

GENERAL

1. The applicant 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 Site Development Permit. The City shall have sole discretion in selecting its defense counsel.

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

2. Prior to the issuance of any permit by the City, the applicant shall obtain the necessary permits and/or clearances from the following agencies if required:

- 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 the requirements include approval of improvement plans, applicant shall furnish proof of such approvals when submitting the improvement plans for City approval.

3. 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; the State Water Resources Control Board’s Order No. 99-08-DWQ **and the approved SWPPP for Tract 30850 if in effect when project construction commences.**

- 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

- 4. Prior to the issuance of any permit(s), the applicant shall acquire, or confer, those easements, and other property rights necessary for the construction and/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 the maintenance, construction and reconstruction of essential improvements.
- 5. 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 shown on the Site Development Permit.
- 6. 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.
- 7. The applicant shall cause no easement to be granted, or recorded, over any portion of the subject property between the date of approval of this Village Use Permit and the date

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 which can be converted to an AutoCAD format, the City Engineer will accept raster-image files of the plans.

GRADING

12. 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.
13. To obtain an approved grading permit, the applicant shall submit and obtain approval of all of the following:
 - A. A grading plan prepared by a qualified engineer or architect,
 - B. A preliminary geotechnical (“soils”) report prepared by a qualified engineer,
 - C. A Fugitive Dust Control Plan prepared in accordance with Chapter 6.16 (Fugitive Dust Control), LQMC, and
 - D. Approved Best Management Plan that includes storm water pollution prevention and erosion control plans prepared by a qualified engineer.

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.

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 submitted with its application for a grading permit.

14. 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.
15. 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.

DRAINAGE

16. Stormwater handling shall conform with the approved hydrology and drainage plan for **Parcel Map 30850**. Nuisance water shall be retained on site and disposed of in a manner acceptable to the City Engineer.

UTILITIES

17. 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.
18. 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.

PARKING LOTS AND ACCESS DRIVEWAYS

19. The design of parking facilities shall conform to LQMC Chapter 9.150 (Parking) and the latest ADA standards and policies.
 - A. General access points and turning movements of traffic to off site public streets are restricted to the access locations approved in Tract No. 30850.

QUALITY ASSURANCE

20. The applicant shall employ construction quality-assurance measures that meet with the approval of the City Engineer.
21. 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.
22. 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.

23. 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.

FEES AND DEPOSITS

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

MISCELLANEOUS

25. Street lights on Calle Tampico and Desert Club Drive shall be approved by the Public Works Department.
26. Bicycle racks shall be provided throughout the project. Landscaping and/or hardscape plans shall show location, design, etc. for racks.
27. A preliminary landscaping plan, including trees, shrubs, groundcover and hardscape shall be submitted for approval by Staff. 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.
28. 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.
29. The applicant shall comply with Sections 9.90.040 (Table of Development Standards) & 9.100.040 (Landscaping), LQMC.

FIRE MARSHAL

30. Approved super fire hydrants, shall be located not less than 25 feet nor more than 65 feet from any portion of the buildings as measured along vehicular travel ways.
31. Blue dot 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.
32. Fire Department connections shall be not less than 25-feet nor more than 50 feet from a fire hydrant and shall be located on the street side of the buildings and shall be located at the main street access to the building.

33. The water mains shall be capable of providing a potential fire flow of 2500 gpm and the actual fire flow from any two adjacent hydrants shall be 1500 gpm for a 4-hour duration at 20-psi residual operating pressure.
34. Building plans shall be submitted to the Fire Department for plan review to run concurrent with the City plan check.
35. Water plans for the fire protection system (fire hydrants, fdc, etc.) shall be submitted to the Fire Department for approval prior to issuance of a building permit.
36. 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.
37. Fire Department street access shall come to within 150 feet of all portions of the 1st.floor of all buildings, by path of exterior travel. Streets shall be a minimum 20-foot wide clear and unobstructed, with 13foot 6 inch vertical clearance and all turns shall have a 38-foot outside turning radius.
38. Any commercial operation that produces grease-laden vapors will require a Hood/duct system for fire protection. (Restaurants, drive-thru's, etc.)
39. 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. Streets shall be a minimum 20 feet wide with a height of 13"6" clear and unobstructed.
40. Install a KNOX key box on each commercial suite. (Contact the fire department for an application)
41. Install portable fire extinguishers as required by the California Fire Code.