

Findings and Conditions of Approval – Final

Tentative Parcel Map No. 36241

Regency Marinita La Quinta, LLC

Adopted: April 21, 2010

FINDINGS

1. California Environmental Quality Act - The La Quinta Planning Director has determined that the request has been previously assessed in conjunction with Environmental Assessment 2002-462 prepared for Specific Plan 2002-062 and Site Development Permit 2002-754 which were certified by the City Council on June 20, 2004. No changed circumstances or conditions are proposed, or new information has been submitted which would trigger the preparation of a subsequent Environmental Review Pursuant to Public Resources Code Section 21166.
2. General Plan Consistency - The proposed Tentative Parcel Map conforms to the design guidelines and standards of the General Plan for Neighborhood Commercial (NC) designated properties, as set forth in the Land Use Element, as it subdivides existing approved NC land uses.
3. Public Easements - The design of the proposed Tentative Parcel Map will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision, in that reciprocal access and maintenance needs will be provided for within the project via Conditions of Approval.
4. Design of the Subdivision - The design of the proposed Tentative Parcel Map complies with the La Quinta General Plan and Specific Plan 2002-062 Amendment #2, in that the proposed parcels are in conformance with applicable goals, policies, and development standards, as governed by the Specific Plan for the overall project.
5. Suitability of the Site - The proposed design of the Tentative Parcel Map is physically compatible with the site with regards to level topography for the subject property, as the site design is approved and no different development is proposed.
6. Public Health - The proposed Tentative Parcel Map 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, and the subdivision will not result in any further development within its boundary.
7. Parcel Map Required – A Parcel Map and Final Map are required based on the Subdivision Map Act, Section 66426(f), and under authority of the City of La Quinta Subdivision Ordinance (Title 13, Section 13.20.020.A; La Quinta Municipal Code).

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CONDITIONS OF APPROVAL

GENERAL

1. This Tentative Parcel Map shall expire on April 21, 2012, unless recorded or granted a time extension pursuant to the requirements of La Quinta Municipal Code 9.200.080 (Permit expiration and time extensions).
2. 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 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.

3. This Tentative Parcel Map, and any Final Map recorded thereunder, shall comply with the requirements and standards of Government Code §§ 66410 through 66499.58 (the "Subdivision Map Act"), Chapter 13 of the La Quinta Municipal Code ("LQMC"), and conditions of approval for Site Development Permit 2007-898.

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

4. Prior to the issuance of any grading, construction, or building permit by the City, the applicant shall obtain any necessary clearances and/or permits from the following agencies, if required:
 - Riverside County Fire Marshal
 - Public Works Department (Grading Permit, Green Sheet (Public Works Clearance) for Building Permits, Improvement Permit)
 - Planning Department
 - Riverside Co. Environmental Health Department
 - Desert Sands Unified School District
 - Coachella Valley Water District (CVWD)

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- Imperial Irrigation District (IID)
- California Water Quality Control Board (CWQCB)
- SunLine Transit Agency
- South Coast Air Quality Management District Coachella Valley

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.

A project-specific NPDES construction permit must be obtained by the applicant; who then shall submit a copy of the Regional Water Quality Control Board's ("RWQCB") acknowledgment of the applicant's Notice of Intent ("NOI"), prior to the issuance of a grading or site construction permit by the City.

5. The applicant shall comply with applicable provisions of the City's NPDES stormwater discharge permit, LQMC Sections 8.70.010 et seq. (Stormwater Management and Discharge Controls), and 13.24.170 (Clean Air/Clean Water); Riverside County Ordinance No. 457; the California Regional Water Quality Control Board – Colorado River Basin Region Board Order No. R7-2008-0001 and the State Water Resources Control Board's Order No. 99-08-DWQ.

- A. For construction activities including clearing, grading or excavation of land that disturbs one (1) acre or more of land, or that disturbs less than one (1) acre of land, but which is a part of a construction project that encompasses more than one (1) acre of land, the Permittee shall be required to submit a Storm Water Pollution Protection Plan ("SWPPP").

The applicant or design professional can obtain the California Stormwater Quality Association SWPPP template at www.cabmphandbooks.com for use in their SWPPP preparation.

- B. The applicant's SWPPP shall be approved by the City Engineer prior to any on or off-site grading being done in relation to this project.
- C. The applicant shall ensure that the required SWPPP is available for inspection at the project site at all times through and including acceptance of all improvements by the City.

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- D. The applicant's SWPPP shall include provisions for all of the following Best Management Practices ("BMPs") (LQMC Section 8.70.020 (Definitions)):
- 1) Temporary Soil Stabilization (erosion control).
 - 2) Temporary Sediment Control.
 - 3) Wind Erosion Control.
 - 4) Tracking Control.
 - 5) Non-Storm Water Management.
 - 6) Waste Management and Materials Pollution Control.
- E. All erosion and sediment control BMPs proposed by the applicant shall be approved by the City Engineer prior to any onsite or offsite grading, pursuant to this project.
- F. The approved SWPPP and BMPs shall remain in effect for the entire duration of project construction until all improvements are completed and accepted by the City.
6. 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).
7. Approval of this Tentative Parcel Map shall not be construed as approval for any horizontal dimensions implied by any site plans or exhibits unless specifically identified in the following conditions of approval.
8. Developer shall reimburse the City, within thirty (30) days of presentment of the invoice, all costs and actual attorney's fees incurred by the City Attorney to review, negotiate and/or modify any documents or instruments required by these conditions, if Developer requests that the City modify or revise any documents or instruments prepared initially by the City to effect these conditions. This obligation shall be paid in the time noted above without deduction or offset and Developer's failure to make such payment shall be a material breach of the Conditions of Approval.

PROPERTY RIGHTS

9. 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

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or grant access easements to the City for emergency services and for maintenance, construction and reconstruction of essential improvements. Said conferred rights shall also include grant of access easement to the City of La Quinta for the purpose of graffiti removal by City staff or assigned agent in perpetuity and agreement to the method to remove graffiti and to paint over to best match existing. The applicant shall establish the aforementioned requirements in the CC&R's for the development or other agreements as approved by the City Engineer. Pursuant to the aforementioned, the applicant shall submit and execute an "AUTHORIZATION TO REMOVE GRAFFITI FROM PRIVATE PROPERTY" form located at the Public Works Department Counter prior to recordation of Final Map.

10. Pursuant to the aforementioned condition, conferred rights shall include approvals from the master developer or the Owners Association over easements and other property rights necessary for construction and proper functioning of the proposed development not limited to access rights over proposed and/or existing private streets that access public streets and open space/drainage facilities of the master development. Said rights shall also include reciprocal rights over parking spaces within Tentative Parcel Map 36241 and required easements for Parcels 3, 4, 5, 6, and 7 for easement for individual underground fire department equipment that crosses through multiple parcels. The reciprocal access agreements shall be submitted for review to the Public Works Department concurrent with the recordation of the Final Map.
11. If required, the applicant shall offer for dedication on the Final Map all public street rights-of-way in conformance with the City's General Plan, Municipal Code, applicable specific plans, and/or as required by the City Engineer.
12. The public street right-of-way offers for dedication required for this development include:
 - A. PUBLIC STREETS
 - 1) Jefferson Street (Major Arterial, 120' ROW) – No additional right of way dedication is required.
 - 2) Fred Waring Drive (Major Arterial, 120' ROW) – No additional right of way dedication is required.
13. If and when the City Engineer determines that access rights to the proposed street rights-of-way shown on the approved Tentative Parcel Map are necessary prior to approval of the Final Map dedicating such rights-of-way, the applicant shall grant the necessary rights-of-way within 60 days of a written request by the City.

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14. The applicant shall maintain existing perimeter landscaping setbacks along all public rights-of-way as follows:
- A. Jefferson Street and Fred Waring Drive (Major Arterial) - 20-foot from the R/W-P/L.

The listed setback depth shall be the average depth where a meandering wall design is approved by the Planning Director.

The setback requirements shall apply to all frontages including, but not limited to, remainder parcels and sites dedicated for utility purposes.

Where public facilities (e.g., sidewalks) are placed on privately-owned setbacks, the applicant shall offer for dedication blanket easements for those purposes on the Final Map.

15. The applicant shall offer for dedication those easements necessary for the placement of, and access to, utility lines and structures, drainage basins, mailbox clusters, City entry signs and common areas on the Final Map.
16. Direct vehicular access to Jefferson Street and Fred Waring Drive from parcels with frontage along Jefferson Street and Fred Waring Drive is restricted, except for those existing access points identified on the Tentative Parcel Map, or as otherwise conditioned in these conditions of approval. The vehicular access restriction shall be shown on the recorded Final Parcel Map.
17. The applicant shall furnish proof of easements, or written permission, as appropriate, from those owners of all abutting properties on which grading, retaining wall construction, permanent slopes, or other encroachments will occur. Pursuant to the aforementioned condition, the applicant shall provide perpetual access easement to the City of La Quinta to and from the Monticello Park to the west.
18. 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.

STREET AND TRAFFIC IMPROVEMENTS

19. The applicant shall comply with the provisions of LQMC Sections 13.24.060 (Street Improvements), 13.24.070 (Street Design - Generally) & 13.24.100 (Access For Individual Properties And Development) for public streets; and Section 13.24.080 (Street Design - Private Streets), where private streets are proposed.

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20. The applicant shall construct the following street improvements (if not already completed) to conform to the General Plan (street type noted in parentheses.)

A. OFF-SITE STREETS

1) Jefferson Street (Major Arterial; 120' R/W):

No additional widening of the west side of the street along all frontage adjacent to the Tentative Parcel Map boundary to its ultimate width on the west side as specified in the General Plan as the Jefferson Street Improvements CIP 2000-019 has constructed necessary widening. The constructed curb, gutter and driveway approaches are not expected to change.

2) Fred Waring Drive (Major Arterial; 120' R/W):

No additional widening of the south side of the street along all frontage adjacent to the Tentative Parcel Map boundary to its ultimate width on the west side as specified in the General Plan as the Jefferson Street Improvements CIP 2000-019 and street improvement plans for SDP 2007-898 have constructed necessary widening. The constructed curb, gutter and driveway approaches are not expected to change.

PARKING LOTS and ACCESS POINTS

21. The design of parking facilities (if not in compliance) shall conform to LQMC Chapter 9.150 and in particular the following:

- A. The parking stall and aisle widths and the double hairpin stripe parking stall design.
- B. Cross slopes should be a maximum of 2% where ADA accessibility is required including accessibility routes between buildings.
- C. Building access points shall be shown on the Precise Grading Plans to better evaluate ADA accessibility issues.
- D. Accessibility routes to public streets and adjacent development shall be shown on the Precise Grading Plan.
- E. Parking stall lengths shall be according to LQMC Chapter 9.150 and be a minimum of 17 feet in length with a 2-foot overhang for standard parking stalls and 18 feet with a 2-foot overhang for handicapped parking stall or as

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approved by the City Engineer. One van accessible handicapped parking stall is required per 8 handicapped parking stalls.

- F. Drive aisles between parking stalls shall be a minimum of 26 feet with access drive aisles to Public Streets a minimum of 30 feet as shown on the approved Site Development Plan site plan for SDP 2007-898 or as approved by the City Engineer. Entry drives, main interior circulation routes, corner cutbacks, bus turnouts, dedicated turn lanes, ADA accessibility route to public streets and other features shown on the approved construction plans, may require additional aisle widths, realignment and other improvements as may be determined by the City Engineer. In particular, non curvilinear access drives may require redesign to eliminate sight distance and traffic conflict issues.

Entry drives, main interior circulation routes, corner cutbacks, dedicated turn lanes, ADA accessibility route to public streets and other features shown on the approved construction plans, may require additional street widths and other improvements as may be determined by the City Engineer.

22. General access points and turning movements of traffic to and from on site drive aisles are limited to the access locations approved for Site Development Permit 2007-898 and as conditioned for this Tentative Parcel Map.
23. The applicant shall design street pavement sections using CalTrans' design procedure for 20-year life pavement, and the site-specific data for soil strength and anticipated traffic loading (including construction traffic). Minimum structural sections shall be as follows:

| | |
|-------------------------------------|-----------------------|
| Parking Lot & Aisles (Low Traffic) | 3.0" a.c./4.5" c.a.b. |
| Parking Lot & Aisles (High Traffic) | 4.5" a.c./5.5" c.a.b. |
| Loading Areas | 6" P.C.C./4" c.a.b. |

or the approved equivalents of alternate materials.

24. The applicant shall submit current mix designs (less than two years old at the time of construction) for base, asphalt concrete and Portland cement concrete. The submittal shall include test results for all specimens used in the mix design procedure. For mix designs over six months old, the submittal shall include recent (less than six months old at the time of construction) aggregate gradation test results confirming that design gradations can be achieved in current production. The applicant shall not schedule construction operations until mix designs are approved.

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25. Improvements shall include appurtenances such as traffic control signs, markings and other devices, raised medians if required, street name signs and sidewalks.
26. Improvements shall be designed and constructed in accordance with City adopted standards, supplemental drawings and specifications, or as approved by the City Engineer. Improvement plans for streets, access gates and parking areas shall be stamped and signed by qualified engineers.

FINAL MAPS

27. Prior to the City's approval of a Final Map, the applicant shall furnish accurate mylars of the Final Map that were approved by the City's map checker on a storage media acceptable to the City Engineer. The Final Map shall be 1" = 40' scale.

IMPROVEMENT PLANS

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

28. 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 LQMC Section 13.24.040 (Improvement Plans).
29. If required, the following improvement plans shall be prepared and submitted for review and approval by the Public Works Department. A separate set of plans for each line item specified below shall be prepared. The plans shall utilize the minimum scale specified, unless otherwise authorized by the City Engineer 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 Precise Grading Plan (Applicable at time
of future development only) 1" = 20' Horizontal
- B. PM10 Plan (Delta Sheets for Parcels) 1" = 40' Horizontal
- C. SWPPP (Delta Sheets for Parcels) 1" = 40' Horizontal
- D. WQMP (WQMP Exemption Form is required)

NOTE: A through D to be submitted concurrently and as required by the City Engineer.

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Other engineered improvement plans prepared for City approval that are not listed above shall be prepared in formats approved by the City Engineer prior to commencing plan preparation.

The applicant shall prepare an accessibility assessment on a marked up print of the building floor plan identifying every building egress and note the 2007 California Building Code accessibility requirements associated with each door. The assessment must comply with submittal requirements of the Building & Safety Department. A copy of the reviewed assessment shall be submitted to the Engineering Department in conjunction with any improvement or Site Development Plan when it is submitted for plan checking.

In addition to the normal set of improvement plans, an "On-Site Commercial Precise Grading" plan is required to be submitted for approval by the Building Official, Planning Director and the City Engineer.

"On-Site Commercial Precise Grading" plans shall normally include all on-site surface improvements including but not necessarily limited to finish grades for curbs & gutters, building floor elevations, parking lot improvements and ADA requirements.

30. The City maintains standard plans, detail sheets and/or construction notes for elements of construction which can be accessed via the "Plans, Notes and Design Guidance" section of the Public Works Department at the City website (www.la-quinta.org). Please navigate to the Public Works Department home page and look for the Standard Drawings hyperlink.
31. The applicant shall furnish a complete set of the mylars of all approved improvement plans on a storage media acceptable to the City Engineer.
32. Upon completion of construction, and prior to final acceptance of the improvements by the City, 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" 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 approved mylars previously submitted to the City, revised to reflect the as-built conditions. The applicant shall employ or retain the Engineer Of Record during the construction phase of the project so that the EOR can make site visits in support of preparing "Record Drawing". However, if subsequent approved revisions have been approved by the City Engineer and reflect said "Record Drawing" conditions, the Engineer Of Record may submit a letter attesting to said fact to the City Engineer in lieu of mylar submittal.

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IMPROVEMENT SECURITY AGREEMENTS (FUTURE DEVELOPMENT)

33. Prior to approval of any Final Map, the applicant shall construct all on and off-site improvements and satisfy its obligations for same, or shall furnish a fully secured and executed Subdivision Improvement Agreement ("SIA") guaranteeing the construction of such improvements and the satisfaction of its obligations for same, or shall agree to any combination thereof, as may be required by the City.

Pursuant to the aforementioned, the applicant shall secure for those improvements shown on the approved Site Development Permit 2007-898 that have not been constructed and accepted by the City of La Quinta.

34. Any Subdivision Improvement Agreement ("SIA") entered into by and between the applicant and the City of La Quinta, for the purpose of guaranteeing the completion of any improvements related to this Tentative Parcel Map, shall comply with the provisions of LQMC Chapter 13.28 (Improvement Security).
35. Improvements to be made, or agreed to be made, shall include the removal of any existing structures or other obstructions which are not a part of the proposed improvements; and shall provide for the setting of the final survey monumentation.
36. Depending on the timing of the development of this Tentative Parcel Map, and the status of the off-site improvements at the time, the applicant may be required to:
- A. Construct certain off-site improvements.
 - B. Construct additional off-site improvements, subject to the reimbursement of its costs by others.
 - C. Reimburse others for those improvements previously constructed that are considered to be an obligation of this tentative parcel map.
 - D. Secure the costs for future improvements that are to be made by others.
 - E. To agree to any combination of these actions, as the City may require.

In the event that any of the improvements required for this development are constructed by the City, the applicant shall, prior to the approval of the Final Map, or the issuance of any permit related thereto, reimburse the City for the costs of such improvements.

37. If the applicant elects to utilize the secured agreement alternative, the applicant shall submit detailed construction cost estimates for all proposed on-site and off-site

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improvements, including an estimate for the final survey monumentation, for checking and approval by the City Engineer. Such estimates shall conform to the unit cost schedule adopted by City resolution, or ordinance.

For items not listed in the City's unit cost schedule, the proposed unit costs shall be approved by the City Engineer.

At the time the applicant submits its detailed construction cost estimates for conditional approval of the Final Map by the City Council, the applicant shall also submit one copy each of an 8-1/2" x 11" reduction of each page of the Final Map, along with a copy of an 8-1/2" x 11" Vicinity Map.

Estimates for improvements under the jurisdiction of other agencies shall be approved by those agencies and submitted to the City along with the applicant's detailed cost estimates.

Security will not be required for telephone, natural gas, or Cable T.V. improvements.

38. 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.

PRECISE GRADING

39. The applicant shall comply with the provisions of LQMC Section 13.24.050 (Grading Improvements).
40. Prior to occupancy of the project site for any future construction, or other purposes, the applicant shall obtain a grading permit approved by the City Engineer.
41. To obtain an approved grading permit, the applicant shall submit and obtain approval of all of the following:
- A. A grading plan prepared by a qualified engineer,
 - B. A preliminary geotechnical ("soils") report prepared by a qualified engineer,
 - C. A Fugitive Dust Control Plan prepared in accordance with LQMC Chapter 6.16, (Fugitive Dust Control), and

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- D. A Best Management Practices report prepared in accordance with LQMC Sections 8.70.010 and 13.24.170 (NPDES stormwater discharge permit and Storm Management and Discharge Controls).

All grading shall conform to the recommendations contained in the Preliminary Soils Report, and shall be certified as being adequate by a soils engineer, or by an engineering geologist.

A statement shall appear on the Final Map that a soils report has been prepared in accordance with the California Health & Safety Code § 17953.

The applicant shall furnish security, in a form acceptable to the City, and in an amount sufficient to guarantee compliance with the approved Fugitive Dust Control Plan provisions as submitted with its application for a grading permit.

42. The applicant shall maintain all open graded, undeveloped land in order to prevent wind and/or water erosion of such land. All open graded, undeveloped land shall either be planted with interim landscaping, or stabilized with such other erosion control measures, as were approved in the Fugitive Dust Control Plan. The applicant is required to place a decomposed granite stabilizer for all undeveloped parcels if construction is not initiated by the end of 2010 or as required by the City Engineer.
43. Grading within the perimeter setback and parkway areas shall have undulating terrain and shall conform with the requirements of LQMC Section 9.60.240(F) except as otherwise modified by this condition requirement. The maximum slope shall not exceed 3:1 anywhere in the landscape setback area, except for the backslope (i.e. the slope at the back of the landscape parcel) which shall not exceed 2:1 if fully planted with ground cover. The maximum slope in the first six (6) feet adjacent to the curb shall not exceed 4:1 when the nearest edge of sidewalk is within six feet (6') of the curb, otherwise the maximum slope within the right of way shall not exceed 3:1. All unpaved parkway areas adjacent to the curb shall be depressed one and one-half inches (1.5") in the first eighteen inches (18") behind the curb.
44. Building pad elevations on the rough grading plan submitted for City Engineer's approval shall conform to pad elevations shown on the Tentative Map, unless the pad elevations have other requirements imposed elsewhere in these Conditions of Approval.
45. Building pad elevations of perimeter parcels shall not differ by more than one foot higher from the building pads in adjacent developments.
46. The applicant shall minimize the differences in elevation between the adjoining properties and the parcels within this development.

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Building pad elevations on contiguous interior parcels shall not differ by more than three feet except for parcels that do not share a common street frontage, where the differential shall not exceed five feet

Where compliance within the above stated limits is impractical, the City may consider alternatives that are shown to minimize safety concerns, maintenance difficulties and neighboring-owner dissatisfaction with the grade differential.

47. Prior to any site grading or regrading that will raise or lower any portion of the site by more than plus or minus five tenths of a foot (0.5') from the elevations shown on the approved Tentative Parcel Map, the applicant shall submit the proposed grading changes to the City Staff for a substantial conformance finding review.
48. Prior to the issuance of a building permit for any building pad parcel, the applicant shall provide a lot pad certification stamped and signed by a qualified engineer or surveyor with applicable compaction tests and over excavation documentation.

Each pad certification shall list the pad elevation as shown on the approved grading plan, the actual pad elevation and the difference between the two, if any. Such pad certification shall also list the relative compaction of the pad soil. The data shall be organized by lot number, and listed cumulatively if submitted at different times.

DRAINAGE

49. Stormwater handling shall conform to the approved hydrology and drainage report for Site Development Permit 2007-898. Nuisance water shall be disposed of in an approved manner.

Nuisance water shall be retained onsite and disposed of via an underground percolation improvement approved by the City Engineer.

50. The applicant shall comply with applicable provisions for post construction runoff per the City's NPDES stormwater discharge permit, LQMC Sections 8.70.010 et seq. (Stormwater Management and Discharge Controls), and 13.24.170 (Clean Air/Clean Water); Riverside County Ordinance No. 457; and the California Regional Water Quality Control Board – Colorado River Basin (CRWQCB-CRB) Region Board Order No. R7-2008-001.
 - A. For post-construction urban runoff from New Development and Redevelopments Projects, the applicant shall implement requirements of the NPDES permit for the design, construction and perpetual operation and maintenance of BMPs per the approved Water Quality Management Plan (WQMP) for the project as required by the California Regional Water Quality

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Control Board – Colorado River Basin (CRWQCB-CRB) Region Board Order No. R7-2008-001.

- B. The applicant shall implement the WQMP Design Standards per (CRWQCB-CRB) Region Board Order No. R7-2008-001 utilizing BMPs approved by the City Engineer. A project specific WQMP shall be provided which incorporates Site Design and Treatment BMPs utilizing first flush infiltration as a preferred method of NPDES Permit Compliance for Whitewater River receiving water, as applicable.

Note: At a minimum, the applicant's engineer shall submit a WQMP Exemption for post-development maps.

UTILITIES

51. The applicant shall comply with the provisions of LQMC Section 13.24.110 (Utilities).
52. The applicant shall obtain the approval of the City Engineer for the location of all utility lines within any right-of-way, and all above-ground utility structures including, but not limited to, traffic signal cabinets, electric vaults, water valves, and telephone stands, to ensure optimum placement for practical and aesthetic purposes.

The applicant shall provide certified reports of all utility trench compaction for approval by the City Engineer. Additionally, grease traps and the maintenance thereof shall be located as to not conflict with access aisles/entrances.

LANDSCAPE AND IRRIGATION

53. The applicant shall comply with LQMC Sections 13.24.130 (Landscaping Setbacks) & 13.24.140 (Landscaping Plans).
54. The applicant shall provide landscaping in the required setbacks, retention basins, and common areas.
55. Landscape and irrigation plans for landscaped parcels and setbacks, medians, and retention basins shall be signed and stamped by a licensed landscape architect.
56. The applicant shall submit the landscape plans for approval by the Planning Department and green sheet sign off by the Public Works Department. When plan checking has been completed by the Planning Department, the applicant shall obtain the signatures of CVWD and the Riverside County Agricultural Commissioner, prior to submittal for signature by the Planning Director, however landscape plans for landscaped median on public streets shall be approved by the both the Planning

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Director and the City Engineer. Where City Engineer approval is not required, the applicant shall submit for a green sheet approval by the Public Works Department. Final plans shall include all landscaping associated with this project.

NOTE: Plans are not approved for construction until signed by both the Planning Director and/or the City Engineer.

57. Landscape areas shall have permanent irrigation improvements meeting the requirements of the Planning Director. Use of lawn areas shall be minimized with no lawn, or spray irrigation, being placed within 24 inches of curbs along public streets.
58. The applicant or his agent has the responsibility for proper sight distance requirements per guidelines in the AASHTO "A Policy on Geometric Design of Highways and Streets, 5th Edition" or latest, in the design and/or installation of all landscaping and appurtenances abutting and within the private and public street right-of-way.

MAINTENANCE

59. The applicant shall comply with the provisions of LQMC Section 13.24.160 (Maintenance).
60. The applicant shall make provisions for the continuous and perpetual maintenance of common area, and perimeter landscaping up to the curb, access drives, and sidewalks. Applicant/developer shall submit said provisions to the Public Works Department for review and approval by the City Attorney if deemed necessary.

FEES AND DEPOSITS

61. The applicant shall comply with the provisions of LQMC Section 13.24.180 (Fees and Deposits). 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.
62. 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).