

**CITY COUNCIL RESOLUTION 2004-015
CONDITIONS OF APPROVAL – FINAL
TENTATIVE TRACT 31733 – MICHAEL LA MELZA
ADOPTED: JANUARY 20, 2004**

GENERAL

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

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

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

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

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

- 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

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 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").
 - 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.

5. Permits issued under this approval shall be subject to the provisions of the Infrastructure Fee Program and Development Impact Fee program in effect at the time of issuance of building permit(s).

PROPERTY RIGHTS

6. Prior to issuance of any permit(s), the applicant shall acquire or confer easements and other property rights necessary for the construction or proper functioning of the proposed development. Conferred rights shall include irrevocable offers to dedicate or grant access easements to the City for emergency services and for maintenance, construction and reconstruction of essential improvements.
7. The applicant shall offer for dedication on the Final Map all public street right-of-ways in conformance with the City's General Plan, Municipal Code, and/or as required by the City Engineer.
8. The public street right-of-way offers for dedication required for this development include:
 - A. PUBLIC STREETS
 - 1) Monroe Street (Secondary Arterial , 88' ROW) - The standard 44 feet from the centerline of Monroe Street for a total 88-foot ultimate developed right of way.
 - 2) Avenue 61 (Collector, Option A, 74' ROW) – The standard 37 feet from the centerline of Avenue 61 for a total 74-foot ultimate developed right of way.
9. The applicant shall retain for private use on the Final Map all private street right-of-ways in conformance with the City's General Plan, Municipal Code, applicable specific plans, and/or as required by the City Engineer.
10. The private street right-of-ways to be retained for private use required for this development include:

A. PRIVATE STREETS

Property line shall be placed at the back of curb similar to the lay out and the typical street section shown in the tentative map. Use of smooth curves instead of angular lines at property lines is recommended.

Private Residential Streets measured at gutter flow line to gutter flow line: 36-foot travel width. The travel width may be reduced to 32 feet with parking restricted to one side, and 28 feet if on-street parking is prohibited, and provided there is adequate off-street parking for residents and visitors, and the applicant establishes provisions for ongoing enforcement of the parking restriction in the CC&R's. The CC&R's shall be reviewed by the Engineering Department prior to recordation.

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, using a smooth curve instead of angular lines similar to the layout shown on the tentative map

C. KNUCKLE

- 1) The knuckle shall conform to the shape shown on the tentative tract map except for minor revision as may be required by the City Engineer.
11. 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.
 12. When the City Engineer determines that access rights to the proposed street right-of-ways shown on the approved Tentative Tract Map are necessary prior to approval of the Final Map dedicating such right-of-ways, the applicant shall grant the necessary right-of-ways within 60 days of a written request by the City.
 13. The applicant shall offer for dedication on the Final Map a ten-foot wide public utility easement contiguous with, and along both sides of all private streets. Such easement may be reduced to five feet in width with the express written approval of IID.

14. The applicant is conditioned to have the 50-foot CVWD easement along the south boundary adjusted to be outside of buildable lots prior to approval of the final map. Any pipeline relocation required by the easement adjustment shall be performed prior to issuance of the rough grading permit.
15. The applicant shall create perimeter landscaping setbacks along all public right-of-ways as follows:
 - A. Monroe Street (Secondary Arterial) - 15-foot from the R/W-P/L to accommodate the multi-purpose trail conditioned under "STREET AND TRAFFIC IMPROVEMENTS". The perimeter landscaping setbacks along Monroe Street may be an average setback if approved by the City Engineer.
 - B. Avenue 61 (Collector Street) - 10-foot from the R/W-P/L.

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

Where public facilities (e.g., sidewalks) are placed on privately-owned setbacks, the applicant shall offer for dedication blanket easements for those purposes on the Final Map.

16. The applicant shall offer for dedication those easements necessary for the placement of, and access to, utility lines and structures, drainage basins, mailbox clusters, park lands, and common areas on the Final Map.
17. Direct vehicular access to Monroe Street and Avenue 61 from lots with frontage along Monroe Street and Avenue 61 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.
18. The applicant shall furnish proof of easements, or written permission, as appropriate, from those owners of all abutting properties on which grading, retaining wall construction, permanent slopes, or other encroachments will occur.

19. 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

20. 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.

21. 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.
22. 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 and Signing & Striping Plans: 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.

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| B. | On-Site Street/Drainage Plan: | 1" = 40' Horizontal, 1" = 4' Vertical |
| C. | On-Site Rough Grading Plan | 1" = 40' Horizontal |
| D. | Site Development 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.

In addition to the normal set of improvement plans, a "Site Development" plan is required to be submitted for approval by the Building Official and the City Engineer.

"Site Development" plans shall normally include all on-site surface improvements including but not necessarily limited to finish grades for curbs & gutters, building floor elevations, parking lot improvements and ADA requirements.

23. 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.

24. 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

25. 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.
26. 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.
27. 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.
28. Depending on the timing of the development of this Tentative Tract Map, and the status of the off-site improvements at the time, the applicant may be required to:
 - A. Construct certain off-site improvements.
 - B. Construct additional off-site improvements, subject to the reimbursement

of its costs by others.

- C. Reimburse others for those improvements previously constructed that are considered to be an obligation of this tentative tract map.
- D. Secure the costs for future improvements that are to be made by others.
- E. To agree to any combination of these means, as the City may require.

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

29. 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.

30. 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

31. The applicant shall comply with the provisions of Section 13.24.050 (Grading Improvements), LQMC.
32. Prior to occupancy of the project site for any construction, or other purposes, the applicant shall obtain a grading permit approved by the City Engineer.
33. To obtain an approved grading permit, the applicant shall submit and obtain approval of all of the following:
 - A. A grading plan prepared by a qualified engineer or architect,
 - B. A preliminary geotechnical ("soils") report prepared by a qualified engineer,
 - 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.

34. The applicant shall maintain all open graded, undeveloped land in order to prevent wind and/or water erosion of such land. All open graded, undeveloped land shall either be planted with interim landscaping, or stabilized with such

other erosion control measures, as were approved in the Fugitive Dust Control Plan.

35. 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.
36. 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.
37. Building pad elevations of perimeter lots shall not differ by more than one foot higher than 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.

38. Prior to any site grading or regrading that will raise or lower any portion of the site by more than plus or minus three tenths of a foot from the elevations shown on the approved Tentative Tract Map, the applicant shall submit the proposed grading changes to the City Staff for a substantial conformance finding review.
39. Prior to the issuance of a building permit for any building lot, the applicant shall provide a lot pad certification stamped and signed by a qualified engineer or surveyor.

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

DRAINAGE

40. The applicant shall comply with the provisions of Section 13.24.120 (Drainage), LQMC, Engineering Bulletin No. 97.03. More specifically, stormwater falling on site during the 100 year storm shall be retained within the development, unless otherwise approved by the City Engineer. The tributary drainage area shall extend to the centerline of adjacent public streets. The design storm shall be either the 3 hour, 6 hour or 24 hour event producing the greatest total run off.
41. 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.
42. 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 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.
43. 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.
44. No fence or wall shall be constructed around any retention basin unless approved by the Community Development Director and the City Engineer. Walls abutting retention basins shall be a maximum 3-foot high solid wall topped with wrought iron. The applicant shall establish provisions for the abovementioned restriction in the CC&R's. The CC&R's shall be reviewed by the Engineering Department prior to recordation.
45. 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.
46. Stormwater may not be retained in landscaped parkways or landscaped setback

lots Only incidental storm water (precipitation which directly falls onto the setback) will be permitted to be retained in the landscape setback areas. The perimeter setback and parkway areas in the street right-of-way shall be shaped with berms and mounds, pursuant to Section 9.100.040(B)(7), LQMC.

47. The design of the development shall not cause any increase in flood boundaries, levels or frequencies in any area outside the development.
48. The development shall be graded to permit storm flow in excess of retention capacity to flow out of the development through a designated overflow and into the historic drainage relief route.
49. Storm drainage historically received from adjoining property shall be received and retained or passed through into the historic downstream drainage relief route.

UTILITIES

50. The applicant shall comply with the provisions of Section 13.24.110 (Utilities), LQMC.
51. The applicant shall obtain the approval of the City Engineer for the location of all utility lines within any right-of-way, and all above-ground utility structures including, but not limited to, traffic signal cabinets, electric vaults, water valves, and telephone stands, to ensure optimum placement for practical and aesthetic purposes.
52. Existing overhead utility lines within, or adjacent to the proposed development, and all proposed utilities shall be installed underground.

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

53. Underground utilities shall be installed prior to overlying hardscape. For installation of utilities in existing improved streets, the applicant shall comply with trench restoration requirements maintained, or required by the City Engineer.

The applicant shall provide certified reports of all utility trench compaction for approval by the City Engineer.

STREET AND TRAFFIC IMPROVEMENTS

54. The applicant shall comply with the provisions of Sections 13.24.060 (Street Improvements), 13.24.070 (Street Design - Generally) & 13.24.100 (Access For Individual Properties And Development), LQMC for public streets; and Section 13.24.080 (Street Design - Private Streets), where private streets are proposed.

55. The applicant shall construct the following street improvements to conform with the General Plan.

A. OFF-SITE STREETS

1) Monroe Street (Secondary Arterial; 88' R/W):

Widen the east side of the street along all frontage adjacent to the Tentative Map boundary to its ultimate width on the east side as specified in the General Plan. Rehabilitate and/or reconstruct existing roadway pavement as necessary to augment and convert it from a rural county-road design standard to La Quinta's urban arterial design standard. The east curb face shall be located thirty two feet (32') east of the centerline.

Other required improvements in the Monroe 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 Multi-Use Trail. The applicant shall construct a meandering 10-foot wide multi-use trail along the Monroe Street frontage within the required 15-foot wide landscape setback per the aforementioned condition. The location and design of the trail shall be approved by the City. The multi-use trail, trail signs, and the split rail fence shall be completed prior to issuance of Certificate of Occupancy for the first residence. Bonding for the fence to be installed shall be posted prior to final map approval. If approved by the City Engineer, the trail may meander within 8-feet of the proposed curb face.

2) Avenue 61 (Collector "A"; 74' R/W):

Widen the north side of the street along all frontage adjacent to the Tentative Map boundary to its ultimate width on the north side as specified in the General Plan. Rehabilitate and/or reconstruct existing roadway pavement as necessary to augment and convert it from a rural county-road design standard to La Quinta's urban arterial design standard. The north curb face shall be located twenty-six feet (26') north of the centerline.

Other required improvements in the Avenue 61 right of way and/or adjacent landscape setback area include:

- 1) All appurtenant components such as, but not limited to: curb, gutter, traffic control striping, legends, and signs.
 - a) 8-foot wide curb adjacent sidewalk.

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 32-foot wide travel width as shown on the tentative map measured from gutter flow line to gutter flow line, provided parking is allowed only on one side and the applicant establishes provisions for ongoing enforcement of the parking restriction in the CC&R's. The CC&R's shall be reviewed by the Engineering Department prior to recordation.

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 using a smooth curve instead of angular lines similar to the layout shown on the rough grading plan.

D. KNUCKLE

- 1) Construct the knuckle to conform to the lay-out shown in the tentative tract map, except for minor revisions as may be required by the City Engineer.

E. PARKING LOTS

- 1) The design of parking facilities shall conform to LQMC Chapter 9.150.
56. All gated entries shall provide for a three-car minimum stacking capacity for inbound traffic; and shall provide for a full turn-around outlet for non-accepted vehicles.
57. 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 full turn-around 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.
Collector	4.0" a.c /5.0" c.a.b.
Secondary Arterial	4.0" 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. Primary Entry (Monroe Street, as shown on the tentative tract map, approximately 600 feet north of Avenue 61 measured curb return to curb return): Full turn movements are permitted.
 - B. Secondary Entry (Avenue 61, as shown on the tentative tract map, approximately 880 feet of Monroe Street measured curb return to curb return): Full turn movements are permitted.
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.

CONSTRUCTION

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

LANDSCAPING

64. The applicant shall comply with Sections 13.24.130 (Landscaping Setbacks) & 13.24.140 (Landscaping Plans), LQMC.
65. The applicant shall provide landscaping in the required setbacks, retention basins, common lots and park areas.
66. Landscape and irrigation plans for landscaped lots and setbacks, medians, retention basins, and parks shall be signed and stamped by a licensed landscape architect.

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.

67. Landscape areas shall have permanent irrigation improvements meeting the requirements of the City Engineer. Use of lawn areas shall be minimized with no lawn, or spray irrigation, being placed within 18 inches of curbs along public streets.
68. All landscaping shall comply with the City's Water Efficient Landscape Ordinance. Front yard landscaping shall consist of two trees (i.e., a minimum 1.5-inch caliper measured three feet 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.
69. Once the trees have been delivered to the site for installation, a field inspection by the Community Development Department is required before planting to insure they meet minimum size and caliper requirements

QUALITY ASSURANCE

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

73. Upon completion of construction, the applicant shall furnish the City with reproducible record drawings of all improvement plans which were approved by the City. Each sheet shall be clearly marked "Record Drawing," "As-Built" or "As Constructed" and shall be stamped and signed by the engineer or surveyor certifying to the accuracy and completeness of the drawings. The applicant shall have all AutoCAD or raster-image files previously submitted to the City, revised to reflect the as-built conditions.

MAINTENANCE

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

FEES AND DEPOSITS

76. The applicant shall comply with the provisions of Section 13.24.180 (Fees and Deposits), LQMC. These fees include all deposits and fees required by the City for plan checking and construction inspection. Deposits and fee amounts shall be those in effect when the applicant makes application for plan check and permits.
77. 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).
78. Prior to final map approval by the City Council, the developer shall meet the Parkland Dedication requirements by payment of in-lieu fees as set forth in Section 13,48 of the La Quinta Municipal Code.
79. Within 24 hours of approval of the tentative tract map by the City Council, the developer shall submit to the Community Development Department, a check made out to the County of Riverside for \$1,314 to allow filing of a Notice of Determination for Environmental Assessment 2003-492 as required by State law.

FIRE MARSHAL

80. For residential areas, approved standard fire hydrants, located at each intersection and spaced 330 feet apart with no portion of any lot frontage more than 165 feet from a hydrant. Minimum fire flow shall be 1000 GPM for a 2-hour duration at 20 PSI.
81. For any buildings with public access i.e. recreational halls, clubhouses, etc. or buildings with a commercial use i.e. gatehouses, maintenance sheds, apartments, etc., Super fire hydrants are to be placed no closer than 25 feet and not more than 165 feet from any portion of the first floor of said building following approved travel ways around the exterior of the building. Minimum fire flow for these areas would be 1500 GPM for a 2-hour duration at 20 PSI.
82. The water mains shall be designed to provide a for a potential fire flow of 2500 GPM and an actual fire flow available from any one hydrant connected to any given main of 1500 GPM for a 2-hour duration at 20 PSI residual operating pressure.
83. 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.
84. City of La Quinta ordinance requires all buildings, other than single family, 5,000 sq. ft. or larger to 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.
85. Flag lots are not allowed by the Fire Department for safety reasons. Please check the following lots: Tentative Tract Map 31733 Lots 5, 17, 21, 73, 97 is marginal, 120, 121.
86. Any turn or turn-around requires a minimum 38-foot turning radius.
87. All structures shall be accessible from an approved roadway to within 150 feet of all portions of the exterior of the first floor.
88. The minimum dimension for access roads and gates is 20 feet clear and unobstructed width and a minimum vertical clearance of 13 feet 6 inches in height.

89. Any gate providing access from a public roadway to a private entry roadway shall be located at least 35 feet setback from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Where a one-way road with a single traffic lane provides access to a gate entrance, a 38-foot turning radius shall be used.
90. Gates shall be automatic, minimum 20 feet in width 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.
91. 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. Two sets of water plans are to be submitted to the Fire Department for approval.
92. The applicant or developer shall prepare and submit to the Fire Department for approval, a site plan designating required fire lanes with appropriate lane painting and/or signs.
93. Building plan check is to run concurrent with the City plan check. Submittals are the responsibility of the owner.

MISCELLANEOUS

94. A lot line adjustment shall be completed for the north boundary of the tract prior to recordation of the first Final Map.
95. Perimeter wall designs including height, color, material, design shall approved by the Community development Department prior to issuance of building permit for the wall.
96. Proposed street names with a minimum of two alternative names per street shall be submitted to the Community Development Department for approval. Names to be approved prior to recordation of the final map.
97. All mitigation measures contained in Environmental Assessment 2003-493 shall be met.

98. Prior to final map approval, the developer shall submit to the Community Development Department for review, a copy of the proposed Covenants, Conditions, and Restrictions (CC and R's) for the project.
99. This tentative tract map shall expire two years after City Council approval, unless recorded or granted a time extension pursuant to the requirements of Division 13 of the La Quinta Municipal Code.
100. Minor lot configuration modifications required to comply with Fire Marshal requirements shall be reviewed and approved by the Community Development Department.
101. Approval of production homes and common area buildings requires processing and approval of a Site Development Permit application by the Planning Commission.
102. A notice shall be recorded against residential lots in Tentative Tract 31733 within 300 feet of adjacent properties are engaged in farming activities (date harvesting). Notice shall include the provisions and intent of Municipal Code Section 9.140.070 (Notice to Buyers of Land). Furthermore, the following provisions shall be included in the notice:
 - A. The notice shall include the specific scope of the farming activity operations that occur on the adjacent properties to the east and south.
 - B. The notice shall include the fact that pesticides, herbicides, and other chemicals are being used or have the potential to be used on the adjacent farming sites.

The notice shall be submitted to the Community Development Department prior to recordation for review and approval by the Community Development Department and City Attorney. No building permits shall be issued until the notice is approved and recorded.