

**CITY COUNCIL RESOLUTION NO. 2002-149
CONDITIONS OF APPROVAL - FINAL
TENTATIVE TRACT MAP 29963 REVISED, BAUMANN FAMILY
ADOPTED: NOVEMBER 5, 2002**

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 Map approval shall expire and become null and void on February 5, 2004, unless an extension of time is granted according to the requirements of Section 13.12.150 of the Subdivision Ordinance.
3. This tentative tract map, and any Final Map 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.

4. Prior to the issuance of any grading, construction, or building permit by the City, the applicant shall obtain the necessary clearances and/or permits from the following agencies:

- C Fire Marshal
- C Public Works Department (Grading Permit, Improvement Permit)
- C Community Development Department
- C Riverside Co. Environmental Health Department
- C Coachella Valley Unified School District
- C Coachella Valley Water District (CVWD)
- C Imperial Irrigation District (IID)
- C California Water Quality Control Board (CWQCB)
- C Sunline Transit Agency

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.

5. The applicant shall comply with applicable provisions of the City's NPDES stormwater discharge permit, Sections 8.70.010 et seq. (Stormwater Management and Discharge Controls), and 13.24.170 (Clean Air/Clean Water), LQMC; Riverside County Ordinance No. 457; and the State Water Resources Control Board's Order No. 99-08-DWQ.
 - A. For construction activities including clearing, grading or excavation of land that disturbs five (5) acres or more of land, the Permittee shall be required to submit a Storm Water Pollution Protection Plan ("SWPPP").
 - 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") (8.70.020, LQMC):
 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. All approved project BMPs shall be maintained in their proper working order throughout the course of construction, and until all improvements have been accepted by the City.

PROPERTY RIGHTS

6. 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.
7. Prior to recording Tract 29963, applicant shall acquire access route across property located south of subject tract. The access route shall conform to the geometric layout shown on Tentative Tract Map 29963.
8. The applicant shall retain for private use on the Final Map all private street right-of-ways in conformance with the City's General Plan, Municipal Code, applicable specific plans, and/or as required by the City Engineer.
9. The private street right-of-ways to be retained for private use required for this development include:
 - A. PRIVATE STREET

Lot "A" (Coral Mountain Court) - The right of way width is 50 feet.
 - B. CUL DE SAC

The cul de sac shall conform to the shape shown on tentative tract map with a 47-foot radius or larger at the bulb at the right of way line.
 - C. KNUCKLES

The knuckles shall conform to the shape shown on the tentative tract map except for minor revisions as may be required by the City Engineer.
10. When the City Engineer determines that access rights to the proposed street right-of-ways shown on the approved Tentative Tract Map are necessary prior to approval of the Final Map dedicating such right-of-ways, the applicant shall grant the necessary right-of-ways within 60 days of a written request by the City.

11. The applicant shall offer for dedication on the Final Map a ten-foot wide public utility easement contiguous with, and along both sides of all private streets. Such easement may be reduced to five feet in width with the express written approval of IID.
12. 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.
13. 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.
14. 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.

FINAL MAP(S)

15. Prior to the City's approval of a Final Map, the applicant shall furnish accurate AutoCAD files of the Final Map that was approved by the City's map checker on a storage media acceptable to the City Engineer. Such files shall be in a standard AutoCAD format so as to be fully retrievable into a basic AutoCAD program.

Where a Final Map was not produced in an AutoCAD format, or produced in a file that can be converted to an AutoCAD format, the City Engineer will accept a raster-image file of such Final Map.

IMPROVEMENT PLANS

As used throughout these Conditions of Approval, professional titles such as "engineer," "surveyor," and "architect," refer to persons currently certified or licensed to practice their respective professions in the State of California.

16. 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 Section 13.24.040 (Improvement Plans), LQMC.

17. The following improvement plans shall be prepared and submitted for review and approval by the City. 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.

The street improvement plans shall include permanent traffic control and separate plan sheet(s) (drawn at 20 scale) that show the meandering sidewalk, mounding, and berming design in the combined parkway and landscape setback area.

- A. On-Site Street Plan: 1" = 40' Horizontal, 1" = 4' Vertical
- B. On-Site Rough Grading Plan: 1" = 40' Horizontal
- C. On-Site 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.

"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.

18. The City maintains standard plans, detail sheets and/or construction notes for elements of construction. For a fee, established by City Resolution, the applicant may purchase such standard plans, detail sheets and/or construction notes from the City.
19. The applicant shall furnish a complete set of the AutoCAD files of all approved improvement plans on a storage media acceptable to the City Engineer. The files shall be saved in a standard AutoCAD format so they may be fully retrievable through a basic AutoCAD program.

At the completion of construction, and prior to the final acceptance of the improvements by the City, the applicant shall update the AutoCAD files in order to reflect the as-built conditions.

Where the improvement plans were not produced in a standard AutoCAD format, or a file format that can be converted to an AutoCAD format, the City Engineer will accept raster-image files of the plans.

IMPROVEMENT SECURITY AGREEMENTS

20. Prior to approval of any Final Map, the applicant shall construct all onsite and offsite improvements and satisfy its obligation 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.
21. 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 Chapter 13.28 (Improvement Security), LQMC.
22. 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.
23. 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: (1) construct certain off-site improvements, (2) construct additional off-site improvements, subject to the reimbursement of its costs by others, (3) reimburse others for those improvements previously constructed that are considered to be an obligation of this tentative tract map, (4) secure the costs for future improvements that are to be made by others, or (5) to agree to any combination of these means, 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.

24. 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.

25. 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

The applicant shall comply with the provisions of Section 13.24.050 (Grading Improvements), LQMC.

26. 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.
27. 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 or architect;

- B. A preliminary geotechnical ("soils") report prepared by a qualified engineer;
- C. A Fugitive Dust Control Plan prepared in accordance with Chapter 6.16, LQMC; and
- D. SWPPP and BMPs.

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.

- 28. 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.
- 29. 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.
- 30. Prior to any site grading or regrading that will raise or lower any portion of the site by more than plus or minus three tenths of a foot from the elevations shown on the approved Tentative Tract Map, the applicant shall submit the proposed grading changes to the City Staff for a substantial conformance finding review.
- 31. 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.

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.

DRAINAGE

32. The applicant shall comply with the provisions of Section 13.24.120 (Drainage), LQMC, Engineering Bulletin No. 97.03. 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 tributary drainage area shall extend to the centerline of adjacent private streets. The design storm shall be either the 3 hour, 6 hour or 24 hour event producing the greatest total run off.
33. 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.
34. For retention basins on individual lot, retention water depth shall not exceed two feet.
35. The retention basins adjacent to the streets shall be landscaped and maintained by the Home Owner's Association through the CC&R's.
36. The design of the development shall not cause any increase in flood boundaries, levels or frequencies in any area outside the development.
37. Storm drainage historically received from adjoining property shall be received and retained or passed through into the historic downstream drainage relief route.

UTILITIES

38. The applicant shall comply with the provisions of Section 13.24.110 (Utilities), LQMC.

39. 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.

40. Existing overhead utility lines within, or adjacent to the proposed development, 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.

41. Underground utilities shall be installed prior to overlaying hardscape. For installation of utilities in existing improved streets, the applicant shall comply with trench restoration requirements maintained, or require by the City Engineer.

The applicant shall provide certified reports of all utility trench compaction for approval by the City Engineer.

STREET AND TRAFFIC IMPROVEMENTS

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

43. The applicant shall construct the following street improvements to conform with the General Plan.

A. ON-SITE STREETS

1) Lot "C" - Coral Mountain Court

Construct the geometric layout of entry area to conform to the layout shown on the tentative tract map, revised, except for minor revisions as may be required by the City Engineer.

Gated entries shall provide for a two-car minimum stacking capacity for inbound traffic; and shall provide for a full turn around outlet for non-accepted entry vehicles. Applicant shall submit a detailed exhibit at a 1" = 10' scale, demonstrating that those vehicles that do not gain entry can safely make a U turn back out.

2) Emergency Turn around

Construct the turn around to conform to the layout shown on the tentative tract map, revised, with a 38-foot radius or larger.

3) Lot "A" - Coral Mountain Court

Construct a 28-foot wide road bed with 20 feet of pavement and a 4-foot shoulder on each side of the street segment aligned in the east-west direction. On-street parking shall be prohibited and the applicant shall make provisions for perpetual enforcement of the no parking restriction.

Construct a 40-foot wide road bed with 32 feet of pavement and a 4-foot shoulder on each side of the street segment aligned in the north-south direction and transition between the cul de sac and the knuckle. On street parking is restricted to one side and the applicant shall make provisions for perpetual enforcement of the no parking restriction.

4) Cul de sac (Coral Mountain Court)

Construct the cul de sac to conform to the layout shown in the tentative tract map, revised, with a 38 foot radius or larger at the bulb.

5) Knuckle

Construct the knuckle to conform to the layout shown in the tentative tract map, revised, except for minor revisions as may be required by the City Engineer.

Entry drives, main interior circulation routes, standard knuckles, corner cutbacks, dedicated turn lanes and other features shown on the approved construction plans, may require additional street widths as may be determined by the City Engineer.

44. 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./4.50" c.a.b.
-------------	------------------------

or the approved equivalents of alternate materials.

45. General access points and turning movements of traffic are limited to the following:
- A. Primary Entry (Avenue 58): Full turn movement is allowed.
46. Improvements shall include appurtenances such as traffic control signs, markings and other devices, raised medians if required, street name signs and sidewalks. Mid-block street lighting is not required.
47. 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.
48. The applicant shall extend improvements beyond the subdivision boundaries and to ensure they safely integrate with existing improvements.

CONSTRUCTION

49. The applicant shall submit current mix designs (less than two years old at the time of construction) for base, asphaltic concrete and Portland cement concrete. The submittal shall include the test results for all specimens used in the mix design procedure. For mix designs over six months old, the submittal shall include the most recent (less than six months old at the time of construction) aggregate gradation test results confirming that the design gradations can be achieved in current production. The applicant shall not schedule construction operations until mix designs have been approved.

LANDSCAPING

50. The applicant shall comply with Sections 13.24.130 (Landscape Setbacks) & 13.24.140 (Landscape Plans), LQMC.
51. The applicant shall provide landscaping in the required setbacks, retention basins, common lots and park areas.
52. Landscape and irrigation plans for landscaped lots and setbacks, retention basins, and parks shall be signed and stamped by a licensed landscape architect.

The applicant shall submit the landscape plans for approval by the Community Development Department (CDD), prior to plan checking by the Public Works Department. When plan checking has been completed by CDD, the applicant shall obtain the signatures of CVWD and the Riverside County Agricultural Commissioner, prior to submittal for signature by the City Engineer.

NOTE: Plans are not approved for construction until signed by the City Engineer.

53. Landscape areas shall have permanent irrigation improvements meeting the requirements of the City Engineer. Use of lawn areas shall be minimized with no lawn, or spray irrigation, being placed within 18 inches of curbs along public streets.
54. The developer and subsequent property owner shall continuously maintain all required landscaping in a healthy and viable condition as required by Section 9.60.240 (E3) of the Zoning Ordinance.
55. Trees shall be staked with 2.0-inch diameter lodge poles to protect against damage from gusting winds.
56. Prior to building permit issuance, a front yard landscape plan shall be prepared for each homesite to include a minimum of two shade trees (15 gallon with 0.75 caliper), five ten-gallon shrubs, and groundcover.

QUALITY ASSURANCE

57. The applicant shall employ construction quality-assurance measures that meet with the approval of the City Engineer.

58. The applicant shall employ, or retain, qualified engineers, surveyors, and such other appropriate professionals as are required to provide the expertise with which to prepare and sign accurate record drawings, and to provide adequate construction supervision.
59. The applicant shall arrange for, and bear the cost of, all measurements, sampling and testing procedures not included in the City's inspection program, but which may be required by the City, as evidence that the construction materials and methods employed comply with the plans, specifications and other applicable regulations.
60. Upon completion of construction, 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," "As-Built" or "As-Constructed" 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 AutoCAD or raster-image files previously submitted to the City, revised to reflect the as-built conditions.

MAINTENANCE

61. The applicant shall comply with the provisions of Section 13.24.160 (Maintenance), LQMC.
62. The applicant shall make provisions for the continuous and perpetual maintenance of all private on-site improvements, perimeter landscaping, access drives, and sidewalks.

FEES AND DEPOSITS

63. The applicant shall comply with the provisions of Section 13.24.180 (Fees and Deposits), LQMC. 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.
64. Permits issued under this approval shall be subject to the applicable provisions of the Infrastructure Fee Program and Development Impact Fee program in effect at the time of issuance of building permit(s).

65. The developer shall pay school mitigation fees to the Coachella Valley Unified School District based on their requirements. Fees shall be paid prior to building permit issuance by the City.

FIRE DEPARTMENT

66. Applicant/developer will furnish one blueline copy of the water system plans to the Fire Department for review and approval. Plans shall conform to the fire hydrant types, location and spacing, and the system will meet the fire flow requirements. Plans will 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."
67. The required water system, including fire hydrants, shall be installed and accepted by the appropriate water agency prior to any combustible building materials being placed on an individual lot.
68. The minimum dimensions for fire apparatus access roads entering and exiting this project shall have an unobstructed width of not less than 20 feet in each direction and an unobstructed vertical clearance of not less than 13'-8". Parking is permitted on one side of roadways with a minimum width of 28 feet. Parking is permitted on both sides of the roadways with a minimum width of 36 feet.
69. The water mains shall be capable of providing a potential fire flow of 1,500 g.p.m. and an actual fire flow available from anyone hydrant will be 1,000 g.p.m. for a two-hour duration at 20 psi residual operating pressure. Minimum thrust velocities shall not exceed 10 feet per second.
70. Blue dot reflectors shall be mounted in the middle of streets directly in line with fire hydrants.
71. Applicant/developer will provide written certification from the appropriate water company that the required fire hydrant(s) are either existing or that financial arrangements have been made to provide them.

MISCELLANEOUS

72. All public agency letters received for this case are made part of the case file documents for plan checking purposes.
73. Custom house design guidelines shall be reviewed and approved by the Planning Commission per Section 9.60.340 of the Zoning Ordinance.
74. The Covenants, Conditions and Restrictions for the project shall be submitted to the City Attorney for review and approval concurrently with review of the Final Tract Map. Recordation of the CC&R's is required.