

CITY COUNCIL RESOLUTION NO. 88-_____

CONDITIONS OF APPROVAL - TENTATIVE TRACT MAP NO. 23935
DECEMBER 20, 1988

A. GENERAL CONDITIONS OF APPROVAL

1. Tentative Tract Map No. 23935 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 street improvements to the requirements of the City Engineer and the La Quinta Municipal Code, as follows:
 - (a) 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.
 - (b) Dune Palms Road 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, with a five-foot sidewalk and two-percent

cross slope to centerline, plus joins. Dune Palms Road shall be designed for ultimate grade from Miles Avenue to Westward Ho Drive, and constructed adjacent to Tract 23935, and as necessary for reasonable transitions and surface drainage requirements.

- (c) The interior public street system shall be designed pursuant to the approved Exhibit A (tract map) for TT 23935, with a six-foot sidewalk and two-percent slope. Cul-de-sacs, including "F" Street north of "A" Street and "C" Street north of "A" Street, shall be designed for a 50-foot right-of-way with 36-foot width curb-to-curb and a 5 foot utility easement on both sides of the street. The cul-de-sac turnaround shall be per City standards. Streets "A" and "F" (south of "A" Street), "J" and "H" shall be designed for a 60-foot right-of-way. Street "C" south of "A" Street shall be designed for a 56-foot right-of-way. Any variations in the approved street system design sections shall be subject to review and approval by the Public Works Department.

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7. A temporary road access may be provided off Miles Avenue through to Street "F". 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 extension from the Planning Commission for continued use of the temporary access. Primary access to the project will be off Dune Palms Road. A drawing showing details of this proposed temporary access point shall be submitted to the Planning and Development Department and Engineering Department for approval.
8. An encroachment permit for work in any abutting local jurisdiction shall be secured prior to constructing or joining improvements (i.e., City of Indio).

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

9. 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 1.72 acres, as determined in accordance with said Section.

10. 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.
11. 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.
12. 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 & 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 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 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.
 - (2) Twenty-foot perimeter parkway lot along Miles Avenue.

(3) Ten-foot perimeter parkway lot along Dune Palms Road.

13. 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.

Grading and Drainage

14. The Applicant shall submit a grading plan prepared by a registered civil engineer. Additional conditions regarding supervision of grading and drainage and certification at rough grade and final grade state, as well as verification of pad elements, shall be included as required by the City Engineer following conferring with the Applicant and California Council of Civil Engineers and Land Surveyors.
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 requires 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(6) 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. The Applicant shall provide such reasonable cash deposit and/or other security for the payment of costs for the installation of street name signs by the City.
21. Applicant shall dedicate, with recordation of the tract map, access rights to Miles Avenue and Dune Palms Road 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 Miles Avenue; a minimum 10-foot setback along Dune Palms Road. 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. 12, 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.

Walls, Fencing, Screening and Landscaping

24. 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.

25. 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.
26. 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.

27. 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.

28. 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.
29. Seventy-five percent of dwellings units within 150 feet of the ultimate right-of-ways 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 in proximity to the Miles Avenue frontage.

30. 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
31. If a specific dwelling product is envisioned or if groups of lots are sold to builders, prior to the issuance building permits, the Applicant/Builder shall submit complete detailed architectural elevations for all units. The Planning Commission shall review and approve elevations as an agenda Business Item. Basic architectural standards shall be included as part of the C.C. & R's.

TRAFFIC AND CIRCULATION

32. The Applicant shall pay 25 percent of all costs necessary for signalization at the corner of Miles Avenue and Dune Palms Road.
33. 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.

PUBLIC SERVICES AND UTILITIES

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