

**PLANNING COMMISSION RESOLUTION 2011-015  
CONDITIONS OF APPROVAL- FINAL  
VILLAGE USE PERMIT 08-042  
VILLAGE PARK ANIMAL HOSPITAL**

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 Village Use Permit. 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 Village Use Permit shall comply with the requirements and standards of the La Quinta Municipal Code ("LQMC"), Village Use Permit VUP 08-042, Right of Way Vacation ROW 2008-016, and Development Agreement DA 11-022.

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. This Village Use Permit approval shall expire on September 27, 2013, two years after its effective date, pursuant to Section 9.200.060 (C) of the Zoning Code, unless extended pursuant to the provisions of Section 9.200.080.
4. It is understood by the Applicant that the Village Animal Hospital has formally requested to enter into a Development Agreement (DA 2011-042) for the purpose of providing compensation via in-lieu fees for the parking shortage associated with this approval. It is also understood that the applicant has requested a vacation of a portion of public right of way (ROW 08-016) in order to accommodate the project. This Village Use Permit shall not be effective unless and until both the Right of Way Vacation and Development Agreement have been approved by the City Council and recorded; the applicant further understands that the City Council may choose to reject entering the Development Agreement or modify its contents. While this approval will not be effective until such time as a Development Agreement may become effective, the time limits associated with approval of VUP 2008-042 shall be in effect with respect to expiration, as stated under Condition #3.

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5. 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, Water Quality Management Plan (WQMP) Exemption Form – Whitewater River Region, Improvement Permit)
- Planning Department
- Riverside Co. Environmental Health Department
- Desert Sands Unified School District (DSUSD)
- Coachella Valley Water District (CVWD)
- Imperial Irrigation District (IID)
- California Regional Water Quality Control Board (CRWQCB)
- State Water Resources Control Board
- SunLine Transit Agency (SunLine)
- South Coast Air Quality Management District Coachella Valley (SCAQMD)

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

6. 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-

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2008-0001 and the State Water Resources Control Board's Order No. 2009-0009-DWQ and Order No. 2010-0014-DWQ.

- A. For construction activities including clearing, grading or excavation of land, the Permittee may be required to submit a Storm Water Pollution Protection Plan ("SWPPP") to the State Water Resources Control Board if required by the Building Official.

The applicant or design professional can obtain the California Stormwater Quality Association SWPPP template at [www.cabmphandbooks.com](http://www.cabmphandbooks.com) for use in their SWPPP preparation.

- B. 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.
- C. 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 SWPPP and BMPs shall remain in effect for the entire duration of project construction until all improvements are completed and accepted by the City Council.

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- G. The inclusion in the Master HOA Conditions, Covenants, and Restrictions (CC&Rs), a requirement for the perpetual maintenance and operation of all post-construction BMPs as required.
7. 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).
8. Approval of this Village Use Permit 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.
9. Developer shall submit a cash deposit to the City to cover the 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 prior to any review and any remaining deposit will be returned to the Developer.
10. Developer shall submit a cash deposit to the City to cover the costs and actual consultant's fees incurred by the City for engineering and/or surveying consultants to review and/or modify any documents or instruments required by this project. This obligation shall be paid prior to any review and any remaining deposit will be returned to the Developer.

**PROPERTY RIGHTS**

11. 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. 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

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“AUTHORIZATION TO REMOVE GRAFFITI FROM PRIVATE PROPERTY” form located at the Public Works Department Counter prior to Certificate of Occupancy.

12. Pursuant to the aforementioned condition, conferred rights shall include approvals from the master developer or the HOA 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.
13. The applicant shall offer for dedication 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.
14. The public street right-of-way offers for dedication required for this development include:
  - A. PUBLIC STREETS
    - 1) Eisenhower Drive (Primary Arterial, 100' ROW) – No additional right of way is required from the standard 50 feet from the centerline of Eisenhower Drive for a total 100-foot ultimate developed right of way.
    - 2) Avenida Martinez (Local Street, 60' ROW) – No additional right of way dedication is required for the standard 30 feet from the centerline of Avenida Martinez for a total 60-foot ultimate developed right of way.
    - 3) Avenida Montezuma (Modified Local Street (One Way), 80' ROW) – No additional right of way dedication is required for the standard 40 feet from the centerline of Avenida Montezuma for a total 80-foot ultimate developed right of way.
15. When the City Engineer determines that access rights to the proposed street rights-of-way shown on the approved Village Use Permit site plan are necessary prior to the certificate of occupancy, the applicant shall grant the necessary rights-of-way within 60 days of a written request by the City.

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16. 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 shown on the Village Use Permit.
17. Direct vehicular access to Eisenhower Drive, Avenida Montezuma, and Avenida Martinez is restricted, except for those access points identified on the conceptual grading plan of the Village Animal Park for the Village Use Permit, or as otherwise conditioned in these conditions of approval.
18. 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.
19. The applicant shall cause no easement to be granted, or recorded, over any portion of the subject property between the date of approval of this Village Use Permit and the date of final acceptance of the on-site and off-site improvements for this Village Use Permit, unless such easement is approved by the City Engineer.
20. This project relies on the vacation of current city right-of-way. Right-of-way vacation is on the northeast corner of Eisenhower Drive and Avenida Montezuma as shown on the Village Animal Park Conceptual Grading Plan. This right-of-way vacation must be completed prior to any additional discretionary City permits.

**STREET AND TRAFFIC IMPROVEMENTS**

21. 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.
22. Streets shall have vertical curbs or other approved curb configurations that will convey water without ponding, and provide lateral containment of dust and residue during street sweeping operations. If a wedge or rolled curb design is approved, the lip at the flowline shall be near vertical with a 1/8" batter and a minimum height of 0.1'. Unused curb cuts on any lot shall be restored to standard curb height prior to final inspection of permanent building(s) on the lot.

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23. The applicant shall construct the following street improvements to conform with the General Plan (street type noted in parentheses.)

A. OFF-SITE STREETS

1) Eisenhower Drive (Primary Arterial, 100' ROW):

No additional right of way is required from the standard 50 feet from the centerline of Eisenhower Drive for a total 100-foot ultimate developed right of way. Additionally, the developer shall dedicate sufficient right of way for the construction of a future traffic signal at the intersection of Eisenhower Drive and Avenida Montezuma. The City will design a preliminary traffic signal layout that may require a portion of the Right-Of-Way that is requested to be vacated.

Other required improvements in the Eisenhower Drive right-of-way and/or adjacent landscape setback area include:

- a. All appurtenant components such as, but not limited to: curb, gutter, traffic control striping, signs, sidewalk, installing curb ramps, and removing curb ramps

2) Avenida Montezuma (Modified Local Street (One Way), 80' ROW):

No additional right of way dedication is required for the standard 40 feet from the centerline of Avenida Montezuma for a total 80-foot ultimate developed right of way. Additionally, the developer shall dedicate sufficient right of way for the construction of a future traffic signal at the intersection of Eisenhower Drive and Avenida Montezuma. The City will design a preliminary traffic signal layout that may require a portion of the Right-Of-Way that is requested to be vacated.

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Other required improvements in the Avenida Montezuma right-of-way and/or adjacent landscape setback area include:

- a. All appurtenant components such as, but not limited to: curb, gutter, traffic control striping, legends, signs, sidewalk, catch basin, driveways, installing curb ramps, and removing curb ramps

3) Avenida Martinez (Local Street, 60' ROW):

No additional widening on the south side of the street along all frontage adjacent to the Village Use Permit boundary is required as specified in the General Plan and the requirements of these conditions. Rehabilitate and/or reconstruct existing roadway pavement as necessary to augment and convert it from a rural county-road design standard to La Quinta's urban arterial design standard.

Other required improvements in the Avenida Martinez right-of-way and/or adjacent landscape setback area include:

- a. All appurtenant components such as, but not limited to: curb, gutter, traffic control striping, signs, sidewalk, catch basin, driveways, installing curb ramps, and removing curb ramps

The applicant shall extend improvements beyond the project boundaries to ensure they safely integrate with existing improvements (e.g., grading; traffic control devices and transitions in alignment, elevation or dimensions of streets and sidewalks).

24. General access points and turning movements of traffic are limited to the proposed access driveways on Avenida Montezuma and Avenida Martinez. Right turn in and right turn out movements are permitted on Avenida Montezuma. All turn movements are permitted on Avenida Martinez.



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PARKING LOTS and ACCESS POINTS

25. The design of parking facilities 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 shall conform to LQMC Chapter 9.150.
  - 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 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 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 16 feet with access drive aisles to Public Streets a minimum of 20 feet as shown on the Village Use Permit site plan 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 street widths and other improvements as may be determined by the City Engineer.

26. The applicant shall design 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:

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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.

27. 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.
28. 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 engineers registered in California.

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.

29. 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).
30. 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.

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- A. On-Site Rough Grading Plan (Optional) 1" = 40'  
Horizontal
- B. Precise Grading Plan (Commercial Development) 1" = 20'  
Horizontal

The Precise Grading plan shall include: Storm Drain/Underground Retention.

- C. On-Site Sewer and Water Plan 1" = 30' Horizontal
- D. PM10 Plan 1" = 40' Horizontal
- E. WQMP (Plan submitted in Report Form)
- F. Off-Site Street Improvement/Storm Drain Plan/ Sidewalk  
1" = 40' Horizontal, 1" = 4' Vertical
- G. Off-Site Signing & Striping Plan 1" = 40' Horizontal

The Off-Site street improvement plans shall have separate plan sheet(s) (drawn at 20 scale) that show the meandering sidewalk, mounding, and berming design in the combined parkway and landscape setback area.

NOTE: A through G to be submitted concurrently.

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.

All Off-Site Plan & Profile Street Plans and Signing & Striping Plans shall show all existing improvements for a distance of at least 200-feet beyond the project limits, or a distance sufficient to show any required design transitions.

Precise grading plans shall normally include all on-site surface improvements including but not limited to finish grades for curbs & gutters, sidewalks, building floor elevations, wall elevations, parking lot improvements, ADA requirements, stop signs, limit lines, and legends, no parking signs, raised

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pavement markers, and street name signs per Public Works Standard Plans and/or as approved by the Engineering Department.

"Rough Grading" plans shall normally include perimeter walls with Top Of Wall & Top Of Footing elevations shown. All footings shall have a minimum of 1-foot of cover, or sufficient cover to clear any adjacent obstructions.

The applicant shall prepare an accessibility assessment on a marked up print of the building floor plan identifying every building egress and notes the current 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 Public Works Department in conjunction with the Site Development Plan when it is submitted for plan checking.

In addition to the normal set of improvement plans, a "Site Development" plan is required to be submitted for approval by the Building Official, Planning Director and the City Engineer.

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

31. 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](http://www.la-quinta.org)). Please navigate to the Public Works Department home page and look for the Standard Drawings hyperlink.
32. The applicant shall furnish a complete set of all approved improvement plans on a storage media acceptable to the City Engineer (currently mylars).
33. 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

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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.

**IMPROVEMENT SECURITY AGREEMENTS**

34. Prior to constructing any off-site improvements, the developer shall deposit securities in accordance with Engineering Bulletin 09-02 or as approved by the City Engineer.
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.
36. Depending on the timing of the development of this Village Use Permit, 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 entitlement.
  - 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 reimburse the City for the costs of such improvements.

37. 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

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

GRADING

38. The applicant shall comply with the provisions of LQMC Section 13.24.050 (Grading Improvements).
39. Prior to occupancy of the project site for any construction, or other purposes, the applicant shall obtain a grading permit approved by the City Engineer.
40. 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 civil engineer registered in the State of California,
  - B. A preliminary geotechnical ("soils") report prepared by an engineer registered in the State of California,
  - C. A Fugitive Dust Control Plan prepared in accordance with LQMC Chapter 6.16, (Fugitive Dust Control),
  - 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), and
  - E. WQMP prepared by an engineer registered in the State of California.

All grading shall conform with the recommendations contained in the Preliminary Soils Report, and shall be certified as being adequate by soils engineer, or engineering geologist registered in the State of California.

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. Additionally, the applicant shall

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replenish said security if expended by the City of La Quinta to comply with the Plan as required by the City Engineer.

41. 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.
42. 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. 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 lot) 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.
43. Prior to the issuance of a building permit for any building lot, 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**

44. Nuisance water shall be retained onsite and disposed of via an underground percolation improvement approved by the City Engineer.
45. The applicant shall comply with the provisions of LQMC Section 13.24.120 (Drainage), Retention Basin Design Criteria, Engineering Bulletin No. 06-16 – Hydrology Report with Preliminary Hydraulic Report Criteria for Storm Drain

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Systems and Engineering Bulletin No. 06-015 - Underground Retention Basin Design Requirements. More specifically, stormwater falling on site during the 100 year storm shall be retained within the development, unless otherwise approved by the City Engineer. The design storm shall be either the 1 hour, 3 hour, 6 hour or 24 hour event producing the greatest total run off.

46. Nuisance water shall be retained on site. Nuisance water shall be disposed of per approved methods contained in Engineering Bulletin No. 06-16 – Hydrology Report with Preliminary Hydraulic Report Criteria for Storm Drain Systems and Engineering Bulletin No. 06-015 - Underground Retention Basin Design Requirements.
47. In design of retention facilities, the maximum percolation rate shall be two inches per hour. The percolation rate will be considered to be zero unless the applicant provides site specific data indicating otherwise and as approved by the City Engineer.
48. The design of the development shall not cause any increase in flood boundaries and levels in any area outside the development.
49. The development shall be graded to permit storm flow in excess of retention capacity to flow out of the development through a designated overflow and into the historic drainage relief route.
50. Storm drainage historically received from adjoining property shall be received and retained or passed through into the historic downstream drainage relief route.
51. 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



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Management Plan (WQMP) for the project as required by the California Regional Water Quality 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.
- C. The developer shall execute and record a Stormwater Management/BMP Facilities Agreement that provides for the perpetual maintenance and operation of stormwater BMPs.

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.
- 53. Existing overhead utility lines within, or adjacent to the proposed development, and all proposed utilities shall be installed underground.

All existing utility lines attached to joint use 92 KV transmission power poles are exempt from the requirement to be placed underground.

- 54. 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.

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.

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**CONSTRUCTION**

55. The City will conduct final inspections of habitable buildings only when the buildings have improved street and (if required) sidewalk access to publicly-maintained streets. The improvements shall include required traffic control devices, pavement markings and street name signs. If parking construction in commercial development is initially constructed with partial pavement thickness, the applicant shall complete the final pavement prior to final inspections of the building(s) within the development or when directed by the City, whichever comes first.
56. A smooth finish for the building shall be used rather than sand finish.

**SCREENING AND OUTDOOR LIGHTING**

57. All rooftop mechanical equipment shall be completely screened from view. Utility transformers and other ground mounted mechanical equipment shall be fully screened by screening walls or landscaping, and painted to match the adjacent buildings.
58. Exterior lighting shall be consistent with Section 9.100.150 (Outdoor Lighting) of the La Quinta Municipal Code. All freestanding lighting shall not exceed 20 feet in height, shall be fitted with a visor or bulb refractor if deemed necessary by staff, and shall be turned off or reduced to a level deemed appropriate during night time hours by the Planning Director.

**LANDSCAPE AND IRRIGATION**

59. The applicant shall comply with LQMC Sections 13.24.130 (Landscaping Setbacks), 13.24.140 (Landscaping Plans), and 8.13 (Water Efficient Landscape).
60. The applicant shall provide landscaping in the required setbacks, retention basins, common lots, park areas, and perimeter areas.
61. Landscape and irrigation plans for landscaped lots, perimeter areas, setbacks, and retention basins shall be signed and stamped by a licensed landscape architect.

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62. The applicant shall submit final landscape plans for review, processing and approval to the Planning Department, in accordance with the Final Landscape Plan (FLP) application process. Planning Director approval of the final landscape plans is required prior to issuance of the first building permit unless the Planning Director determines extenuating circumstances exist which justify an alternative processing schedule.

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 re-submittal for signature by the Planning Director. Final plans shall include all landscaping associated with this project.

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

63. 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.
64. 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" latest edition, in the design and/or installation of all landscaping and appurtenances abutting and within the private and public street right-of-way.
65. Final field inspection of all landscaping materials, including all vegetation, hardscape and irrigation systems is required by the Planning Department prior to final project sign-off by the Planning Department. Prior to any field inspection, written verification by the project's landscape architect of record stating that all vegetation, hardscape and irrigation systems have been installed in accordance with the approved final landscape plans shall be submitted to the Planning Department.
66. The size of the trees in the parking lot shall be increased to 36- from 24-inch (minimum diameter calipers) boxes in the landscaping area.
67. Add additional dog relief area into the landscaping someplace for waiting animal patients.

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68. The landscaping plan shall replace Fruitless Olive trees with Palo Verde trees.

MAINTENANCE

69. The applicant shall comply with the provisions of LQMC Section 13.24.160 (Maintenance).

70. The applicant shall make provisions for the continuous and perpetual maintenance of perimeter landscaping up to the curb, access drives, sidewalks, and stormwater BMPs.

FEES AND DEPOSITS

71. 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.

72. Applicant shall pay the fees as required by the Desert Sands Unified School District, as in effect at the time requests for building permits are submitted.

FIRE DEPARTMENT

73. Approved accessible on-site super fire hydrants shall be located not to exceed 400 feet apart in any direction. Any portion of the facility or of an exterior wall of the first story of the building shall not be located more than 150 feet from fire apparatus access roads as measured by an approved route around the complex, exterior of the facility or building.

74. All Fire Department Appliances such as, FDCs and PIVs shall be located on the front access side of the building. PIV and FDC appliances shall not less than 40' from the building and within 50' of an approved roadway and no more than 200' from an approved hydrant.

75. Install a complete commercial fire sprinkler system (per NFPA 13). Fire sprinkler system(s) with pipe sizes in excess of 4" in diameter will require the project Structural Engineer to certify with a "wet signature", that the structural system is designed to support the seismic and gravity loads to

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support the additional weight of the sprinkler system. All fire sprinkler risers shall be protected from any physical damage.

76. Install a portable fire extinguisher, with a minimum rating of 2A-10BC, for every 3,000 sq. ft. and/or 75 feet of travel distance. Fire extinguishers shall be mounted 3.5 to 5 ft above finished floor, measured to the top of the extinguisher. Where not readily visible, signs shall be posted above all extinguishers to indicate their locations. Extinguishers must have current CSFM service tags affixed.
77. An approved Fire Department access key lock box shall be installed next to the approved Fire Department access door to the building. Required order forms and installation standards may be obtained at the Fire Department.
78. Display street numbers in a prominent location on the address side of building(s) and/or rear access if applicable. Numbers and letters shall be a minimum of 12" in height for building(s) up to 25' in height. In complexes with alpha designations, letter size must match numbers. All addressing must be legible, of a contrasting color, and adequately illuminated to be visible from street at all hours.
79. Install an alarm monitoring system for fire sprinkler system(s) with 20 or more heads, along with current permit fees, to the Fire Department for review and approval prior to installation.
80. No hazardous materials shall be stored and/or used within the building, which exceeds quantities listed in 2010 CBC. No class I, II or IIIA of combustible/flammable liquid shall be used in any amount in the building.
81. Exit designs, exit signs, door hardware, exit markers, exit doors, and exit path marking shall be installed per the 2010 California Building Code.
82. Electrical room doors if applicable shall be posted "ELECTRICAL ROOM" on outside of door.
83. Fire Alarm Control Panel room doors if applicable shall be posted "FACP" on outside of door.
84. Fire Riser Sprinkler room doors if applicable shall be posted "Fire Riser" on outside of door.

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85. Roof Access room door if applicable shall be posted "Roof Access" on outside of door.
86. Access shall be provided to all mechanical equipment located on the roof as required by the Mechanical Code.
87. Air handling systems supplying air in excess of 2000 cubic feet per minute to enclosed spaces within buildings shall be equipped with an automatic shutoff, 2010 CMC.
88. Blue dot retro-reflectors pavement markers on private streets, public streets and driveways to indicated location of the fire hydrant. 06-05 (located at [www.rvcfire.org](http://www.rvcfire.org))
89. Fire Apparatus access road shall be in compliance with the Riverside County Fire Department Standard number 06-05 (located at [www.rvcfire.org](http://www.rvcfire.org)). Access lanes will not have an up, or downgrade of more than 15%. Access roads shall have an unobstructed vertical clearance not less than 13 feet and 6 inches. Access lanes will be designed to withstand the weight of 60 thousand pounds over 2 axles. Access will have a turning radius capable of accommodating fire apparatus. Access lane shall be constructed with a surface so as to provide all weather driving capabilities.