

**RESOLUTION NO. 2003-094
CONDITIONS OF APPROVAL - FINAL
TENTATIVE TRACT 31249
MADISON / 58TH PARTNERS, L.L.C.
SEPTEMBER 16, 2003**

EXHIBIT "A"

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 Tentative Tract Map, and any Final Map recorded 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 ("LOMC").

The City of La Quinta's Municipal Code can be accessed on the City's Web Site at www.la-quinta.org.

3. 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:

- 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)
- 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 improvement plans for City approval.

4. 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, or that disturbs less than five (5) acres of land, but which is a part of a construction project that encompasses more than five (5) acres 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 (Definitions), 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. The approved SWPPP and BMPs shall remain in effect for the entire duration of project construction until all improvements are completed and accepted by the City.

PROPERTY RIGHTS

5. 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.
6. The applicant shall offer for dedication on the Final Map all public 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.
7. The public street right-of-way offers for dedication required for this development include:
 - A. PUBLIC STREETS
 - 1) Avenue 58 (Secondary Arterial, 88' ROW) – No public street right-of-way offers for dedication are required on Avenue 58 for this development. The current General Plan identifies Avenue 58 as a Secondary Arterial that requires 88 feet of right of way (44 feet from centerline). The existing 50-foot right of way from the centerline may be reduced to the current General Plan requirement via vacation of the unneeded right of way on the final map.
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 STREETS
 - 1) All on-site streets, except in the entry drive areas (Lots "D" & "F"), shall have 40-foot right of way as shown on the Tentative Tract Map to accommodate the proposed travel width and approved curb and gutter section.

B. CUL DE SACS

- 1) The cul de sac shall conform to the shape and curb radius at the bulb as shown on the tentative map, using smooth curves instead of angular lines.

C. KNUCKLE

- 1) The knuckle shall conform to the shape and curb radius as shown on the tentative tract map except for minor revision as may be required by the City Engineer.

Curve radii for curbs at all street intersections shall not be less than 25 feet or similar to the lay out shown on the tentative tract map.

10. Dedications shall include additional widths as necessary for dedicated right and left turn lanes, bus turnouts, and other features contained in the approved construction plans.
11. 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.
12. 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.
13. The applicant shall create perimeter landscaping setbacks along all public right-of-ways as follows:

A. Avenue 58 (Secondary Arterial/Collector) - 10-foot from the R/W-P/L.

The listed setback depth shall be the average depth where a meandering wall design is approved.

The setback requirements shall apply to all frontages including, but not limited to, remainder parcels and sites dedicated for utility purposes.

Where public facilities (e.g., sidewalks) are placed on privately-owned setbacks, the applicant shall offer for dedication blanket easements for those purposes on the Final Map.

14. The applicant shall offer for dedication those easements necessary for the placement and access to, utility lines and structures, drainage basins, mailbox clusters, park lands and common areas on the Final Map.
15. Direct vehicular access to Avenue 58 from any portion of the site from frontage along Avenue 58 is restricted, except for those access points identified on the tentative tract map, or as otherwise conditioned in these conditions of approval. The vehicular access restriction shall be shown on the recorded final tract map.
16. 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.
17. 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 MAPS

18. 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.
19. 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. 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.

20. 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.

A. Off-Site Street Plan: 1" = 40' Horizontal, 1" = 4' Vertical

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 berm design in the combined parkway and landscape setback area.

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

C. On-Site Rough Grading Plan: 1" = 40' 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.

All Off-Site Plan & Profile Street Plans shall show all existing improvements for a distance of at least 200-feet beyond the project limits, or a distance sufficient to show any required design transitions.

"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.

In addition to the normal set of improvement plans, a "Site Development" plan is required to be submitted for approval by the Building Official and the City Engineer.

21. 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.
22. 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

23. Prior to approval of any Final Map, the applicant shall construct all on and off-site improvements and satisfy its obligations 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.
24. 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.
25. Improvements to be made, or agreed to be made, shall include the removal of any existing structures or other obstructions that are not a part of the proposed improvements; and shall provide for the setting of the final survey monumentation.

When improvements are phased through a “Phasing Plan,” or an administrative approval (e.g., Site Development Permits), all off-site improvements and common on-site improvements (e.g., backbone utilities, retention basins, perimeter walls, landscaping and gates) shall be constructed, or secured through a SIA, prior to the issuance of any permits in the first phase of the development, or as otherwise approved by the City Engineer.

Improvements and obligations required of each subsequent phase shall either be completed, or secured through a SIA, prior to the completion of homes or the occupancy of permanent buildings within such latter phase, or as otherwise approved by the City Engineer.

In the event the applicant fails to construct the improvements for the development, or fails to satisfy its obligations for the development in a timely manner, pursuant to the approved phasing plan, the City shall have the right to halt issuance of all permits, and/or final inspections, withhold other approvals related to the development of the project, or call upon the surety to complete the improvements.

26. 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:

Construct certain off-site improvements.

- A. Construct additional off-site improvements, subject to the reimbursement of its costs by others.
- B. Reimburse others for those improvements previously constructed that are considered to be an obligation of this tentative tract map.
- C. Secure the costs for future improvements that are to be made by others.
- D. 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.

27. 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.

28. 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

29. The applicant shall comply with the provisions of Section 13.24.050 (Grading Improvements), LQMC.
30. 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.
31. 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, and
 - C. A Fugitive Dust Control Plan prepared in accordance with Chapter 6.16, (Fugitive Dust Control), LQMC.
 - D. A Best Management Practices report prepared in accordance with Sections 8.70.010 and 13.24.170 (NPDES stormwater discharge permit and Storm Management and Discharge Controls), LQMC.

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.

32. The applicant shall maintain all open graded, undeveloped land so as 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.
33. Grading within the perimeter setback and parkway areas shall have undulating terrain and shall conform to the requirements of LQMC Section 9.60.240(F) except as otherwise modified by this condition requirement. The maximum slope shall not exceed 3:1 anywhere in the landscape setback area, except for the backslope (i.e. the slope at the back of the landscape lot) which shall not exceed 2:1 if fully planted with ground cover. The maximum slope in the first six (6) feet adjacent to the curb shall not exceed 4:1 when the nearest edge of sidewalk is within six (6) of the curb, otherwise the maximum slope within the right of way shall not exceed 3:1. All unpaved parkway areas adjacent to the curb shall be depressed one and one-half inches (1.5") in the first eighteen inches (18") behind the curb.
34. 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.
35. 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.
36. 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

37. 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 public streets. The design storm shall be either the 3 hour, 6 hour or 24 hour event producing the greatest total run off.
38. 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.
39. Nuisance water shall be retained on site. In residential developments, nuisance water shall be disposed of in a trickling sand filter and leach field or equivalent system approved by the City Engineer. The sand filter and leach field shall be designed to contain surges of up to 3 gph/1,000 sq. ft. of landscape area, and infiltrate 5 gpd/1,000 sq. ft.
40. The project shall be designed to accommodate purging and blowoff water (through underground piping and/or retention facilities) from any on-site or adjacent well sites granted or dedicated to the local water utility authority as a requirement for development of this property.
41. No fence or wall shall be constructed around any retention basin unless approved by the Community Development Director and the City Engineer. Additionally, the Homeowners Association (HOA) shall condition that all properties with rear and side property lines abutting internal retention basin/landscaping areas (Lot "P"), be limited to perimeter wall/fences as described in the Section 8.06.040 with wall heights not to exceed three feet (3') topped with two additional feet (2') of wrought iron fence (total 5-foot high) as approved by the Community Development Director and the City Engineer.

42. For on-site common retention basins, retention depth shall be according to Engineering Bulletin 97.03, and side slopes shall not exceed 3:1 and shall be planted with maintenance free ground cover.
43. Stormwater may not be retained in landscaped parkways or landscaped setback lots. Only incidental storm water (precipitation which directly falls onto the setback) will be permitted to be retained in the landscape setback areas. The perimeter setback and parkway areas in the street right-of-way shall be shaped with berms and mounds, pursuant to Section 9.100.040(B)(7), LQMC.
44. The design of the development shall not cause any increase in flood boundaries, levels or frequencies in any area outside the development.
45. The development shall be graded to permit storm flow in excess of retention capacity to flow out of the development through a designated overflow and into the historic drainage relief route.
46. Storm drainage historically received from adjoining property shall be received and retained or passed through into the historic downstream drainage relief route.

UTILITIES

47. The applicant shall comply with the provisions of Section 13.24.110 (Utilities), LQMC.
48. The applicant shall obtain approval of the City Engineer for 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 practical and aesthetic placement.
49. Existing overhead utility lines within, or adjacent to the proposed development, and all proposed utilities shall be installed underground.
50. Underground 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 all utility trench compaction for approval by the City Engineer.

STREET AND TRAFFIC IMPROVEMENTS

51. 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.
52. The applicant shall construct the following street improvements to conform with the General Plan:

A. OFF-SITE STREETS

- 1) Avenue 58 (Secondary Arterial; 88' R/W):
 - a) Widen the south side of the street along all frontage adjacent to the Tentative Map boundary to its ultimate width on the south side as specified in the General Plan and the requirements of these conditions. Rehabilitate and/or reconstruct existing roadway pavement as necessary to augment and convert it from a rural county-road design standard to La Quinta's urban arterial design standard. The south curb face shall be located 32 feet (32') south of the centerline.

Other required improvements in the Avenue 58 right of way and/or adjacent landscape setback area include:

- b) All appurtenant components such as, but not limited to, curb, gutter, traffic control striping, legends, and signs.
- c) A Multi-Use Trail - The applicant shall construct a meandering multi-use trail along the Avenue 58 frontage the required 22-foot wide combined setback/parkway. The City shall approve the location and design of the trail. A split rail fence shall be constructed, in accordance with Section 9.140.060 (Item E, 3a) of the Zoning Ordinance. The multi-use trail, trail signs, and the split rail fence shall be completed prior to issuance of Certificate of Occupancy for the first residence. Bonding for the fence to be installed shall be posted prior to final map approval. This condition may be void if it is later determined that this trail improvement needs to be relocated to the north side of Avenue 58

The applicant shall extend improvements beyond the subdivision boundaries to ensure they safely integrate with existing improvements (e.g., grading, traffic

control devices and transitions in alignment, elevation or dimensions of streets and sidewalks).

B. PRIVATE STREETS

- 1) Lots G, H and J. Construct full 36-foot wide travel width improvements measured from gutter flow line to gutter flow line with an approved curb and gutter section, within the approved right of way where the residential streets are double stacked.

C. PRIVATE CUL DE SACS

- 1) Shall be constructed according to the lay-out and curb radius at the bulb as shown on the tentative map using a smooth curve instead of angular lines similar to the layout shown on the rough grading plan.

D. KNUCKLE

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

53. All 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 vehicles.

Where a gated entry is proposed, the applicant shall submit a detailed exhibit at a scale of 1" = 10', demonstrating that those passenger vehicles that do not gain entry into the development can safely make a "U" Turn back out onto the main street from the gated entry.

Two lanes of traffic shall be provided on the entry side of each gated entry, one lane shall be dedicated for residents and one lane for visitors.

Entry drives, main interior circulation routes, standard knuckles, corner cutbacks, bus turnouts, 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.

54. 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), or the approved equivalents of alternate materials. Minimum structural sections shall be as follows:

Residential	3.0" a.c./4.5" c.a.b.
Secondary Arterial	4.0" a.c./6.0" c.a.b.

55. General access points and turning movements of traffic are limited to the following:
 - A. Avenue 58 Primary Entry (approximately 395' east of the westerly boundary, across Stone Creek Way): Full turn in, Full turn out.
 - B. Secondary Entry (at easterly boundary, across Coral Mountain Court): Full turn in, Full turn out.
56. Improvements shall include traffic control signs, markings and other devices, raised medians if required street name signs and sidewalks.
57. 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.
58. The applicant shall extend improvements beyond the subdivision boundaries to ensure they safely integrate with existing improvements.

FIRE MARSHAL

59. For residential areas, approved standard fire hydrants, located at each intersection and spaced 330 feet apart with no portion of any lot frontage more than 165 feet from a hydrant. Minimum fire flow shall be 1000 GPM for a 2-hour duration at 20 PSI.
60. For any buildings with public access i.e. recreational halls, clubhouses, etc. or buildings with a commercial use i.e. gatehouses, maintenance sheds, etc. Super fire hydrants are to be placed no closer than 25 feet and not more than 165 feet from any portion of the first floor of said building following approved travel ways around the exterior of the building. Minimum fire flow for these areas would be 1500 GPM for a 2-hour duration at 20 PSI.
61. Blue dot retro-reflectors shall be placed in the street 8 inches from centerline to the side that the fire hydrant is on, to identify fire hydrant locations.
62. Any turn or turn-around requires a minimum 38-foot turning radius.
63. All structures shall be accessible from an approved roadway to within 150 feet of all portions of the exterior of the first floor.

64. The minimum dimension for access roads and gates is 20 feet clear and unobstructed width and a minimum vertical clearance of 13 feet 6 inches in height.
65. Any gate providing access from a public roadway to a private entry roadway shall be located at least 35 feet setback from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Where a one-way road with a single traffic lane provides access to a gate entrance, a 38-foot turning radius shall be used.
66. Gates shall be automatic, minimum 20 feet in width and shall be equipped with a rapid entry system (KNOX). Plans shall be submitted to the Fire Department for approval prior to installation. Automatic gate pins shall be rated with a shear pin force, not to exceed 30 pounds. Gates activated by the rapid entry system shall remain open until closed by the rapid entry system.
67. 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. Two sets of water plans are to be submitted to the Fire Department for approval.
68. The applicant or developer shall prepare and submit to the Fire Department for approval, a site plan designating required fire lanes with appropriate lane painting and/or signs.
69. Fire Department plan check is to run concurrent with the City plan check.

CONSTRUCTION

70. The City will conduct final inspections of 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 in residential developments 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 development or when directed by the City, whichever comes first.

LANDSCAPING

71. The applicant shall comply with Sections 13.24.130 (Landscaping Setbacks) & 13.24.140 (Landscaping Plans), LQMC.
72. The applicant shall provide landscaping in the required setbacks, retention basins, and common lot areas.
73. Landscape and irrigation plans for landscaped lots and setbacks, medians, 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.

74. 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.

The landscape and irrigation plans shall be approved by the Coachella Valley Water District and Riverside County Agriculture Commissioner prior to submittal of the final plans to the Community Development Department, pursuant to Chapter 8.13 of the Municipal Code. Specific landscape requirements for the project are:

- A. No more than 50% of any front yard area shall be devoted to turf. Front yard landscaping shall consist of at least two trees, each with a minimum 1.5 inch caliper measured three feet up from grade level after planting, ten 5-gallon shrubs, and groundcover. Palm trees may count as a shade tree if the trunk is a minimum six feet tall. Double lodge poles (two-inch diameter) shall be used to stake trees. Bubblers and emitters shall be used to irrigate shrubs and trees. Homebuyers shall be offered a 100% desert landscape option.
- B. Parkway shade trees shall be provided in the perimeter landscape improvement plans for Avenue 58, to be 24-inch or larger box with a minimum two-inch caliper. Trees shall be a minimum height of ten feet at installation.

QUALITY ASSURANCE

75. The applicant shall employ construction quality-assurance measures that meet with the approval of the City Engineer.
76. 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.
77. 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.
78. Upon completion of construction, the applicant shall furnish the City with reproducible record drawings of all improvement plans that 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

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

COMMUNITY DEVELOPMENT

81. Building heights shall be limited to one-story/22 feet, for a distance into the site of 150 feet from the Avenue 58 ultimate right-of-way line.
82. Revisions to the tentative map during plan check including, but not limited to, lot line alignments, easements, improvement plan revisions, and similar minor changes which do not alter the design (layout, street pattern, etc.) may be administratively approved through the plan check process, with the mutual consent and approval of the Community Development and Public Works

Directors. This shall include increases or decreases in number of lots meeting the general criteria above, but involving a change of no more than 5% of the total lot count of the Tentative Map as approved. Any revisions that would exceed the General Plan density standards, based on net area calculations, must be processed as an amended map, as set forth in Title 13, LQMC.

83. Prior to submitting civil plans for any grading or other land disturbance permit(s), the applicant shall have completed a final report of summation and recommendation on the archaeological fieldwork, as completed by CRM Tech for TT 31249. The final report(s) shall be submitted to, reviewed, and accepted by, the Community Development Department and Historic Preservation Commission, prior to issuance of any land disturbance permit or other entitlement.

The applicant shall have entered into a contract for archaeological monitoring with a qualified archaeologist, with a copy of that contract/agreement to be submitted with civil plans for any grading or other land disturbance. The contract shall be reviewed and accepted by Community Development prior to any grading permit approval.

Should any cultural or historic resource be uncovered during grubbing, grading, trenching or other earth moving activity on or off the project site, all work shall cease and a qualified archaeologist shall be retained to examine the find and determine its significance. The archaeologist shall be empowered to stop or redirect earth-moving activities. The archaeologist shall file a report with the Community Development Department immediately following completion of earth moving activities, on the findings at the site.

84. A paleontologic monitor shall be on site during all earth moving activities. The monitor shall be empowered to stop or redirect earth-moving activities on the site. The monitor shall curate all finds using best professional practices, and shall file a report with the Community Development Department reporting on his/her findings immediately following completion of earth moving activities.

FEES AND DEPOSITS

85. The applicant shall comply with 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. Deposit and fee amounts shall be those in effect upon application for plan check and permits.
86. Provisions shall be made to comply with terms and requirements of the City's Art in Public Places program, as in effect at the time of building permit issuance.

87. Permits issued under this approval shall be subject to the provisions of the Infrastructure Fee Program and Development Impact Fee program in effect at the time of issuance of building permit(s).