

**FINDINGS AND CONDITIONS OF APPROVAL – FINAL  
TENTATIVE PARCEL MAP 35845  
HIGHLAND LA QUINTA II, LLC  
SEPTEMBER 19, 2008**

**FINDINGS**

1. California Environmental Quality Act

The City of La Quinta Planning Department has determined that this project is Categorical Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15315 Class 15 (Minor Land Divisions).

2. General Plan Consistency

The proposed Tentative Parcel Map conforms to the design guidelines and standards of the General Plan for Village Commercial (VC) designated properties, as set forth in the Land Use Element.

3. Public Easements

The design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision, for access through or use of the property within the subdivision in that none presently exist and access is provided within the project and to adjacent public streets.

4. Design of the Subdivision

The design of proposed Tentative Parcel Map complies with the city general plan in that its street design and parcels are in conformance with applicable goals, policies, and development standards, and will provide adequate infrastructure and public utilities.

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.

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**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.

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**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 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.

2. 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"), and Chapter 13 of the La Quinta Municipal Code ("LQMC").
3. This Tentative Parcel Map shall expire on September 19, 2010, two years from the date of Director's Hearing approval, unless recorded or granted a time extension pursuant to the requirements of La Quinta Municipal Code 9.200.080 (Permit expiration and time extensions).
4. Tentative Parcel Map 35845 shall comply with all applicable conditions and/or mitigation measures for the following related approvals:

- Village Use Permit 2006-035

In the event of any conflict(s) between approval conditions and/or provisions of these approvals, the Planning Director shall determine precedence.

5. Additionally, all the conditions of approval for VUP 2006-035 not otherwise reflected on the approved Precise Grading, PM 10 and SWPPP plan set numbers (PSN) 08069, 08052 and 08054, respectively, are applicable to Tentative Parcel Map No. 35845.
6. 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).

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7. 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:

- 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)
- 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.

8. 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; and the State Water Resources Control Board's Order No. 99-08-DWQ.

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- 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](http://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.
- 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.

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- 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.

Additionally, 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.

- G. 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 Control Board – Colorado River Basin (CRWQCB-CRB) Region Board Order No. R7-2008-001.
- H. 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.
9. 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).
10. 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.

**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

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

12. 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.
13. The public street right-of-way offers for dedication required for this development include:
  - A. PUBLIC STREETS
    - 1) Calle Tampico (Primary Arterial, Option B - 100' ROW) – The standard 50 feet right of way from the centerline of Calle Tampico for a total 100-foot ultimate developed right of way has been dedicated by Parcel Map No. 27109.
    - 2) Desert Club Drive (Collector Option B, 64' ROW) – The standard 32 feet from the centerline of Desert Club Drive for a total 64-foot ultimate developed right of way.
14. Dedications shall include additional widths as necessary for dedicated right and left turn lanes, bus turnouts, and other features contained in the approved precise grading plans.
15. When the City Engineer determines that access rights to the proposed street rights-of-way shown on the approved Village Use Permit are necessary prior to approval of the Precise Grading Plan, the applicant shall grant the necessary rights-of-way within 60 days of a written request by the City.
16. The applicant shall create perimeter landscaping setbacks along all public rights-of-way as follows:

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- A. Calle Tampico (Primary Arterial, Option B) - 20-foot from the R/W-P/L.
- B. Desert Club Drive (Collector Option B) – 10-foot from the R/W-P.L.

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.

- 17. Direct vehicular access to Calle Tampico and Desert Club Drive from lots with frontage along Calle Tampico and Desert Club Drive is restricted, except for those access points identified on the tentative parcel map, or as otherwise conditioned in these conditions of approval. As access easements had been previously approved on Parcel Map No. 27109, the applicant is required to provide necessary exhibits for the abandonment of those easements to the City of La Quinta.

Additionally, the applicant shall establish a reciprocal access agreement between the abutting property to the east and this Tentative Parcel Map to extend to all assignees under this tentative parcel map.

- 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 the Tentative Parcel Map and the date of recording of any Final Map, unless such easement is approved by the City Engineer.
- 20. The applicant shall establish with the City of La Quinta future construction and improvement easements within the public street right-of-way of Calle Tampico for proposed storm drain improvements shown on the approved Precise Grading Plan (PSN 08069) or as required by the City Engineer.



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**STREET AND TRAFFIC IMPROVEMENTS**

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

**A. OFF-SITE STREETS**

1) Calle Tampico (Primary Arterial; Option B 100' R/W):

No additional widening is required on the north side of the street along all frontage adjacent to the Village Use Permit boundary to its ultimate width on the north side as specified in the General Plan and the requirements of these conditions.

Other required improvements in the Calle Tampico 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, and signs and as required and as approved by the City Engineer.
- b) Construct the 10-foot wide sidewalk as approved by the City Engineer per the approved Precise Grading Plan (PSN 08069).
- c) The applicant shall stripe and sign for dual left turn movements from southbound Desert Club Drive to east bound Calle Tampico as required as approved by the City Engineer.
- d) The applicant shall pay his fair share towards the reconstruction of the existing landscaped median at the Calle Tampico and Washington Street intersection to extend the east bound dual left turn lanes to north bound Washington Street if said improvements are included as a City of La Quinta Capital Improvement Project. The turn pocket extension shall be to the maximum extent possible between the Washington Street and Calle Tampico intersection towards the westerly left turn pocket.

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If the City of La Quinta does not designate this improvement as a CIP improvement, the applicant shall reconstruct the existing landscaped median at the Calle Tampico and Washington Street intersection to extend the east bound dual left turn lanes to north bound Washington Street. The turn pocket extension shall be to the maximum extent possible between the Washington Street and Calle Tampico intersection towards the westerly left turn pocket. Desert Club Drive (Collector Option "B", 64' R/W):

No additional widening is required on the east side of the street along all frontage adjacent to the Village Use Permit boundary to its ultimate width on the east side as specified in the General Plan and the requirements of these conditions:

Other required improvements in the Desert Club 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, legends, and signs as required and approved by the City Engineer.
- b) Reconstruct the existing 6-foot wide meandering sidewalk as approved by the City Engineer and per the approved Precise Grading Plan (PSN 08069).

The applicant shall extend improvements beyond the Tentative Parcel Map No. 34845 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).

Entry drives, main interior circulation routes, standard knuckles, corner cutbacks, bus turnouts, dedicated turn lanes and other features shown on the approved construction plans, may require additional street widths as may be determined by the City Engineer.

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22. 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:

Collector	4.0" a.c /5.0" c.a.b.
Primary Arterial	4.5" a.c./6.0" c.a.b.

or the approved equivalents of alternate materials.

23. 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.
24. Improvements shall include appurtenances such as traffic control signs, markings and other devices, raised medians if required, street name signs and sidewalks. Mid-block street lighting is not required.
25. 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.

**PARKING LOTS and ACCESS POINTS**

26. Pursuant to the approved Precise Grading Plans and the approved Traffic Study, the parking lot layout and access points shall conform to the approved Precise Grading Plan Set No. 08069.
27. General access points and turning movements of traffic are limited to the following:

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- A. Calle Tampico (existing access adjacent to Parcel 1 of Parcel Map No. 27109)
  - 1) Right turn in and out movements are permitted. Left turn out and in are restricted. (Existing raised landscape median).
- B. Desert Club Drive
  - 2) Primary South Entry: Full turn movements will be permitted as approved by the City Engineer.
  - 3) Secondary North Entry: Full turn movements will be permitted as approved by the City Engineer.

**FINAL MAPS**

- 28. 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," 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 Commercial Precise Grading/Storm Drain Plan (Approved PSN 08069) | 1" = 20' Horizontal                     |
| B. | PM10 Plan (Approved PSN 08054)   | 1" = 40' Horizontal                     |
| C. | SWPPP (Approved PSN 08052)   | 1" = 40' Horizontal                     |
| D. | Off-Site Street Improvement/Storm Drain Plan                             | 1" = 40' Horizontal<br>1" = 4' Vertical |
| E. | Off-Site Signing & Striping Plan   | 1" = 40' Horizontal                     |
| F. | Traffic Signal Modification Plan   | 1" = 20' Horizontal                     |

NOTE: A through F to be submitted concurrently.

The Off-Site street improvement plans shall have separate plan sheet(s) (drawn at 20 scale) that show the relocated sidewalk, curb ramp reconstruction and landscape setback area.

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.

All On-Site Signing & Striping Plans shall show, at a minimum; Stop Signs, Limit Lines and Legends, No Parking Signs, Raised Pavement Markers (including Blue RPMs at fire hydrants) and Street Name Signs per Public Works Standard Plans and/or as approved by the Engineering Department.

The applicant shall prepare an accessibility assessment on a marked up print of the building floor plan identifying every building egress and notes the 2007 California Building Code accessibility requirements associated with each door. The assessment must comply with submittal requirements of the Building &

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Safety Department. A copy of the reviewed assessment shall be submitted to the Engineering Department in conjunction with the Village Use Permit when it is submitted for plan checking.

On-Site Commercial Precise Grading plans are 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.

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 submit and have substantially completed all necessary improvement plans prior to the Final Map recordation and per Engineering Bulletin 05-11 and as approved by the City Engineer.
33. The applicant shall furnish a complete set of the mylars of all approved improvement plans on a storage media acceptable to the City Engineer.

**IMPROVEMENT SECURITY AGREEMENTS**

34. 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.
35. 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).

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36. 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.

In the event the applicant fails to construct the improvements for the development, or fails to satisfy its obligations for the development in a timely manner, pursuant to the approved phasing plan, the City shall have the right to halt issuance of all permits, and/or final inspections, withhold other approvals related to the development of the project, or call upon the surety to complete the improvements.

37. 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 construct certain off-site improvements as per these conditions of approval.

Off-Site Improvements should be completed on a first priority basis. The applicant shall complete Off-Site Improvements in the first phase of construction or as approved by the City Engineer.

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, pay its fair share to the City for the costs of such improvements as required by these conditions of approval.

38. 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 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.

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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.

39. 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.

**COMMERCIAL PRECISE GRADING**

40. Pursuant to the approved Precise Grading Plans and the approved Traffic Study, the Commercial Precise Grading Plan shall conform to the approved Precise Grading Plan Set No. 08069.

**DRAINAGE**

41. 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.
42. Stormwater may not be retained in landscaped parkways or landscaped setback lots. Only incidental storm water (precipitation which directly falls onto the setback) will be permitted to be retained in the landscape setback areas. The perimeter setback and parkway areas in the street right-of-way shall be shaped with berms and mounds, pursuant to LQMC Section 9.100.040(B)(7).



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43. Storm drainage historically received from adjoining property shall be received and retained or passed through into the historic downstream drainage relief route.
44. On-Site storm water handling shall be per the approved Precise Grading Plans, PSN 08069.

UTILITIES

45. The applicant shall comply with the provisions of LQMC Section 13.24.110 (Utilities).
46. 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.
47. 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.
48. 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.

CONSTRUCTION

49. 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.

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**MAINTENANCE**

50. The applicant shall comply with the provisions of LQMC Section 13.24.160 (Maintenance).
51. The applicant shall make provisions for the continuous and perpetual maintenance of all private on-site improvements, perimeter landscaping, access drives, and sidewalks. Additionally, the applicant shall establish a Master Development Maintenance Association for the perpetual maintenance of the storm drain system and dry well system per the Precise Grading Plan (PSN 08069) and any future storm drain improvements as required by the City Engineer.

**FEES AND DEPOSITS**

52. 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.
53. 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).
54. Prior to 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 such reapportionment.

**LANDSCAPE AND IRRIGATION**

55. The applicant shall comply with LQMC Sections 13.24.130 (Landscaping Setbacks) & 13.24.140 (Landscaping Plans).
56. The applicant shall provide landscaping in the required setbacks, retention basins, common lots and park areas.
57. Landscape and irrigation plans for landscaped lots and setbacks, medians, retention basins, and parks shall be signed and stamped by a licensed landscape architect.

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58. 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 18 inches of curbs along public streets.
59. 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, 5<sup>th</sup> 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.
60. The applicant shall make provisions for the continuous and perpetual maintenance of all private on-site improvements and perimeter landscaping, access drives, and sidewalks. The applicant shall submit the agreements for maintenance to the Planning Director and City Attorney for review and approval.

Approval of the agreements must be obtained prior to final approval of the tentative parcel map.