

**RESOLUTION 95-62
CONDITIONS OF APPROVAL - FINAL
TENTATIVE TRACT 28150
KSL LAND CORPORATION
JULY 18, 1995**

GENERAL

1. Tentative Tract Map 28150 shall comply with the requirements and standards of the State Subdivision Map Act, the City of La Quinta Land Division Ordinance, and all other applicable laws in effect at the time of approval of this tentative map unless otherwise modified by the following conditions.
2. This tentative tract map approval shall expire and become void two years from City Council approval date unless extended pursuant to the City's Subdivision Ordinance.
3. This approval shall be in compliance with all applicable conditions and applicable provisions of Specific Plan 83-002. Except as provided herein, the approval of this tentative tract map or any final map for this development shall in no way reduce or nullify the applicant's responsibility to satisfy Conditions of Approval for underlying specific plans, tentative map or final maps.
4. The developer shall retain a qualified archaeologist immediately upon discovery of any archaeological remains or artifacts and employ appropriate mitigation measures during project development.
5. Any minor changes in lot mix, sizes, lines, or shapes, or street alignments, shall be reviewed and approved by the Community Development Department prior to any final map approvals for recordation.
6. The applicant shall comply with the recommendations of the completed noise analysis for "PGA West".
7. All lighting facilities shall comply with Chapter 9.210 (Outdoor Light Control) and be designed to minimize light and glare impacts to surrounding property. All lighting to be installed shall be subject to review and approval by the Community Development Department.

Applicant shall submit plans for street lighting along roads, if any, for review and approval by the Community Development Department.
8. The development of custom, single-family lots shall be governed by the Design Guidelines of Specific Plan 83-002, to assure that building architecture, building materials and colors, building height and setbacks, and landscape design follow appropriate design themes throughout the tract.
 - a. Prior to issuance of an occupancy permit for any house within Tentative Tract 28150, landscaping/groundcover and permanent irrigation shall be installed and appropriately maintained. Type of planting, method of installation, and maintenance techniques shall be subject to plan approval by the Community Development Department.

Conditions of Approval
Tentative Tract 28150
July 18, 1995

9. Prior to issuance of a grading permit, the applicant shall prepare and submit a written report to the Community Development Director demonstrating compliance with those Conditions of Approval and mitigation measures of the Environmental Impact Report prepared for Specific Plan 83-002 and Tentative Tract 28150, which must be satisfied prior to the issuance of a grading permit. Prior to the issuance of a building permit, the applicant shall prepare and submit a written report to the Community Development Director demonstrating compliance with those Conditions of Approval and mitigation measures of The Environmental Impact Report prepared for Specific Plan 83-002 and Tentative Tract 28150, which must be satisfied prior to the issuance of a building permit. Prior to final building inspection approval, the applicant shall prepare and submit a written report to the Community Development Director demonstrating compliance with all remaining Conditions of Approval and mitigating measures of the Environmental Impact Report prepared for Specific Plan 83-002 and Tentative Tract 28150. The Community Development Director may require inspections or other monitoring to assure such compliance.
10. The applicant/developer shall submit preliminary single family architectural plans for construction in Tract 28150 for review and approval by the Planning Commission if the Highland Units are not built or the applicant does not use the compatible units proposed pursuant to Plot Plan 95-552. The plans shall be architecturally compatible with the existing units in the project area and obtain approval of PGA West Homeowners' Association if necessary.
11. The developer of Tentative Tract 28150 shall disclose the following information to those buyers of units located within Tract 28150.

"The Riverside County Sheriff's Department operates its shooting practice and qualifying range on the north side of Lake Cahuilla, approximately 3,000 feet from the westerly boundary of Tract 28150 (in the southeast quarter of the northwest quarter of Section 20, T6S, R7E, S.B.B. & M.). This range is used for monthly practice and quarterly qualifying sessions, and is also used by various other Coachella Valley agencies. For more specific information contact: Riverside County Sheriff's Department, 82-695 Dr. Carreon Drive, Indio, CA 92201 619-863-8990."

This information (or similar wording) shall be disclosed through an amendment to the purchase agreement.

12. 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.
13. If the applicant desires to phase improvements and obligations required by the Conditions of Approval, 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 subphasing plan is approved by the City Engineer.

Conditions of Approval
Tentative Tract 28150
July 18, 1995

14. Prior to the issuance of a grading 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 approvals and signatures on the plans.

Evidence of permits or clearances from the above jurisdictions shall be presented to the Building Department at the time of the application for a building permit for the use contemplated herewith.

15. 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.
16. Except as otherwise modified herein, Tentative Tract Map 28150 shall comply with all requirements of the Conditions of Approval of the underlying Tentative Tract 25499 and Tract Map 25499-3.

PROPERTY RIGHTS

17. All easements, rights-of-way and other property rights required of the tentative map or otherwise necessary to facilitate the ultimate use of the subdivision 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 or guarantee of conferral shall include irrevocable offers to dedicate or grant easements to the City for access to and maintenance, construction, and reconstruction of all required improvements which are located on privately-held lots or parcels.
18. If the applicant proposes vacation or abandonment of any existing rights of way or access easements which give access rights to any properties owned by others, the applicant shall provide approved alternate rights of way or access easements to those properties.
19. The applicant shall dedicate a 10-foot public utility easement contiguous with and along both sides of all private streets.

Conditions of Approval
Tentative Tract 28150
July 18, 1995

20. The applicant shall dedicate any easements necessary for placement of and access to utility lines and structures, park lands, drainage basins, common areas, and mailbox clusters.
21. 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.

IMPROVEMENT PLANS

22. Improvement plans submitted to the City for plan checking shall be submitted on 24" x 36" media in the categories of "Rough Grading," "Streets & Drainage," "Precise Grading", and "Landscaping." All plans shall have signature blocks for the City Engineer and are not approved for construction until they are signed.

"Streets and Drainage" plans shall normally include signals, sidewalks, bike paths, gates and entryways, parking lots, and water and sewer plans. Combined plans including water and sewer improvements 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.

23. The City may maintain digitized standard plans for elements of construction. For a fee established by City resolution, the developer may acquire the standard plan computer files or standard plan sheets prepared by the City.

When final plans are approved by the City, the developer shall furnish accurate computer files of the complete, approved plans on storage media and in program format acceptable to the City Engineer.

IMPROVEMENT AGREEMENT

24. 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 for the tentative tract map, parcel map, approved phase of development, prior to approval of the map or phase or issuance of a Certificate of Compliance in view of a map.

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

25. If improvements are secured, the applicant shall provide approved estimates of the improvement costs. The estimates shall comply with the schedule of unit costs adopted by City resolution or ordinance. For items not contained in the City's schedule of costs, 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.

GRADING

26. Graded but 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.
27. A thorough preliminary engineering, geological and soils engineering investigation shall be conducted. The report of the investigation ("the soils report") shall be submitted with the grading plan.
28. 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.

29. 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, La Quinta Municipal Code. 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.
30. Prior to issuance of any building permit the applicant shall provide a separate document bearing the seal and signature of a California registered civil engineer, geotechnical engineer, or surveyor that lists actual building pad elevations. The document shall, for each building pad in the development, state the pad elevation approved on the grading plan, the as-built elevation, and shall clearly identify the difference, if any. The data shall be organized by development phase and lot number and shall be cumulative if the data is submitted at different times.
31. Building pad elevations on contiguous lots shall not differ by more than three feet except for lots within this development 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 and buyer satisfaction with the proposed development.

DRAINAGE

32. The applicant shall comply with the City's Flood Protection Ordinance.

Conditions of Approval
Tentative Tract 28150
July 18, 1995

33. Unless otherwise approved by the City Engineer, stormwater falling on site during the peak 24-hour period of a 100-year storm, shall be retained as designated in the approved hydrology plan for PGA West.

LANDSCAPING

34. Landscape and irrigation plans shall be prepared by a licensed landscape architect.

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

35. The applicant shall insure that landscaping plans and utility plans are coordinated to provide visual screening of above-ground utility structures.

MAINTENANCE

36. Prior to approval of a final map within this tentative map area, the applicant shall provide the City with executed, recorded or recordable documents which annex the lots created by the final map to an existing homeowners' association (HOA) within PGA West.
37. The applicant shall make provisions for continuous maintenance of streets, drainage, and landscaping improvements until those improvements have been accepted for maintenance by the HOA. The applicant shall maintain all other improvements until final acceptance of improvements by the City Council.

FEES AND DEPOSITS

38. 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 the plan checks and permits.

FIRE MARSHAL

39. Schedule A fire protection approved Super fire hydrants, (6" X 4" X 2½" X 2½") shall be located at each street intersection spaced not more than 330 feet apart in any direction with no portion of any frontage more than 165 feet from a fire hydrant. Minimum fire flow shall be 1000 gpm for two hours duration at 20 psi.

Conditions of Approval
Tentative Tract 28150
July 18, 1995

40. Prior to recordation of the final map, applicant/developer shall furnish one blue-line copy of the water system plans to the Fire Department for review/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."
41. The required water system including fire hydrants or other means of providing adequate fire flow shall be installed and accepted by the appropriate water agency and Fire Department prior to any combustible building material being placed on an individual lot.
42. A temporary water supply for fire protection may be allowed for the construction of the model units only. Plans for a temporary water system must be submitted to the Fire Department for review prior to issuance of building permits.