

**CITY COUNCIL RESOLUTION NO. 2005-069
CONDITIONS OF APPROVAL - FINAL
TENTATIVE TRACT MAP 30138 – TIME EXTENTION 1
LA QUINTA DEVELOPERS, LLC
SEPTEMBER 6, 2005**

GENERAL

1. The applicant agrees to defend, indemnify, and hold harmless the City of La Quinta (the "City"), its agents, officers and employees from any claim, action or proceeding to attack, set aside, void, or annul the approval of this tentative map or any final 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.

2. This tentative map and any final maps thereunder shall comply with the requirements and standards of Sections 66410 through 66499.58 of the California Government Code (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 la-quinta.org.

3. Prior to the issuance of a grading, construction or building permit, the applicant shall obtain permits and/or clearances from the following public agencies:

- Fire Marshal
- Public Works Department (Grading Permit, Improvement Permit)
- Community Development Department
- Riverside Co. Environmental Health Department
- Coachella Valley Unified School District
- Coachella Valley Water District (CVWD)
- Imperial Irrigation District (IID)
- California Water Quality Control Board (CWQCB)
- SunLine Transit Agency
- South Coast Air Quality Management District

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”).

The applicant or design professional can obtain the California Stormwater Quality Association SWPPP template at www.cabphandbooks.com for use in their SWPPP preparation.

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. The approved SWPPP and BMPs shall remain in effect for the entire duration of project construction until all improvements are completed and accepted by the City.
5. The tentative map shall expire within one year of City Council approval of this extension, unless another 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 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:
- Avenue 52 (Primary Arterial, 110' ROW) – No additional right of way is required.
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:

PRIVATE STREETS - Property line shall be placed at the back of curb similar to the lay out shown on the tentative tract map. Use of smooth curves instead of angular lines at property lines is recommended. Private Residential Streets measured at gutter flow line shall have a 36-foot travel width. Curve radii for curbs at all street intersections shall not be less than 25 feet.

11. Right of way geometry for knuckles turns 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:

Avenue 52 (Primary Arterial) - 20-foot from the R/W-P/L.

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

The setback requirements shall apply to all frontages including, but not limited to, remainder parcels and sites dedicated for utility purposes.
16. 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.
17. 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.

18. Direct vehicular access to Avenue 52 from any portion of the site from frontage along Avenue 52 is restricted, except for those access points identified on the tentative tract map, or as otherwise conditioned in these conditions of approval. The vehicular access restriction shall be shown on the recorded final tract map.
19. 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.
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. On-Site Street Plan: 1" = 40' Horizontal, 1" = 4' Vertical
- C. On-Site Rough Grading/Storm
Drainage Plan: 1" = 40' Horizontal
- D. 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. Additionally, a hydrology/hydraulic report shall be submitted and all pipe and catch basin sizing shall be provided on the improvement plan.

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. 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.

30. If the applicant elects to utilize the secured agreement alternative, the applicant shall submit detailed construction cost estimates for all proposed on-site and off-site improvements, including an estimate for the final survey monumentation, for checking and approval by the City Engineer. Such estimates shall conform to the unit cost schedule adopted by City resolution, or ordinance.
31. 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.

32. 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

33. The applicant shall comply with the provisions of Section 13.24.050 (Grading Improvements), LQMC.
34. 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.
35. To obtain an approved grading permit, the applicant shall submit and obtain approval of all of the following:

- A. A grading plan prepared by a qualified engineer or architect,
- B. A preliminary geotechnical (“soils”) report prepared by a qualified engineer, and
- C. A Fugitive Dust Control Plan prepared in accordance with Chapter 6.16, (Fugitive Dust Control), LQMC.
- D. A Best Management Practices report prepared in accordance with Sections 8.70.010 and 13.24.170 (NPDES stormwater discharge permit and Storm Management and Discharge Controls), LQMC.

All grading shall conform to the recommendations contained in the Preliminary Soils Report, and shall be certified as being adequate by a Soils Engineer, or by an engineering geologist.

A statement shall appear on the Final Map that a soils report has been prepared in accordance with the California Health & Safety Code § 17953.

The applicant shall furnish security, in a form acceptable to the City, and in an amount sufficient to guarantee compliance with the approved Fugitive Dust Control Plan provisions as submitted with its application for a grading permit.

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

38. Building pad elevations on the rough grading plan submitted for City Engineer's approval shall conform with pad elevations shown on the tentative map, unless the pad elevations have other requirements imposed elsewhere in these Conditions of Approval.
39. Building pad elevations of perimeter lots shall not differ by more than one foot higher from building pads in adjacent developments.
40. 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.
41. 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

42. 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. The maximum allowable water depth when the design storm is contained is five (5) feet.
43. 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.

44. Nuisance water shall be retained on site. In residential developments, nuisance water shall be disposed of in a trickling sand filter and leach field or equivalent 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. The sand filter and leach field shall be designed to contain nuisance water surges from landscape areas, residential units, and off-site street nuisance water. Flow from adjacent well sites shall be designed for retention area percolation by separate infiltration system approved by the City Engineer. The sand filter design shall be per La Quinta Standard 370 with the equivalent of 137.2 gph of water feed per sand filter to accept the abovementioned nuisance water requirements. Leach line requirements are 1.108 feet of leach line per gph of flow.
45. 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.
46. No fence or wall shall be constructed around any retention basin unless approved by the Community Development Director and the City Engineer.
47. For on-site common retention basins, retention depth shall be according to Engineering Bulletin 97.03, and side slopes shall not exceed 3:1 and shall be planted with maintenance-free ground cover. Additionally, the applicant's preliminary hydrology report is approved with the following conditions: 1) Enlarge the retention basin to provide 5 feet maximum water depth; and 2) Submittal of a final hydrology report for approval at time of improvement plan submittal. Drainage system pipe and catch basin sizing shall also be provided on the improvement plans.
48. 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.
49. The design of the development shall not cause any increase in flood boundaries, levels or frequencies in any area outside the development.

50. 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.
51. Storm drainage historically received from adjoining property shall be received and retained or passed through into the historic downstream drainage relief route.

UTILITIES

52. The applicant shall comply with the provisions of Section 13.24.110 (Utilities), LQMC.
53. The applicant shall obtain the approval of the City Engineer for the location of all utility lines within any right-of-way, and all aboveground 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.
54. 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.

Existing overhead utility lines within, or adjacent to the proposed development, and all proposed utilities shall be installed underground.

The existing utility lines attached to joint use 92 KV transmission power poles on Avenue 52 are exempt from the requirement to be placed underground.

STREET AND TRAFFIC IMPROVEMENTS

55. 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.
56. The applicant shall construct the following street improvements to conform to the General Plan street type noted in parentheses.

OFF-SITE STREETS - Avenue 52, (Primary Arterial, Option A; 110' R/W)

Widen the north side of the street along all frontage adjacent to the Tentative Tract Map boundary to its ultimate half street width on the north side of the street as specified in the General Plan and the requirements of these conditions to include rehabilitation and/or construction of existing roadway pavement as necessary to augment and convert it from a rural county-road design standard to La Quinta's urban arterial design standard. The north curb face shall be located forty-three feet (43') north of the centerline, except at locations where additional street width is needed to accommodate a required Sunline Transit Agency bus turnout.

Other required improvements in the Avenue 52 right of way and/or adjacent landscape setback area include:

- A) All appurtenant components such as, but not limited to: curb, gutter traffic control striping, legends, and signs, plus a single overhead street light at each street connecting to Avenue 52.
- B) Construct 8-foot meandering sidewalk. The meandering sidewalk shall have an arrhythmic horizontal layout that utilizes concave and convex curves with respect to the curb line that either touches the back of curb or approaches within five feet of the curb at intervals not to exceed 250 feet. The sidewalk curvature radii should vary between 50 and 300 feet, and at each point of reverse curvature, the radius should change to assist in creating the arrhythmic layout. The sidewalk shall meander into the landscape setback lot and approach within 5 feet of the perimeter wall at intervals not to exceed 250 feet.

The applicant is responsible for construction of all improvements mentioned above. The development is eligible for reimbursement from the City's Development Impact Fee fund in accordance with policies established for that program. The cost of improvements expended by the applicant from the centerline of Avenue 52 to within 20 feet of the outer curb face is eligible for reimbursement. The applicant is responsible for the remaining cost of the improvements.

PRIVATE STREETS - Construct full 36-foot wide travel width improvements measured from gutter flow line to gutter flow line, within the approved right of way where the residential streets are double loaded.

57. All gated entries shall provide for a three-car minimum stacking capacity for inbound traffic, and shall provide for a full turnaround outlet for non-accepted vehicles, subject to final approval by the City Engineer.

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

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

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

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./4.5" c.a.b.
Primary Arterial - 4.5" a.c./6.0" c.a.b.

or, the approved equivalents of alternate materials.

59. The applicant shall submit current mix designs (less than two years old at the time of construction) for base, asphalt 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 recent (less than six months old at the time of construction) aggregate gradation test results confirming that design gradations can be achieved in current production. The applicant shall not schedule construction operations until mix designs are approved.

60. General access points and turning movements of traffic are limited to the following:
- A. Avenue 52 Primary Entry (approximately 3,140 feet east of Jefferson Street): right turn in, right turn out, and left turn in from Avenue 52 into the site. Left turn out from the entry is prohibited.
 - B. Avenue 52 Secondary Entry (approximately 2,800 feet east of Jefferson Street): right turn in and right turn out. Left turn in and out from the entry is prohibited.
61. 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.
62. 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.
63. Standard knuckles and corner cutbacks shall conform to Riverside County Standard Drawings #801 and #805, respectively, unless otherwise approved by the City Engineer.
64. The applicant shall extend improvements beyond the subdivision boundaries to ensure they safely integrate with existing improvements.

CONSTRUCTION

65. 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

66. The applicant shall comply with Sections 13.24.130 (Landscaping Setbacks) & 13.24.140 (Landscaping Plans), LQMC.
67. The applicant shall provide landscaping in the required setbacks, retention basins, common lots and park areas. The developer and subsequent property owner(s) shall continuously maintain all required landscaping in a healthy and viable condition as required by Section 9.60.240(E3) of the Zoning Code.
68. 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.

69. 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.

70. Parkway shade trees shall be delivered to the site in 24-inch wide or larger boxes with minimum 2.0-inch calipers. Trees shall be a minimum height of ten feet once installed and double-staked with lodge poles to protect against damage from gusting winds. Parkway palm trees shall have a minimum brown trunk height of eight feet. Uplighting of the palm trees is encouraged.

Undulating mounding, up to 36-inches, shall occur along Avenue 52 pursuant to Section 9.60.240(F) of the Zoning Code.

71. Front yard landscaping for each dwelling shall consist of two trees (i.e., a minimum 1.5-inch caliper measured three feet up from grade level after planting), ten 5-gallon shrubs, and groundcover. Palm trees may count as a shade tree if the trunk is six feet tall. Double lodge poles (two-inch diameter) shall be used to stake trees. Bubbler or emitters shall irrigate all shrubs and trees. To encourage water conservation, no more than 50% of the front yard landscaping shall be devoted to turf. Future homebuyers shall be offered an option to have no turf areas in their front yard through the use of desertscape materials. The conceptual front yard landscape plans shall be approved by the Community Development Department before working drawings are submitted to the Community Development Department for approval.
72. Vines shall be planted along the length of the parkway wall (e.g., average 25 feet on center) to add texture and color to the perimeter planting.
73. Decorative details shall be added to the Avenue 52 entry gates to improve their overall appearance (e.g., scrolled metal, copper overlay, etc.), subject to approval of the Community Development Director. Walls within 25 feet of the entry gates shall include texture changes (or reveals) to augment gating detail upgrades. Pilaster shall be added to the Avenue 52 wall at 60-foot intervals. Perimeter tract walls shall be constructed before the 10th house is ready to be occupied.
74. Existing site vegetation on the project's perimeter shall be retained in place, unless noted otherwise on the grading plan.

QUALITY ASSURANCE

75. The applicant shall employ construction quality-assurance measures that meet with the approval of the City Engineer.
76. The applicant shall employ, or retain, qualified engineers, surveyors, and such other appropriate professionals as are required to provide the expertise with which to prepare and sign accurate record drawings, and to provide adequate construction supervision.
77. The applicant shall arrange for, and bear the cost of, all measurements, sampling and testing procedures not included in the City's inspection program, but which may be required by the City, as evidence that the construction materials and methods employed comply with the plans, specifications and other applicable regulations.
78. Upon completion of construction, the applicant shall furnish the City with reproducible record drawings of all improvement plans 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

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

FEES AND DEPOSITS

81. 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.
82. 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).
83. Prior to completion of any approval process for modification of boundaries of the property or lots subject to these conditions, the applicant shall process a reapportionment of any bonded assessment(s) against the property and pay the cost of such reapportionment.
84. The developer shall pay school mitigation fees based on their requirements. Fees shall be paid prior to building permit issuance by the City.
85. 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.
86. Tentative Tract 30138 shall provide for parks through payment of an in-lieu fee, as specified in Chapter 13.48, LQMC. The in-lieu fee shall be based on the fair market value of the land within the subdivision. Land value information shall be provided to the Community Development Director, via land sale information, a current fair market value of land appraisal, or other information on land value within the subdivision. The Community Development Director may consider any subdivider-provided or other land value information source for use in calculation of the parkland fee.

Based on the requirements of Section 13.48.050 LQMC, the amount of park land required for 47 lots is 0.395 acres. The in-lieu payment(s) shall be based upon this acreage requirement. In-lieu fees may be paid for each proposed final map phase of a multiple-phased map. Payment of the in-lieu fee shall be made prior to, or concurrently with recordation of the first final map within the tentative map.

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.

87. For residential areas, approved standard fire hydrants, located at each intersection and spaced 660 feet apart with no portion of any lot frontage more than 330 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 travelways around the exterior of the building. Minimum fire flow shall be 1,500 g.p.m. for a 2-hour duration at 20 p.s.i.

88. 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.
89. 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.
90. Any turnaround requires a minimum 38-foot turning radius.
91. All structures shall be accessible from an approved roadway to within 150 feet of all portions of the exterior of the first floor.
92. The minimum dimension for access roads is 20 feet clear and unobstructed width and a minimum clearance of 13'-6" in height.

93. 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.
94. 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.
95. 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.
96. 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.
97. Building plan check (nonresidential, if any) is to run concurrent with the City of La Quinta plan check.

MISCELLANEOUS

98. All public agency letters received for this case are made part of the case file documents for plan checking purposes.
99. All mitigation measures included in Environmental Assessment 2002-465 are hereby included in this approval.

100. Housing units for the tract shall be reviewed and approved by the Architecture and Landscape Review Committee and Planning Commission per Section 9.60.330 (Tract Development) or Section 9.60.340 (Custom Homes) of the Zoning Code (e.g., Business Item). The siting of any two-story houses is subject to approval by the Planning Commission during review of a Site Development Permit.
101. A permit from the Community Development Department is required for any temporary or permanent tract signs. Uplighted tract Identification signs are allowed subject to the provisions of Chapter 9.160 of the Zoning Ordinance.
102. 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.
103. Prior to submittal of 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. The CC&R's shall contain language reflecting the following provisions: "On-street parking of any recreational vehicles (e.g., boats, motor homes, trailers, buses, campers, mobile homes, inoperable vehicles, or other similar vehicles) shall be prohibited at all times within the residential tract. Parking for such vehicles shall be restricted to storage on the property behind a masonry wall of not less than six feet in height which is equipped with a solid gate that shields the subject vehicle from view from the street. Temporary parking in individual driveways is permitted for a maximum of 24 hours as RV's are prepared for use or storage."

- 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 review and approval.
104. Should a casitas be part of the home design for the production homes on the site, a master Minor Use Permit for all such casitas shall be secured in conjunction with the recordation of the Final Map. A covenant or provision in the CC&R's shall be recorded informing all property owners of the Minor Use Permit and its conditions of approval for the production homes.