

**RESOLUTION NO. 2001-82**

**CONDITIONS OF APPROVAL - FINAL**

TENTATIVE TRACT MAP 29858, AMENDMENT #1 (PALMILLA)

RJT HOMES, LLC

JUNE 19, 2001

GENERAL

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

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

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

- C Fire Marshal
- C Public Works Department (Grading Permit, Improvement Permit)
- C Community Development Department
- C Riverside Co. Environmental Health Department
- C Desert Sands Unified School District
- C Coachella Valley Water District (CVWD)
- C Imperial Irrigation District (IID)
- C California Water Quality Control Board (CWQCB)

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

The applicant shall comply with applicable provisions of the City's NPDES stormwater discharge permit. For projects requiring project-specific NPDES construction permits, the applicant shall submit a copy of the CWQCB acknowledgment of the applicant's Notice of Intent prior to issuance of a grading or site construction permit. The applicant shall ensure that the required Storm Water Pollution Protection Plan is available for inspection at the project site.

3. This Map approval shall expire and become null and void on June 19, 2003, unless an extension of time is granted according to the requirements of Section 13.12.150 of the Subdivision Ordinance.

#### PROPERTY RIGHTS

4. Prior to approval of any future final tract map(s), the applicant shall acquire or confer easements and other property rights required of future tentative map(s) or otherwise necessary for construction or proper functioning of the proposed development. Conferred rights shall include irrevocable offers to dedicate or grant access easements to the City for emergency services and for maintenance, construction, and reconstruction of essential improvements.
5. The applicant shall dedicate or grant public and 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.
6. Right of way dedications required of this development include:
  - A. PUBLIC STREETS
    - 50<sup>th</sup> Avenue (Primary Arterial) - no additional dedication required.
    - Jefferson Street (Major Arterial) - no additional dedication required.
  - B. PRIVATE STREETS

Residential: 31-foot width. On-street parking is prohibited and provisions shall be made for adequate off-street parking for residents and visitors. The CC&R's shall contain language requiring the Homeowner's Association to provide for ongoing enforcement of the restrictions.
  - C. CULS DE SAC

Use Riverside County Standard 800 (symmetric) or 800A (offset) with 39.5-foot radius, or larger.

7. Right of way geometry for knuckle turns and corner cutbacks shall conform with Riverside County Standard Drawings #801 and #805 respectively unless otherwise approved by the City Engineer.
8. 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.
9. The applicant shall dedicate ten-foot public utility easements contiguous with and along both sides of all private streets. The easements may be reduced to five feet with the express concurrence of IID.
10. The applicant shall create perimeter setbacks along public rights of way as follows (listed setback depth is the average depth if meandering wall design is approved):
  - A. 50<sup>th</sup> Avenue - 20-feet
  - B. Jefferson Street - 20-feet

The setback requirement applies to all frontage including, but not limited to, remainder parcels and sites dedicated for utility purposes.

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

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

14. 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 or notarized letters of consent from the property owners.

### GRADING

15. This development shall comply with Chapter 8.11 of the LQMC (Flood Hazard Regulations). If any portion of any proposed building lot in the development is or may be located within a flood hazard area as identified on the City's Flood Insurance Rate Maps, the development shall be graded to ensure that all floors and exterior fill (at the foundation) are above the level of the project (100-year) flood and building pads are compacted to 95% Proctor Density as required in Title 44 of the Code of Federal Regulations, Section 65.5(a) (6). Prior to issuance of building permits for lots which are so located, the applicant shall furnish certifications as required by FEMA that the above conditions have been met.
16. Prior to issuance of any grading permit(s), the applicant shall furnish a preliminary geotechnical ("soils") report and an approved grading plan prepared by a qualified engineer. The grading plan shall conform with the recommendations of the soils report and be certified as adequate by a soils engineer or engineering geologist.
17. Slopes shall not exceed 5:1 within public rights of way and 3:1 in landscape areas outside the right of way unless otherwise approved by the City Engineer.
18. The applicant shall endeavor to minimize differences in elevation at abutting properties and between separate tracts and lots within this development. Building pad elevations on contiguous lots shall not differ by more than three feet except for lots within a tract or parcel map, but not sharing common street frontage, where the differential shall not exceed five feet.

The limits given in this condition and the previous condition are not entitlements and more restrictive limits may be imposed in the map approval or plan checking process. If compliance with the limits is impractical, however, the City will consider alternatives which minimize safety concerns, maintenance difficulties and neighboring-owner dissatisfaction with the grade differential.

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. 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 maintain graded, undeveloped land to prevent wind and water erosion of soils. The land shall be planted with interim landscaping or provided with other erosion control measures approved by the Community Development and Public Works Departments.
21. Prior to issuance of building permits, the applicant shall provide building pad certifications stamped and signed by qualified engineers or surveyors. For each pad, the certification shall list the approved elevation, the actual elevation, the difference between the two, if any, and pad compaction. The data shall be organized by lot number and listed cumulatively if submitted at different times.

#### DRAINAGE

The applicant shall comply with the provisions of Engineering Bulletin No. 97.03 and the following:

22. Stormwater falling on site during the peak 24-hour period of a 100-year storm (the design storm) shall be retained within the development unless otherwise approved by the City Engineer. The tributary drainage area shall extend to the centerline of adjacent public streets.
23. Stormwater shall normally be retained in common retention basins. Individual-lot basins or other retention schemes may be approved by the City Engineer for lots 2½ acres in size or larger or where the use of common retention is impracticable. If individual-lot retention is approved, the applicant shall meet the individual-lot retention provisions of Chapter 13.24, LQMC.
24. Storm flow in excess of retention capacity shall be routed through a designated, unimpeded overflow outlet to the historic drainage relief route.
25. Storm drainage historically received from adjoining property shall be retained on site or passed through to the overflow outlet.

26. Retention facility design shall be based on site-specific percolation data which shall be submitted for checking with the retention facility plans. The design percolation rate shall not exceed two inches per hour.
27. Retention basin slopes shall not exceed 3:1. Maximum retention depth shall be six feet for common basins and two feet for individual-lot retention.
28. Nuisance water shall be retained on site. In residential developments, nuisance water shall be disposed of in a trickling sand filter and leachfield approved by the City Engineer. The sand filter and leachfield shall be designed to contain surges of 3 gph/1,000 sq. ft. (of landscape area) and infiltrate 5 gpd/1,000 sq. ft.
29. In developments for which security will be provided by public safety entities (e.g., the La Quinta Safety Department or the Riverside County Sheriff's Department), retention basins shall be visible from adjacent street(s). No fence or wall shall be constructed around basins unless approved by the Community Development Director and the City Engineer.
30. If the applicant proposes discharge of stormwater directly or indirectly to the Coachella Valley Stormwater Channel, the applicant shall indemnify the City from the costs of any sampling and testing of the development's drainage discharge which may be required under the City's NPDES Permit or other City- or area-wide pollution prevention program, and for any other obligations and/or expenses which may arise from such discharge. The indemnification shall be executed and furnished to the City prior to issuance of any grading, construction or building permit and shall be binding on all heirs, executors, administrators, assigns, and successors in interest in the land within this tentative map excepting therefrom those portions required to be dedicated or deeded for public use. The form of the indemnification shall be acceptable to the City Attorney. If such discharge is approved for this development, the applicant shall make provisions in the CC&R's for meeting these potential obligations.
31. The project shall be designed to accommodate purging and blowoff water 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.

## UTILITIES

32. The applicant shall obtain the approval of the City Engineer for the location of all utility lines within the right of way and all aboveground utility structures including, but not limited to, traffic signal cabinets, electrical vaults, water valves, and telephone stands, to ensure optimum placement for practical and aesthetic purposes.
33. Utilities shall be installed prior to overlying hardscape. For installation of utilities in existing, improved streets, the applicant shall comply with trench restoration requirements maintained or required by the City Engineer. The applicant shall provide certified reports of trench compaction for approval of the City Engineer.
34. Existing aerial lines within or adjacent to the proposed development and all proposed utilities shall be installed underground, unless otherwise allowed by General Plan Amendment 2000-073. Power lines exceeding 34.5 Kv are exempt from this requirement.

## STREET AND TRAFFIC IMPROVEMENTS

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

### A. OFF-SITE STREETS

1. Avenue 50 (Primary Arterial; 100' R/W option):

Widen south side of street along all frontage adjacent to the tract boundary. Street widening improvements shall include all appurtenant components such as, but not limited to, curb, gutter, traffic control striping, legends, and signs, except for street lights. Other significant new improvements required for installation in, or adjacent, to the subject right of way include:

- (a) 6-foot wide meandering sidewalk
- (b) 12-foot wide landscaped median from west tract boundary to a point 1,050 feet west of the Jefferson Street

centerline.

- (c) Traffic signal at the project's main entry when warrants are met. Applicant is responsible for 50% of cost to design and install traffic signal if complementing cost share from development on other side of street is available at time signal is required. If complementing share is not available, Applicant shall pay 100% of cost to design and install signal at "T" intersection. If, however, the Applicant's development progress trails that of the developer on the other side and the other developer has installed a "T" intersection signal serving the other side, Applicant shall construct the fourth leg to the intersection and modify the existing signal at own expense.

The landscape median improvement is eligible for reimbursement from the City's Development Impact Fee fund in accordance with policies established for that program.

2. Jefferson Street (Major Arterial):

- a. Applicant shall pay cash fee to reimburse City for street improvements made to applicant's frontage through the City's Capital Improvement Program. Reimbursement amount shall cover all costs related to installing curb, gutter and outside 20 feet of roadway paving; the reimbursement amount shall be reduced by the percentage of non-City funds expended on the Jefferson Street Widening project.
- b. Applicant shall pay cash fee to reimburse City for traffic signal at the Jefferson/Avenue 50 intersection. The cash fee shall cover 6.25% of cost to design and install the signal (25% of a quarter-signal share was not funded by Measure A).
- c. Applicant shall install 6-foot wide meandering sidewalk along the property frontage.



B. PRIVATE STREETS

1. On-site streets:

- A. Two-Way Traffic: construct 28-foot wide full-width improvements (measured from gutter flowline to gutter flowline) within the 31-foot right of way. All on-site streets shall be constructed with "wedge" type curb design as approved by the City Engineer.
- B. One-Way Traffic: the following streets shall be designated as one-way travel only:
  - i. Lot D: construct minimum 20-foot wide full-width improvements (measured from gutter flowline to gutter flowline) within a minimum 23-foot right of way. Street shall be constructed with "wedge" type curb design as approved by the City Engineer.
  - ii. Lots C and G: construct minimum 16-foot wide full-width improvements (measured from gutter flowline to gutter flowline) within a minimum 19-foot right of way. Street shall be constructed with "wedge" type curb design as approved by the City Engineer.
- C. Cul-de-Sacs: All cul-de-sac bulbs which contain raised landscaped islands shall be designated as "One-Way" and applicant shall construct minimum 20-foot wide full-width improvements (measured from gutter flowline to gutter flowline) within a minimum 23-foot right of way. Construct a "wedge" type curb design as approved by the City Engineer.
- D. Lot R: provide for two-way traffic by constructing 28-foot wide full-width improvements (measured from gutter flowline to gutter flowline) within a 31-foot right of way. Street shall be constructed with "wedge" type curb design as approved by the City Engineer. A minimum 25-foot wide "hammerhead" turn around area shall be constructed

adjacent to Lot 85.

E. Lot U: provide for two-way traffic by constructing minimum 22-foot wide full-width improvements (measured from gutter flowline to gutter flowline) within a minimum 25-foot right of way. Street shall be constructed with "wedge" type curb design as approved by the City Engineer. A minimum 25-foot wide "hammerhead" turn around area shall be constructed adjacent to Lot 134 and Lake Lot Z.

2. All on-street parking is prohibited and the applicant shall be required to provide for the perpetual enforcement of the restriction by the Homeowners' Association. Guest parking by permit only and enforced by the Homeowners' Association is allowed only in designated off-street parking areas.

C. CULS DE SAC - Use Riverside County Standard 800 (symmetric) or 800A (offset), with 38-foot curb radius.

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

36. 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.

37. The applicant may be required to extend improvements beyond development boundaries to ensure they safely integrate with existing improvements (e.g., grading; traffic control devices and transitions in alignment, elevation or dimensions of streets and sidewalks).

38. Improvements shall be designed and constructed in accordance with the LQMC, adopted standards, supplemental drawings and specifications, and as approved by the City Engineer. Improvement plans for streets, access gates and parking areas shall be stamped and signed by qualified engineers.

39. Knuckle turns and corner cutbacks shall conform with Riverside County Standard Drawings #801 and #805 respectively unless otherwise approved by

the City Engineer.

40. Public streets shall have vertical curbs or other approved curb configurations which convey water without ponding and provide lateral containment of dust and residue for street sweeping. Onsite private streets shall have a wedge curb, the design of which shall be approved by the City Engineer. The lip of the wedge curb at the flowline shall be vertical (1/8" batter) and a minimum of 0.1' in height. Unused curb cuts on any lot shall be restored to normal curbing prior to final inspection of permanent building(s) on the lot.
41. The applicant shall design street pavement sections using Caltrans' design procedure (20-year life) and site-specific data for soil strength and anticipated traffic loading (including construction traffic). Minimum structural sections shall be as follows (or approved equivalents for alternate materials):
- |                             |                        |
|-----------------------------|------------------------|
| Residential & Parking Areas | 3.0" a.c./4.50" c.a.b. |
| Collector                   | 4.0"/5.00"             |
| Secondary Arterial          | 4.0"/6.00"             |
| Primary Arterial            | 4.5"/6.00"             |
| Major Arterial              | 5.5"/6.50"             |
42. 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.
43. The City will conduct final inspections of homes and other 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 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 project or when directed by the City, whichever comes first.

44. General access points and turning movements of traffic are limited to the following:
- A. 50<sup>th</sup> Avenue - Main project entry, to be located approximately 1,250 feet west of the centerline of Jefferson Street. No restrictions applied to turning movements at this location.
  - B. 50<sup>th</sup> Avenue - Emergency access entry (20-foot wide) from the end of the cul-de-sac in "B" Street, to be located approximately 2,400 feet west of the centerline of Jefferson Street. This point of entry will be restricted to right-turn movements only.
  - C. Jefferson Street - Secondary project entry, to be located approximately 600 feet south of the centerline of 50<sup>th</sup> Avenue. This point of entry will be restricted to right-turn movements, and a left-turn into the project if the applicant desires to construct an appropriately designed opening in the median island.

#### LANDSCAPING

45. The applicant shall provide landscaping in required setbacks, retention basins, common lots, and park areas.
46. Landscape and irrigation plans for landscaped lots and setbacks, medians, retention basins, and parks shall be signed and stamped by a licensed landscape architect.

The applicant shall submit plans for approval by the Community Development Department prior to plan checking by the Public Works Department. When plan checking is complete, the applicant shall obtain the signatures of CVWD and the Riverside County Agricultural Commissioner prior to submitting for signature by the City Engineer. Plans are not approved for construction until signed by the City Engineer.

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

48. A 6-foot sidewalk shall be constructed along 50<sup>th</sup> Avenue and also along Jefferson Street. The sidewalk shall meander within the 32-foot Right-of-Way and setback.

#### PUBLIC SERVICES

49. The applicant shall provide public transit improvements as required by Sunline Transit and approved by the City Engineer.

#### MAINTENANCE

50. The applicant shall make provisions for continuous, perpetual maintenance of all on-site improvements, perimeter landscaping, access drives, and sidewalks. The applicant shall maintain required public improvements until expressly released from this responsibility by the appropriate public agency.

#### FEES AND DEPOSITS

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

#### MISCELLANEOUS

52. The project proponent shall comply with all mitigation measures contained in the Environmental Assessment 2000-401.
53. Lot 12 shall have a minimum frontage width of 35 feet to comply with Table 9-2 of the Zoning Ordinance.

#### DOMESTIC WATER AND SANITARY SEWER

54. Landscaping, irrigation and grading plans shall be submitted to CVWD for review and approval.
55. All plans for domestic water connections to existing CVWD lines shall be submitted to the District for review and approval.

## FIRE DEPARTMENT

56. All water mains and fire hydrants required fire flows shall be constructed in accordance with the appropriate sections of CVWD Std. W-33, subject to the approval by the Riverside County Fire Department.
57. The minimum dimensions for fire apparatus access roads entering and exiting this project shall have an unobstructed width of not less than 20 feet in each direction and an unobstructed vertical clearance of not less than 13'-6". Parking is permitted on one side of roadways with a minimum width of 25 feet. Parking is permitted on both sides of roadways with a minimum width of 36 feet.
58. All interior fire apparatus access roads shall be a minimum of 20 feet unobstructed width and an unobstructed vertical clearance of 13'-6". Any portion of an exterior wall of the first story of any building shall be located within 150 feet from fire apparatus access as measured by an approved route around the exterior of the building.
59. Gate entrance/exit openings shall be not less than 15 feet in width. All gates shall be located at least 40'-0" from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gates shall have either a secondary power supply or an approved manual means to release mechanical control of the gate in the event of loss of primary power.
60. The maximum dead-end street length is limited to 1,320 feet for areas not located in a designated high fire hazard zone. A secondary access roadway is typically provided when such a condition exists.
61. Cul-de-sacs shall have a minimum outside radius of 38 feet to face of curb with a minimum inside radius of 26 feet to islands or center landscape features. The entire radius of 38 feet is required to properly turn fire department vehicles. Vehicle parking along the curb should be prohibited when the minimum radius is used.