

EXHIBIT A
CITY OF TEMECULA
DRAFT CONDITIONS OF APPROVAL

Planning Application No.: PA22-0929

Project Description: A Development Plan for an approximately 60,258 square foot, four-story, 50 room hotel that includes retail spaces, a gym, meeting space, and a rooftop restaurant and pool area. The project is located on the west side of Old Town Front Street approximately 400' south of Santiago Road.

Assessor's Parcel No.: 922-100-048

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: June 19, 2024

Expiration Date: June 19, 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.

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 Specific Plan No. (enter SP # here).

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. 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:
- Spills and leaks shall be cleaned up immediately.
 - Do not wash, maintain, or repair vehicles onsite.
 - Do not hose down parking areas, sidewalks, alleys, or gutters.
 - Ensure that all materials and products stored outside are protected from rain.
 - Ensure all trash bins are covered at all times.

11. 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.

<u>Material</u>	<u>Color</u>
Stucco	Shell White
Stucco	Pediment
Brick Veneer	Adobe Brick, Saltillo
Beam	Espresso
Roof Tile	Java Blend
Window System	Clad Wood
Moulding	Espresso
Awning	Bronze

12. Modifications or Revisions. The developer shall obtain City approval for any modifications or revisions to the approval of this project.
13. Trash Enclosures. The trash enclosures shall be large enough to accommodate a recycling bin, as well as regular solid waste containers.
14. 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.
15. Covered Trash Enclosures. All trash enclosures on site shall include a solid cover and the construction plans shall include all details of the trash enclosures, including the solid cover in accordance with T.M.C. 17.10.020.S
16. Roof Mounted Mechanical Equipment Screening. The applicant shall be required to screen all roof mounted mechanical equipment from view of all residences and public right of ways. If upon final inspection it is determined that any 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 that shall be reviewed and approved by the Director of Community Development.
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.
20. 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# 23-09-26-01) dated April 11, 2024.

Prior to Issuance of Grading Permit

21. 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.
22. 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.
23. 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."
24. 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.
25. 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."

26. 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."
27. 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."
28. 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."
29. 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."

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. 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.

34. 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

35. 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>
36. 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. Developers may request an audit of impact fees and/or may request notice for meetings related to the fee account or fund information.
37. 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.
38. 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.

39. 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."
40. 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_o) factor of 0.70 for calculating the maximum allowable water budget.
41. 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.
42. 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.
43. 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.
44. Precise Grading Plans. Precise Grading Plans shall be consistent with the approved rough grading plans including all structural setback measurements.
45. 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.
46. 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.

47. 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

48. 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.
49. 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.
50. 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.
51. 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.
52. Installation of Site Improvements. All site improvements, including but not limited to, parking areas and striping shall be installed.
53. 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

54. Flood Protection. Flood protection shall be provided in accordance with the Riverside County Flood Control Districts transmittal dated September 6, 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.
55. Compliance with Geotechnical. The applicant shall comply with the recommendations set forth in the Leighton Consulting, Inc. transmittal dated June 28, 2023, a copy of which is attached.

56. Compliance with RCWD. The applicant shall comply with the recommendations set forth in the Rancho California Water District's transmittal dated June 21, 2023, a copy of which is attached.
57. 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# 23-09-26-01) dated April 11, 2024.

PUBLIC WORKS DEPARTMENT

General Requirements

58. 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.
59. 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.
60. Precise Grading Permit. A precise grading permit for on site improvements (outside of public right-of-way) shall be obtained from Public Works.
61. 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.
62. 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;
 - b. from Riverside County Flood Control & Water Conservation District (RCFC&WCD) if encroaching within their right-of-way.
63. 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.
64. Right-of-Way Dedications. All easements and/or right-of-way dedications shall be offered to the public or other appropriate agency and shall continue in force until the City accepts or abandons such offers. All dedications shall be free from all encumbrances as approved by Public Works.
65. Vehicular/Traffic Movement Restrictions. The developer shall comply with the following vehicular movements restrictions:
 - a. The future north access from Front Street shall be restricted to no entry/exit only movement.
66. Drainage Facilities. All onsite drainage and water quality facilities shall be privately maintained.

Prior to Issuance of a Grading Permit

67. Environmental Constraint Sheet (ECS). The developer shall comply with all constraints per the recorded ECS with any underlying maps related to the subject property.

68. Right-of-Way Dedication. The Developer shall submit a Right-of-Way Dedication application to Public Works for review and approval.
a. Front Street
69. Required Clearances. As deemed necessary by Public Works, the developer shall receive written clearances/permits from applicable agencies such as RCFC&WCD and other affected agencies.
70. 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
71. 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.
72. 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 for SWPPP guidelines. Refer to the following link: http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml
73. 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. 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.
74. 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.

75. 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.
76. 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.
77. 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.
78. Letter of Permission/Easement. The developer shall obtain documents (letters of permission or easements) for any offsite work performed on adjoining properties. The document's format is as directed by, and shall be submitted to, Public Works for acceptance. The document information shall be noted on the approved grading plan.
79. 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.
80. 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.
81. 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)

82. 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.
83. 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.

84. Improvement Plans. All improvement plans (including but not limited to street, storm drain, traffic) shall be reviewed and approved by Public Works.
85. 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)

86. Right-of-Way Dedication. A recorded copy of the Right-of-Way Dedication shall be submitted to Public Works prior to building permit issuance.
87. 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. Front Street (Secondary Arterial (4 lanes undivided) Highway Standard No. 102 – 88' R/W) to include 8-foot dedication of street right-of-way, installation of half-width street improvements, paving, curb and gutter, sidewalk, streetlights, drainage facilities, signing and striping and utilities (including but not limited to water and sewer).
88. 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
89. Street Lights.
 - a. Street Light Plan – Street lighting shall be designed in accordance with the latest City Standards and Specifications for LS-3 street light rates, and as determined by the City Engineer.
 - b. Onsite and Offsite Street Lights Ownership and Maintenance – All proposed public and private street lights shall be designed in accordance with City approved standards and specifications, or as determined and approved by the City Engineer. The City shall have ownership and maintenance of all proposed public street lights and associated appurtenances, and shall be provided with adequate service points for power. The design shall be incorporated in the project's street improvement plans or in a separate street light plan as determined and approved by the City Engineer.
 - c. Streetlight Design as LS-3 Rate Lights – All new streetlights shall be designed as LS-3 rate lights in accordance with approved City standards and specifications, and as determined by the City Engineer.
 - d. Street Light Service Point Addressing – The developer shall coordinate with the PW Department and with Southern California Edison the assignment of addresses to required street light service points. Service points serving public streetlights shall be owned by the City and shall be located within public's right of way or within duly dedicated public 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).

Prior to Issuance of a Certificate of Occupancy

91. 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.

92. 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.
93. 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.
94. Certifications. All necessary certifications and clearances from engineers, utility companies and public agencies shall be submitted as required by Public Works.
95. Water Quality Management Plan (WQMP) Verification. 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.

BUILDING AND SAFETY DIVISION

General Requirements

96. 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.
97. 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.
98. 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.
99. 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.
100. 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.

101. 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.
102. Obtain Approvals Prior to Construction. Applicant must obtain all building plans and permit approvals prior to commencement of any construction work.
103. 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.
104. Demolition. Demolition permits require separate approvals and permits.
105. Sewer and Water Plan Approvals. On-site sewer and water plans will require separate approvals and permits.
106. 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.
107. 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.
108. 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

109. 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 all 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. The upgrade of existing fire hydrants may be required (CFC Appendix C and Temecula Municipal Code Section 15.16.020).
110. 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.

111. Fire Flow. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial 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 4-hour duration for this commercial 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).
112. Occupancy Management. Per the California Building Code and California Fire Code, along with Title 19 for Public Safety, the occupancy for this establishment must be complied with at all times. The owner will be responsible for assigning designees to count patrons as they enter and exit. At any given time, if the fire department and/or building department find you in violation of this they will be required to either close the facility entirely, have the owner remove patrons until the occupant load is at or less than allowed and request fines to be issued to the owner. If there is continued violations occurring within the establishment the building department and/or fire department will recommend that the city planning department revoke the owners CUP.

Prior to Issuance of Grading Permit(s)

113. 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).
114. 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).
115. 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).

Prior to Issuance of Building Permit(s)

116. Required Submittals (Fire Underground Water). The developer shall submit 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 (CFC Chapter 33 and Chapter 5).
117. Required Submittals (Fire Sprinkler Systems). Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval. sprinkler plans must be submitted electronically by the installing contractor to the Fire Prevention Bureau. These plans must be submitted prior to the issuance of building permit. The fire sprinkler riser will be placed in the fire sprinkler riser room. This room only houses the fire alarm control panel and fire sprinkler riser.
118. 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. The fire alarm control panel will be placed in the fire sprinkler riser room. this room only houses the fire alarm control panel and fire sprinkler riser.

Prior to Issuance of Certificate of Occupancy

119. 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).
120. Hydrant Verification. Hydrant locations shall be identified by the installation of reflective markers (blue dots) (Temecula Municipal Code Section 15.16.020).
121. 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 (CFC Chapter 5).
122. 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).
123. Site Plan. The applicant shall prepare and submit to the Fire Department for approval, a site plan designating fire lanes with appropriate lane painting and/or signs (CFC Chapter 5).
124. 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

125. 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.
126. 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.
127. Berm Height. Berms shall not exceed three feet in height.
128. 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.
129. 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.

130. 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.
131. 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.
132. 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.
133. Commercial or Institutional Grade Hardware. All doors, windows, locking mechanisms, hinges, and other miscellaneous hardware shall be commercial or institution grade.
134. 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.
135. 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.
136. Roof Hatches. All roof hatches shall be painted "International Orange."
137. 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.
138. ADA Parking. All disabled parking stalls on the premises shall be marked in accordance with Section 22511.8 of the California Vehicle Code.
139. 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.
140. 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.
141. 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.
142. 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.

143. 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.
144. 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.
145. 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.

146. 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.
147. 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.
148. 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.



Leighton Consulting, Inc.

A Leighton Group Company

June 28, 2023

Project No. 11760.035

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

Attention: Mr. Scott Cooper, Senior Planner

**Subject: Geotechnical Peer Review - Final
Proposed Old Town Front Street Hotel (PA22-0929)
APN 922-100-048, Temecula, California**

References: (1) Preliminary Geotechnical Interpretive Report, Proposed Commercial Development, Assessor's Parcel Number 922-100-006, Lot Number 2 of Town of Temecula, Subdivision, located on the West Side of Old Town Front Street and South of First Street, Temecula, California, by Earth Strata Geotechnical Services, Inc., Project No. 182385-10A, dated December 03, 2018
(2) Updated Preliminary Geotechnical Interpretive Report, Proposed Commercial Development, Assessor's Parcel Number 922-100-006, Lot Number 2 of Town of Temecula, Subdivision, Temecula, California, by Earth Strata Geotechnical Services, Inc., Project No. 182385-10B, dated November 17, 2022
(3). Response to the Third Party Review Comments Regarding Updated Preliminary Geotechnical Interpretive Report, Proposed Commercial Development, Assessor's Parcel Number 922-100-006, Lot Number 2 of Town of Temecula, Subdivision, Temecula, California, by Earth Strata Geotechnical Services, Inc., Project No. 182385-70B, dated June 14, 2023

In accordance with your request, we performed our review of the submitted response (Reference 3 above). Based on this review, the project geotechnical report (Reference 1) and subsequent clarifications/responses are considered satisfactory from a geotechnical perspective and no further action is required by the consultant. The above referenced responses should be considered as addendums to the project geotechnical report and part of the project design/construction documents. Our above 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 City and please do not hesitate to us if you have any question.

Respectfully submitted,

LEIGHTON CONSULTING, INC.

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Senior Principal Geologist
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Simon I. Saïd, PE, GE
Senior Principal Engineer
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Distribution: (1) Addressee (PDF copy via email)



RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

September 6, 2022

City of Temecula
Community Development Department
41000 Main Street
Temecula, CA 92590

Attention: Scott Cooper

Re: PA 22-0929, APN 922-100-048

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 September 1, 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 by the City. The Project Applicant shall enter into a cooperative agreement establishing the terms and conditions of inspection, operation, and maintenance with the District and any other maintenance partners. 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. All regulatory permits (and all documents pertaining thereto, e.g., Habitat Mitigation and Monitoring Plans, Conservation Plans/Easements) that are to be secured by the Applicant for both facility construction and maintenance shall be submitted to the District for review. The regulatory permits' terms and conditions shall be approved by the District prior to improvement plan approval, map recordation, or finalization of the regulatory permits. There shall be no unreasonable constraint upon the District's ability to operate and maintain the flood control facility(ies) to protect public health and safety.
- ☐ 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 a District's facility. The District would consider accepting ownership of such facilities on written request by the City. The Project Applicant shall enter into a cooperative agreement establishing the terms and conditions of inspection, operation, and maintenance with the District and any other maintenance partners. 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. The regulatory permits' terms and conditions shall be approved by the District prior to improvement plan approval, map recordation, or finalization of the regulatory permits. There shall be no unreasonable constraint upon the District's ability to operate and maintain the flood control facility(ies) to protect public health and safety.

- ☒ This project is located within the limits of the District's Murrieta Creek / Temecula 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 (in accordance with the Rules and Regulations for Administration of Area Drainage Plans) 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, Murrieta Creek Channel. 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.

The project proponent shall bear the responsibility for complying with all applicable mitigation measures defined in the California Environmental Quality Act (CEQA) document (i.e., Negative Declaration, Mitigated Negative Declaration, Environmental Impact Report) and/or Mitigation Monitoring and Reporting Program, if a CEQA document was prepared for the project. The project proponent shall also bear the responsibility for complying with all other federal, state, and local environmental rules and regulations that may apply.

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.

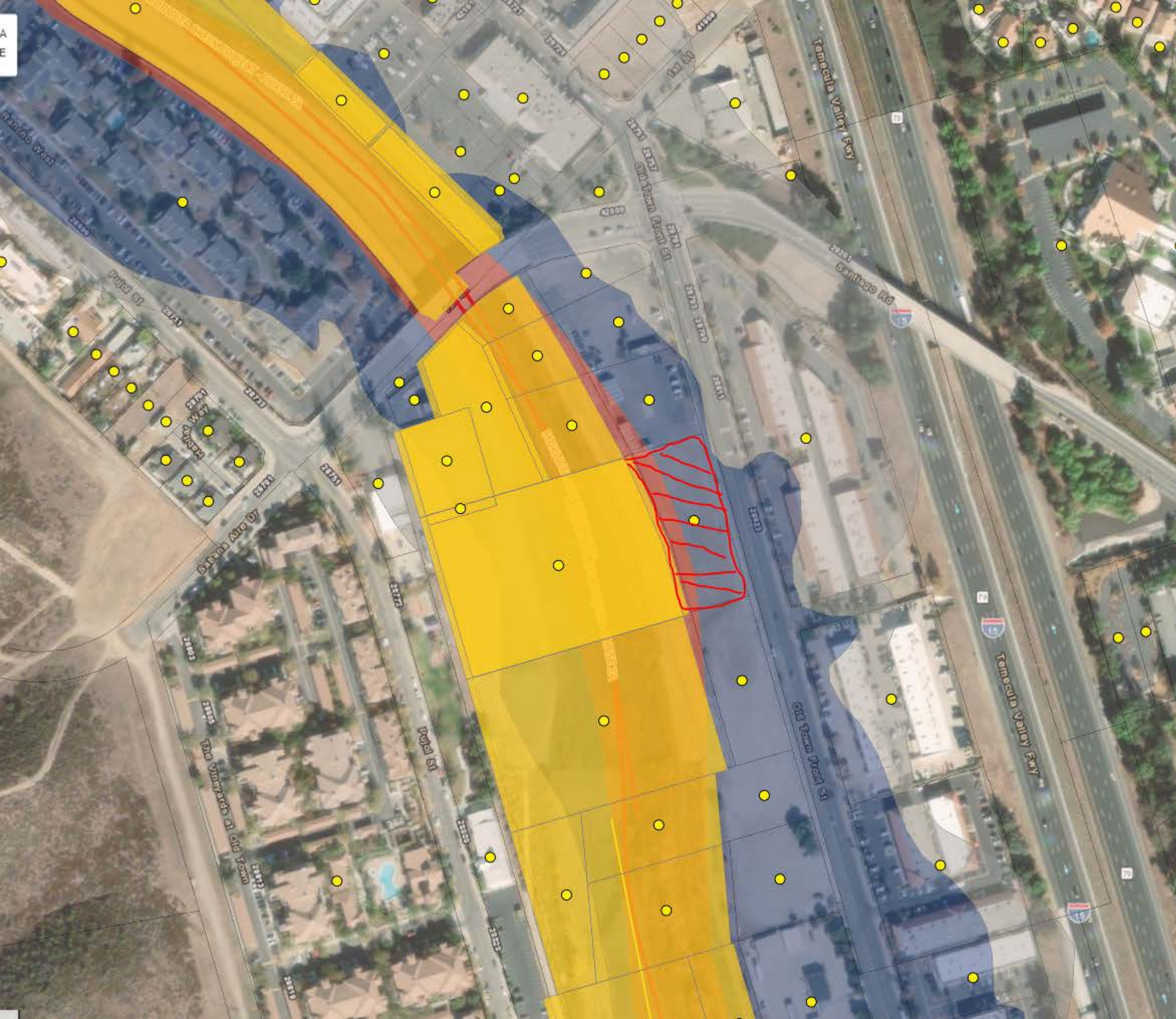
Very truly yours,



AMY MCNEILL
Engineering Project Manager

ec: Riverside County Planning Department
Attn: Phayvanh Nanthavongdouangsy

WMC:jss:ju



Search

Point and click on the map to get location details.

Location Info

Communities of Riverside County

City Name: TEMECULA

RCFC Operating Zone

RCFC Zone: ZONE 7

Area: 403299 acre

Area: 630 mile²

Supervisory Districts (2021)

District: 3

Supervisor: CHUCK WASHINGTON

Supervisory Districts (2011)

District: 3

Supervisor: CHUCK WASHINGTON

Supervisory Districts (2001)

District: 3

District: JEFF STONE

NPDES Watershed Boundaries

Name: SANTA MARGARITA RIVER

Township and Range

Township & Range: 08S03W12

ADP

Name: Murrieta Creek/Temecula Valley

Master Drainage Plan

Name: Murrieta Creek

Acres Area: 135202

Zone No: 7

Adaption Date: 510019200000

FEMA

Flood Zone: AE



RCA Joint Project Review (JPR) Findings

JPR #: 23-09-26-01

Date: 04/11/24

Project Information

Permittee:	<u>City of Temecula</u>
Case Information:	<u>PA22-0929 / Boutique Hotel</u>
Site Acreage:	<u>1.1 acres¹ (0.9-acre on-site permanent, 0.2-acre off-site permanent, and less than 0.1-acre off-site temporary)</u>
Portion of Site Proposed for MSHCP Conservation Area:	<u>0</u>

Criteria Consistency Review

Consistency Conclusion: The project is consistent with 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). A determination of consistency with Criteria cannot be made because the Criteria did not take into account the effects of a pre-MSHCP approved project that rendered the project site incompatible with the intent of Constrained Linkage 13 (e.g., floodplain processes). Therefore, the project site is not needed for reserve assembly.

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

Area Plan: Southwest

APN	Sub-Unit	Cell Group	Cell
922-100-048	SU1 – Murrieta Creek	N/A	7166
922-100-038*			
922-100-039*			
922-100-042*			
922-100-043*			
922-100-051*			
Right-of-Way			

*Denotes APNs that are partially impacted. The City will require any future proposed development in these APNs to demonstrate MSHCP consistency and be processed through a separate joint project review.

Project Information

- Project Documentation.** JPR submittal materials provided by the Permittee included a JPR Application Form (September 19, 2023), a HANS Application (September 19, 2023), City of Temecula Conformance

¹ JPR supporting documentation acreages are based on legal surveyed boundary (i.e., AutoCAD file from 4M that was converted for GIS use); therefore, property and project acreages throughout JPR supporting documentation may not be exact and may not match other sources (i.e., County APNs, RCA, etc.) due to the conversion process.

Memorandum (September 19, 2023), a project site plan (September 19, 2023), and a *Western Riverside County MSHCP Consistency Analysis* prepared by Searl Biological Services (*Analysis*; March 13, 2024).

- b. **Project Location.** The project is located in the City of Temecula, west of Old Town Front Street, south of First Street, and north of Temecula Parkway (Exhibit A). It is located in the southern portion of the MSHCP Area (Exhibit B).

Project Description. The project includes the construction of a luxury hotel. According to the *Analysis*, the project occurs on a compacted, disturbed/maintained vacant lot, in an urban setting. It is situated above channelized Murrieta Creek and separated from the Creek by a flood wall, paved access/road trail, landscaping, and fencing. The project is currently used for overflow parking for adjacent businesses and is routinely maintained through scraping and other vegetation suppression mechanisms. The project site is primarily comprised of disturbed and developed land, but also contains a narrow strip of coastal sage scrub/ruderal. MSHCP baseline vegetation communities (1994) within the project site consist of grassland, riparian scrub, woodland forest, and developed or disturbed land (Exhibit C). Soils mapped on the project site include Hanford coarse sandy loam, Chino silt loam, drained, saline-alkali, and Riverwash (Exhibit D).

The project includes on-site permanent development of 0.9 acre, off-site permanent development of 0.2 acre, and off-site temporary impacts of less than 0.1 acre (Exhibit E). Off-site temporary impacts are associated with ingress/egress. Information on staging of equipment and construction materials was not provided. No weed abatement/fuel modification zones are proposed or required. The project site is located adjacent to Murrieta Creek (MSHCP Proposed Constrained Linkage 13).

Relation to Reserve Assembly

- a. **Reserve Assembly Summary.** The project site is located along Murrieta Creek within Independent Cell 7166. Conservation within this Cell will contribute to assembly of Proposed Constrained Linkage 13 and Proposed Linkage 10. 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.”

Conservation within this Cell will focus on riparian scrub, woodland, forest and grassland habitat along Murrieta Creek and on additional chaparral habitat in the western portion of 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 139.0 acres. Using the low-range (35%) conservation goal, approximately 48.6 acres are described for conservation within this Cell to support both Proposed Constrained Linkage 13 and Proposed Linkage 10. In review of the MSHCP description of conservation in this Cell in combination with 1994 baseline vegetation mapping, roughly 28 acres of chaparral are to support Proposed Linkage 10 while the remainder are to support Proposed Constrained Linkage 13 (roughly 20 acres) in the form of riparian scrub, woodland, forest and grassland habitat. To date, no MSHCP conservation has occurred. Because Proposed Linkage 10 in this Cell is outside the sphere of the proposed project, no further discussion will be provided on this Linkage.

Prior to completion of the MSHCP (June 2004), the Murrieta Creek Flood Control, Environmental Restoration and Recreation Project (MCFC Project), a public project by the U. S. Army Corps of Engineers (USACE) and Riverside County Flood Control and Water Conservation District (RCFC) was finalized in 2000² with revisions to Phase II of the MCFC Project processing a final Supplemental Environmental Assessment and Supplement Environmental Impact Report in 2014³. The high-level elements of the MCFC Project were to improve flood control, create a multi-purpose trail, and establish higher quality riparian habitat along the existing Murrieta Creek channel. The Corps was to construct the MCFC Project while RCFC owned the channel right-of-way and was to provide project funding and operation and maintenance of the completed Project.

The MSHCP was in development prior to and after finalization of the MCFC Project (2000) and established Proposed Constrained Linkage 13 along Murrieta Creek including bringing the Creek into the MSHCP reserve as conservation lands expressly managed for MSHCP-covered species. A wildlife corridor as envisioned by the MSHCP for Murrieta Creek was not incorporated in the MCFC Project and is incompatible with the MCFC Project as the latter is a maintained channel and is managed for flood control, not species.

Specifically, the project site occurs in Phase II of the MCFC Project which began construction in 2015/2016 and has been completed. Prior to construction of Phase II, the project site was part of the Murrieta Creek floodplain and provided refugia for some of the MSHCP Planning Species for Proposed Constrained Linkage 13. Construction of the MCFC Project lowered Murrieta Creek elevation and included the installation of retaining walls separating Murrieta Creek from the adjacent floodplain, including the project site. The project

² Murrieta Creek Flood Control, Environmental Restoration and Recreation Project and Final Environmental Impact Statement/Environmental Impact Report (EIS/EIR), September 2000.

³ Murrieta Creek Flood Control/Environmental Restoration and Recreation Project and Final Supplemental Environmental Assessment and Supplemental Environmental Impact Report, July 2014.

site was used for staging by the Phase II MCFC Project with all biological resources removed and resulting in a roughly 15-foot flood wall, a paved access/road trail, landscaping, and fencing all between the project site and the Creek.

Due to the pre-MSHCP approved MCFC project, the project site has no potential to functionally contribute to Proposed Constrained Linkage 13. The site is nearly devoid of vegetation, does not provide riparian scrub, woodland, forest and grassland habitat to support MSHCP Planning Species for this Linkage, nor does it provide refugia during large-scale flooding events because the project site is separated from the Creek, as discussed above. The project site is not suitable and is incompatible to support MSHCP reserve establishment for Proposed Constrained Linkage 13 and there is no potential for it to provide such functionality in the future.

The MSHCP provides for a Criteria Refinement when a project covered by the MSHCP is proposed to remove land described for conservation. The MCFC project was not processed under the MSHCP⁴, so there was no nexus to require the MCFC project to implement a Criteria Refinement to replace impacted land (including the project site) that was described for conservation. The RCA is working with the Wildlife Agencies on the feasibility of replacing, within the MSHCP Plan Boundary, the ecological values and functions affected by the MCFC Project in Proposed Constrained Linkage 13.

- b. **Rough Step.** The proposed project is within Rough Step Unit 5 which tracks five vegetation types: coastal sage scrub; grasslands; woodlands and forests; riparian scrub, woodland, forest; and Riversidean alluvial fan sage scrub.

MSHCP baseline vegetation communities (1994) within the project site for those tracked by this Unit consists of 0.1 acre of grassland and 0.3 acre of riparian scrub, woodland forest (Exhibit C). All vegetation categories were in Rough Step at the time of these Findings and the proposed project does not conflict with Rough Step. However, 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 *[if 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

⁴ Murrieta Creek Flood Control/Environmental Restoration and Recreation Project and Final Supplemental Environmental Assessment and Supplemental Environmental Impact Report, July 2014.



RCA Joint Project Review (JPR) Findings

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confirm with the RCA that the Project will not impact out-of-balance Rough Step vegetation in the applicable Rough Step unit.

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 (*Rhaphiomidas terminates abdominalis*). However, a portion of the project site is located in an Additional Survey Needs and Procedures Area for burrowing owl (*Athene cunicularia*).

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

Yes. The property is 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 for riparian/riverine features on June 24, 2022 and additional site assessments were conducted on March 9 and April 11, 2023. As presented in the *Analysis*, the project site is not hydrologically connected to Murrieta Creek. The site is isolated and located above Murrieta Creek; separated by a flood wall, paved access/road trail, landscaping, and fencing associated with the MCFC Project. The entire project site was used for staging by the MCFC Project. Currently, a heavily manipulated erosional ephemeral swale (swale) occurs along the southern project site boundary that collects storm runoff from Old Town Front Street. This swale is not connected upstream, nor is it connected downstream to Murrieta Creek due to the MCFC Project. There is a box storm drain approximately 15-feet off-site to the west; however, due to its location and elevation, it does not function as a drain collection for the swale and may have been installed to collect runoff from the surrounding MCFC Project landscaping. Riparian/riverine resources are absent from the project site. Based upon this information, the proposed project will not result in impacts to riparian/riverine resources.

Vernal Pools/Fairy Shrimp. The project site was assessed for vernal pools and suitable fairy shrimp habitat on June 24, 2022, and additional site assessments were conducted on March 9 and April 11, 2023. According to the *Analysis*, the project site lacks suitable soils (including placement of gravel), vegetation, and hydrology to support vernal pools. The project site is highly disturbed and heavily compacted from past grading operations, including construction of Phase II of the MCFC Project, when the entire project site was used for staging. Across the years the project site has been used also for overflow parking from Old Town Temecula.

The RCA completed a desktop analysis and field review and determined there is no potential for vernal pool resources at the project site. This conclusion is based on a review of aerial imagery from Google Earth and available online historic aeriels and past disturbances of the project site. The desktop analysis noted signs of ponding or moist/wet soils in aerial imagery from 2018, 2020, and 2023. However, the MCFC Project graded the project site in 2015/2016, thereby precluding the presence of fairy shrimp or vernal pools but likely causing soil compaction and hence creating potential for ponding as observed in satellite imagery dating after the MCFC Project began. It is less than reasonable to assume listed fairy shrimp have been transported to the project site since grading operations and specifically since the MCFC Project. Focused surveys are not warranted.

Riparian Birds. The project site lacks suitable riparian habitat to support riparian birds, including least Bell's vireo (*Vireo bellii pusillus*), southwestern willow flycatcher (*Empidonax traillii extimus*), and western yellow-billed cuckoo (*Coccyzus americanus occidentalis*) and is outside the sphere of influence of potentially occupied habitat for these species. Therefore, focused surveys were not warranted.

Based on the information provided in the *Analysis*, the project meets Section 6.1.2 MSHCP requirements.

- b. **Section 6.1.3 NEPSSA Plants.** The project site is not located within a NEPSSA plant survey area; therefore, NEPSSA plant focused surveys were not warranted, and the project meets Section 6.1.3 MSHCP requirements.
- c. **Section 6.3.2. Additional Survey Needs and Procedures.** The following describes Additional Survey Needs and Procedures applicable to the proposed project:

Burrowing Owl. A portion of the project site is located in the Additional Survey Needs and Procedures Area for burrowing owl. In accordance with the County of Riverside's Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Plan Area (County of Riverside 2006), a Step I Habitat Assessment was conducted on June 24, 2022. As presented in the *Analysis*, the project site contains heavily compacted soils from past anthropogenic disturbance that preclude an animal from establishing a burrow. As such, Step II Part A Focused Burrow Survey and Step II B Focused Burrowing Owl Surveys were not warranted.

Based on the information provided by in the *Analysis*, the project meets Section 6.3.2 MSHCP requirements.

- d. **Section 6.1.4. Urban/Wildlands Interface Guidelines.** To preserve the integrity of biological resources in Murrieta Creek, the guidelines contained in Section 6.1.4 of the MSHCP should be considered by the Permittee in their actions relative to the project. Therefore, the Permittee should include 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 shielded and directed downward and away from the MSHCP Conservation Area to protect species from direct night lighting. Post-project ambient light levels within the MSHCP Conservation Area shall not exceed that of pre-project conditions as a result of light spill from the Project site. A responsible party, such as a Homeowners Association or other legally recognized entity, will be assigned prior to occupancy and will be responsible for maintaining the lighting in perpetuity. Any lighting issues will be addressed within 30 days of receiving input from the RCA.**
- 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. **Fencing shall be designed to prevent access to the MSHCP Conservation Area by unauthorized public access, domestic animals, and illegal trespass or dumping. This shall include, at a**

minimum, barriers with a minimum height of 6 feet with no greater than 2-inch openings (i.e., tubular steel fencing with tines set on 2-inch centers) and shall include a metallic or masonry component (i.e. wire mesh cloth) buried to a minimum depth of 12 inches below ground surface level to prevent domestic animals from gaining access to the MSHCP Conservation Area by digging under. This fencing shall be installed at the interface with the MSHCP Conservation Area, as well as other portions of the Project where access to the MSHCP Conservation Area could be achieved.

- 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.
- e. **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.



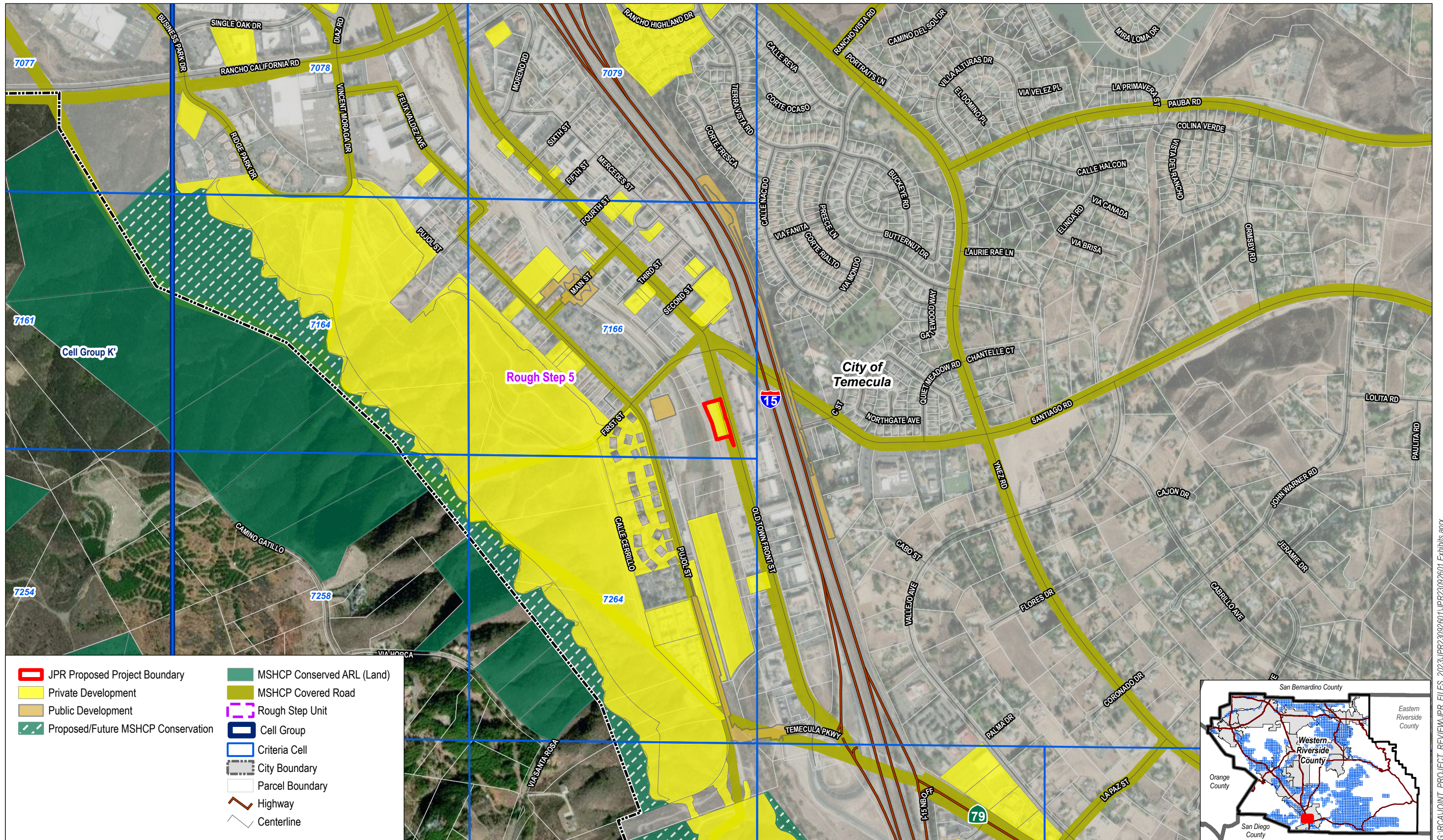
RCA Joint Project Review (JPR) Findings

JPR #: 23-09-26-01

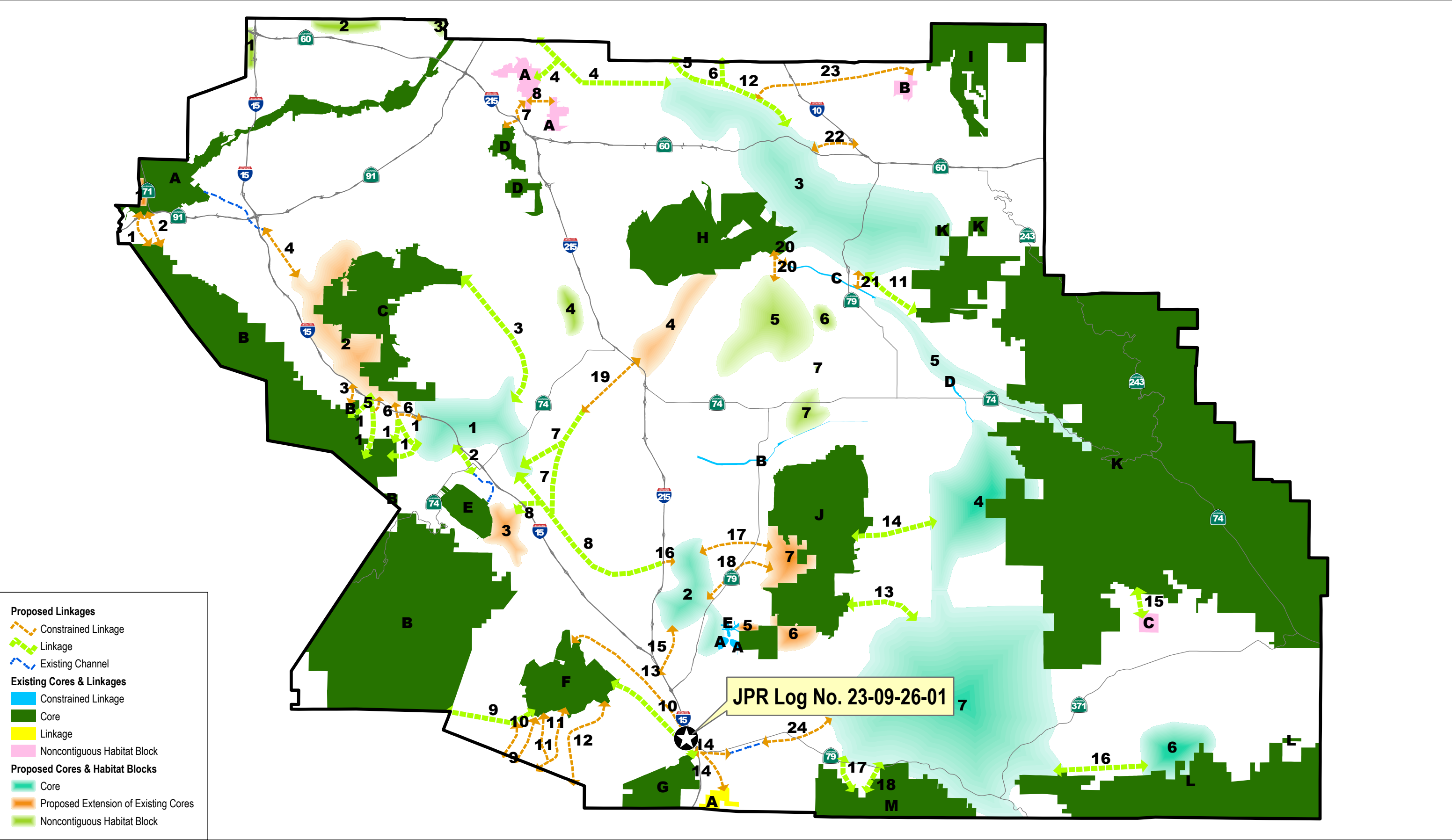
Date: 04/11/24

- 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.

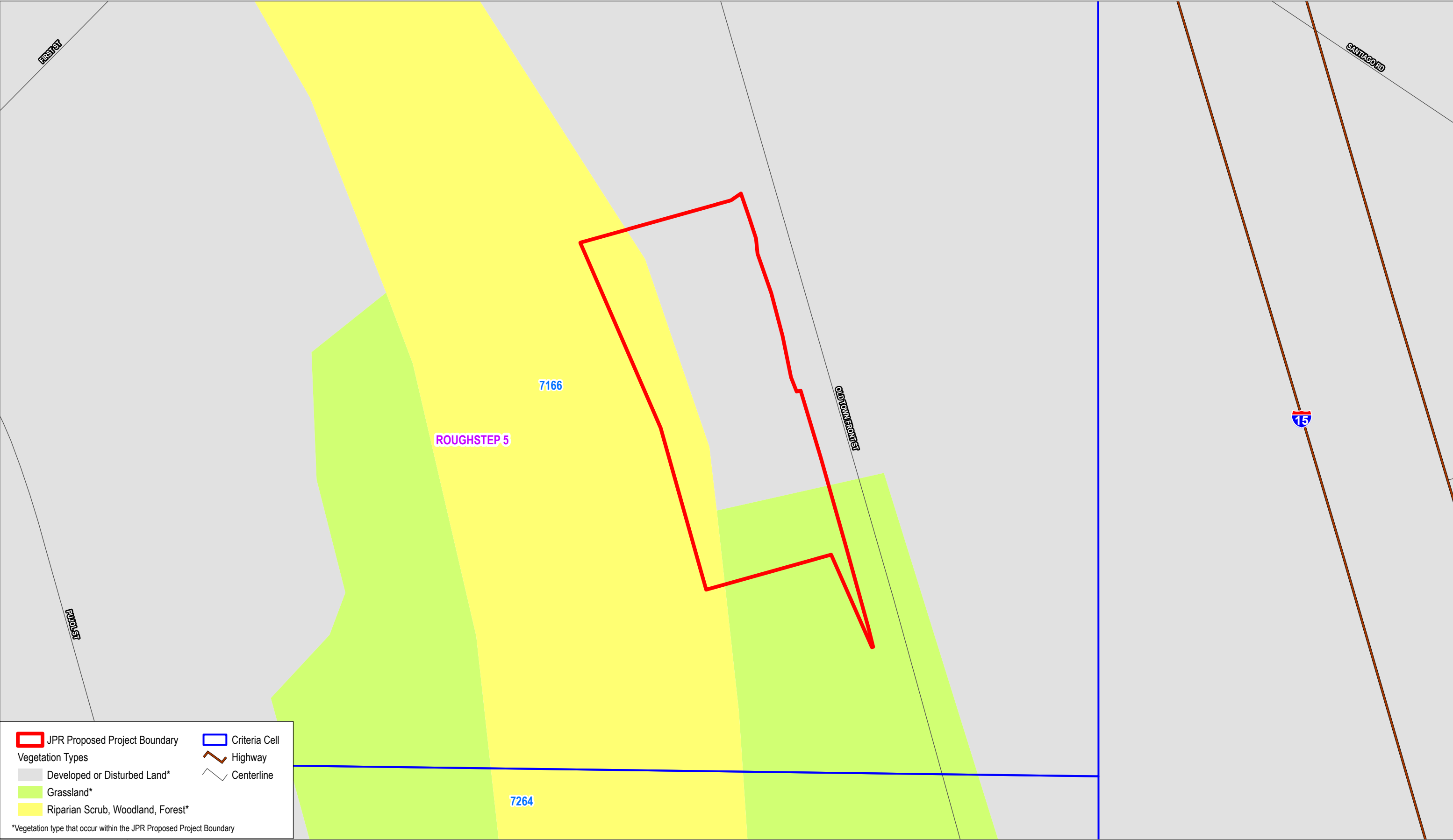
BS/TC/AG



SOURCE: Western Riverside County Regional Conservation Authority 2023; County of Riverside 2023; Esri Basemap 2023. Map created on 10/2/2023.



SOURCE: Western Riverside County Regional Conservation Authority (WRC-RCA). Map created on 4/11/2024



SOURCE: WRC-RCA MSHCP Baseline Vegetation (1994). Map created on 10/2/2023.



r14542
Permittee: City of Temecula
PA22-0929 Boutique Luxury Hotel

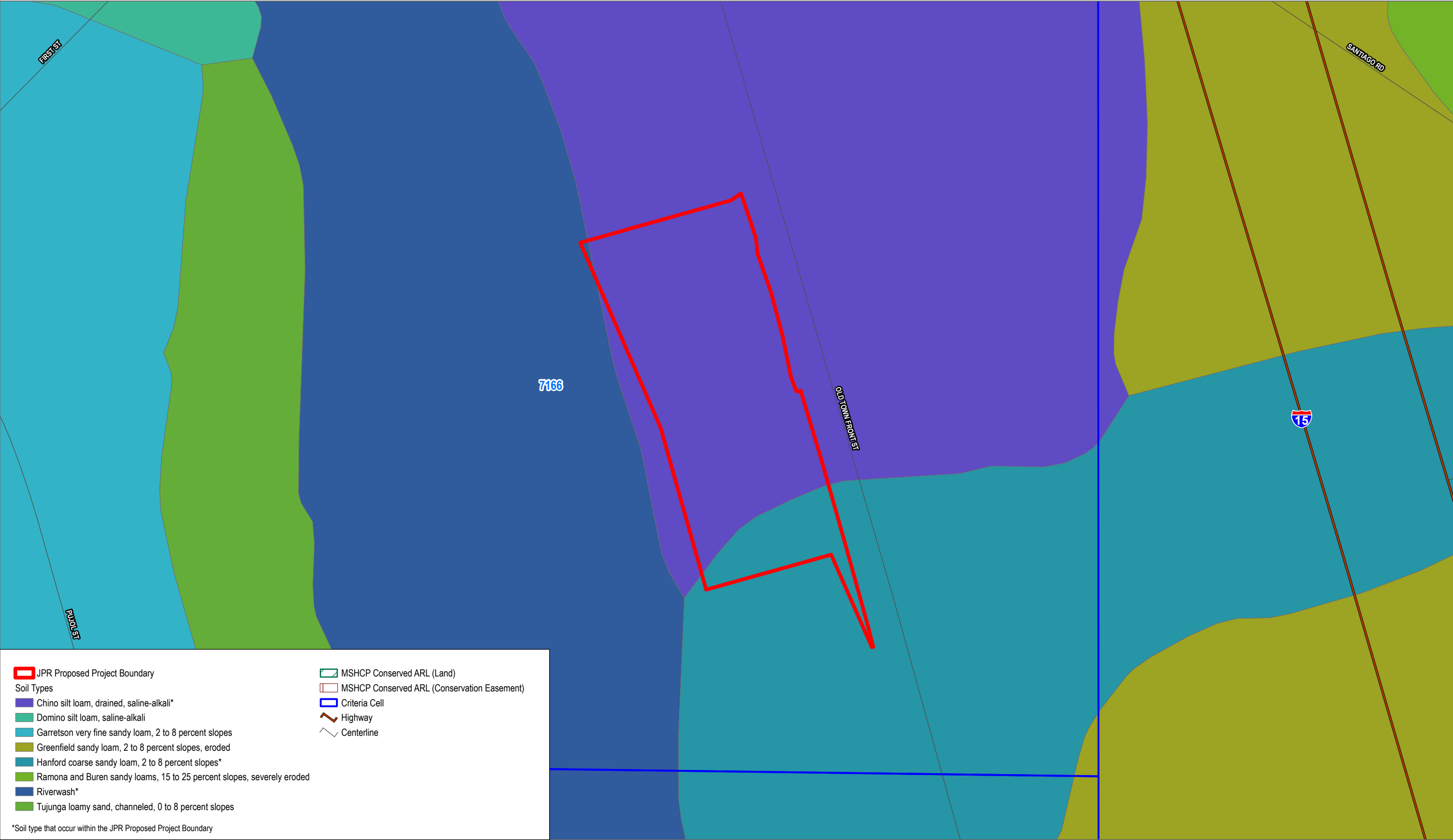


0 50 100
Feet

EXHIBIT C

JPR Log No. 23-09-26-01 - MSHCP 1994 Baseline Vegetation

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SOURCE: Western Riverside County Regional Conservation Authority 2023; County of Riverside 2023; USDA/NRCS Soils 2020

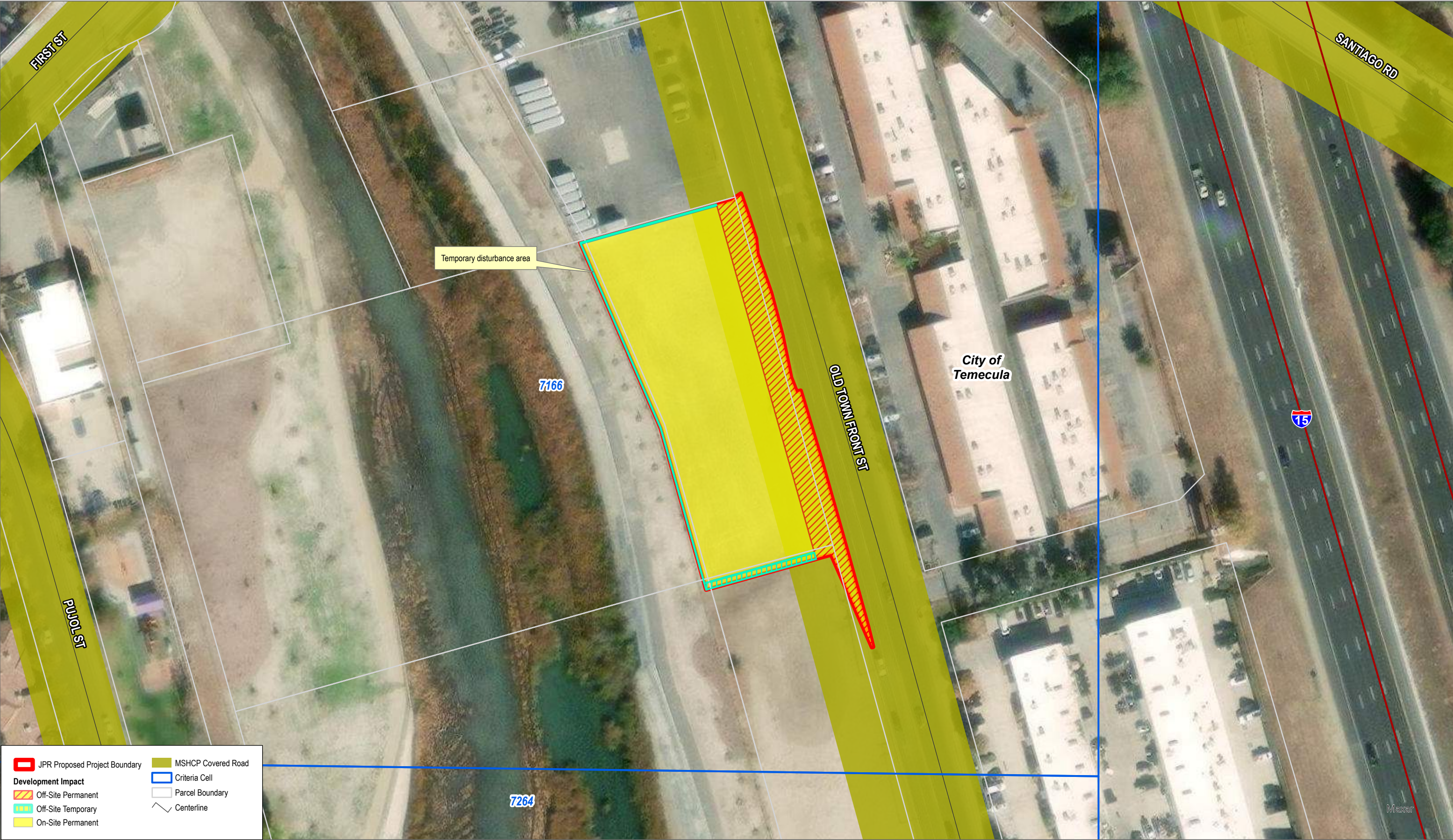


r14542
Permittee: City of Temecula
PA22-0929 Boutique Luxury Hotel



0 100 200 Feet

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SOURCE: Western Riverside County Regional Conservation Authority 2023; County of Riverside 2023; Esri Basemap 2023. Map created on 10/2/2023.



June 21, 2023

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

**SUBJECT: WATER AVAILABILITY
OLD TOWN FRONT STREET
PA 22-0929
LOT 2 IN BLOCK 32
APN 922-100-048
[OM RESIDENTIAL REAL ESTATE, LLC]**

Board of Directors

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Senior Vice President

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Assistant General Manager
Engineering and Operations

Kathleen M. Naylor
Chief Financial Officer

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 20-inch diameter water pipeline (1305 Pressure Zone) and an existing 20-inch recycled water pipeline (1381 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, Director of Planning
Corry Smith, Engineering Services Supervisor
Kim Moring, 4M Engineering & Development, LLC



1-15

922-100-048

20" " RC169ACP

OLD TOWN FRONT Street

20" " RC169ACP

20" " RC148SCMLC

12" " RC255ACP

OLD TOWN FRONT Street

12" " RC255ACP

12" " RC255ACP

12" " RC255ACP

12" " RC255ACP