

RESOLUTION NO. 99-138
CONDITIONS OF APPROVAL - FINAL
TENTATIVE TRACT MAP 29421
KSL LAND CORPORATION
OCTOBER 5, 1999

GENERAL

1. Upon their approval by the City Council, the applicant is directed to file these Conditions of Approval with the Riverside County Recorder for recordation against the properties to which they apply.
2. The subdivider agrees to defend, indemnify, and hold harmless the City of La Quinta (the "City"), its agents, officers and employees from any claim, action or proceeding to attack, set aside, void, or annul the approval of this tentative map or any final map thereunder. The City shall have sole discretion in selecting its defense counsel.

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

3. This tentative map and any final maps thereunder shall comply with the requirements and standards of §§ 66410 through 66499.58 of the California Government Code (the Subdivision Map Act) and Chapter 13 of the La Quinta Municipal Code (LQMC).
4. This map shall expire on October 5, 2001, unless extended pursuant to the requirements of the City Subdivision Ordinance.
5. Prior to the issuance of a grading, construction or building permit, 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 (CVWD)
 - Imperial Irrigation District (IID)
 - California Water Quality Control Board (CWQCB)

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

The applicant shall comply with applicable provisions of the City's NPDES stormwater discharge permit. For projects requiring project-specific NPDES construction permits,

the applicant shall submit a copy of the CWQCB acknowledgment of the applicant's Notice of Intent prior to issuance of a grading or site construction permit. The applicant shall ensure that the required Storm Water Pollution Protection Plan is available for inspection at the project site.

PROPERTY RIGHTS

6. Prior to approval of a final map, the applicant shall acquire or confer easements and other property rights required of the tentative map or otherwise necessary for 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.
7. The applicant shall dedicate or private street right of way and utility easements in conformance with the City's General Plan, Municipal Code, applicable specific plans, and as required by the City Engineer.
8. The applicant shall dedicate ten-foot public utility easements contiguous with and along both sides of all private streets. The easements may be reduced to five feet with the express concurrence of IID.
9. The applicant shall furnish proof of easements or written permission, as appropriate, from owners of any abutting properties on which grading, retaining wall construction, permanent slopes, or other encroachments are to occur.

FINAL MAP(S) AND PARCEL MAP(S)

10. Prior to approval of a final map, the applicant shall furnish accurate AutoCad files of the complete map, as approved by the City's map checker, on storage media acceptable to the City Engineer. The files shall utilize standard AutoCad menu items so they may be fully retrieved into a basic AutoCad program.

If the map was not produced in AutoCad or a file format which can be converted to AutoCad, the City Engineer may accept raster-image files of the 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.

11. Improvement plans shall be prepared by or under the direct supervision of qualified engineers and landscape architects, as appropriate. Plans shall be submitted on 24"

x 36" media in the categories of "Rough Grading," "Precise Grading," "Streets & Drainage," and "Landscaping." Precise grading plans shall have signature blocks for Community Development Director and the Building Official. All other plans shall have signature blocks for the City Engineer. Plans are not approved for construction until they are signed.

"Streets and Drainage" plans shall normally include signals, sidewalks, bike paths, entry drives, gates, and parking lots. "Landscaping" plans shall normally include irrigation improvements, landscape lighting and entry monuments. "Precise Grading" plans shall normally include perimeter walls.

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

12. 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.
13. When final plans are approved by the City, the applicant shall furnish accurate AutoCad files of the complete, approved plans on storage media acceptable to the City Engineer. The files shall utilize standard AutoCad menu items so they may be fully retrieved into a basic AutoCad program. At the completion of construction and prior to final acceptance of improvements, the applicant shall update the files to reflect as-constructed conditions.

If the plans were not produced in AutoCad or a file format which can be converted to AutoCad, the City Engineer may accept raster-image files of the plans.

IMPROVEMENT AGREEMENT

14. The applicant shall construct improvements and/or satisfy obligations, or furnish an executed, secured agreement to construct improvements and/or satisfy obligations required by the City prior to approval 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.

15. If improvements are secured, the applicant shall provide estimates of improvement costs for checking and approval by the City Engineer. 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 other agencies shall be approved by those agencies. Security is not required for telephone, gas, or T.V. cable improvements. However, development-wide 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.

16. If the applicant fails to construct improvements or satisfy obligations in a timely manner or as specified in an approved phasing plan or in an improvement agreement, the City shall have the right to halt issuance of building permits or final building inspections, withhold other approvals related to the development of the project or call upon the surety to complete the improvements.

GRADING

17. The applicant shall furnish a preliminary geotechnical ("soils") report and a grading plan prepared by a qualified engineer. The grading plan shall conform with the recommendations of the soils report and be certified as adequate by a soils engineer or engineering geologist. The plan must be approved by the City Engineer prior to issuance of a grading permit. A statement shall appear on final maps (if any are required of this development) that a soils report has been prepared pursuant to Section 17953 of the Health and Safety Code.
18. Slopes shall not exceed 3:1 unless otherwise approved by the City Engineer.
19. The applicant shall endeavor to minimize differences in elevation at abutting properties and between separate tracts and lots within this development. Building pad elevations on contiguous lots shall not differ by more than three feet except for lots within a tract or parcel map, but not sharing common street frontage, where the differential shall not exceed five feet. If compliance with this requirement is impractical, the City will consider and may approve alternatives which minimize safety concerns, maintenance difficulties and neighboring-owner dissatisfaction with the grade differential.
20. Prior to occupation of the project site for construction purposes, the applicant shall submit and receive approval of a Fugitive Dust Control plan prepared in accordance with Chapter 6.16, LQMC. 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.
21. The applicant shall maintain graded, undeveloped land to prevent wind and water erosion of soils. The land shall be planted with interim landscaping or provided with

other erosion control measures approved by the Community Development and Public Works Departments.

22. Prior to issuance of building permits, the applicant shall provide building pad certifications stamped and signed by qualified engineers or surveyors. For each pad, the certification shall list the approved elevation, the actual elevation, the difference between the two, if any, and pad compaction. The data shall be organized by lot number and listed cumulatively if submitted at different times.

DRAINAGE

23. Stormwater handling shall conform with the approved hydrology and drainage plan for PGA West.

UTILITIES

24. Utilities shall be installed prior to overlying hardscape. For installation of utilities in existing, improved streets, the applicant shall comply with trench restoration requirements maintained or required by the City Engineer. The applicant shall provide certified reports of trench compaction for approval of the City Engineer.

STREET AND TRAFFIC IMPROVEMENTS

25. The applicant shall install the following private street improvements illustrated on the approved tentative map as approved by the City Engineer:
 - A. **PGA Boulevard - Install variable width four lane Arterial street improvements with raised median and roundabout terminal end.**
 - B. Spanish Bay - Install divided connection to PGA Boulevard.
26. Improvements shall include appurtenances such as traffic control signs, markings and other devices, raised medians and street name signs.
27. Improvements shall be designed and constructed in accordance with the LQMC, adopted standards, supplemental drawings and specifications. Improvement plans for streets, access gates and parking areas shall be stamped and signed by qualified engineers.
28. Corner cut-backs shall conform with Riverside County Standard Drawings #800, #801 and #805 respectively unless otherwise approved by the City Engineer.

29. Streets shall have vertical curbs or other approved curb configurations which convey water without ponding and provide lateral containment of dust and residue for street sweeping. Unused curb cuts on any lot shall be restored to normal curbing prior to final inspection of permanent building(s) on the lot.
30. The applicant shall design street pavement sections using Caltrans' design procedure (20-year life) and site-specific data for soil strength and anticipated traffic loading (including construction traffic). Minimum structural sections shall be as follows (or approved equivalents for alternate materials):

Residential & Parking Areas	3.0" a.c./4.50" a.b.
Collector	4.0"/5.00"

31. The applicant shall submit current mix designs (less than two years old at the time of construction) for base, asphalt concrete and Portland cement concrete. The submittal shall include test results for all specimens used in the mix design procedure. For mix designs over six months old, the submittal shall include recent (less than six months old at the time of construction) aggregate gradation test results confirming that design gradations can be achieved in current production. The applicant shall not schedule construction operations until mix designs are approved.
32. The City will conduct final inspections of homes and other habitable buildings only when the buildings have improved street and (if required) sidewalk access to publicly-maintained streets. The improvements shall include required traffic control devices, pavement markings and street name signs. If on-site streets are initially constructed with partial pavement thickness, the applicant shall complete the pavement prior to final inspections of the last ten percent of homes within the tract or when directed by the City, whichever comes first.

LANDSCAPING

33. The applicant shall provide landscaping in raised landscape medians, required setbacks and on common landscape lots.
34. Landscape and irrigation plans for landscaped lots, setbacks and medians shall be signed and stamped by a licensed landscape architect.

The applicant shall submit plans for approval by the Community Development Department prior to plan checking by the Public Works Department. When plan checking is complete, the applicant shall obtain the signatures of CVWD and the Riverside County Agricultural Commissioner prior to submitting for signature by the City Engineer. Plans are not approved for construction until signed by the City Engineer.

35. Landscape areas shall have permanent irrigation improvements meeting the requirements of the City Engineer. Use of lawn shall be minimized.

PUBLIC SERVICES

36. The applicant shall provide public transit improvements as required by Sunline Transit and/or the City.

QUALITY ASSURANCE

37. The applicant shall employ construction quality-assurance measures which meet the approval of the City Engineer.
38. The applicant shall employ or retain qualified civil engineers, geotechnical engineers, surveyors, or other appropriate professionals to provide sufficient construction supervision to be able to furnish and sign accurate record drawings.
39. The applicant shall arrange and bear the cost of measurement, sampling and testing procedures not included in the City's inspection program but required by the City as evidence that construction materials and methods comply with plans, specifications and applicable regulations.
40. Upon completion of construction, the applicant shall furnish the City reproducible record drawings of all public improvement plans which were signed by the City. Each sheet shall be clearly marked "Record Drawings," "As-Built" or "As-Constructed" and shall be stamped and signed by the engineer or surveyor certifying to the accuracy of the drawings. The applicant shall revise the CAD or raster-image files previously submitted to the City to reflect as-constructed conditions.

MAINTENANCE

41. The applicant shall make provisions for continuous, perpetual maintenance of all improvements.

FEES AND DEPOSITS

42. The applicant shall pay the City's established fees for plan checking and construction inspection. Fee amounts shall be those in effect when the applicant makes application for plan checking and permits.
43. The applicant shall comply with the terms and requirements of the development impact fee program in effect at the time of issuance of building permits.

SPECIAL

44. **Prior to issuance of final map approval, a Site Development Permit shall be approved for the relocation of the clubhouse parking lot.**
45. **Prior to final map approval, the applicant shall demonstrate that clubhouse parking facilities are guaranteed for a period of a least as long as the permitted use in accordance with Section 9.150.030 (B3 a-c) of the Zoning Code.**