

EXHIBIT A
CITY OF TEMECULA
DRAFT CONDITIONS OF APPROVAL

Planning Application No.: PA22-0037

Project Description: A Tentative Parcel Map (No. 38349) to combine ten (10) existing lots into a single lot 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: N/A (no new grading)

DIF Category: N/A (no additional square footage)

TUMF Category: N/A (no additional square footage)

Quimby Category: N/A (non-residential)

New Street In-lieu of Fee: N/A (no additional square footage)

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.

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.
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 (5) extensions of time, one year at a time.
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. Subdivision Map Act. The tentative subdivision shall comply with the State of California Subdivision Map Act and to all the requirements of Ordinance No. 460, unless modified by the conditions listed below. An Extension of Time may be approved in accordance with the Subdivision Map Act and Temecula Municipal Code, upon written request, if made 60 days prior to the expiration date.

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. 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 a 100-year Flood Hazard Zone.
 - c. This project is within a Liquefaction Hazard Zone.
 - d. This project is within a Subsidence Zone.

PUBLIC WORKS DEPARTMENT

General Requirements

10. Subdivision Map. The developer shall submit a complete Final Map submittal for review and approval. Any omission to the representation of the site conditions may require the plans to be resubmitted for further review and revision. Final Map shall include:
 - a. Right-of-Way Vacation (Old Town Front Street)
 - b. Right-of-Way Dedication (Second Street)
11. Private Drainage Facilities. All onsite drainage and water quality facilities shall be privately maintained.

Prior to Recordation of the Final Map

12. 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.
13. Plans, Agreements & Securities. The developer shall have approved improvement plans, executed subdivision improvement agreements and posted securities.

14. Environmental Constraint Sheet (ECS). The developer shall prepare and record an ECS with the Final or Parcel Map to delineate identified environmental concerns. The developer shall comply with all constraints per the recorded ECS along with any underlying maps related to the property.
15. Required Clearances. As deemed necessary by Public Works, the developer shall receive written clearance from the following agencies:
 - a. Caltrans;
 - b. Rancho California Water District;
 - c. Eastern Municipal Water District
16. Parkway Landscaping. All parkway landscaping areas shall be privately maintained.
17. 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.
18. Parcel Geometry. The applicant shall submit an editable projected digital version of the parcel geometry in a drawing exchange format (pursuant to Riverside County standards). Prior to final approval, the City's GIS Division shall conduct quality control on the data to verify accuracy and compatibility.