

CITY COUNCIL RESOLUTION 96-43
CONDITIONS OF APPROVAL - RECOMMENDED
TENTATIVE TRACT MAP 28341 - KSL LAND CORPORATION
JUNE 18, 1996

* Modified by the Commission on May 28, 1996

CONDITIONS:

GENERAL

1. Upon their approval by the City Council, the City Clerk is authorized to file these Conditions of Approval with the Riverside County Recorder for recordation against the properties to which they apply.
2. Tentative Tract Map No. 28341 shall comply with the requirements and standards of §§ 66410-66499.58 of the California Government Code (the Subdivision Map Act) and Chapter 13 of the La Quinta Municipal Code (LQMC) unless otherwise modified by the following conditions. This map approval shall expire and become void within two years of the City Council approval unless extended based on the provisions of Section 13.12.150.
3. If the applicant desires to phase improvements and obligations required by the conditions of approval and secure those phases separately, a phasing plan shall be submitted to the Public Works Department for review and approval by the City Engineer.

The applicant shall complete required improvements and satisfy obligations as set forth in the approved phasing plan. Improvements and obligations required of each phase shall be completed and satisfied prior to completion of homes or occupancy of permanent buildings within the phase unless a construction sequencing plan for that phase is approved by the City Engineer.

4. Prior to the issuance of a grading permit or building permit for construction of any building or use contemplated by this approval, 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
 - Imperial Irrigation District
 - California Regional Water Quality Control Board (NPDES Permit)

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

For projects requiring NPDES construction permits, the applicant shall include a copy of the application for the Notice of Intent with grading plans submitted for plan checking. Prior to issuance of a grading or site construction permit, the applicant shall submit a copy of an approved Storm Water Pollution Protection Plan.

5. Provisions shall be made to comply with the terms and requirements of the City's adopted Infrastructure Fee program in effect at the time of issuance of building permits.

PROPERTY RIGHTS

6. All easements, rights of way and other property rights required of the tentative map or otherwise necessary to facilitate the ultimate use of the development and functioning of improvements shall be dedicated, granted or otherwise conferred, or the process of said dedication, granting, or conferral shall be ensured, prior to approval of a final map or filing of a certificate of compliance for waiver of a final map. The conferral shall include irrevocable offers to dedicate or grant easements to the City for access to and maintenance, construction, and reconstruction of all essential improvements which are located on privately-held lots or parcels.
7. The applicant shall dedicate and improve the private street right-of-way and utility easements in conformance with the City's General Plan, Municipal Code, applicable specific plans, and as required by the City Engineer.

Dedications and improvements required of this development include:

- A. Brae Burn - 37-foot wide internal street (36-feet of paving with curbing)
8. If the applicant proposes vacation or abandonment of any existing rights of way or access easements which will diminish access rights to any properties owned by others, the applicant shall provide approved alternate rights of way or access easements to those properties.
9. The applicant shall dedicate 10-foot public utility easements contiguous with and along both sides of all private streets.
10. The applicant shall dedicate any easements necessary for placement of and access to utility lines and structures, drainage basins, mailbox clusters, park lands, and common areas.

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

FINAL MAPS

12. As part of the filing package for final map approval, the applicant shall furnish the City, on storage media and in a program format acceptable to the City Engineer, accurate computer files of the map(s) as approved by the City's map checker.

IMPROVEMENT PLANS

13. Improvement plans submitted to the City for plan checking shall be submitted on 24" x 36" media in the categories of "Rough Grading," "Precise Grading," "Streets & Drainage," and "Landscaping." All plans except precise grading plans shall have signature blocks for the City Engineer. Precise grading plans shall have signature blocks for the Community Development Director and the Building Official. Plans are not approved for construction until they are signed.

"Streets and Drainage" plans shall normally include signals, sidewalks, bike paths, gates and entryways, and parking lots. If water and sewer plans are included on the street and drainage plans, the plans shall have an additional signature block for the Coachella Valley Water District (CVWD). The combined plans shall be signed by CVWD prior to their submittal for the City Engineer's signature.

"Landscaping" plans shall normally include landscape improvements, irrigation, lighting, and perimeter walls.

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

14. The City may maintain standard plans, details and/or construction notes for elements of construction. For a fee established by City resolution, the applicant may acquire standard plan and/or detail sheets from the City.

When final plans are approved by the City, and prior to approval of the final map, the applicant shall furnish accurate computer files of the complete, approved plans on storage media and in a program format acceptable the City Engineer. At the completion of construction and prior to final acceptance of improvements, the applicant shall update the files to reflect as-constructed conditions including approved revisions to the plans.

IMPROVEMENT AGREEMENT

15. The applicant shall construct improvements and/or satisfy obligations, or enter into a secured agreement to construct improvements and/or satisfy obligations required by the City prior to agendization of a final map or parcel map or issuance of a certificate of compliance for a waived parcel map. For secured agreements, security provided, and the release thereof, shall conform with Title 13, LQMC.

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

16. If improvements are secured, the applicant shall provide approved estimates of improvement costs. Estimates shall comply with the schedule of unit costs adopted by City resolution or ordinance. For items not listed in the City's schedule, estimates shall meet the approval of the City Engineer.

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

17. If improvements are phased with multiple final maps or other administrative approvals (plot plans, conditional use permits, etc.), off-site improvements and development-wide improvements (ie: retention basins, perimeter walls & landscaping, gates, etc.) shall be constructed or secured prior to approval of the first final map unless otherwise approved by the City Engineer.

GRADING

18. Graded, undeveloped land shall be maintained to prevent dust and blowsand nuisances. The land shall be planted with interim landscaping or provided with other wind and water erosion control measures approved by the Community Development and Public Works Departments.
19. Prior to occupation of the project site for construction purposes, the Applicant shall submit and receive approval of a fugitive dust control plan prepared in accordance with Chapter 6.16, LQMC. In accordance with said Chapter, the Applicant shall furnish security, in a form acceptable to the City, in an amount sufficient to guarantee compliance with the provisions of the permit.
20. The applicant shall comply with the City's Flood Protection Ordinance.

21. The applicant shall conduct a thorough preliminary geological and soils engineering investigation and shall submit the report of the investigation ("the soils report") with the grading plan.
22. A grading plan shall be prepared by a registered civil engineer and must meet the approval of the City Engineer prior to issuance of a grading permit. The grading plan shall conform with the recommendations of the soils report and shall be certified as adequate by a soils engineer or an engineering geologist. A statement shall appear on the final map(s), if any are required of this development, that a soils report has been prepared pursuant to Section 17953 of the Health and Safety Code.
23. Building pad elevations on contiguous lots shall not differ by more than three feet except for lots within this development, but not sharing common street frontage, where the differential shall not exceed five feet.

If the applicant is unable to comply with the pad elevation differential requirement, the City will consider and may approve alternatives that preserve community acceptance and buyer satisfaction with the proposed development.

24. Prior to issuance of building permits, the applicant shall provide a separate document bearing the seal and signature of a California registered civil engineer or surveyor, that lists actual building pad elevations for the building lots. The document shall list the pad elevation approved on the grading plan, the as-built elevation, and the difference between the two, if any. The data shall be organized by lot number and shall be listed cumulatively if submitted at different times.

DRAINAGE

25. Stormwater falling on the site during the peak 24-hour period of a 100-year storm shall be retained in accordance with the approved hydrology study and drainage plan for the PGA West development.

UTILITIES

26. In areas where hardscape surface improvements are planned, underground utilities shall be installed prior to construction of surface improvements. The applicant shall provide certified reports of utility trench compaction tests for approval of the City Engineer.

STREET AND TRAFFIC IMPROVEMENTS

27. The City is contemplating adoption of a major thoroughfare improvement program. If the program is in effect 60 days prior to recordation of any final map or issuance of a certificate of compliance for any waived final map, the development or portions thereof may be subject to the provisions of the ordinance.

If this development is not subject to a major thoroughfare improvement program, the applicant shall be responsible for all street and traffic improvements required herein.

28. The following minimum street improvements shall be constructed to conform with the General Plan street type noted in parentheses:

PRIVATE STREETS AND CUL-DE-SACS

- 1) Residential - 36 feet wide if double loaded (buildings on both sides).
- 2) Collector (≥ 300 homes or 3,000 vpd) - 40 feet wide.

Main entry streets and interior circulation routes, bus turnouts, acceleration/deceleration lanes, and/or other features contained in the approved construction plans may warrant additional street widths, raised medians or other mitigation measures as determined by the City Engineer.

29. Improvements shall include all appurtenances such as traffic signs, channelization markings, raised medians if required, street name signs, sidewalks, and mailbox clusters approved in design and location by the U.S. Post Office and the City Engineer. Mid-block street lighting is not required.
30. The City Engineer may require improvements extending beyond development boundaries such as, but not limited to, pavement elevation transitions, street width transitions, or other incidental work which will ensure that newly constructed improvements are safely integrated with existing improvements and conform with the City's standards and practices.
31. Improvement plans for all on- and off-site streets and access gates shall be prepared by registered professional engineer(s) authorized to practice in the State of California. Improvements shall be designed and constructed in accordance with the LQMC, adopted Standard and Supplemental Drawings and Specifications, and as approved by the City Engineer.
32. Street right of way geometry for cul-de-sacs, knuckle turns and corner cut-backs shall conform with Riverside County Standard Drawings #800, #801, and #805 respectively unless otherwise approved by the City Engineer.
33. All streets proposed to serve residential or other access driveways shall be designed and constructed with curbs and gutters or shall have other approved methods to convey nuisance water without ponding in yard or drive areas and to facilitate street sweeping.
34. Street pavement sections shall be based on a Caltrans design for a 20-year life and shall consider soil strength and anticipated traffic loading (including site and building construction traffic). The minimum pavement sections shall be as follows:

Residential & Parking Areas	3.0" a.c./4.50" a.b.
Collector	4.0"/5.00"
Secondary Arterial	4.0"/6.00"
Primary Arterial	4.5"/6.00"
Major Arterial	5.5"/6.50"

The applicant shall submit mix designs for road base and pavement materials, including complete testing lab results, for review and approval by the City. Paving operations shall not be scheduled until City staff approves the mix design.

35. Prior to occupancy of homes or other permanent buildings within the development, the applicant shall install all street and sidewalk improvements, traffic control devices and street name signs along access routes to those buildings.

LANDSCAPING

36. Landscape and irrigation plans for landscaped lots, landscape setback areas, medians, common retention basins, and park facilities shall be prepared by a licensed landscape architect.

Landscape and irrigation plans shall be approved by the Community Development Department. Landscape and irrigation construction plans shall be submitted to the Public Works Department for review and approval by the City Engineer. The plans are not approved for construction until they have been approved and signed by the City Engineer, the Coachella Valley Water District, and the Riverside County Agricultural Commissioner.

37. Slopes shall not exceed 5:1 within public rights of way and 3:1 in landscape areas outside the right of way.
38. Landscape areas shall have permanent irrigation improvements meeting the requirements of the City Engineer. Use of lawn shall be minimized with no lawn or spray irrigation within 5-feet of curbs along private streets.
39. Unless otherwise approved by the City Engineer, common basins and park areas shall be designed with a turf grass surface which can be mowed with standard tractor-mounted equipment.
40. The applicant shall ensure that landscaping plans and utility plans are coordinated to provide visual screening of above-ground utility structures.

QUALITY ASSURANCE

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

42. The applicant shall employ or retain California registered civil engineers, geotechnical engineers, or surveyors, as appropriate, who will provide, or have their agents provide, sufficient supervision and verification of the construction to be able to furnish and sign accurate record drawings.
43. Upon completion of construction, the applicant shall furnish the City reproducible record drawings of all plans which were signed by the City Engineer. Each sheet of the drawings shall have the words "Record Drawings," "As-Built" or "As-Constructed" clearly marked on each sheet and be stamped and signed by the engineer or surveyor certifying to the accuracy of the drawings. The applicant shall revise the plan computer files previously submitted to the City to reflect the as-constructed condition.

MAINTENANCE

44. The applicant shall make provisions for continuous maintenance of drainage, landscaping and on-site street improvements.
45. The applicant shall provide an executive summary maintenance booklet for streets, landscaping and related improvements, perimeter walls, drainage facilities, or any other improvements to be maintained by an HOA. The booklet should include drawings of the facilities, recommended maintenance procedures and frequency, and a costing algorithm with fixed and variable factors to assist the HOA in planning for routine and long term maintenance.

FEES AND DEPOSITS

46. The applicant shall pay all deposits and fees required by the City for plan checking and construction inspection. Deposit and fee amounts shall be those in effect when the applicant makes application for plan checking and permits.

FIRE DEPARTMENT

47. Schedule A fire protection approved Super fire hydrants (6" X 4" X 2.5" X 2.5") will be located at each street intersection spaced not more than 500-feet apart in any direction with any portion of any frontage more than 250-feet from a fire hydrant. Minimum fire flow will be 1,000 G.P.M. for a two-hour duration at 20 PSI.
48. Before recordation of the final map, applicant/developer will furnish one blueline copy of the water system plans to the Fire Department for review and approval. Plans will conform to the fire hydrant types, location and spacing, and the system will meet the fire flow requirements. Plans will be signed and approved by the registered civil engineer and the local water company with the following certification: "I certify that the design of the water system is in accordance with the requirements prescribed by the Riverside County Fire Department."

49. The required water system including fire hydrants will be installed and accepted by the appropriate water agency prior to any combustible building material being placed on an individual lot.

MISCELLANEOUS

50. The provisions of Specific Plan 83-002 shall be met including sideyard setbacks prior to issuance of building permits.
51. Prior to issuance of building permits, preliminary single family architectural plans shall be submitted for review and approval by the Planning Commission unless the previous approved prototype houses under Plot Plan 95-552 and Plot Plan 95-565 (KSL Model Homes) are constructed on these lots.
- 52.* The recreation amenity package shall include one pool/spa. The plans shall be reviewed and approved by the Community Development Department prior to building permit issuance. The recreational facilities within each phase shall be built before issuance of a Certificate of Occupancy for any residences.
53. Restroom facilities shall be provided at the common pool and spa complex. Separate restroom facilities shall be accessible to the golf course maintenance workers and gardeners during their normal working hours as approved by the Community Development Department.
54. Golf cart easements (i.e., Lot B) as shown on the map exhibit shall be conveyed during acceptance of the final map by the City.