

CONDITIONS OF APPROVAL - PROPOSED

TENTATIVE TRACT 23773
MARCH 21, 1989

GENERAL

1. Tentative Tract Map No. 23773 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 23773 shall be in substantial conformance with Exhibits A and B, the approved phasing plan and the conceptual intersection and entry gate details; except where there are conflicts between these conditions and said Exhibits, the 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. (See Condition No. 36)
4. 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.

ENGINEERING/GRADING/DRAINAGE

5. The Applicant shall have a grading plan prepared by a Registered Civil Engineer, who will be required to certify that the constructed conditions at the rough and final grade stages are as per the approved plans and grading permit. This is required prior to issuance of building permits.
6. The developer of this subdivision shall submit a copy of all proposed grading, landscaping, and irrigation plans to Coachella Valley Water District for review and comment with respect to CVWD's water management program.

7. A thorough preliminary engineering geological and soils engineering investigation shall be done and the report submitted for review along with 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.
8. 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.
9. 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. All drainage runoff for 100-year storm shall be retained in basin on-site, including runoff from Fred Waring Drive and Starlight Lane.
10. 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.
11. An encroachment permit for work in any abutting local jurisdiction shall be secured prior to constructing or joining improvements (Riverside County).
12. The developer shall retain a qualified archaeologist immediately upon discovery of any archaeological remains or artifacts and employ appropriate mitigation measures during project grading and development.
13. Applicant shall submit an erosion and dust mitigation program for review by the City Engineer prior to issuance of permits for any grading activity.
14. Any earthwork on contiguous properties requires a written authorization from the owner(s) (slope easement) in a form acceptable to the City Engineer prior to any grading permit issuance.
15. 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.

TRAFFIC AND CIRCULATION

16. The Applicant shall dedicate all necessary public street and utility easements as required by the City Engineer:

- a. Fred Waring Drive to Major Arterial standard (60-foot half-width) including intersection with Starlight Lane/Adams Street as necessary.
 - b. Starlight Lane/Adams Street in accordance with the approved conceptual design geometric.
 - c. All other public/private easements as deemed necessary.
17. That 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, markings, and raised median island, shall conform to City standards as determined by the City Engineer and adopted by the La Quinta Municipal Code, and as set forth in these conditions.
- a. Construction of Fred Waring Drive to half-width plus one travel lane, in accordance with standards for Major Arterials (120-foot right-of-way) plus suitable conforms to existing pavement. Applicant shall design and construct full landscaped median for Fred Waring. Applicant may bond for median improvements subject to approval of the City Engineer.
 - b. Construct Starlight Lane/Adams Street up to 36-foot travelway plus suitable conforms. The developer's engineer shall coordinate with adjacent property owners and County to provide design for gated access with lane widths, vehicular storage, stopping and viewing distances, subject to the approval of the City Engineer and in accordance with the approved intersection and street design for Starlight Lane/Adams Street.
 - c. Prepare street improvement plans and construct improvements for private streets.
18. Applicant shall bond for 25 percent of the cost of a future traffic signal at Fred Waring and Starlight Lane/Adams Street.
19. Applicant shall dedicate, with recordation of the tract map, access rights to Fred Waring and Starlight Lane/Adams Street for all individual parcels which front or back-up to those rights-of-way, with the exception of street entries.
20. Street name signs shall be furnished and installed by the developer in accordance with standards of the City Engineer.

TRACT DESIGN

21. A minimum 20-foot landscaped setback shall be required along Fred Waring Drive. Design of the setback 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. Setback areas shall be established as a separate common lot and be maintained as set forth in Condition No. 24, unless an alternate method is approved by the Planning and Development Department.
22. 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 9,000 square feet.
23. Plans for tract phasing of public improvements shall be submitted for review and approval by the Public Works Department. The phasing Exhibit shall show the northerly "Phase III" as "Phase IV".

MAINTENANCE

24. 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 maintained are as follows:

- (1) Storm water retention system.
- (2) Twenty-foot perimeter parkway lot along Fred Waring Drive.
- (3) Interior private street system, including access gates and related common lots 155 and 156.

PUBLIC SERVICES/UTILITIES

25. Applicant shall comply with the following requirements of the 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 intersection spaced not more than 330 feet apart in any direction with no portion of any lot frontage more than 165 feet from any hydrant. Minimum fire flow shall be 1,000 GPM for two hours duration at 20 PSI.
 - b. The required water system, including fire hydrants, shall be installed and accepted by CVWD prior to any combustible material being placed on any individual lot.
 - c. Prior to the recordation of the final map, Applicant/Developer shall furnish the water system improvement plans to the Fire Department for approval. Plans shall conform to the fire hydrant types, location, and spacing, and the system shall meet the required fire flows.
 - d. All access gates shall be power operated and equipped with a radio-controlled override system capable of opening the gate when activated by a special transmitter located in emergency vehicles. System shall be designed to unlatch gates in the event of power failures or be equipped with backup power facilities. Developer to provide four transmitters to the Fire Department.
26. 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.

BUILDING AND USE DEVELOPMENT

27. If a specific dwelling product is envisioned or if groups of lots are sold to builders prior the 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.
28. Seventy-five percent of dwelling units within 150 feet of the ultimate right-of-way of Fred Waring Drive 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 siting plan showing the location of all unit types proposed by the developer. No dwelling units within 150 feet of the ultimate right-of-way of Washington Street shall be higher than one story, not to exceed 20 feet.
29. The appropriate Planning approval shall be secured prior to establishing any of the following uses:
 - a. Temporary construction facilities.
 - b. Private access gates and guardhouse(s).
 - c. Sales facilities, including their appurtenant signage.
 - d. On-site advertising/construction signs.
30. Tract and building permits shall incorporate the recommendations of the acoustical analysis prepared by Ultrasystems, dated December, 1988, and contained in the Planning and Development Department's file for TT 23773.

WALLS, FENCING, SCREENING, AND LANDSCAPING

31. 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.
32. 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, emphasizing minimization of light and glare impacts to surrounding properties.
33. 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 two trees and an irrigation system.

MISCELLANEOUS

34. Prior to the issuance of a grading permit and 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.

35. 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.
36. This approval shall not be in effect until and unless Annexation Resolution No. 89-15 has been recorded. No final map may be approved until the annexation is completed. The property shall have been annexed to the City within one year of the original date of approval by the City Council.