

CITY COUNCIL RESOLUTION NO. 2002-148
CONDITIONS OF APPROVAL - FINAL
TENTATIVE TRACT MAP 30834, STONE CREEK RANCH
MADISON ESTATES, LLC
NOVEMBER 5, 2002

GENERAL

1. The applicant agrees to defend, indemnify and hold harmless the City of La Quinta ("City"), its agents, officers and employees from any claim, action or proceeding to attack, set aside, void, or annul the approval of this Tentative Tract Map, or any Final Map recorded thereunder. The City shall have sole discretion in selecting its defense counsel.

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

2. This 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 ("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 Coachella Valley Unified School District
- C Coachella Valley Water District (CVWD)
- C Imperial Irrigation District (IID)
- C California Water Quality Control Board (CWQCB)
- C SunLine Transit Agency

The applicant is responsible for all requirements of the permits and/or clearances from the above listed agencies. When the requirements include approval of improvement plans, the applicant shall furnish proof of such approvals when submitting those improvements plans for City approval.

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-site 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 shall be approved by the City Engineer prior to any on-site or off-site grading, pursuant to this project.
 - F. All approved project BMPs shall be maintained in their proper working order throughout the course of construction, and until all improvements have been accepted by the City.
5. The tentative map shall expire on November 5, 2004, unless an extension is granted per Section 13.12.150 of the Subdivision Ordinance.

PROPERTY RIGHTS

6. Prior to issuance of any permit(s), the applicant shall acquire or confer easements and other property rights necessary for the construction or proper functioning of the proposed development. Conferred rights shall include irrevocable offers to dedicate or grant access easements to the City for emergency services and for maintenance, construction and reconstruction of essential improvements.
7. The current General Plan identifies Avenue 58 as a secondary arterial that requires 88' of right of way. The applicant may show a 6-foot wide street vacation along Avenue 58 that reduces the right-of-way width from 50' to 44'.
8. The proposed vacation of the existing right-of-way will diminish the access rights to the properties located north of the tract boundary. The recordation of the tract map is subject to the Applicant providing an alternate right-of-way or access easement, to those properties, or notarized letters of consent from the affected property owners.
9. 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.
10. The private street right-of-ways 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 rough grading plan and the typical street section shown in the approved tentative map. Use of smooth curves instead of angular lines at property lines is recommended.

1) Streets "A" and "B" (Residential Street)

The right of way width is 36 feet wide to accommodate two travel lanes with a width not less than 32 feet, with on-street parking restricted to one side, provided that there is an adequate off-street parking for residents and visitors and the Applicant makes provisions for ongoing enforcement of the restrictions.

2) Street "C" (Country Lane) - Coral Mountain Court

The right of way width shall be 50 feet wide.

B. CULS DE SAC

The cul de sac shall be according to the tentative map with a 38-foot curb radius or larger at the bulb, using a smooth curve instead of angular lines.

C. Emergency access with a 20 foot width or larger shall tie into the interior street with a dust pan approach and gates installed at the west end of the walled corridor.

11. Right-of-way geometry for standard knuckles and property line corner cut-backs at curb returns shall conform to Riverside County Standard Drawings #801, and #805, respectively, unless otherwise approved by the City Engineer.
12. 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.
13. 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.
14. The applicant shall create perimeter landscaping setbacks along all public right-of-ways as follows:
 - A. Avenue 58 (Secondary Arterial): The General Plan setback requirement is 10 feet, but the Applicant may provide a wider setback if desired.

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, 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.

15. 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.
16. Direct vehicular access to Avenue 58 from lots with frontages 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.
17. 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.
18. 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

19. 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.

20. 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.
21. 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 berming 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
 - E. On-Site Precise Grading Plan: 1" = 30' Horizontal
 - F. Street parking Plan 1" = 100' 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.

"Street Parking" plan shall include appropriate signage to implement the "No Parking" concept, or alternatively an on-street parking policy shall be included in the CC & R's subject to City Engineer's Approval. The parking plan or CC & R's shall be submitted concurrently with the Street Improvement Plans.

"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 and a "Site Utility" plan are required to be submitted for approval by the Building Official and the City Engineer.

22. 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.
23. 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

24. Prior to the conditional approval of any Final Map, or the issuance of any permit(s), 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.
25. 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.
26. Improvements to be made, or agreed to be made, shall include the removal of any existing structures or other obstructions which are not a part of the proposed

improvements; and shall provide for the setting of the final survey monumentation.

27. Depending on the timing of the development of this Tentative Tract Map, and the status of the off-site improvements at the time, the applicant may be required to: (1) construct certain off-site improvements, (2) construct additional off-site improvements, subject to the reimbursement of its costs by others, (3) reimburse others for those improvements previously constructed that are considered to be an obligation of this tentative tract map, (4) secure the costs for future improvements that are to be made by others, or (5) to agree to any combination of these means, as the City may require.

In the event that any of the improvements required for this development are constructed by the City, the applicant shall, prior to the approval of the Final Map, or the issuance of any permit related thereto, reimburse the City for the costs of such improvements.

28. When improvements are to be secured through a SIA, and prior to any conditional approval of the Final Map by the City Council, 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.

29. Should the applicant fail to construct the improvements for the development, or fail to satisfy its obligations for the development in a timely manner, the City shall have the right to halt issuance of building permits, and/or final building inspections, withhold other approvals related to the development of the project, or call upon the surety to complete the improvements.

GRADING

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

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
 - C. A Fugitive Dust Control Plan prepared in accordance with Chapter 6.16, (Fugitive Dust Control), LQMC.
 - D. SWPPP and BMP plan

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 perimeter setback and parkway areas shall have undulating terrain and shall conform to LQMC 9.60.240(F). The maximum slope shall not exceed 4:1 anywhere in the landscape setback area, and shall not exceed 8:1 in the first 6 feet adjacent to the curb in the right of way.
34. Building pad elevations of perimeter lots shall not differ by more than one foot from the building pads in adjacent developments.
35. 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 three feet except for lots that do not share a common street frontage, where the differential shall not exceed five 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.

36. 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.
37. 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.

38. 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 back slope (ie 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) feet 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.

DRAINAGE

"Stormwater handling shall conform with the approved hydrology and drainage report for Stone Creek Ranch. Nuisance water shall be disposed of in an approved manner."

39. 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.
40. 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.
41. Nuisance water shall be retained on site. In residential developments, nuisance water shall be disposed of in a trickling sand filter and leach field 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.
42. 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.
43. No fence or wall shall be constructed around any retention basin unless approved by the Community Development Director and the City Engineer.

44. For on-site common retention basins, retention depth shall be designed according to Engineering Bulletin 97-03, and side slopes shall not exceed 3:1. For retention basins on individual lots, retention depth shall not exceed two feet.
45. 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.
46. The design of the development shall not cause any increase in flood boundaries, levels or frequencies in any area outside the development.
47. 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.
48. Storm drainage historically received from adjoining property shall be received and retained or passed through into the historic downstream drainage relief route.
49. When an applicant proposes discharge of storm water directly, or indirectly, into the Coachella Valley Stormwater Channel, the applicant will indemnify the City from the costs of any sampling and testing of the development's drainage discharge which may be required under the City's NPDES Permit or other City or area-wide pollution prevention program, and for any other obligations and/or expenses which may arise from such discharge. The indemnification shall be executed and furnished to the City prior to the issuance of any grading, construction or building permit, and shall be binding on all heirs, executors, administrators, assigned, and successors in interest in the land within this tentative parcel map excepting therefrom those portions required to be dedicated or deeded for public use. The form of the indemnification shall be acceptable to the City Attorney. If such discharge is approved for this development, the applicant shall make provisions in the final development CC&R's for meeting these potential obligations.

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. Streets shall have vertical curbs or other approved curb configurations that will convey water without ponding, and provide lateral containment of dust and residue during street sweeping operations. If a wedge or rolled curb design is approved, the lip at the flow line shall be near vertical with a 1/8" batter and a minimum height of 0.1'. Unused curb cuts on any lot shall be restored to standard curb height prior to final inspection of permanent building(s) on the lot.
56. The applicant shall construct the following street improvements to conform with the General Plan street type noted in parentheses.

A. OFF-SITE STREETS

- 1) Avenue 58 - Secondary Arterial; 88' R/W

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

The pavement/restoration improvement work located more than 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.

(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 curblines that touch the back of 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) Streets "A" and "B"

Construct 32-foot wide travel width as shown on the tentative map measured from gutter flow line to gutter flow line, provided parking is restricted to one side and there is adequate off-street parking for residents and visitors, and the applicant makes provisions for perpetual enforcement of the restrictions.

2) Street "C" (Country lane) - Coral Mountain Court

Construct 28-foot wide road bed as shown on the tentative map consisting of 20 feet of pavement and a 4-foot shoulder on both sides of the street. On-street parking shall be prohibited and the Applicant shall make provisions for perpetual enforcement of the restrictions.

C. CULS DE SAC

Shall be constructed according to the tentative map with not less than 38-foot curb radius at the bulb using a smooth curve instead of angular lines similar to the layout shown on the rough grading plan.

D. Curve radii for curbs at all street intersections shall not be less than 25 feet unless otherwise approved by the City Engineer at unique locations where special consideration is appropriate.

E. Emergency access

Emergency access with a 20-foot width or larger shall tie into interior streets with a dust pan approach and gates installed at the west end of the walled corridor.

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

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:

Residential	3.0" a.c./4.50" c.a.b.
Secondary Arterial	4.0" a.c./6.00" c.a.b.

or the approved equivalents of alternate materials.

58. General access points and turning movements of traffic are limited to the following:

A. Primary Entry (Avenue 58): Full turn movement is allowed.

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. Standard knuckles and corner cut-backs shall conform to Riverside County Standard Drawings #801 and #805, respectively, unless otherwise approved by the City Engineer.
62. The applicant shall extend improvements beyond the subdivision boundaries and to ensure they safely integrate with existing improvements.

CONSTRUCTION

63. 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

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 pursuant to the September 19 and 27, 2002 submittals, unless otherwise noted herein. 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.

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. Additionally, side slope 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 CVWD and the Riverside County Agricultural Commissioner, prior to submittal for signature by the City Engineer. Compliance with the requirements of Chapter 8.13 (Water Efficient Landscaping) of the Municipal Code is required.

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.
68. Trees shall be staked with lodge poles to protect against damage from gusting winds.
69. Prior to building permit issuance, a front yard landscape plan shall be prepared for each homesite to include a minimum of two shade trees (15 gallon with 0.75 caliper), five ten-gallon shrubs, and groundcover. No more than 50% of the front yard area shall be devoted to lawn.
70. Parkway shade trees shall be delivered to the site in 24" or larger boxes with minimum 1.25-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.
71. Pedestrian walkways within on-site retention basins shall be concrete and/or another ADA compliance hardscape material.

QUALITY ASSURANCE

72. The applicant shall employ construction quality-assurance measures that meet with the approval of the City Engineer.
73. 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.
74. 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.
75. 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

76. The applicant shall comply with the provisions of Section 13.24.160 (Maintenance), LQMC.
77. 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

78. 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.

79. 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).
80. The developer shall pay school mitigation fees to the Coachella Valley Unified School District based on their requirements. Fees shall be paid prior to building permit issuance by the City.
81. The Community Development Director shall cause to be filed with the County Clerk a "Notice of Determination" pursuant to CEQA Guideline § 15075(a) once reviewed by the City Council.
82. The applicant shall comply with the provisions of Section 13.48 (Park Dedications), LQMC.

FIRE DEPARTMENT

Conditions are subject to change with adoption of new codes, ordinances, laws, or when building permits are not obtained within twelve (12) months. Final conditions will be addressed when plans are reviewed. A plan check fee must be paid to the Fire Department at the time construction plans are submitted. All questions regarding the meaning of the Fire Department conditions should be referred to the Fire Department Planning & Engineering staff at (760) 863-8886.

83. For residential areas, approved standard fire hydrants, located at each street 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 1,000 g.p.m. for a 2-hour duration at 20 psi.

For any building with public access (e.g., recreation halls, clubhouses, gatehouse, maintenance and/or commercial buildings), 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 shall be 1,500 g.p.m. for a 2-hour duration at 20 psi.

84. 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.

85. Buildings that are 5,000 square feet and larger, other than single family houses, shall be fully sprinkled (NFPA 13 Standard). If required, sprinkler plans will need to be submitted to the Fire Department. Area separation walls may not be used to reduce the need for sprinklers.
86. Any turnaround requires a minimum 38-foot turning radius.
87. The minimum dimension for access roads is 20 feet clear and unobstructed width and a minimum clearance of 13'-6" in height.
88. Any gate providing access from a road to a driveway shall be located at least 35'-0" setback from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Where one-way road with a single traffic lane provides access to a gate entrance, a 38-foot turning radius shall be used.
89. Gates may be automatic or manual 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. Automatic gates shall be provided with backup power. A separate pedestrian access gate is also required.
90. Roadways may not exceed 1,320 feet without secondary access. This access may be restricted to emergency vehicles only, however, public egress must be unrestricted.
91. The required water system, including fire hydrants, shall be installed and accepted by the appropriate water agency prior to any combustible building materials being placed on an individual lot. Two sets of water plans are to be submitted to the Fire Department for approval.
92. 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.
93. A display board may be required for the project, contact the Fire Department for details.

MISCELLANEOUS

94. All public agency letters received for this case are made part of the case file documents for plan checking purposes.
95. All mitigation measures included in Environmental Assessment 2002-457 are hereby included in this approval.
96. Design guidelines for housing product shall be reviewed and approved by the Planning Commission per Section 9.60.330 (Tract Development) or Section 9.60.340 (Custom Homes) of the Zoning Ordinance. Prior to building permit issuance, all required RL Zoning District requirements shall be met.
97. A permit from the Community Development Department is required for any temporary or permanent tract signs. Uplighted tract ID signs are allowed subject to the provisions of Chapter 9.160 of the Zoning Ordinance.
98. Parkway walls shall be decorative as defined on the concept landscape plan, including the use of 30-inch wide pilasters at each intersecting property line. Perimeter tract walls shall be constructed before the 10th house is ready to be occupied. Access gates for the project shall be approved by the Community Development Department before installation.
99. The developer shall share in the construction costs, up to and not exceeding 10%, to build a six-foot high masonry wall on the west side of the development with KSL Desert Resorts to complete the obligations addressed in Plot Plan 89-424 and Specific Plan 83-002 (PGA West).
100. The Community Development and Public Works Directors may allow minor design changes to final map applications that include a reduction in the number of buildable lots, changes in lot sizes, relocation of common open space areas or other required public facilities (e.g., CVWD well sites, etc.) and changes in the alignment of street sections, provided the applicant submits a Substantial Compliance Application to the Public Works Department during plan check disclosing the requested changes and how the changes occurred. These changes shall be conveyed to the City Council when the map is presented for recordation consideration.
101. Prior to submitted the Final Map for plan check consideration, the following corrections and/or information shall be provided:

- A. Two copies of the draft Covenants, Conditions and Restrictions (CC&R's). The City Attorney shall approve the document prior to approval of the final map by the City Council.

- B. A minimum of three street names shall be submitted for each private street shown on the Map exhibit. A list of the names in ranking order shall be submitted to the Community Development Department for approval.