

CITY COUNCIL RESOLUTION 89-99
 CONDITIONS OF APPROVAL - FINAL

TENTATIVE TRACT 24507
 SEPTEMBER 6, 1989

* = Mitigation as identified in EA 89-125

GENERAL

1. Tentative Tract Map No. 24507 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 24507 shall be in substantial conformance with Exhibit A, except where there are conflicts between these conditions and said Exhibit, these 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. 35)
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. Vacation of existing irrigation line easements and establishment of new easements for rerouted irrigation lines shall be subject to approval by IID, CVWD, and the City Engineer. Width of Lot D shall be reduced to 30 feet, and shown on the final map submitted for plan check in relationship to the existing easement for the 20-inch irrigation line, as shown on Exhibit A (TT 24507). All easements shall be located/relocated outside of dedicated, private, or reserved right-of-ways.

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7. Slope easements will be required as deemed necessary by the City Engineer for work on any abutting properties, to include the Coachella Canal right-of-way. A minimum 20-foot easement (including slope, if required) shall be reserved for non-motorized public access for potential bikeway or pedestrian use. This easement shall generally extend along the canal right-of-way.
8. * 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.
9. 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.
10. * 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 52nd Avenue, for which portion the Applicant is responsible.
11. 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.
12. * 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. These plans shall include the landscape and irrigation plans for all perimeter street setback area, common area, and retention area.
13. * 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
- 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.
14. * 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.
15. * Prior to approval of any grading or other site disturbance activities or permits, the applicant shall submit an archaeological mitigation plan to indicate the status of any existing archaeological/cultural resources of any potential significance. Said plan shall identify any existing reports done by the University of California, Riverside, Archaeological Research Unit, and shall include methods by which any significant or potentially significant sites will be inventoried and/or excavated. In the event that the testing reports reveal a need for further studies, a mitigation and monitoring program shall be required to be submitted, specifying a qualified archaeological monitor, including any assistants and other representatives. The statement shall 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 on 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 reasonably suspected to overlie adjacent human remains until appropriate mitigation measures are completed.
16. 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.

TRAFFIC AND CIRCULATION

17. The Applicant shall dedicate all necessary public street and utility easements as required by the City Engineer:
 - a. 52nd Avenue to Primary Arterial standard (55-foot half-width).
 - b. All other public/private easements as deemed necessary.
18. 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 52nd Avenue to half-width plus one travel lane, in accordance with standards for Primary Arterials (110-foot right-of-way) plus suitable conforms to existing pavement. Applicant shall design and construct full landscaped median for 52nd Avenue. Applicant may bond for future median improvements subject to approval of the City Engineer.
 - b. Prepare street improvement plans and construct improvements for private streets.
19. Applicant shall dedicate, with recordation of the tract map, access rights to 52nd Avenue for all individual parcels which front or back-up to those rights-of-way, with the exception of street entries.
20. Street name proposals shall be submitted for review and approval by the Planning and Development Department prior to recordation of any portion of the final 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.
21. Access to the tract shall be permitted as follows:
 - a. The western-most entry (between Lots 1 and 25) access shall be limited to right turns in/out only;

- b. The eastern-most entry (between Lots B and C) shall be permitted a full median break.

PUBLIC SERVICES/UTILITIES

22. * Applicant shall comply with the following requirements of the Fire Marshal:

- a. Schedule A fire protection approved "Wet-Barrel Super" hydrants shall be located one at each street intersection spaced not more than 330 feet apart in any direction with not portion of any lot frontage more than 165 feet from a hydrant. Minimum fire flow shall be 1,000 GPM for two hours duration at 20 PSI. The private water system installed for fire protection shall be designed to meet the minimum standards for NFPA and the Riverside County Fire Department. Connection to a public water system will be required when one is installed adjacent to the property that is capable of providing the required fire flows.
- b. Prior to the recordation of the final map, Applicant/Developer shall furnish one blue-line copy of the water system plans to the Fire Department for review and approval. Plans shall conform to the fire hydrant types, location and spacing, and the system shall meet the fire flow requirements. Plans shall be signed by a registered civil engineer with the following certification: "I certify that the design of the water system is in accordance with the requirements prescribed by the Riverside County Fire Department.
- c. The required water system, including fire hydrants, shall be installed and accepted by the Fire Department prior to any combustible material being placed on any individual lot.
- d. A permanent monument for each house address shall be provided adjacent to each driveway at Polo Club Circle.
- e. Access driveways shall be designed to withstand the weight of emergency vehicles, be not less than 12 feet in width, with a vertical clearance of 14 feet, and be free of sharp confined turns.
- f. Residential dwellings constructed on Lots 1 through 4 shall have access roads from Polo Club Circle and be assigned addresses to Polo Club Circle.

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- g. Gates installed to restrict vehicle access to Polo Club Circle shall be power operated and equipped with Fire Department "F" frequency. Gates shall be capable of being opened by human hands without special force or knowledge in the event of power failures. Plans for the installation shall be submitted to the Fire Department for review and approval prior to the installation.
23. 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.
- a. Lot 26 (well site) shall be designated as lettered Lot E on the final map, and shall be specifically noted as a non-residential parcel.
- b. Access to Lot 26 shall be provided from Avenue 52 through Lot A (common area perimeter setback lot). Location, width, and format of proposed access shall be reviewed and approved by the City Engineer and CVWD prior to any final map recordation.

TRACT DESIGN

24. A minimum 20-foot landscaped setback shall be required along 52nd Avenue. 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 shall be calculated as an "average" with a meandering or curvilinear wall design to be used.
- b. The parkway setback area(s) shall be established as (a) separate common lot(s) and be maintained as set forth in Condition No. 32, unless an alternate method is approved by the Planning and Development Department.
25. Lot D shall be gated and restricted to limited access by the owners of Lots 1-4. In the event of development proposals for APN 769-280-004, Lot D shall be required to be reserved as a part-width boundary street to serve that parcel as a joint-use access. This joint access is intended to provide for the necessary minimum cul-de-sac design. Restrictions on use for access and reservation clauses shall be set forth, as appropriate, on the face of the final map and in the CC & Rs submitted to the City for the tract. No continuous or routine access shall be permitted over Lot D. Routine vehicular access to Lots 1 through 4 shall be via Polo Club Circle.

26. The retention areas at Lots 1 and 2 shall be controlled with an easement granted to the Homeowner's Association established pursuant to Condition #32.b., solely for the purpose of stormwater retention. Ultimate design and location of the stormwater retention system shall be subject to the review and approval of the City Engineer.

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 CC & Rs.
28. Prior to issuance of any building permits, the appropriate Planning approval shall be secured prior to establishing any of the following uses:
- a. Temporary construction facilities.
 - b. Sales facilities and/or model homes, including their appurtenant signage. (Model home unit permits will not be issued until the final map has been recorded.)
 - c. Access gates and/or guardhouses.
 - d. On-site advertising/construction signs.
29. * 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.

WALLS, FENCING, SCREENING, AND LANDSCAPING

30. 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.
31. 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 three 15-gallon trees on interior lots and five 15-gallon trees on corner lots, as well as an irrigation system and suitable ground cover.

MAINTENANCE

32. 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(s) along 52nd Avenue.

- (3) Interior private street system, including any access gates and other related common facilities/landscaping on Lots B, C, and D.

MISCELLANEOUS

33. Prior to the issuance of a grading permit/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 Coachella Valley 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.

34. 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.
35. This approval shall not be in effect until and unless the annexation of the property has been approved, adopted by Resolution of the City Council, and said Resolution has been recorded. No final map may be approved until the annexation is completed; however, the Applicant may commence with the final map review process while awaiting annexation. 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.
36. The Applicant/Developer shall pay fees, in lieu of parkland dedication, based upon .22 acres of parkland required to be dedicated pursuant to Chapter 13.24 of the La Quinta Municipal Code. This payment shall be made prior to scheduling the final map, or any portion thereof, for City Council approval.
37. * 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 24507 and Environmental Assessment 89-125, 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.