

**RESOLUTION 2002-165  
CONDITIONS OF APPROVAL - FINAL  
TENTATIVE TRACT 29323 - AMENDMENT #2  
CORNERSTONE DEVELOPMENT  
DECEMBER 17, 2002**

**EXHIBIT "A"**

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 Title 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](http://www.la-quinta.org).

3. Approval of this Amended Tentative Tract 29323 hereby nullifies the approval for Specific Plan 99-040 (Sand Harbor), and said Specific Plan shall be void and of no further force or effect, upon City Council adoption of these conditions.
4. 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:

- 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 Myoma Dunes Water Agency
- C Imperial Irrigation District (IID)
- C California Water Quality Control Board (CWQCB)
- C 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.

5. The applicant shall comply with applicable provisions of the City's NPDES storm water discharge permit, Sections 8.70.010 et seq. (Storm water Management and Discharge Controls), and 13.24.170 (Clean Air/Clean Water), LQMC; Riverside County Ordinance No. 457; and the State Water Resources Control Board's Order No. 99-08-DWQ .
  - A. For construction activities including clearing, grading or excavation of land that disturbs five (5) acres or more of land, or that disturbs less than five (5) acres of land, but which is a part of a construction project that encompasses more than five (5) acres of land, the Permittee shall be required to submit a Storm Water Pollution Protection Plan ("SWPPP").
  - 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 of applicant's erosion and sediment control BMPs shall be approved by the City Engineer prior to any on or off site grading being done in relation to this project.
  - F. All approved project BMPs shall be maintained in their proper working order throughout the course of construction, and until all improvements have been accepted by the City.

6. 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

7. 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.
8. 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.
9. The public street right-of-way offers for dedication required for this development include:
  - A. PUBLIC STREETS
    - 1) Jefferson Street (Major Arterial) - The remainder of applicant's 60 foot half of a 120 foot right-of-way.
    - 2) Fred Waring Drive (Major Arterial): The remainder of applicant's 60 foot half of 120 foot right-of way, which may or may not be accepted by the Council pending the outcome of the future general Plan Amendment.

The City has initiated a General Plan Amendment to upgrade Fred Waring Drive, from Primary to Major Arterial status, hence the requirement under A.2 above.

10. 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.
11. The private street rights-of-way to be retained for private use required for this development include:

- A. PRIVATE STREETS

- 1) Residential: "Looped" Streets - 40 foot width
- 2) Residential: Non-Looped Streets - 37 foot width.

B. CUL DE SACS

- 1) Public or Private: Use Riverside County Standard 800 for symmetrical Cul De Sacs, or 800A for offset Cul De Sacs and a 38-foot face of curb radius.
12. Right-of-way geometry for standard knuckles and property line corner cut-backs at curb returns shall conform to Riverside County Standard Drawings #801, and #805, respectively, unless otherwise approved by the City Engineer.
  13. 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.
  14. When the City Engineer determines that access rights to the proposed street rights-of-way shown on the approved Tentative Tract Map are necessary prior to approval of the Final Map dedicating such rights-of-way, the applicant shall grant the necessary rights-of-way within 60 days of a written request by the City.
  15. 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. Said easement may be reduced to five feet in width with the express written approval of IID.
  16. The applicant shall create perimeter landscaped setbacks along all public rights-of-way as follows:
    - A. Jefferson Street (Major Arterial) - 20-feet from the right-of-way/property line.
    - B. Fred Waring Drive (Major Arterial) - 20-feet from the right-of-way/property line.

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.

17. The applicant shall offer for dedication those easements necessary for the placement of, and access to, utility lines and structures, drainage basins, mailbox clusters, park lands, and common areas on the Final Map.
18. The applicant shall vacate all abutter's right-of-access to public streets and properties from all frontages along such public streets and properties, excepting those access points shown on the Final Map.
19. The applicant shall furnish proof of easements, or written permission, as appropriate, from those owners of all abutting properties on which grading, retaining wall construction, permanent slopes, or other encroachments will occur.
20. When an applicant proposes the vacation, or abandonment, of any existing right-of-way, or access easement, which will diminish the access rights to any properties owned by others, the applicant shall provide an alternate right-of-way or access easement, to those properties, or notarized letters of consent from the affected property owners.
21. 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

22. 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.

23. 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.
24. The following improvement plans shall be prepared and submitted for review and approval by the City. A separate set of plans for each line item specified below shall be prepared. The plans shall utilize the minimum scale specified, unless otherwise authorized by the City Engineer in writing. Plans may be prepared at a larger scale if additional detail or plan clarity is desired. Note, the applicant may be required to prepare other improvement plans not listed here pursuant to improvements required by other agencies and utility purveyors.
  - A. Off-Site Street Plan: 1" = 40' Horizontal, 1" = 4' Vertical  

The street improvement plans shall include permanent traffic control and separate plan sheet(s) (drawn at 20 scale) that show the meandering sidewalk, mounding, and berm design in the combined parkway and landscape setback area.
  - B. Off-Site Street Median Landscape Plan: 1" = 20'
  - C. Perimeter Landscape Plan: 1" = 20'
  - D. On-Site Street Plan: 1" = 40' Horizontal, 1" = 4' Vertical
  - E. On-Site Rough Grading Plan: 1" = 40' Horizontal
  - F. On-Site Precise Grading Plan: 1" = 30' Horizontal

Other engineered improvement plans prepared for City approval that are not listed above shall be prepared in formats approved by the City Engineer prior to commencing plan preparation.

All Off-Site Plan & Profile Street Plans and Signing & Striping Plans shall show all existing improvements for a distance of at least 200-feet beyond the project limits, or a distance sufficient to show any required design transitions.

"Rough Grading" plans shall normally include perimeter walls with Top Of Wall & Top Of Footing elevations shown. All footings shall have a minimum of six inches of cover, except where there are slope ratios greater than 2:1, or sufficient cover to clear any adjacent obstructions.

"Site Utility" plans shall normally include all sub-surface improvements including but not necessarily limited to sewer lines, water lines, fire protection and storm drainage systems. The "Site Utility" plan shall have signature blocks for the Building Official and the City Engineer.

25. 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.
26. 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

27. Prior to the conditional approval of any Final Map, or the issuance of any permit(s), the applicant shall construct all on and off-site improvements and satisfy its obligations for same, or shall furnish a fully secured and executed Subdivision Improvement Agreement ("SIA") guaranteeing the construction of such improvements and the satisfaction of its obligations for same, or shall agree to any combination thereof, as may be required by the City.

28. 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.
29. 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 monuments.

When improvements are phased through a "Phasing Plan," or an administrative approval (e.g., Site Development Permits), all off-site improvements and common on-site improvements (e.g., backbone utilities, retention basins, perimeter walls, landscaping and gates) shall be constructed, or secured through a SIA, prior to the issuance of any permits in the first phase of the development, or as otherwise approved by the City Engineer.

Improvements and obligations required of each subsequent phase shall either be completed, or secured through a SIA, prior to the completion of homes or the occupancy of permanent buildings within such latter phase, or as otherwise approved by the City Engineer.

In the event the applicant fails to construct the improvements for the development, or fails to satisfy its obligations for the development in a timely manner, pursuant to the approved phasing plan, the City shall have the right to halt issuance of all permits, and/or final inspections, withhold other approvals related to the development of the project, or call upon the surety to complete the improvements.

30. 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: (1) construct certain off-site improvements, (2) construct additional off-site improvements, subject to the reimbursement of its costs by others, (3) reimburse others for those improvements previously constructed that are considered to be an obligation of this tentative tract map, (4) secure the costs for future improvements that are to be made by others, or (5) 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.

31. When improvements are to be secured through a SIA, and prior to any conditional approval of the Final Map by the City Council, the applicant shall submit detailed construction cost estimates for all proposed on-site and off-site improvements, including an estimate for the final survey monuments, 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.

### GRADING

32. The applicant shall comply with the provisions of Section 13.24.050 (Grading Improvements), LQMC.
33. 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.
34. To obtain an approved grading permit, the applicant shall submit and obtain approval of all of the following:
  - A. A grading plan prepared by a qualified engineer or architect,

- B. A preliminary geotechnical ("soils") report prepared by a qualified engineer, and
- C. A Fugitive Dust Control Plan prepared in accordance with Chapter 6.16, (Fugitive Dust Control), LQMC.

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.

- 35. 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.
- 36. 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.
- 37. Building pad elevations of perimeter lots shall not be higher by more than one foot from the building pads in adjacent development except for the following lots which shall have the following pad elevations:

Lot number	Approved Pad Elevation
21	55.5
22	56.5
29	68.2
225	56.6
226	56.6
229	56.1

- 38. The applicant shall minimize the differences in elevation between the adjoining properties and the lots within this development.

Building pad elevations on contiguous interior lots shall not differ by more than three feet except for lots that do not share a common street frontage, where the differential shall not exceed five feet.

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.

39. 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 on the perimeter, or one foot on the interior, 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.
40. 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.

41. This development shall comply with Chapter 8.11 (Flood Hazard Regulations), LQMC. 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 elevation certifications, as required by FEMA, that the above conditions have been met.

## DRAINAGE

42. The applicant shall comply with the provisions of Section 13.24.120 (Drainage), LQMC, Engineering Bulletin No. 97.03. More specifically, storm water 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.
43. The applicant shall meet the individual-lot retention provisions of Chapter 13.24.120 (Drainage), sub-section "K.", LQMC. Storm water shall normally be retained in common retention basin(s) as shown on the Tentative Map. Individual lot basins or other retention concepts may be approved by the City Engineer for lots 2 ½ acres in size or larger or where the use of common retention is determined by the City Engineer to be impracticable. If individual lot retention is approved, the applicant shall meet all individual lot retention provisions of Chapter 13.24, LQMC.
44. 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.
45. Nuisance water shall be retained on site. In residential developments, nuisance water shall be disposed of in a trickling sand filter and leach field 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.
46. 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.
47. No fence or wall shall be constructed around any retention basin unless approved by the Community Development Director and the City Engineer. 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).

48. For on-site common retention basins, retention depth shall not exceed six feet and side slopes shall not exceed 3:1. For retention basins on individual lots, retention depth shall not exceed two feet.
49. Stormwater may not be retained in any General Plan-required 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.
50. The design of the development shall not cause any increase in flood boundaries, levels or frequencies in any area outside the development.
51. 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.
52. Storm drainage historically received from adjoining property shall be received and retained or passed through into the historic downstream drainage relief route.

#### UTILITIES

53. The applicant shall comply with the provisions of Section 13.24.110 (Utilities), LQMC.
54. 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.
55. 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.

56. 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

57. 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.
58. Streets shall have vertical curbs or other approved curb configurations that will convey water without ponding, and provide lateral containment of dust and residue during street sweeping operations. If a wedge or rolled curb design is approved, the lip at the flowline shall be near vertical with a 1/8" batter and a minimum height of 0.1'. Unused curb cuts on any lot shall be restored to standard curb height prior to final inspection of permanent building(s) on the lot.
59. The applicant shall construct the following street improvements to conform with the General Plan street type noted in parentheses.

#### A. OFF-SITE STREETS

- 1) Jefferson Street (Major Arterial) - 120 foot Right of Way:

Jefferson Street is scheduled to be improved as part of a City sponsored improvement project. The applicant shall reimburse the City for the cost of the outside 20 feet of improvements, including the curb and gutter. In addition to cash fees, the applicant shall construct the following:

- (a) 8-foot wide meandering sidewalk along the project frontage.  
(b) Interim intersection improvements at the project entry as it connects to the existing Jefferson Street section, including required transition tapers and signing and striping.

- (c) The Applicant shall install a traffic signal at the project's main entry off Jefferson Street, at Dunbar Drive, when warrants are met. Applicant is responsible for 50% of cost to design and install the traffic signal.
- 2) Fred Waring Drive (Major Arterial) - 120 foot right-of-way. Widen the north side of the street along the project boundary to comply with the amended General Plan which may or may not be approved by the Council, pending on the outcome of the future General Plan Amendment.

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. 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) 8-foot wide meandering sidewalk along the project frontage.
- (b) 18-foot wide landscaped median from Jefferson Street to the westerly boundary of the Tentative Tract Map. (The landscape median improvements are eligible for reimbursement from the City's Development Impact Fee fund in accordance with policies established for that program.)
- (c) Traffic signal Fred Waring Drive and Jefferson Street. Necessary modifications to accommodate the improved roadway sections.

**B. PRIVATE STREETS**

- 1) Looped Streets - Construct full 40-foot wide improvements within the 40 -foot right-of way.
- 2) Non-Looped Streets - Construct full 36 foot wide improvements within a 37 foot right-of-way.

C. PRIVATE CUL DE SACS

- 1) Private Cul-de-sacs shall be constructed to Riverside County Standard 800 for symmetrical Cul-de-sacs and Standard 800A for offset Cul-de-sacs, and both shall be constructed with a 38-foot curb radius, measured gutter flow-line to gutter flow-line.

60. 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-entry accepted vehicles.

Where a gated entry is proposed, the applicant shall submit a detailed exhibit at a scale of 1" = 10', demonstrating that those passenger vehicles that do not gain entry into the development can safely make a "U" Turn back out onto Jefferson Street and Fred Waring Drive, 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.

61. 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 (or approved equivalents of alternate materials):

Residential	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"

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

- A. Jefferson Street Entry (Located across Dunbar Drive): Full turn movement is allowed. Appropriate signing and marking shall be provided. The design of the median island and associated signing/stripping shall be subject to review and approval by the City Engineer.
  - B. Fred Waring Drive (Located approximately 1,250 feet west of Jefferson Street): Left turn in, right turn in, right turn out. Left turn movements out are prohibited. The applicant shall design and construct the Fred Waring Drive median to facilitate the left turn in, only, turning movement to the satisfaction of the City Engineer. The median island on the Entry Street shall be designed to direct traffic to the right to facilitate a right turn only movement. Appropriate signing and stripping shall be provided. The design of the median island and associated signing and stripping shall be subject to the review and approval of the City Engineer.
- 63. 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.
  - 64. 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.
  - 65. Standard knuckles and corner cut-backs shall conform to Riverside County Standard Drawings #801 and #805, respectively, unless otherwise approved by the City Engineer.
  - 66. The applicant shall extend improvements beyond the subdivision boundaries, within professional standards, to ensure they safely integrate with existing improvements.

## 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 ten percent of 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.
70. 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 Myoma Dunes Water Agency and the Riverside County Agricultural Commissioner, prior to submittal for signature by the City Engineer. Prior to Myoma Dunes Water Agency review, the applicant shall provide calculations that meet the requirements of Chapter 8.13 of the Municipal Code-Water Efficient Landscaping.

NOTE: Plans are not approved for construction until signed by the City Engineer.

71. 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.

## PUBLIC SERVICES

72. The applicant shall provide public transit improvements as may be required by SunLine Transit Agency and approved by the City Engineer.
73. Specific 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.

## QUALITY ASSURANCE

74. The applicant shall employ construction quality-assurance measures that meet with the approval of the City Engineer.
75. 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.
76. 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.
77. 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

78. The applicant shall comply with the provisions of Section 13.24.160 (Maintenance), LQMC.

79. 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

80. 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.
81. Provisions shall be made to comply with the terms and requirements of the City's adopted Art in Public Places program in effect at the time of issuance of building permits.
82. Permits issued under this approval shall be subject to the provisions of the Infrastructure Fee Program and Development Impact Fee program in effect at the time of issuance of building permit(s).
83. Provisions shall be made to comply with the terms and requirements of the adopted Coachella Valley Fringe Toed Lizard Habitat Conservation Plan in effect at the time of issuance of building permits. The fee is \$600.00 per acre.

#### COMMUNITY DEVELOPMENT

84. Building heights shall be limited to one story/22 feet around the perimeter of the tract, for a distance into the site of 150 feet.
85. Prior to submittal for building plan check, the developer shall update the acoustic analysis on file dated August 5, 1999 and prepared by Douglas Eilar and Associates. The revised acoustic analysis shall be prepared to include assessment of the impacts of roadway noise from Jefferson Street on the project residents. The analysis shall include consideration for limiting building height along Jefferson Street and Fred Waring Drive as specified under Condition 84, and shall address any revisions to sound barrier requirements and CNEL levels due to redesign of the tract map. The revised report shall address the proposed site in its entirety, and shall be reviewed and accepted by Community Development prior to issuance of any building permits, other than for approved model units within a City-approved model complex.

86. In conjunction with the first permit application on the site, the project proponent shall submit for review and approval by the Historic Preservation Commission, a comprehensive Phase II archaeological investigation, to be performed in conformance with City standards. The Phase II study shall include recommended mitigation measures and monitoring plan.

87. A Phase I archaeological survey shall be required for the additional 10 acres along Jefferson Street. This may be done in conjunction with monitoring on the original site as required, but no grading on this portion may commence until clearance has been given from the Community Development Department.

An archaeological monitor shall be on site during any grubbing, earth moving or excavation activities. Should a resource be identified by the monitor, he/she shall be empowered to halt or redirect grading activities while the resource is properly isolated. For identification and study. The monitor shall file a report with the City on his/her findings, including the disposition of any resource identified.

88. Prior to any grading activity, the developer shall undertake a focused survey to identify potential Giant Sand Treader Cricket habitat. The survey shall include mitigation measures and a monitoring plan, if necessary. The survey shall be submitted to the City for review and acceptance prior to a grading permit being issued, and any mitigation required by the City shall be in place.

89. The project proponent shall confer with the appropriate Federal and/or State wildlife agency(ies) to assess measures for the offset of habitat loss to the Coachella Valley milk vetch plant species. Such offsets shall include consideration of a maintenance program of the species within the proposed project landscaping, along with a remedial hummock habitat, within protected areas of common area landscaping within the development. This shall be done during landscape plan preparation, with written findings/recommendations from USFWS to be submitted and incorporated with the project landscape plans as may be appropriate. The plans as proposed shall be subject to review by the ALRC as part of the overall common area landscaping plans submitted for final approval.

90. At locations along the north and west perimeter boundaries of the tract, the common perimeter wall shall be designed to eliminate any space between the new wall and any adjacent existing walls/fencing, for safety and maintenance purposes. Based upon the overall individual pattern of existing wall/fence locations, the project perimeter tract walls shall be reviewed and approved by the Community Development Director, and designed in accordance with the following methods:
- A. Location shall be at or on the perimeter property line. Where existing walls/fences coincide with the perimeter wall location, the developer shall, with consent of the adjacent owner(s) and/or homeowners association, remove the existing wall/fence in favor of the new perimeter wall, or incorporate the existing wall (if material and design permit). Fences shall not be incorporated, but rather shall be removed.
  - B. If the developer cannot secure consent of an adjacent property owner and/or homeowners association, and the existing wall/fence cannot be reasonably incorporated into or replaced by the new wall, then the new wall shall be constructed as close as physically possible to the existing wall or fence. Any space between a new and existing wall, whether located in or out of the tract boundary, shall be maintained by the project homeowners association and/or the individual property owner(s). The Community Development Director shall have the authority to impose other condition(s) as necessary to ensure that the new wall construction is safe and properly maintained, in relation to any remaining, pre-existing walls/fencing.