

CONDITIONS OF APPROVAL- TENTATIVE TRACT MAP NO.23269, REVISED #1
AUGUST 2, 1988

GENERAL

ABJ359

1. Tentative Tract Map No. 23269, Revised #1, 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.
 - a. The tentative tract map exhibit shall be revised in accordance with Alternate design A (dated August 2, 1988) and these conditions, and resubmitted to the Public Works Department and Planning and Development Department for review and approval.
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. Tract phasing plans, including phasing of public improvements, shall be submitted for review and approval by the Public Works Department and the Planning & Development Department.
4. 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 Riverside County Environmental Health Department
 - 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.

GRADING AND DRAINAGE

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 per the approved plans and grading permit. This is required prior to issuance of building permits. Certification at the final grade stage and verification of pad elevations is also required prior to final approval of grading construction.
6. 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.
7. Drainage disposal facilities shall be provided as required by the Public Works Director. The Applicant shall comply with any fee requirements as may be in effect at the time of final map recordation. Drainage facilities shall be capable of retaining 100-year storm flows on-site. Drainage facilities in conjunction with the required park site may be subject to informal review by the Planning Commission, if determined necessary by the Planning and Development Department and the Public Works Department.
 - a. Onsite storm water retention area(s) shall have a maximum depth of three feet with a slope of 3:1 or greater.
 - b. Up to one half of the area to be dedicated for public park purposes may be used for storm water retention.

TRAFFIC AND CIRCULATION

8. 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 construct street improvements to the requirements of the City Engineer and the La Quinta Municipal Code, as follows:

- (1) Fred Waring Drive shall be constructed to City standards for a 120-foot right-of-way width (Major Arterial).
- (2) Adams Street shall be constructed to City standards for an 88-foot right-of-way width (Secondary Arterial), with a curb-to-curb width of 64 feet. Adams Street shall be designed for ultimate grade from Fred Waring Drive to Miles Avenue, and constructed adjacent to Tract 23269, Revised #1, and as necessary for reasonable transitions and surface drainage requirements.
- (3) The interior public street system shall be designed per the approved Exhibit "A" for TT 23269, Revised #1, and subject to requirements of the City Engineer. Cul-de-sacs shall be designed for a minimum 45-foot right-of-way turnaround radius. Final design of any temporary entry off Fred Waring shall be subject to review and approval of the Public Works Department and in accordance with City standards.

- c. The Applicant shall submit street improvement plans that are prepared by a registered civil engineer. Street improvements, including traffic signs, 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).
- d. 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 test reports for review by the City Engineer, as may be required.

9. Applicant shall dedicate, with recordation of the tract map, access rights to Fred Waring Drive and Adams Street for all individual parcels which front or back-up to those rights-of-way, except at an approved access opening.
10. The Applicant shall pay a proportionate share of all fees necessary for signalization costs at the corner of Fred Waring Drive and Adams Street, as determined by the City Engineer.

11. The proposed access from Fred Waring Drive shall be revised to reflect a permanent right-in and right-out access. As an alternative, the right-in and right-out access may be used as a temporary road access for the purpose of model home sales. This access shall be terminated upon the completion of model complex use, or at the end of two years, whichever occurs first. Prior to expiration, the Applicant/Developer may request an extension from the Planning Commission for continued use of the temporary access. Primary access to the project will be off Adams Street.

TRACT DESIGN

12. An emergency access shall be provided along Fred Waring Drive. The location and design provisions (gate detail, etc.) shall be reviewed and approved by the Planning and Development Department under consultation with the Fire Marshal and Public Works Department.
13. A minimum 20-foot landscaped setback shall be required along Fred Waring Drive; a minimum 10-foot setback along Adams Street. 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. Landscape buffer setback areas shall be established as a separate common lot and be maintained as set forth in Condition No. 25, unless an alternate method is approved by the Planning and Development Department.

14. Two-story dwelling units within 100 feet of the ultimate rights-of-way of Fred Waring Drive or Adams Street are prohibited. Within 100 to 150 feet of the ultimate rights-of-way of Fred Waring Drive or Adams Street, units shall be limited to one story, not to exceed 20 feet in height, except as otherwise approved by the Planning Commission.
15. All lot sizes shown on the final map shall conform to the development standards of the R-1 zone district.

PUBLIC SERVICES AND UTILITIES

16. The Applicant shall comply with the requirements of the City Fire Marshal:
- a. Schedule A fire protection shall be provided by approved super fire hydrants (6"X4"X2-1/2"X2-1/2"); located one at each street intersection, and spaced not more than 330 feet apart in any direction, with no portion of any lot frontage more than 165 feet from a hydrant. Minimum fire flow shall be 1,000 GPM for two hours duration at 20 PSI.
 - b. Applicant/Developer shall furnish one (1) copy of the water system plans to the Fire Department for review. Plans shall conform to fire hydrant types, location and spacing, and the system shall meet the fire flow requirements. Plans shall be signed/approved by a registered civil engineer and the Coachella Valley Water District, with the following certification: "I certify that the design of the water system is in accordance with the requirements prescribed by the Riverside County Fire Department." The required system, including hydrants, shall be installed and accepted by the Coachella Valley Water District prior to any combustible materials being placed on an individual lot.
 - c. Prior to the issuance of any building permit for each phase, road improvements shall be completed to the satisfaction of the City Fire Marshal so as to insure adequate emergency access and turnaround area.
17. The Applicant shall comply with all requirements of the Coachella Valley Water District. Any necessary parcels 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. Written clearance/acceptance of the locations by the Coachella Valley Water District shall be provided.

18. 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 either be constructed with those improvements or bonded for. Appropriate bonding shall be provided in lieu of a completed bus stop shelter, until such time as service is provided by Sunline.

WALLS, FENCING, SCREENING AND LANDSCAPING

19. 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.
20. Prior to final map approval, 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 common 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.
21. Prior to final map approval, the Applicant 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

22. Provisions shall be made to comply with the provisions and requirements of the City's adopted Infrastructure Fee Program in effect at the time of issuance of building permits.
23. Prior to final map approval by the City Council, the Applicant shall submit a proposal to the Planning Commission, for recommendation to the City Council, for meeting parkland dedication requirements as set forth in Section 13.24.030, La Quinta Municipal Code. The proposal for dedication, fee-in-lieu, or combination thereof shall be based upon a dedication requirement of 2.49 acres, as determined in accordance with said Section.

24. 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.

25. The subdivider shall make provisions for maintenance of all common 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 & Highways Code, Section 5820 et seq.) or the Lighting and Landscaping Act of 1972 (Streets & Highway Code 22600 et seq.) to implement maintenance of all improved common ownership areas, including streets. It is understood and agreed that the developer/Applicant shall pay all above costs of maintenance for said improved common 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 facilities will be maintained. A homeowner's association shall be created with the 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 (portions not accepted as part of park dedication).
- (2) Twenty-foot perimeter parkway lot along Fred Waring Drive.
- (3) Ten-foot perimeter parkway lot along Adams street.

26. If the project is to be recorded as a development tract, the Subdivider/Developer shall submit detailed product floor plans, elevations, color schemes, method(s) of architectural variation and continuity, etc., for review by the Planning and Development Department, Planning Commission, and City Council prior to final map recordation. In this case, the review may be as a business item. The architectural standards shall be included as part of the CC & Rs. If the tract is recorded as a lot-sales subdivision, the Applicant shall prepare, for Planning Commission review and approval, architectural standards for the future residences. These standards shall be recorded as C.C. & Rs.
27. 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. Any assessments will be done on a benefit basis, as required by law.
28. The Developer shall retain a qualified archaeologist immediately upon discovery of any archaeological remains or artifacts and employ appropriate mitigation measures during project development.
29. Prior to recordation of a final map, the Applicant shall pay the required mitigation fees for the Coachella Valley Fringe-Toed Lizard Habitat Conversion Program, as adopted by the City, in the amount of \$600 per acre of disturbed land.
30. The appropriate Planning approval shall be secured prior to establishing any of the following uses:
 - a. Temporary construction and model home facilities.
 - b. Sales facilities, including their appurtenant signage.
 - c. On-site advertising/construction signs.