

CITY COUNCIL RESOLUTION NO. 89-_____

CONDITIONS OF APPROVAL - TENTATIVE TRACT MAP NO. 24035
MAY 16, 1989 - EXHIBIT A

(* = mitigation as identified in EA 89-113)

GENERAL CONDITIONS OF APPROVAL

1. Tentative Tract Map No. 24035 shall comply with the requirements and standards of the State Subdivision Map Act and the City of La Quinta Land Division Ordinance, unless otherwise modified by the following conditions. Development of this tract shall be in substantial conformance with Exhibits A and P, as contained in the Planning and Development Department file for Tentative Tract 24035, except where these conditions take precedence.
2. This Tentative Tract Map approval shall expire two years after the original date of approval by the La Quinta City Council unless approved for extension pursuant to the City of La Quinta Land Division Ordinance.
3. * The Applicant acknowledges that the City is considering a City-wide Landscape and Lighting District and, by recording a subdivision map, agrees to be included in the District and to offer for dedication such easements as may be required for the maintenance and operation of related facilities. Any assessments will be done on a benefit basis, as required by law.
4. The Developer of this subdivision of land shall cause no easements to be granted or recorded over any portion of this property between the date of approval by the City Council and the date of recording of the final map without the approval of the City Engineer.

Drainage and Grading

5. * The Applicant shall submit a grading plan that is prepared by a registered civil engineer who will be required to supervise the grading and drainage improvement construction and to certify that the constructed conditions at the rough grade stage are as per the approved plans and grading permit. This is required prior to final map approval. Certification at the final grade stage and verification of pad elevations is also required prior to final approval of grading construction.

6. * The Applicant shall submit a copy of the proposed grading, landscaping, and irrigation plans to Coachella Valley Water District for review and comment with respect to CVWD's water management program. These plans shall include the landscape and irrigation plans for all perimeter street setback areas, common areas, retention basins, and parkland area as required by Condition No. 40.
7. * A thorough preliminary engineering geological and soils engineering investigation shall be done and the report submitted for review along with the grading plan. The report's recommendations shall be incorporated into the grading plan design prior to grading plan approval. The soils engineer and/or the engineering geologist must certify to the adequacy of the grading plan.
8. * Any earthwork on contiguous properties shall require a written authorization from the owner(s) (slope easement) in a form acceptable to the City Engineer.
9. * Drainage retention basin(s) shall be designed to retain the 100-year storm (24 hour) on-site within the basin, subject to the approval of the City Engineer. Retention basin size shall be adequate to provide required "storage" without use of street area for storage. Basin in excess of six-foot water depth shall be fully fenced (security) with lockable gate(s). (Retention on-site shall also include provision for runoff from Fred Waring, Miles, and Jefferson.)
10. Owner shall execute and record a "Declaration of Dedication" in a form acceptable to the City and offering the dedication of drainage retention basin(s) to the City for future acceptance and maintenance. The Applicant shall submit landscape and irrigation plans to the City for approval and shall construct such approved facilities together with subdivision improvements. In the interim, the owners shall maintain the basin(s) and provide bond assurance accordingly. (See also Condition No. 28.)
11. * Prior to issuance of any grading permits, the Applicant shall submit to the Planning and Development Department an interim landscape program for the entire tract, which shall be for the purpose of wind erosion and dust control. The land owner shall institute blowsand and dust control measures during grading and site development. These shall include but not be limited to:
 - a. The use of irrigation during any construction activities;
 - b. Planting of cover crop or vegetation upon previously graded but undeveloped portions of the site; and

- c. Provision of wind breaks or wind rows, fencing, and/or landscaping to reduce the effects upon adjacent properties and property owners. The land owner shall comply with requirements of the Director of Public Works and Planning and Development. All construction and graded areas shall be watered at least twice daily while being used to prevent the emission of dust and blowsand.
12. * Graded but undeveloped land shall be maintained in a condition so as to prevent a dust and blowsand nuisance and shall be either planted with interim landscaping or provided with other wind and water erosion control measures as approved by the Planning and Development and Public Works Departments.

Traffic and Circulation

13. * The Applicant shall construct or bond for half street improvements to the requirements of the City Engineer and the La Quinta Municipal Code, as follows:
- a. Fred Waring and Jefferson Street shall be constructed to City standards for a 120-foot right-of-way width (Major Arterial), with a curb-to-curb width of 96 feet with an 18-foot raised landscaped median, six-foot sidewalk, and two-percent cross slope to centerline, plus one traffic lane with suitable joins. Construct roadway improvements to Sunline Transit standards for bus turnout area along Fred Waring (see Condition 37).
- b. Miles Avenue shall be constructed to City standards for a 110-foot right-of-way width (Primary Arterial), with an 18-foot raised median island, six-foot sidewalk, and two-percent cross slope to centerline, plus one traffic lane with suitable joins.
- c. If the Developer of Tentative Tract No. 24035 is the initial builder of the landscaped medians on Fred Waring Drive, Jefferson Street and Miles Avenue, then the respective opposing lanes of those roadways shall be provided with a minimum lane width of 20 feet and a six-foot-wide aggregate base shoulder shall be constructed adjacent thereto. This requirement or any portion thereof may be waived or otherwise deferred by the City if determined to be in the public interest and with all the required improvements provided for in an acceptable form of cooperative agreement and surety.

- d. The interior public street system shall be designed pursuant to the approved Exhibit A (tract map) for TT 24035, and the requirements of the City Engineer. Street Lots B, C, D, K, L, M, P, Q, and R shall have a 60-foot right-of-way and 40-foot curb-to-curb width. Lots E, F, G, H, J, S, T, U, N, and W shall have a curb-to-curb width of 36 feet. Any variations to the approved street system design sections shall be subject to review and approval by the Public Works Department.
14. * Applicant shall comply with the following requirements of the Public Works Department:
- a. The Applicant shall dedicate all necessary public street and utility easements as required, including all corner cutbacks.
- b. The Applicant shall submit street improvement plans that are prepared by a registered civil engineer. Street improvements, including traffic signs and markings and raised median islands (if required by the City General Plan) shall conform to City standards as determined by the City Engineer and adopted by the La Quinta Municipal Code (three-inch AC over four-inch Class 2 Base minimum for residential streets). Street improvement plans shall be prepared in accordance with Condition 13.
- c. Street name signs shall be furnished and installed by the Developer in accordance with City standards.
- d. Street improvement plans shall be prepared in consideration of the adjacent Royal Dunes project along Jefferson Street and TT 23317 to the north across Fred Waring Drive. Review of the improvement plans will be coordinated with the City of Indio Public Works Department and the Riverside County Road Department prior to final acceptance by the La Quinta Public Works Department.
- e. The Applicant understands that, due to uncertainties such as timing of required improvements relative to this and adjacent projects in other jurisdictions, there is a need to provide guarantees for reimbursement of costs between these projects. By gaining approval of this map, Applicant agrees to participate in the preparation of reciprocal reimbursements for the adequate completion of these improvements, if necessary. The form of the agreement(s) shall be determined between the Cities of Indio, La Quinta, and the County of Riverside, and shall consider items to

include, but not be limited to, median improvement reimbursements, landscaping installation and maintenance, half street joins, intersection improvements/signals, etc. Determination as the extent of specificity to be contained in the agreement(s) shall be at the discretion of the Public Works Director, considering the requirements and input from the abutting jurisdictions.

15. An encroachment permit for work in the City of La Quinta and any abutting local jurisdiction shall be secured prior to constructing or joining improvements (i.e., County of Riverside, City of Indio).
16. Applicant shall dedicate, with recordation of the tract map, access rights to Jefferson Street, Fred Waring Drive, and Miles Avenue for all individual parcels which front or back up to those rights-of-way.
17. Tract phasing plans, including phasing of public improvements, shall be submitted for review and approval by the Public Works Department and the Planning and Development Department prior to final map approval.
18. * Access to the tract shall be permitted as follows:
 - a. Jefferson Street access shall be limited to right turns in/out only;
 - b. Fred Waring Drive may be permitted a full median break;
 - c. Miles Avenue may be permitted a full median break.
19. * The Applicant shall pay a 25 percent share of all fees necessary for signalization costs at the intersections of Jefferson Street with Miles Avenue and Fred Waring Drive, and 50 percent of signalization costs at the Fred Waring and Miles Avenue entries to the tentative tract, if deemed warranted by the City Engineer.
20. The termination points of the streets shown as Lots I and V on Exhibit A (Tentative Tract Map) shall be barricaded to the satisfaction of the Public Works Department. If the road network for Tract 22982 has been constructed and completed, then Lot I shall be constructed to connect with that subdivision, in accordance with the approved street improvement plans and the requirements of the City Engineer.

Tract Design

21. A minimum 20-foot landscaped setback shall be required along Jefferson Street, Fred Waring Drive, and Miles Avenue. Design of the setbacks shall be approved by the Planning and Development Department. Setbacks shall be measured from ultimate right-of-way lines.
 - a. The minimum setbacks may be modified to an "average" if a meandering or curvilinear wall design is used.
 - b. Setback areas shall be established as a separate common lot and be maintained as set forth in Condition No. 28, unless an alternate method is approved by the Planning and Development Department.
22. The tract layout shall comply with all R-1 zoning requirements, including minimum lot width and minimum average depth of a lot.
23. * Seventy-five percent of any dwelling units within 150 feet of the ultimate right-of-way of Miles Avenue or Fred Waring Drive shall be limited to one story, not to exceed 20 feet in height. Prior to issuance of any building permits, the Applicant shall submit to the Planning and Development Department for approval a siting plan showing the location of any units higher than one story located along Miles Avenue or Fred Waring Drive frontage. No dwelling units within 150 feet of the ultimate right-of-way of Jefferson Street shall be higher than one story, not to exceed 20 feet in height.
24. Prior to issuance of any building permits, the appropriate Planning approval shall be secured prior to establishing any of the following uses:
 - a. Temporary construction facilities.
 - b. Sales facilities and/or model homes, including their appurtenant signage. (Model home unit permits will not be issued until the final map has been recorded.)
 - c. On-site advertising/construction signs.
25. If a specific dwelling product is envisioned or if groups of lots are sold to builders prior to the issuance of building permits, the Applicant/ Builder shall submit complete detail architectural elevations for all units. The Planning Commission will review and approve these as a Business Item. The basic architectural standards shall be included as part of the C.C. & Rs. This item is required prior to any issuance of building permits.

26. * A noise study shall be prepared by a qualified acoustical engineer, to be submitted to the Planning and Development Department for review and approval prior to final map approval. The study shall concentrate on noise impacts on the tract from perimeter arterial streets, and recommend alternative mitigation techniques. Recommendations of the study shall be incorporated into the tract design. The study shall consider use of building setbacks, engineering design, building orientation, noise barriers (berming and landscaping, etc.), and other techniques so as to avoid the isolated appearance given by walled developments.
27. * Prior to approval of any grading or other site disturbance activities or permits, the applicant shall submit an archaeological mitigation plan to indicate the status of any existing archaeological/cultural resources of any potential significance. Said plan shall identify any existing reports done by the University of California, Riverside, Archaeological Research Unit, and shall include methods by which any significant or potentially significant sites (specifically CA RIV-1729) will be inventoried and/or excavated. A mitigation and monitoring program shall be required to be submitted, specifying a qualified archaeological monitor, including any assistants and other representatives. The statement shall provide the current address and phone number for each monitor. The designated monitors may be changed from time to time, but no such change shall be effective unless served by registered or certified mail on the Planning and Development Department. The designated monitors or their authorized representatives shall have the authority to temporarily divert, redirect or halt grading activity to allow recovery of resources. In the event of discovery or recognition of any human remains, there shall be no further grading, excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until appropriate mitigation measures are completed.
28. * The subdivider shall make provisions for maintenance of all landscape buffer and storm water retention areas via one of the following methods prior to final map approval:
- a. Subdivider shall consent to the formation of a maintenance district under Chapter 26 of the Improvement Act of 1911 (Streets and Highways Code, Section 5820 et seq.) or the Lighting and Landscaping Act of 1972 (Streets and Highways Code 22600 et seq.) to implement maintenance of all improved landscape buffer and storm water retention areas. It is understood and agreed that the Developer/Applicant shall pay all costs of

maintenance for said improved areas until such time as tax revenues are received from assessment of the real property.

- b. The Applicant shall submit to the Planning and Development Department a Management and Maintenance Agreement, to be entered into with the unit/lot owners of this land division, in order to insure common areas and facilities will be maintained. A unqualified right to assess the owners of the individual units for reasonable maintenance costs. The association shall have the right to lien the property of any owners who default in the payment of their assessments.

The common facilities to be maintained are as follows:

- (1) Storm water retention system.
 - (2) Twenty-foot perimeter parkway lots along Fred Waring Drive, Jefferson Street, and Miles Avenue
29. Prior to the recordation of the final map, Applicant/Developer shall furnish water system plans to the Fire Department for approval. Plans shall conform to the hydrant types, location and spacing, and the system shall meet the fire flow requirements. The Applicant shall comply with all other requirements of the City Fire Marshal at the time of development.
30. The Applicant shall comply with all requirements of the Coachella Valley Water District. The parcels, as shown on Exhibit A (tract map), for District facility expansion shall be shown on the final map and conveyed to the Coachella Valley Water District, in accordance with the Subdivision Map Act.
31. All utilities will be installed and trenches compacted to City standards prior to construction of any streets. The soils engineer shall provide the necessary compaction and soils test reports for review by the City Engineer, as may be required.

Landscaping/Walls

32. Prior to issuance of any grading permits, the Applicant shall submit to the Planning Division for review and approval a plan (or plans) showing the following:
- a. Landscaping, including plant types, sizes, spacing, locations, and irrigation system for all landscape

buffer areas. Desert or native plant species and drought resistant planting materials shall be incorporated into the landscape plan.

- b. Location and design detail of any proposed and/or required walls.
 - c. Exterior lighting plan, emphasizing minimization of light and glare impacts to surrounding properties.
33. Prior to issuance of building permits, the subdivider shall submit criteria to be used for landscaping of all individual lot front yards. At a minimum, the criteria shall provide for two trees and an irrigation system.

Miscellaneous Requirements

34. Prior to the issuance of a building permit for construction of any building or use contemplated by this approval, the Applicant shall obtain permits and/or clearances from the following public agencies:
- o City Fire Marshal
 - o City of La Quinta Public Works Department
 - o Planning and Development Department, Planning Division
 - o Coachella Valley Water District
 - o Desert Sands Unified School District
 - o Imperial Irrigation District

Evidence of said permits or clearances from the above-mentioned agencies shall be presented to the Building Division at the time of the application for a building permit for the use contemplated herewith.

35. * Provisions shall be made to comply with the terms and requirements of the City's adopted Infrastructure Fee Program in effect at the time of issuance of building permits.
36. * Prior to issuance of any land disturbance permit, the Applicant shall pay the required mitigation fees for the Coachella Valley Fringe-Toed Lizard Habitat Conservation Program, as adopted by the City, in the amount of \$600 per acre of disturbed land.
37. * The Applicant shall coordinate with Sunline Transit and the City to provide a future bus turnout and shelter location on Fred Waring Drive. A bus turnout shall be

- provided for in the approved street improvement plans, and shall be constructed with those improvements. Appropriate surety, in the amount of \$10,000, shall be provided in lieu of a completed bus stop shelter, until such time as service is provided by Sunline.
38. * Prior to the issuance of a grading permit, the Applicant shall prepare and submit a written report to the Planning and Development Director demonstrating compliance with those conditions of approval and mitigation measures of TT 24035 and EA 89-113, which must be satisfied prior to the issuance of a grading permit. Prior to the issuance of a building permit, the Applicant shall prepare and submit a written report to the Planning and Development Director demonstrating compliance with those conditions of approval and mitigation measures of EA 89-113 and TT 24035 which must be satisfied prior to the issuance of a building permit. Prior to final building inspection approval, the Applicant shall prepare and submit a written report to the Planning and Development Director demonstrating compliance with all remaining conditions of approval and mitigation measures of EA 89-113 and TT 24035. The Planning and Development Director may require inspection or other monitoring to assure such compliance.
 39. Prior to approval by the City Council of the final map, CZ 89-039 shall be in effect.
 40. * The final map submitted for plan check shall incorporate the revisions, including parkland site for dedication, as shown on Exhibit P, on file with the Planning and Development Department. Dedication agreement/form shall be subject to approval by the City Engineer and/or City Attorney.
 41. The Applicant shall record appropriate documents to grant the City of La Quinta the first right to purchase the lots located north of the proposed park, also being north of and adjacent to street lot K. The lots are intended to provide future expansion of the park area.
 42. The Applicant shall seed with a suitable grass mixture, provide an irrigation system, and provide some accent trees within the park area.