

CITY COUNCIL RESOLUTION NO. 89-118  
CONDITIONS OF APPROVAL  
TENTATIVE TRACT No. 24890  
OCTOBER 17, 1989

GENERAL

1. Tentative Tract Map No. 24890 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.
2. Design and improvement of Tentative Tract 24890 shall be in substantial conformance with Exhibit A, except where there are conflicts between these conditions and said Exhibit, these condition(s) shall take precedence.
3. 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.
4. All applicable requirements and conditions of Specific Plan No., 85-006, as amended shall be met as stipulated in City Council Resolution NO. 89-76 (or current resolution).
5. Existing power poles shall be undergrounded as required by the La Quinta Municipal Code Section 13.28.090.
6. 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. Access gates and/or guardhouses.
  - d. On-site advertising/construction signs.
7. 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 landscape buffer and common areas including gates. 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, in conformance with any future "Dark Sky" Ordinance emphasizing minimization of light and glare impacts to surrounding properties.
8. Prior to building permit approval(s), the subdivider shall submit criteria to be used for landscaping of all individual lot front yards. At a minimum, the criteria shall provide for three 15-gallon trees on interior lots and five 15-gallon trees on corner lots, as well as an irrigation system and suitable ground cover.
9. The subdivider shall make provisions for maintenance of all landscape buffer common areas, recreation areas, 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.
10. Prior to the issuance of a grading permit/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 any permit for any use contemplated by this approval.

11. Prior to the issuance of any grading, building, or other development permit or final inspection, 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 Tentative Tract 24890 which must be satisfied prior to the issuance of any permits/final inspections. The Planning and Development Director may require inspection or other monitoring to assure such compliance. Said inspection or monitoring may be accomplished by consultant(s) at the discretion of the Planning Director, and all costs associated shall be borne by the Applicant/Developer.
12. Lots that exceed 2-1/2 depth times width ratio, shall be provided with 25-foot front yard setback.
- \*\*13. Approval of this Tentative Tract Map shall be subject to approval of GPA No. 89-026, SP No. 85-006 (Amendment), and CZ No. 89-045, by the City Council.
14. Street name proposals shall be submitted for review and approval by the Planning and Development Department prior to recordation of any portion of the final map. Street name signs shall be furnished and installed by the developer in accordance with standards of the City Engineer. Signage type and design shall be subject to review and approval of the Planning and Development Department and the Public Works Department.
15. Minimum landscaped setbacks adjacent to public streets as stipulated in Specific Plan No. 85-006 (amended), shall be required. Design of the setbacks shall be approved by the Planning and Development Department. Setback shall be measured from ultimate right-of-way lines.
  - a. The minimum setback may be modified to an "average" if a meandering or curvilinear wall design is used.
  - b. The parkway setback area(s) shall be established as (a) separate common lot(s) and be maintained as set forth in Condition No. 9, unless an alternate method is approved by the Planning and Development Department.

16. Exceptions to La Quinta Subdivision Ordinance Sections 13.12.050, Street Alignment and 13.12.080(c) lots, is hereby approved.

PUBLIC SERVICES AND UTILITIES:

17. Applicant shall comply with following Conditions of the City Fire Marshal:

- A. Schedule A fire protection approved Super fire hydrants, (6" X 4" X 2-1/2" X 2-1/2") shall be located one at each street intersection spaced not more than 330 feet apart in any direction with no portion of any frontage more than 165 feet from a fire hydrant. Minimum fire flow shall be 2500 gpm for two hours duration at 20 psi.
- B. The water mains shall be capable of providing a potential fire flow of 2500 gpm and an actual fire flow available from any one hydrant shall be 1500 gpm for two hours duration at 20 psi residual operating pressure.
- C. Prior to recordation of the final map, Applicant/Developer shall furnish one blue-line copy of the water system plans to the Fire Department for review. Plans shall conform to the 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 local water company 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".
- D. 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.
- E. Prior to the recordation of the final map, the Applicant/Developer shall provide alternate accesses as approved by the County Fire Department.
- 1.) Exterior accesses issues.  
2.) Cul de sac secondary access issue.
- F. Whenever access into private property is controlled through use of gates, barriers, guard houses or similar means, provision shall be made to facilitate access by emergency vehicles in a manner approved by the Fire Department. All controlled access devices that are power operated shall have a radio-controlled over-ride system capable of opening the gate when activated by a special

transmitter located in emergency vehicles. Devices shall be equipped with backup power facilities to operate in the event of power failure. All controlled access devices that are not power operated shall also be approved by the Fire Department. Minimum opening width shall be 12-feet, with a minimum vertical clearance of 13-feet 6-inches.

G. Medians and islands may require additional setbacks to allow Fire Department access.

18. All requirements of the Coachella Valley Water District shall be met.

#### ENGINEERING DEPARTMENT

19. Prior to transmittal of the final map to the City Council by the City Engineering Department, any existing structures which are to be removed from the property shall have been removed or there shall be an agreement for the removal which shall be secured by a faithful performance bond in a form satisfactory to the City and granting the City the right to cause any such structures to be removed.

20. An encroachment permit for work in any abutting local jurisdiction shall be secured prior to constructing or joining improvements.

21. The Applicant shall pay the required processing, plan checking and inspection fees as are current at the time the work is being accomplished by City personnel or subcontractors for the Planning, Building or Engineering Divisions.

22. The Applicant acknowledges that the City is considering a City-wide Landscaping 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.

23. All traffic, circulation, and drainage conditions placed on Specific Plan No. 85-006 shall apply except where specifically modified by the conditions for this tentative subdivision map.

24. Applicant shall post security for street improvements in the right-of-way contiguous to the subdivision as follows:

Jefferson Street	- 1/2 width plus 1 land + raised landscaped median
Avenue 52	- 1/2 width plus 1 land + raised landscaped median
Calle Rondo	- 1/2 width
Calle Tampico	- 1/2 width
Park Avenue	- 1/2 width

25. The Applicant shall have prepared street improvement plans (for public and private streets) 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 (3-inch AC over 4-inch Class 2 base minimum, for residential streets). Street design shall take into account the subgrade soil strength, the anticipated traffic loading, and street design life.
26. A common area lot shall be established for that area between the tract perimeter wall and street right-of-way for Jefferson street, Avenue 52, Calle Rondo, Calle Tampico, and Park Avenue streets. Landscaped maintenance responsibility of the total common lot and street landscape parkway shall be the responsibility of the development.
27. The Applicant shall have a grading plan that is prepared by a registered civil engineer, who will be required 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 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.
28. The Developer of this subdivision 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.
29. A thorough preliminary engineering geological and soils engineering investigation shall be done and the report submitted for review along with the grading plan. The reports 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. Pursuant to Section 11568 of the Business and Professions Code, the soils report certification shall be indicated on the final subdivision map.
30. 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.
31. Drainage disposal facilities shall be provided as required by the City Engineer. The Applicant shall comply with the provisions of the City Master Plan of Drainage, including payment of any drainage fees required therewith.

32. 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.
33. The Applicant shall post security equivalent to the proportional share designated, and may obtain some reimbursement from the City in a manner approved by the City Council for traffics signals, in accordance with the following table.

	Initial Posting Requirement	Portion Eligible for Reimbursement
Jefferson @ Avenue 50	50%	37.5%
Jefferson @ Project Entrance	100%	None
Jefferson @ Avenue 52	50%	25%
Avenue 52 @ Project Entrance	100%	50%

34. Applicant shall dedicate all necessary public street right-of-way and utility easements for the following streets:

Jefferson	60' half width
Avenue 52	120' full-width (see note)
Calle Rondo	30' half-width and suitable conforms
Calle Tampico	30' half-width and suitable conforms
Park Avenue	30' half-width and suitable conforms

NOTE: The 120' figure may be reduced to 110' pending outcome of proposed General Plan Amendment.

35. Applicant shall record permanent public access easement on all lots created in the subdivision for private streets.
- \*\*36. In order to improve access between Washington Street and this subdivision for traffic with trip ends in the subdivision, and to provide for orderly development along Avenue 52 east of Washington Street to the eastern edge of Tract Map #24889, the Applicant shall make every effort to obtain a 60-foot\*\*\* wide easement for public street purposes from the adjoining property owner to the west.

As a minimum, an interim two-lane paved facility shall be concurrently constructed in the easement that joins Washington Street when the other Avenue 52 improvements are installed. The interim facility shall be constructed in a manner that will permit incorporation into the ultimate street improvement with minimal adaptation.

The Applicant may seek reimbursement for the improvements for that section of Avenue 52 east of Washington Street to the western edge of Tract # 24890 in the following manner.

1. Prior to January 1, 1992, the Applicant shall seek direct reimbursement, from the developer of the property that provides the easement.
2. After January 1, 1992, the Applicant may seek reimbursement from the City consistent with any policy or program in existence at that time.

It shall be understood by all parties involved in providing the easement and subsequent interim improvement that the City intends to condition the future development of the property adjoining Tract #24890 to affect reimbursement for costs relevant to same incurred by the Applicant or City whichever is carrying the cost at the time. If the Applicant is unable to obtain the easement, the following condition shall apply:

- A. The intersection of "new" Avenue 52 with "old" Avenue 52 shall be configured in a manner that the two intersect at 90 degree angles. The curve on "new" Avenue 52 that leads into the intersection shall have a minimum radius.
  - B. In addition to the right-of-way required for the ultimate alignment of Avenue 52, the Applicant shall dedicate additional right-of-way as needed, to accommodate the interim intersection configuration.
  - C. Traffic signals shall be installed when traffic counts warrant the need, as determined in accordance with the collective conditions of approval for this tract. The Applicant shall be 100% responsible for the cost of the signals; the City will administer the design and installation.
  - D. Although "new" Avenue 52 shall be offered for dedication, it will not be accepted as a public street until the link to Washington Street is completed, and the other link which is constructed under these collective conditions of approval has been determined by the City Engineer to be in a state of good repair.
37. The Applicant shall enter into a license agreement with the City to provide for maintenance, liability insurance coverage, and other relevant concerns that may be identified, and as needed, for the tunnel that is proposed for placement under the pavement in the Jefferson Street right-of-way. The agreement, which will be subject to approval of appropriate City officials, will be prepared by the City at the Applicant's expense prior to issuance of permits to construct tunnel.



38. Applicant shall provide street grades that are 0.35 percent or greater unless demonstrated by engineering design, and approved by the City Engineer, that drainage is adequate and the minimum gradient cannot be satisfactorily obtained.
39. Security posting requirements for the traffic signals may be staged in proportional increments commensurate with, and based on, the number of dwelling units in each successive development phase. The Applicant shall provide traffic signal improvement plans prepared by a registered civil engineer, and install the signals when warranted pursuant to an annual warrant study of the intersections identified in Condition #33. The study shall be conducted by a qualified traffic engineer at the Applicant's expense and submitted for review and approval by the City Engineer.
40. The Applicant shall post security for private street improvements in the subdivision in amounts commensurate with, and as needed, to meet circulation and access requirements for each proposed phase of the subdivision development. The security shall be posted prior to recording of the subject phase of the final map. Installation of the secured improvements by the Applicant shall occur prior to issuance of Occupancy Permits.
41. The Applicant shall post security for all public street improvements prior to recording of the final subdivision map.
42. Installation of the secured public street improvements by the Applicant shall occur and may be staged in a manner commensurate with the development phasing of this subdivision, adjoining subdivisions and traffic needs, all as determined by the City Engineer. As a minimum, an interim two-lane paved facility shall be constructed concurrently with Phase I of the development in the Avenue 52 right-of-way, and the easement required in Condition No. 38 from Jefferson to Washington Streets. The interim improvement shall be constructed in a manner that will permit incorporation into the ultimate street improvement with minimal adaption.
43. The Applicant may obtain some reimbursement from the City in a manner approved by City Council for the segment of Avenue 52 constructed in the 60-foot wide easement between Washington Street and the westerly most boundary of Tract No. 24890.
44. The Applicant shall vacate vehicle access rights to all public streets except for selected private streets that may intersect Avenue 52 and Jefferson Street at locations, and in a manner approved by the City Engineer.

45. Additional exceptions where vehicle access rights to public streets may be retained are as follows: 1) the golf course maintenance facility located adjacent to Avenue 52 and Calle Rondo may enjoy direct access to Avenue 52 and Calle Rondo (temporarily only, see Condition #50, but the Avenue 52 access shall be right-turn-in/right-turn-out only; 2) the C.V.W.D. well site located adjacent to Calle Rondo and Calle Tampico may enjoy direct access to either street, but not both; 3) gated emergency access to interior private streets from Jefferson Street and Park Avenue shall be provided in accordance with the requirements of the City Engineer and City Fire Marshal.
46. The Applicant shall aesthetically enhance the outward appearance of the C.V.W.D. well site located adjacent to Calle Rondo and Calle Tampico, and the golf course maintenance facility located adjacent to Calle Rondo and Avenue 52. Specific improvements shall include: 1) continuation of the sound wall and landscaping in the setback area along the Calle Rondo, Calle Tampico, and Avenue 52 frontages; 2) a paved driveway at the access point; 3) an aesthetically attractive sight restricted gate.
47. The Applicant shall provide a 20-foot wide and a 10-foot wide landscaped setback lot respectively, on the Avenue 52 and Calle Rondo frontages adjacent to the golf course maintenance facility.
48. Along Jefferson Street where golf course abuts proposed perimeter wall, decorative wrought iron or steel tube fencing shall be used to allow views into project, if in conformance with acoustical study (as required by Specific Plan No. 850996, as amended).
- \*49. Custom home lots Numbers 487-505 and 530-554 shall be permitted to be a maximum 28-feet in height within one story.
- \*50. Existing maintenance building access to Calle Rondo shall be permanently eliminated at the time 52nd Avenue is realigned, as required by Condition No. 11 of Plot Plan No. 86-285.

\* Added by City Council on October 17, 1989.

\*\* Amended by City Council on October 17, 1989.

\*\*\* The 60-foot dimension may be reduced to 55-feet pending the outcome of proposed General Plan Amendment.