

**Findings and Conditions of Approval – Final  
Tentative Parcel Map 34766  
Sue Marie Leidner  
August 16, 2006**

**FINDINGS**

**FILE**

1. California Environmental Quality Act - The La Quinta Community Development Department has determined that this subdivision is exempt from environmental assessment pursuant to the criteria as listed in Section 15315 of the Guidelines to the California Environmental Quality Act.
2. General Plan Consistency - As conditioned, the proposed tentative parcel map conforms to the design guidelines and standards of the General Plan for Low Density Residential designated properties, as set forth in the Land Use Element.
3. Public Easements - As conditioned, the design of the proposed subdivision and future 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 is provided from Couples Court. Utility and access easements have been provided for or required in the subdivision design.
4. Design of the Subdivision - As conditioned, the design of the subdivision complies with the requirements of the Residential Low Density Residential zoning district. Approval of the Tentative Parcel Map will result in the restoration of the original property configuration.
5. Suitability of the Site - As conditioned, the proposed design of the subdivision is physically compatible with the site with regards to level topography for the type of land use designation and potential development of the subject property, and in consideration of existing residential development in the surrounding area.
6. 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 the appropriate responsible agencies for health and safety issues, with none identified.

**CONDITIONS OF APPROVAL**

**GENERAL**

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 Tract Map, or any Final 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](http://www.la-quinta.org).

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

- Fire Marshal
- Public Works Department (Grading Permit, Green Sheet (Public Works Clearance) for Building Permits, Improvement Permit)
- Community Development Department
- Riverside Co. Environmental Health Department
- Coachella Valley Unified School District
- Coachella Valley Water District (CVWD)
- Imperial Irrigation District (IID)
- California Water Quality Control Board (CWQCB)

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. 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).

#### 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. The applicant shall offer for dedication those easements necessary for the placement of, and access to, utility lines and structures, drainage basins, mailbox clusters, park lands, and common areas on the Final Map.
7. The applicant shall offer for dedication on the Final Map a ten-foot wide public utility easement contiguous with and along Couples Court.
8. 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 Final Map, unless such easement is approved by the City Engineer.

#### IMPROVEMENT PLANS

As used throughout these Conditions of Approval, professional titles such as "engineer," "surveyor," and "architect," refer to persons currently certified or licensed to practice their respective professions in the State of California.

Improvement plans shall be prepared by or under the direct supervision of qualified engineers and/or architects, as appropriate, and shall comply with the provisions of Section 13.24.040 (Improvement Plans), LQMC.

9. The following plans shall be submitted for each parcel to the Building and Safety Department for review and approval. The plans shall utilize the minimum scale specified, unless otherwise authorized by the Building and Safety Director in writing. Plans may be prepared at a larger scale if additional detail or plan clarity is desired. Note: the applicant may be required to prepare other improvement plans not listed here pursuant to improvements required by other agencies and utility purveyors.
  - A. On-Site Residential Precise Grading Plan      1" = 30' Horizontal

Additionally, the applicant will be required to get Public Works/Engineering Department Clearance for Building Permit prior to issuance of any Building Permit.

#### IMPROVEMENT SECURITY AGREEMENTS

10. Should the applicant fail to construct the improvements for the development, or fail to satisfy its obligations for the development in a timely manner, the City shall have the right to halt issuance of building permits, and/or final building

inspections, withhold other approvals related to the development of the project, or call upon the surety to complete the improvements.

#### UTILITIES

10. The applicant shall comply with the provisions of Section 13.24.110 (Utilities), LQMC.
11. Underground utilities shall be installed prior to overlying hardscape. For installation of utilities in existing improved streets, the applicant shall comply with trench restoration requirements maintained, or required by the City Engineer.
12. The applicant is required to provide all required connection for each parcel to existing utilities to include but not limited to water, sewer, and electrical.

The applicant shall provide certified reports of all utility trench compaction for approval by the City Engineer.

#### PARCEL MAPS

14. 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.

#### STREET AND TRAFFIC IMPROVEMENTS

15. The applicant shall comply with the provisions of Sections 13.24.060 (Street Improvements), 13.24.070 (Street Design - Generally) & 13.24.100 (*Access for Individual Properties and Development*), LQMC for public streets; and Section 13.24.080 (Street Design - Private Streets), where private streets are proposed.
16. If applicable, the applicant shall remove existing driveway approaches on Couples Court and install curb and gutter per City of La Quinta standards when required. Location of new driveway approaches for Parcels 1 and 2 shall be approved by the Engineering Department.

#### QUALITY ASSURANCE

17. The applicant shall employ construction quality-assurance measures that meet with the approval of the City Engineer.
18. The applicant shall employ, or retain, qualified engineers, surveyors, and such other appropriate professionals as are required to provide the expertise with which to prepare and sign accurate record drawings, and to provide adequate construction supervision.
19. The applicant shall arrange for, and bear the cost of, all measurements, sampling and testing procedures not included in the City's inspection program, but which may be required by the City, as evidence that the construction materials and methods employed comply with the plans, specifications and other applicable regulations.
20. Upon completion of construction, the applicant shall furnish the City with reproducible record drawings of all improvement plans which were approved by the City. Each sheet shall be clearly marked "Record Drawing," "As-Built" or "As-Constructed" and shall be stamped and signed by the engineer or surveyor certifying to the accuracy and completeness of the drawings. The applicant shall have all AutoCAD or raster-image files previously submitted to the City, revised to reflect the as-built conditions.

#### FEES AND DEPOSITS

21. 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.
22. 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).