

**CITY COUNCIL RESOLUTION NO. 2007-018
CONDITIONS OF APPROVAL – FINAL
TENTATIVE TRACT 35060 – LAING LUXURY HOMES
FEBRUARY 20, 2007**

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.

3. This tentative tract map shall expire two years after City Council approval, unless recorded or granted a time extension pursuant to the requirements of La Quinta Municipal Code 9.200.080 (Permit expiration and time extensions).

4. Prior to the issuance of any grading, construction, or building permit by the City, the applicant shall obtain any necessary clearances and/or permits from the following agencies:

- Fire Marshal
- Public Works Department (Grading Permit, Green Sheet (Public Works Clearance) for Building Permits, 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
- SCAQMD Coachella Valley

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.

A project-specific NPDES construction permit must be obtained by the applicant; and who then shall submit a copy of the Regional Water Quality Control Board's ("RWQCB") acknowledgment of the applicant's Notice of Intent ("NOI"), prior to the issuance of a grading or site construction permit by the City.

5. 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 one (1) acre or more of land, or that disturbs less than one (1) acre of land, but which is a part of a construction project that encompasses more than one (1) acre of land, the Permittee shall be required to submit a Storm Water Pollution Protection Plan ("SWPPP").

The applicant or design professional can obtain the California Stormwater Quality Association SWPPP template at www.cabmphandbooks.com for use in their SWPPP preparation.
 - 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.
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).
 7. Approval of this Tentative Tract Map shall not be construed as approval for any horizontal dimensions implied by any site plans or exhibits unless specifically identified in the following conditions of approval.

PROPERTY RIGHTS

8. 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. Said conferred rights shall also include grant of access easement to the City of La Quinta for the purpose of graffiti removal by City staff or assigned agent in perpetuity and agreement to the method to remove graffiti and to paint over to best match existing. The applicant shall establish the aforementioned requirements in the CC&R's for the development or other agreements as approved by the City Engineer.
9. The applicant shall offer for dedication on the Final Map all public street rights-of-way in conformance with the City's General Plan, Municipal Code, applicable specific plans, and/or as required by the City Engineer.
10. The public street right-of-way offers for dedication required for this development include:

A. PUBLIC STREETS

- 1) Washington Street (Augmented Major Arterial, 132' ROW) – The standard 66 feet from the centerline of Washington Street for a total 132-foot ultimate developed right of way except an additional variable right of way dedication for a deceleration/right turn only lane at the proposed Primary Entry intersection measured 74 feet west of the centerline of Washington Street and length per Engineering Bulletin # 06-13. The required right of way shall be for a length of 248 feet plus a storage length and a transition taper dedication of an additional 150 feet to accommodate improvements conditioned under STREET AND TRAFFIC IMPROVEMENTS.
11. The applicant shall retain for private use on the Final Map all private street rights-of-way in conformance with the City's General Plan, Municipal Code, applicable specific plans, and/or as required by the City Engineer.
 12. The private street rights-of-way to be retained for private use required for this development include:

A. PRIVATE STREETS

- 1) In accordance with the City of La Quinta Municipal Code, except at the primary and secondary entry, residential streets shall have 36-foot travel width measured at gutter flow line to gutter flow line. The travel width may be reduced to 32 feet with parking restricted to one side, and 28 feet if on-street parking is prohibited, and provided there is adequate off-street parking for residents and visitors, and the applicant establishes provisions for ongoing enforcement of the parking restriction in the CC&R's. The CC&R's shall be reviewed by the Engineering Department prior to recordation.
- 2) The reduced street widths proposed at the pedestrian paseos along the north-south streets and at intersections shall be approved by the City Engineer. The applicant is required to demonstrate that the proposed street width reductions with proposed parking provides for safe passage of vehicles particularly at T-intersections and as approved by the City Engineer.

B. CUL DE SACS

- 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 as shown on the tentative map.

C. KNUCKLE

- 1) The knuckle shall conform to the shape shown on the tentative tract map except for minor revision as may be required by the City Engineer.

Curve radii for curbs at all street intersections shall not be less than 25 feet and similar to the lay out shown on the rough grading plan.

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.

Pursuant to this requirement, the Applicant shall include in the submittal packet containing the draft final map submitted for map checking, an offsite street geometric layout, drawn at 1" equals 40 feet, detailing the following design aspects: median curb line, outside curb line, lane line alignment including lane widths, left turn lanes, deceleration lane(s) and bus stop turnout(s). The geometric layout shall be accompanied with sufficient professional engineering studies to confirm the appropriate length of all proposed turn pockets and auxiliary lanes that may impact the right of way dedication required of the project and the associated landscape setback requirement

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. Such easement may be reduced to five feet in width with the express written approval of IID.

16. The applicant shall create, at a minimum, perimeter landscaping setbacks along all public rights-of-way as follows:

A. Washington Street (Augmented Major Arterial) - 20-foot from the R/W-P/L.

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. At locations where the onsite finished grade adjacent to the landscaped setback lot has an elevation differential with respect to the arterial street top of curb exceeding 11 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.
18. 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.
19. Direct vehicular access to Washington Street from lots with frontage along Washington Street 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.
20. 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. In particular, the applicant shall obtain any temporary construction easement and permanent access easements for improvements at the proposed access drive on Washington Street across Lake La Quinta Drive and proposed drainage improvements from Saint Francis of Assisi Catholic Church to the north.

21. In the event that the applicant is unable to secure an access easement with Saint Francis of Assisi Church, Tentative Tract Map 35060 shall be redesigned to provide a secondary temporary emergency access and egress as approved by the Riverside County Fire Department to remain in effect until permanent access to the shared access drive at the Washington Street and Lake La Quinta intersection is permitted. The applicant shall design, enter into an agreement with the City of La Quinta and post securities for any improvements required for the permanent access and to restore the temporary emergency access to remain in effect for 5 years after recordation of the final map. Approval of Tentative Tract Map 35060 shall indemnify the City of La Quinta of any responsibility and cost to acquire the permanent access. Additionally, ingress and egress at the Primary Entry shall be provided for a 45-foot minimum design turning radius moving van as approved by the Community Development Department and the Public Works Department.
22. Prior to recording Tract, applicant shall acquire access route across property located within the subject tract. The access route shall conform to the geometric lay-out shown on Tentative Tract Map No. 35060.
23. 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.

STREET AND TRAFFIC IMPROVEMENTS

24. 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.
25. 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.

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

A. OFF-SITE STREETS

1) Washington Street (Augmented Major Arterial; 132' R/W):

No additional widening is required on the west side of the street along all frontage adjacent to the Tentative Map boundary, except at locations where additional street width is needed to accommodate:

- a) A deceleration/right turn only lane at Washington Street Primary Entry. The west curb face shall be located fifty six feet (56') west of the centerline and length to be determined by a traffic study prepared for the applicant by a licensed traffic engineer per Engineering Bulletin # 06-13. As a minimum, the required deceleration lane shall be for a length of 248 feet plus calculated storage length and a transition taper of an additional 150 feet to accommodate improvements.

Other required improvements in the Washington Street right-of-way and/or adjacent landscape setback area include:

- b) Remove Existing Bus turnout (if required by Sunline Transit and approved by the Community Development and Public Works Department) – The applicant may be required to reconstruct the curb and gutter and remove the bus turnout pavement at the existing bus stop turn out north of Avenue 47 if SunLine Transit determines that the bus stop is not required and the City concurs with that decision. The curb face shall be 48 feet from the center line of Washington Street to match the existing curb face.
- c) Reconstruct the curb and gutter at the northerly entry after the signal is operational at the proposed shared access drive on Washington Street and Lake La Quinta Drive intersection. Said reconstruction shall include removal of curb, gutter, pavement and all other improvements.

- d) All appurtenant components such as, but not limited to: curb, gutter, traffic control striping, legends, and signs.
- e) The existing 8-foot wide meandering Washington Street sidewalk shall be widened at a minimum of two locations to a minimum width of 12 feet in order to accommodate golf cart turnouts. Location and design of said turnouts shall be reviewed and approved by the City Engineer and Community Development Director.
- f) Reconstruction of the existing 18 - foot wide raised landscaped median along the entire boundary of the Tentative Tract Map plus variable width as needed to accommodate a left turn deceleration lane for the northbound traffic and ancillary median improvements to provide for full movements concurrent with the proposed signalized intersection at Lake La Quinta Drive and Washington Street.
- g) Establish a benchmark in the Washington Street right of way and file a record of the benchmark with the County of Riverside.

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).

- 2) The applicant shall install the traffic signal at the proposed shared access drive at the Washington Street/Lake La Quinta Drive intersection. The applicant is subject to a maximum of 75 % reimbursement from available funds in the City's Development Impact Fee Program for the cost to design and construct the traffic signal. The applicant shall enter into a DIF Reimbursement Agreement with the City of La Quinta concurrent with the Subdivision Improvement Agreement for the Final Map for the amount specified in the DIF Program in effect at the time the traffic signal is accepted by the City Council. Associated with the traffic signal installation, the applicant shall install all necessary traffic signal equipment and appurtenances to interconnect the proposed traffic signal with the existing traffic signals at the

Washington Street/Avenue 48 and Washington Street/Avenue 47 intersections. The traffic signal shall be designed for an eight phase operation as split phasing is undesirable.

Per condition 21, in the event that the applicant is unable to secure an access easement with Saint Francis of Assisi Church, the applicant shall design and post securities for the construction of the traffic signal at the proposed shared access drive at the Washington Street/Lake La Quinta Drive intersection as well as the removal/restoration of the emergency ingress/egress access including but not limited to regrading the retention basin, construction of perimeter walls, and restoring curb and gutter on Washington Street. This obligation will remain in effect for 5 years after recordation of the final map unless otherwise approved by the City Engineer.

B. PRIVATE STREETS (ON-SITE)

- 1) Construct 36-foot wide travel width as shown on the tentative map measured from gutter flow line to gutter flow line where the residential streets are single loaded.
- 2) Construct 32-foot wide travel width as shown on the tentative map measured from gutter flow line to gutter flow line, provided parking is restricted to one side and there is adequate off-street parking for residents and visitors, and the applicant makes provisions for perpetual enforcement of the restrictions.
- 3) Construct a 28-foot wide travel width as shown on the tentative map measured from gutter flow line to gutter flow line, provided parking is restricted and there is adequate off-street parking for residents and visitors, and the applicant makes provisions for perpetual enforcement of the restrictions. The reduced street widths proposed at the pedestrian paseos along the north-south streets and at intersections shall be approved by the City Engineer. The applicant is required to demonstrate that the proposed street width reductions with proposed parking provides for safe passage of vehicles particularly at T-intersections and as approved by the City Engineer.

- 4) The location of driveways of corner lots shall not be located within the curb return and away from the intersection when possible.
- 5) In the event that the applicant is unable to secure an access easement with Saint Francis of Assisi Church, Tentative Tract Map 35060 shall be redesigned to provide a secondary temporary emergency access and egress as approved by the Riverside County Fire Department to remain in effect until permanent access to the shared access drive at the Washington Street and Lake La Quinta intersection is permitted.

C. PRIVATE STREETS (OFF-SITE)

- 1) Construct the shared access drive at the west leg of the Washington Street and Lake La Quinta Drive intersection to be a 68-foot wide travel width as shown on the rough grading plan and as conditioned herewith. The applicant's design professional shall redesign the proposed street improvements to accommodate dual left turn lanes, one through lane and one right turn lane and to align with the existing configuration of Lake La Quinta Drive on the east side of Washington Street in an effort to provide for an eight phase signalized intersection as approved by the City Engineer.
- 2) Construct the Secondary Entry connection from the development to the proposed shared access drive mentioned above. The design shall be for ingress and egress for residents and emergency vehicle access as approved by the City Engineer.
- 3) In the event that the applicant is unable to secure an access easement with Saint Francis of Assisi Church, the applicant shall design and post sufficient securities for Items 1), 2) above and to remove/restore the emergency ingress/egress access including but not limited to regrading the retention basin, constructing perimeter walls, and restoring curb and gutter on Washington Street. This obligation will remain in effect for 5 years after recordation of the final map unless otherwise approved by the City Engineer.

D. PRIVATE CUL DE SACS

- 1) Shall be constructed according to the lay-out shown on the tentative map with 38-foot curb radius or greater at the bulb similar to the layout shown on the rough grading plan.

E. KNUCKLE

- 1) Construct the knuckle to conform to the lay-out shown in the tentative tract map, except for minor revisions as may be required by the City Engineer.
27. All gated entries shall provide for a three-car minimum stacking capacity for inbound traffic to be a minimum length of 62 feet from the 24-hour manned guard to the street; and shall provide for a full turn-around outlet for non-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 full turn-around (minimum radius to be 24 feet) out onto the main street from the gated entry. Pursuant to said condition, there shall be a minimum of twenty feet width provided at the turn-around opening provided.

The entry and exit shall be a minimum of 20 feet of total paved roadway surface or as approved by the Fire Department. The 24-hour manned Primary Entry Gate design shall be designed for 45-foot truck turning radius and maneuvering to provide access for large moving vans to gain access to the development as rejection of said vehicles may result in trucks backing out of the Primary Entry on to Washington Street as approved by the City Engineer and the Riverside County Fire Department.

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.

28. 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:

Residential	3.0" a.c./4.5" c.a.b.
Shared Access Drive	4.0" a.c /5.0" c.a.b.
Major Arterial	5.5" a.c./6.5" c.a.b.

or the approved equivalents of alternate materials.

29. 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.
30. General access points and turning movements of traffic are limited to the following:
 - A. Primary Entry (Washington Street): Right turn movements in and out are permitted. Left turn movements in and out are prohibited.
 - B. Secondary Entry (Proposed Shared Access Drive): Ingress and Egress shall be provided for Residents and Emergency Vehicles.
 - C. Proposed Shared Access Drive (Washington Street across Lake La Quinta Drive): Right turn movements in and out are permitted. Left turn movements in and out are prohibited, until signalized.
 - D. In the event that the applicant is unable to secure an access easement with Saint Francis of Assisi Church, the applicant shall construct a temporary secondary emergency ingress and egress as approved by the Riverside County Fire Department. Additionally, bonds or other instruments used to secure the improvements described in Condition 30 (B) and 30 (C) will be returned 5 years after recordation of the final map.
31. 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.
32. 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.

FINAL MAPS

33. 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. The Final Map shall be of a 1" = 40' scale.

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.

34. 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.
35. The following improvement plans shall be prepared and submitted for review and approval by the Public Works Department. 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.

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| A. | On-Site Rough Grading Plan | 1" = 40' Horizontal |
| B. | PM10 Plan | 1" = 40' Horizontal |
| C. | SWPPP | 1" = 40' Horizontal |

NOTE: A through C to be submitted concurrently.

D. Off-Site Street Improvement/Storm Drain Plan

1" = 40' Horizontal, 1" = 4' Vertical

E. Interim Off-Site Street Improvement Plans

1" = 40' Horizontal, 1" = 4' Vertical

F. Off-Site Signing & Striping Plan 1" = 40' Horizontal

The Off-Site street improvement plans shall have separate plan sheet(s) (drawn at 20 scale) that show the meandering sidewalk, mounding, and berming design in the combined parkway and landscape setback area.

G. On-Site Street Improvements/Signing & Striping/Storm Drain Plan

1" = 40' Horizontal, 1" = 4' Vertical

H. Traffic Signal Plan 1" = 20' Horizontal

NOTE: D through H to be submitted concurrently.

The following plans shall be submitted to the Building and Safety Department for review and approval. The plans shall utilize the minimum scale specified, unless otherwise authorized by the Building and Safety Director 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.

I. On-Site Residential 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.

All On-Site Signing & Striping Plans shall show, at a minimum; Stop Signs, Limit Lines and Legends, No Parking Signs, Raised Pavement Markers (including Blue RPMs at fire hydrants) and Street Name Signs per Public Works Standard Plans and/or as approved by the Engineering Department.

“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.

The applicant shall prepare an accessibility assessment on a marked up print of the building floor plan identifying every building egress and which notes the most current California Building Code accessibility requirements associated with each door. The assessment must comply with submittal requirements of the Building & Safety Department. A copy of the reviewed assessment shall be submitted to the Engineering Department in conjunction with the Site Development Plan when it is submitted for plan checking. The accessibility requirements pertain to any public accessible facilities to include model homes and recreational amenities provided for the development and not to single family residences excluding model homes.

In addition to the normal set of improvement plans, a “Site Development” plan is required to be submitted for approval by the Building Official and the City Engineer.

36. The City maintains standard plans, detail sheets and/or construction notes for elements of construction which can be accessed via the Online Engineering Library at the City website (www.la-quinta.org). Navigate to the Public Works Department home page and look for the Standard Drawings hyperlink.
37. 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.
38. 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

39. 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.
40. 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.
41. 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 monumentation.

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.

42. 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.

Off-Site Improvements should be completed on a first priority basis. The applicant shall complete Off-Site Improvements including the traffic signal at the Washington Street and Lake La Quinta Drive/proposed shared access drive intersection in the first phase of construction or by the 20% Building Permit (15th home) unless conditioned otherwise in these Conditions of Approval.

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.

43. 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.

GRADING

44. The applicant shall comply with the provisions of Section 13.24.050 (Grading Improvements), LQMC.
45. 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.
46. 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,
 - 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. 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.

47. As the area to the west has an open space covenant attached to any land action, the applicant shall be required to have an independent grading monitor/inspector on site during its grading operation to verify non disturbance of any "Open Space". The "Open Space" area shall be identified through physical means and verification of the grading monitor/inspector prior to approval of the grading permit issuance. All grading activity shall be conducted on site and shall not impact the open space property to the west.
48. Associated with the "Open Space" covenant for land to the west, this unique site requires retaining wall construction along the westerly property line. The wall heights and design shall be approved by the Community Development Department along with the any other approvals required by the City for construction and design of the retaining wall. Erosion Control and Drainage Systems necessary to restrict off site flow and control erosion will be subject to City Engineer approval. Consistent with the existing "Open Space" covenant, encroachment on to the adjacent land to the west, including temporary construction access, is prohibited.
49. 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.
50. Grading within the perimeter setback and parkway areas shall have undulating terrain and shall conform with 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 feet (6') 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.

51. The applicant shall minimize the differences in elevation between the adjoining properties to the north and south and the lots within the development. Applicant shall have the ability to lower pad elevations for lots 1-11 up to 3 feet and raise pad elevations for lots 25-28, 73 and 74 up to 3 feet. Pad elevations for remaining lots shall only be adjusted as necessary to provide for an orderly transition between lots, streets and paseos.

Where compliance with the above stated limits is impractical, the City Engineer may approve alternatives that are shown to minimize safety concerns, maintenance difficulties and neighboring owner dissatisfaction with the grade differential. In the event that off-site grading is proposed, the applicant must submit a letter of permission from the adjacent property owner.

52. 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

53. The applicant shall comply with the provisions of Section 13.24.120 (Drainage), LQMC Retention Basin Design Criteria, Engineering Bulletin No. 06-16 - Hydrology Report with Preliminary Hydraulic Report Criteria for Storm Drain Systems and Engineering Bulletin No. 06-015 - Underground Retention Basin Design Requirements, unless otherwise approved by the City Engineer. More specifically, stormwater falling on the site during the 100 year storm shall be retained within the development, unless otherwise approved by the City Engineer. The design storm shall be either the 3 hour, 6 hour or 24 hour event producing the greatest total run off. The tributary drainage area shall extend to the centerline of adjacent public streets and shall also accept upstream tributary flows for this regional sag location on Washington Street. Stormwater handling for Washington Street may require additional drainage facilities to be constructed.

54. Nuisance water shall be retained on site. Nuisance water shall be disposed of per approved methods contained in Engineering Bulletin No. 06-16 – Hydrology Report with Preliminary Hydraulic Report Criteria for Storm Drain Systems and Engineering Bulletin No. 06-015 - Underground Retention Basin Design Requirements unless otherwise approved by the City Engineer.
55. In design of retention facilities, the percolation rate will be considered to be zero, unless otherwise approved by the City Engineer.
56. No fence or wall shall be constructed around any retention basin unless approved by the Community Development Director and the City Engineer.
57. The applicant shall relocate the maintenance access ramp for the southerly retention basin with access off of Washington Street (Lot I) to Street "E" within the development. The maintenance access ramp design shall be as approved by the City Engineer.
58. For on-site above ground common retention basins, retention depth shall be according to Engineering Bulletin No. 06-016 – Hydrology Report with Preliminary Hydraulic Report Criteria for Storm Drain Systems, unless otherwise approved by the City Engineer. Side slopes shall not exceed 3:1 and shall be planted with maintenance free ground cover. Additionally, retention basin widths shall be not less than 20 feet at the bottom of the basin, unless otherwise approved by the City Engineer.
59. Stormwater may not be retained in 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 unless otherwise approved by the City Engineer.
60. The design of the development shall not cause any increase in flood boundaries, levels or frequencies in any area outside the development.
61. 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.

62. Storm drainage historically received from adjoining property shall be received and retained or passed through into the historic downstream drainage relief route. Pursuant to the aforementioned, the applicant shall construct off-site drainage improvements and gain construction

UTILITIES

63. The applicant shall comply with the provisions of Section 13.24.110 (Utilities), LQMC.
64. 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.
65. 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.

66. 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.

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.

LANDSCAPE AND IRRIGATION

68. The applicant shall comply with Sections 13.24.130 (Landscaping Setbacks) & 13.24.140 (Landscaping Plans), LQMC.
69. The applicant shall provide and maintain 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.
71. Final landscaping and irrigation plans (and precise grading plans relevant to landscape areas) shall be prepared by a licensed landscape professional and shall be reviewed by the ALRC and approved by the Community Development Director prior to issuance of the first building permit. An application for Final Landscape Plan Check shall be submitted to the Community Development Department for final landscape plan review. Said plans shall include all landscaping associated with this project, including perimeter landscaping, and be in compliance with Chapter 8.13 (Water Efficient Landscaping) of the Municipal Code. The landscape and irrigation plans shall be approved by the Coachella Valley Water District and Riverside County Agriculture Commissioner prior to submittal of the final plans to the Community Development Department.
72. Landscape areas shall have permanent irrigation improvements meeting the requirements of the Community Development Director and 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.
73. The applicant or his agent has the responsibility for proper sight distance requirements per guidelines in the AASHTO "A Policy on Geometric Design of Highways and Streets, 5th Edition or latest, in the design and/or installation of all landscaping and appurtenances abutting and within the private and public street right-of-way.

PUBLIC SERVICES

74. The applicant shall provide public transit improvements as required by SunLine Transit Agency and approved by the City Engineer.

QUALITY ASSURANCE

75. The applicant shall employ construction quality-assurance measures that meet with the approval of the City Engineer.
76. 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.
77. 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.
78. 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

79. The applicant shall comply with the provisions of Section 13.24.160 (Maintenance), LQMC.
80. 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

81. 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.

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. The developer shall pay school mitigation fees based on their requirements. Fees shall be paid prior to building permit issuance by the City.
84. Tentative Tract 35060 shall provide for parks through payment of an in-lieu fee, as specified in Chapter 13.48, LQMC. The in-lieu fee shall be based on the fair market value of the land within the subdivision. Land value information shall be provided to the Community Development Director, via land sale information, a current fair market value of land appraisal, or other information on land value within the subdivision. The Community Development Director may consider any subdivider-provided or other land value information source for use in calculation of the parkland fee.

FIRE MARSHALL

85. 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. Fire hydrants are also required every 660 feet on the outside of the perimeter walls.
86. 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.
87. Any turn or turn-around requires a minimum 38-foot outside turning radius.
88. All structures shall be accessible from an approved roadway to within 150 feet of all portions of the exterior of the first floor as measured by outside path of travel.
89. The minimum dimension for access roads and gates is 18 feet clear and unobstructed width and a minimum vertical clearance of 13 feet 6 inches in height, and a turn through the center divider not to exceed every 100 feet.
90. Any gate providing access from a public roadway to a private entry roadway shall be located at least 35 feet setback from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Where a one-way road with a single traffic lane provides access to a gate entrance, a 38-foot turning radius shall be used.

91. Gates shall be automatic, minimum 18 feet in width and shall be equipped with a rapid entry system (KNOX). Plans shall be submitted to the Fire Department for approval prior to installation. Automatic gate pins shall be rated with a shear pin force, not to exceed 30 pounds. Gates activated by the rapid entry system shall remain open until closed by the rapid entry system.
92. 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.
93. 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.

MISCELLANEOUS

94. All applicable conditions/provisions of Specific Plan 2006-081 shall be in force and effect for TTM 35060.
 95. The Tentative Tract Map shall be amended to include access easements between lots 47 through 52, 35 through 40, 29 through 34, 69 to 72, 65 to 68, and 58 to 61, to accommodate the pedestrian "paseos" described in the Specific Plans. The paseo easement shall be a minimum of 11 feet in width, and shall be maintained by the homeowner's association.
 96. All perimeter wall designs including height, color, material, design shall be reviewed by the Architecture and Landscape Review Committee and the Planning Commission.
 97. Proposed street names, with a minimum of two alternative names per street, shall be submitted to the Community Development Department for approval. The street names shall be approved prior to recordation of the final map.
 98. All mitigation measures contained in Environmental Assessment 2006-579 shall be met.
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99. In addition to the mitigation measure requirement for an archaeological monitor contained in Environmental Assessment 2006-579, the applicant shall coordinate with the Agua Caliente Band of Cahuilla Indians to ensure that an approved cultural monitor is present during any grubbing, earth moving or excavating activity on the undeveloped portions of the subject property.

If human remains are encountered during grading and other construction excavation, work in the immediate vicinity shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5. If significant Native American cultural resources are discovered which call for a Treatment Plan, the developer or his archaeologist shall contact the Agua Caliente Band of Cahuilla Indians ("Tribe"). If requested by the Tribe, the developer or the project archaeologist shall, in good faith, consult on the discovery and its disposition (e.g. avoidance, preservation, return of artifacts to tribe, etc.).

100. Prior to final map approval, the developer shall submit to the Community Development Department for review, a copy of the proposed Covenants, Conditions, and Restrictions (CC&R's) for the project. If Community Development Director determines City Attorney review is necessary, a deposit will be required for reimbursement of City Attorney review fees.
101. Minor lot configuration modifications required to comply with these conditions and Fire Marshal requirements shall be reviewed and approved by the Community Development Department and Public Works Department.
102. Approval of production home designs and landscaping requires approval of a Site Development permit application by the Planning Commission.
103. The Community Development Director shall cause to be filed with the County Clerk a "Notice of Determination" pursuant to CEQA Guideline § 15075(a) once reviewed and approved by the City Council. The appropriate filing fee shall be paid by the developer within 24 hours of City Council approval of the tentative tract map.
104. All public agency letters received for this case are made part of the case file documents for plan checking purposes.

105. A permit from the Community Development Department is required for any temporary or permanent tract signs. Uplighted tract identification signs are allowed subject to the provisions of Chapter 9.160 of the Zoning Ordinance.
106. The Community Development and Public Works Directors may allow minor design changes to final map applications that include a reduction in the number of buildable lots, changes in lot sizes, relocation of common open space areas or other required public facilities (e.g., CVWD well sites, etc.) and changes in the alignment of street sections, provided the applicant submits a Substantial Compliance Application to the Public Works Department during plan check disclosing the requested changes and how the changes occurred. These changes shall be conveyed to the City Council when the map is presented for recordation consideration.
107. Each lot shall be limited to not more than one (1) guest suite with kitchenette.