

RESOLUTION NO. 2001-76
CONDITIONS OF APPROVAL - FINAL
AMENDING TRACT MAP 25154, RANCHO LA QUINTA
T.D. DESERT DEVELOPMENT
JUNE 5, 2001

CONDITIONS OF APPROVAL

GENERAL

1. The developer/property owner agrees to indemnify, defend and hold harmless the City of La Quinta in the event of any legal claim or litigation arising out of the City's approval of this project including but not limited to indemnifying and holding harmless the City from any challenge regarding SP 84-004 (Amendment #4), GPA 2001-073, EA 2001-421, and affiliated subdivision maps. The City of La Quinta shall have the right to select its defense counsel in its sole discretion.

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

2. Amending Tract Map No. 25154 shall comply with the requirements and standards of §§ 66410 through 66499.58 of the California Government Code (the Subdivision Map Act) and Chapter 13 of the La Quinta Municipal Code (LQMC).
3. The Applicant acknowledges that the City is considering a Citywide 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 easements will be done on a benefit basis, as required by law.
4. The applicant/developer shall cause no easements to be granted or recorded over any portion of the property included in this tentative map between the date of approval by the City Council and the date of recording of any final map(s) covering the same portion of the property unless such easements are approved by the City Engineer.
5. Prior to the issuance of a grading permit or building permit for construction of any building or use contemplated by this approval, the applicant shall obtain permits and/or clearances from the following Departments or public agencies:

- C Fire Marshal
- C Public Works Department (Grading Permit, Improvement Permit)
- C Community Development Department
- C Riverside Co. Environmental Health Department
- C CV Unified School District
- C Coachella Valley Water District
- C Imperial Irrigation District
- C US Post Office

The applicant is responsible for any requirements of the permits or clearances from those jurisdictions. If the requirements include approval of improvement plans, applicant shall furnish proof of said approvals prior to obtaining City approval of the plans.

6. Prior to issuance of a grading or building permit or final inspection, the Applicant shall prepare and submit a written report to the Community Development Department demonstrating compliance with those Conditions of Approval and Mitigation Measures of EA 89-144, which must be satisfied prior to the issuance of the respective permit(s). The Director may require inspection or other monitoring to assure such compliance.

CONDITIONS TO BE SATISFIED PRIOR TO GRADING PERMIT(S)

7. A grading plan shall be prepared by a registered civil engineer. The plan shall be submitted on 24" by 36" media and must meet the approval of the City Engineer prior to approval of any final map(s). The grading plan shall conform with the recommendations of the soils report and shall be certified as adequate by a soils engineer or an engineering geologist. A statement shall appear on final maps (if any are required of this development) that a soils report has been prepared pursuant to Section 17953 of the Health and Safety Code.
8. Prior to issuance of any building permit, the applicant shall provide a separate document bearing the seal and signature of a California registered civil engineer, geotechnical engineer, or surveyor that lists actual building pad elevations. The document shall, for each building pad in the tract, state the pad elevation approve on the grading plan, the as-built elevation, and shall clearly identify the difference, if any. The data shall be organized by the trat phase and lot number and shall be cumulative if the data is submitted at different times.
9. Prior to occupation of the project site for construction purposes, the applicant shall submit and receive approval of a Fugitive Dust Control Plan prepared in accordance with Chapter 6.16 of the LQMC. The applicant shall furnish security, in a form acceptable to the City, in an amount sufficient to guarantee compliance with the provisions of the permit.
10. 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 landscape or provided with other wind and water erosion control measures as approved by the Community Development and Public Works Departments.

11. Drainage disposal facilities shall be provided as required by the City Engineer. The applicant shall comply with the provisions of the City's Master Plan of Drainage, including payment of any drainage fees required therewith. The design facilities shall be capable of handling a 100-year storm. Applicant shall provide drainage easements as required across lots abutting the La Quinta Evacuation Channel.
12. Applicant shall submit a copy of the proposed grading, landscaping and irrigation plans to the CVWD for review and approval with respect to the District's Water Management Program.
13. Developer shall comply with all applicable requirements of the City Fire Marshal.
14. The Developer shall obtain an encroachment permit from the CVWD prior to any construction within the La Quinta Evacuation Channel. This includes, but is not limited to, surface improvements, drainage inlets, landscaping, and roadways. Developer shall install suitable facilities to prohibit access to this right-of-way from the subject tract.
15. Prior to any issuance of land disturbance permits, the Applicant shall contract with the University of California Riverside Archaeological Research Unit to perform a reevaluation of the project site. The results of this evaluation shall be submitted to the Community Development Department for review, along with the proposed method of testing for any potentially significant sites identified in the evaluation. If potentially significant sites are identified, 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 UCR, and shall include methods by which any significant or potentially significant sites 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 Community Development Department. The designated monitors or their authorized representative 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.

CONDITIONS TO BE SATISFIED PRIOR TO FINAL MAP APPROVAL/RECORDATION

16. 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 proposed by a registered civil engineer. Street improvements, including traffic signs and markings shall conform to City standards as determined by the City Engineer and adopted by the La Quinta Municipal Code (3" A.C. over 4" Class 2 Base minimum for residential streets).
17. The Applicant shall acquire and dedicate a 30-foot right-of-way easement over the property to the south of the subject site (portion of Sagebrush Ave.), for street construction purposes unless an alternative arrangement is approved by the Public Works Department.
18. Culs-de-sac streets shall have a minimum outside curb radius of 45-feet. Present design will require additional right-of-way dedication as sidewalks are required.
19. The Applicant shall construct or bond for street improvements to the requirements of the City Engineer and the LQMC, as follows:
 - a. The interior public street system shall be designed pursuant to the approved Exhibit "A" (Tract Map) for TTM 25154, and the requirements of the City Engineer. All streets shall maintain a 2% cross slope from centerline to edge of pavement. Any variations to the approved street system design sections shall be subject to review and approval by the Public Works Department.
20. 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. Existing overhead lines and all proposed utilities within or adjacent to the proposed development shall be installed underground, unless otherwise permitted by General Plan Amendment 2000-073.
21. If the Applicant desires to phase tract improvements, tract phasing plans shall be submitted for review and approval by the City Engineer and Community Development Department prior to recordation of any final map under this tentative map.
22. The Applicant shall comply with all requirements of the CVWD. Any necessary parcels for District facility expansion shall be shown on the Final Map and conveyed

to the District, in accordance with the Subdivision Map Act.

23. The Developer shall comply with all applicable requirements of the Fire Marshal prior to final map approval.
24. Applicant shall pay in-lieu parkland fees prior to final map approval.
25. A noise study shall be prepared by a qualified acoustical engineer, to be submitted to the Community Development Department for review and approval prior to final map approval. The study shall concentrate on noise impacts on the tract from perimeter internal streets, and surrounding land uses, and recommend alternative mitigation measures. 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, etc.
26. The Tract layout shall comply with the Zoning Code requirements (i.e., 7,200 square foot lot sizes, etc.).
27. All residential lots within the approved boundaries of TTM 25154 shall only be conveyed to new ownership with the following declaration:

“This property may be subject to limited or restricted viewshed(s) due to surrounding preciously approved developments to the north and west of this tract (Tracts 24545 and 21555). Northerly views will be limited by approved landscaping and fencing which may be approximately eight to 12-feet above finished grade of this property. Westerly views may be impacted due to development of two story homes on certain lots within the Parc La Quinta project. The prospective buyer is urged to investigate the full range of any potential view impacts prior to committing to any agreement(s).”
28. Plans for single family houses shall be reviewed and approved by the Planning Commission. The approved architectural standards shall be included in the CC and R's for the tract.
29. Applicant shall submit a unit siting plan at the time of submittals for architectural review of any phased tract development. Siting plan shall include two-story locations, if any, and shall be reviewed by the Planning Commission along with the proposed unit types. If lots are sold on an individual basis, the Applicant understands that approvals of any two-story units on any lot are not guaranteed and will be reviewed on a case by case basis by the Community Development Department. If phased tract development occurs, (see Condition #28) CC and R's are required to be submitted to the City for review prior to final map recordation;

the above restriction shall be noted in the CC and R's, if required.

30. The westerly termination point of the street shown as Lot "D" shall be gated with controlled access device that restrict ingress/egress to emergency vehicles. Permits for the installation of controlled access devices shall be obtained from the Building and Safety Department and Fire Marshal prior to installation.
31. Applicant shall reimburse the City for 25% of the cost to design and install a new traffic signal at Washington St. and Sagebrush Ave. intersection.

TRACT DESIGN

32. Prior to any landscape installations, the Applicant shall submit to the Community Development Department for review and approval a plan (or plans) showing the following:
 - a. Landscaping, including plant types, sizes, spacing, location, and irrigation systems for all areas to be landscaped. 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; and
 - c. Exterior lighting plans.
33. Landscaping of all units shall be in compliance with Section 9.60.240 of the Zoning Ordinance.
34. Developer shall be required to participate in the installation of a suitable buffer along the eastern tract boundary, between the residential lots and the future maintenance facility for the Rancho La Quinta. Mutual participation by the Developer of this tract and the Developer of Rancho La Quinta shall be required to provide an acceptable situation for both parties. Design components of the buffer area may include, but are not limited to walls, berming/landscaping, grade variations, setbacks, etc. Design of the buffer area shall be subject to review and approval of the Community Development Dept. The improvement(s) of the buffer shall be installed at the site of any development activity on either property; any reimbursement agreement(s) arrangement will be solely the responsibility of the Developers involved.
35. The Community Development Department shall approve the following uses:
 - a. Temporary construction facilities;
 - b. Sales facilities, including their appurtenant signage.

- c. On-site advertising/construction signs.
36. 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.