

**EXHIBIT A**  
**CITY OF TEMECULA**  
**DRAFT CONDITIONS OF APPROVAL**

**Planning Application No.:** PA22-0035

**Project Description:** A Development Plan for an approximately 288,269 square foot, 355 room, seven (7) story, 91-foot, full service hotel that includes an approximately 174,382 square foot parking garage, conference facilities/ballrooms, full service spa, restaurants, bars/lounges, retail outlets, workout facility, outdoor pool area, and an outdoor wedding garden located on the east side of Front Street between 1st Street and 2nd Street.

**Assessor's Parcel No.:** 922-072-005  
922-072-007  
922-072-010  
922-072-011  
922-072-013  
922-072-016  
922-072-018  
922-072-020  
922-072-021  
922-072-023

**MSHCP Category:** Commercial

**DIF Category:** Service Commercial

**TUMF Category:** Service Commercial/Office

**Quimby Category:** N/A (non-residential)

**New Street In-lieu of Fee:** N/A (project not located in Uptown Temecula Specific Plan area)

**Approval Date:** May 15, 2024

**Expiration Date:** May 15, 2027

**PLANNING DIVISION**

**Within 48 Hours of the Approval**

1. Applicant Filing Notice of Exemption. APPLICANT ACTION REQUIRED:

The applicant/developer is responsible for filing the Notice of Exemption as required under Public Resources Code Section 21152 and California Code of Regulations Section 15062 within 48 hours of the project approval. If within said 48-hour period the applicant/ developer has not filed the Notice of Exemption as required above, the approval for the project granted shall be void due to failure of this condition. Failure to submit the Notice of Exemption will result in an extended period of time for legal challenges.

FEES:

Fees for the Notice of Exemption include the Fifty Dollar County (\$50.00) administrative fee. The County of Riverside charges additional fees for credit card transactions.

FILING:

The City shall provide the applicant with a Notice of Exemption within 24 hours of approval via email. If the applicant/developer has not received the Notice of Exemption within 24 hours of approval, they shall contact the case Planner immediately. All CEQA documents must be filed online with the Riverside County Assessor – County Clerk- Recorder. A direct link to the CEQA filings page is available at [TemeculaCA.gov/CEQA](http://TemeculaCA.gov/CEQA).

COPY OF FILINGS:

The applicant shall provide the City with a digital copy of the required filings within 48 hours.

## **General Requirements**

2. Indemnification of the City. Indemnity, Duty to Defend and Obligation to Pay Judgments and Defense Costs, Including Attorneys' Fees, Incurred by the City. The Applicant shall defend, indemnify, and hold harmless the City, its elected officials, officers, employees, volunteers, agents, and those City agents serving as independent contractors in the role of City officials (collectively "Indemnitees") from and against any claims, damages, actions, causes of actions, lawsuits, suits, proceedings, losses, judgments, costs, and expenses (including, without limitation, attorneys' fees or court costs) in any manner arising out of or incident to the Planning Commission's actions, this approval and the City Council's actions, related entitlements, or the City's environmental review thereof. The Applicant shall pay and satisfy any judgment, award or decree that may be rendered against City or the other Indemnitees in any such suit, action, or other legal proceeding. The City shall promptly notify the Applicant of any claim, action, or proceeding and the City shall reasonably cooperate in the defense. If the City fails to promptly notify the Applicant of any claim, action, or proceeding, or if the City fails to reasonably cooperate in the defense, the Applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City or the Indemnitees. The City shall have the right to select counsel of its choice. The Applicant shall reimburse the City, and the other Indemnitees, for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided. Nothing in this condition shall be construed to require the Applicant to indemnify Indemnitees for any claim arising from the sole negligence or willful misconduct of the Indemnitees. In the event such a legal action is filed challenging the City's determinations herein or the issuance of the approval, the City shall estimate its expenses for the litigation. The Applicant shall deposit said amount with the City or, at the discretion of the City, enter into an agreement with the City to pay such expenses as they become due.

3. Expiration. This approval shall be used within three years of the approval date; otherwise, it shall become null and void. Use means the beginning of substantial construction contemplated by this approval within the three year period, which is thereafter diligently pursued to completion, or the beginning of substantial utilization contemplated by this approval, or use of a property in conformance with a Conditional Use Permit.

A modification made to an approved development plan does not affect the original approval date of a development plan.

4. Time Extension. The Director of Community Development may, upon an application being filed prior to expiration, and for good cause, grant a time extension of up to five extensions of time, one year at a time.

A modification made to an approved development plan does not affect the original approval date of a development plan.

5. Consistency with Specific Plans. This project and all subsequent projects within this site shall be consistent with the Old Town Specific Plan (SP 5).

6. Conformance with Approved Plans. The development of the premises shall substantially conform to the approved site plan and elevations contained on file with the Planning Division.

7. Signage Permits. A separate building permit shall be required for all signage.

8. Landscape Maintenance. Landscaping installed for the project shall be continuously maintained to the reasonable satisfaction of the Director of Community Development. If it is determined that the landscaping is not being maintained, the Director of Community Development shall have the authority to require the property owner to bring the landscaping into conformance with the approved landscape plan. The continued maintenance of all landscaped areas shall be the responsibility of the developer or any successors in interest.

9. Graffiti. All graffiti shall be removed within 24 hours on telecommunication towers, equipment, walls, or other structures.

10. Burrowing Owl Study Submittal. A Burrowing Owl Study shall be submitted prior to plan check approval for the grading permit. If construction is delayed or suspended for more than 30 days after the survey, the area shall be resurveyed.

11. Water Quality and Drainage. Other than stormwater, it is illegal to allow liquids, gels, powders, sediment, fertilizers, landscape debris, and waste from entering the storm drain system or from leaving the property. To ensure compliance with this Condition of Approval:
  - a. Spills and leaks shall be cleaned up immediately.
  - b. Do not wash, maintain, or repair vehicles onsite.
  - c. Do not hose down parking areas, sidewalks, alleys, or gutters.
  - d. Ensure that all materials and products stored outside are protected from rain.
  - e. Ensure all trash bins are covered at all times.

12. Materials and Colors. The Conditions of Approval specified in this resolution, to the extent specific items, materials, equipment, techniques, finishes or similar matters are specified, shall be deemed satisfied by City staff's prior approval of the use or utilization of an item, material, equipment, finish or technique that City staff determines to be the substantial equivalent of that required by the Conditions of Approval. Staff may elect to reject the request to substitute, in which case the real party in interest may appeal, after payment of the regular cost of an appeal, the decision to the Planning Commission for its decision.

Stucco	White Duck (SW 7010)
Stucco	Pure White (SW 7005)
Limestone	Picard Jaune - Brushed
Metal Railings & Canopies	Rookwood Dark Brown (SW 2808)
Moldings	Double Latte (SW 9108)

13. Modifications or Revisions. The developer shall obtain City approval for any modifications or revisions to the approval of this project.
14. Trash Enclosures. The trash enclosures shall be large enough to accommodate a recycling bin, as well as regular solid waste containers.
15. Trash Enclosures. Trash enclosures shall be provided to house all trash receptacles utilized on the site. These shall be clearly labeled on the site plan.
16. Covered Trash Enclosures. All trash enclosures on site shall include a solid cover or located indoors and the construction plans shall include all details of the trash enclosures, including the solid cover.
17. Construction and Demolition Debris. The developer shall contact the City's franchised solid waste hauler for disposal of construction and demolition debris and shall provide the Planning Division verification of arrangements made with the City's franchise solid waste hauler for disposal of construction and demolition debris. Only the City's franchisee may haul demolition and construction debris.
18. Public Art Ordinance. The applicant shall comply with the requirements of the City's Public Art Ordinance as defined in Chapter 5.08 of the Temecula Municipal Code.
19. Property Maintenance. All parkways, including within the right-of-way, entryway median, landscaping, walls, fencing, recreational facilities, and on-site lighting shall be maintained by the property owner or maintenance association.

#### **Prior to Issuance of Grading Permit**

20. Placement of Transformer. Provide the Planning Division with a copy of the underground water plans and electrical plans for verification of proper placement of transformer(s) and double detector check valves prior to final agreement with the utility companies.
21. Placement of Double Detector Check Valves. Double detector check valves shall be installed at locations that minimize their visibility from the public right-of-way, subject to review and approval by the Director of Community Development.

22. Archaeological/Cultural Resources Grading Note. The following shall be included in the Notes Section of the Grading Plan: "If at any time during excavation/construction of the site, archaeological/cultural resources, or any artifacts or other objects which reasonably appears to be evidence of cultural or archaeological resource are discovered, the property owner shall immediately advise the City of such and the City shall cause all further excavation or other disturbance of the affected area to immediately cease. The Director of Community Development at their sole discretion may require the property owner to deposit a sum of money it deems reasonably necessary to allow the City to consult and/or authorize an independent, fully qualified specialist to inspect the site at no cost to the City, in order to assess the significance of the find. Upon determining that the discovery is not an archaeological/ cultural resource, the Director of Community Development shall notify the property owner of such determination and shall authorize the resumption of work. Upon determining that the discovery is an archaeological/cultural resource, the Director of Community Development shall notify the property owner that no further excavation or development may take place until a mitigation plan or other corrective measures have been approved by the Director of Community Development."
23. Cultural Resources Treatment Agreement. The developer is required to enter into a Cultural Resources Treatment Agreement with the Pechanga Tribe. The agreement shall be in place prior to issuance of a grading permit. To accomplish this, the applicant should contact the Pechanga Tribe no less than 30 days and no more than 60 days prior to issuance of a grading permit. This Agreement will address the treatment and disposition of cultural resources, the designation, responsibilities, and participation of professional Pechanga Tribal monitors during grading, excavation and ground disturbing activities; project grading and development scheduling; terms of compensation for the monitors; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered onsite. The Pechanga monitor's authority to stop and redirect grading will be exercised in consultation with the project archaeologist in order to evaluate the significance of any potential resources discovered on the property. Pechanga and archaeological monitors shall be allowed to monitor all grading, excavation and groundbreaking activities, and shall also have the limited authority to stop and redirect grading activities should an inadvertent cultural resource be identified.
24. Discovery of Cultural Resources. The following shall be included in the Notes Section of the Grading Plan: "If cultural resources are discovered during the project construction (inadvertent discoveries), all work in the area of the find shall cease, and the qualified archaeologist and the Pechanga monitor shall investigate the find, and make recommendations as to treatment."
25. Archaeological Monitoring Notes. The following shall be included in the Notes Section of the Grading Plan: "A qualified archaeological monitor will be present and will have the authority to stop and redirect grading activities, in consultation with the Pechanga Tribe and their designated monitors, to evaluate the significance of any archaeological resources discovered on the property."
26. Tribal Monitoring Notes. The following shall be included in the Notes Section of the Grading Plan: "A Pechanga Tribal monitor will be present and will have the authority to stop and redirect grading activities, in consultation with the project archaeologist and their designated monitors, to evaluate the significance of any potential resources discovered on the property."
27. Relinquishment of Cultural Resources. The following shall be included in the Notes Section of the Grading Plan: "The landowner agrees to relinquish ownership of all cultural resources, including all archaeological artifacts that are found on the project area, to the Pechanga Tribe for proper treatment and disposition."

28. Preservation of Sacred Sites. The following shall be included in the Notes Section of the Grading Plan: "All sacred sites are to be avoided and preserved."
29. Burrowing Owl Grading Note. The following shall be included in the Notes Section of the Grading Plan: "No grubbing/clearing of the site shall occur prior to scheduling the pre-grading meeting with Public Works. All project sites containing suitable habitat for burrowing owls, whether owls were found or not, require a 30-day preconstruction survey that shall be conducted within 30 days prior to ground disturbance to avoid direct take of burrowing owls. If the results of the survey indicate that no burrowing owls are present on-site, then the project may move forward with grading, upon Planning Division approval. If burrowing owls are found to be present or nesting on-site during the preconstruction survey, then the following recommendations must be adhered to: Exclusion and relocation activities may not occur during the breeding season, which is defined as March 1 through August 31, with the following exception: From March 1 through March 15 and from August 1 through August 31 exclusion and relocation activities may take place if it is proven to the City and appropriate regulatory agencies (if any) that egg laying or chick rearing is not taking place. This determination must be made by a qualified biologist." If construction is delayed or suspended for more than 30 days after the survey, the area shall be resurveyed.

30. Inadvertent Archeological Find. If during ground disturbance activities, unique cultural resources are discovered that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to project approval, the following procedures shall be followed. Unique cultural resources are defined, for this condition only, as being multiple artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to its sacred or cultural importance as determined in consultation with the Native American Tribe(s).
- i. All ground disturbance activities within 100 feet of the discovered cultural resources shall be halted until a meeting is convened between the developer, the archaeologist, the tribal representative(s) and the Community Development Director to discuss the significance of the find.
  - ii. At the meeting, the significance of the discoveries shall be discussed and after consultation with the tribal representative(s) and the archaeologist, a decision shall be made, with the concurrence of the Community Development Director, as to the appropriate mitigation (documentation, recovery, avoidance, etc.) for the cultural resources.
  - iii. Grading of further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional Tribal monitors if needed.
  - iv. Treatment and avoidance of the newly discovered resources shall be consistent with the Cultural Resources Management Plan and Monitoring Agreements entered into with the appropriate tribes. This may include avoidance of the cultural resources through project design, in-place preservation of cultural resources located in native soils and/or re-burial on the Project property so they are not subject to further disturbance in perpetuity as identified in Non-Disclosure of Reburial Condition.
  - v. If the find is determined to be significant and avoidance of the site has not been achieved, a Phase III data recovery plan shall be prepared by the project archeologist, in consultation with the Tribe, and shall be submitted to the City for their review and approval prior to implementation of the said plan.
  - vi. Pursuant to Calif. Pub. Res. Code § 21083.2(b) avoidance is the preferred method of preservation for archaeological resources and cultural resources. If the landowner and the Tribe(s) cannot agree on the significance or the mitigation for the archaeological or cultural resources, these issues will be presented to the City Community Development Director for decision. The City Community Development Director shall make the determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources, recommendations of the project archeologist and shall take into account the cultural and religious principles and practices of the Tribe. Notwithstanding any other rights available under the law, the decision of the City Community Development Director shall be appealable to the City Planning Commission and/or City Council.

31. Cultural Resources Disposition. In the event that Native American cultural resources are discovered during the course of grading (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries:
- a) One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Temecula Community Development Department:
    - i. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place where they were found with no development affecting the integrity of the resources.
    - ii. Reburial of the resources on the Project property (as identified on Burial Area Exhibit). The measures for reburial shall include, at least, the following: Measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed, with an exception that sacred items, burial goods and Native American human remains are excluded. Any reburial process shall be culturally appropriate. Listing of contents and location of the reburial shall be included in the confidential Phase IV report. The Phase IV Report shall be filed with the City under a confidential cover and not subject to Public Records Request.
32. Archeology Report - Phase III and IV. Prior to final inspection, the developer/permit holder shall prompt the Project Archeologist to submit two (2) copies of the Phase III Data Recovery report, if required, and the Phase IV Cultural Resources Monitoring Report that complies with the Community Development Department's requirements for such reports. The Phase IV report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Community Development Department shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the Community Development Department shall clear this condition. Once the report(s) are determined to be adequate, two (2) copies shall be submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one (1) copy shall be submitted to the Consulting Tribe(s) Cultural Resources Department(s).
33. Training Session. The following shall be included in the Notes Section of the Grading Plan: "A qualified biologist shall conduct a training session for project personnel prior to grading. The session shall meet the requirements of JPR #22-01-26-01."
34. Compliance with Regional Conservation Authority. The applicant shall provide evidence of compliance with the conditions set forth in the Regional Conservation Authority's Joint Project Review letter (JPR# 22-01-26-01) dated May 24, 2022.



35. Archaeologist Retained. Prior to beginning project construction, the Project Applicant shall retain a Riverside County qualified/City of Temecula approved archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources. Any newly discovered cultural resource deposits shall be subject to a cultural resources evaluation. The archaeological monitor's authority to stop and redirect grading will be exercised in consultation with the Pechanga Tribe in order to evaluate the significance of any potential resources discovered on the property. Pechanga and archaeological monitors shall be allowed to monitor all grading, excavation and groundbreaking activities, and shall also have the limited authority to stop and redirect grading activities should an inadvertent cultural resource be identified. The archaeologist shall provide a final monitoring report at the end of all earthmoving activities to the City of Temecula, the Pechanga Tribe and the Eastern Information Center at UC, Riverside.
36. Human Remains. If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission must be contacted within 24 hours. The Native American Heritage Commission must then immediately identify the "most likely descendant(s)" of receiving notification of the discovery. The most likely descendant(s) shall then make recommendations within 48 hours, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98 and the Treatment Agreement described in these conditions.

#### **Prior to Issuance of Building Permit**

37. Transportation Uniform Mitigation Fee (TUMF). The Western Riverside County of Governments administers and collects the Transportation Uniform Mitigation Fee (TUMF). The City of Temecula adopted an ordinance on March 31, 2003 for a Riverside County area wide Transportation Uniform Mitigation Fee (TUMF). This project is subject to payment of these fees at the time of building permit issuance (paid to WRCOG). The fees are subject to the provisions of Chapter 15.08 of the Temecula Municipal Code and the fee schedule in effect at the time of building permit issuance. Additional information on payment, fees, and points of contact can be found at <http://www.wrcog.ca.us/174/TUMF>
38. Development Impact Fee (DIF). The developer shall comply with the provisions of Title 15, Chapter 15.06 of the Temecula Municipal Code and all its resolutions by paying the appropriate City fee.
39. Construction Landscaping and Irrigation Plans. Construction Landscaping and Irrigation Plans shall be reviewed and approved by the Planning Division. These plans shall be submitted as a separate submittal, not as part of the building plans or other plan set. These plans shall conform to the approved conceptual landscape plan, or as amended by these conditions. The location, number, height and spread, water usage or KC value, genus, species, and container size of the plants shall be shown. The plans shall be consistent with the Water Efficient Ordinance and Water Storage Contingency Plan per the Rancho California Water District. The plans shall be accompanied by the appropriate filing fee (per the City of Temecula Fee Schedule at time of submittal) and one copy of the approved Grading Plan.

40. Landscaping Site Inspections. The Landscaping and Irrigation Plans shall include a note stating, "Three landscape site inspections are required. The first inspection will be conducted at installation of irrigation while trenches are open. This will verify that irrigation equipment and layout is per plan specifications and details. Any adjustments or discrepancies in actual conditions will be addressed at this time and will require an approval to continue. Where applicable, a mainline pressure check will also be conducted. This will verify that the irrigation mainline is capable of being pressurized to 150 psi for a minimum period of two hours without loss of pressure. The second inspection will verify that all irrigation systems are operating properly, and to verify that all plantings have been installed consistent with the approved construction landscape plans. The third inspection will verify property landscape maintenance for release of the one-year landscape maintenance bond." The applicant/owner shall contact the Planning Division to schedule inspections.
41. Agronomic Soils Report. The Landscaping and Irrigation Plans shall include a note on the plans stating, "The contractor shall provide two copies of an agronomic soils report at the first irrigation inspection."
42. Water Usage Calculations. The Landscaping and Irrigation Plans shall include water usage calculations per Chapter 17.32 of the Development Code (Water Efficient Ordinance), the total cost estimate of plantings and irrigation (in accordance with approved plan). Applicant shall use evapotranspiration (ET<sub>o</sub>) factor of 0.70 for calculating the maximum allowable water budget.
43. Landscape Maintenance Program. A landscape maintenance program shall be submitted to the Planning Division for approval. The landscape maintenance program shall detail the proper maintenance of all proposed plant materials to assure proper growth and landscape development for the long-term esthetics of the property. The approved maintenance program shall be provided to the landscape maintenance contractor who shall be responsible to carry out the detailed program.
44. Specifications of Landscape Maintenance Program. Specifications of the landscape maintenance program shall indicate, "Three landscape site inspections are required. The first inspection will be conducted at installation of irrigation while trenches are open. This will verify that irrigation equipment and layout is per plan specifications and details. Any adjustments or discrepancies in actual conditions will be addressed at this time and will require an approval to continue. Where applicable, a mainline pressure check will also be conducted. This will verify that the irrigation mainline is capable of being pressurized to 150 psi for a minimum period of two hours without loss of pressure. The second inspection will verify that all irrigation systems are operating properly, and to verify that all plantings have been installed consistent with the approved construction landscape plans. The third inspection will verify property landscape maintenance for release of the one-year landscape maintenance bond." The applicant/owner shall contact the Planning Division to schedule inspections.
45. Irrigation. The landscaping plans shall include automatic irrigation for all landscaped areas and complete screening of all ground mounted equipment from view of the public from streets and adjacent property for private common areas; front yards and slopes within individual lots; shrub planting to completely screen perimeter walls adjacent to a public right-of-way equal to 66 feet or larger; and, all landscaping excluding City maintained areas and front yard landscaping which shall include, but may not be limited to, private slopes and common areas.
46. Precise Grading Plans. Precise Grading Plans shall be consistent with the approved rough grading plans including all structural setback measurements.

47. Building Construction Plans for Outdoor Areas. Building Construction Plans shall include detailed outdoor areas (including but not limited to trellises, decorative furniture, fountains, hardscape, etc.) to match the style of the building subject to the approval of the Director of Community Development.
48. WQMP Landscape Compliance. The construction landscape plans shall be consistent with Appendix A, Table 31 of the Low Impact Development (LID) Manual for Southern California for plant materials and treatment facilities, and shall reference the approved precise grading plan for WQMP features.
49. Utility Screening. All utilities shall be screened from public view. Landscape construction drawings shall show and label all utilities and provide appropriate screening. Provide a three-foot clear zone around fire check detectors as required by the Fire Department before starting the screen. Group utilities together in order to reduce intrusion. Screening of utilities is not to look like an after-thought. Plan planting beds and design around utilities. Locate all light poles on plans and ensure that there are no conflicts with trees.

#### **Prior to Release of Power, Building Occupancy or Any Use Allowed by This Permit**

50. Letter of Substantial Conformance. The applicant shall submit a letter of substantial conformance, subject to field verification by the Director of Community Development or his/her designee. Said letter of substantial conformance shall be prepared by the project designer and shall indicate that all plant materials and irrigation system components have been installed in accordance with the approved final landscape and irrigation plans. Such letter of substantial conformance shall be submitted prior to scheduling for the final inspection.
51. Screening of Loading Areas. The applicant shall be required to screen all loading areas and roof mounted mechanical equipment from view of all residences and public right-of-ways. If upon final inspection it is determined that any mechanical equipment, roof equipment or backs of building parapet walls are visible from any portion of the public right-of-way adjacent to the project site, the developer shall provide screening by constructing a sloping tile covered mansard roof element or other screening reviewed and approved by the Director of Community Development.
52. Landscape Installation Consistent with Construction Plans. All required landscape planting and irrigation shall have been installed consistent with the approved construction plans and shall be in a condition acceptable to the Director of Community Development. The plants shall be healthy and free of weeds, disease, or pests. The irrigation system shall be properly constructed and in good working order.
53. Performance Securities. Performance securities, in amounts to be determined by the Director of Community Development, to guarantee the maintenance of the plantings in accordance with the approved construction landscape and irrigation plan, shall be filed with the Planning Division for a period of one year from final Certificate of Occupancy. After that year, if the landscaping and irrigation system have been maintained in a condition satisfactory to the Director of Community Development, the bond shall be released upon request by the applicant.
54. Installation of Site Improvements. All site improvements, including but not limited to, parking areas and striping shall be installed.
55. Compliance with Conditions of Approval. All of the foregoing conditions shall be complied with prior to occupancy or any use allowed by this approval.

#### **Outside Agencies**

56. Flood Protection. Flood protection shall be provided in accordance with the Riverside County Flood Control Districts transmittal dated January 25, 2022, a copy of which is attached. The fee is made payable to the Riverside County Flood Control Water District by either a cashier's check or money order, prior to the issuance of a grading permit (unless deferred to a later date by the District), based upon the prevailing area drainage plan fee.
57. Compliance with Dept. of Environmental Health. The applicant shall comply with the recommendations set forth in the County of Riverside Department of Environmental Health's transmittal dated October 18, 2022, a copy of which is attached.
58. Compliance with EMWD. The applicant shall comply with the recommendations set forth in the Eastern Municipal Water District's transmittal dated January 20, 2022, a copy of which is attached.
59. Compliance with RCWD. The applicant shall comply with the recommendations set forth in the Rancho California Water District's transmittal dated February 16, 2022, a copy of which is attached.
60. Compliance with Geotechnical. The applicant shall comply with the recommendations set forth in the Leighton Consulting, Inc. transmittal dated August 29, 2022, a copy of which is attached.
61. Compliance with Regional Conservation Authority. The applicant shall comply with the conditions set forth in the Regional Conservation Authority's Joint Project Review letter (JPR# 22-01-26-01) dated May 24, 2022, a copy of which is attached.

## **PUBLIC WORKS DEPARTMENT**

### **General Requirements**

62. Conditions of Approval. The developer shall comply with all Conditions of Approval, the Engineering and Construction Manual and all City codes/standards at no cost to any governmental agency.
63. Entitlement Approval. The developer shall comply with the approved site plan, the conceptual Water Quality Management Plan (WQMP) and other relevant documents approved during entitlement. Any significant omission to the representation of site conditions may require the plans to be resubmitted for further review and revision.
64. Precise Grading Permit. A precise grading permit for on site improvements (outside of public right-of-way) shall be obtained from Public Works.
65. Haul Route Permit. A haul route permit may be required when soils are moved on public roadways to or from a grading site. The developer/contractor is to verify if the permit is required. If so, he shall comply with all conditions and requirements per the City's Engineering and Construction Manual and as directed by Public Works.
66. Encroachment Permits. Prior to commencement of any applicable construction, encroachment permit(s) are required; and shall be obtained:
  - a. from Public Works for public offsite improvements; and
  - b. from the California Department of Transportation if encroaching within their right-of-way
67. Street Improvement Plans. The developer shall submit public/private street improvement plans for review and approval by Public Works. The plans shall be in compliance with Caltrans and City codes/standards; and shall include, but not limited to, plans and profiles showing existing topography, existing/proposed utilities, proposed centerline, top of curb and flowline grades.

68. Private Drainage Facilities. All onsite drainage and water quality facilities shall be privately maintained.

**Prior to Issuance of a Grading Permit**

69. Environmental Constraint Sheet (ECS). The developer shall comply with all constraints per the recorded ECS with any underlying maps related to the subject property.
70. Required Clearances. As deemed necessary by Public Works, the developer shall receive written clearances/permits from applicable agencies such as Caltrans and other affected agencies.
71. Right-of-Way Vacation. The Developer shall submit a Right-of-Way Vacation application to Public Works for review and approval.  
a. Old Town Front Street
72. Right-of-Way Dedication. The Developer shall submit a Right-of-Way Dedication application to Public Works for review and approval.  
a. Second Street
73. Grading/Erosion & Sediment Control Plan. The developer shall submit a grading/erosion & sediment control plan(s) to be reviewed and approved by Public Works. All plans shall be coordinated for consistency with adjacent projects and existing improvements contiguous to the site. The approved plan shall include all construction-phase pollution-prevention controls to adequately address non-permitted runoff. Refer to the City's Engineering & Construction Manual at: [www.TemeculaCA.gov/ECM](http://www.TemeculaCA.gov/ECM)
74. Erosion & Sediment Control Securities. The developer shall comply with the provisions of Chapter 18, Section 18.24.140 of the Temecula Municipal Code by posting security and entering into an agreement to guarantee the erosion & sediment control improvements.
75. NPDES General Permit Compliance. The developer shall obtain project coverage under the State National Pollutant Discharge Elimination System (NPDES) General Permit for Construction Activities and shall provide the following:  
a. A copy of the Waste Discharge Identification Number (WDID) issued by the State Water Resources Control Board (SWRCB);  
b. The project's Risk Level (RL) determination number; and  
c. The name, contact information and certification number of the Qualified SWPPP Developer (QSD)  
Pursuant to the State Water Resources Control Board (SWRCB) requirements and City's storm water ordinance, a Storm Water Pollution Prevention Plan (SWPPP) shall be generated and submitted to the Board. Throughout the project duration, the SWPPP shall be routinely updated and readily available (onsite) to the State and City. Review [www.cabmphandbooks.com](http://www.cabmphandbooks.com) for SWPPP guidelines. Refer to the following link: [http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/construction.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml)

76. Water Quality Management Plan (WQMP) and O&M Agreement. The developer shall submit a final WQMP (prepared by a registered professional engineer) with the initial grading plan submittal, based on the conceptual WQMP from the entitlement process. It must receive acceptance by Public Works. A copy of the final project-specific WQMP must be kept onsite at all times. In addition, a completed WQMP Operation and Maintenance (O&M) Agreement shall be submitted for review and approval. Upon approval from City staff, the applicant shall record the O&M agreement at the County Recorder's Office in Temecula. Refer to the WQMP template and agreement link: [www.TemeculaCA.gov/WQMP](http://www.TemeculaCA.gov/WQMP). As part of the WQMP approval, the Engineer of Record shall report and certify BMP construction per City of Temecula NPDES requirements. Should the project require Alternative Compliance, the developer is responsible for execution of an approved Alternative Compliance Agreement.
77. Area Drainage Plan (ADP) Fee to RCFC&WCD. The developer shall demonstrate to the City that the flood mitigation charge (ADP fee) has been paid to RCFC&WCD. If the full ADP fee has already been credited to this property, no new charge will be required.
78. Drainage. All applicable drainage shall be depicted on the grading plan and properly accommodated with onsite drainage improvements and water quality facilities, which shall be privately maintained. Alterations to existing drainage patterns or concentration and/or diverting flows is not allowed unless the developer constructs adequate drainage improvements and obtains the necessary permissions from the downstream property owners. All drainage leaving the site shall be conveyed into a public storm drain system, if possible. The creation of new cross lot drainage is not permitted.
79. Drainage Study. A drainage study shall be prepared by a registered civil engineer and submitted to Public Works with the initial grading plan check in accordance with City, Riverside County and engineering standards. The study shall identify storm water runoff quantities (to mitigate the 10 and 100-year storm event for 24 hour storm duration peak flow) from the development of this site and upstream of the site. It shall identify all existing or proposed offsite or onsite, public or private, drainage facilities intended to discharge this runoff. Runoff shall be conveyed to an adequate outfall capable of receiving the storm water runoff without damage to public or private property. The study shall include a capacity analysis verifying the adequacy of all facilities. Any upgrading or upsizing of drainage facilities necessary to convey the storm water runoff shall be provided as part of development of this project.
80. Soils Report. A soils report, prepared by a registered soil or civil engineer, shall be submitted to Public Works with the initial grading plan submittal. The report shall address the site's soil conditions and provide recommendations for the construction of engineered structures and preliminary pavement sections.
81. Sight Distance. The developer shall limit landscaping in the corner cut-off area of all street intersections and adjacent to driveways to provide for minimum sight distance and visibility.
82. Habitat Conservation Fee. The developer shall comply with the provisions of Chapter 8.24 of the Temecula Municipal Code (Habitat Conservation) by paying the appropriate fee set forth in the ordinance or by providing documented evidence that the fees have already been paid.
83. American Disability Act. The developer shall ensure that all frontage areas to the proposed development within the public right of way are ADA compliant. Any sidewalk within the public right of way found to be non-compliant shall be the responsibility of the property owner to be removed and replaced with ADA compliant sidewalk per the Streets and Highway Code Section 5610.

### **Prior to Issuance of Encroachment Permit(s)**

84. Public Utility Agency Work. The developer shall submit all relevant documentation due to encroaching within City right-of-way; and is responsible for any associated costs and for making arrangements with each applicable public utility agency.
85. Traffic Control Plans. A construction area traffic control plan (TCP) will be required for lane closures and detours or other disruptions to traffic circulation; and shall be reviewed and approved by Public Works. The TCP shall be designed by a registered civil or traffic engineer in conformance with the latest edition of the Caltrans Manual on Uniform Traffic Control Devices (MUTCD) and City standards.
86. Improvement Plans. All improvement plans (including but not limited to street, storm drain, traffic) shall be reviewed and approved by Public Works.
87. Street Trenching. All street trenches shall conform to City Standard No. 407; refer to the City's Paving Notes.

### **Prior to Issuance of Building Permit(s)**

88. Construction of Street Improvements. All street improvement plans shall be approved by Public Works. The developer shall start construction of all public street improvements, as outlined below, in accordance to the City's General Plan/Circulation Element and corresponding City standards. All street improvement designs shall provide adequate right-of-way and pavement transitions per Caltrans' standards to join existing street improvements.
  - a. Improve First Street along property frontage - (Old Town Specific Plan Standard) to include installation of curb and gutter, sidewalk, streetlights, drainage facilities, street trees and utilities (including but not limited to water and sewer).
  - b. Improve Second Street along property frontage - (Old Town Specific Plan Standard) to include installation of curb and gutter, sidewalk, streetlights, drainage facilities, street trees and utilities (including but not limited to water and sewer).
  - c. Improve Old Town Front Street along property frontage - (Old Town Specific Plan Standard) to include installation of curb and gutter, sidewalk, streetlights, drainage facilities, street trees and utilities (including but not limited to water and sewer).
89. Undergrounding Wires. All existing and proposed electrical and telecommunication lines, except electrical lines rated 34KV or greater, shall be installed underground per Title 15, Chapter 15.04 of the Temecula Municipal Code and utility provider's standards. The developer is responsible for any associated costs, for making arrangements with each utility agency and for obtaining the necessary easements.
90. Certifications. Certifications are required from the registered civil engineer-of-record certifying the building pad elevation(s) per the approved plans and from the soil's engineer-of-record certifying compaction of the building pad(s).
91. Right-of-Way Vacation. Prior to building permit issuance, the Developer shall provide a copy of the recorded Right-of-Way Vacation.
  - a. Old Town Front Street
92. Right-of-Way Dedication. Prior to building permit issuance, the Developer shall provide a copy of the recorded Right-of-Way Dedication.
  - a. Second Street

### **Prior to Issuance of a Certificate of Occupancy**

93. Completion of Improvements. The developer shall complete all work per the approved plans and Conditions of Approval to the satisfaction of the City Engineer. This includes all on site work (including water quality facilities), public improvements and the executed WQMP Operation and Maintenance agreement. Rehabilitation of street frontage shall be 4-inch asphalt concrete over class II base full-width curb-to-curb at the discretion of the City Engineer upon project completion.
94. Utility Agency Clearances. The developer shall receive written clearance from applicable utility agencies (i.e., Rancho California and Eastern Municipal Water Districts, etc.) for the completion of their respective facilities and provide to Public Works.
95. Replacement of Damaged Improvements/Monuments. Any appurtenance damaged or broken during development shall be repaired or removed and replaced to the satisfaction of Public Works. Any survey monuments damaged or destroyed shall be reset per City Standards by a qualified professional pursuant to the California Business and Professional Code Section 8771.
96. Certifications. All necessary certifications and clearances from engineers, utility companies and public agencies shall be submitted as required by Public Works.
97. Water Quality Management Plan (WQMP) Verification. As part of the the WQMP approval, the Engineer of Record shall report and certify BMP construction per City of Temecula NPDES requirements. Should the project require alternative compliance, the developer is responsible for execution of an approved Alternative Compliance Agreement.

## **BUILDING AND SAFETY DIVISION**

### **General Requirements**

98. Final Building and Safety Conditions. Final Building and Safety conditions will be addressed when building construction plans are submitted to Building and Safety for review. These conditions will be based on occupancy, use, the California Building Code (CBC), and related codes which are enforced at the time of building plan submittal.
99. Compliance with Code. All design components shall comply with applicable provisions of the most current edition of the California Building, Plumbing and Mechanical Codes; California Electrical Code; California Administrative Code, Title 24 Energy Code, California Title 24 Disabled Access Regulations, and Temecula Municipal Code as identified in Title 15 of the Temecula Municipal Code. Including Section 1206 of the California Building Code.
100. ADA Access. Applicant shall provide details of all applicable disabled access provisions and building setbacks on plans to include:
  - a. Disabled access from the public way to the main entrance of the building.
  - b. Van accessible parking located as close as possible to the main entrance of the building.
  - c. Accessible path of travel from parking to the furthest point of improvement.
  - d. Path of accessibility from parking to furthest point of improvement.
  - e. Accessible path of travel from public right-of-way to all public areas on site, such as trash enclosures, clubhouses, and picnic areas.
101. County of Riverside Mount Palomar Ordinance. Applicant shall submit, at time of plan review, a complete exterior site lighting plan showing compliance with County of Riverside Mount Palomar Ordinance Number 655 for the regulation of light pollution. All streetlights and other outdoor lighting shall be shown on electrical plans submitted to the Building and Safety Division. Any outside lighting shall be hooded and aimed not to shine directly upon adjoining property or public rights-of-way. All exterior LED light fixtures shall be 3,000 kelvin or below.



102. Street Addressing. Applicant must obtain street addressing for all proposed buildings by requesting street addressing and submitting a site plan for commercial or multi-family residential projects or a recorded final map for single-family residential projects.
103. Clearance from TVUSD. A receipt or clearance letter from the Temecula Valley Unified School District shall be submitted to the Building and Safety Department to ensure the payment or exemption from School Mitigation Fees.
104. Obtain Approvals Prior to Construction. Applicant must obtain all building plans and permit approvals prior to commencement of any construction work.
105. Obtaining Separate Approvals and Permits. Trash enclosures, patio covers, light standards, and any block walls will require separate approvals and permits. Solid covers are required over new and existing trash enclosures.
106. Demolition. Demolition permits require separate approvals and permits.
107. Sewer and Water Plan Approvals. On-site sewer and water plans will require separate approvals and permits.
108. Hours of Construction. Signage shall be prominently posted at the entrance to the project, indicating the hours of construction, as allowed by the City of Temecula Code Section 9.20.060, for any site within one-quarter mile of an occupied residence. The permitted hours of construction are Monday through Saturday from 7:00 a.m. to 6:30 p.m. No work is permitted on Sundays and nationally recognized Government Holidays.
109. House Electrical Meter. Provide a house electrical meter to provide power for the operation of exterior lighting, irrigation pedestals and fire alarm systems for each building on the site. Developments with single user buildings shall clearly show on the plans how the operation of exterior lighting and fire alarm systems when a house meter is not specifically proposed.
110. Protection of drains and penetration. Protection of joints and penetrations in fire resistance-rated assemblies shall not be concealed from view until inspected for all designed fire protection. Required fire seals/fire barriers in fire assemblies at fire resistant penetrations shall be installed by individuals with classification or certification covering the installation of these systems. Provide certification for the installation of each area and certification of compliance for Building Official's approval.

## **FIRE PREVENTION**

### **General Requirements**

111. Fire Hydrants. The Fire Prevention Bureau is required to set minimum fire hydrant distances per CFC Appendix C. Super fire hydrants (6" x 4" x (2) 2 ½" outlets) shall be located on fire access roads and adjacent public streets. For this Commercial projects hydrants shall be spaced at 350 feet apart, and shall be located no more than 210 feet from any point on the street or Fire Department access road(s) frontage to a hydrant. The required fire flow shall be available from any adjacent hydrant(s) in the system. The fire line may be required to be a looped system to meet fire flow requirements. The upgrade of existing fire hydrants, public or private may be required (CFC Appendix C and Temecula Municipal Code Section 15.16.020).
112. Fire Dept. Plan Review. Final fire and life safety conditions will be addressed when building plans are reviewed by the Fire Prevention Bureau. These conditions will be based on occupancy, use, the California Building Code (CBC), California Fire Code (CFC), and related codes which are in force at the time of building plan submittal.

113. Fire Flow. The Fire Prevention Bureau is required to set a minimum fire flow for the construction of all commercial and residential buildings per CFC Appendix B. The developer shall provide for this project, a water system capable of delivering 4,000 GPM at 20-PSI residual operating pressure for a 4-hour duration for this commercial project. The fire flow as given above has taken into account all information as provided. For fire hydrants serving this property, any public fire hydrants will be required to meet the required fire flow if there are not enough designated private fire hydrants to meet this.

**Prior to Issuance of Grading Permit(s)**

114. Access Road Widths. Fire Department vehicle access roads shall have a clear unobstructed width of not less than 24 feet and a clear unobstructed vertical clearance of not less than 13 feet 6 inches. no equipment is able to or allowed to impede in the 24-foot fire lanes. (CFC Chapter 5 and Temecula Municipal Code Section 15.16.020).
115. Two Point Access. This development shall maintain two points of access, via all-weather paved surface roads, minimum of 24-feet in clear unobstructed width, as approved by the Fire Prevention Bureau (CFC Chapter 5).
116. Turning Radius. Minimum outside turning radius on any dead-end shall be 45 feet for commercial projects
117. All Weather Access Roads. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be with a surface to provide all-weather driving capabilities. Access roads shall be 80,000 lbs. GVW with a minimum of AC thickness of .25 feet. In accordance with Section 3310.1, prior to building construction, all locations where structures are to be built shall have fire apparatus access roads. (CFC Chapter 5 and Temecula Municipal Code Section 15.16.020).
118. Gradient of Access Roads. The gradient for fire apparatus access roads shall not exceed 15 percent (CFC Chapter 5 and Temecula Municipal Code Section 15.16.020).
119. Turning Radius. Dead end roadways and streets in excess of 150 feet which have not been completed shall have a turnaround capable of accommodating fire apparatus (CFC Chapter 5 and Temecula Municipal Code 15.16.020).

**Prior to Issuance of Building Permit(s)**

120. Required Submittals (Fire Underground Water). The developer shall furnish an electronic submittal of the water system plans to the Fire Prevention Bureau for approval prior to installation for all private water systems pertaining to the fire service loop. Plans shall be signed by a registered civil engineer, contain a Fire Prevention Bureau approval signature block, and conform to hydrant type, location, spacing and minimum fire flow standards. Hydraulic calculations will be required with the underground submittal to ensure fire flow requirements are being met for the on-site hydrants. the hydrants will be required to meet the fire flow requirements set forth in these conditions of approval. The plans must be submitted and approved prior to building permit being issued.

121. Required Submittals (Fire Sprinkler Systems). Fire sprinkler plans shall be submitted electronically to the Fire Prevention Bureau for approval. Fire sprinkler plans must be submitted by the installing C-16 contractor to the Fire Prevention Bureau. If plans are not submitted by the actual installing C-16 contractor, then they will be required to be designed and submitted by a Fire Protection Engineer (FPE), no other engineer stamps will be accepted. Once the engineered plans are approved and a contract is awarded then the actual C-16 sprinkler contractor can be added to the permit. The C-16 contractor cannot make any changes to the approved engineered plans and will have to install the system based on the approved plans. Any changes to the approved engineered plans will require a re-submittal prior to moving forward with any inspections. These plans will be required to be submitted prior to the issuance of any building permits.
122. Required Submittals (Fire Alarm Systems). Fire alarm plans shall be submitted electronically to the Fire Prevention Bureau for approval. Fire alarm plans must be submitted by the installing C-10 contractor to the Fire Prevention Bureau. If plans are not submitted by the actual installing C-10 contractor, then they will be required to be designed and submitted by a Fire Protection Engineer (FPE), no other engineer stamps will be accepted. Once the engineered plans are approved and a contract is awarded then the actual C-10 fire alarm contractor can be added to the permit. The C-10 contractor cannot make any changes to the approved engineered plans and will have to install the system based on the approved plans. Any changes to the approved engineered plans will require a re-submittal prior to moving forward with any inspections. The fire alarm system is also required to have a dedicated circuit from the house panel. These plans will be required to be submitted prior to the issuance of any building permits.

#### **Prior to Issuance of Certificate of Occupancy**

123. Gates and Access. All manual and electronic gates on required Fire Department access roads or gates obstructing Fire Department building access shall be provided with a Knox system. Gates will be required to have a key pad with electronic access as well as Opticom for emergency access by firefighting personnel.
124. Hydrant Verification. Hydrant locations shall be identified by the installation of reflective markers (blue dots) (Temecula Municipal Code Section 15.16.020).
125. Knox Box. A "Knox-Box" shall be provided. The Knox-Box shall be installed a minimum of six feet in height above finished floor and be located to the right side of the fire riser sprinkler room. This box will house all the keys for the facility (CFC Chapter 5).
126. Addressing. New buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Commercial buildings shall have a minimum of 12-inch numbers with suite numbers being a minimum of six inches in size. All suites shall have a minimum of 6-inch high letters and/or numbers on both the front and rear doors. (CFC Chapter 5 and Temecula Municipal Code Section 15.16.020).
127. Site Plan. The applicant shall prepare and submit to the Fire Department for approval, a site plan designating fire lanes with appropriate fire lane painting and/or signs (CFC Chapter 5).
128. Additional Submittals (Fire Above/Below Ground Tanks). The developer/applicant shall be responsible for obtaining any underground and/or aboveground tank permits that will be installed and used onsite for the storage of combustible liquids, flammable liquids or any other hazardous materials from both the County Health Department and Fire Prevention Bureau (CFC Chapter 57 and Temecula Municipal Code Section 15.16.020).

129. Additional Submittals (Hazardous Materials). The applicant shall submit for review and approval by the City Fire Department a Hazardous Material Inventory Statement and Fire Department Technical Report. A full hazardous materials inventory report and color coded floor plan is required for any building storing or using hazardous materials. If pool chemicals will be stored on site they will need to be disclosed in this package along with where they will be stored. (CFC Chapters 1 and 50 through 67 and Temecula Municipal Code Section 15.16.020).
130. File Format Requirements. A simple plot plan and a simple floor plan, each as an electronic file of the .DWG format, must be submitted to the Fire Prevention Bureau. Contact Fire Prevention for approval of alternative file formats which may be acceptable.

## **POLICE DEPARTMENT**

### **General Requirements**

131. Landscape Height. The applicant shall ensure all landscaping surrounding all buildings are kept at a height of no more than three feet or below the ground floor window sills. Plants, hedges and shrubbery shall be defensible plants to deter would-be intruders from breaking into the buildings utilizing lower level windows.
132. Tree Pruning. The applicant shall ensure all trees surrounding all building rooftops be kept at a distance to deter roof accessibility by "would-be burglars." Since trees also act as a natural ladder, the branches must be pruned to have a six-foot clearance from the buildings.
133. Berm Height. Berms shall not exceed three feet in height.
134. Knox Box. Knox boxes with Police access are required at each gate leading into the property. Where access to or within a structure or an area is restricted because of secured opening or where immediate access is necessary for life-saving purposes, the Temecula Police Department is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type and shall contain keys to gain necessary access.
135. Parking Lot Lighting. All parking lot lighting shall be energy saving and minimized after hours of darkness and in compliance with Title 24, Part 6, of the California Code of Regulations.
136. Exterior Door Lighting. All exterior doors shall have a vandal resistant light fixture installed above the door. The doors shall be illuminated with a minimum one-foot candle illumination at ground level, evenly dispersed.
137. Exterior Building Lighting. All lighting affixed to the exterior of buildings shall be wall mounted light fixtures to provide sufficient lighting during hours of darkness.
138. Outdoor Lighting During Non-Business Hours. The applicant shall comply with the Governor's order to address the power crisis. This order became effective March 18, 2001 calling for a substantial reduction from businesses to cut usage during non-business hours. The order, in part, states, "All California retail establishments, including, but not limited to, shopping centers, auto malls and dealerships, shall substantially reduce maximum outdoor lighting capability during non-business hours except as necessary for the health and safety of the public, employees or property." Failure to comply with this order following a warning by law enforcement officials shall be punishable as a misdemeanor with a fine not to exceed \$1,000 in accordance with Title 24, Part 6, of the California Code of Regulations.

139. Commercial or Institutional Grade Hardware. All doors, windows, locking mechanisms, hinges, and other miscellaneous hardware shall be commercial or institution grade.
140. Graffiti Removal. Any graffiti painted or marked upon the buildings must be removed or painted over within 24 hours of being discovered. Report all such crimes to the Temecula Police 24-hour dispatch Center at (951) 696-HELP.
141. Alarm System. Upon completion of construction, the buildings shall have a monitored alarm system installed and monitored 24 hours a day by a designated private alarm company to notify the Temecula Police Department of any intrusion. All multi-tenant offices/suites/businesses located within a specific building shall have their own alarm system. This condition is not applicable if the business is opened 24/7.
142. Roof Hatches. All roof hatches shall be painted "International Orange."
143. Rooftop Addressing. The construction plans shall indicate the application of painted rooftop addressing plotted on a nine-inch grid pattern with 45-inch tall numerals spaced nine inches apart. The numerals shall be painted with a standard nine-inch paint roller using fluorescent yellow paint applied over a contrasting background. The address shall be oriented to the street and placed as closely as possible to the edge of the building closest to the street.
144. ADA Parking. All disabled parking stalls on the premises shall be marked in accordance with Section 22511.8 of the California Vehicle Code.
145. Employee Training. Employee training regarding retail/credit card theft, citizens' arrest procedures, personal safety, business security, shoplifting or any other related crime prevention training procedures is also available through the Crime Prevention Unit.
146. Compliance with State Department of Alcoholic Beverage Control. Any business that serves or sells any type of alcoholic beverages will comply with all guidelines within the Business and Profession Codes and all other guidelines associated with the State Department of Alcoholic Beverage Control.
147. Inspections and Training. Contact the Temecula Police Department for inspections and training for both employees and owners. This includes special events held at business locations where alcohol will be served for a fee and the event is open to the general public.
148. Consumption of Alcoholic Beverages in Public Prohibited. The applicant shall comply with Temecula Municipal Code Section 9.14.010, Consumption of Alcoholic Beverages in Public Prohibited.
149. Employee Training for Identification Checks. The applicant shall ensure all employees involved with the sales, service and identification checks for the purpose of any sales of alcoholic beverages are trained in the proper procedures and identification checks. The Temecula Police Department provides free training for all employers and employees involved in service and sales of alcoholic beverages. It is the responsibility of the applicant to set up a training session for all new employees. Contact the Crime Prevention and Plans Office at (951) 695-2773 to set up a training date. Training should be completed prior to the grand opening of this business and periodic updated training should be conducted when new employees/management are hired.
150. Identification Verification. Identification will be verified utilizing one of the following: (a) valid California driver's license; (b) valid California identification card; (c) valid military identification card (active/reserve/retired/dependent); (d) valid driver's license from any of the 50 States or Territories of the United States; (e) valid U.S. Passport; (f) valid government issued identification card issued by a Federal, State, and County or City agency.

151. Acceptable Forms of Identification. As noted above, only a valid government issued identification card issued by a Federal, State, County or City agency is acceptable, providing it complies with 25660 of the Business and Profession Code (B&P), which includes the following requirements: (a) name of person; (b) date of birth; (c) physical description; (d) photograph; (e) currently valid (not expired). It is the responsibility of business owners and any person who sells or serves alcoholic beverages to be aware of current laws and regulations pertaining to alcoholic beverages.
152. Crime Prevention Through Environmental Design. Crime prevention through environmental design as developed by the National Crime Prevention Institute (NCPI) supports the concept that “the proper design and effective use of the built environment can lead to a reduction in the fear and incidence of crime and an improvement in the quality of life.” The nine primary strategies that support this concept are included as conditions below: a. Provide clear border definition of controlled space. Examples of border definition may include fences, shrubbery or signs in exterior areas. Within a building, the arrangement of furniture and color definition can serve as a means of identifying controlled space. b. Provide clearly marked transitional zones. Persons need to be able to identify when they are moving from public to semi-public to private space. c. Gathering or congregating areas to be located or designated in locations where there is good surveillance and access control. d. Place safe activities in unsafe locations. Safe activities attract normal users to a location and subsequently render the location less attractive to abnormal users due to observation and possible intervention. e. Place unsafe activities in safe locations. Placing unsafe activities in areas of natural surveillance or controlled access will help overcome risk and make the users of the areas feel safer. f. Redesign the use of space to provide natural barriers. Separate activities that may conflict with each other (outdoor basketball court and children’s play area, for example) by distance, natural terrain or other functions to avoid such conflict. g. Improve scheduling of space. The timing in the use of space can reduce the risk for normal users and cause abnormal users to be of greater risk of surveillance and intervention. h. Redesign space to increase the perception of natural surveillance. Abnormal users need to be aware of the risk of detection and possible intervention. Windows and clear lines-of-sight serve to provide such a perception of surveillance. i. Overcome distance and isolation. This strategy may be accomplished through improved communications (portable two-way radios, for example) and design efficiencies, such as the location of restrooms in a public building.
153. Business Security Survey. Businesses desiring a business security survey of their location can contact the Crime Prevention and Plans Unit of the Temecula Police Department at (951) 695-2773.
154. Questions Regarding Conditions. Any questions regarding these conditions should be directed to the Temecula Police Department Crime Prevention and Plans Unit at (951) 695-2773.



RIVERSIDE COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT

242043

January 25, 2022

City of Temecula  
Planning Department  
41000 Main Street,  
Temecula CA 92590

Attention: Scott Cooper

Re: PA 22-0035, APN 922-072-005, -007,  
-010, -011, -013, -016, -018, -020,  
-021 and -023

The Riverside County Flood Control and Water Conservation District (District) does not normally recommend conditions for land divisions or other land use cases in incorporated cities. The District also does not plan Check city land use cases or provide State Division of Real Estate letters or other flood hazard reports for such cases. District comments/recommendations for such cases are normally limited to items of specific interest to the District including District Master Drainage Plan facilities, other regional flood control and drainage facilities which could be considered a logical component or extension of a master plan system, and District Area Drainage Plan fees (development mitigation fees). In addition, information of a general nature is provided.

The District's review is based on the above-referenced project transmittal, received January 19, 2022. The District **has not** reviewed the proposed project in detail, and the following comments do not in any way constitute or imply District approval or endorsement of the proposed project with respect to flood hazard, public health and safety, or any other such issue:

- ☒ This project would not be impacted by District Master Drainage Plan facilities, nor are other facilities of regional interest proposed.
- ☐ This project involves District proposed Master Drainage Plan facilities, namely, \_\_\_\_\_. The District will accept ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection, and administrative fees will be required.
- ☐ This project proposes channels, storm drains 36 inches or larger in diameter, or other facilities that could be considered regional in nature and/or a logical extension of the adopted Murrieta Creek Master Drainage Plan. The District would consider accepting ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection, and administrative fees will be required.

Re: PA 22-0035, APN 922-072-005, -007,  
-010, -011, -013, -016, -018, -020,  
-021 and -023

242043

- ☒ This project is located within the limits of the District's Murrieta Creek (☐ Murrieta Valley ☒ Temecula Valley ☐ Santa Gertrudis Valley ☐ Warm Springs Valley) Area Drainage Plan for which drainage fees have been adopted. If the project is proposing to create additional impervious surface area, applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to issuance of grading or building permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.
- ☐ An encroachment permit shall be obtained for any construction related activities occurring within District right of way or facilities, namely, \_\_\_\_\_. For further information, contact the District's Encroachment Permit Section at 951.955.1266.
- ☐ The District's previous comments are still valid.

**GENERAL INFORMATION**

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation, or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

If this project involves a Federal Emergency Management Agency (FEMA) mapped floodplain, the City should require the applicant to provide all studies, calculations, plans, and other information required to meet FEMA requirements, and should further require the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation, or other final approval of the project and a Letter of Map Revision (LOMR) prior to occupancy.

If a natural watercourse or mapped floodplain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Wildlife and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers, or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Very truly yours,



DEBORAH DE CHAMBEAU  
Engineering Project Manager

ec: Riverside County Planning Department  
Attn: Phayvanh Nanthavongdouangsy  
WMC:blm





County of Riverside  
**DEPARTMENT OF ENVIRONMENTAL HEALTH**

P.O. BOX 7909 • RIVERSIDE, CA 92513-7909  
JEFF JOHNSON, DIRECTOR

October 18, 2022

City of Temecula  
Planning Department  
Attn: Scott Cooper  
41000 Main Street  
Temecula CA 92590

**SUBJECT: CITY OF TEMECULA – PA22-0035 TEMECULA RESORT AND SPA DP  
(APN:922-072-005)**

Dear Mr. Cooper:

The project listed in the subject heading is proposing a development plan to allow a full service hotel that includes a parking garage, conference facilities/ballrooms, gallery/event space, full service spa, restaurants, bars/lounges, retail outlets, workout facility, outdoor pool area, and a wedding garden. It will be located on the east side of Front Street between 1<sup>st</sup> and 2<sup>nd</sup> Street, in the city of Temecula.

In accordance with the agreement between the County of Riverside, Department of Environmental Health (DEH) and the City of Temecula, DEH offers the following comments for the project(s) listed in the subject heading of this letter:

**POTABLE WATER AND SANITARY SEWER**

This project is proposing to receive potable water from Rancho California Water District (RCWD) and sanitary sewer service from Eastern Municipal Water District (EMWD). It is the responsibility of the developer to ensure that all requirements to obtain potable water and sanitary sewer service are met with EMWD, as well as all other applicable agencies.

As the agency providing sewer service, EMWD shall also have the responsibility to implement any grease interceptor requirements, including sizing capacity and other structural specifications if necessary.

All existing septic systems and/or wells shall be properly removed or abandoned under permit with DEH.

### **ENVIRONMENTAL CLEANUP PROGRAM**

If previously unidentified contamination or the presence of a naturally occurring hazardous material is discovered at the site, assessment, investigation, and/or cleanup may be required. Contact Riverside County Environmental Health - Environmental Cleanup Programs at (951) 955-8980, for further information.

### **HAZARDOUS MATERIALS MANAGEMENT BRANCH (HMMB)**

Prior to conducting a building permit final, the facility shall require a business emergency plan for the storage of any hazardous materials, greater than 55 gallons, 200 cubic feet or 500 pounds, or any acutely hazardous materials or extremely hazardous substances. If further review of the site indicates additional environmental health issues, HMMB reserves the right to regulate the business in accordance with applicable County Ordinances. Please contact HMMB at (951) 358-5055 to obtain information regarding any additional requirements.

### **DISTRICT ENVIRONMENTAL SERVICES – PUBLIC/SEMI-PUBLIC FOOD/POOL FACILITY**

Prior to issuance of a building permit, the applicant shall be required to contact DEH District Environmental Services to determine the appropriate food plan check and/or permitting requirements. For further information, please call (951) 461-0284.

County of Riverside, Department of Environmental Health  
District Environmental Services - Murrieta Office  
38740 Sky Canyon Drive, Suite "A"  
Murrieta CA 92563

Please contact your local DES office located in Murrieta at (951)461-0284.

### **LOCAL ENFORCEMENT AGENCY (LEA)**

Any persons engaged in the business or performance of tattooing, body piercing, branding and the application of permanent cosmetics as defined in Health and Safety Code 119300 et seq. must obtain approval from the Riverside County Department of Environmental Health LEA. Contact the County of Riverside LEA at (951)955-8980 for any plan check and/or permitting requirements.

Should you have any further questions or require further assistance, please contact me by email at [kakim@rivco.org](mailto:kakim@rivco.org) or by phone at (951) 955-8980.

Sincerely,  
Kristine Kim, Program Chief  
Department of Environmental Health



January 20, 2022

Scott Cooper  
City of Temecula Planning Department  
41000 Main Street  
Temecula, CA 92590

**Case No.:** PA22-0035 – Temecula Resort & Spa DP  
**APN:** 922-072-005  
**Location:** North corner of First St and Old Town Front St  
**Description:** A Development Plan for an approximately 474,137 square foot, seven story, 90-foot high full service hotel that includes a parking garage, conference facilities/ballrooms, gallery/event space, full service spa, restaurants, bars/lounges, retail outlets, workout facility, outdoor pool area, and a wedding garden.

Dear Scott Cooper:

The subject project will require sewer service from EMWD, with the potential requirement for on-site and offsite facilities and associated easements to adequately serve the project demands from existing EMWD facilities. The details of said service connection points will be further detailed in a separate document, known as EMWD's Design Conditions (DC), formerly known as Plan of Service (POS), to be developed by the project proponent.

To that end, EMWD requires beginning dialogue with the project proponent at an early stage in site design and development, via a one-hour complimentary Due Diligence meeting. To set up this meeting, the project proponent should complete a Project Questionnaire (form NBD-058) and submit to EMWD. To download this form or for additional information, please visit our "New Development Process" web page, under the "Business" tab, at [www.emwd.org](http://www.emwd.org). This meeting will offer the following benefits:

1. Describe EMWD's development work-flow process
2. Identify project scope and parameters
3. Preliminary, high level review of the project within the context of existing infrastructure
4. Discuss potential candidacy for recycled water service



Following the Due Diligence meeting, to proceed with this project, the Design Conditions (DC) will need to be developed by the developer's engineer, and reviewed/approved by EMWD prior to submitting improvement plans for Plan Check. The DC process will provide the following:

1. Technical evaluation of the project's preliminary design
2. Defined facility and easement requirements, i.e. approved DC
3. Potential facility oversizing and cost estimate of EMWD's participation
4. Exception: for feasibility evaluation of purchase acquisition, only a conceptual facilities assessment may be developed.

If you have questions or concerns, please do not hesitate to contact me at (951) 928-3777, extension 4468 or by email at [El-hagem@emwd.org](mailto:El-hagem@emwd.org).

Sincerely,

Maroun El-Hage, MPA, MS, PE  
Principal Civil Engineer  
Development Services Department  
Eastern Municipal Water District

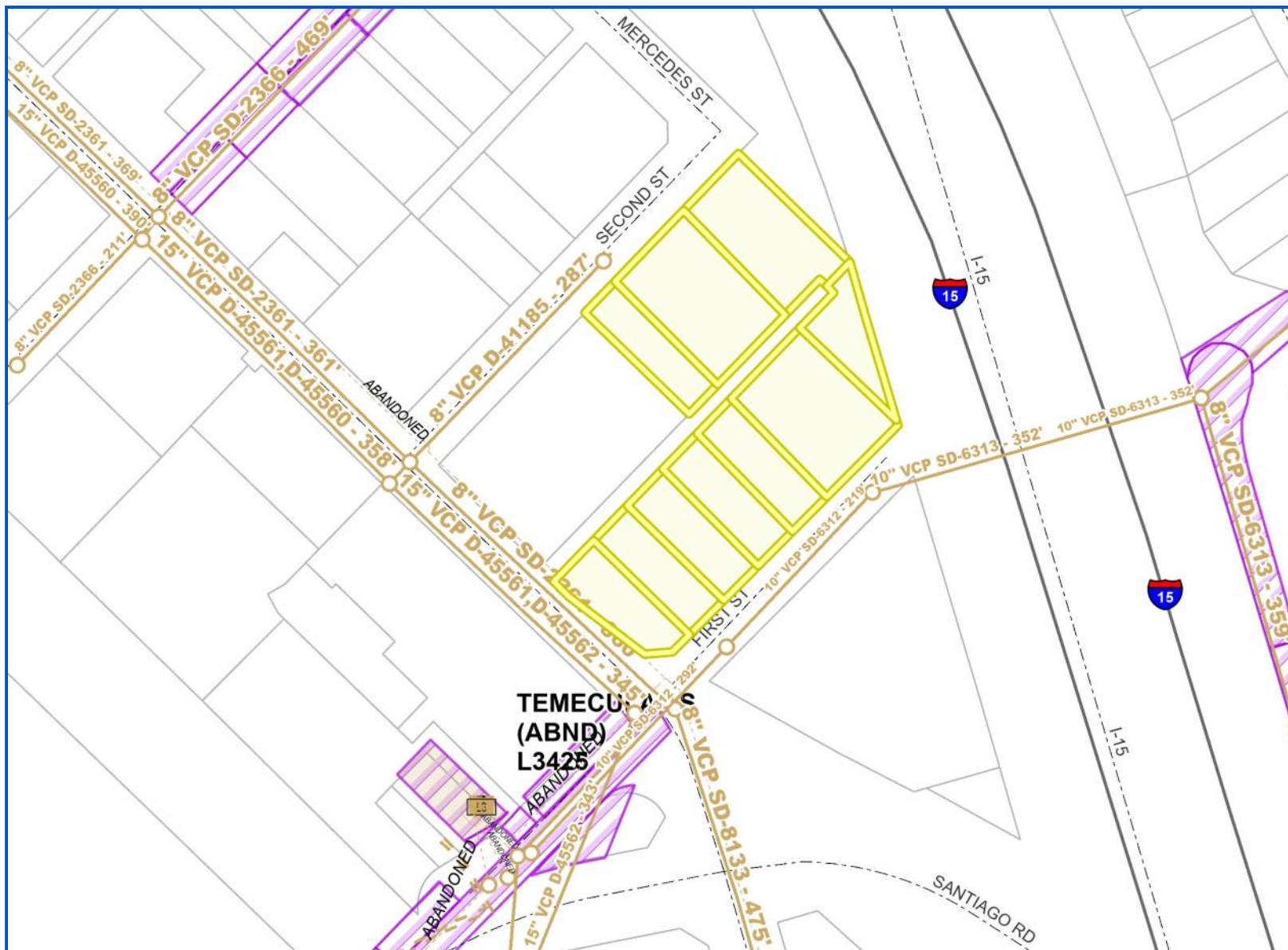
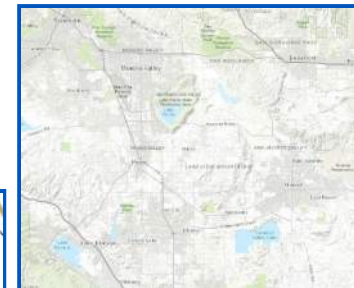
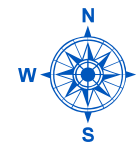
MEH:lm

Attachment(s)/Enclosure(s): Copy of the Public Notice, EMWD Sewer & Easement Exhibit

c:



# Temecula Resort & SPA DP



## Legend

- Swr Interagency Tie
- Swr Manhole
  - Cleanout
  - Manhole
  - Monitoring
  - Sampling
  - Shallow
- Swr Main
  - As Built, Collection
  - As Built, Distribution
  - As Built, Effluent Force
  - As Built, Influent Force
  - As Built, Transmission
  - CIP, Collection
  - CIP, Effluent Force
  - CIP, Influent Force
  - CIP, Transmission
  - Swr Main Abandoned
  - Swr Main Murrieta
- Streets
- Swr Lift Station
- Swr Lift Station Polygon
- Swr Treatment Plant
- EMWD District Boundary
- EMWD Main Office

## Notes

APN 922-072-005, -007, -010, -011, -013, -016, -020, -021, & -023

N CORNER OF FIRST ST & OLD TOWN FRONT ST IN TEMECULA

0 SCALE 1: 1,876 469 Feet

Map Produced 01/20/2022 By EMWD Staff

© EMWD

GIS data shown is for informational purposes only, is subject to change without notice and may not be suitable for legal, engineering, construction, or surveying purposes. Information should be reviewed against reliable sources to ascertain its usability. Eastern Municipal Water District assumes no liability for any incorrect results, any lost profits and direct, special, indirect or consequential damages to any party, arising out of or in connection with the use or the inability to use the data hereon or the services.





February 16, 2022

Case Planner  
**City of Temecula**  
41000 Main Street  
Temecula, CA 92590

**SUBJECT: WATER AVAILABILITY**  
**FRONT STREET BETWEEN 2<sup>ND</sup> STREET AND 1<sup>ST</sup> STREET**  
**LOT NOS. 1 THROUGH 24, BLOCK 17 OF MAP BOOK NO. 151726**  
**APNS 922-072-005, 922-072-007, 922-072-010, 922-072-011,**  
**922-072-013, 922-072-016, 922-072-018, 922-072-020,**  
**922-072-021, AND 922-072-023**  
**[STEVE KIM LIVING TRUST]**

**Board of Directors**

**Carol Lee Gonzales-Brady**  
President

**John V. Rossi**  
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Assistant General Manager  
Engineering and Operations

**Jason A. Martin**  
Director of Administration

**Eileen Dienzo**  
Director of Human Resources

**Kelli E. Garcia**  
District Secretary

**James B. Gilpin**  
**Best Best & Krieger LLP**  
General Counsel

Dear Case Planner:

Please be advised that the above-referenced project/property is located within the service boundaries of Rancho California Water District (Rancho Water/District). The subject project/property fronts an existing 24-inch diameter water pipeline (1305 Pressure Zone) within Second Street and an existing 24-inch diameter water pipeline (1305 Pressure Zone) within Old Town Front Street. Please refer to the enclosed exhibit map.

Water service to the subject project/property does not exist. Additions or modifications to water service arrangements are subject to the Rules and Regulations (governing) Water System Facilities and Service, as well as the completion of financial arrangements between Rancho Water and the property owner.

Water service to individual lots will require the extension of water facilities within dedicated public and/or private right-of-ways. Individual water meters will be required for each lot and/or project unit, including separate water services/meters for domestic service, fire service, and landscape irrigation service, as applicable. Beginning in 2018, newly constructed multi-unit residential structures are required to measure the quantity of water supplied to each individual residential dwelling unit.

Where private on-site water facilities (for water service, fire service, irrigation, or other purpose) will cross or will be shared amongst multiple lots/project units (**only by special variance of the Rules and Regulations**), and/or where such 'common' facilities will be owned and maintained by a Property Owners' Association, Rancho Water requires execution and recordation of a *Reciprocal Easement and Maintenance Agreement* or equivalent document of covenants, codes, and restrictions.

Water availability is contingent upon the property owner(s) signing an Agency Agreement that assigns water management rights, if any, to Rancho Water. **In addition, water availability is subject to water supply shortage contingency measures in effect (pursuant to Rancho Water's Water Shortage Contingency Plan or other applicable ordinances and policy), and/or the adoption of a required Water Supply Assessment for the development, as determined by the Lead Agency.**

In accordance with Resolution 2007-10-5 and subject to a Notice of Determination by Rancho Water, the project/property may be required to use recycled water for all landscape irrigation, which should be noted as a condition for any subsequent development plans. Recycled water service, therefore, would be available upon construction of any required on-site and/or off-site recycled water facilities and the completion of financial arrangements between Rancho Water and the property owner. Requirements for the use of recycled water are available from Rancho Water.

As soon as feasible, and prior to the preparation of California Environmental Quality Act (CEQA) documents, the project proponent should contact Rancho Water for a determination of existing water system capability, based upon project-specific demands and/or fire flow requirements, as well as a determination of proposed water facilities configuration. If new facilities are required for service, fire protection, or other purposes, the project proponent should contact Rancho Water for an assessment of project-specific fees and requirements.

Sewer service to the subject project/property, if available, would be provided by Eastern Municipal Water District. If no sewer service is currently available to the subject project/property, all proposed waste discharge systems must comply with the State Water Resources Control Board, health department, and/or other requirements as they relate to the protection of groundwater quality, pursuant to Rancho Water's Groundwater Protection Policy.

If you should have any questions or need additional information, please contact an Engineering Technician at the District office at (951) 296-6900.

Sincerely,

**RANCHO CALIFORNIA WATER DISTRICT**



Erica Peter  
Senior Engineering Technician

Enclosure: Exhibit Map

cc: Jeff Kirshberg, Water Resources Manager  
Corry Smith, Engineering Services Supervisor  
Steve Kim





August 29, 2022

Project No. 11760.032

City of Temecula, Planning Department  
4100 Main Street  
Temecula, CA 92590

Attention: Mr. Scott Cooper, Associate Planner

**Subject: Geotechnical Peer Review Comments #3 (Final)  
Proposed Temecula Resort and Spa (PA22-0035)  
1<sup>st</sup> Street and Front Street, Temecula, California**

References: R.T. Frankian & Associates, Addendum to Report of Geotechnical Investigation, Proposed Temecula Resort and Spa, 1<sup>st</sup> Street & Old Town Front Street, Temecula, CA, Job No. 2021-011-001, dated April 13, 2022.

R.T. Frankian & Associates, Report of Geotechnical Investigation, Proposed Temecula Resort and Spa, 1<sup>st</sup> Street & Old Town Front Street, Temecula, CA, Job No. 2021-011-001, dated January 18, 2022.

R.T. Frankian & Associates, Response to Geotechnical Peer Review #2, Proposed Temecula Resort and Spa, 1<sup>st</sup> Street & Old Town Front Street, Temecula, CA, Job No. 2021-011-01., dated June 24, 2022.

In accordance with your request, we performed a peer review of the above referenced soils reports to confirm compliance with the requirements of the 2019 California Building Code, applicable Local and State technical guidelines, and standard of care typically used in this area and for this type of construction. Based on this review, the referenced geotechnical investigation report and subsequent clarifications/responses are considered adequate from a geotechnical design submittal perspective. Please note that our opinion/ peer review is to help the City in their review process of the submitted documents and the consultant remains solely responsible for their findings and recommendations.

We appreciate this opportunity to be of service to the City and please do not hesitate to contact us if you have any questions or comments.

Respectfully submitted,

LEIGHTON CONSULTING, INC.



Robert F. Riha, CEG  
Senior Principal Geologist  
Ext 8914 rriha@leightongroup.com



Carlos Amante, PE, GE  
Principal Engineer  
Ext 1682 camante@leightongroup.com



Distribution: (1) Addressee (PDF copy via email)



## RCA Joint Project Review (JPR) Findings

JPR #: 22-01-26-01

Date: 05/24/22

### Project Information

Permittee:	<b>City of Temecula</b>
Case Information:	<b>PA22-0035/LR21-1000/Temecula Resort and Spa</b>
Site Acreage:	<b>3.00 acres (2.81 acres of permanent impacts and 0.19 acre of temporary impacts)</b>
Portion of Site Proposed for MSHCP Conservation Area:	<b>0 acres</b>

### Criteria Consistency Review

***Consistency Conclusion: The project is consistent with both the Criteria and Other Plan requirements with implementation of the measures presented in these Findings (including any within the project information provided to the Regional Conservation Authority by the Permittee for this JPR).***

Applicable Core/Linkage: Proposed Constrained Linkage 13 and Proposed Linkage 10

Area Plan: Southwest Area

APN	Sub-Unit	Cell Group	Cell
922-072-005, 922-072-007*, 922-072-010, 922-072-011, 922-072-013, 922-072-016, 922-072-018, 922-072-020, 922-072-021, 922-072-022, 922-072-023, 922-075-001*, 922-360-002*	SU1 – Murrieta Creek	N/A	7166

### Project Information

- Project Documentation.** JPR submittal materials provided by the Permittee included a JPR Application Form (January 3, 2022), a General Biological Assessment and Western Riverside County MSHCP Consistency Report (*Report*) prepared by Hernandez Environmental Services (May 2022), a City of Temecula Transmittal Worksheet (January 7, 2022), a City of Temecula Conformance Memo (March 31, 2022), a City of Temecula HANS Application (March 11, 2022) a Site Plan (November 5, 2021), GIS Shape Files (January 18, 2022), and a HANS Consistency Report prepared by Hernandez Environmental Services (March 31, 2022).

\* Denotes APNs that are partially impacted.

- b. **Project Location.** The proposed project site is located within the City of Temecula, adjacent to Old Town Front Street, west of 1st Street, and east of 2nd Street. The center point latitude and longitude for the project site are 33°29'31.8794" North and 117°08'45.7552" West (Exhibit A). The proposed project site is located in the southern portion of the MSHCP Area (Exhibit B).
- c. **Project Description.** The 3.00-acre project proposes the development of an approximately 474,137 square-foot, seven story, 90-foot high, full-service hotel that includes the following: a parking garage, conference facilities/ballrooms, gallery/event space, full-service spa, restaurants, bars/lounges, retail outlets, workout facility, outdoor pool area, and a wedding garden. The proposed project contains 0.19 acre of temporary impacts, including staging areas, and 2.81 acres of permanent impacts. All construction staging areas will occur within the 3.00-acre development. The proposed project does not include fuel modification zones, detention basins, or other water quality features. No conservation or avoidance areas are proposed as part of the project (Exhibit E).

According to the *Report*, the site is currently being used as a public parking lot (comprised of compacted gravel and some paved areas). The surrounding land uses include existing industrial development to the south, east, and west, and Interstate 15 Freeway to the north. The property is relatively flat with elevations ranging from 977 to 1017 feet above sea level. The vegetation on the site consists entirely of disturbed habitat. Soils within the project site consist of three soil types, 1.) Chino silt loam, drained, 2.) Chino silt loam, drained, saline-alkali, and 3.) Hanford coarse sandy loam. None of these soils are directly related to or support NEPSSA, CASSA, Delhi Sands Flower-loving Fly, or other sensitive species (Exhibit D).

### Relation to Reserve Assembly

- a. **Reserve Assembly Summary.** As stated in Section 3.2.3 of the MSHCP, "Proposed Constrained Linkage 13 consists of Murrieta Creek, located in the southwestern region of the Plan Area. This Constrained Linkage connects Existing Core F (Santa Rosa Plateau Ecological Reserve) in the north to Proposed Linkage 10 in the south. This Linkage is constrained along most of its length by existing urban Development and agricultural use and the planned land use surrounding the Linkage consists of city (Murrieta and Temecula). Therefore, care must be taken to maintain high quality riparian Habitat within the Linkage and along the edges for species such as yellow warbler, yellow-breasted chat, and least Bell's vireo, which have key populations located in or along the creek. Maintenance of existing floodplain processes and water quality along the creek is also important to western pond turtle and arroyo chub in this area. Guidelines Pertaining to Urban/Wildlands Interface for the management of edge factors such as lighting, urban runoff, toxics, and domestic predators are presented in Section 6.1.4 of this document [MSHCP]."

"Proposed Linkage 10 consists of an upland connection in the southwest region of the Plan Area extending from Existing Core F (Santa Rosa Plateau Ecological Reserve) in the north to Existing Core G (Santa Margarita Ecological Reserve) in the south. Private lands compose the entirety of the Linkage, which

consists of upland Habitat complementary to the riparian Linkage provided between these two Cores by Proposed Constrained Linkage 13 (Murrieta Creek). This Linkage, which is only somewhat constrained by existing urban Development, provides for movement between these two Cores for species such as bobcat and mountain lion. Although the Linkage is somewhat lengthy at 5.5 miles, it is also nearly a mile wide and thus provides Live-In Habitat for many species. Surrounding planned land uses are approximately evenly divided between Rural Mountainous and city (Murrieta, Temecula). In areas of the Linkage bordering Cities, treatment of edge conditions will be necessary to maintain the proper Habitat and movement functions of the Linkage.”

The project site is located within Cell 7166, independent of a Cell Group. As stated in Section 3.3.15 of the MSHCP, “Conservation within this Cell will contribute to assembly of Proposed Constrained Linkage 13 and Proposed Linkage 10. Conservation within this Cell will focus on riparian scrub, woodland, forest and grassland habitat along Murrieta Creek and on additional chaparral habitat within the Cell. Areas conserved within this Cell will be connected to riparian scrub, woodland and forest habitat proposed for conservation in Cell #7079 to the north, to chaparral, grassland, riparian scrub, woodland and forest habitat proposed for conservation in Cell #7264 to the south and to chaparral habitat proposed for conservation in Cell #7164 to the west. Conservation within this Cell will range from 35%-45% of the Cell focusing in the southwestern portion of the Cell.”

Cell 7166 totals approximately 139 acres. Using the mid-range (40%) conservation goal, approximately 56 acres are described for conservation within this approximate 139-acre Cell. To date, 129.4 acres have been developed or are approved for development in this Cell, which includes the 3.00-acre proposed project acreage and 18.2 acres of covered roads acreage. With no lands conserved to date, approximately 56 acres are still needed for conservation in order to achieve the mid-range goal of 56 acres. There are approximately 9.6 undeveloped acres available within the Cell, of which approximately 9.0 acres are potentially available within areas described for conservation (specifically Proposed Constrained Linkage 13). In summary, with no lands conserved to date and 9.0 undeveloped acres available for conservation that could also functionally contribute to PCL-13, Cell 7166 could not achieve the mid-range goal of 56 acres or the low-range goal of 49 acres, meaning that it is not possible for this Cell to achieve its Reserve Assembly goal. However, the proposed project is located within the northeastern corner of the Cell, outside of the area described for conservation. More importantly, the project site is surrounded by development on all sides, and conservation of this site would not functionally contribute to the conservation of Proposed Constrained Linkage-13 (Murrieta Creek) or Proposed Linkage 10.

While Cell 7166 cannot achieve its conservation goal, conservation of the proposed project would not provide any biological resource function or value, nor impede the conservation goals for Proposed Constrained Linkage 13 nor Proposed Linkage 10, nor result in issues regarding fragmentation.

- b. **Rough Step.** The proposed project is within Rough Step Unit 5. As stated in Section 4 of the MSHCP 2020 Annual Report, “Rough Step Unit 5 encompasses 91,734 acres within the southwestern corner of western

Riverside County and includes the Santa Rosa Plateau, the Tenaja Corridor, and Murrieta Creek (see *Figure 4- 6, Rough Step Unit #5*). This Unit is bound by Interstate 15 to the east, San Diego County to the south, and the Santa Ana Mountains in the Cleveland National Forest to the west and north. Only that portion within Criteria Cells is tracked by Rough Step and not all vegetation or land cover within a Rough Step Unit has acreage goals. In Rough Step Unit 5 there are 10 vegetation/land cover types, but only five have Rough Step acreage goals; coastal sage scrub; grasslands; riparian scrub, woodland, forest; Riversidean alluvial fan sage scrub; and woodlands and forests. *Table 4-8, Rough Step Unit 5 Acreage Totals* provides the losses and gains and resulting allowable development acreage for each of the five vegetation communities with acreage goals.

Through 2020, a total of 534 acres of conservation has occurred for the five tracked vegetation communities within Rough Step Unit 5. Losses to this unit total 934 acres, with remaining development allowance as followed: 185 acres of coastal sage scrub, 150 acres of grasslands, 8 acres of Riversidean alluvial fan sage scrub, and 212 acres of woodlands and forests. The riparian scrub, woodland, forest vegetation category is out of rough step by 0.39 acre. The RCA is actively engaged in acquiring parcels that would bring riparian scrub, woodland, forest back into Rough Step for Unit 5. The total acreage needed is 2.23 acres of riparian scrub, woodland, forest.”

Baseline vegetation (1994) for the area of the proposed project site located within Criteria Cell 7166 consists of grassland and developed or disturbed land. Developed or disturbed land is not tracked for Rough Step. Based on the above discussion, the grasslands portion of the project site does not conflict with Rough Step (Exhibit C).

The Rough Step Unit 5 development allowance may have changed by the time this project submits for a grading permit. As such, the RCA provides the following required Measure to ensure the City does not exceed Rough Step allowances:

**ROUGH STEP MEASURE.** In accordance with MSHCP Volume I, Section 6.7, it is the Permittees responsibility that *[i]f the rough step rule is not met during any analysis period (performed annually by the Regional Conservation Authority [RCA]), the Permittees must conserve appropriate lands supporting a specified vegetation community within the analysis unit to bring the Plan back into the parameters of the rule prior to authorizing additional loss of the vegetation community for which the rule was not achieved.* The Permittee is encouraged to consult with the RCA on current rough step allowances prior to working with project applicants developing grading plans. The Permittee must not cause additional loss of any rough step vegetation that is out of balance. Prior to issuance of a grading permit, the Permittee will confirm with the RCA that the Project will not impact out-of-balance Rough Step vegetation in the applicable Rough Step unit.





## RCA Joint Project Review (JPR) Findings

JPR #: 22-01-26-01

Date: 05/24/22

### Other Plan Requirements (MSHCP Volume I)

#### Section 6.1.2 – Was Riparian/Riverine/Vernal Pool Mapping or Information Provided?

Yes. There are no Riparian/Riverine areas on the project site. There are no vernal pools on the project site, and the soils and topography present on the site do not support habitat considered suitable for fairy shrimp. There is no suitable riparian bird habitat on the project site.

#### Section 6.1.3 – Was Narrow Endemic Plant Species Survey Information Provided?

Yes. The project site is not located within a Narrow Endemic Plant Species Survey Area.

#### Section 6.3.2 – Was Additional Survey Information Provided?

Yes. The project site is not located in a Criteria Area Species Survey Area for plants. The project site is not located in Additional Survey Needs and Procedures Areas for amphibians or small mammals. The project site does not support Delhi sands (Exhibit D) or in areas that would trigger additional review for Delhi sands flower-loving fly. However, the project site is located in an Additional Survey Needs and Procedures Area for burrowing owl.

#### Section 6.1.4 – Was Information Pertaining to Urban/Wildland Interface Guidelines Provided?

Yes. The property is not located adjacent to existing or proposed conservation areas.

#### *Comments on Other Plan Requirements:*

- a. **Section 6.1.2.** The following discusses each requirement under this policy.

**Riparian/Riverine.** The project site was assessed on October 8, 2021 to determine the presence/absence of riparian/riverine features. The project consists of disturbed land and there were no riparian/riverine features within nor adjacent to the project site.

**Vernal Pools/Fairy Shrimp.** The project site lacks topography and vegetation to support vernal pools. The proposed project site does not contain evidence of ponded water, seasonally inundated road ruts nor other seasonally-inundated depressions exhibiting cracked soils. Historical aerial images revealed that areas within the project site tended to hold water more in February 2016, October 2016 and January 2020; however, site visits conducted in October 2021 and May 2022 showed no evidence of this. Furthermore, during the site visit in May 2022, it was found the site had been further disturbed and is currently being used as a public parking lot (see photos in *Report*, Appendix C). The areas where puddles/ponded water occurred in historical aerial images have been paved over or are now covered in gravel and are continually impacted by the frequent use of motor vehicles on the site. Finally, no clay soils or heavy soils were mapped within the project site. Due to the lack of vernal pools and/or other conditions suitable for fairy shrimp, focused surveys for fairy shrimp were not conducted for this project.

**Riparian Birds.** No suitable riparian habitat was found on site that would support riparian birds, including least Bell's vireo, southwestern willow flycatcher, and western yellow-billed cuckoo. Therefore, no focused riparian bird surveys were conducted.

Based on the information provided in the *Report*, the project demonstrates consistency with Section 6.1.2 of the MSHCP.

**b. Section 6.1.3 NEPSSA Plants.**

Based on the information provided in the *Report*, the project demonstrates consistency with Section 6.1.3 of the MSHCP.

**c. Section 6.3.2. Additional Survey Needs and Procedures.** The following describes Additional Survey Needs and Procedures applicable to the proposed project:

**CASSA Plants.** The project site is not located within a CASSA Plants survey area; therefore, focused CASSA Plant surveys were not conducted for this project.

**Burrowing Owl.** The project site is located within a burrowing owl survey area. A Step 1 habitat assessment and a Step II-A focused burrow survey were conducted concurrently on October 8, 2021. According to the *Report*, the project site does not provide suitable habitat for burrowing owl due to the heavily compacted soils and a lack of ground squirrel burrows or constructed structures that could function as burrow surrogates. Therefore, it was determined that suitable habitat for burrowing owl was not present and Step II-B surveys were not conducted. The project site was revisited in May 2022 and revealed the site had undergone further disturbance and is now being actively used as a public parking lot. The project site appears to have been recently partially paved and had gravel and parking lines painted on it.

Based on the information provided by in the *Report*, the project demonstrates consistency with Section 6.3.2 of the MSHCP.

**d. Section 6.1.4. Urban/Wildlands Interface Guidelines.** Although the project site is not adjacent to or connected to any MSHCP Conservation Areas, the guidelines contained in Section 6.1.4 related to controlling adverse effects for development adjacent to the MSHCP Conservation Area should be considered by the Permittee in their actions relative to the project. However, the following guidelines may still apply during project construction. Therefore, the Permittee should consider the following measures as project conditions of approval, as applicable:

**SECTION 6.1.4 MEASURE.**

- i. Incorporate measures to control the quantity and quality of runoff from the site entering the MSHCP Conservation Area. In particular, measures shall be put in place to avoid discharge of untreated surface runoff from developed and paved areas into MSHCP Conservation Areas. Best Management Practices (BMPs) will be implemented to prevent the release of toxins, chemicals, petroleum products, exotic plant materials, or other elements that might degrade or harm downstream biological resources or ecosystems.**

- ii. Land uses proposed in proximity to the MSHCP Conservation Area that use chemicals or generate bioproducts, such as manure, that are potentially toxic or may adversely affect wildlife species, Habitat, or water quality shall incorporate measures to ensure that application of such chemicals does not result in discharge to the MSHCP Conservation Area. The greatest risk is from landscaping fertilization overspray and runoff.
  - iii. Night lighting shall be directed away from the MSHCP Conservation Area and the avoided area on site to protect species from direct night lighting.
  - iv. Proposed noise-generating land uses affecting the MSHCP Conservation Area, including designated avoidance areas, shall incorporate setbacks, berms, or walls to minimize the effects of noise on MSHCP Conservation Area resources pursuant to applicable rules, regulations, and guidelines related to land use noise standards.
  - v. Avoid use of invasive, non-native plant species listed in Table 6-2 of the MSHCP in approving landscape plans for the portions of the project that are adjacent to the MSHCP Conservation Area, including avoidance areas. Considerations in reviewing the applicability of this list shall include proximity of planting areas to the MSHCP Conservation Areas and designated avoidance areas, species considered in the planting plans, resources being protected within the MSHCP Conservation Area and their relative sensitivity to invasion, and barriers to plant and seed dispersal, such as walls, topography, and other features.
  - vi. Proposed land uses adjacent to the MSHCP Conservation Area shall incorporate barriers, where appropriate, in individual project designs to minimize unauthorized public access, domestic animal predation, illegal trespass, or dumping into existing and future MSHCP Conservation Areas. Such barriers may include native landscaping, rocks/boulders, fencing, walls, signage, and/or other appropriate mechanisms.
  - vii. Manufactured slopes associated with proposed site development shall not extend into the MSHCP Conservation Area.
  - viii. Weed abatement and fuel modification activities are not permitted in the Conservation Area, including designated avoidance areas.
- c. **Appendix C.** The following best management practices (BMPs), as applicable, shall be implemented for the duration of construction:

### **APPENDIX C MEASURE.**

- i. A condition shall be placed on grading permits requiring a qualified biologist to conduct a training session for project personnel prior to grading. The training shall include a description of the species of concern and its habitats, the general provisions of the Endangered Species Act (Act) and the MSHCP, the need to adhere to the provisions of the Act and the MSHCP, the penalties associated with violating the provisions of the Act, the general measures that are



- being implemented to conserve the species of concern as they relate to the project, and the access routes to and project site boundaries within which the project activities must be accomplished.
- ii. Water pollution and erosion control plans shall be developed and implemented in accordance with RWQCB requirements.
  - iii. The footprint of disturbance shall be minimized to the maximum extent feasible. Access to sites shall be via pre-existing access routes to the greatest extent possible.
  - iv. The upstream and downstream limits of projects disturbance plus lateral limits of disturbance on either side of the stream shall be clearly defined and marked in the field and reviewed by the biologist prior to initiation of work.
  - v. Projects should be designed to avoid the placement of equipment and personnel within the stream channel or on sand and gravel bars, banks, and adjacent upland habitats used by target species of concern.
  - vi. Projects that cannot be conducted without placing equipment or personnel in sensitive habitats should be timed to avoid the breeding season of riparian species identified in MSHCP Global Species Objective No. 7.
  - vii. When stream flows must be diverted, the diversions shall be conducted using sandbags or other methods requiring minimal instream impacts. Silt fencing of other sediment trapping materials shall be installed at the downstream end of construction activity to minimize the transport of sediments off site. Settling ponds where sediment is collected shall be cleaned out in a manner that prevents the sediment from reentering the stream. Care shall be exercised when removing silt fences, as feasible, to prevent debris or sediment from returning to the stream.
  - viii. Equipment storage, fueling, and staging areas shall be located on upland sites with minimal risks of direct drainage into riparian areas or other sensitive habitats. These designated areas shall be located in such a manner as to prevent any runoff from entering sensitive habitat. Necessary precautions shall be taken to prevent the release of cement or other toxic substances into surface waters. Project related spills of hazardous materials shall be reported to appropriate entities including but not limited to applicable jurisdictional city, FWS, and CDFG [CDFW], RWQCB and shall be cleaned up immediately and contaminated soils removed to approved disposal areas.
  - ix. Erodible fill material shall not be deposited into water courses. Brush, loose soils, or other similar debris material shall not be stockpiled within the stream channel or on its banks.
  - x. The qualified project biologist shall monitor construction activities for the duration of the project to ensure that practicable measures are being employed to avoid incidental disturbance of habitat and species of concern outside the project footprint.

- xi. The removal of native vegetation shall be avoided and minimized to the maximum extent practicable. Temporary impacts shall be returned to pre-existing contours and revegetated with appropriate native species.**
- xii. Exotic species that prey upon or displace target species of concern should be permanently removed from the site to the extent feasible.**
- xiii. To avoid attracting predators of the species of concern, the project site shall be kept as clean of debris as possible. All food related trash items shall be enclosed in sealed containers and regularly removed from the site(s).**
- xiv. Construction employees shall strictly limit their activities, vehicles, equipment, and construction materials to the proposed project footprint and designated staging areas and routes of travel. The construction area(s) shall be the minimal area necessary to complete the project and shall be specified in the construction plans. Construction limits will be fenced with orange snow screen. Exclusion fencing should be maintained until the completion of all construction activities. Employees shall be instructed that their activities are restricted to the construction areas.**
- xv. The Permittee shall have the right to access and inspect any sites of approved projects including any restoration/enhancement area for compliance with project approval conditions, including these BMPs.**



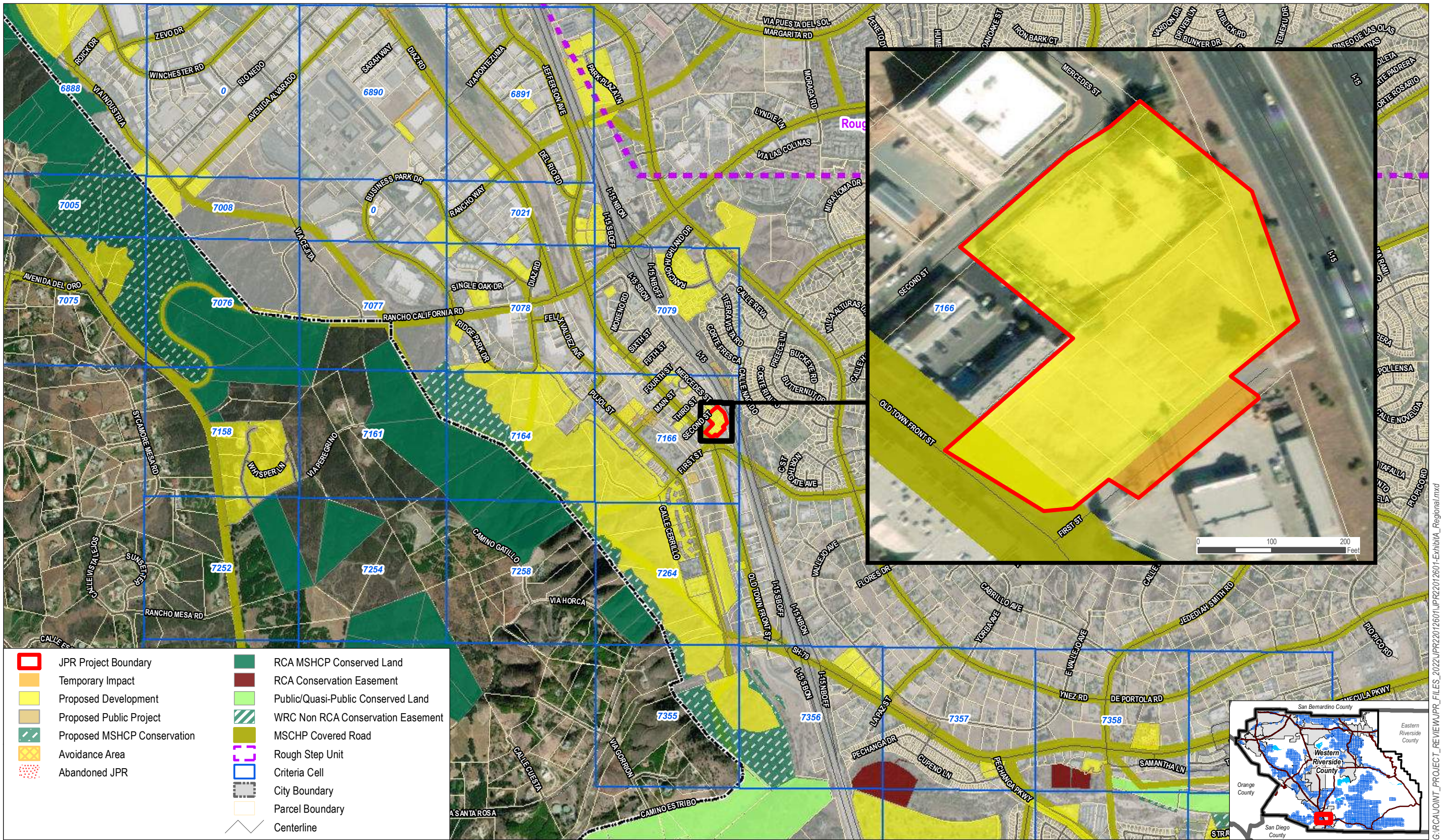
## RCA Joint Project Review (JPR) Findings

JPR #: 22-01-26-01

Date: 05/24/22

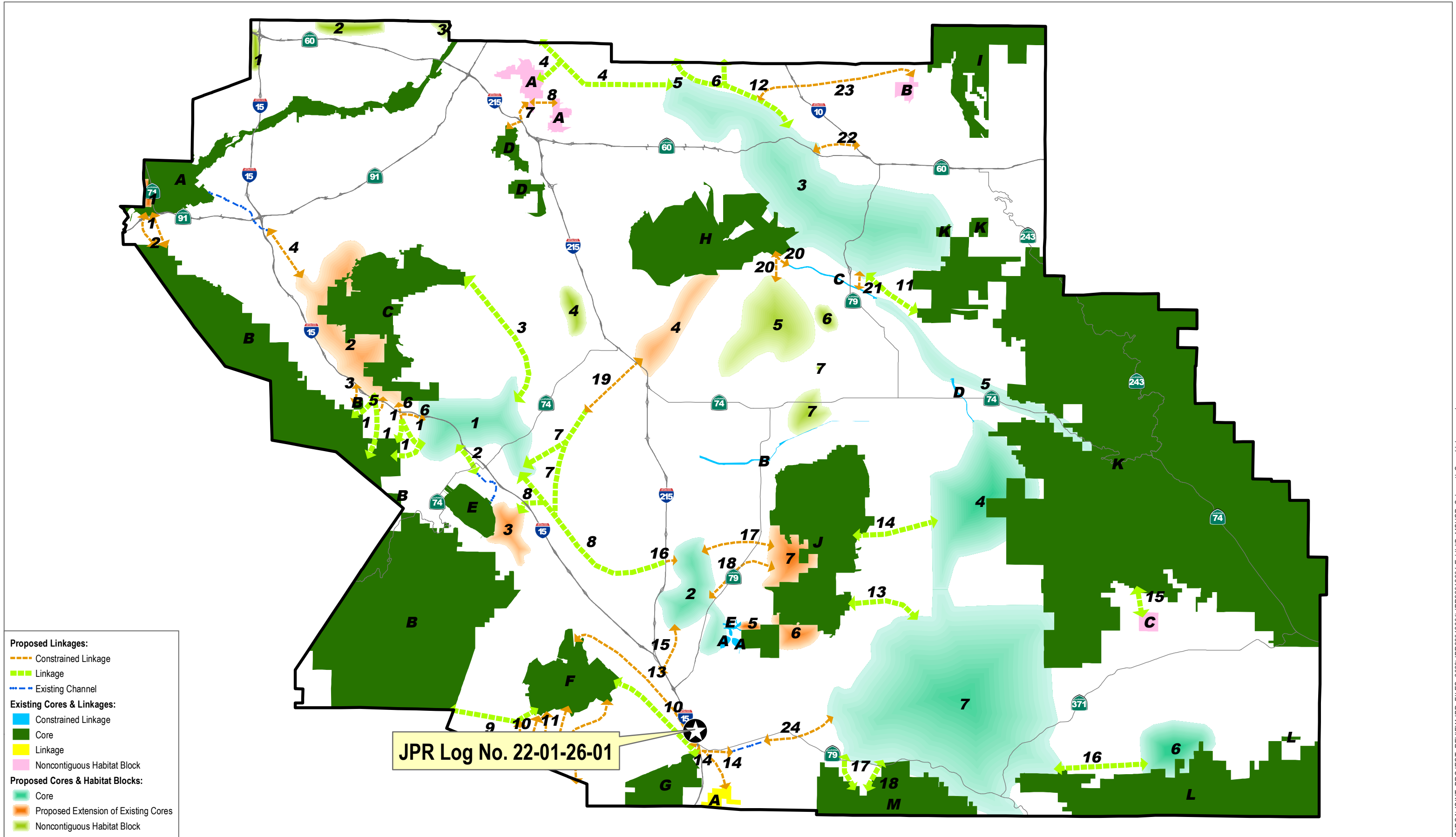
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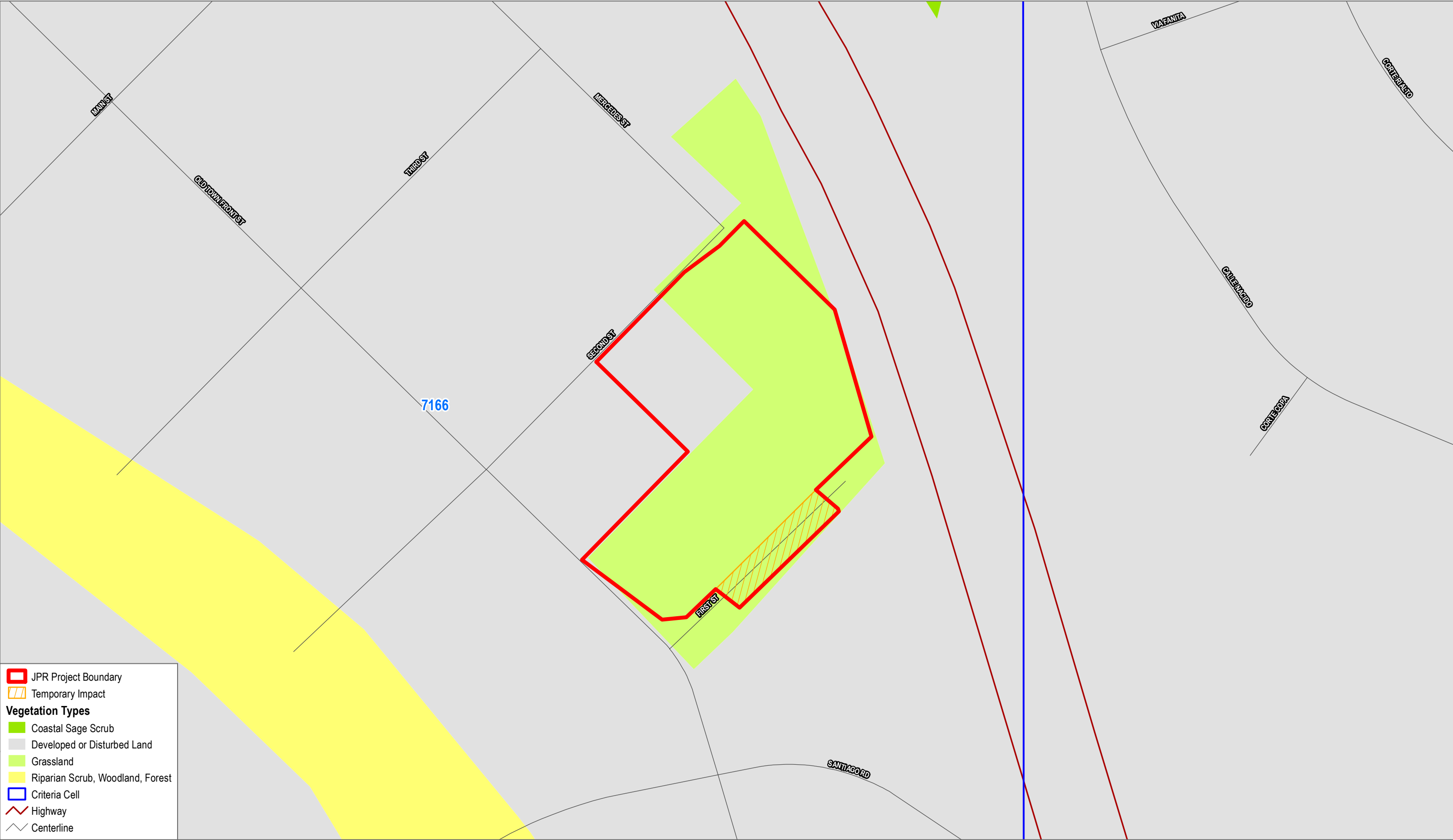
SOURCE: Western Riverside County Regional Conservation Authority 2022; County of Riverside 2022; Esri Basemap 2022. Map created on 5/19/2022.





SOURCE: Western Riverside County Regional Conservation Authority (WRC-RCA). Map created on 2/1/2022

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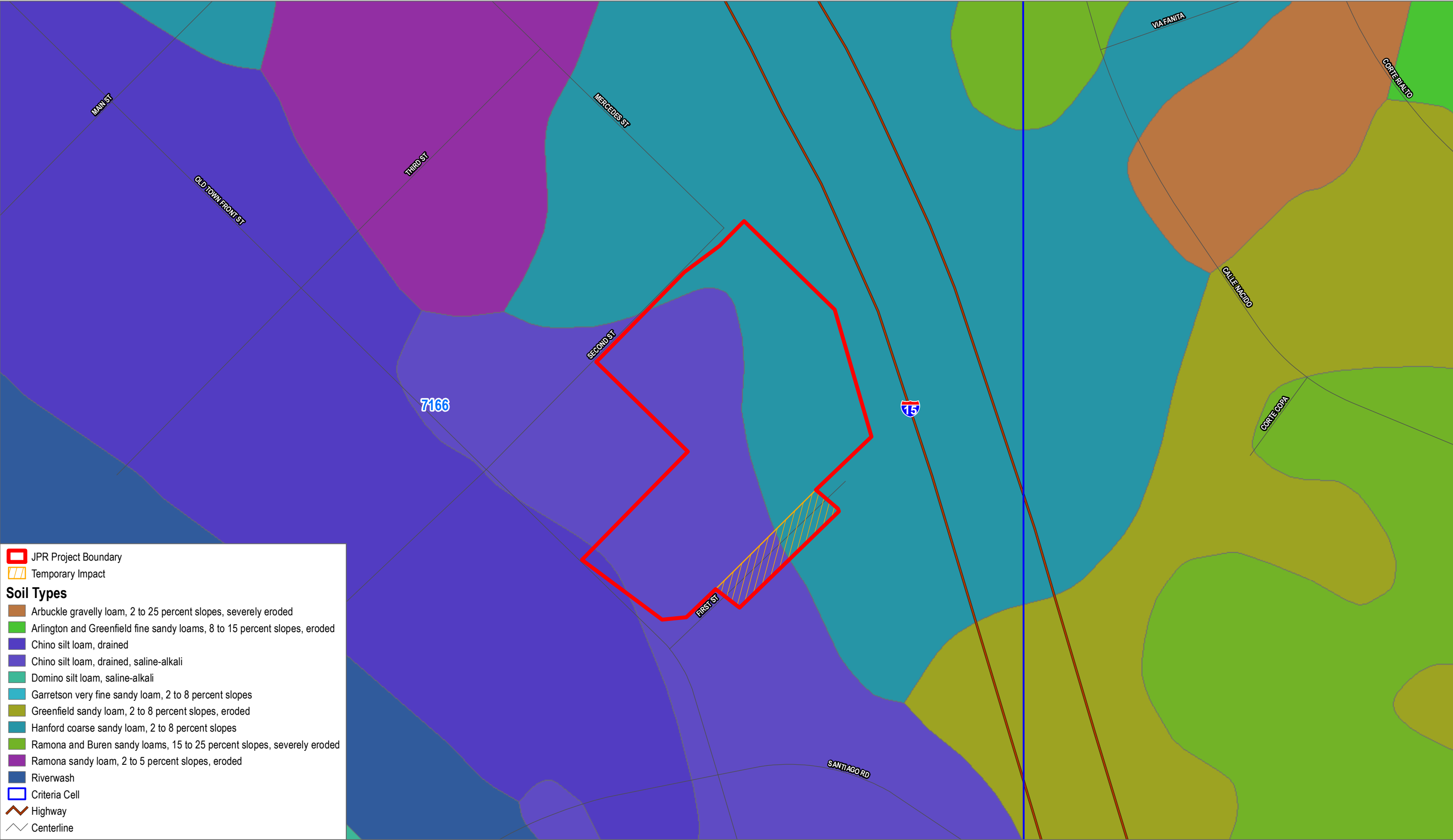


SOURCE: WRC-RCA MSHCP Baseline Vegetation (1994). Map created on 5/19/2022.



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SOURCE: Western Riverside County Regional Conservation Authority 2020; County of Riverside 2020; USDA/NRCS Soils 2017

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SOURCE: Western Riverside County Regional Conservation Authority 2022; County of Riverside 2022; Esri Basemap 2022. Map created on 5/19/2022.

**NO PROPOSED AVOIDANCE OR CONSERVATION AREAS**

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