

CITY COUNCIL RESOLUTION NO. 89-100

CONDITIONS OF APPROVAL - TENTATIVE TRACT 24774
 SEPTEMBER 6, 1989

* = Mitigation as identified in EA 89-127

GENERAL CONDITIONS OF APPROVAL

1. Tentative Tract Map No. 24774 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 annexation of property to the City of La Quinta, unless approved for extension pursuant to the City of La Quinta Land Division Ordinance.
3. * Prior to issuance of any grading or building permits, Developer shall cause City of La Quinta to retain a qualified archaeologist, at Developer's expense, to review any prior archaeological studies. If subject site is not covered by previous studies, on-foot survey of site shall be done and mitigation and monitoring plan for artifact location and recovery shall be prepared. The plan shall be submitted to the Coachella Valley Archaeological Society (CVAS) for a two-week review and comment period. At a minimum, the plan shall:
 - a. Identify the means for digging test pits;
 - b. Allow sharing the information with CVAS; and,
 - c. Provide for further testing if the preliminary results show significant materials are present. The final plan shall be submitted to the Planning and Development Department for final review and approval.

Prior to the issuance of a grading permit, the Developer shall have retained a qualified cultural resources management firm and completed the testing and data recovery as noted in the plan. The management firm shall monitor the grading activity as required by the plan or testing results.

A list of qualified archaeological monitor(s), cultural resources management firm employees, and any assistant(s)/representative(s), shall be submitted to the Planning and Development Department. The list shall

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provide the current address and phone number for each monitor. The designated monitors may be changed from time to time, but no such change shall be effective unless served by registered or certified mail to the Planning and Development Department.

The designated monitors or their authorized representatives shall have the authority to temporarily divert, redirect, or halt grading activity to allow recovery of resources. In the event of discovery or recognition of any human remains, there shall be no further grading, excavation or disturbance of the site or any nearby area reasonable suspected to overlie adjacent human remains until appropriate mitigation measures are completed.

Upon completion of the data recovery, the Developer shall cause three copies of the final report containing the data analysis to be prepared and published, and submitted to the Planning and Development Department.

4. Approval of this Tentative Tract shall not be valid unless and until property is annexed to the City of La Quinta. Final map shall not 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 of the tentative map by the City Council.
5. Existing power poles shall be undergrounded as required by the La Quinta Municipal Code Section 13.28.090.
6. * 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. At a minimum, a six-foot high decorative block wall shall be provided around the project site. Provisions shall be made to comply with the following standards:
 - a. Interior of residences (habitable rooms only); CNEL of less than 45 decibels.
 - b. Exterior; CNEL of less than 60 decibels in outdoor living areas.

- 7. 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 prior to recordation of final map.
- 8. Tract layout, including, but not limited to, lot sizes, width, and depth, shall comply with R-1 zone requirements (or other zone as determined by City Council).
- 9. Prior to final map approval, the Subdivider shall submit plans or criteria to be used for landscaping of all single-family individual lot front yards. At a minimum, the plans or criteria shall provide for three 15-gallon trees for interior lots and five 15-gallon trees for corner lots, and a permanent irrigation system and suitable ground cover.
- 10. Prior to final map approval, the Applicant shall submit to the Planning & Development Department 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 and park/retention basin area (include grading plan). 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.
- 11. * If it is determined by the Planning Director that the proposed park/retention basin is not acceptable for use as a usable park site to comply with Park and Recreation Subdivision Requirements, in-lieu fees shall then be paid as required by Subdivision Ordinance.
- 12. * 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 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,

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- 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.

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.

TRAFFIC, CIRCULATION, AND ENGINEERING

13. The Applicant shall dedicate all necessary public street and utility easements as required by the City Engineer.
14. The Applicant shall vacate vehicle access rights, except at street intersections to the following streets: Avenue 54, and right turns only at intersection of "C" Street with Madison.
15. A common area lot shall be established for that area between the tract perimeter wall and street right-of-way for Madison and Avenue 54. Landscape maintenance responsibility of the total common lot and street landscape parkway shall be the responsibility of the development.
16. The Applicant shall construct street improvements for Madison and Avenue 54, together with all streets on-site, to the requirements of the City Engineer and the La Quinta Municipal Code.
17. 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" AC over 4" 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.
18. 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 pursuant to 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.

19. 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.
20. 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 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.
21. 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.
22. 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.
23. 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.
24. 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.
25. An encroachment permit for work in any abutting local jurisdiction shall be secured prior to constructing or joining improvements. (Riverside County)

26. 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.
27. The Applicant acknowledges that the City has formed 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. 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.
28. * All drainage for 100-year storm shall be retained on-site, including runoff from Madison and Avenue 54.
29. Design and construct full landscaped median on Madison and Avenue 54, or, provide suitable bonding for future improvements.
30. * Construct Madison and Avenue 54 to one-half of 110-foot Primary Arterial standard, plus one traffic lane, and suitable conform to existing pavement.
31. Submit landscape plans for approval (Note - 3:1 maximum slopes). Require bonded agreement for landscape maintenance by owner.
32. Require easement(s) for meandering sidewalks.
33. Bond 25 percent (\$25,000) future traffic signals at Madison and Avenue 54.
34. Street names to be approved by Planning and Development Department prior to recordation of tract 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.

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

35. Prior to 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 Imperial Irrigation District
- * o Coachella Valley Unified School 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.

36. * 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.
37. 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.
38. The Applicant/Builder shall submit complete detail architectural elevations for all units. The Planning Commission or Design Review Board, if operational at time of submission, will review and approve these as a Business Item. The basic architectural standards shall be included as part of the CC & Rs.
39. * 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 24774 and Environmental Assessment 89-127, 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.

MISCELLANEOUS

40. The six-foot-high perimeter wall along 54th Avenue and Madison Street shall be meandered within the required landscaped setback, so that setback is average 20 feet with minimum 15-foot setback. Plan for wall to be approved by Planning Director prior to recordation of tract map.