

**CITY COUNCIL RESOLUTION NO. 2001-164
CONDITIONS OF APPROVAL - FINAL
TENTATIVE TRACT MAP 30331 - SANTA PROPERTIES
DECEMBER 18, 2001**

GENERAL

1. Upon the City Council's conditional approval of this tentative tract map, the City Clerk shall prepare and record with the Riverside County Recorder, a memorandum noting that the conditions of approval for the development of this property exist and are available for review at the City Hall.
2. 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 tract map 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.

3. This tentative tract map, and any final tract map 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").
4. Prior to the issuance of a grading, construction, or building permit by the City, the applicant shall obtain the necessary clearances and/or permits from the following public 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)

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

5. The applicant shall comply with applicable provisions of the City's NPDES storm water discharge permit Sections 8.70.010 et seq., LQMC. For projects requiring project-specific NPDES construction permits, the applicant shall submit a copy of the CWQCB acknowledgment of the applicant's Notice of Intent prior to issuance of a grading or site construction permit. The applicant shall ensure that the required Storm Water Pollution Protection Plan ("SWPPP") is available for inspection at the project site.

For construction activities including clearing, grading or excavation of land, which disturbs less than 5 acres, the Permittee shall be governed by the provisions of U.B.C. § 3316, A.

For construction activities including clearing, grading or excavation of land, which disturbs 5 acres or more, the Permittee shall be governed by the provisions of U.B.C. § 3316, B.

- A. 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.
- B. The applicant's SWPPP shall include provisions for all of the following Best Management Practices (BMPs):
 1. Temporary Soil Stabilization (erosion control).
 2. Temporary Sediment Control.
 3. Wind Erosion Control.
 4. Track Out Control.
 5. Non-Storm Water Management.
 6. Waste Management and Materials Pollution Control.
- C. 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.
- D. All approved project BMPs shall be maintained throughout the course of construction, and until all public improvements have been accepted by the City.

6. 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

7. Prior to the issuance of any permit(s), the applicant shall acquire or confer easements and other property rights required of the tentative map or otherwise necessary for construction or proper functioning of the proposed development. Conferred rights shall include irrevocable offers to dedicate or grant access easements to the City for emergency services and for maintenance, construction, and reconstruction of essential improvements.
8. The applicant shall dedicate or grant public and private street right-of-ways and utility easements in conformance with the City's General Plan, Municipal Code, applicable specific plans, and/or as required by the City Engineer.
9. Right of way dedications required of this development include:
 - A. PUBLIC STREETS
 1. Avenue 50 (Lot "A") - 50-foot half of the 100-foot right-of-way half.
 - B. PRIVATE STREETS
 1. Residential (Street Lot "B"): 36-Foot width. Width may be reduced to 32-foot with parking restricted to one side.
 2. Private Gated Entry: 82-foot, or as required to provide adequate turn-around and egress for non-admitted visitors, and approved by the City Engineer.
 - C. CUL DE SACS
 1. Private: Use Riverside County Standard 800A to provide a traveled radius of 40-foot measured gutter flow-line to gutter flow-line.

10. Dedications shall include additional widths as necessary for dedicated right and left turn lanes, bus turnouts, and other features contained in the approved construction plans.
11. If the City Engineer determines that access rights to proposed street right-of-ways shown on the tentative map are necessary prior to approval of final maps dedicating the rights of way, the applicant shall grant the necessary rights of way within 60 days of written request by the City.
12. The applicant shall dedicate ten-foot public utility easements contiguous with and along both sides of all private streets. The easements may be reduced to five feet with the express concurrence of IID.
13. The applicant shall create perimeter setbacks along public rights of way as follows (listed setback depth is the average depth if meandering wall design is approved):
 - A. Avenue 50 - The applicant shall provide a minimum of 20 foot perimeter setback along Avenue 50.

The setback requirement applies to all frontage 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 dedicate blanket easements for those purposes.
14. The applicant shall dedicate those easements necessary for the placement of, and access to, utility lines and structures, drainage basins, mailbox clusters, park lands, and common areas.
15. The applicant shall vacate abutter's rights of access to public streets and properties from all frontage along the streets and properties except access points shown on the approved tentative map.
16. The applicant shall furnish proof of easements or written permission, as appropriate, from owners of any abutting properties on which grading, retaining wall construction, permanent slopes, or other encroachments are to occur.

17. The applicant shall cause no easements to be granted or recorded over any portion of this property between the date of approval of this tentative map by the City Council and the date of recording of any final map(s) covering the same portion of the property unless such easements are approved by the City Engineer.

FINAL MAP(S)

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

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

IMPROVEMENT PLANS

As used throughout these Conditions of Approval, professional titles such as "engineer," "surveyor," and "architect" refer to persons currently certified or licensed to practice their respective professions in the State of California.

19. Improvement plans shall be prepared by or under the direct supervision of qualified engineers and landscape architects, as appropriate. Plans shall be submitted on 24" x 36" media in the categories of "Grading," "Street" and "Landscaping" plans. "Landscaping" plans shall have signature blocks for the Community Development Director and the City Engineer. All other plans shall have signature blocks for the City Engineer. Plans are not approved for construction until they are signed.

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

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

20. The City maintains standard plans, details and/or construction notes for elements of construction. For a fee established by City Resolution, the applicant may acquire standard plan and/or detail sheets from the City.
21. When final plans are approved by the City, the applicant shall furnish accurate AutoCad files of the complete, approved plans on storage media acceptable to the City Engineer. The files shall utilize standard AutoCad menu items so they may be fully retrieved into a basic AutoCad program. At the completion of construction and prior to final acceptance of improvements, the applicant shall update the files to reflect as-constructed conditions.

Raster-image files of those plans not produced in AutoCAD, or a file format which can be converted to AutoCAD, shall be submitted to the City Engineer.

IMPROVEMENT AGREEMENT

22. The applicant shall either construct improvements, and/or satisfy the obligations, or furnish a fully secured and executed Subdivision Improvement Agreement ("SIA") to construct such improvements, and/or satisfy its obligations as required by the City, prior to the issuance of any building permit(s). All secured SIAs, the security provided therefor, and the release thereof, shall comply with Chapter 13, LQMC.

Improvements to be made, or agreed to be made, shall include removal of any existing structures or obstructions which are not part of the proposed improvements.

Where improvements are phased through approval of a Phasing Map for multiple final maps, or other administrative approvals (e.g., Site Development Permits), all off-site improvements and common improvements (e.g., retention basins, perimeter walls & landscaping, gates) shall be constructed or secured prior to approval of the first phase unless otherwise approved by the City Engineer. Improvements and obligations required of each phase shall be completed and satisfied prior to completion of homes or occupancy of permanent buildings within the phase and subsequent phases unless a construction phasing plan is approved by the City Engineer.

23. Depending on the timing of development of the lots or parcels created by this map and the status of off-site improvements at that time, the applicant may be required to construct improvements, to construct additional improvements subject to reimbursement by others, or reimburse others who construct improvements that are obligations of this map, or secure the cost of the improvements for future construction by others, or a combination of these methods.

In the event that any of the improvements required herein are constructed by the City, the applicant shall, at the time of approval of a map or other development or building permit, reimburse the City for the cost of those improvements.

24. Where improvements are to be secured through a SIA, the applicant shall provide detailed construction cost estimates of all on-site and off-site improvements, including survey monumentation, for checking and approval by the City Engineer. Estimates shall comply with the schedule of unit costs adopted by City resolution or ordinance. For items not listed in the City's schedule, estimates shall meet the approval of the City Engineer.

Estimates for improvements under the jurisdiction of other agencies shall be approved by those agencies. Security is not required for telephone, gas, or T.V. cable improvements. However, development-wide improvements shall not be agendized for final acceptance until the City receives confirmation from the telephone authority that the applicant has met all requirements for telephone service to lots within the development.

25. When an applicant fails to construct the improvements for the development, or fails to satisfy its obligations in a timely manner, for the development, or as may be specified in an approved phasing plan, the City shall have the right to halt issuance of all 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

26. Prior to its occupancy of the project site for any construction or other purposes, the applicant shall obtain a grading permit approved by the City Engineer.

27. In order to obtain an approved grading permit, the applicant shall submit and obtain approval of all of the following:
- A. grading plan prepared by a qualified engineer,
 - B. A preliminary geotechnical ("soils") report prepared by a qualified engineer, and
 - C. Fugitive Dust Control Plan prepared in accordance with Chapter 6.16, LQMC.

The grading plan shall conform with the recommendations of the soils report and be certified as adequate by a soils engineer or engineering geologist.

A statement shall appear on all final maps that a soils report has been prepared pursuant to Health and 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 of its grading permit.

28. 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.
29. Prior to the issuance of any building permits, the applicant shall provide building pad certifications stamped and signed by a qualified engineer or surveyor.

Each pad certification shall list the elevation shown on the approved grading plan, the actual elevation and the difference between the two, if any. The data shall be organized by lot number, and listed cumulatively if submitted at different times.

DRAINAGE

30. The applicant shall comply with the provisions of Engineering Bulletin No. 97.03 and the following:
- A. Storm water falling on site during the peak 24-hour period of a 100-year storm (the design 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.

- B. Stormwater shall normally be retained in common retention basins.
 - C. Storm flow in excess of retention capacity shall be routed through a designated, unimpeded overflow outlet to the historic drainage relief route.
 - D. Storm drainage historically received from adjoining property shall be retained on site or passed through to the overflow outlet.
 - E. Retention facility design shall be based on site-specific percolation data which shall be submitted for checking with the retention facility plans.
 - F. Maximum depth of retention basin, measured at any overflow weir location, shall be six feet for common basins.
 - G. Nuisance water shall be retained on site. In residential developments, nuisance water shall be disposed of in a trickling sand filter and leachfield approved by the City Engineer. The sand filter and leachfield shall be designed to contain surges of 3 gph/1,000 sq. ft. of landscape area, and infiltrate 5 gpd/1,000 sq. ft.
 - H. The tract 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.
31. In developments for which security will be provided by public safety entities (e.g., the La Quinta Safety Department or the Riverside County Sheriff's Department), retention basins shall be visible from adjacent street(s). No fence or wall shall be constructed around basins unless approved by the Community Development Director and the City Engineer.

UTILITIES

32. The applicant shall obtain the approval of the City Engineer for the location of all utility lines within the right of way, and all above-ground utility structures including, but not limited to, traffic signal cabinets, electrical vaults, water valves, and telephone stands, to ensure optimum placement for practical and aesthetic purposes.

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

STREET AND TRAFFIC IMPROVEMENTS

35. The applicant shall construct the following street improvements to conform with the General Plan street type noted in parentheses. (Public street improvements shall conform with the City's General Plan in effect at the time of construction.)

A. OFF-SITE STREETS

1. Avenue 50 (Primary Arterial "A") (Lot "A") - Construct - 38 foot half width improvement plus 6-foot wide meandering sidewalk. Construct necessary pavement transitions.

B. PRIVATE STREETS

2. Residential (Street Lot "B"): 33-foot travel width with parking restricted to one side, and the applicant shall provide for the perpetual enforcement of the parking restrictions by the homeowners association.
3. 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 vehicles.

The applicant shall submit a detailed exhibit at a 1"=10' scale demonstrating that those passenger vehicles that do not gain entry, can safely make a "U" Turn back out onto Avenue 50 from the gated entry.

Two lanes of traffic shall be provided on the entry side, one lane for the homeowners, and one lane for visitors.

C. CUL DE SACS

1. Use Riverside County Standard 800 for symmetrical Cul de Sacs, or RC Standard 800A for offset Cul de Sacs with a 38-foot curb radius, measured gutter flow-line to gutter flow-line.

Entry drives, main interior circulation routes, turn knuckles, corner cutbacks, bus turnouts, dedicated turn lanes, and other features contained in the approved construction plans may warrant additional street widths as determined by the City Engineer.

36. General access points and turning movements of traffic are limited to the following:
 - A. A right in/right out entrance from or onto Avenue 50.
37. 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.
38. The applicant may be required to extend improvements beyond development boundaries to ensure they safely integrate with existing improvements (e.g., grading; traffic control devices and transitions in alignment, elevation or dimensions of streets and sidewalks).
39. Improvements shall be designed and constructed in accordance with the LQMC, adopted standards, supplemental drawings and specifications, and as approved by the City Engineer. Improvement plans for streets, access gates and parking areas shall be stamped and signed by qualified engineers.
40. Standard knuckles and corner cut-backs shall conform to La Quinta Standard Drawings, unless otherwise approved by the City Engineer.

STREET DESIGN

41. Streets shall have vertical curbs or other approved curb configurations which convey water without ponding and provide lateral containment of dust and residue for street sweeping. Where wedge or rolled curb designs are approved, the lip at the flowline shall be vertical (1/8" batter) and a minimum of 0.1' in height. Unused curb cuts on any lot shall be restored to normal curbing prior to final inspection of permanent building(s) on the lot.
42. The applicant shall design street pavement sections using CalTrans' design procedure for 20-year pavement life, utilizing 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.

CONSTRUCTION

43. The applicant shall submit current mix designs (less than two years old at the time of construction) for base, asphaltic concrete and Portland cement concrete. The submittal shall include test results for all specimens used in the mix design procedure. For mix designs over six months old, the submittal shall include the most recent (less than six months old at the time of construction) aggregate gradation test results confirming that the design gradations can be achieved in current production.

The applicant shall not schedule construction operations until the mix designs have been approved by the City Engineer.

44. The City will conduct final inspections of homes and other habitable buildings only when the buildings have improved street, and (where required), sidewalk access to publicly-maintained streets. The improvements shall include all required traffic control devices, pavement markings and street name signs. If on-site streets are initially constructed with partial pavement thickness, the applicant shall complete the pavement prior to final inspections of the last ten percent of homes within the tract or when directed by the City, whichever comes first.

LANDSCAPING

45. The applicant shall provide landscaping in required setbacks, retention basins, common lots, and park areas.
46. 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 plans for approval by the Community Development Department prior to plan checking by the Public Works Department. When plan checking is complete, the applicant shall obtain the signatures of CVWD and the Riverside County Agricultural Commissioner prior to submitting for signature by the City Engineer. Plans are not approved for construction until signed by the City Engineer.

47. Landscape areas shall have permanent irrigation improvements meeting the requirements of the City Engineer. Use of lawn shall be minimized with no lawn or spray irrigation within 18 inches of curbs along public streets.

QUALITY ASSURANCE

48. The applicant shall employ construction quality-assurance measures which meet the approval of the City Engineer.
49. 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.

50. 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.
51. 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 Drawings," "As-Built" or "As-Constructed" and shall be stamped and signed by the engineer, certifying to the accuracy of the record drawings. The applicant shall have all AutoCAD or raster-image files previously submitted to the City, revised to reflect the as-built conditions.

MAINTENANCE

52. The applicant shall make provisions for continuous, perpetual maintenance of all on-site improvements, perimeter landscaping, access drives, and sidewalks.
53. The applicant shall maintain all required public improvements until expressly released from this responsibility by the appropriate public agency.
54. The applicant shall provide for weekly street sweeping operations during construction, and until such time as all improvements have been accepted by the City.

FEES AND DEPOSITS

55. The applicant shall pay the City's established fees for plan checking and construction inspection. Fee amounts shall be those in effect when the applicant makes application for plan checking and permits.

COMMUNITY DEVELOPMENT DEPARTMENT

56. Landscaping and irrigation plans shall be submitted to the Community Development Department for review and approval prior to the issuance of a grading permit for the proposed project site. The landscaping plans shall include the design of the entry walls and gates. Both walls and gates shall not exceed 6 feet in height, and shall be placed on berms if required by mitigation measures in Environmental Assessment 2001-435.

57. Prototypical housing plans are not a part of this approval, and will require separate permitting if required.
58. Signage is not included in this approval. A separate signage permit shall be submitted for entry or monument signage at the project site.
59. All mitigation measures included in Environmental Assessment 2001-435 are hereby included in this approval.
60. The applicant shall pay school fees as required by law. School fees shall have been paid prior to the issuance of building permits.

COACHELLA VALLEY WATER DISTRICT CONDITIONS

61. The project site shall be annexed to Improvement District Nos. 55 and 82 of the district for sanitation service.
62. Plans for grading, landscaping and irrigation systems shall be submitted to the district for review. This review is for ensuring efficient water management.

FIRE DEPARTMENT CONDITIONS

63. Approved standard fire hydrants, located at each intersection and spaced 330 feet apart.
64. Blue dot reflectors shall be placed in the street 8 inches from centerline to the side that the fire hydrant is on.
65. Any turn-around requires a minimum 38-foot turning radius.
66. 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.
67. 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.

68. The minimum dimension for access roads is 20 feet clear and unobstructed width and a minimum clearance of 13 feet 6 inches in height.
69. The required water system, including fire hydrants, shall be installed and accepted by the appropriate water agency prior to any combustible building material being placed on an individual lot.