

**CITY COUNCIL RESOLUTION NO. 2005-098
CONDITIONS OF APPROVAL – FINAL
TENTATIVE TRACT MAP 33085
CORE HOMES. LLC
DECEMBER 6, 2005**

GENERAL

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

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

2. This Tentative Tract Map, and any Final Map recorded thereunder, shall comply with the requirements and standards of Government Code §§ 66410 through 66499.58 (the "Subdivision Map Act"), and Chapter 13 of the La Quinta Municipal Code ("LQMC").

The City of La Quinta's Municipal Code can be accessed on the City's Web Site at www.la-quinta.org.

3. Prior to the issuance of any grading, construction, or building permit by the City, the applicant shall obtain any necessary clearances and/or permits from the following 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, Coachella Valley

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.

A project-specific NPDES construction permit must be obtained by the applicant, who shall then submit a copy of the Regional Water Quality Control Board's ("RWQCB") acknowledgment of the applicant's Notice of Intent ("NOI"), prior to the issuance of a grading or site construction permit by the City.

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 one (1) acre or more of land, or that disturbs less than one (1) acre of land, but which is a part of a construction project that encompasses more than one (1) acre 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.cabmphandbooks.com for use in their SWPPP preparation.

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 erosion and sediment control BMPs proposed by the applicant shall be approved by the City Engineer prior to any onsite or offsite grading, pursuant to this project.
- 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.

PROPERTY RIGHTS

- 5. Prior to issuance of any permit(s), the applicant shall acquire or confer easements and other property rights necessary for the construction or proper functioning of the proposed development. Conferred rights shall include irrevocable offers to dedicate or grant access easements to the City for emergency services and for maintenance, construction and reconstruction of essential improvements.
- 6. The applicant shall offer for dedication on the Final Map all public street right-of-ways in conformance with the City's General Plan, Municipal Code, applicable specific plans, and/or as required by the City Engineer.
- 7. The public street right-of-way offers for dedication required for this development include:
 - A. PUBLIC STREETS
 - 1) Madison Street (Primary Arterial, Option A 110' ROW) – The standard 55 feet from the centerline of Madison Street for a total 110-foot ultimate developed right of way.
- 8. The applicant shall retain for private use on the Final Map all private street right-of-ways in conformance with the City's General Plan, Municipal Code, applicable specific plans, and/or as required by the City Engineer.
- 9. The private street right-of-ways to be retained for private use required for this development include:
 - A. PRIVATE STREETS
 - 1) Residential Streets measured at gutter flow line to gutter flow line

shall have a 36-foot travel width.

B. CUL DE SACS

- 1) The cul de sac shall conform to the shape shown on the tentative map with a 38-foot curb radius at the bulb or larger as shown on the tentative map.
10. 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.
 11. 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.
 12. The applicant shall create perimeter landscaping setbacks along all public right-of-ways as follows:
 - A. Madison Street (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.

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.
 13. 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.
 14. Direct vehicular access to Madison Street from lots with frontage along Madison Street 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.

15. 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.
16. 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.
17. The applicant shall enter into a reciprocal agreement with the owner(s) of the property to the north, Tentative Tract Map No. 30378 for access to Madison Street via Beth Circle. The applicant is advised that the approval of this Tentative Tract Map No. 33085 is dependent on the completion of street improvements for the development to the north, Tentative Tract Map No. 30378.

FINAL MAPS

18. Prior to the City's approval of a Final Map, the applicant shall furnish accurate AutoCAD files of the Final Map that was approved by the City's map checker on a storage media acceptable to the City Engineer. Such files shall be in a standard AutoCAD format so as to be fully retrievable into a basic AutoCAD program.

Where a Final Map was not produced in an AutoCAD format, or produced in a file that can be converted to an AutoCAD format, the City Engineer will accept a raster-image file of such Final Map. The Final Map shall be of a 1" = 40' scale.

IMPROVEMENT PLANS

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

19. Improvement plans shall be prepared by or under the direct supervision of

qualified engineers and/or architects, as appropriate, and shall comply with the provisions of Section 13.24.040 (Improvement Plans), LQMC.

20. The following improvement plans shall be prepared and submitted for review and approval by the Public Works Department. 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. On-Site Rough Grading Plan: 1" = 40' Horizontal
- B. PM10 Plan: 1" = 40' Horizontal
- C. SWPPP: 1" = 40' Horizontal

NOTE: A through C to be submitted concurrently.

- D. Off-Site Street Improvement/Storm Drain Plan:
1" = 40' Horizontal, 1" = 4' Vertical

- E. Off-Site Signing & Striping Plan: 1" = 40' Horizontal

The Off-Site street improvement plans shall have separate plan sheet(s) (drawn at 20 scale) that show the meandering sidewalk, mounding, and berm design in the combined parkway and landscape setback area.

- F. On-Site Street Improvements/Signing & Striping/Storm Drain Plan:
1" = 40' Horizontal, 1" = 4' Vertical

NOTE: D through F to be submitted concurrently.

The following plans shall be submitted to the Building and Safety Department for review and approval. The plans shall utilize the minimum scale specified, unless otherwise authorized by the Building and Safety Director 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.

G. On-Site Residential 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.

All On-Site Signing & Striping Plans shall show, at a minimum; Stop Signs, Limit Lines and Legends, No Parking Signs, Raised Pavement Markers (including Blue RPMs at fire hydrants) and Street Name Signs per Public Works Standard Plans and/or as approved by the Engineering Department.

"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.

21. The City maintains standard plans, detail sheets and/or construction notes for elements of construction which can be accessed via the Online Engineering Library at the City website (www.la-quinta.org). Navigate to the Public Works Department home page and look for the Online Engineering Library hyperlink.
22. The applicant shall furnish a complete set of the AutoCAD files of all approved improvement plans on a storage media acceptable to the City Engineer. The files shall be saved in a standard AutoCAD format so they may be fully retrievable through a basic AutoCAD program.

At the completion of construction, and prior to the final acceptance of the improvements by the City, the applicant shall update the AutoCAD files in order to reflect the as-built conditions.

Where the improvement plans were not produced in a standard AutoCAD format, or a file format that can be converted to an AutoCAD format, the City Engineer will accept raster-image files of the plans.

IMPROVEMENT SECURITY AGREEMENTS

23. Prior to approval of any Final Map, the applicant shall construct all on and off-site improvements and satisfy its obligations for same, or shall furnish a fully secured and executed Subdivision Improvement Agreement (“SIA”) guaranteeing the construction of such improvements and the satisfaction of its obligations for same, or shall agree to any combination thereof, as may be required by the City.
24. Any Subdivision Improvement Agreement (“SIA”) entered into by and between the applicant and the City of La Quinta, for the purpose of guaranteeing the completion of any improvements related to this Tentative Tract Map, shall comply with the provisions of Chapter 13.28 (Improvement Security), LQMC.
25. Improvements to be made, or agreed to be made, shall include the removal of any existing structures or other obstructions which are not a part of the proposed improvements; and shall provide for the setting of the final survey monumentation.
26. 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.

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.

27. 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

28. The applicant shall comply with the provisions of Section 13.24.050 (Grading Improvements), LQMC.
29. 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.
30. 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,
 - B. A preliminary geotechnical (“soils”) report prepared by a qualified engineer,
 - C. A Fugitive Dust Control Plan prepared in accordance with Chapter 6.16, (Fugitive Dust Control), LQMC, and
 - 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.

31. 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.
32. 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 feet (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.
33. 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.
34. Building pad elevations of perimeter lots shall not differ by more than one foot higher from the building pads in adjacent developments.

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.

35. 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.
36. 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

37. The applicant shall comply with the provisions of Section 13.24.120 (Drainage), LQMC, Engineering Bulletin No. 97.03 and the approved preliminary hydrology plan dated September 14, 2005 for Tentative Tract Map No. 33085. More specifically, stormwater falling on site during the 100 year storm shall be retained within the development, unless otherwise approved by the City Engineer. Additionally, the 100 year stormwater shall be retained within the interior street right of way. The tributary drainage area shall extend to the centerline of adjacent public streets and include any resulting uncaptured tributary stormwater flows. The design storm shall be either the 3 hour, 6 hour or 24 hour event producing the greatest total run off.
38. Storm drainage historically received from adjoining property shall be received and retained or passed through into the historic downstream drainage relief route.
39. For properties where sump conditions exist, the applicant must either define a diversion/overflow strategy or retain upstream stormwater as required for existing as-built conditions from all off-site tributary flow from the respective high points. The applicant must provide either on-site retention or alternative facilities of diversion/pass through, if selected. Historical flow paths should be identified and routing provided in the hydrology analysis equivalent to historical flow direction. As local topography allows, tributary areas may exceed limits of property lines adjacent to public roads. The 100-year storm shall be the governing event in the designer's evaluation.
40. In design of retention facilities, the maximum percolation rate shall be two inches per hour. The percolation rate will be considered to be zero unless the applicant provides site specific data indicating otherwise.

Nuisance water shall be retained on site. In residential developments, nuisance water shall be passed through a pre-filter system comparable to the MaxWell Plus Primary Settling Chamber (or equivalent) before being disposed in a

trickling sand filter and leach field or equivalent system 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 area, residential unit, 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.

41. 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.
42. No fence or wall shall be constructed around any retention basin unless approved by the Community Development Director and the City Engineer.
43. 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.
44. 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.
45. The design of the development shall not cause any increase in flood boundaries, levels or frequencies in any area outside the development.
46. 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.

UTILITIES

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

48. Applicant is advised that there are existing Bureau of Reclamation (BOR) facilities that affect this development. There may be conflicts with Irrigation Lateral #119.2, and no final map can be approved until utility clearances have been accomplished through CVWD. The final map shall reflect this facility and its respective easement.
49. 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.
50. 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.

51. 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

52. 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.
53. The applicant shall construct the following street improvements to conform to the General Plan (street type noted in parentheses.)

A. OFF-SITE STREETS

- 1) Madison Street (Primary Arterial; 110' R/W):

Widen the west side of the street along all frontage adjacent to the Tentative Map boundary to its ultimate width on the west side as specified in the General Plan and the requirements of these conditions. Rehabilitate and/or reconstruct existing roadway pavement as necessary to augment and convert it from a rural county-road design standard to La Quinta's urban arterial horizontal and vertical design standard. The west curb face shall be located forty three feet (43') west of the centerline. These improvements may be deferred to be completed with future Madison Street Improvements.

If full Madison Street improvements are deferred, the applicant shall construct interim street improvements as approved by the City Engineer. In addition, the applicant is required to bond for the ultimate width widening on Madison Street.

Other required improvements in the Madison Street 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.
- b) A 10-foot wide Multi-Purpose Trail. The applicant shall construct a multi-use trail per La Quinta Standard 260 along the Madison Street frontage within the landscaped setback. The location and design of the trail shall be approved by the City. A split rail fence shall be constructed along the roadway side of the multi-purpose trail in accordance with Section 9.140.060 (Item E, 3a) of the Zoning Ordinance. Bonding for the fence to be installed shall be posted prior to final map approval. At grade intersection crossings shall be of a medium and design and location as approved by the Engineering Department on the street improvement plan submittal.

Improvements in the Madison Street right of way eligible for DIF reimbursement but not conditioned of the applicant include:

- c) Half width of an 18 - foot wide raised landscaped median along the entire boundary of the Tentative Tract Map.

The applicant shall extend improvements beyond the subdivision 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).

B. PRIVATE STREETS

- 1) Construct full 36-foot wide travel width improvements measured gutter flow line to gutter flow line where the residential streets are double loaded.
- 2) The location of driveways of corner lots shall not be located within the curb return and away from the intersection when possible.

C. PRIVATE CUL DE SACS

- 1) Shall be constructed according to the lay-out shown on the tentative map with 38-foot curb radius or greater at the bulb similar to the layout shown on the rough grading plan.

54. 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.

55. 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.

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

Primary Entry (Beth Circle at Madison Street): Right turn movements in and out and left turn movement in are permitted. Left turn out is prohibited.

57. 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.
58. 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.
59. Gated vehicular entry shall be limited to a common gated entry between Tentative Tract Map No. 30378 and Tentative Tract Map No. 33085 on Beth Circle at Madison Street, subject to review and approval by the Public Works Department and Fire Marshal. The developers/owners of Tracts 30378 and 33085 shall be required to provide a copy of an executed agreement for access, construction and maintenance, and provide notice in the respective CC&R's for both tracts, to show concurrence with the gating restriction. In addition, this shall be incorporated into the reciprocal access agreement as required under Condition 17 of this approval, if deemed appropriate by the Public Works Department. Condition 55 of City Council Resolution # 2002-96, as adopted for Tract 30378 to the north, shall govern with respect to the gate design and improvement requirements. Wall and gate design, color and materials will be subject to review by the Community Development Department when permits for those improvements are applied for.

FIRE MARSHAL

60. Any turn or turn-around requires a minimum 38-foot outside turning radius.
61. All structures shall be accessible from an approved roadway to within 150 feet of all portions of the exterior of the first floor.

62. The minimum dimension for roads and gates is 20 feet clear and unobstructed width, and a minimum vertical clearance of 13 feet, 6 inches. All gated entry designs shall require review and approval by the Fire Marshall and incorporation into street improvement plans to be submitted for approval.
63. Streets must be a minimum of 36 feet wide at all points if on-street parking is to be allowed on both street sides. Areas between 28 and 36 feet will be permitted parking on one street side, and streets less than 28 feet shall be painted and posted as NO PARKING – FIRE LANE.
64. The required water system, including fire hydrants, shall be installed and accepted by the appropriate water agency prior to any combustible materials being placed on any individual lot. Two sets of water plans shall be submitted to the Fire Department for approval.
65. 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.
66. Final fire protection requirements will be determined when final maps/building plans are submitted for review. Final conditions will be addressed when building plans are submitted. A plan check fee must be paid to the Fire Department at the time building and water system plans are submitted. Any interpretation as to the meaning of any fire-related conditions shall be the sole responsibility of the Fire Marshal.

CONSTRUCTION

67. 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 two homes within the development or when directed by the City, whichever comes first.

LANDSCAPING

68. The applicant shall comply with Sections 13.24.130 (Landscaping Setbacks) & 13.24.140 (Landscaping Plans), LQMC.
69. The applicant shall provide landscaping in the required setbacks, retention basins, common lots and park areas. Plans for these areas shall be submitted for review and approval through the Community Development Department (CDD), prior to plan checking by the Public Works Department. As part of CDD review, the plans will require review and approval by the City's Architecture and Landscape Review Committee, and the Planning Commission, prior to issuance of any on or off-site improvement permits. All plans submitted for review shall include water use calculations demonstrating plan compliance with the requirements of Chapter 8.13, LQMC (Water Efficient Landscaping), along with written acceptance of the plans by CVWD and the Riverside County Agricultural Commissioner. Landscape and irrigation plans for landscaped lots and setbacks, medians, retention basins, etc. shall be signed and stamped by a licensed landscape architect.

When all reviews have been completed by CDD, the applicant shall submit the approved plans for signature by the City Engineer. NOTE: Plans are not approved for construction until signed by the City Engineer.

70. 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.
71. A minimum two rows of existing citrus trees shall be preserved in place along the Madison Street perimeter of the tract, and a minimum one row of existing citrus trees shall be preserved along the north, south and west perimeters of the tract. If trees cannot be preserved in place, then they shall be relocated to the extent needed to address this requirement. All preserved trees as existing or relocated shall be called out on the landscape plans when submitted for plan check.

QUALITY ASSURANCE

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

73. The applicant shall employ, or retain, qualified engineers, surveyors, and such other appropriate professionals as are required to provide the expertise with which to prepare and sign accurate record drawings, and to provide adequate construction supervision.
74. The applicant shall arrange for, and bear the cost of, all measurements, sampling and testing procedures not included in the City's inspection program, but which may be required by the City, as evidence that the construction materials and methods employed comply with the plans, specifications and other applicable regulations.
75. Upon completion of construction, the applicant shall furnish the City with reproducible record drawings of all improvement plans which were approved by the City. Each sheet shall be clearly marked "Record Drawing," "As-Built" or "As-Constructed" and shall be stamped and signed by the engineer or surveyor certifying to the accuracy and completeness of the drawings. The applicant shall have all AutoCAD or raster-image files previously submitted to the City, revised to reflect the as-built conditions.

MAINTENANCE

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

FEES AND DEPOSITS

78. The applicant shall comply with the provisions of Section 13.24.180 (Fees and Deposits), LQMC. These fees include all deposits and fees required by the City for plan checking and construction inspection. Deposits and fee amounts shall be those in effect when the applicant makes application for plan check and permits.
79. Permits issued under this approval shall be subject to the provisions of the Infrastructure Fee Program and Development Impact Fee program in effect at the time of issuance of building permit(s).

80. A fee of \$1,314.00, payable to Riverside County, is due to this office within 24 hours of any City Council approval. This is required by the County to post the Notice of Determination and offset costs associated with AB 3158 (Fish and Game Code 711.4).
81. Applicant shall pay the fees as required by the Coachella Valley Unified School District, as in effect at the time requests for building permits are submitted.
82. Applicant/developer shall pay any mandated fees associated with fire protection facilities, as may be required by the Fire Marshal and/or the City of La Quinta. Any required fee(s) shall be paid to the appropriate agency, prior to issuance of the first dwelling unit permit.
83. Tentative Tract 33085 shall provide for parks through payment of an in-lieu fee, as specified in Chapter 13.48, LQMC. Based on the requirements of Section 13.48.050 LQMC, the amount of park land required for 7 lots is 0.06 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.

COMMUNITY DEVELOPMENT

84. Within 30 days of the initiation of any ground disturbing activity on the project site, the project proponent shall cause a protocol-compliant burrowing owl survey to be completed, submitted to the Community Development Department, and approved. Should the species be identified on the site, the biologist's recommendations for relocation shall be implemented prior to the issuance of any ground disturbance permit.
85. An archaeological monitor shall be present during all earth moving activities. The monitor shall be empowered to stop or redirect such activities if resources are identified. The findings of the monitoring effort shall be documented in a report delivered to the Community Development Department no more than 30 days from the completion of monitoring activities.
86. On and off-site monitoring of earth-moving and grading for the entire site shall be conducted by a qualified paleontological monitor. Monitoring shall be especially thorough in the southeastern portion of the site. The monitor shall be equipped to salvage fossils as they are unearthed to avoid construction delays

and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. The applicant shall have entered into a contract for archaeological monitoring with a qualified archaeologist, with a copy of that contract/agreement to be submitted with civil plans for any grading or other land disturbance. The contract shall be reviewed and accepted by Community Development prior to any grading permit approval.

87. Recovered specimens shall be prepared to the point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates.
88. The following measures are required for the mitigation of exterior noise levels, to allow the proposed development to comply with interior and exterior noise level thresholds.
 - A. The developer shall construct a six-foot block wall, as measured from the inside wall at pad elevation, that separates the entire eastern edge of the site from Madison Street, and extending 100 feet west of Madison along the north and south tract boundary.
 - B. A final acoustical analysis shall be completed and submitted for review at time of building permit plan check, based on final lot layout and pad elevations, to demonstrate that the City's standards for interior and exterior CNEL levels will be met for each proposed dwelling unit.
89. Review of architecture and landscaping for production and/or individual custom homes, shall be subject to Title 9, Section 9.60.330 and 9.60.340, LQMC, as applicable. The Community Development Director or designee shall determine whether the unit(s) applied for constitute custom homes or production-level development. Any custom home design guidelines that may be required shall be reflected or referenced in the CC&R's for TT 33085.
90. The entire perimeter wall design and location, including sound wall areas, entry wall areas, and property line walls, shall be subject to review and approval by the Community Development Department through a master wall plan. The plan shall include a meandering wall along Madison Street, corner cutback walls at all street corners, and a landscaped setback between back of curb and the wall along the south side of Beth Circle, of adequate depth to allow existing citrus trees in the setback. The landscaped setback and meandering wall along

Madison Street shall be designed to preserve as many of the existing citrus stands in the parkway within their current locations, without damage to the trees and root ball. The west end of the wall along Beth Circle shall be set back a minimum of 10 feet from the back of curb at the tract entry, with the opposing tract entry wall section set back a minimum of 5 feet from back of curb, so as to create an offset appearance at the entry to the tract. The wall plan shall specify colors and materials to be used for the walls, capping, pilasters, entry monuments, planters, and any other such features.

91. All lots within TT 33085 shall be limited to homes that are one story, 22 feet in height.
92. Should any guest house/casitas be part of the floor plans designed for TT 33085, whether production or custom homes, a master Minor Use Permit for all such guest houses/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.