

**RESOLUTION NO. 2002-118  
CONDITIONS OF APPROVAL - FINAL  
TENTATIVE TRACT MAP 30521  
LIDO EQUITY PARTNERS  
ADOPTED: JULY 16, 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](http://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 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 of applicant's erosion and sediment control BMPs shall be approved by the City Engineer prior to any on or off site grading being done in relation 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. 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).

## 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 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.

8. The public street right-of-way offers for dedication required for this development include:

### A. PUBLIC STREETS

- 1) Washington Street (Major Arterial Street) - None Required
- 2) Miles Avenue (Primary Arterial Street) - None Required
- 3) Via Caliente, Bradford Circle, Forbes Circle and Via Coronado - Local Street, 60 foot Right of Way.

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

- 1) Street "A" Entry Street - 81 foot private right of way as shown on the Tentative Map.
- 2) Street "L" Entry Street - 57 foot private right of way as shown on the Tentative Map.

- 3) Interior Private Streets: 36-foot travel width within a 37 foot private right of way.

B. CUL DE SACS

- 1) Private Residential Cul-de-sac

Use Riverside County Standard 800 for symmetrical Cul De Sacs, or 800A for offset Cul De Sacs, and a 38-foot face of curb radius.

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. 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.
13. 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.
14. 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.
15. The applicant shall create perimeter landscaping setbacks along all public right-of-ways as follows:
  - A. Washington Street (Major Arterial) - 20-foot from the Right of way or property line.
  - B. Miles Avenue (Primary Arterial) - 20-foot from the Right of way or property line.

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.

16. 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.
17. The applicant shall vacate all abutter's right-of-access to public streets and properties from all frontages along such public streets and properties, excepting those access points shown on the Final Map.
18. 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.
19. When an applicant proposes the vacation, or abandonment, of any existing right-of-way, or access easement, which will diminish the access rights to any properties owned by others, the applicant shall provide an alternate right-of-way or access easement, to those properties, or notarized letters of consent from the affected property owners.
20. 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

21. 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.

22. 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.
23. 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

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 1-foot of cover, or sufficient cover to clear any adjacent obstructions.

24. 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.
25. 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

26. 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.
27. 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.
28. 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.
29. When improvements are phased through a "Phasing Plan," 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.

30. 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.

## GRADING

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

32. 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.
33. 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.

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.

34. 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.
35. Slopes shall not exceed 5:1 within public rights of way and 3:1 in landscape areas outside the right of way unless otherwise approved by the City Engineer.
36. Building pad elevations of perimeter lots shall not differ by more than one foot higher from the building pads in adjacent developments.
37. 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.

38. 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.
39. 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

40. 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.
41. The applicant shall meet the individual-lot retention provisions of Chapter 13.24.120 (Drainage), sub-section "K.", LQMC. Stormwater shall normally be retained in common retention basin(s) as shown on the Tentative Tract Map.
42. 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.

43. Nuisance water shall be retained on site through an acceptable manner as approved by the City Engineer.
44. No fence or wall shall be constructed around any retention basin unless approved by the Community Development Director and the City Engineer.
45. For on-site common retention basins, retention depth shall not exceed six feet and side slopes shall not exceed 3:1. Deeper retention basins may be approved but shall meet the criteria established in Engineering Bulletin 97-03 (Amendment #1).
46. 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.
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. 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 flowline 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) Washington Street - (Major Arterial)
  - (a) 6-foot wide meandering sidewalk along the entire frontage adjacent to the Tentative Tract boundary.
  - (b) Traffic signal at the Project's main entry at Via Sevilla and Washington Street when warrants are met. The Applicant is responsible for 50 % of the cost to design and install the traffic signal if complementing cost share from development on other side of street is available at time signal is required. Applicant shall enter into a SIA to post security for 50 % of the cost to

design and install the traffic signal prior to issuance of an on-site grading permit; the security shall remain in full force and effect until the signal is actually installed by the applicant or the developer on the other side of the street. If the land on the other side of the street does not have an approved project connecting to the subject intersection, the applicant shall pay 100% of the cost to design and install the signalization for the resulting "T" intersection. If, however, the applicant's development trails the progress of the development on the other side of the street, the applicant shall be responsible for 50% of the cost as previously stated.

2) Miles Avenue - (Primary Arterial)

Widen the north side of the Miles Avenue to a 43 foot half width along the entire frontage adjacent to the Tentative Tract Map boundary. Rehabilitate and/or reconstruct existing roadway pavement as necessary to facilitate the widening. 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:

- (a) 6-foot wide meandering sidewalk.
- (b) The applicant shall modify the existing median at the project entry to accommodate a left turn in configuration while prohibiting left turns out.

**All improvements to Washington Street and Miles Avenue shall be completed with the Phase I Tract Improvements.**

- 3) Via Caliente, Bradford Circle, Forbes Circle and Via Coronado - Local Street, 60 foot Right of Way. The applicant shall complete the necessary street improvement and cul-de-sac improvements for a 40 foot wide, curb to curb street section.

B. PRIVATE STREETS

- 1) Street "A" Entrance - Construct full improvements within a 81-foot right-of-way, which shall be divided into two 30-foot traveled ways with a 20-foot center landscaped median.
- 2) Street "L" Entrance - Construct full improvements within a 57 foot right of way, which shall be divided into two 22 foot traveled ways with a 10 foot center landscaped median.
- 3) Interior Private Streets - Construct full 36-foot wide travel width improvements within a 37-foot right-of-way where the residential streets are double loaded.

C. PRIVATE CUL DE SACS

- 1) Private Cul-de-sacs shall be constructed to Riverside County Standard 800 for symmetrical Cul-de-sacs and Standard 800A for offset Cul-de-sacs, and both shall be constructed with a 38-foot curb radius, measured gutter flow-line to gutter flow-line.

57. The entry streets shall be designed to accommodate a gated entry. The design 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.)

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 respective street.

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.

58. 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.
Collector	4.0"/5.00"
Secondary Arterial	4.0"/6.00"
Primary Arterial	4.5"/6.00"
Major Arterial	5.5"/6.50"

or the approved equivalents of alternate materials.

59. General access points and turning movements of traffic are limited to the following:
- A. Primary Entry - Via Sevilla: Full right in, right out, left in and left out turning movements.
  - B. Primary Entry - Miles Avenue: Right in, right out and left in (only) turning movements. Left turn out turning movements will be prohibited. The applicant shall modify the existing median island on Miles Avenue to accommodate the proposed left in turning movement.
60. 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.
61. 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.
62. Corner cut-backs shall conform to Riverside County Standard Drawing #805, unless otherwise approved by the City Engineer.
63. The applicant shall extend improvements beyond the subdivision boundaries to ensure they safely integrate with existing improvements.

#### CONSTRUCTION

64. 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

65. The applicant shall comply with Sections 13.24.130 (Landscaping Setbacks) & 13.24.140 (Landscaping Plans), LQMC.
66. The applicant shall provide landscaping in the required setbacks, retention basins, common lots and park areas.
67. 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.

68. 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.

### PUBLIC SERVICES

69. The applicant shall provide public transit improvements as required by SunLine Transit Agency and approved by the City Engineer.

### 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. Prior to issuance of a grading permit or any earth moving activities, applicant shall pay a fringe-toed lizard mitigation fee of \$600.00 per acre to the City of La Quinta.
78. Prior to final map approval by the City Council, the property owner/developer shall comply with the Parkland Dedication requirements by payment of in-lieu fees as set forth in Section 13.48 of the La Quinta Municipal Code.

79. Within 48 hours after review by the City Council, the property owner/developer shall submit to the Community Development Department a check made out to the "County of Riverside" in the amount of \$1314.00 to permit the filing and posting of the Notice of Determination for EA 2002-455 as required by the California Environmental Quality Act.

## ENVIRONMENTAL

80. The applicant/developer shall comply with the mitigation measures contained in the Mitigation Monitoring Plan attached to Environmental Assessment 2002-455.

## FIRE DEPARTMENT

81. 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 two hour duration at 20 PSI.
82. Blue dot reflectors shall be placed in the street 8 inches from the centerline to the side that the fire hydrant is on, to identify fire hydrant locations.
83. Gate entrances shall be at least two feet wider than the width of the travel lanes serving that gate. Any gate providing access from a road to a driveway 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 40 foot turning radius shall be used.
84. Gates shall be equipped with a rapid entry system (KNOX). 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. Contact the Fire Department for an application (760 863-8886).
85. Provide to the Fire Department, two sets of water plans for plan check prior to recordation of the final Tract Map.
86. The required water system, including fire hydrants, shall be installed and accepted the appropriate water agency prior to any combustibles being placed on an individual lot.

## MISCELLANEOUS

87. There shall be no two story units constructed along Washington Street and Miles Avenue.

88. The applicant shall construct a deceleration lane along Washington Street, south of Via Sevilla pursuant to City standards, as part of the Phase I project development.
89. At perimeter boundary locations where the existing wall is too short to comply with the City's wall height requirement with respect to the new lots within the new tract, the Applicant shall first contact the owner(s) of the existing wall and offer to: 1) increase the existing wall height if the existing wall is structurally capable of handling the increased height, or 2) remove the existing a wall and replace it with a new wall that is high enough to comply with the LQMC.

If the existing wall owner(s) do not unanimously consent to one of the two alternatives identified in the previous paragraph after a reasonable amount of time and coordinating effort has been given to achieving a mutual solution, the applicant may construct a second wall adjacent to the existing wall provided the new wall is aesthetically consistent with a majority of the wall aesthetics encountered. The gap between the new wall and the existing wall shall be filled with pea gravel and capped if the gap is larger than two inches (2").