

CITY COUNCIL RESOLUTION NO. 89- 134  
CONDITIONS OF APPROVAL - APPROVED  
TENTATIVE TRACT MAP NO. 25125  
DECEMBER 12, 1989

A. GENERAL CONDITIONS OF APPROVAL

1. Tentative Tract Map No. 25125 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 effective date unless approved for extension pursuant to the City of La Quinta Land Division Ordinance, or a development agreement exists which identifies a longer approval time period.
3. The Applicant acknowledges that the City has created 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) Westward Ho Drive shall be constructed to City standards for a 72-foot right-of-way width (Collector), with a five-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 one and one-half percent cross slope to centerline, plus joins. Dune Palms Road shall be designed for ultimate grade from Westward Ho Drive to the Whitewater Channel, and constructed adjacent to Tract 25125, and further 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 25125, with a six-foot sidewalk and two-percent slope. Streets "A, B and H" shall be constructed to City standards with a 60-foot right-of-way. Cul-de-sacs 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. Cul-de-sacs shall be constructed to provide a minimum turning diameter of 90-feet.

Any variations in 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 constructed or joining improvements.

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

8. Park fees as set forth in Section 13.24.030, La Quinta Municipal Code shall be provided based upon a dedication requirement of 1.03 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 & Development Department.

11. Owner shall execute and record a "Declaration of Dedication" in a form acceptable to the City offering the dedication of landscape buffer areas to the City for future acceptance and maintenance. In the interim, the owners shall maintain the perimeter landscaping and provide bond assurance accordingly.
12. The subdivider shall make provisions for maintenance of the landscape buffers area 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 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 the 10 foot perimeter parkway lots along Westward Ho Drive and 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 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 acceptance of the work. 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 requires written authorization from the owner(s) (slope easement) in a form acceptable to the City Engineer.

#### Traffic and Circulation

18. 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.
  - d. The Applicant/Developer shall be responsible for submitting a plan and constructing a low water crossing over the Whitewater Channel. The plan must be prepared by a Registered Civil Engineer and subject to review/approval by the City Engineer and C.V.W.D. prior to construction. The Registered Civil Engineer, who prepared the plan is required to supervise the construction and to certify that the crossing is constructed as per the approved plan. This certification is required prior to acceptance of the work.

19. Applicant shall dedicate, with recordation of the tract map, access rights to Westward Ho Drive and Dune Palms Road for all individual parcels which front or back-up to those rights-of-way.

#### Tract Design

20. A minimum 10-foot landscaped setback shall be provided along Westward Ho Drive and 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.
21. 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 dwelling lot size to be recorded in a final map shall be 7,200 square feet.
22. The Applicant shall make the necessary changes to and note the following on the Tentative Tract Map.
- a. The small parcels of land shown at the head of the cul-de-sac streets along Westward Ho Drive shall be either divided between the two adjoining lot owners or be shown as part of the landscaped setback.
  - b. The small parcels of land shown at the head of the cul-de-sac streets along the Coachella Valley Water District wash shall be split between the two adjoining lot owners. A utility and possibly pedestrian easement shall be recorded across these parcels of land as necessary.

#### Walls, Fencing, Screening and Landscaping

23. 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. The land owner shall institute blowsand and dust control measures during the grading and site development. These shall include but not be limited to:
- a. The use of irrigation during any construction activities;

- b. Planting of cover crop or vegetation upon previously graded but undeveloped portions of the site; and,
  - c. Provision of wind breaks or wind rows, fencing, and/or landscaping to reduce the effects upon adjacent properties and property owners. The land owner shall comply with requirements of the Director of Public Works and Planning and Development. All construction and graded areas shall be watered at least twice daily while being used to prevent the emission of dust and blowsand.
24. 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 landscaping or provided with other wind and water erosion control measures as approved by the Planning and Development and Public Works Departments.
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, per City requirements 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 and the street side of all corner lots. At a minimum, the criteria shall provide for two trees along the street frontage (each), 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. 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
30. 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.
31. Prior to the issuance of a grading permit, 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 No. 25125 and Environmental Assessment No 89-142, which must be satisfied prior to the issuance of a grading permit. Prior to the issuance of a building permit, 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 EA No. 89-142 and Tentative Tract No. 25125 which must be satisfied prior to the issuance of a building permit. Prior to final building inspection approval, the Applicant shall prepare and submit a written report to the Planning and Development Director demonstrating compliance with all remaining Conditions of Approval and mitigation measures of EA No. 89-142 and Tentative Tract No. 25125. The Planning and Development Director may require inspection or other monitoring to assure such compliance.

### TRAFFIC AND CIRCULATION

32. The Applicant shall pay a proportionate share (1/4) of all fees necessary for signalization costs at the corner of Westward Ho Drive and Dune Palms Road, as determined by the City Engineer.
33. The termination point of the street shown as Lot "H" on Exhibit A (Tentative Tract Map), shall be provided with a temporary turnaround to the satisfaction of the Public Works Department. If the road network for the adjoining tracts have been constructed and completed, then the above streets shall be constructed to connect with these subdivisions, in accordance with the approved street improvement plans and the requirements of the City Engineer.

### 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.
37. All existing and new utilities will be installed underground 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.