

**CITY COUNCIL RESOLUTION 95-10
CONDITIONS OF APPROVAL - FINAL
TENTATIVE TRACT 28118
FEBRUARY 21, 1995**

* Amended by the City Council on 2-21-95

GENERAL

1. Tentative Tract Map 28118 shall comply with the requirements and standards of the State Subdivision Map Act and the City of La Quinta Land Division Ordinance, 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.

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- a. Prior to issuance of an occupancy permit for any house within Tentative Tract 28118, 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.**

- 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 28118, 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 28118, 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 28118. 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 28118 for review and approval by the Planning Commission. 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 28118 shall disclose the following information to those buyers of units located within Tract 28118.**

"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 boundaries of Lot 11 of Tract 28118 (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.

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.

PROPERTY RIGHTS

16. 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 guaranteed, 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.

17. 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.
18. The applicant shall create private street lots for all interior streets proposed for this development. Private street lot widths shall be 37 feet.
19. The applicant shall dedicate public utility easements contiguous with and along both sides of all private streets. The easement widths, when added to street right-of-way, shall make available a 10-foot-wide strip, parallel with and outside of street improvements, for installation of utilities.
20. The applicant shall create perimeter setback lots, of minimum width as noted (generally 20' in front of lots, 10' side, and 5' rear), adjacent to the following street rights-of-way:
 - a 58th Avenue - 20 feet

Minimum widths may be used as average widths for meandering wall designs.

Where sidewalks, bikepaths, and/or equestrian trails are required, the applicant shall dedicate blanket easements over the setback lots for those purposes.

- *21 The applicant shall vacate vehicle access rights to the realigned 58th Avenue from abutting lots. Access to 58th Avenue shall be restricted to street intersections and approved emergency access locations.
22. 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.
23. 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

24. Improvement plans submitted to the City for plan checking shall be submitted on 24" x 36" media in the categories of "Grading," "Streets & Drainage," 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.

If approved by the City Engineer, separate plans may be submitted for fine grading and other improvements not listed above.

25. 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

26. 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, or other development approval, prior to approval of the map or other developmental action.

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

27. 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.

28. If improvements are phased with multiple final maps or other administrative approvals (plot plans, conditional use permits, etc.), off-site improvements (ie: streets) and development-wide improvements (ie: perimeter walls, common-area and setback landscaping, and gates) shall be constructed or secured prior to approval of the first final map unless otherwise approved by the City Engineer.
29. The applicant shall pay cash or provide security in guarantee of cash payment for applicant's required share of future improvements to be constructed by others (deferred improvements).

Deferred improvements for this development include:

- a. Design, plan preparation and construction of landscaping and irrigation improvements in the 20-foot setback lot(s) along Avenue 58.

The applicant's obligations for all or a portion of the deferred 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

30. Graded but undeveloped land shall be maintained to prevent dust and blowsand nuisances and 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.
31. The applicant shall comply with the City's flood protection ordinance.
32. 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.
33. 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.

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34. 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.
35. 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.

DRAINAGE

36. The development shall be graded to conform with the approved hydrology report and plan for Specific Plan 83-002, PGA West.
37. The development shall be graded to permit storm flow in excess of retention capacity to flow out of the development through a designated overflow outlet and into the historic drainage relief route. The development shall be graded to receive storm flow from adjoining property at locations that have historically received flow.
38. The design of the tract shall not cause any change in flood boundaries, levels, durations, or frequencies of occurrence in any area outside the tract.
39. Stormwater run-off produced over the peak 24 hour period of a 100-year storm shall be retained on adjacent golf course areas unless otherwise approved by the City Engineer. The tributary drainage area for which the developer is responsible shall extend to the centerline of adjacent public streets.

UTILITIES

40. All existing and proposed utilities adjacent to or within the proposed development shall be installed underground. High-voltage power lines which the power authority will not accept underground are exempt from this requirement.
41. In areas where hardscape surface improvements are planned, underground utilities shall be installed prior to construction of the surface improvements. The applicant shall provide certified reports of utility trench compaction tests for approval of the City Engineer.

42. All requirements of Imperial Irrigation District as noted in their letter dated February 1, 1995, on file in the Community Development Department shall be met.

STREET AND TRAFFIC IMPROVEMENTS

43. 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 for this development, the development shall be subject to the provisions of the ordinance.
44. Improvement plans for all on- and off-site streets and access gates shall be prepared by a registered civil engineer. Improvements shall be designed and constructed in accordance with the La Quinta Municipal Code, adopted Standard and Supplemental Drawings and Specifications, and as approved by the City Engineer.

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.

Street pavement sections shall be based on a Caltrans design procedure 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"

If the applicant proposes to construct a partial pavement section which will be subjected to traffic, the partial section shall be designed to the 20-year design strength.

45. 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.
46. The City Engineer may require street width transitions extending beyond subdivision boundaries, pavement elevation transitions extending beyond street centerlines, and/or other incidental work which will insure that newly constructed improvements are safely integrated with existing improvements and conform with the City's standards and practices.

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

On-site Residential Streets: 36 feet wide if double loaded (buildings on both sides), 32 feet if single loaded.

48. All streets proposed for residential or other access drives 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.
49. Prior to issuance of occupancy of completed buildings within the development, the applicant shall install traffic control devices and street name signs along access roads to those buildings.

LANDSCAPING

50. 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. Landscape and irrigation plans for the perimeter setback lot(s) along Avenue 58 are deferred for future preparation.

Landscape concept 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.

51. The applicant shall insure that landscaping plans and utility plans are coordinated to provide visual screening of above-ground utility structures.
52. Landscape areas shall have permanent irrigation improvements meeting the requirements of the City Engineer. 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.

The applicant is encouraged to minimize steep slope designs within the perimeter landscaping setback areas. Use of lawn shall be minimized with no lawn or spray irrigation within 5-feet of curbs along public streets.

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

QUALITY ASSURANCE

54. The applicant shall employ construction quality-assurance measures which meet the approval of the City Engineer.
55. The applicant shall employ or retain California registered civil engineers, geotechnical engineers, or surveyors, as appropriate, who will provide, or have his or her agents provide, sufficient supervision and verification of the construction to be able to furnish and sign accurate record drawings and certify compliance of all work with approved plans, specifications and applicable codes.
56. Upon completion of construction, the applicant shall furnish the City reproducible record drawings of all plans 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.

MAINTENANCE

57. The applicant shall make provisions for continuous maintenance of streets, drainage, and landscaping improvements until those improvements have been accepted for maintenance by a homeowner's association (HOA). The applicant shall maintain all other improvements until final acceptance of improvements by the City Council.
58. 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

59. 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.
60. 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 all costs of the reapportionment.

FIRE MARSHAL

61. 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.
62. 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.
63. 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.
64. Gates installed to restrict access shall be power operated and equipped with a Fire Department override system consisting of Knox Key operated switches, Series KS-2P with dust cover, mounted per recommended standard of the Knox Company. Improvement plan for the entry street and gates shall be submitted to the Fire Department for review/approval prior to installation.
- *65. The existing restroom facility adjacent to the common area swimming pool on the east side of Interlachen, shall be accessible and available to the homeowners and golf course maintenance workers and gardeners during their working hours.

A permanent restroom facility connected to the sewer system shall be constructed on a common lot at the southeast intersection of Riviera and Hermitage. The facility shall be constructed and completed prior to issuance of a Certificate of Occupancy for the first residential unit in the tract.