

**RESOLUTION 2003-24
CONDITIONS OF APPROVAL - RECOMMENDED
TENTATIVE TRACT 31123
VISTA ENCANTO LA QUINTA, L.P.
MAY 6, 2003**

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 Title 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.

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:

- C Fire Marshal
- C Public Works Department (Grading Permit, Improvement Permit)
- C Community Development Department
- C Riverside Co. Environmental Health Department
- C Desert Sands 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.

4. The applicant shall comply with applicable provisions of the City's NPDES storm water discharge permit, Sections 8.70.010 et seq. (Storm water 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. A project-specific NPDES construction permit must be obtained by the applicant; and who then shall submit a copy of the Regional Water Quality Control Board's ("RWQCB") acknowledgment of the applicant's Notice of Intent ("NOI"), prior to the issuance of a grading or site construction permit by the City.)
 - B. 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").
 - C. 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.
 - A. 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.
 - E. 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.
 - F. 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.

- G. 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, 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 52 (Primary Arterial, 110 foot ROW option) - Total width required is 55 feet from existing centerline.
- 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 rights-of-way to be retained for private use required for this development include:

A. PRIVATE STREETS

Property line shall be placed at the back of curb similar to the lay out shown on the tentative map, except as noted below.

- 1. All onsite streets, except in the entry gate area, shall have a 40-foot wide right of way width if a wedge curb is used. If a vertical curb is used, the right of way width may be reduced to 37 feet. In the entry gate area, the right of way width shall be wider and adjusted as needed to accommodate the median islands and travel ways.

2. Knuckle - The knuckle shall conform to the shape shown on the tentative tract map except for minor revisions as may be required by the City Engineer.
10. Dedications shall include any 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 rights-of-way shown on the approved Tentative Tract Map are necessary prior to approval of the Final Map dedicating such rights-of-way, the applicant shall grant the necessary rights-of-way within 60 days of a written request by the City.
12. The applicant shall offer for dedication on the Final Map the ten-foot wide public utility easement contiguous with, and along both sides of all private streets. Said easement may be reduced to five feet in width with the express written approval of IID.
13. The applicant shall create perimeter landscaped setbacks along all public rights-of-way as follows:
 - A. Avenue 52 (Primary Arterial) - 20-feet from the right-of-way/property line.

The listed setback depth shall mean the minimum 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 of, 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 52 from lots with frontage along Avenue 52 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.

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.

19. 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. Perimeter Landscape Plan: 1" = 20'
- C. On-Site Street Plan: 1" = 40' Horizontal, 1" = 4' Vertical
- D. 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 and Signing & Striping 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 six inches of cover, except where there are slope ratios greater than 2:1, or sufficient cover to clear any adjacent obstructions.

- 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 the 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 which are not a part of the proposed improvements; and shall provide for the setting of the final survey monuments.

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

GRADING

28. The applicant shall comply with the provisions of Section 13.24.050 (Grading Improvements), LQMC.
29. The applicant shall comply with the recommendations of the geotechnical investigation prepared by Sladden Engineering, dated January 6, 2003, to the extent they are applicable.
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 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.
33. Grading within the perimeter setback and parkway areas shall have undulating terrain and shall conform with 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. Building pad elevations of perimeter lots shall not differ by more than one foot from the building pads in adjacent development.
36. The applicant shall minimize the differences in elevation between the adjoining properties and the lots within this development.

Building pad elevations on contiguous interior lots shall not differ by more than 1.5 feet except for lots that do not share a common street frontage, where the differential shall not exceed 3.0 feet.

Where compliance within the above stated limits is impractical, the City may consider alternatives that are shown to minimize safety concerns, maintenance difficulties and neighboring-owner dissatisfaction with the grade differential.

37. 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. To accommodate a balanced grading project staff will consider pad elevation adjustments up to 2.0 feet on interior pads only.
38. 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

39. In accordance with Condition 82, all required map revisions shall incorporate the necessary drainage improvements and design criteria of the Public Works Department, where not addressed by these conditions. In the event of conflicts, the decision of the Public Works Director shall be decisive.
40. The applicant shall comply with the provisions of Section 13.24.120 (Drainage), LQMC, Engineering Bulletin No. 97.03. More specifically, storm water 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.
41. 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.

42. Nuisance water shall be retained on site. In residential developments, nuisance water shall be disposed of using a trickling sand filter and leach field, or an alternative nuisance water device 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.
43. 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.
44. No fence or wall shall be constructed around any retention basin unless approved by the Community Development Director and the City Engineer.
45. The on-site common area retention basins shall be designed in accordance with Engineering Bulletin 97.03, and attractively landscaped.
46. Stormwater may not be retained in any General Plan-required 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.
47. The design of the development shall not cause any increase in flood boundaries, levels or frequencies in any area outside the development.
48. 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.
49. Storm drainage historically received from adjoining property shall be received and retained or passed through into the historic downstream drainage relief route.

UTILITIES

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

51. 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.
52. 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.

53. 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

54. 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.
55. The applicant shall construct the following street improvements to conform with the General Plan:

A. OFF-SITE STREETS

- 1) Avenue 52 (Primary Arterial; 110' R/W option):

Widen the north side of the street along all frontage adjacent to the Tentative Tract Map boundary. 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. Street widening improvements shall include all appurtenant components such as, but not limited to, curb, gutter, traffic control striping, legends, and signs, except for street lights.

The pavement/restoration improvement work located beyond 20 feet from the outer curb face (i.e. in the arterial core) is eligible for reimbursement from the City's Development Impact fee fund in accordance with policies established for that program.

Off-site Improvements within the 20-foot dimension measured from the curb face towards the street centerline shall be constructed by the subdivider.

Other significant new improvements required for installation in, or adjacent, to the subject right of way include:

- (a) 8-foot wide meandering sidewalk. The meandering sidewalk shall have an arrhythmic horizontal layout that utilizes concave and convex curves with respect to the curb line that either touches the back of curb or approaches within five feet of the curb at intervals not to exceed 250 feet.

The sidewalk curvature radii should vary between 50 and 300 feet, and at each point of reverse curvature, the radius should change to assist in creating the arrhythmic layout. The sidewalk shall meander into the landscape setback lot and approach within 5 feet of the perimeter wall at intervals not to exceed 250 feet.

B. PRIVATE STREETS

1. All on-site residential streets, except in the entry gate area - Construct 36-foot wide roadbed (flowline to flowline)
 2. Knuckle - Construct the knuckle to conform with the lay-out shown in the tentative tract map, except for minor revisions as may be required by the City Engineer.
56. 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-entry 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 Jefferson Street and Fred Waring Drive, 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.

57. 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 (or approved equivalents of alternate materials):

Residential	3.0" a.c./4.50" c.a.b.
Primary Arterial	4.5"/6.00"

or approved equivalents of alternative materials

58. General access points and turning movements of traffic are limited to the following:
- A. Primary Entry (Westerly Street Entry): No restrictions on turning movements.
 - B. Secondary Entry (Easterly Street Entry): No left turns allowed; right turn-in and right turn out movements are permitted.
59. 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.
60. 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.
61. The applicant shall extend improvements beyond the subdivision boundaries to ensure they safely integrate with existing improvements.

CONSTRUCTION

62. 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.
63. Prior to applying for any perimeter wall permit(s), the applicant shall submit a revised acoustical analysis, prepared by Urban Crossroads on January 14, 2003, to incorporate the current General Plan exterior standard of 65 dBA CNEL. The study shall be reviewed and accepted by Community Development prior to any perimeter wall permit(s) being issued.

LANDSCAPING

64. The applicant shall comply with Sections 13.24.130 (Landscaping Setbacks) & 13.24.140 (Landscaping Plans), LQMC.
65. The applicant shall provide landscaping in the required setbacks, retention basins, common lots and park areas. The developer and subsequent property owner(s) shall continuously maintain all required landscaping in a healthy and viable condition as required by Section 9.60.240 (E3) of the Zoning Ordinance.

Parkway shade trees shall be delivered to the site in 24" or larger boxes with minimum 2.0-inch calipers. Trees shall be a minimum height of ten feet once installed. Parkway palm trees shall have a minimum brown trunk height of eight feet. Existing site vegetation on the project's perimeter shall be retained in place, unless noted otherwise on the grading plan. Any mature trees that are relocated during construction shall be evaluated by a licensed arborist prior to replanting.

66. Landscape and irrigation plans for landscaped lots and setbacks, medians, retention basins, and parks shall be signed and stamped by a licensed landscape architect. Side slopes of the retention basins shall be planted with groundcover that is maintenance free.

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 Coachella Valley Water District (CVWD) and the

Riverside County Agricultural Commissioner, prior to submittal for signature by the City Engineer. Prior to CVWD review, the applicant shall provide calculations that meet the requirements of Chapter 8.13 of the Municipal Code - Water Efficient Landscaping.

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

67. 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. All landscaping plan submittals shall demonstrate a concerted use of drought tolerant plantings, shrubs and ground cover.

PUBLIC SERVICES

68. The applicant shall provide public transit improvements as may be required by SunLine Transit Agency and approved by the City Engineer.
69. Specific fire protection requirements will be determined when final maps/building plans are submitted for review. Final conditions will be addressed when building plans are submitted. A plan check fee must be paid to the Fire Department at the time building and water system plans are submitted.

QUALITY ASSURANCE

70. The applicant shall employ construction quality-assurance measures that meet with the approval of the City Engineer.
71. 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.
72. 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.

73. 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

74. The applicant shall comply with the provisions of Section 13.24.160 (Maintenance), LQMC.
75. 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

76. 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.
77. Provisions shall be made to comply with the terms and requirements of the City's adopted Art in Public Places program in effect at the time of issuance of building permits.
78. 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).

COMMUNITY DEVELOPMENT

79. Building heights shall be limited to one story/22 feet for all lots within the perimeter boundaries of the Tentative Map.
80. Prior to applying for any perimeter wall permit(s), the applicant shall submit a revised acoustical analysis, prepared by Urban Crossroads on January 14, 2003, to incorporate the current General Plan exterior standard of 65 dBA CNEL. The study shall be reviewed and accepted by Community Development Department prior to any perimeter wall permit(s) being issued.

81. 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. 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.

An archaeological monitor shall be on site during any grubbing, earth moving or excavation activities. Should a resource be identified by the monitor, he/she shall be empowered to halt or redirect grading activities while the resource is properly isolated for identification and study. The monitor shall file a report with the City on his/her findings, including the disposition of any resource identified.

82. Prior to submitting civil plans for any grading or other land disturbance permit(s), the applicant shall have completed the Palm Springs Pocket Mouse trapping survey. A final report of summation and recommendation shall be submitted to, reviewed, and accepted by, the Community Development Department prior to issuance of any land disturbance permit or other entitlement. If mitigation is recommended and determined by Community Development to be appropriate, said mitigation shall be completed before grading can be authorized.
83. 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, that meet the general criteria above, but involve a change of no more than 5% of the total lot count of the Tentative map as approved. Any revisions that 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. Notwithstanding the above, the plans submitted for final map checking shall reflect the revised map as proposed to the City Council at their April 15, 2003 meeting.
84. If Lot 42 is a residential lot, it shall be re-plotted, relocated or deleted, to the satisfaction of the Public Works and Community Development Departments, in order to avoid any entry gate conflict at the east drive entry.