. All homes shall be required to install front yard landscaping prior to final occupancy. Each lot shall have two 15 gallon shade trees (corner lots shall have five), ten 5-gallon shrubs and other landscaping (e.g., turf, turf and gravel, etc.), acceptable to the Community Development Department pursuant to Chapter 8.13 of the LQMC. The applicant/developer is encouraged to use drought resistant or native plant material for the project. The applicant will be permitted to post securities to insure that the front yard landscaping is installed for each home if the landscaping is not installed at time of final release of occupancy. All landscaping materials shall be installed with 60-days after occupancy clearances have been given.
54. Prior to issuance of the final map, Lot 77 shall be reserved for open space or single family lots. Lot 77 shall not be used as a well site by the developer or the Coachella Valley Water District.
55. Prior to issuance of a building permit, all common recreational amenities (i.e., pool/spa and recreation building) planned for Lot 76 (or Lot 77) shall be approved by the Planning Commission. Separate restroom facilities shall be provided for the on-site maintenance workers of the country club on Lot 76 (or adjacent to this area) as approved by the Commission.
56. All applicable Conditions of Approval of Specific Plan 84-004 (The Grove), Final Environmental Impact Report #90 (Addendum) or Parcel Map 20469 shall be met unless otherwise modified herein.
57. Prior to final map approval by the City Council, the City Attorney shall approve the annexation of this Tract (i.e., C.C. and R's documents) into the Rancho La Quinta Homeowner's Association.
58. Prior to final map approval, the applicant shall submit to the Community Development Department for review and approval a site plan showing the pedestrian and bicycle path system for this Tract.

59. Prior to building permit issuance, the applicant/developer shall work with the local waste hauler to implement provisions of AB 939 and AB 1462 by establishing on-site trash and recycling services as follows:
- A. Prepare a plan to provide enlarged trash enclosures for inclusion of separate facilities for the storage of recyclables such as glass, plastics, newsprint and steel or aluminum cans.
 - B. Provide proper on-site facilities with the project for green waste associated with golf course or common maintenance. Compost materials shall be stored for pickup by a waste hauler for transport to an appropriate recycling facility.
 - C. Curbside recycling services shall be provided in areas where no centralized trash/recycling bins are provided or utilized.

The local trash hauler shall insure that any materials taken off-site for disposal are recorded and the tonnage figures credited to the City of La Quinta to assist our State obligations. The developer can contact the City's Recycling Coordinator for additional information.