

**DRAFT CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT**

EXHIBIT A

CITY OF TEMECULA

DRAFT CONDITIONS OF APPROVAL

Planning Application No.:	PA19-0718
Project Description:	A Conditional Use Permit for the Sommers Bend project to allow for the construction of three (3) bungalows. The project is located within Planning Area 30 of the Roripaugh Ranch Specific Plan.
Assessor's Parcel No.:	964-180-021
MSHCP Category:	Exempt per DA and OM 6 Section 5.G, MSHCP (Expiration 11/25/28 per PA12-0122)
DIF Category:	N/A (Private Recreation Facility)
TUMF Category:	Exempt per Development Agreement Section 4.1.7.B
Quimby Category:	N/A (Private Recreation Facility)
New Street In-lieu of Fee:	N/A (Project not located in Uptown Temecula Specific Plan area)
Approval Date:	November 6, 2019
Expiration Date:	November 6, 2021

PLANNING DIVISION

General Requirements

1. Indemnification of the City. The applicant and owner of the real property subject to this condition shall hereby agree to indemnify, protect, hold harmless, and defend the City and its attorneys from any and all claims, actions, awards, judgments, or proceedings against the City to attack, set aside, annul, or seek monetary damages resulting, directly or indirectly, from any action in furtherance of and the approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voters of the City, concerning the Planning Application. The City shall be deemed for purposes of this condition, to include any agency or instrumentality thereof, or any of its elected or appointed officials, officers, employees, consultants, contractors, legal counsel, and agents. City shall promptly notify both the applicant and landowner of any claim, action, or proceeding to which this condition is applicable and shall further cooperate fully in the defense of the action. The City reserves the right to take any and all action the City deems to be in the best interest of the City and its citizens in regards to such defense.
2. Expiration. This approval shall be used within two 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 two 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.

3. Time Extension. The Director of Community Development may, upon an application being filed prior to expiration, and for good cause, grant a time extension of up to three extensions of time, one year at a time.
4. Consistency with Specific Plans. This project and all subsequent projects within this site shall be consistent with Roripaugh Ranch Specific Plan (SP#11).
5. Consistency with Development Agreements. The project and all subsequent projects within this site shall be subject to Development Agreement No. 2016 0156276 recorded on April 20, 2016.
6. Compliance with EIR. The project and all subsequent projects within this site shall comply with all mitigation measures identified within EIR No. SCH# 97121030.
7. 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.
8. Revocation of CUP. This Conditional Use Permit may be revoked pursuant to Section 17.03.080 of the City's Development Code.
9. City Review and Modification of CUP. The City, its Director of Community Development, Planning Commission, and City Council retain and reserve the right and jurisdiction to review and modify this Conditional Use Permit (including the Conditions of Approval) based on changed circumstances. Changed circumstances include, but are not limited to, the modification of business, a change in scope, emphasis, size of nature of the business, and the expansion, alteration, reconfiguration or change of use. The reservation of right to review any Conditional Use Permit granted or approved or conditionally approved hereunder by the City, its Director of Community Development, Planning Commission and City Council is in addition to, and not in-lieu of, the right of the City, its Director of Community Development, Planning Commission, and City Council to review, revoke or modify any Conditional Use Permit approved or conditionally approved hereunder for any violations of the conditions imposed on such Conditional Use Permit or for the maintenance of any nuisance condition or other code violation thereon.
10. Bungalows. The bungalows shall only be reserved by residents of the Summers Bend development and cannot be rented out as short term rentals.