

CITY OF TEMECULA

CONDITIONS OF APPROVAL ACCEPTANCE

Planning Application Number: PA22-1123

Parcel Number(s):

922-053-037

By signing below, I/we have agreed to the following Conditions of Approval, including (but not limited to) any referenced documents, local, state, or federal regulations, statement of operations, hours of operation, floor plans, site plans, and Conditions that may require the payment or reimbursement of fees, as described. I/we have read the attached Conditions of Approval and understand them. I/we also understand that violations or non-compliance with these Conditions of Approval, may delay a project, and/or result in the revocation of a permit in accordance with the Temecula Municipal Code. I/we are also responsible for disclosing these Conditions of Approval to any successive owners/operators. I/we agree and commit to the City of Temecula that I/we will implement and abide by the Conditions of Approval, including any indemnification requirements imposed by those conditions.

Property Owner Printed Name

Property Owner Signature & Date

Applicant Printed Name

Applicant Signature & Date

EXHIBIT A
CITY OF TEMECULA
DRAFT CONDITIONS OF APPROVAL

Planning Application No.: PA22-1123

Project Description: Amissa Village Condo Map: a Condominium Map application for the subdivision of one lot into 14 townhomes for the property located at 42146 6th Street (APN 922-053-037)

Assessor's Parcel No.: 922-053-037

MSHCP Category: Residential Units Between 8.1 and 14.0 Dwelling Units

DIF Category: Residential-Attached

TUMF Category: Residential-Multi-Family

Quimby Category: Multi-Family Attached (5 or More Units)

New Street In-lieu of Fee: N/A (Not Located in Uptown Temecula Specific Plan)

Approval Date: May 7, 2025

Expiration Date: May 7, 2028

PLANNING DIVISION
General Requirements

1. 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.
2. 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.
3. 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 three 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.
4. Consistency with Specific Plans. This project and all subsequent projects within this site shall be consistent with Specific Plan No. 5 (Old Town Temecula Specific Plan).
5. Modifications or Revisions. The developer shall obtain City approval for any modifications or revisions to the approval of this project.

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

6. TCSD Service Levels. It shall be the developer's responsibility to provide written disclosure of the existence of the Temecula Community Service District (TCSD) and its service level rates and charges to all prospective purchasers.
7. Compliance with Conditions of Approval. All of the foregoing conditions shall be complied with prior to occupancy or any use allowed by this approval.

Prior to Recordation of the Final Map

8. Final Map. A copy of the Final Map shall be submitted to, and approved by, the Planning Division.
9. Quimby Requirements. The developer shall satisfy the City's parkland dedication (Quimby) requirement through the payment of in lieu fees equivalent to 0.17 acres of parkland, based upon the City's then current land evaluation. Said requirement includes a 9% credit for private recreational opportunities provided. (applies prior to recordation of Final Map if a map is part of the project, or at Building Permit if a map is not a part of the project)
10. Environmental Constraint Sheet. A copy of the Environmental Constraint Sheet (ECS) shall be submitted to, and approved by, the Planning Division with the following notes:
 - a. This property is located within 30 miles of Mount Palomar Observatory. All proposed outdoor lighting systems shall comply with the California Institute of Technology, Palomar Observatory recommendations, Ordinance No. 655.
 - b. This project is within the Alquist-Priolo Special Studies Zone.
 - c. This project is within a 100-year Flood Hazard Zone.
 - d. This project is within a Liquefaction Hazard Zone.
 - e. This project is within a Subsidence Zone.
11. Creek Access. The project shall obtain all necessary approvals to provide pedestrian access for residents to the Murrieta Creek Trail. Re-entry to the private property from the creek trail shall be secured by a self-closing gate with automatic locking features.
12. Submittal of CC&Rs. A copy of the Covenants, Conditions, and Restrictions (CC&Rs) shall be submitted and approved by the Director of Community Development. The CC&Rs shall include liability insurance and methods of maintaining open space, recreation areas, parking areas, private roads, exterior of all buildings, and all landscaped and open areas, including parkways. Applicants shall provide a deposit in the amount of \$3,750 for the review of new CC&Rs. Amended CC&Rs will require a deposit of \$2,000. The applicant shall be responsible for all costs incurred during the review of the CC&Rs and additional fees may be required during the course of the review.
13. Form and Content of CC&Rs. The CC&Rs shall be in the form and content approved by the Director of Community Development, City Engineer, and the City Attorney, and shall include such provisions as are required by this approval and as said officials deem necessary to protect the interests of the City and its residents.
14. Preparation of CC&Rs. The CC&Rs shall be prepared at the developer's sole cost and expense.
15. Review of CC&Rs. The CC&Rs and Articles of Incorporation of the Property Owners Association are subject to the approval of the Director of Community Development, Public Works Director, and the City Attorney.
16. CC&Rs and Management/Maintenance of Common Areas. The CC&Rs shall provide for the effective establishment, operation, management, use, repair, and maintenance of all common areas, drainage facilities, and pollution prevention devices outlined in the project's Water Quality Management Plan.
17. CC&Rs and Public Nuisance. The CC&Rs shall provide that the property shall be developed, operated, and maintained so as not to create a public nuisance.
18. Termination of CC&Rs. The CC&Rs shall provide that the association may not be terminated without prior City approval.

19. CC&Rs and Maintenance of Property. The CC&Rs shall provide that if the property is not maintained in the condition required by the CC&Rs, then the City, after making due demand and giving reasonable notice, may enter the property and perform, at the owner's sole expense, any maintenance required thereon by the CC&Rs or the Temecula Municipal Code. The property shall be subject to a lien in favor of the City to secure any such expense not promptly reimbursed.
20. Interest in Association. Every owner of a suite or lot governed by CC&Rs shall own as an appurtenance to such suite or lot, either: (1) an undivided interest in the common areas and facilities, or (2) a share in the corporation, or voting membership in an association owning the common areas and facilities.
21. Maintenance of Open Areas. All open areas and landscaping governed by CC&R shall be permanently maintained by the association or other means acceptable to the City. Such proof of this maintenance shall be submitted to the Planning Divisions and Public Works Department prior to the issuance of building permits.
22. Reciprocal Easements. Reciprocal access easements and maintenance agreements ensuring access to all parcels and joint maintenance of all roads, drives, parking areas, drainage facilities, and water quality features, shall be provided by the CC&Rs or by deeds and shall be recorded concurrent with the map or prior to the issuance of building permit where no map is involved.
23. Consent of City of Temecula. An Article must be added to every set of CC&Rs, following the Declarant's signature, to read as follows:
CONSENT OF CITY OF TEMECULA
The Conditions of Approval for Tentative Tract Map No. 38628 require the City of Temecula to review and approve the CC&Rs for the Parcel. The City's review of these CC&Rs has been limited to a determination of whether the proposed CC&Rs properly implement the requirements of the Conditions of Approval for the Parcel. The City's consent to these CC&Rs does not contain or imply any approval of the appropriateness or legality of the other provisions of the CC&Rs, including, without limitation, the use restrictions, private easements and encroachments, private maintenance requirements, architecture and landscape controls, assessments, enforcement of assessments, resolutions of disputes or procedural matters. Subject to the limitations set forth herein, the City consents to the CC&Rs.

Matt Peters
Director
Community Development

Approved as to Form:

Peter M. Thorson
City Attorney

24. Consent of City of Temecula. An Article must be added to every set of CC&Rs to read as follows:
Article ____
CONSENT OF CITY OF TEMECULA
____ 1. The Conditions of Approval of Tentative Tract Map Number 38628 requires the City to review and approve the CC&Rs for the Parcel.
____ 2. Declarant acknowledges that the City has reviewed these CC&Rs and that its review is limited to a determination of whether the proposed CC&Rs properly implement the requirements of the Conditions of Approval for the Parcel. The City's consent to these CC&Rs does not contain or imply any approval of the appropriateness or legality of the other provisions of the CC&Rs, including, without limitation, the use restrictions, private easements and encroachments, private maintenance requirements, architecture and landscape controls, assessment procedures, assessment enforcement, resolution of disputes or procedural matters.
____ 3. In the event of a conflict between the Conditions of Approval of the land use entitlements issued by the City for the Parcel or Federal, State, or local laws, ordinances, and regulations and these CC&Rs, the provisions of the Conditions of Approval and Federal, State or local laws, ordinances, and regulations shall prevail, notwithstanding the language of the CC&Rs.
____ 4. These CC&Rs shall not be terminated, amended or otherwise modified without the express written consent of the Director Community Development of the City of Temecula.
25. Operation of Association. No lot or suite in the development shall be sold unless a corporation, association, property owners group or similar entity has been formed with the right to assess all properties individually owned or jointly owned which have any rights or interest in the use of the common areas and common facilities in the development, such assessment power to be sufficient to meet the expenses of such entity, and with authority to control, and the duty to maintain, all of said mutually available features of the development. Such entity shall operate under recorded CC&Rs, which shall include compulsory membership of all owners of lots and/or suites and flexibility of assessments to meet changing costs of maintenance, repairs, and services. Recorded CC&Rs shall permit enforcement by the City for provisions required as Conditions of Approval. The developer shall submit evidence of compliance with this requirement to, and receive approval of, the City prior to making any such sale. This condition shall not apply to land dedicated to the City for public purposes.
26. Recordation of CC&Rs. CC&Rs shall be finalized and recorded at the time of Final Map Recordation.
27. Copies of CC&Rs. Three copies of the final recorded CC&Rs shall be provided to the Planning Division.

BUILDING AND SAFETY DIVISION

General Requirements

28. 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.
29. 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.

30. 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.
31. 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.

FIRE PREVENTION

General Requirements

32. Fire Hydrants. The Fire Prevention Bureau is required to set minimum fire hydrant distances per CFC Appendix C. Standard fire hydrants (6" x 4" x (2) 2 1/2" outlets) shall be located on fire access roads and adjacent public streets. For all multi-family 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. The upgrade of existing fire hydrants may be required (CFC Appendix C and Temecula Municipal Code Section 15.16.020).
33. 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.
34. Fire Flow. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial and residential buildings per CFC Appendix B. The developer shall provide for this project, a water system capable of delivering 2,400 GPM at 20-PSI residual operating pressure for a 2-hour duration for this multi-family dwelling project. The fire flow as given above has taken into account all information as provided. (CFC Appendix B and Temecula Municipal Code Section 15.16.020).

Prior to Issuance of Grading Permit(s)

35. Access Road Widths. Fire Department vehicle access roads shall have an unobstructed width of not less than 24 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches (CFC Chapter 5 and Temecula Municipal Code Section 15.16.020).
36. 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).

Prior to Issuance of Building Permit(s)

37. Required Submittals (Fire Underground Water). The developer shall furnish electronic copies 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 plans must be submitted and approved prior to building permit being issued.
38. Required Submittals (Fire Sprinkler Systems). Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval. Electronic fire sprinkler plans must be submitted by the installing contractor to the Fire Prevention Bureau. These plans must be submitted prior to the issuance of building permit. If the buildings are going to be a multi-family building then a dedicated fire sprinkler riser room will be required with direct exterior access. This room will house the fire sprinkler riser and fire alarm control panel. If the homes are going to be constructed as a true single family residence where each home is independent then a residential fire sprinkler system will be required and the fire sprinkler riser will be located in the garage. A set of plans will be required for each single family dwelling.
39. Required Submittals (Fire Alarm Systems). Fire alarm plans shall be submitted to the Fire Prevention Bureau for approval. Fire alarm plans must be submitted electronically by the installing contractor to the Fire Prevention Bureau. The fire alarm system is required to have a dedicated circuit from the house panel. These plans must be submitted prior to the issuance of building permit. This only applies if the buildings are constructed as a multi-family project and there is a dedicated fire sprinkler riser room which will house the fire sprinkler riser and fire alarm control panel.

Prior to Issuance of Certificate of Occupancy

40. Address Directory (Multi-Family). A directory display monument sign shall be required for apartment, condominium, townhouse or mobile home parks. Each complex shall have an illuminated diagrammatic layout of the complex which indicates the name of the complex, all streets, building identification, unit numbers, and fire hydrant locations within the complex. Location of the sign and design specifications shall be submitted to and be approved by the Fire Prevention Bureau prior to installation.
41. 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 the Knox Rapid entry system for emergency access by firefighting personnel (CFC Chapter 5). Per City Municipal Code, 503.6.1 Automatic opener. New motorized gates shall be provided with means to be automatically opened remotely by emergency vehicle in accordance with Riverside County Fire Department Standards and Policies, as may be amended from time to time.
42. Knox Box. A "Knox-Box" shall be provided. The Knox-Box shall be installed a minimum of six feet in height and be located to the right side of the fire riser sprinkler room, if applicable (CFC Chapter 5).