

**CITY COUNCIL RESOLUTION 2004-097  
CONDITIONS OF APPROVAL - FINAL  
TENTATIVE TRACT 31087  
TAHITI PARTNERS V  
AUGUST 17, 2004**

**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 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](http://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
- Desert Sands 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 improvement plan approval is required, the applicant shall furnish proof of such approvals when submitting those improvement 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 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 erosion and sediment control BMPs proposed by the applicant shall be approved by the City Engineer prior to any onsite or offsite grading, pursuant to this project.
  - F. The approved SWPPP and BMPs shall remain in effect for the entire duration of project construction until all improvements are completed and accepted by the City.

## PROPERTY RIGHTS

5. Prior to issuance of any permit(s), the applicant shall acquire or confer easements and other property rights necessary for the construction or proper functioning of the proposed development. Conferred rights shall include irrevocable offers to dedicate or grant access easements to the City for emergency services and for maintenance, construction and reconstruction of essential improvements.
6. The applicant shall offer for dedication on the Final Map all public street right-of-ways in conformance with the City's General Plan, Municipal Code, applicable specific plans, and/or as required by the City Engineer.
7. The public street right-of-way offers for dedication required for this development include:
  - A. PUBLIC STREETS
    - 1) Darby Road (Collector Street, 74' ROW) – The standard 37 feet from the centerline of Darby Road for a total 74-foot ultimate developed right of way.
  - B. PUBLIC STREETS – ON-SITE STREET
    - 1). Lot A (Local, 50' ROW) – The standard 50 foot ultimate developed right of way.
  - C. CUL DE SAC
    - 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.
8. 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.
9. The applicant shall create perimeter landscaping setbacks along all public right-of-

ways as follows:

- A. Darby Road (Collector Street) - 10-foot from the R/W-P/L.
10. 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 streets. Such easement may be reduced to five feet in width with the express written approval of IID.
11. The applicant shall offer for dedication those easements necessary for the placement and access to, utility lines and structures, drainage basins, mailbox clusters, park lands and common areas on the Final Map. The applicant shall retain ownership of all common lot areas to include street landscaping lots and retention basins, unto itself, its heirs or assignees.
12. Direct vehicular access to Darby Road 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.
13. 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.
14. 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

15. 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. 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.

16. 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 parkway area.

B. On-Site Rough Grading Plan: 1" = 40' 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 and Profile Street, 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 "Precise Grading" plan is required to be submitted for approval by the Building and Safety Director and the City Engineer.

17. 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.
18. 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

19. 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.
20. 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.
21. Improvements to be made, or agreed to be made, shall include the removal of any existing structures or other obstructions that are not a part of the proposed improvements; and shall provide for the setting of the final survey monumentation.
22. 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.

23. 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.

24. 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

25. The applicant shall comply with the provisions of Section 13.24.050 (Grading Improvements), LQMC.
26. 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.
27. 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.
  - 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.

28. The applicant shall maintain all open graded, undeveloped land so as 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.

29. Grading within the parkway areas shall have undulating terrain and shall conform to 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) feet 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.

30. 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.
31. Building pad elevations of perimeter lots shall not differ by more than one foot from the building pads in adjacent developments.
32. 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

33. 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.

34. 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.
35. 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.
36. No fence or wall shall be constructed around any retention basin unless approved by the Community Development Director and the City Engineer.
37. 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. For retention basins on individual lots, retention depth shall not exceed two feet.
38. The design of the development shall not cause any increase in flood boundaries, levels or frequencies in any area outside the development.
39. 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.
40. Storm drainage historically received from adjoining property shall be received and retained or passed through into the historic downstream drainage relief route.

#### UTILITIES

41. The applicant shall comply with the provisions of Section 13.24.110 (Utilities), LQMC.
42. The applicant shall obtain approval of the City Engineer for 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 practical and aesthetic placement.

43. 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.
44. Coachella Valley Water District (CVWD) will require additional facilities for expansion of domestic water and sewer service for this project. These may include well site locations, water and sewer pipelines. Applicant shall satisfy the requirements of the District as set forth by letter, dated August 15, 2004, or as may otherwise be required by CVWD.

#### STREET AND TRAFFIC IMPROVEMENTS

45. 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.
46. 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.
47. The applicant shall construct the following street improvements to conform with the General Plan (street type noted in parentheses):

##### A. OFF-SITE STREETS

- 1) Darby Road (Collector Street; 74' R/W):

Widen the south side of the street along all frontage adjacent to the Tentative Map boundary to its ultimate width on the south side as specified in the General Plan and the requirements of these conditions. Rehabilitate and/or reconstruct existing roadway pavement as necessary to augment and convert it from a rural county-road design standard to La Quinta's urban arterial design standard. The south curb face shall be located 25 feet (25') south of the centerline.

Other required improvements in the Darby Road right-of-way include:

- a) All appurtenant components such as, but not limited to: curb, gutter, traffic control striping, legends, and signs.
- b) 6-foot wide meandering sidewalk. The meandering sidewalk shall have an arrhythmic horizontal layout that utilizes concave and convex curves with respect to the curb line that touches the back of curb at intervals not to exceed 250 feet. The sidewalk curvature radii should vary between 50 and 300 feet, and at each point of reverse curvature, the radius should change to assist in creating the arrhythmic layout. The sidewalk shall meander into the landscape setback lot and approach within 5 feet of the perimeter wall at intervals not to exceed 250 feet.

At locations where the onsite finished grade adjacent to the landscaped setback lot has an elevation differential with respect to the street top of curb exceeding 5 feet, the applicant shall comply with, and accommodate, the maximum slope gradients in the parkway/setback area and meandering sidewalk requirements by either: 1) increasing the landscape setback size as needed, or 2) installing retaining walls between the sidewalk and the back of the landscaped area as needed.

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. ON-SITE STREETS

- 1). Lot A - Construct full 36-foot wide travel width gutter flow line to gutter flow line improvements within a 50-foot right-of-way where the local streets are double loaded.

C. CUL DE SACS

- 1). 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.
48. 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), or the approved equivalents of alternate materials. Minimum structural sections shall be as follows:
- |       |                       |
|-------|-----------------------|
| Local | 4.0" a.c./5.0" c.a.b. |
|-------|-----------------------|
49. General access points and turning movements of traffic are limited to the following:
- A. Primary Entry (Darby Road): Full turn movements.
50. Improvements shall include traffic control signs, markings and other devices, raised medians, if required, street name signs and sidewalks. Mid-block street lighting is not required.
51. 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

52. 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.

## FIRE MARSHAL

53. 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.
54. 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.
55. Any turn or turn-around requires a minimum 38-foot turning radius.
56. 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.
57. 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.

## LANDSCAPING

58. The applicant shall comply with Sections 13.24.130 (Landscaping Setbacks) & 13.24.140 (Landscaping Plans), LQMC. All landscape plans shall comply with the requirements of La Quinta Municipal Code Chapter 8.13, pertaining to Water Efficient Landscaping.
59. The applicant shall provide landscaping in any required parkways, retention basins, and common areas. Landscaped planters shall be incorporated along the Darby Road perimeter walls.
60. All required landscape and irrigation plans 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.

61. 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.
62. Specific landscape requirements for the project are:
  - A. No more than 50% of any front yard area shall be devoted to turf. Front yard landscaping shall consist of at least two trees, each with a minimum 1.5 inch caliper measured three feet up from grade level after planting, ten 5-gallon shrubs, and groundcover. Palm trees may count as a shade tree if the trunk is a minimum six feet tall. Double lodge poles (two-inch diameter) shall be used to stake trees. Bubblers and emitters shall be used to irrigate shrubs and trees. Homebuyers shall be offered a 100% desert landscape option.
  - B. Parkway shade trees shall be provided in the perimeter landscape improvement plans for Darby Road, to be of a minimum 24-inch box size with a minimum two-inch caliper.

#### QUALITY ASSURANCE

63. The applicant shall employ construction quality-assurance measures that meet with the approval of the City Engineer.
64. 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.
65. 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.



66. Upon completion of construction, the applicant shall furnish the City with reproducible record drawings of all improvement plans that 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

67. The applicant shall comply with the provisions of Section 13.24.160 (Maintenance), LQMC.
68. The applicant shall make provisions for the continuous and perpetual maintenance of all private on-site improvements, perimeter landscaping on Darby Road and Lot "A", the retention basin and all related appurtenances to include sand filter and landscaping, access drives, and sidewalks.

The applicant shall create a Home Owners Association or a Maintenance Association for such continuous and perpetual maintenance.

### COMMUNITY DEVELOPMENT

69. Revisions to the tentative map during plan check including, but not limited to, lot line alignments, easements, improvement plan revisions, and similar minor changes which do not alter the design (layout, street pattern, etc.) may be administratively approved through the plan check process, with the mutual consent and approval of the Community Development and Public Works Directors. This shall include increases or decreases in number of lots meeting the general criteria above, but involving a change of no more than 5% of the total lot count of the Tentative Map as approved. Any revisions that would exceed the General Plan density standards, based on net area calculations, must be processed as an amended map, as set forth in Title 13, LQMC.
70. Tentative tract 31087 shall be annexed into the City of La Quinta corporate limits within two years of the date of map approval. Said approval shall not become effective unless and until such annexation to the City has been completed. Any map extension filing shall constitute a request to extend the time limit for annexation, and approval of any such extension shall thereby run concurrently. Pursuant to California Government Code Section 66454, no final

map for Tentative Tract 31087, in whole or part, may be approved until annexation to the City has been completed. Any annexation proceeding shall incorporate a General Plan designation of Darby Road as a Collector Street, in accordance with the appropriate street section as specified by the Public Works Department.

71. The site shall be monitored during on and off-site trenching and rough grading by qualified archaeological monitors. Proof of retention of monitors shall be given to the Community Development Department prior to issuance of first earth-moving or clearing permit.

The final report on the monitoring shall be submitted to the Community Development Department prior to the issuance of the first Certificate of Occupancy for the project.

72. Collected archaeological resources shall be properly packaged for long term curation, in polyethylene self-seal bags, vials, or film cans as appropriate, all within acid-free, standard size, comprehensively labeled archive boxes and delivered to the City prior to issuance of first Certificate of Occupancy for the property. Materials shall be accompanied by descriptive catalogue, field notes and records, primary research data, and the original graphics.
73. The applicant shall prepare a plan for an integrated block wall along the north side of Lots 1 and 20, for review and approval as part of the landscaping plans for the Darby Road parkway area. Wall design shall integrate the requirements for slope design as set forth in Condition 28.

#### FEES AND DEPOSITS

74. The applicant shall comply with 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. Deposit and fee amounts shall be those in effect upon application for plan check and permits.
75. Provisions shall be made to comply with terms and requirements of the City's Art in Public Places program, as in effect at the time of building permit issuance.
76. Parkland dedication fees shall be determined as set forth in Chapter 13.48 (Park Dedications) of the La Quinta Municipal Code. The required fee shall be paid prior to City Council approval of any final map for Tentative Tract 31087.

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. The applicant/developer shall pay the required mitigation fees for the Coachella Valley Fringe-Toed Lizard, as in effect at the time of issuance of any grading or other land disturbance permit.