

CONDITIONS OF APPROVAL - TENTATIVE TRACT MAP NO. 23971  
PROPOSED MARCH 7, 1989

A. GENERAL CONDITIONS OF APPROVAL

1. Tentative Tract Map No. 23971 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. 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 shall retain a qualified archaeologist immediately upon discovery of any archaeological remains or artifacts and employ appropriate mitigation measures during project development.
5. 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.

Traffic and Circulation

6. 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:

68

- a. Washington 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 a six-foot sidewalk, and two-percent cross slope to centerline, plus joins.
- 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 joins.
- c. The interior public street system shall be designed pursuant to the approved Exhibit A (tract map) for TT 23971, with a 60-foot right-of-way, a four-foot sidewalk, and two-percent slope. Streets A, E, H, and G (south of street A) shall have a curb-to-curb width of 40 feet. The remainder of the streets 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.

7. An encroachment permit for work in any abutting local jurisdiction shall be secured prior to constructing or joining improvements (i.e., County of Riverside).

B. CONDITIONS OF APPROVAL TO BE FULFILLED PRIOR TO FINAL MAP APPROVAL

8. 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 1.96 acres, as determined in accordance with said Section.
9. 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.

10. 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.
11. 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 lot along Washington Street
- (3) Twenty-foot perimeter parkway lot along Miles Avenue.

12. 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.
13. The Applicant shall coordinate with Sunline Transit and the City to provide a future bus turnout and shelter location on Washington Street. A bus turnout shall be provided for in the approved street improvement plans, and shall either be constructed with those improvements for bonded for. Appropriate bonding shall be provided in lieu of a completed bus stop shelter, until such time as service is provided by Sunline.

#### Grading and Drainage

14. 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.
15. 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.
16. 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.
17. Any earthwork on contiguous properties required a written authorization from the owner(s) (slope easement) in a form acceptable to the City Engineer.
18. 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).

19. 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. In the interim, the owners shall maintain the basin(s) and provide bond assurance accordingly.

#### Traffic and Circulation

20. 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).
  - c. Street name signs shall be furnished and installed by the Developer in accordance with City standards.
21. Applicant shall dedicate, with recordation of the tract map, access rights to Washington Street and Miles Avenue for all individual parcels which front or back-up to those rights-of-way.

#### Tract Design

22. A minimum 20-foot landscaped setback shall be required along Washington Street 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. 11, unless an alternate method is approved by the Planning and Development Department.
- 23. The tract layout shall comply with all the R-1 zoning requirements, including minimum lot size and minimum average depth of a lot. The minimum lot size to be recorded in a final map shall be 7,200 square feet.
  - 24. The Applicant shall acquire property from the owners of TT 23269 to allow for a third access. The access should line up with street "A" in TT 23971. Alternatively, the Applicant shall acquire property from the owner of TT 23268 to provide an access to line up with street "B" in TT 23971.

The Applicant is responsible for the necessary construction of the road connection. The above is subject to City Engineer review and approval. Condition 34 shall also apply to the above access point.

Walls, Fencing, Screening, and Landscaping

- 25. 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.
- 26. 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 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.

27. Prior to final map approval, 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.

C. CONDITIONS OF APPROVAL TO BE FULFILLED PRIOR TO THE ISSUANCE OF BUILDING PERMITS

28. 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.

29. 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.

30. Seventy-five percent of dwelling units within 150 feet of the ultimate right-of-way of Miles Avenue shall be limited to one story, not to exceed 20 feet in height. The Applicant shall submit to the Planning and Development Department for approval a drawing showing the location of any units higher than one story located along Miles Avenue frontage. No dwelling units within 150 feet of the ultimate right-of-way of Washington Street shall be higher than one story.

31. The appropriate Planning approval shall be secured prior to establishing any of the following uses:

- a. Temporary construction facilities.
  - b. Sales facilities, including their appurtenant signage.
  - c. On-site advertising/construction signs.
32. 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.

#### Traffic and Circulation

33. The Applicant shall pay a 25 percent share of all fees necessary for signalization costs at the corner of Washington Street and Miles Avenue, and 100 percent of signalization costs at the Washington Street access to the tentative tract.
34. The termination point of the street shown as Lot "H" on Exhibit A (Tentative Tract Map), shall be barricaded to the satisfaction of the Public Works Department, unless the road network for Tract 23268 has been constructed and completed.

#### Public Services and Utilities

35. The Applicant shall comply with the requirements of the City Fire Marshal.
36. 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.
37. 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.