

**CONDITIONS OF APPROVAL - FINAL
TENTATIVE PARCEL MAP 30519
KSL LAND CORPORATION
MARCH 27, 2002**

FINDINGS

- A. California Environmental Quality Act (CEQA). The La Quinta Community Development Department has determined that this subdivision map has been previously assessed in conjunction with certification of Environmental Impact Report #41 for Specific Plan 121-E in 1975. On June 19, 2001, the City Council certified an EIR Addendum for Amendment #5 to SP 121-E by adoption of Resolution 2001-83. There are no changed circumstances, conditions, or new information which would trigger the preparation of a subsequent environmental assessment pursuant to Public Resources Code Section 21166. Additionally, Tentative Parcel Map 30146, the underlying recorded map, was determined to be Categorically Exempt from CEQA provisions pursuant to Section 15315 (Class 15) when approved by the Community Development Director on April 26, 2001.
- B. General Plan/Specific Plan Consistency. As conditioned, the proposed tentative parcel map conforms to the design guidelines and standards of the General Plan for development of residential development and golf course open space as set forth in the Land Use Element. The proposed parcel map is consistent with Specific Plan 121-E (City Council Resolution 2001-85) in that the parcels to be created will be sold to perimeter property owner so increase the size of back yards for Tentative Tract Map 30125 (Phases 1 and 2).
- C. Public Easements. As conditioned, the design of the proposed subdivision and improvements will not conflict with easements acquired by the public at large, for access through, or use of, property within the proposed parcel map since legal access has already been conveyed through recordation of the underlying development maps.
- D. Design of the Subdivision. As conditioned, the design of the subdivision complies with the requirements of Specific Plan 121-E in that proposed parcels (Numbers 2 through 4) are to be sold to adjacent property owners in the Sedona Homes development to increase the length of their proposed single family lots. These land conveyances will be made by separate legal instruments, subject to approval of the Public Works Department.
- E. Suitability of the Site. As conditioned, the proposed design of the subdivision is physically compatible with the site with regards to the topography and geologic nature for the type of development anticipated within Specific Plan 121-E (i.e., golf course fairways and detached residential housing units).

- F. Public Health. As conditioned, the proposed subdivision will not result in any increased hazard to public health or welfare, as the design has been reviewed by affected public agencies and City Department for health and safety issues, with none identified.

GENERAL CONDITIONS

1. The applicant agrees to defend, indemnify and hold harmless the City of La Quinta ("City"), its agents, officers and employees from any claim, action or proceeding to attack, set aside, void, or annul the approval of this Tentative Parcel Map, or any Map recorded thereunder. The City shall have sole discretion in selecting its defense counsel.

The City shall promptly notify the applicant of any claim, action or proceeding and shall cooperate fully in the defense.

2. This Tentative Parcel Map, and any Parcel Map recorded thereunder, shall comply with the requirements and standards of Government Code §§ 66410 through 66499.58 (the "Subdivision Map Act"), and Chapter 13 of the La Quinta Municipal Code ("LQMC").

The City of La Quinta's Municipal Code can be accessed on the City's Web Site at www://la-quinta.org.

3. Prior to the issuance of any grading, construction, or building permit by the City, the applicant shall obtain the necessary clearances and/or permits from the following agencies:

- Fire Marshal
- Public Works Department (Grading Permit, Improvement Permit)
- Community Development Department
- Riverside Co. Environmental Health Department
- Coachella Valley Water District (CVWD)
- Imperial Irrigation District (IID)
- California Water Quality Control Board (CWQCB)
- SunLine Transit Agency

The applicant is responsible for all requirements of the permits and/or clearances from the above listed agencies. When the requirements include approval of improvement plans, the applicant shall furnish proof of such approvals when submitting those improvements plans for City approval.

4. This tentative parcel map shall be subject to the applicable Conditions of Approval and requirements of Specific Plan 121-E, unless otherwise noted herein.

PROPERTY RIGHTS

5. Prior to issuance of any permit(s), the applicant shall acquire or confer easements and other property rights necessary for the construction or proper functioning of the proposed development. Conferred rights shall include irrevocable offers to dedicate or grant access easements to the City for emergency services and for maintenance, construction and reconstruction of essential improvements.
6. As required for Parcel Map 30146, the applicant shall offer for dedication on the Parcel Map all public street right-of-ways in conformance with the City's General Plan, Municipal Code, applicable specific plans, and/or as required by the City Engineer. The applicant shall exhibit that all easements and right of way required for the future improvement of Eisenhower Drive along that portion of Parcel Map No. 28334, Parcel 3, has been granted as required for said improvements. The public street right-of-way offers for dedication required for this development include:

A. PUBLIC STREETS

- 1) Eisenhower Drive (Primary Arterial) 50 foot half of 100 foot right of way.
 - 2) Avenue 50 (Primary Arterial) - 50 foot half of 100 foot right of way.
7. The applicant shall vacate all abutter's right-of-access to public streets and properties from all frontages along such public streets and properties, excepting those access points shown on the Parcel Map.
 8. When an applicant proposes the vacation, or abandonment, of any existing right-of-way, or access easement, which will diminish the access rights to any properties owned by others, the applicant shall provide an alternate right-of-way or access easement, to those properties, or notarized letters of consent from the affected property owners.
 9. The applicant shall cause no easement to be granted, or recorded, over any portion of the subject property between the date of approval of the Tentative Parcel Map and the date of recording of any Parcel Map, unless such easement is approved by the City Engineer.

PARCEL MAP(S)

10. Prior to the City's approval of a Parcel Map, the applicant shall furnish accurate AutoCAD files of the Parcel Map that was approved by the City's map checker on a storage media acceptable to the City Engineer. Such files shall be in a standard AutoCAD format so as to be fully retrievable into a basic AutoCAD program.

Where a Parcel Map was not produced in an AutoCAD format, or produced in a file that can be converted to an AutoCAD format, the City Engineer will accept a raster-image file of such Parcel Map.

FEES AND DEPOSITS

11. The applicant shall comply with the provisions of Section 13.24.180 (Fees and Deposits), LQMC. These fees include all deposits and fees required by the City for plan checking and construction inspection. Deposits and fee amounts shall be those in effect when the applicant makes application for plan check and permits.
12. Prior to approval of a final map or completion of any approval process for modification of boundaries of the property or lots subject to these conditions, the applicant shall process a reapportionment of any bonded assessment(s) against the property and pay the cost of the reapportionment.
13. Permits issued under this approval shall be subject to the provisions of the Infrastructure Fee Program and Development Impact Fee program in effect at the time of issuance of building permit(s).

FIRE MARSHAL

14. The required water system including fire hydrants will be installed and accepted by the appropriate water agency prior to any combustible building material being placed on an individual lot.